



October 30, 2025

ELECTRONIC SUBMISSION TO <http://comments.ustr.gov>

Mr. Edward Marcus
Chair
Trade Policy Staff Committee
Office of the U.S. Trade Representative
600 17th Street NW
Washington, D.C. 20508

RE: Docket Number USTR-2025-0016 Request for Comments on Significant Foreign Trade Barriers for the 2026 National Trade Estimate Report

Dear Mr. Marcus,

On behalf of the 36,000 dues-paying corn growers and the interest of more than 500,000 farmers who contribute through corn checkoff programs in their states, the National Corn Growers Association (NCGA) appreciates the opportunity to provide the following input for the 2026 National Trade Estimate Report on Foreign Trade Barriers. As requested by the Office of the United States Trade Representative, the following submission highlights major trade barriers corn producers have continuously faced and those on the horizon. The list below is not intended to be exhaustive and NCGA views that addressing all trade barriers affecting U.S. corn growers is warranted, with a focus on high-volume opportunities.

Established in 1957, NCGA and its 27 affiliated state associations and checkoff organizations collaborate to help advance and protect the interests of corn growers. The United States is the world's largest producer and exporter of corn, and exports directly contribute to one third of a corn farmer's income. However, trade barriers create uncertainty for farmers as they look to market their products. NCGA welcomes the opportunity to discuss current issues with the Administration as well as opportunities to secure and develop new markets to create demand for U.S. corn growers, especially during challenging economic times facing farmers today.

Mexico

Mexico is currently the top buyer of U.S. corn. Through the first 11 months of MY 24/25 (Sept-July), the United States exported a record \$5.3 billion (23 million metric tons) (MMT) of corn to Mexico. Mexico accounts for approximately 40% of all U.S. corn exports and is double the size of the second largest market. Due to the market size, Mexico's actions to ban genetically modified corn were of extreme concern to U.S. corn growers, as nearly 94% of U.S. corn acres planted is derived from biotechnology.

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The Chapter 31 dispute settlement report released in December 2024 ultimately concluded that Mexico's presidential decree banning genetically modified corn violated the United States-Mexico-Canada Agreement (USMCA) and were not based on science. Shortly following the report's release, Mexico withdrew portions of the Presidential Decree banning GM corn, validating the strength and success of USMCA's dispute settlement provisions. NCGA remains wary of policies in Mexico, that if invoked, could restrict the trade of GM corn for reasons not based on science. For example, Mexico issued an implementing regulation for its Presidential Decree, NOM-187, that has not formally been withdrawn. Mexico's newly ratified Constitutional Amendment contains a provision requiring additional evaluation for other uses of GM corn. Further, complex regulations requiring labeling of GM products including corn can confuse consumers and ultimately result in decreased demand.

Mexico's current system for approving biotechnology traits is functioning, but that has not always been the case. NCGA is carefully monitoring Mexico's biotechnology approval process so that it remains timely, as specified in Article 91 of its Biosafety Law on Genetically Modified Organisms. NCGA recognizes the success of USMCA's provisions on agricultural biotechnology and encourages use of the Working Group for Cooperation on Agricultural Biotechnology to address any issues negatively impacting the trade of U.S. corn.

Ethanol access in Mexico remains challenging, due to varying policies that fully restrict ethanol blending in some areas yet impose lesser restrictions in other areas. If the United States was able to fully access the Mexican market for ethanol, the agricultural trade deficit with Mexico would be reduced by 16.7%. Ethanol market access provides mutual benefit for both countries, as it enables Mexico to adopt more energy independence, more environmentally friendly practices, and more reduction in emissions. NCGA encourages established Committees within USMCA be further utilized to assist Mexico in a plan for incorporating biofuels within the framework under development by the Secretariat of Energy of Mexico (SENER).

Brazil

Brazil has historically been a robust market for U.S. ethanol exports, rising from a value of \$761 million in 2018 to \$2.8 billion in 2021. After several years of duty-free ethanol trade, in 2017 Brazil started imposing a tariff rate quota and a 20% tariff on imported ethanol. Brazil suspended the tariff on March 23, 2022, on a temporary basis, but the suspension expired on January 31, 2023 when a 16% tariff was reimposed. On January 1, 2024, that tariff rose to 18%. The effect on U.S. ethanol exports was drastic, dropping down to a mere 28 million gallons valued at approximately \$53 million in 2024.

Brazil's tariff action is an issue of reciprocity and creates a trade imbalance. Another key example of a lack of reciprocity is that Brazil does not allow U.S. ethanol producers to participate in their RenovaBio program, which was created in 2019 and promotes renewable energy in the transportation sector. However, the United States does permit Brazil's ethanol derived from sugar cane to qualify as an advanced biofuel under the Renewable Fuel Standard.

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As evident by Brazil's ethanol tariff and RenovaBio program rules, Brazil is not committed to reciprocal treatment and creates trade barriers to U.S. products while increasingly gaining market share in the U.S. ethanol market.

