

# Washington Trade Daily

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Trade Reports International Group

## ***Agriculture and Mr. Trump's Trade Policy***

Agricultural groups have been “cycling” through the White House for the past two weeks to talk of their concerns about the new “tough” trade policies of the Trump Administration that could lead to reduced market access to overseas markets (WTD, 3/21/17).

New Special Assistant to the President for Agriculture, Agricultural Trade and Food Assistance Ray Starling – a member of the National Economic Council – yesterday tried to assuage those worries in remarks to a special National Agriculture Day event.

Mr. Starling has been on the job for four weeks.

The President and his staff, said Mr. Starling, are listening and taking heed. The two-decades-old North American Free Trade Agreement has been a major boon for US agricultural exports – and American growers are fearful about what would happen to their exports should tariffs go up or are even banned should NAFTA go away.

Mr. Starling said yesterday that NAFTA has been a stable tool to promote US farm exports – and a new NAFTA would be built on that basis. “We do not want to regress,” he told WTD after his remarks.

President Trump has said he intends to renegotiate the three-country trade agreement and make it better.

US agriculture also has been disappointed by the demise of the TransPacific Partnership – which would have resulted in lowering of agricultural tariff in all 11 members of the Asia-Pacific region. The Administration’s intent is to negotiate bilateral trade agreements with those nations that do not already have an FTA with the United States. TPP’s agricultural provisions will be a floor on which to build those bilaterals, Mr. Starling said.

Australia, Canada, Chile, Mexico, Peru and Singapore have previous FTAs with the United States. Brunei, Japan, Malaysia, New Zealand and Vietnam do not.

In remarks at a rally in Kentucky on Monday, Mr. Trump said he intends to do some trade deals as soon as healthcare reform is finished.

Sen. Roberts

Speaking to the annual Agri-Pulse farm conference on Monday, Senate Agriculture Committee Chairman Pat Roberts (R-Kans) said he wants to know more – particularly about what countries are on the top of the FTA priority list and when those discussions will begin.

Asked by WTD, Mr. Starling refrained from saying what would be the priority countries or when negotiations would begin. But he said bringing down agricultural tariffs will be a critical component of any new trade agreement as would be insistence on “sound science” in agricultural provisions. As well, FTA signatories would be strictly held accountable for what they sign, he said.

Three other priorities for agriculture, according to Mr. Starling, are farmers’ access to reliable and affordable work forces, reductions in burdensome regulations and a commitment to build infrastructure in rural areas.

Washington and Tokyo recently announced their intent to establish a high-level economic forum to discuss the path toward an FTA. Mr. Trump also wants an FTA with the United Kingdom once it formally leaves the European Union.

Sen. Roberts told WTD yesterday he would be less anxious if the Administration would provide a list of priority FTA countries – that went beyond Japan and South Korea.

The Trump Administration should recognize that agriculture is a major contributor to the US trade balance – not just manufacturing. “He should tweet that,” Sen. Roberts suggested. Agricultural

exports last year amounted to \$134 billion, he pointed out.

The committee chairman – along with House Agriculture Committee ranking Democrat Collin Peterson (D-Minn) – told the gathering he looked forward to Agriculture Secretary-nominee Sonny Perdue as a strong advocate for agriculture within the Administration. Sen. Roberts will chair a hearing on the nomination Thursday. He said he expects the committee to move quickly on approving his nomination.

Sen. Roberts also said he expects US Trade Representative Robert Lighthizer – once confirmed – to “lead the charge” for agriculture in the trade arena.

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## ***NAFTA-Two's Chief Goal***

The chief goal of renegotiating the North American Free Trade Agreement must be to keep trade and investment flows open and fair, Mexican Ambassador Gerónimo Gutiérrez said yesterday (WTD, 3/17/17).

It is “reasonable” to look at ways to modernize and update the 20-plus-year-old agreement among Canada, Mexico and the United States, the ambassador told a program sponsors by the Wilson Center.

The Mexican government has three principles for the discussions – trade and investment must continue to flow freely and without any obstructions, a revised NAFTA should improve North American competitiveness and incorporation of disciplines that did not exist when NAFTA was written.

