United States Senate
WASHINGTON, DC 20510

March 8, 2011

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Obama:

We write to you regarding Japan's interest in joining the Trans-Pacific Partnership (TPP) negotiations.

We appreciate your Administration's efforts to expand the presence of U.S. businesses and exports in the vital Asia-Pacific region through the TPP. Expanded trade is needed for economic growth, as well as for the continued competitiveness of our businesses, workers, farmers, and ranchers. Further expanding our market access in important economies of this region will provide significant opportunities for our exporters and will favorably reorient the region economically and geopolitically towards the United States.

It is also encouraging that the leaders of the Japanese government have expressed their interest in joining the TPP and thus eliminating their tariff and non-tariff trade barriers to U.S. goods and services. However, given Japan's historical intransigence in allowing market access for American agricultural goods, we write to express reservations regarding Japan's inclusion in these negotiations until certain conditions are met. In addition to prohibitively high tariffs on many agricultural goods, Japan has discriminated against U.S. beef imports with restrictions that are inconsistent with international standards and not based on scientific criteria.

As you know, Japan closed its market to U.S. beef in December of 2003, after the discovery of a Canadian-born cow infected with bovine spongiform encephalopathy (BSE) in the United States. At that time, Japan was the largest export market for U.S. beef, valued at $1.4 billion. Since then, Japan has had restrictions in place on U.S. beef imports and currently only allows imports of beef from cattle aged 20 months and younger.

The United States has spent years putting in place an effective system of interlocking safeguards that has successfully prevented BSE from becoming established in our country. The U.S. Department of Agriculture's Animal and Plant Health Inspection Service has aggressively enhanced our BSE surveillance system since 1990, testing at levels forty times higher than recommended by the World Organization for Animal Health (OIE). As a result, out of a U.S. cattle inventory numbering nearly 100 million head every year, there have only been three confirmed cases of BSE since 2003—the one imported Canadian cow and two atypical cases of cattle born in the U.S. prior to our 1997 feed ban—and none since 2006 (In contrast, Japan, with an annual cattle inventory of only 4.5 million head, has had thirty-six cases of BSE since 2003). Because of these efforts, the United States has been classified as a controlled risk country by the

OIE, which indicates that U.S. beef products are completely safe for export and consumption. Incidentally, this is the same BSE risk status classification as that of Japan.

American farmers and ranchers produce the highest quality agricultural products in the world. When given the opportunity to compete on a level playing field, they will thrive, creating more jobs and revenue at home while providing foreign customers affordable access to our products across the world. Japan's agricultural sector stands in stark contrast as one of the most highly protected in the world. If Japan asks for inclusion in the TPP negotiations, we encourage you to press Japanese leaders to immediately relax its restrictions on U.S. beef to be fully consistent with OIE guidelines and reopen its market. At the very least, Japan should agree to immediately relax its age restrictions to 30 months and address other issues necessary to achieve a commercially-viable, science-based import protocol, while also laying a clear pathway for eventual full OIE compliance. Likewise, we would have serious reservations with any TPP agreement submitted to Congress that includes Japan if it has not made commitments to fully complete this process, as well as eliminate tariff and non-tariff barriers on its TPP partners' agricultural exports.

Trade agreements must solidify economic relations and foster mutual trust. Japan's past actions pose serious concerns that require your consideration and leadership in addressing; future commitments must ensure that Japan will abide by internationally-accepted, science-based trading standards that will be vigorously enforced.

Very truly yours,

Mike Johanns

Pat Roberts

John Thune

Chuck Grassley

Ben Nelson

Mark Pryor

Saxby Chambliss

Jim Inhofe

John Boozman

Roy Blunt

Jerry Moran

Michael B. Enzi

Jan E Risch

[redacted]

Thad Cochran

Rob Portman

Mike Crapo

Mike F. Bennet

Jon Tester

John Barrasso

[illegible]

[illegible]

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John Cornyn

Kay Bailey Hutchison

Mark Udall

Roger F Wicker