



April 15, 2026

The Honorable Jamieson Greer  
United States Trade Representative  
Office of the United States Trade Representative  
600 17th Street NW  
Washington, DC 20508

**Re: Docket No. USTR-2026-0067 - Request for Comments on the Section 301 Investigations of Acts, Policies, and Practices of Certain Economies Relating to Structural Excess Capacity and Production in Manufacturing Sectors**

Dear Ambassador Greer:

The American Soybean Association (ASA) and U.S. Soybean Export Council (USSEC) appreciate the opportunity to comment on the U.S. Trade Representative's (USTR) Section 301 investigation acts, policies, and practices of certain economics relating to structural excess capacity and production in manufacturing sectors.

ASA represents more than 500,000 U.S. soybean farmers on policy issues important to the soybean industry and has 26 affiliated state associations representing 30 soybean-producing states. ASA serves as the voice of U.S. soybean farmers in Washington, D.C. and works to promote a favorable trade environment to ensure soybean farmers are continuously able to access developed and new markets for U.S. soybean exports.

USSEC represents the interests of U.S. soybean producers, commodity shippers, merchandisers, allied agri-businesses and other agricultural organizations in international markets. USSEC focuses on differentiating, elevating preference, and attaining market access for the use of U.S. soy for human consumption, aquaculture, and livestock feed in more than 90 countries internationally. USSEC's mission is to maximize the utilization, value and access to markets of U.S. Soy around the world by meeting the needs of our stakeholders and global customers.

The U.S. soybean industry has a profound, positive impact on the U.S. economy. While we have long been U.S. agriculture's #1 export crop, half of our harvested soybeans stay at home for a variety of uses. A by-the-numbers look demonstrates the value of the soybean industry to our domestic economic health. The U.S. Department of Agriculture (USDA) estimates that over 80 million acres of soy were harvested in 2025, with production of 4.3 billion bushels. Soybean production accounts for more than \$4 billion in wages and over \$80 billion in economic impacts, according to a study by the United Soybean Board (USB)/Soy Checkoff and National Oilseed Processors Association (NOPA). This economic impact does not include secondary soy markets and supporting industries like biofuels, grain elevators, feed mills, ports, rail, refining, barges, etc., which bring the national total economic impact of the soybean value chain to a significant \$124 billion.

Robust international trade continues to remain a priority of the U.S. soybean industry. ASA and USSEC work in conjunction with our partners at the USDA and the Office of the U.S. Trade Representative (USTR) to open new markets and introduce new customers to the value of high quality, high protein U.S. soy. Opening new markets is just the beginning: markets require time,

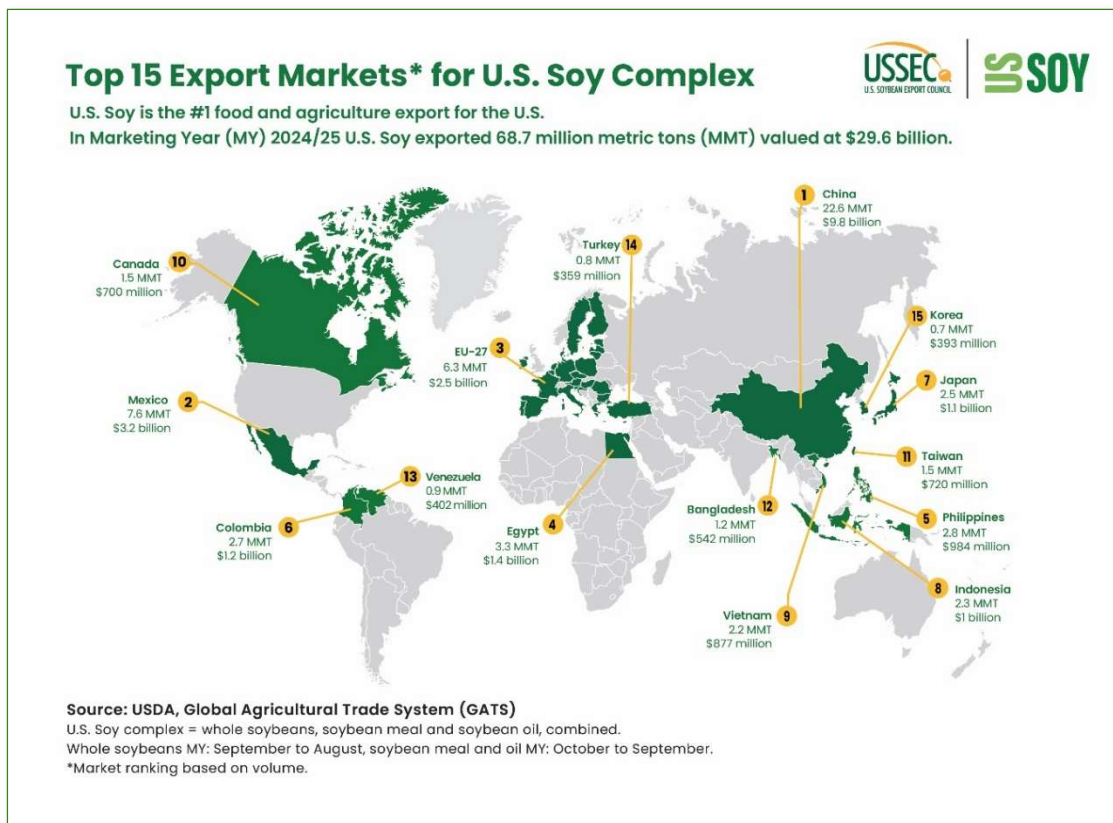
attention, and long-term relationship maintenance to ensure that once a market is open to U.S. soybean exports, access remains unhindered.

