

November 17, 2021

The Honorable Joseph R. Biden, Jr.
President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

Thank you for your leadership at the 26th United Nations Climate Change Conference of the Parties (COP26) and for your administration's efforts to position agriculture and innovation as a solution to global climate and sustainability challenges. The undersigned organizations represent America's highly innovative and competitive agricultural value chain that is committed to empowering agriculture and food systems to mitigate and adapt to climate change, with science-based, environmentally, and economically sound solutions that also provide for food security.

As you continue to advance America's leadership on climate, we ask for your attention to acute and systemic trade barriers to innovative agricultural biotechnology tools in important export markets. Specifically, we have great concerns regarding the Government of Mexico's policy on agricultural biotechnology that is out of step with its commitments under the United States – Mexico – Canada Agreement (USMCA) and the World Trade Organization (WTO). As you approach the North American Leaders Summit, we ask that you address Mexico's approach to agricultural biotechnology, and specifically to encourage President López Obrador to reestablish a timely, science-based regulatory process and reaffirm the Government of Mexico's commitment to bilateral trade in agricultural products produced with biotechnology. Should this engagement not succeed, the only remaining path will be to utilize the new enforcement tools included under USMCA. In addition, we underscore the importance of restoring more predictable and USMCA-compliant trading conditions across a range of other U.S. agricultural exports that are increasingly burdened by Mexico's use of unscientific regulatory measures to impede trade.

Since 2018, Mexico has failed to maintain a science-based approval process for agricultural biotechnology, by arbitrarily delaying the scientific risk assessment of biotechnology products, and in one recent instance rejecting a biotech corn product application without scientific justification. As a result, Mexico's lack of a valid and reliable regulatory process has become a rate limiting step to approval and a barrier to introducing new biotechnology crops in North America. The queue of products awaiting science-based risk assessment continues to grow, affecting twenty-five technologies across a wide range of commodities – apples, canola, corn, cotton, and soybeans.

Compounding matters, the Government of Mexico has issued a series of vague and often contradictory statements as to how imports of U.S. grain produced with agricultural biotechnology are to be treated. A recent letter from President López Obrador to you on October 26, 2021, continues to add to the uncertainty. The absence of a science-based, timely and transparent process, the recent biotechnology product rejection, and messaging from the Government of Mexico are, in part and in whole, raising substantial concern for the U.S. agricultural value chain as they have the potential to reduce sales of U.S. agricultural products and undermine long term commercial relationships.

Mexico's actions related to agricultural biotechnology are without scientific rationale and misplaced. For over twenty years, the United States has successfully and safely led the world in the commercialization of biotechnology to enable more sustainable farming practices. These innovations reduce greenhouse gas emissions throughout agricultural supply chains, delivering environmentally friendly products and processes to the market and more nutritious offerings to all tables. Future technologies will be critical for producers around the world to be resilient and adaptive to pests, diseases, and extreme weather brought on by climate change.

We greatly appreciate Ambassador Tai and Secretary Vilsack's consistent engagement on these matters. However, we are growing increasingly alarmed as the Government of Mexico has yet to acknowledge U.S. government intervention and articulate a path to compliance. We are concerned that without intervention at the highest-level, Mexico will continue to deny applicants a timely, science-based process and potentially move forward with actions to ban imports of U.S. grains.

Failing to hold Mexico accountable will undermine our efforts to tackle climate change, worsen food insecurity, negatively impact our food systems and the supply chain, and harm the livelihoods of agricultural producers in both the United States and Mexico. Further, if Mexico's actions go unchecked it could embolden other trading partners to take similar actions.

To enable agriculture to address the challenges related to climate change and sustainably increase production to feed a growing world will require producers having access to cutting edge biotechnology tools and predictable, reliable cross border trade and investment. Unfortunately, Mexico's political and regulatory practices are already having negative impacts on decision making throughout the global agricultural supply chain. As such, it is critical the United States takes decisive action to remove Mexico's impediments to agricultural innovation.

