Congress of the United States
Washington, DC 20515

September 24, 2015

The Honorable Michael Froman
Ambassador
U.S. Trade Representative
600 17th St., NW
Washington, DC 20508

Dear Ambassador Froman:

Since China opened its market to U.S. alfalfa hay in 2006, rising exports of this commodity have been a great trade success story. American exporters are projected to sell 1.2 million tons of high-quality alfalfa into the Chinese market in 2015, and as China's demand for milk and dairy products grows, its need for the highest-quality feed will grow as well. It is crucial that American farmers and exporters are able to continue exporting into this market, and ensuring this should be a top priority of the U.S. Trade Representative and the U.S. Department of Agriculture. Unfortunately, recent developments have imperiled the ability of U.S. exporters to meet Chinese demand for alfalfa, potentially putting hundreds of millions of dollars and thousands of U.S. jobs at risk. We urge you to prevail upon China to accept reasonable world-class import policies for U.S. alfalfa a top priority in ongoing negotiations with China.

Since 2001, China has prohibited imports of Genetically Modified Organism (GMO) crops, although it has waived this prohibition in certain circumstances. Of concern is the fact that, beginning in 2014, China has applied destination testing of alfalfa for GMO traits. Now, not only are exporters required to sample, test, and ship alfalfa that is 100% non-GMO, but on the receiving end destination tests may still detect a Low Level Presence (LLP) of GMO traits that may not have originated at the farm. This change to destination testing happened without sufficient warning and threatens to shut out an unreasonably high percentage of the U.S. alfalfa crop, which has recently expanded to meet Chinese market demand.

Most of our other trading partners, even those who also prohibit GMO alfalfa (which has been approved by the FDA), accept that in many cases, a miniscule amount of GMO traits are unavoidable for much of the crop. U.S. exporters are cognizant and responsive to the requirements of our trading partners, and make every effort to grow conventional crops without any GMO traits for export. However, certain environmental factors (runoff, bee pollination, etc.) sometimes make this impossible. Trading partners such as the European Union accept that a LLP of the product's DNA showing GMO traits is considered a "technical zero." China previously did as well, but recent testing changes have resulted in U.S. alfalfa with a technical zero percentage of GMO traits being rejected at a very great expense to U.S. exporters.

At a time when China is investing billions in its own GMO research, we are concerned that this heightened testing is an attempt to shut American producers out of a key export market. We urge you to make the retention of this market apriority for the Administration in bilateral negotiations with China, including the Joint Commission on Commerce and Trade, as well as other trade-related negotiations. Unfortunately, this approach by the Chinese could ultimately impact many other U.S. crops. We look forward to working with you to ensure that American farmers and exporters are able to compete on a level playing field.

Sincerely:

Dan Newhouse
Member of Congress

Juan Vargas
Member of Congress

Kurt Schrader
Member of Congress

Mike Simpson
Member of Congress

Peter DeFazio
Member of Congress

Ryan Zinke
Member of Congress

Ann Kirkpatrick
Member of Congress

Kevin Cramer
Member of Congress

Ken Buck
Member of Congress

Paul Gosar
Member of Congress

Matt Salmon
Member of Congress

David Schweikert
Member of Congress

Joseph Pitts
Member of Congress

Kristi Noem
Member of Congress

Martha McSally
Member of Congress

Cynthia Lummis
Member of Congress

Kyrsten Sinema
Member of Congress