As the trade associations representing the U.S. soybean value chain, ASA and USSEC do not have the expertise to comment on whether or not the countries of China, the European Union (EU), Singapore, Switzerland, Norway, Indonesia, Malaysia, Cambodia, Thailand, Korea, Vietnam, Taiwan, Bangladesh, Mexico, Japan, and India exhibit structural excess capacity in various manufacturing sectors.

However, eight of the countries named in this investigation are top export customers for U.S. soy. ASA and USSEC wish to share our concerns with the potential remedies of a Section 301 investigation into excess capacity, and the impact those potential remedies may have on U.S. soybean farmers.

### Background Trade Data

In the most recent marketing year (MY) with complete data (MY 2024/2025), U.S. exporters shipped 68.7 million metric tons (MMT) of whole soybeans, soybean meal, and soybean oil to foreign markets, accounting for nearly \$29.6 billion in sales and 58% of U.S. soy production. Of those exports, nearly 23 MMT of soybeans were bound for China, which is solely a whole soybean importer. That volume represents 32% of U.S. soy complex exports and accounts for \$9.8 billion in value. Our next two largest export markets were the European Union (EU) and Mexico. By comparison, those two markets combined purchased 14.1 MMT of U.S. soybean, meal and oil exports.



These numbers show a departure from typical marketing years for U.S. soy. Traditionally, this Chinese market represents over half of all U.S. soybean exports in a given year; in MY 2023/2024, China purchased 25 MMT of U.S. soy, accounting for 54% of U.S. soybean exports that marketing year and representing \$13.2 billion in value. However, exports continued to grow thanks to strong demand in markets outside China.

Indonesia, for example, remains a critical export destination for U.S. soybeans, consistently sourcing over 90% of its annual soybean imports from the U.S. which, last marketing year, was 2.44 million metric tons. The soy is primarily consumed as a staple in the form of tempeh and tofu. The recently signed Agreement on Reciprocal Trade (ART) provided clarity on a variety of non-tariff barriers that were affecting U.S. soy in addition to significant purchase commitments. The language agreed to address complex and restrictive regulatory frameworks, particularly under the prior notice system, phytosanitary requirements, and halal regulations. As USTR moves forward with this investigation, ASA and USSEC strongly recommend exempting countries who have signed ARTs with the U.S. from future tariffs under this and other Section 301 investigations.

The decrease in imports from China can directly be attributed to a reignited trade war between our two global economies following the U.S. imposition of tariffs under the International Emergency Economic Powers Act (IEEPA) and subsequent tariff retaliation by China. Tariffs imposed under the IEEPA authority – which this investigation seeks to replicate after the Supreme Court ruled the use of IEEPA was illegal - caused Beijing to retaliate and impose tariffs on U.S. soybeans. At one point, the tariff on U.S. soybeans to China was around 34% - a rate nearly as high as the tariff faced by our industry from 2018 to 2020.

