



April 15, 2026

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

RE: 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 (Docket ID: USTR-2026-0133)

Dear Ambassador Greer,

AmericanHort appreciates the opportunity to submit comments regarding the Section 301 investigation into certain trading partners' failure to establish and effectively enforce prohibitions on the importation of goods produced with forced labor.

As the leading national trade association representing the U.S. horticulture industry, AmericanHort represents approximately 20,000 members and affiliated businesses across the horticultural supply chain, including plant breeders, greenhouse and nursery growers, garden retailers, interior and exterior landscapers, and horticultural manufacturers. While large corporations are among our membership, the vast majority are small and medium-sized family-owned businesses. The U.S. horticulture industry contributes more than \$500 billion annually to the national economy and supports approximately three million jobs.

I. Strong support for eliminating forced labor and alignment with U.S. policy goals

AmericanHort supports the elimination of forced labor worldwide and strongly supports the United States' longstanding prohibition on the importation of goods mined, produced, or manufactured wholly or in part with forced labor. The humanitarian, economic, foreign policy, and national security imperatives underlying U.S. forced labor policy are compelling, and AmericanHort supports robust, effective enforcement.

AmericanHort submits these comments as a constructive partner. The U.S. horticulture industry seeks a remedy design that (i) meaningfully advances forced labor elimination and (ii) avoids collateral damage to domestic horticultural production that is demonstrably low-risk and already subject to

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strong traceability and regulatory controls. As USTR evaluates potential remedies, those realities should be carefully considered to avoid unintended harm to U.S. agricultural production.

II. The Horticulture Supply Chain Presents Low Risk of Forced Labor

Based on our engagement with member companies, we are not aware of forced labor within the ornamental horticulture supply chains serving the U.S. market. This conclusion reflects the structure of the industry itself.

The production of crop inputs, such as propagation material, is highly specialized and occurs in controlled greenhouse or nursery environments. These operations depend on skilled labor, constant plant health monitoring, and precise environmental management. The nature of the work does not align with the types of large-scale, low-cost production systems where forced labor risks are typically concentrated.

The supply chain is also highly traceable. Many U.S. companies source from facilities they own or directly oversee, or from long-standing contract partners with whom they maintain continuous operational relationships outside of the US. These are not anonymous commodity markets. They are relationship-driven systems with clear lines of accountability.

In addition, imported plant materials are subject to strict phytosanitary certification and inspection requirements administered by national plant protection organizations and U.S. regulators. These requirements create a level of documentation and traceability that exceeds what is present in most global supply chains.

Taken together, these characteristics make the ornamental horticulture sector a low-risk environment with respect to forced labor concerns.

III. Imported Horticultural Materials Are Inputs to U.S. Production

Most horticultural inputs are not finished consumer goods. They are early-stage agricultural inputs used by U.S. growers to produce plants domestically.

These materials are primarily classified under:

- HTS Chapter 6
- HTS Chapter 12

After importation, these materials are cultivated in U.S. greenhouses and nurseries for weeks or months before reaching the market. The overwhelming majority of value creation occurs domestically through American labor,

infrastructure, and expertise. As a result, these imports function as essential inputs that enable U.S. production. They do not compete with it.

IV. Unavailable Natural Resources and Structural Supply Constraints

USTR has long recognized that certain products should be excluded from tariff actions where they are not available in sufficient quantities or of comparable quality in the United States. That principle is directly applicable here.

Many horticultural inputs meet this standard because they cannot be produced domestically at scale due to biological, climatic, and structural constraints. Certain propagation materials require tropical or equatorial growing conditions that cannot be replicated consistently in the United States.

In other cases, production is tied to proprietary plant genetics and international breeding programs, which limit where material can be produced and how it can be distributed.

Global production systems are also designed to ensure year-round availability and to align with seasonal growing cycles in the United States. Domestic production alone cannot meet that demand without significant disruption.

These realities apply not only to propagative material, but also to certain essential inputs used in horticultural production. These materials are classified under:

- HTS 2703.00 - Peat (including peat litter)
 - Peat moss is a vital component of potting soil and growing media.
- HTS 5305.00 – Coconut Coir
 - Coconut husk fiber, processed into blocks or bricks, is used as a soil-less growing medium in greenhouses and nurseries.
- HTS 5310.10 – Raw Material Burlap (Jute Fabric)
 - Natural fiber cloth is used for root ball wrapping, erosion control, and biodegradable packaging in nursery and landscape applications.
- HTS 5607.21.00 / 5607.29.00 – Sisal Twine (Binder, Baler, Cordage)
 - Natural sisal fiber is used extensively in nursery operations for bundling wire baskets, staking, baling, and general horticultural tying applications. This twine, whether binder/baler type or braid/rope, is not manufactured in the U.S. sisal twine.

Each of these products are derived from crops that are not commercially produced in the United States and are therefore not available as domestic substitutes.

For these reasons, key horticultural inputs should be recognized as unavailable natural resources and treated accordingly in any trade action.

V. Impact of Broad Tariff Measures on U.S. Horticulture

Because these materials are inputs to domestic production, tariffs or import restrictions would have direct consequences for U.S. growers. Increasing the cost of these essential crop production inputs would raise production costs across the greenhouse and nursery sector, reduce competitiveness, and ultimately increase prices for consumers.

