

DOCKET NUMBER
3505
OFFICE OF THE SECRETARY
INT'L TRADE COMMISSION



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NOVEMBER 4, 2020
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THE UNITED STATES TRADE REPRESENTATIVE
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON

November 3, 2020

The Honorable Jason Kearns
Chair
United States International Trade Commission
500 E Street, SW
Washington, DC 20436

Dear Chair Kearns:

On September 1, 2020, the Office of the United States Trade Representative (“USTR”) and the Departments of Agriculture (“USDA”) and Commerce (“Commerce”) announced a comprehensive plan to address threats that increased imports pose to American producers of seasonal and perishable fruits and vegetables. One of the actions included in this plan was for USTR to work with domestic producers to commence investigations by the United States International Trade Commission (“Commission”) to monitor and investigate imports of strawberries and bell peppers, which could enable expedited investigations under section 202 of the Trade Act of 1974 (“Trade Act”).

The plan resulted from virtual hearings conducted by USTR, USDA, and Commerce on trade distorting practices that might be contributing to unfair pricing in the United States. We received more than 300 written submissions, and more than 60 witnesses testified at two days of hearings. A transcript of the hearings and copies of written submissions are available at www.regulations.gov under Docket ID: USTR-2020-0010.

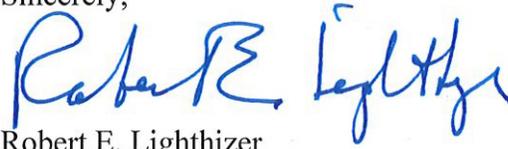
On October 6, 2020, the Florida Fruit and Vegetable Association, the Florida Strawberry Growers Association, and the Florida Farm Bureau, with respect to strawberries, and the Florida Fruit and Vegetable Association and the Florida Farm Bureau, with respect to bell peppers, requested that U.S. imports of such products be monitored under the perishable agricultural product provisions of section 202(d)(1) of the Trade Act, 19 U.S.C. § 2252(d)(1). In response to those requests, I have determined that imports of strawberries and bell peppers satisfy the requirements of 19 U.S.C. § 2252(d)(1)(A).

Accordingly, in accordance with 19 U.S.C. § 2252(d)(1)(B), I request under section 332(g) of the Tariff Act of 1930 (19 U.S.C. § 1332(g)), that the Commission monitor and investigate imports of strawberries and bell peppers. I request that the monitoring and investigations include the collection and analysis of information that would expedite investigations under 19 U.S.C. § 2252(b). The products in question consist of all imports that fall within the product descriptions under the following statistical reporting categories in the Harmonized Tariff Schedule of the United States:

- for fresh or chilled strawberries: 0810.10;
- for fresh or chilled bell peppers: 0709.60.4015, 0709.60.4025, 0709.60.4065, and 0709.60.4085.

I appreciate your thoughtful consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "Robert E. Lighthizer". The signature is written in a cursive style with a large, stylized "R" and "L".

Robert E. Lighthizer