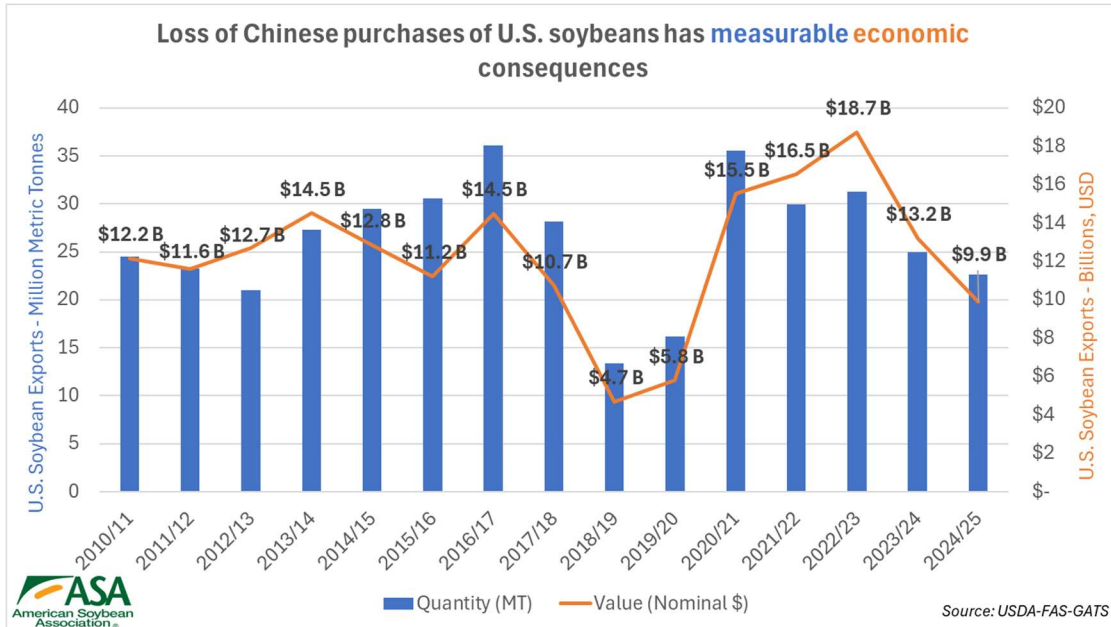


Figure 1

While our organizations were grateful to see the framework agreement announced by the U.S. and Chinese governments after President Trump and President Xi met on October 30, 2025, in South Korea, China retains a 10% retaliatory tariff on U.S. soybeans. We are concerned that these additional Section 301 investigations could lead to remedies that will set back negotiations and

lead to a reimposition of even higher tariffs against U.S. soybeans by the Chinese government. U.S. soybeans still face a tariff differential in China that our competitors in South America do not face, and thus as long as the duties remain in place, U.S. farmers are not price competitive in our largest export market (Figure 1).

However, the threat of retaliation is not the only concern that ASA and USSEC have with this Section 301 investigation.

### Agricultural Inputs and Tariffs

U.S. soybean farmers are dependent on the global supply chain for critical agricultural inputs such as fertilizers, pesticides, seeds, and equipment. On average, American farmers import about \$33 billion worth of these inputs annually. According to the North Dakota State University Agricultural Trade Monitor, the overall tariff rate on agricultural input products averaged 12.2% when IEEPA tariffs were in place compared to less than 1% before the tariffs were levied (Figure 2).<sup>1</sup> Pesticide imports were impacted the most, with effective tariff rates (including most-favored-nation status) hovering around 25% compared to a 5-6% rate prior to the IEEPA tariff. Of note, specialized pesticides imported from India – one of the two largest global suppliers – faced an effective tariff rate of 44%.

Despite the removal of tariffs under IEEPA, U.S. farmers are still facing elevated tariff costs for their imported inputs. Tariffs levied under Section 122 of the Trade Act of 1974 have ensured that farmers will continue to pay more for critical inputs than they did before sweeping across-the-board tariffs were introduced, as outlined in the below chart.

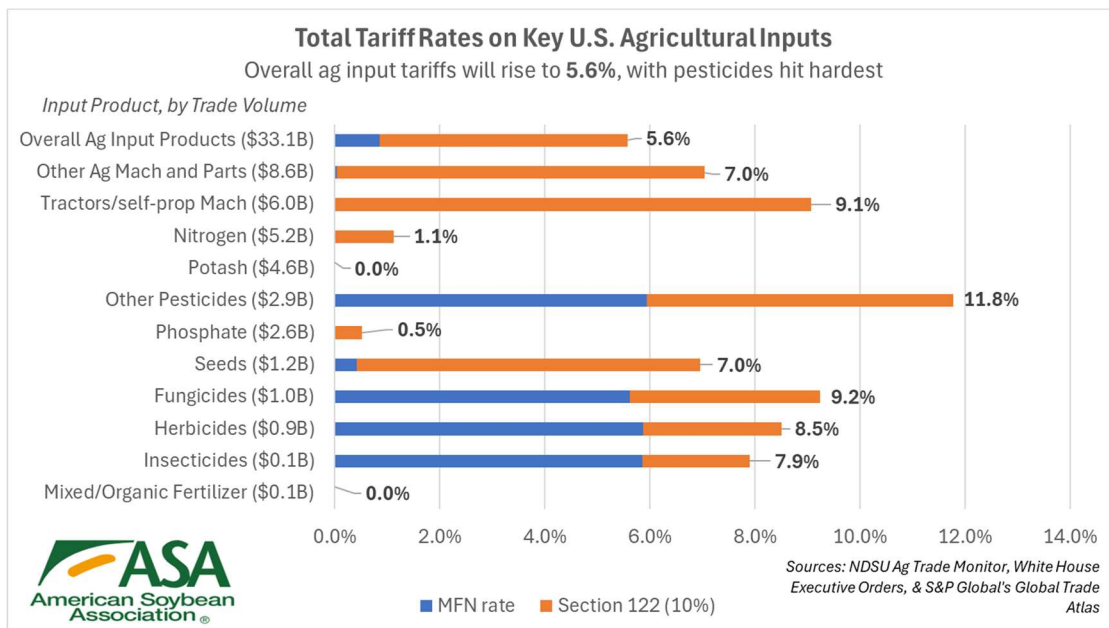


Figure 2

<sup>1</sup> Arita, S., Kim, J., Lwin, W. Y., Steinbach, S., Wang, M., & Zhuang, X. (2025). IEEPA Tariff Escalation: What It Means for U.S. Food and Ag-Input Imports. NDSU Agricultural Trade Monitor, Center for Agricultural Policy and Trade Studies, North Dakota State University, August 2025. <https://doi.org/10.22004/AG.ECON.364771>