This early in the process, it is only possible to talk about broad objectives for the renegotiation, the ambassador noted. The Mexican government is still in its domestic consultation process with the private sector. The US government has its own procedures that it must follow before entering into a trade negotiation. On top of that, the new Administration is still “getting settled” and key positions are not yet filled.

However, long-standing bilateral issues between the United States and Mexico – like sugar and cross-border trucking – do not have to wait for NAFTA renegotiation to be addressed, Mr. Gutiérrez stated. Mexican Minister of Economy Ildefonso Guerdardo and Commerce Secretary Wilbur Ross had positive discussion on sugar and other issues earlier this month.

The ambassador said he hopes some of the current political rhetoric can be cooled down, saying that it is better for the United States and Mexico to cooperate – even when there are areas of disagreement – instead of “pointing fingers at each other.”

It would be extremely detrimental to the bilateral relationship if there is a rise in anti-American sentiment in Mexico and anti-Mexican sentiment in the United States, the ambassador cautioned.

If the two countries are able to overcome current tensions, the result will be a much more mature relationship.

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## ***India's Challenge on US Energy Subsidies***

The United States will face a World Trade Organization dispute settlement panel following India's second request for adjudicating alleged illegal subsidy and local content requirements provided by eight American states in the renewable energy sector (WTD, 3/13/17).

At a Dispute Settlement Body meeting yesterday, India said it is not raising the dispute against Washington on political grounds but to “ensure that measures maintained by the member does not negate the desired objectives and expected benefits to other members under the WTO.”

New Delhi argued that the United States was unwilling to provide information over the past three years on its subsidy and local content requirements in 11 specific programs despite repeated requests in the committees of trade-related investment measures and subsidies and countervailing measures.

In sharp response, Washington stuck to its claim that India launched the dispute for “political reasons.”

The European Union, Brazil, China, Indonesia, Norway, Singapore, Russia, Turkey, South Korea, Japan and Taiwan are third parties in the dispute.

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In a separate development, the DSB also agreed to a second request by Ukraine to establish a panel to review Russia's restrictive measures imposed on traffic in transit from Ukraine to third countries such as Kazakhstan and Kyrgyz Republic through its territory.

Meanwhile, China pressed ahead with its first-time request against the EU for continuing with its controversial price comparison methodologies in antidumping investigations.

China said it had agreed in its accession protocol to allow the determination of certain elements of "price comparability" in antidumping investigations for a period of 15 years – which ended last year.

Brussels blocked the Chinese first-time request on grounds that the measures are currently subject to a review and suggested it could even withdraw the measures soon. The EU said China's decision is "manifestly premature."

Washington supported the EU on grounds that WTO members can use nonmarket methodology in antidumping proceedings involving China. If China, indeed, is a market economy, it should take advantage of existing laws. The United States blamed China for intervening heavily in its economy and creating distortions in sectors such as steel.

Japan also made a first-time request for establishing a panel against India over its safeguard measures against iron and steel products.

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## ***HEDP Dumping From China***

The Commerce Department announced yesterday its affirmative final determinations in the antidumping and countervailing duty investigations of HEDP from China (WTD, 10/31/16).

HEDP is a phosphonate used in industrial water treatment, industrial household cleaning products and personal care products.

Commerce found dumping margins ranging from 167.58 percent to 184.01 percent. It calculated final subsidy rates ranging from 2.4 percent to 54.11 percent.

In 2015, imports of HEDP from China were valued at an estimated \$290.1 million.

The International Trade Commission is slated to make its final injury determination by May 4.

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## ***2016 CA Deficit Is \$481.2 Billion***

The US current account deficit increased to \$481.2 billion in 2016 from \$463 billion in 2015, the Commerce Department reported yesterday (WTD, 12/16/16).

The \$18.2-billion increase reflected a \$16.2 billion jump in the deficit on secondary income, a \$12.8-billion decrease in the surplus on services and a \$1.8-billion decrease in the surplus on primary income.

Exports of goods and services and income receipts decreased \$30.5 billion in 2016 to \$3.1 trillion. Goods exports decreased \$50.6 billion to \$1.4 trillion.