Sincerely,

American Farm Bureau Federation
Agricultural Retailers Association
Alabama Soybean & Corn Association
American Feed Industry Association
American Seed Trade Association
American Soybean Association
Arizona Bioindustry Association (AZBio)
Arizona Farm Bureau
Biocom California
BioCT
BioKansas
Bio Nebraska
BioNJ
Biotechnology Innovation Organization
California Farm Bureau
California Life Sciences
Colorado BioScience Association
Corn Refiners Association
CropLife International
Delaware Farm Bureau
Far West Agribusiness Association
Florida Feed Association, Inc.

Florida Fertilizer & Agrichemical Association
Georgia Bio
Grain and Feed Association of Illinois
Idaho Farm Bureau Federation
Illinois Biotechnology Innovation Organization, iBIO
Illinois Corn Growers Association
Illinois Fertilizer and Chemical Association
Indiana Corn Growers Association
Indiana Farm Bureau
Indiana Health Industry Forum
Indiana Soybean Alliance
Iowa Biotechnology Association
Iowa Corn Growers Association
Iowa Farm Bureau
Kansas Corn Growers Association
Kansas Farm Bureau
Kansas Grain and Feed Association
Kentucky Corn Growers Association
Kentucky Life Sciences Council
Louisiana Cotton & Grain Association
Louisiana Farm Bureau Federation
Maryland Grain Producers Association
Michigan Biosciences Industry Association (MichBio)
Michigan Corn Growers Association
Michigan Farm Bureau
Minnesota Corn Growers Association
Minnesota Crop Production Retailers
Minnesota Farm Bureau
Minnesota Grain and Feed Association
Mississippi Farm Bureau Federation
Missouri Biotechnology Association (MOBIO)
Missouri Corn Growers Association
Missouri Farm Bureau
Missouri Soybean Association
Montana Agricultural Business Association
National Association of State Departments of Agriculture
National Cattlemen's Beef Association
National Corn Growers Association
National Cotton Council
National Council of Farmer Cooperatives
National Grain and Feed Association
National Milk Producers Federation
National Oilseed Processors Association
Nebraska Corn Growers Association
Nebraska Farm Bureau Federation
New Mexico Biotechnology & Biomedical Association
New Mexico Farm and Livestock Bureau
New York Corn and Soybean Growers Association
New York Farm Bureau
NewYorkBIO
North American Export Grain Association

North American Meat Institute
North American Millers' Association
North Carolina Agribusiness Council, Inc
North Carolina Biosciences Organization (NCBIO)
North Carolina Farm Bureau
North Dakota Bioscience Association
North Dakota Corn Growers Association
North Dakota Grain Growers Association
Northern Canola Growers Association
Ohio AgriBusiness Association
Ohio Corn & Wheat Growers Association
Ohio Farm Bureau Federation
Ohio Soybean Association
Oregon Bio
Oregon Feed and Grain Association
Oregon Seed Association
Pacific Northwest Canola Association
Pennsylvania Corn Growers Association
Pennsylvania Farm Bureau
Rocky Mountain Agribusiness Association
Rural & Agriculture Council of America
South Dakota Agri-Business Association
South Dakota Biotech
South Dakota Corn Growers Association
Tennessee Corn Growers Association
Tennessee Feed & Grain Association
Texas Corn Producers Association
Texas Farm Bureau
Texas Grain and Feed Association
Texas Soybean Association
United Fresh Produce Association
U.S. Canola Association
U.S. Chamber of Commerce
U.S. Dairy Export Council
U.S. Grains Council
Virginia Grain Producers Association
Western Plant Health Association
Wisconsin Agri-Business Association
Wisconsin Corn Growers Association
Wyoming Ag Business Association

Cc: The Honorable Katherine Tai, Ambassador, U.S. Trade Representative
The Honorable Tom Vilsack, Secretary, U.S. Department of Agriculture
The Honorable Gina Raimondo, Secretary, U.S. Department of Commerce
The Honorable Antony Blinken, Secretary, U.S. Department of State
The Honorable John Kerry, U.S. Special Presidential Envoy for Climate
The Honorable Jake Sullivan, National Security Advisor