These impacts are not occurring in a vacuum. Farmers are facing significant economic challenges, due to the continued decline of crop prices paired with production expenses that increased rapidly in recent years and remain high. Commodity prices have fallen by an average of 50% since 2022 while at the same time, farm production costs continue to skyrocket. According to USDA, farm production expenses are expected to reach \$477.7 billion for 2026 – a \$4.6 billion increase over 2025. When considering high production costs, soybean farmers are expected to net a \$117/acre market loss on their crop this year, according to an ASA economic analysis.

The rising cost of farming inputs continues to squeeze on-farm profitability. Year over year, the number of Chapter 12 farm bankruptcies filed has surged. In 2024, farm bankruptcies were up 55% over 2023. For the first half of 2025, there were 57% more bankruptcies than in the same period last year. In the past two years alone, the U.S. has lost 20,000 farms. This is a deeply concerning trend that is illustrative of what occurs when farmers have depleted their safety nets due to rising input costs and lower crop prices.

## **U.S. Soy Recommendations**

ASA and USSEC understand the desire of USTR and the administration to utilize the Section 301 authority to bring about reciprocal trade between the U.S. and its global trading partners. Our organizations are committed to working with the administration to open new markets for U.S. soybean farmers. As USTR moves forward with this investigation into excess manufacturing capacity, our organizations wish to make two major recommendations.

### **1. Exempt critical agricultural inputs from future remedies**

As outlined above, the input supply chain for U.S. agriculture is global in nature. Our organizations appreciate the administration’s recognition of this in its Executive Order from February 20<sup>th</sup> imposing tariffs under Section 122 of the Trade Act of 1974. Under this EO, the administration exempted “natural resources and fertilizers that cannot be grown, mined, or otherwise produced in the United States or grown, mined, or otherwise produced in sufficient quantities to meet domestic demand.”<sup>2</sup>

As U.S. farmers are reliant upon imports for critical farming supplies like seeds, pesticides, and fertilizer, ASA and USSEC call on USTR to take an even more targeted approach to future remedies by expanding upon the Section 122 exemptions. The all-encompassing nature of the IEEPA tariffs caused input costs to dramatically spike at a time when U.S. agriculture is facing severe headwinds. USTR and the administration can work to achieve their goal of reciprocal trade while, at the same time, acknowledging the important role of imports for U.S. agriculture by exempting agriculture inputs from any future remedies to be announced at the conclusion of this investigation.

### **2. USMCA Exemption from Investigations**

The Section 122 Executive Order also maintained access to the U.S. market for goods imported from Canada and Mexico, noting an exemption for “the articles that are entered free of duty as a good of Canada or Mexico under the terms of general note 11 to the Harmonized Tariff Schedule of the United States (HTSUS), including any treatment set forth in subchapter XXIII of chapter 98 and subchapter XXII of chapter 99 of the HTSUS, as related

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<sup>2</sup> <https://www.whitehouse.gov/presidential-actions/2026/02/imposing-a-temporary-import-surchage-to-address-fundamental-international-payments-problems/>

to the Agreement between the United States of America, United Mexican States, and Canada.” ASA and USSEC appreciate the administration continuing to uphold the tenants of market access outlined under the U.S.-Mexico-Canada Agreement (USMCA).

In comments submitted to USTR by our respective organizations as part of Docket No. USTR-2025-0004 – “*Comments on the Operation of the United States-Mexico-Canada Agreement*,” our organizations noted the importance of the stability and predictability for integration of the North American agricultural markets provided by the USMCA by the guarantee of duty-free treatment for soy and soy products. In those comments, we note:

***“We also encourage USMCA partners to abide by the spirit of the agreement and avoid imposing trade and tariff barriers on each other. Tariff predictability is the cornerstone of growing opportunities in international trade, and U.S. soy products have enjoyed tariff-free access into both Canada and Mexico since the original NAFTA entered into force. However, U.S. soy exports are currently facing large amounts of tariff unpredictability with other export markets, including our largest customer – China. This unpredictability has allowed Brazil and Argentina to expand their exports to China while U.S. soy’s market share in China has decreased. Ever expanding tariffs on Mexico and Canada through Section 232, the International and Emergency Economic Powers Act (IEEPA), or other authorities increase the likelihood that U.S. soybean farmers will be in the crosshairs for retaliation. At a time when U.S. soybean farmers are locked out of their largest export market due to retaliatory tariffs, the industry will not survive an additional prolonged tariff battle with our two closest customers in Canada and Mexico.”***<sup>3</sup>

Given the importance of full and unhindered market access between our three countries for U.S. agriculture, ASA and USSEC urge USTR to exempt Canada and Mexico from this and other ongoing Section 301 investigations. As the USMCA is currently under review by our three countries, we do not feel the threat of additional tariffs on two of the U.S.’s biggest trading partners is conducive to the successful review of this gold-standard trade agreement.

