



October 27, 2025

Mr. Edward Marcus
Trade Policy Staff Committee Chair
Office of the United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Re: Request for comments to assist in reviewing and identifying significant foreign barriers to, or distortions of, U.S. exports of goods and services and U.S. foreign direct investment for inclusion in the NTE Report. Docket No. USTR-2025-0016.

Dear Mr. Marcus:

The Florida Fruit & Vegetable Association (FFVA), Florida's leading full-service organization dedicated to safeguarding a competitive environment for fruits, vegetables, and other specialty crops grown in the state, is submitting this letter in response to USTR's *Federal Register* request for comments on the significant foreign barriers to, or distortions of, U.S. exports of goods and services and U.S. foreign direct investment for inclusion in the NTE Report. Docket No. USTR-2025-0016.

Florida's agricultural industry plays an indispensable role in feeding the nation with American-grown produce during our harvesting and marketing season, which runs from November through late spring, when most other U.S. produce growers have yet to begin their harvest. Florida is first in the nation in the value of production of numerous seasonal and perishable products, including Valencia oranges, sugarcane, watermelons and sweet corn. Florida is second in the nation in the production of strawberries, bell peppers, tomatoes grown in the open field and non-Valencia oranges. Florida is third in the nation in cabbage and grapefruit. During the late fall to spring months, South Florida growers supply fresh produce to more than

150 million people, primarily in the Eastern U.S., effectively making Florida the winter fruit and vegetable capitol of the U.S.

Import Concerns

We cannot discuss significant foreign barriers to Florida’s produce exports without first addressing the severe and growing injury our industry has been facing due to low-priced fruit and vegetable imports from Mexico that enter the U.S. market when Florida is in its peak marketing period.

For well over two decades, the Mexican government has engaged in a concerted export targeting scheme to promote the production and exportation of Mexican fruits and vegetables to the U.S. market. Its vast subsidy investments include infrastructure for protected agriculture, equipment, genetic resources, irrigation technology, packing houses, cold storage facilities, refrigerated trucking, and more. Those unfair subsidies — coupled with widespread dumping, lax regulatory requirements, and unfairly low wages for Mexican workers — have made Mexico the largest exporter of seasonal and perishable produce to the U.S. market during Florida’s winter-spring marketing season.

The December 2024 report by the Florida Department of Agriculture and Consumer Services report entitled “*Mexico’s Ag-Export Impacts on Florida Agriculture*” and numerous similar studies confirm the devastating declines in production, pricing, revenue, and employment these unfair Mexican shipments have caused for Florida’s fruit and vegetable sectors.

We need concrete solutions that will provide effective, enforceable, and immediate trade-remedy relief for seasonal and perishable fruit and vegetable growers.

If the fruit and vegetable industries in Florida and the Southeast are allowed to be lost to unfair foreign competition, a critical component of American’s nutritional needs will have to be served entirely by offshore suppliers for up to six months of every year, creating a serious vulnerability in our nation’s essential food supply. **In a press briefing on Sept. 30, 2025, comments by U.S. Agriculture Secretary Brooke Rollins echoed this sentiment:**

*“We’ve got to produce food for our own selves. The President has talked significantly about the importance of onshoring our manufacturing. We also have to onshore our food. We have over the last decade or so begun to import more than we export, whether it’s citrus or berries or even meat. **We’ve got to get back to the point where we can feed ourselves and not only feed ourselves but feed ourselves in a way that’s healthy using locally produced food . . .** We’ve got to reshore our food. We can’t rely on China, Russia, or South America for our fruit, for our meat, etc.”*

This statement from the Agriculture Secretary echoes what FFVA and others in the specialty crop industry have said for years that food security is national security.

A separate, compounding import concern in the grapefruit sector is the suspension of grapefruit juice standards for imported grapefruits, which poses a serious threat to American growers and undermines their ability to compete in the American market at a pivotal time. In recent years, our grapefruit growers have been severely impacted by natural disasters and citrus diseases. The suspension of the juice content requirement under Section 8e ordered by PATCH #065 on April 26, 2021, has created unfair additional hardship for our growers. It has allowed low-quality grapefruit products to flood our market, which has forced our growers to compete against low-cost, subsidized imports. Since grapefruit grown in Florida and Texas must still meet juice content standards, the suspended Section 8e standards effectively discriminate in favor of substandard imported grapefruit products. Additionally, by encouraging the importation of grapefruit with substandard juice content, the suspended standards risk undermining consumer confidence, which puts the entire market segment at risk.