Imports of goods and services and income payments decreased \$12.3 billion to \$3.6 trillion. Goods imports decreased \$63.3 billion to \$2.2 trillion. The decrease in goods imports was largely offset by increases in primary income payments, secondary income payments and services imports.

The deficit decreased to \$112.4 billion in the fourth quarter of 2016 from \$116 billion in the third quarter of last year, according to Commerce. The \$3.6-billion decrease in the current account deficit mostly reflected a \$19.9 billion increase in the surplus on primary income that was largely offset by a \$17.5 billion increase in the deficit on goods. The changes in the surplus on services and the deficit on secondary income were relatively small.

Exports of goods and services and income receipts increased \$4 billion in the fourth quarter to \$804 billion. Goods exports decreased \$3.4 billion to \$371.7 billion, partly offsetting the increase in primary income receipts.

Imports of goods and services and income payments increased \$400 million to \$916.4 billion. Goods imports increased \$14.1 billion to \$567.9 billion.

## Around the Globe

- Negotiations for a mega US-EU trade deal are still alive after they were suspended over elections and public opposition on both sides of the Atlantic, a senior US diplomat said Tuesday according to an Agence France-Presse news service report from Brussels (WTD, 3/20/17). EU officials had feared US President Donald Trump would abandon the four-year talks for the Transatlantic Trade and Investment Partnership (TTIP) after he withdrew from the Trans-Pacific Partnership.

"I would really take issue with the notion that the TTIP is dead," said Adam Shub, who is running the US mission to the European Union pending Trump's appointment of a new ambassador. "We are reviewing it. You know the president's position on TPP, but TTIP is not in that category," Shub told the foreign affairs committee in the European parliament. Most Europeans had assumed that Trump would kill the TTIP deal in the same way he quashed the similar TPP accord with Asia just days after taking office in January.

Tuesday's surprise twist came after the Trump administration ruffled feathers at G20 talks over the weekend by refusing to condemn protectionism in a final statement. Talks with the EU were put on the "backburner" or "freezer" because of elections on both sides of the Atlantic, Shub said. "I think it was our perception that, due to the difficulty with the upcoming German election, the Netherlands election, ... the French election, this was not the best climate to continue a trade negotiation that was perceived in many parts of the public as something very, very different," he added. "One has to be an optimist," Shub added.

Shub said a clearer position would emerge once the Trump administration appoints a new trade representative to replace Michael Froman, who served under President Barack Obama.

- The new U.S. administration should keep its international obligations and common trade rules in mind when overhauling its tax code to favor exports over imports, senior European and German government officials said on Tuesday, Reuters news service reported from Berlin (WTD, 3/6/17). Seeking to put "America first", U.S. President Donald Trump has already pulled out of one major trade agreement and proposed a border tax on imports, arguing that certain trade relationships need to be reshaped to make them fairer for U.S. workers.

"The European Commission expects all trade partners to stick to international rules and obligations to which they committed, especially under the framework of the World Trade Organization," a senior European Union official said, referring to U.S. proposals to introduce a border adjustment tax. The EU official, who spoke on condition of anonymity, pointed to the WTO requirement to avoid any form of discrimination in trade relations.

Germany Deputy Economy Minister Matthias Machnig urged the new U.S. administration to abide by the rules under the WTO framework. "The mechanism of dispute settlement within the WTO is a crown jewel which is worth protecting and without which the 'law of the jungle' would become more important in international trade," Machnig told the Frankfurter Allgemeine Zeitung newspaper. "We hope that the important advocate of free trade, the United States, will not fail," Machnig added.

Economy Minister Brigitte Zypries has told the United States that Berlin could file a suit against Washington at the WTO over Trump's proposed border tax on certain imports.

- Nikkei reported that President Donald Trump may have pulled the U.S. out of the Trans-Pacific Partnership free trade pact, but the accord may still serve as a guide for future trade agreements, says former U.S. Trade Representative Michael Froman (WTD, 3/16/17). "It's possible that the U.S., among other countries, will look to what we agreed to in the TPP as they negotiate or renegotiate other agreements," Froman said in a keynote speech at a symposium organized by The Nikkei on Tuesday.

