

**Congress of the United States**  
Washington, DC 20510

March 5, 2019

The Honorable Robert Lighthizer  
United States Trade Representative  
Office of the U.S. Trade Representative  
600 17th St, NW  
Washington, DC 20508

Dear Ambassador Lighthizer,

As you work with Japan to improve the trade relationship between our two countries, we respectfully request that you address the technical barriers to trade for U.S. apple growers seeking to export their top-quality fruits to this important market.

Washington state is one of the most trade dependent states in the nation, and we support efforts to remove both tariff and non-tariff barriers that prevent our growers from competing on a level playing field in foreign markets. Washington state apple growers produce roughly 67 percent of the apples grown in the United States and are responsible for approximately 90 percent of exports. Our growers have long sought meaningful access to the Japanese market. Unfortunately, sanitary and phytosanitary (SPS) policies imposed by Japan have drastically inhibited their ability to ship apples to this high priority market for decades.

We fully support the rights of countries to enact science-based measures to protect against the importation of pests and diseases that can be harmful to their domestic agricultural industries. However, pest and disease concerns, not supported by science, are often used as an excuse to impose overly-restrictive requirements on imports that are intended to serve as market barriers and protect domestic industries against foreign competition. International trade rules, including the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures, prohibit this practice and trading partners must be held accountable when these rules are not followed.

The U.S. has taken action to attempt to resolve Japan's SPS policies. In 2003, the United States prevailed in a WTO dispute resolution case that resulted in Japan relaxing some of its SPS measures. However, the SPS policies still in place are so costly and logistically challenging that commercial shipments of U.S. apples have been negligible.

The United States Department of Agriculture's Animal and Plant Health Inspection Service (USDA-APHIS) has worked to address this by proposing in April of 2017 a science-based, systems approach protocol that addresses Japan's pest concerns through actions taken at various stages of the apple growing, packing and shipping process. To date, Japan has not responded to this systems approach proposal. In addition, the U.S. apple industry is reviewing Japan's current work plan with USDA-APHIS to identify targeted areas that can be changed, such as the various

steps that require direct oversight by Japanese inspectors, to meet the needs of Japan, while not burdening U.S. shippers.

It is more important than ever that the United States aggressively pursue expanded access for apples to foreign markets. As the United States continues its negotiations with Japan to improve the trade relationship between the two countries, we respectfully request that the United States convey to Japan the importance of increasing U.S. apple access, including responding to USDA-APHIS's April 2017 systems approach protocol and timely consideration of any proposed changes to the current apple work plan.

Sincerely,



Maria Cantwell  
United States Senator



Dan Newhouse  
Member of Congress



Patty Murray  
United States Senator



Suzan DelBene  
Member of Congress



Derek Kilmer  
Member of Congress



Kim Schrier, M.D.  
Member of Congress



Jaime Herrera Beutler  
Member of Congress



Denny Heck  
Member of Congress



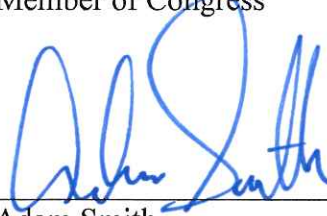
Cathy McMorris Rodgers  
Member of Congress



Rick Larsen  
Member of Congress



Pramila Jayapal  
Member of Congress



Adam Smith  
Member of Congress

Cc: Secretary Perdue  
Under Secretary Greg Ibach  
Under Secretary Ted McKinney  
Jason Haefmeister, Trade Counsel to the Secretary