More importantly, it would disrupt established supply chains that support domestic production and innovation. Restrictions on these imports would not shift production back to the United States. Instead, they would constrain the ability of U.S. growers to produce at scale, reducing economic activity and employment in a sector that is fundamentally domestic.

VI. Recommended Approach

AmericanHort encourages USTR to take a targeted and risk-based approach that advances enforcement objectives while avoiding unintended consequences for U.S. horticulture.

Specifically, USTR should:

- Exclude horticultural propagation materials and essential inputs that qualify as unavailable natural resources
- Focus enforcement actions on sectors where there is credible evidence of elevated forced labor risk
- Recognize the low-risk, highly traceable nature of horticultural supply chains
- Engage directly with industry stakeholders to ensure that any measures are practical and appropriately scoped

This approach would allow USTR to address forced labor concerns effectively without undermining U.S. production.

Conclusion

AmericanHort and its members share the United States' commitment to eliminating forced labor from global supply chains. The horticulture sector supports that objective and operates within supply chains that are transparent, relationship-driven, and low risk.

At the same time, the industry depends on imported inputs that are not available domestically and that are essential to U.S. production. Broad trade restrictions applied to these materials would primarily harm American growers, workers, and businesses without advancing the underlying policy goal.

We appreciate USTR's thoughtful consideration of these comments and stand ready to provide any additional information or industry perspectives that may assist the agency as it finalizes its determination.

Sincerely,

A handwritten signature in black ink that reads "Ken Fisher". The signature is written in a cursive, flowing style.

Ken Fisher
President and CEO
AmericanHort

A handwritten signature in black ink that reads "Matt Mika". The signature is written in a cursive, flowing style.

Matt Mika
Vice President
Advocacy & Government Affairs
AmericanHort

ANNEX

Key inputs that cannot be produced domestically due to climate, resource, or environmental limitations

- **HTS 5305.00 – Coconut Coir**
 - Coconut husk fiber processed into blocks or bricks used as a soil-less growing medium in greenhouses and nurseries.
 - **Main import sources:** Sri Lanka, India, Vietnam

- **HTS 5310.10 – Raw Material Burlap (Jute Fabric)**
 - Natural fiber cloth used for root ball wrapping, erosion control, and biodegradable packaging in nursery and landscape applications.
 - **Main import sources:** India, Bangladesh

- **HTS 5607.21.00 / 5607.29.00 – Sisal Twine (Binder, Baler, Cordage)**
 - Natural sisal fiber used extensively in nursery operations for bundling wire baskets, staking, baling, and general horticultural tying applications. This twine, whether binder/baler type or braid/rope, is not manufactured in the U.S.
 - **Main import sources:** Brazil, Tanzania, Kenya, China, and Mexico

- **HTS 0601 – Flower Bulbs, Tubers, and Rhizomes**
 - Includes dormant or growing bulbs, tubers, corms, rhizomes, and similar propagation material used in ornamental horticulture. Common examples include Hosta, Callas, Amaryllis, Tulips, Lilies, and Dahlias.
 - **Main import sources:** Netherlands, South Africa, Chile, and Israel

- **HTS 0602 – Live Plants (Including Rooted Cuttings, Unrooted Cuttings, Seedlings, and Tissue Culture)**
 - Covers live nursery stock such as trees, shrubs, rooted cuttings, tissue culture plantlets, vegetable starts, houseplants, and other plants for planting or further cultivation.
 - **Main import sources:** Canada, Netherlands, Mexico, Costa Rica, Taiwan, Guatemala, El Salvador, Kenya, Ethiopia, Tanzania, Uganda, China

- **HTS 0603 – Cut Flowers and Flower Buds**
 - Includes fresh or dried cut flowers, bouquets, and ornamental buds, such as roses, chrysanthemums, carnations, and lilies, used in retail floral arrangements.
 - **Main import sources:** Colombia and Ecuador (account for over 80% of U.S. imports), Canada, Mexico, Netherlands

- **HTS 1209.99.20 – Tree and Shrub Seeds, of a Kind Used for Sowing**
 - Includes seeds intended for sowing woody perennial plants, such as ornamental and non-fruit-bearing trees and shrubs like maples (*Acer* spp.), oaks (*Quercus* spp.), and dogwoods (*Cornus* spp.), commonly used in landscaping and horticulture.
 - **Main import sources:** Netherlands, Germany, China, Chile

- **HTS 1209.30.00 – Seeds of Herbaceous Plants Cultivated Principally for Their Flowers, for Sowing**
 - Covers seeds of all genera of flowering herbaceous plants, such as marigolds, petunias, zinnias, snapdragons, cosmos, and impatiens, used primarily for ornamental horticulture and sowing.
 - **Main import sources:** Netherlands, Germany, India, China, Chile, Guatemala, Turkey, Costa Rica, and Japan

- **HTS 1209.91.80 – Vegetable Seeds, NESOI, of a Kind Used for Sowing**
 - Covers a wide range of vegetable seeds intended for sowing that are not listed under more specific HTS codes. Includes seeds for crops such as lettuce, spinach, carrots, beets, cucumbers, tomato, pepper, strawberry, and squash used by commercial growers, nurseries, and home gardeners.
 - **Main import sources:** Thailand, Chile, Netherlands, Italy, China, Guatemala, Turkey, Costa Rica, and Japan