ASA and USSEC are grateful for the continued partnership with USTR and the administration. We look forward to continuing to work together on international trade issues important to the U.S. soybean industry.

Sincerely,

American Soybean Association  
U.S. Soybean Export Council

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<sup>3</sup> <https://comments.ustr.gov/sfc/servlet.shepherd/document/download/069SJ00000qBTK6YAO>



April 15, 2026

The Honorable Jamieson Greer  
United States Trade Representative  
Office of the United States Trade Representative  
600 17th Street NW  
Washington, DC 20508

**Re: Docket No. USTR-2026-0133 - Request for Comments on the Section 301 Investigation of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor**

Dear Ambassador Greer:

The American Soybean Association (ASA) and U.S. Soybean Export Council (USSEC) appreciate the opportunity to comment on the U.S. Trade Representative's (USTR) Section 301 investigation into acts, policies, and practices of various economics relating to failure to impose and effectively enforce a prohibition on the importation of goods produced with forced labor.

ASA represents more than 500,000 U.S. soybean farmers on policy issues important to the soybean industry and has 26 affiliated state associations representing 30 soybean-producing states. ASA serves as the voice of U.S. soybean farmers in Washington, D.C. and works to promote a favorable trade environment to ensure soybean farmers are continuously able to access developed and new markets for U.S. soybean exports.

USSEC represents the interests of U.S. soybean producers, commodity shippers, merchandisers, allied agri-businesses and other agricultural organizations in international markets. USSEC focuses on differentiating, elevating preference, and attaining market access for the use of U.S. soy for human consumption, aquaculture, and livestock feed in more than 90 countries internationally. USSEC's mission is to maximize the utilization, value and access to markets of U.S. Soy around the world by meeting the needs of our stakeholders and global customers.

The U.S. soybean industry has a profound, positive impact on the U.S. economy. While we have long been U.S. agriculture's #1 export crop, half of our harvested soybeans stay at home for a variety of uses. A by-the-numbers look demonstrates the value of the soybean industry to our domestic economic health. The U.S. Department of Agriculture (USDA) estimates that over 80 million acres of soy were harvested in 2025, with production of 4.3 billion bushels. Soybean production accounts for more than \$4 billion in wages and over \$80 billion in economic impacts, according to a study by the United Soybean Board (USB)/Soy Checkoff and National Oilseed Processors Association (NOPA). This economic impact does not include secondary soy markets and supporting industries like biofuels, grain elevators, feed mills, ports, rail, refining, barges, etc., which bring the national total economic impact of the soybean value chain to a significant \$124 billion.

Robust international trade continues to remain a priority of the U.S. soybean industry. ASA and USSEC work in conjunction with our partners at the USDA and the Office of the U.S. Trade Representative (USTR) to open new markets and introduce new customers to the value of high quality, high protein U.S. soy. Opening new markets is just the beginning: markets require time,