Brazil's efforts internationally on calculating carbon intensity for sustainable aviation fuel are of growing concern. Brazil is active in international standards-setting fora for biofuels, like the International Civil Aircraft Organization (ICAO) and the International Maritime Organization (IMO). Brazil asserts that their use of multi-cropping systems is less carbon intensive and therefore deserves a better lifecycle analysis score than the United States, which is inaccurate, unfair, and carries vast implications. By closing out U.S. ethanol producers from international SAF markets via this regulatory gimmick, Brazil is essentially locking in preferential treatment in emerging SAF markets around the world.

Canada

Canada is the top destination for U.S. ethanol exports, responsible for taking 675 million gallons, which is over 35% of the total volume of ethanol exported in calendar year 2024. Demand for U.S. ethanol in Canada increased sharply by nearly 30% between the 2021/22 and 2022/23 as Canada finalized its Clean Fuel Regulations (CFR). For 2024, ethanol exports to Canada totaled a value of \$1.5 billion. The Canadian market has the potential to import more volumes of U.S. ethanol as it reaches blending goals set by the CFR. However, efforts that prioritize Canadian fuels over American sources will impact the ability of U.S. ethanol market share to grow. Any trade discussions, especially within the 2026 Review of the USMCA, should protect and increase the U.S. ethanol market in Canada.

China

In the 2020/21 marketing year, China purchased 21.4 million metric tons of corn from the United States, setting a record. For the 2022/23 marketing year, China imported 7.7 MMT, down 64% from the prior year. For the 2023/24 marketing year, China imported 2.975 MMT, which is 86% less than the record set in the 2020/21 market year. For the 2024/25 market year, China imports of corn are predicted to be significantly lower because of its efforts to boost domestic production and the halt of purchases. Before this unofficial halt, China had imposed a tariff rate quota of 7.2 MMT for corn, which includes a 1% tariff for countries with most favored nation status. In addition, when China no longer accepts requests for exclusions, U.S. agricultural commodities such as corn are affected, as they are subjected to a 25% tariff. Corn imports that exceed the TRQ are subject to a 65% tariff. Following a period of retaliatory escalations on tariffs, China and the United States came to a truce that as of the writing of this letter is to expire November 10, 2025. During this time period, China is imposing a 26% tariff on corn imports from the United States. Should China refuse to eliminate this tariff or move to increase tariffs further, U.S. corn growers would experience even more difficulty in accessing this market.

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After the United States brought forward a WTO case challenging Chinese subsidies to corn, wheat, and rice farmers, a WTO panel ruled in 2019 in support of the U.S. position – that China had subsidized its domestic grain farmers which distorted market conditions. However, the United States should continue closely monitoring any effort by China to issue subsidies to grain farmers which alter market conditions.

In addition to China's history of using subsidies to prop up their domestic corn growers, the country is now undertaking a regulatory agenda to improve domestic production through rapid approval of biotechnology applications. However, these are only approvals for domestic applicants, and not foreign applicants headquartered in the United States. China can currently export gene edited products to the United States, but U.S. exporters are not afforded the same regulatory treatment when exporting to China. China committed to a number of biotechnology provisions in the China Phase One deal and has not implemented or satisfied any of the provisions. China's efforts to boost domestic yields for corn mean that U.S. corn growers cannot rely on China as an export market. NCGA appreciates attention on the lack of fulfillment of the China Phase One deal within the Section 301 process. NCGA further encourages that negotiations with China should include efforts to reduce regulatory hurdles that impede authorizations and market access for biotechnology-derived products.

Colombia

Colombia is an increasingly important market for U.S. corn exports. For the 2024/2025 market year, Colombia was the third largest market for U.S. corn by export volume. Once the U.S.-Colombia Trade Promotion Agreement entered into effect, Colombia's corn imports grew exponentially, with a 97% ten-year growth rate and a total value of \$1.52 billion.

The Government of Colombia has threatened to launch a misguided countervailing duty investigation into U.S. corn imports which could result in hefty duties. Such action would make access to Colombia cost-prohibitive for U.S. corn exporters and create lasting trade implications, like plummeted demand and long-term loss of market share. Colombia currently has imposed a countervailing duty (CVD) on U.S. ethanol imports set at \$0.20 per gallon and is due for a review in 2026. Eliminating the CVD order will provide a market access opportunity for U.S. ethanol exporters. Overall, the U.S.-Colombia Trade Promotion Agreement has been effective to increase exports of corn to create a sizable market for the United States, but threats to impose a CVD on U.S. corn imports and the current CVD on ethanol are lingering issues that affect market access.

Dominican Republic

The Dominican Republic imposes multiple measures that are barriers to market access for U.S. ethanol, including a 10% ad valorem tax, an excise tax of \$11 per liter, and an 18% internal tax on the Transfer of Industrial Goods and Services. Domestically produced ethanol is exempt from these taxes. These taxes are a violation of the CAFTA-DR free trade agreement's provisions on

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national treatment. Additionally, blending gasoline and ethanol is cost prohibitive for the Dominican Republic due to the taxes on U.S. ethanol imports. If the taxes were eliminated, this could further provide a market access opportunity for U.S. ethanol. Securing market access for U.S. ethanol into the Dominican Republic has the potential to reach an export opportunity of 35 million gallons.

