



AGRICULTURAL TRADE FACILITATION ACT

Section-by-Section Description

Sec. 1- Short Title.

This section provides that the bill may be cited as the “Agricultural Trade Facilitation Act.”

Sec. 2 – Congressional Findings.

This section states various facts, including several about the importance of agricultural exports, sanitary and phytosanitary (SPS) measures, and how the improper application of sps measures is restricting and acting as non-tariff barriers to trade. The section also cites Article I, section 8, clause 3 of the Constitution for the authority to establish U.S. negotiating objectives.

Sec. 3 – Trade Negotiating Objectives of the United States with Respect to the Application of Sanitary and Phytosanitary Measures to Agricultural Products.

This section establishes overall and principal negotiating objectives of the United States with respect to the application of sps measures to agricultural products for trade agreements between the United States and foreign countries.

The overall trade negotiating objective is to secure more open, equitable, and reciprocal market access by strengthening the rules governing the application of sps measures to agricultural products. Eight principal trade negotiating objectives are established under the section.

The eight principal trade negotiating objectives are to: (1) Strengthen the requirement that the application of measures is based on scientific evidence; (2) Encourage parties to the agreement to participate actively in the development of the international standards relating to the application of measures and to apply those standards whenever appropriate; (3) Improve regulatory coherence and increase the use of systems-based approaches; (4) Require greater transparency in the development and implementation of the measures; (5) Require parties to the agreement to carry out risk analysis in a timely manner consistent with the guidelines developed by relevant international organizations; (6) Improve rules governing the testing of imported products; (7) Promote the harmonization of export certification requirements; and (8) Ensure that new sanitary and phytosanitary trade obligations are fully enforceable.

Sec. 4 – Effective Date.

This section provides that the Act takes effect on the date of its enactment and applies to negotiations entered into before, on, or after the date of enactment of any trade agreement relating to the application of sps measures to agricultural products.

The bill does not apply with respect to negotiations for the United States-Colombia Free Trade Agreement; the United States-Korea Free Trade Agreement; the United States-Panama Trade Promotion Agreement; and the Doha Development Round of the World Trade Organization.