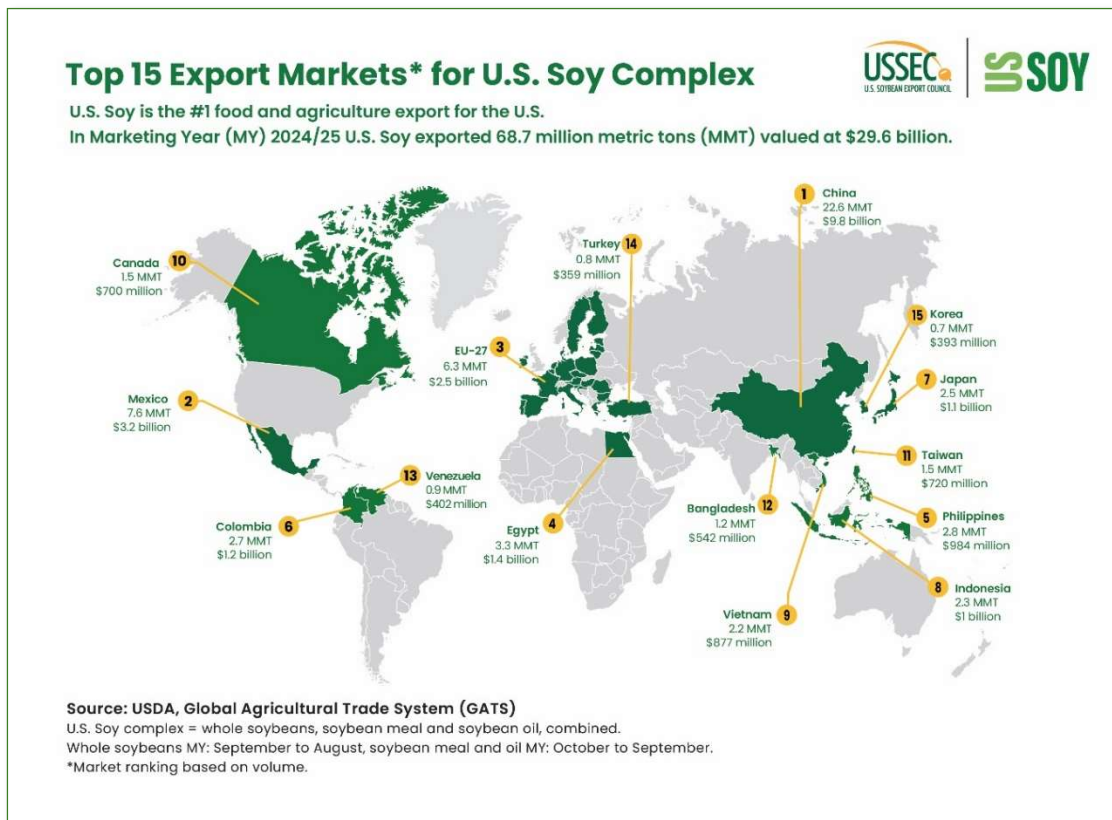
attention, and long-term relationship maintenance to ensure that once a market is open to U.S. soybean exports, access remains unhindered.

As the trade associations representing the U.S. soybean value chain, ASA and USSEC do not have the expertise to comment on whether or not the sixty economies named in Annex A of the Federal Register notice for this investigation effectively enforce prohibitions on the importation of goods produced with forced labor.

However, soybeans are the largest exported agricultural commodity grown in the U.S., and many of the countries named in this investigation are important export markets for U.S. soy. ASA and USSEC wish to share our concerns with the potential remedies of a Section 301 investigation into excess capacity, and the impact those potential remedies may have on U.S. soybean farmers.

### Background Trade Data

In the most recent marketing year (MY) with complete data (MY 2024/2025), U.S. exporters shipped 68.7 million metric tons (MMT) of whole soybeans, soybean meal, and soybean oil to foreign markets, accounting for nearly \$29.6 billion in sales and 58% of U.S. soy production. Of those exports, nearly 23 MMT of soybeans were bound for China, which is solely a whole soybean importer. That volume represents 32% of U.S. soy complex exports and accounts for \$9.8 billion in value. Our next two largest export markets were the European Union (EU) and Mexico. By comparison, those two markets combined purchased 14.1 MMT of U.S. soybean, meal and oil exports.



These numbers show a departure from typical marketing years for U.S. soy. Traditionally, this Chinese market represents over half of all U.S. soybean exports in a given year; in MY 2023/2024, China purchased 25 MMT of U.S. soy, accounting for 54% of U.S. soybean exports that marketing year and representing \$13.2 billion in value. However, exports continued to grow thanks to strong demand in markets outside China.

Indonesia, for example, remains a critical export destination for U.S. soybeans, consistently sourcing over 90% of its annual soybean imports from the U.S. which, last marketing year, was 2.44 million metric tons. The soy is primarily consumed as a staple in the form of tempeh and tofu. The recently signed Agreement on Reciprocal Trade (ART) provided clarity on a variety of non-tariff barriers that were affecting U.S. soy in addition to significant purchase commitments. The language agreed to address complex and restrictive regulatory frameworks, particularly under the prior notice system, phytosanitary requirements, and halal regulations. As USTR moves forward with this investigation, ASA and USSEC strongly recommend exempting countries who have signed ARTs with the U.S. from future tariffs under this and other Section 301 investigations.

The decrease in imports from China can directly be attributed to a reignited trade war between our two global economies following the U.S. imposition of tariffs under the International Emergency Economic Powers Act (IEEPA) and subsequent tariff retaliation by China. Tariffs imposed under the IEEPA authority – which this investigation seeks to replicate after the Supreme Court ruled the use of IEEPA was illegal - caused Beijing to retaliate and impose tariffs on U.S. soybeans. At one point, the tariff on U.S. soybeans to China was around 34% - a rate nearly as high as the tariff faced by our industry from 2018 to 2020.