Export Concerns

The perishability of Florida fresh fruits and vegetables limits shipping times and the ability to export to distant foreign markets. Canada is Florida's primary fresh fruit and vegetable export market and has been an essential outlet for our growers over the years.

Based on the relatively longer shelf-life of fresh citrus, primary export markets for Florida fresh citrus include the European Union (EU), Canada, United Kingdom, Japan, and Korea.

EU Trade Barriers

The EU is the most protectionist of all export markets and continues to use scientifically unjustified, non-tariff trade barriers to block citrus imports and other products.

One leading concern is the EU's overly restrictive sanitary and phytosanitary (SPS) requirements governing citrus canker and citrus black spot, which have no basis in sound science. Organizations representing the best international plant pathologists have proven that fresh fruit is not a vector to spread these diseases.

The EU's practice has been to inspect U.S. citrus imports for citrus canker and citrus black spot by denying entry if even the smallest (pencil point size) speck is found on the fruit upon arrival. In 2024, the ports in the EU inspected every container of citrus upon arrival. By comparison, the EU inspected 3% of grape shipments entering the same EU ports. While we thoroughly inspect the fruit in the field and during the packing process to ensure that we meet these outdated requirements, the risk of either an actual find or an alleged find deters Florida growers from shipping more significant volumes to the EU market.

One Florida citrus grower exporting fresh citrus to the EU also previously faced false allegations by the EU regarding citrus black spot. There is no black spot in the area the citrus in question was grown and harvested. The grower pushed back, knowing that any admission that citrus black spot existed in this growing area would adversely affect future shipments from all shippers.

There was a lack of urgency from the EU that added to the grower's frustration. Eventually, the grower prevailed but at a substantial loss to the company of approximately \$100,000 due to this false claim.

The U.S. government should take all necessary steps to resolve these unfairly restrictive EU SPS inspection requirements and ensure full alignment with sound science.

Additionally, the Trump administration should firmly oppose the EU's attempts to alter its Maximum Residue Limits (MRL) process by including factors beyond potential human health effects, such as global environmental or social impacts in non-EU countries.

Often, pesticides are first registered in the U.S. before they are registered in another country. Additionally, unless a particular pest is present in a foreign country, registering the pesticide in that foreign country may not make economic sense.

In some instances, the foreign registration requirements differ from U.S. registration requirements, which necessitates that studies be reformatted or additional supplemental or replacement studies be completed to secure a registration. These added requirements may influence a company's decision regarding whether to pursue a registration and establish associated MRLs in countries outside the U.S.

Without an established MRL, U.S. growers who use the U.S.-registered product may face significant challenges when exporting their treated crop because of potential pesticide residues on or in their crop. In the absence of applicable MRLs in the importing country, the treated crop may be subject to adverse enforcement actions in the receiving country (e.g., denial of entry or forced re-exportation or destruction).

In addition to strongly opposing the EU's trade-restrictive and scientifically unjustified MRL setting process, the U.S. government should take all necessary steps consistent with the missions of the Environmental Protection Agency (EPA) and USDA to prevent trade disruptions for U.S. food producers associated with the use of pesticides applied in accordance with EPA-approved labels.

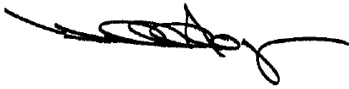
EPA and FAS should actively participate in the WTO and CODEX committees, among other organizations. Increased use of joint reviews between EPA and their foreign counterparts are needed. Support for maintaining the MRL database should also be reaffirmed.

The MRL and SPS measures outlined above unnecessarily restrict trade. At the same time, these measures do not advance safety objectives, as they are imposed beyond what is necessary to protect human health, are not science-based, and/or are enforced without adequate scientific justification. This makes it challenging for growers to plan grove care treatments when exporting

citrus and other fruits and vegetables internationally. Given that the EU is the largest citrus importer in the world, if the U.S. government could ensure a fair EU regulatory environment for pesticides and resolve the unfair SPS restrictions described above, the Florida citrus industry's exports to the EU could increase by a range of \$25-\$100 million a year.

In closing, as USTR and the TPSC identify and assess the foreign barriers affecting U.S. industries, please review the harmful import trends crushing our industry and visit Florida to observe first-hand the devastation that unfair trade agreements and unfair foreign trade practices have had on Florida's produce sectors. Food security and national security are one and the same. The future capacity of the Florida industry to provide nutritious, essential fruits and vegetables to feed our country is at serious risk without immediate, effective, and enforceable trade solutions.

Sincerely,



Michael A. Joyner, President
Florida Fruit & Vegetable Association

cc: Steven B. Callaham, Chair
Florida Fruit & Vegetable Association