He cited as an example the North American Free Trade Agreement, which Trump has said he would like to renegotiate with partners Canada and Mexico. Froman said a number of members of Congress have talked about adding provisions on labor, the environment, state-owned enterprises and the digital economy, "all of which were part of the TPP." Froman is now a distinguished fellow at the Council on Foreign Relations, a U.S. think tank.

The Trump administration has criticized some multilateral trade agreements as being a "disaster" for the U.S. economy. Froman conceded that deals such as the TPP are far more complicated than bilateral agreements, "But they allow for multiparty trade-offs and multiparty payoffs. A bilateral

negotiation may appear simpler, but it's not necessarily easier," he said. "It has more of a zero-sum dynamic. One of the challenges for the Trump administration is whether it would be able to translate concessions already secured through plurilateral negotiations into separate bilateral agreements."

On the future of the TPP, Froman remained optimistic that the pact will come into effect despite the absence of the U.S. "I remain optimistic that we'll see the good work we collectively did to define high-standard rules" and that the deal will "make its way into effect, in one form or another."

- An American business group appealed to China on Tuesday to ease import restrictions on agricultural goods including genetically modified seeds and other biotechnology, highlighting complaints Beijing blocks market access despite its vocal support for free trade, the Associated Press news service reported from Beijing (WTD, 3/21/17). The American Chamber of Commerce in China wants a quicker review of foreign biotechnology products, an end to restrictions on beef and pork imports and other changes. In a report, the group said that could improve the food supply for China's consumers and create new opportunities for Chinese and foreign companies.

Chinese leaders have publicly defended free trade in response to U.S. President Donald Trump's promises to restrict imports. But Tuesday's report echoed enduring complaints China is the least open major economy. In a separate segment of the food industry, foreign suppliers are alarmed by Chinese plans to require intensive inspections of imports including low-risk items such as wine and chocolate. The United States, the European Union and other suppliers worry that could disrupt billions of dollars of trade and are lobbying Beijing to scale back its requirement.

In agriculture, the American chamber cited areas ranging from genetically modified seeds to grain processing to pork in which imports and foreign competitors are banned or sharply restricted. In biotechnology, the chamber said Chinese approval of imported products takes several times longer than in the United States, Brazil or other countries and the process is slowing down. Regulators approved only one of 18 foreign products under review in a list issued in January.

- LaGuardia's \$4 billion facelift won't be an all-American job, the Daily News has learned (WTD, 3/21/17). Chinese steel will be used in the high-profile project meant to make the city's second-best airport great again – infuriating the U.S. steel industry that says it can handle the demand.

A spokesman for the Port Authority of New York & New Jersey told The News Monday that Chinese steel will build some of roadway bridges at the airport. It's also relying on steel fabricated in Canada for part of the Terminal B building. The Port Authority said it's in compliance with the mandates required by its funding. "The public-private-partnership contract has a requirement that 50% of the steel be domestic and LaGuardia Gateway Partners – our PPP partner – is meeting that goal," the spokesman said.

LaGuardia Airport is not the only Port Authority project using foreign steel. A contractor hired to overhaul a Holland Tunnel Pier bought steel from several of the U.S.'s most cut-throat competitors – Turkey, Eastern Europe and China, the spokesman said. Scott Paul, president of the Alliance for American Manufacturing, said the Port Authority's "blatant outsourcing" was at odds with Gov. Cuomo's insistence on a "Buy American" clause in his latest budget – and even at odds with President Trump's "Buy America, Hire America" pledge.

But it's not just the Port Authority bypassing American steelmakers – the city's Department of Environmental Protection also brought in Chinese steel for its work rebuilding the Hudson River aqueduct.

- Prime Minister Shinzo Abe pledged on Tuesday to seal a EU-Japan trade deal as early as possible in order to make an important stand against protectionism, the Japan Times reported (WTD, 3/13/17). Abe met with EU Council President Donald Tusk as well as European Commission head Jean-Claude Juncker at EU headquarters in Brussels.

"We shall try to aim for agreement in principle on the (EU-Japan trade deal) at the earliest possible date because it will give the world a symbol of free trade," Abe said as he entered the talks with Tusk and Juncker. Abe's comments came just days after the Trump administration irked its traditional allies at G-20 talks by blocking a pledge to reject protectionism.