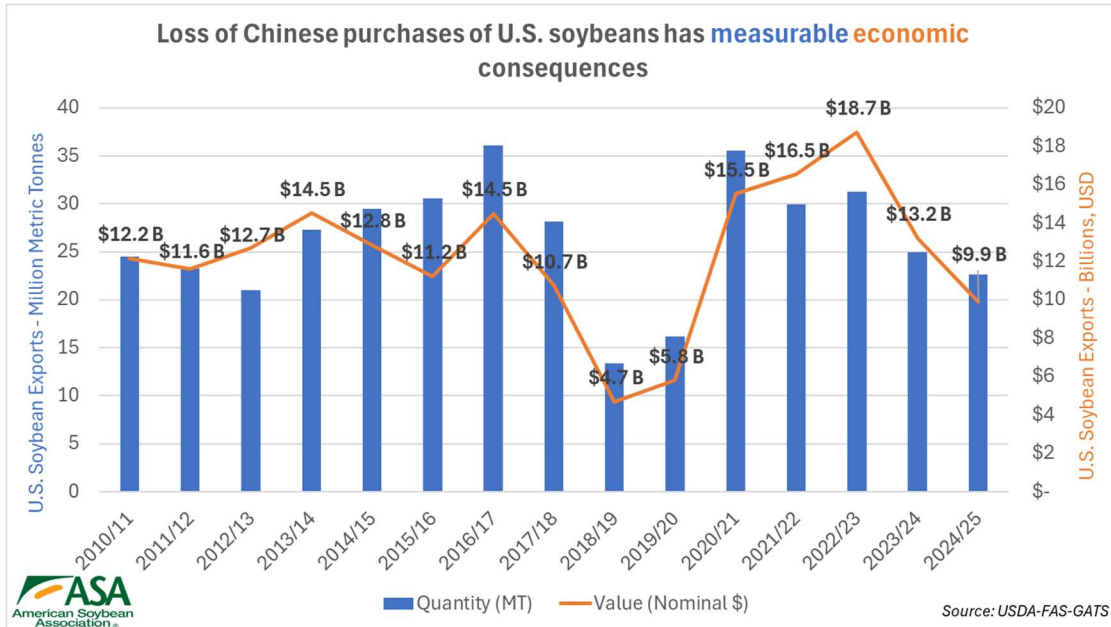


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However, the threat of retaliation is not the only concern that ASA and USSEC have with this Section 301 investigation.

### Agricultural Inputs and Tariffs

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Despite the removal of tariffs under IEEPA, U.S. farmers are still facing elevated tariff costs for their imported inputs. Tariffs levied under Section 122 of the Trade Act of 1974 have ensured that farmers will continue to pay more for critical inputs than they did before sweeping across-the-board tariffs were introduced, as outlined in the below chart.

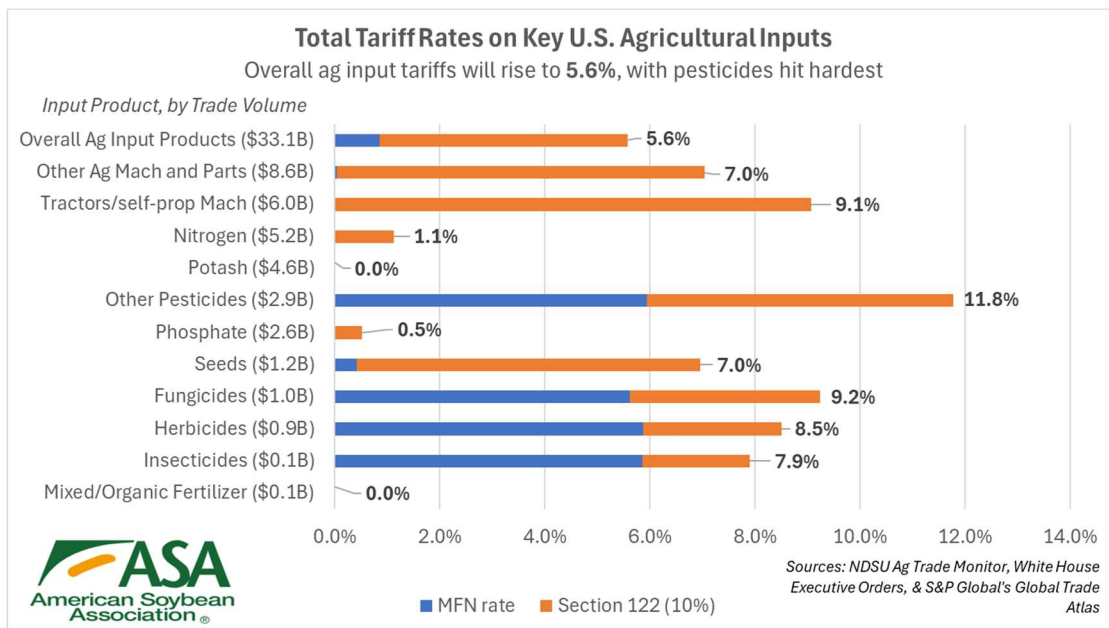


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These impacts are not occurring in a vacuum. Farmers are facing significant economic challenges, due to the continued decline of crop prices paired with production expenses that increased rapidly in recent years and remain high. Commodity prices have fallen by an average of 50% since 2022 while at the same time, farm production costs continue to skyrocket. According to USDA, farm production expenses are expected to reach \$477.7 billion for 2026 – a \$4.6 billion increase over 2025. When considering high production costs, soybean farmers are expected to net a \$117/acre market loss on their crop this year, according to an ASA economic analysis.

At the same time, the recent military incursions in the Persian Gulf have placed additional stresses on the input supply chain – particularly for fertilizer and fuel. Global dynamics play a role in pricing, and fertilizer production is natural-resource intensive and geographically limited. U.S. farmers are reliant upon Gulf states (particularly Saudi Arabia, Oman, and Qatar) for inputs such as urea, anhydrous ammonia, and monoammonium phosphate (MAP)/diammonium phosphate (DAP).

The rising cost of farming inputs continues to squeeze on-farm profitability. Year over year, the number of Chapter 12 farm bankruptcies filed has surged. In 2024, farm bankruptcies were up 55% over 2023. For the first half of 2025, there were 57% more bankruptcies than in the same period last year. In the past two years alone, the U.S. has lost 20,000 farms. This is a deeply concerning trend that is illustrative of what occurs when farmers have depleted their safety nets due to rising input costs and lower crop prices.

## **U.S. Soy Recommendations**

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### **1. Exempt critical agricultural inputs from future remedies**

As outlined above, the input supply chain for U.S. agriculture is global in nature. Our organizations appreciate the administration’s recognition of this in its Executive Order from February 20<sup>th</sup> imposing tariffs under Section 122 of the Trade Act of 1974. Under this EO, the administration exempted “natural resources and fertilizers that cannot be grown, mined, or otherwise produced in the United States or grown, mined, or otherwise produced in sufficient quantities to meet domestic demand.”<sup>2</sup>

As U.S. farmers are reliant upon imports for critical farming supplies like seeds, pesticides, and fertilizer, ASA and USSEC call on USTR to take an even more targeted approach to future remedies by expanding upon the Section 122 exemptions. The all-encompassing nature of the IEEPA tariffs caused input costs to dramatically spike at a time when U.S. agriculture is facing severe headwinds. USTR and the administration can work to achieve their goal of reciprocal trade while, at the same time, acknowledging the important role of imports for U.S. agriculture by exempting agriculture inputs from any future remedies to be announced at the conclusion of this investigation.

### **2. USMCA Exemption from Investigations**

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The Section 122 Executive Order also maintained access to the U.S. market for goods imported from Canada and Mexico, noting an exemption for “the articles that are entered free of duty as a good of Canada or Mexico under the terms of general note 11 to the Harmonized Tariff Schedule of the United States (HTSUS), including any treatment set forth in subchapter XXIII of chapter 98 and subchapter XXII of chapter 99 of the HTSUS, as related to the Agreement between the United States of America, United Mexican States, and Canada.” ASA and USSEC appreciate the administration continuing to uphold the tenants of market access outlined under the U.S.-Mexico-Canada Agreement (USMCA).

In comments submitted to USTR by our respective organizations as part of Docket No. USTR-2025-0004 – “*Comments on the Operation of the United States-Mexico-Canada Agreement*,” our organizations noted the importance of the stability and predictability for integration of the North American agricultural markets provided by the USMCA by the guarantee of duty-free treatment for soy and soy products. In those comments, we note:

***“We also encourage USMCA partners to abide by the spirit of the agreement and avoid imposing trade and tariff barriers on each other. Tariff predictability is the cornerstone of growing opportunities in international trade, and U.S. soy products have enjoyed tariff-free access into both Canada and Mexico since the original NAFTA entered into force. However, U.S. soy exports are currently facing large amounts of tariff unpredictability with other export markets, including our largest customer – China. This unpredictability has allowed Brazil and Argentina to expand their exports to China while U.S. soy’s market share in China has decreased. Ever expanding tariffs on Mexico and Canada through Section 232, the International and Emergency Economic Powers Act (IEEPA), or other authorities increase the likelihood that U.S. soybean farmers will be in the crosshairs for retaliation. At a time when U.S. soybean farmers are locked out of their largest export market due to retaliatory tariffs, the industry will not survive an additional prolonged tariff battle with our two closest customers in Canada and Mexico.”***<sup>3</sup>

Given the importance of full and unhindered market access between our three countries for U.S. agriculture, ASA and USSEC urge USTR to exempt Canada and Mexico from this and other ongoing Section 301 investigations. As the USMCA is currently under review by our three countries, we do not feel the threat of additional tariffs on two of the U.S.’s biggest trading partners is conducive to the successful review of this gold-standard trade agreement.

ASA and USSEC are grateful for the continued partnership with USTR and the administration. We look forward to continuing to work together on international trade issues important to the U.S. soybean industry.

Sincerely,

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