But Abe, who is in Brussels as part of a European tour, added that deepened cooperation between the EU and Japan should be done in conjunction with the United States. "In the midst of troubling protectionist trends, I find it important for Japan and the EU to cooperate with the United States as well, to give the world a model of free trade," he said.

Trade talks between the EU and Japan began in 2014 and were at a point of near-collapse before Trump took office as U.S. president. But after just days in office, Trump withdrew the U.S. from a trans-Pacific free trade pact, which was widely seen as a crucial defense against the dominance of China in Asia. Key to the deal with Europe is a vast reform of the Japanese dairy sector that Tokyo insists will be adopted before summer. The Europeans will also be keeping a close eye on the auto sector.

A senior EU official said Europeans would only agree to abolish tariffs for Japanese cars once Tokyo had given ground on all the bloc's key demands, including access to Japan's public procurement markets. Juncker said the EU-Japan deal could be reached by the end of the year.

- A Canada-EU trade pact will provisionally come into force in a few weeks, but could still unravel in the face of rising populism in Europe, its top trade official warned Tuesday. Agence France-Presse news service reported (WTD, 3/21/17). EU Trade Commissioner Cecilia Malmstroem said France would be the next battleground between pro-EU liberals and protectionist parties, with polls showing growing unease in the country with globalization ahead of elections next month.

"CETA (the Canada-European Union Comprehensive Economic and Trade Agreement) will come into force provisionally this spring, in a matter of weeks," she said in Ottawa. The landmark accord was formally signed in October after seven years of tough talks, overcoming last-minute resistance from a small Belgian region that blocked its national government from approving the accord. It must, however, still be ratified by all 28 EU member states, who have committed to doing their utmost to that end. "If that fails, we'll have to see," Malmstrom said.

"We don't know (the impact of that) because that has never happened. If that would happen, member states would have to convene and find a way out of this situation," Malmstroem said. The far right was trounced in Dutch elections last week, and now all eyes are looking to the upcoming French elections as another harbinger. "France is the big test," Malmstroem said.

- Prime Minister Theresa May will write to the European Union on March 29 formally announcing Britain's withdrawal from the bloc, EU sources told Reuters on Monday, saying Brussels had been told of the plan by British officials (WTD, 3/10/17). That letter next Wednesday will start the clock ticking on a two-year countdown to Brexit and allow negotiations to start between London and Brussels in the coming weeks.

By the end of next week, after he has received May's letter, European Council President Donald Tusk should have distributed draft guidelines for the negotiations to the 27 other national governments. Tusk will also summon those 27 leaders for a summit to endorse the final guidelines, probably in early May. Once those are in place, giving a negotiating mandate to the EU executive, the European Commission, chief EU negotiator Michel Barnier should be able to schedule talks with his British counterpart, Brexit Secretary David Davis.

The EU Observer reported that European Council president Donald Tusk has called for a Brexit summit for the EU-27 members on 29 April, one month after the UK officially invokes Article 50 of the Treaty of Lisbon to withdraw from the EU.

- The government of Michel Temer is trying to limit the impact of the adulterated meat scandal that has resulted in restrictions on Brazilian exports to China, Europe, South Korea and Chile and has damaged one of the country's strongest economic sectors, the International Herald Tribune reported. In its attempts to resolve the crisis, the Temer administration announced that on Monday it will offer a detailed explanation to Chinese authorities to get Beijing to reverse its decision to temporarily suspend meat imports from the South American nation.

The European Union is also studying the situation carefully and has left future imports from the companies tainted in the scandal up in the air, as have Chile and South Korea. The scandal erupted last Friday when it was revealed that Brazilian authorities had arrested 33 health inspectors who – in exchange for bribes – had allowed spoiled meat to be sold by meatpacking plants linked to the BRF and JBS groups, two of the world's largest exporters of such products.

According to investigators, the fraud included changing the expiration dates on packaging for already-expired meat, injecting water into chicken to alter its weight or using ascorbic acid to mask the odor of spoiled product.

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