European Union

The European Union (EU) is not a major importer of U.S. corn due to trade barriers on biotechnology approvals, though it is an important market for exports of DDGs as well as ethanol. For calendar year 2023, U.S. corn exports to the EU were a mere 192,247 metric tons and rose to 1.91 million metric tons in calendar year 2024. For DDGs, the United States exported 683,605 metric tons in calendar year 2024, up 214,000 metric tons. The United States exported \$333 million worth of ethanol in 2023, and \$428 million worth of ethanol in 2024. The EU's restrictions of food-based feedstocks in ethanol production limit the amount of corn that can be used, despite high demand for ethanol.

The current EU regulatory process for biotechnology lacks predictability, transparency, and science-based approaches. In the past, EU member states have voted on resolutions of disapproval for events that have been cleared for final approval, which creates trade barriers. Addressing regulatory challenges in the EU requires constant engagement, and NCGA is supportive of the ongoing dialogue on biotechnology between the European Commission and U.S. agencies.

Overall, the EU must adhere to regulatory policies that are based on science and risk, and limit "mirror clauses" that require regulation and production of agriculture imports to exactly match regulatory and production processes that occur in the EU. The EU should recognize that the United States' regulatory processes are globally recognized for prioritizing consumer and livestock safety. Additionally, the EU should improve the current regulatory process for biotechnology traits by automatically approving stacked traits that include single traits that had been previously approved, enforcing approval deadlines to reduce backlog, and improve policies that facilitate trade for low level presence (LLPs). Further, gene-edited products should be afforded the same regulatory treatment as conventional breeding. The risk assessments required for gene edited crops should be improved by streamlining and updating processes. In many countries, stacked trait products receive regulatory approval based on thorough scientific reviews of the parental single traits and do not require further safety assessments. This is a scientifically justified and sufficient approach to ensure the safety of traits stacked through conventional breeding. Regulatory assessment of stacked trait products provides only a redundant confirmation of the original safety assessments of the single traits and dramatically increases the volume of risk assessments done by those agencies. This approach is grounded in the notion that the combinatorial effects of stacking events are predictable, and that the safety profile of a higher-order stack can be informative for any lower-order stacked trait product. It recognizes that



the individual risks associated with each trait have already been assessed and that no new hazards are expected in the stacked-trait product.

The EU's regulations on maximum residue levels regarding pesticide use are increasingly not based on science and risk and greatly limit the ability for U.S. agriculture goods, including corn, to access EU markets. The EU is known for having some of the most stringent pesticide regulations globally. This approach has led to the banning or severe restriction of numerous pesticides still in use in other parts of the world. Authorization processes are complex, confusing, and lengthy, which creates market uncertainty preventing access. Under WTO's Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), Codex standards are accepted as standards for international trade of agricultural commodities, food, and feedstuff. The Codex Committee on Pesticide Residues (CCPR) sets standards for pesticide maximum residue levels (MRLs) for food commodities in international trade. The CCPR was established by the Food and Agriculture Organization and World Health Organization to ensure globally accepted standards. NCGA supports the CCPR in setting global MRLs through comprehensive data sets on human toxicology and pesticide residues in agricultural commodities and urges the EU to follow Codex standards for international trade.

The Joint Statement on a United States-European Union Framework on an Agreement on Reciprocal, Fair, and Balanced Trade released in August 2025 is a step towards alleviating these issues, most notably the announcement of providing preferential market access to agricultural goods and the move towards eliminating non-tariff barriers. NCGA urges that the Administration prioritize resolution of these barriers.

Guatemala

Guatemala's biofuels regulations prioritize advanced ethanol, which as defined by Guatemala, includes ethanol derived from sugar cane and excludes ethanol derived from corn. Guatemala is the largest ethanol producer in central America and could be a market access opportunity for U.S. corn exports should their regulation provide parity to ethanol derived from corn.

Indonesia

In the 2023-2024 marketing year, the United States exported 4,520 metric tons of corn to Indonesia, according to a report from the Trade Data Monitor. Unfortunately, that dropped to zero corn imports from Indonesia in 2024 due to efforts to achieve agricultural self-sufficiency. Indonesia's government has restricted corn imports to support domestic prices and production. However, in July 2025, the U.S.-Indonesia Agreement on Reciprocal Trade was announced, where Indonesia is to eliminate tariff barriers on all agricultural goods and exempt U.S. agricultural products from all Indonesia import licensing regimes including its commodity balance policy. NCGA encourages the United States to press for corn, DDGS, and ethanol exports to be secured given the reduction of barriers specified in the announcement.

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India

India imposes a number of restrictions that prevent market access for the U.S. corn industry. India does not allow any genetically modified corn to enter the country, totally banning biotechnology-derived products. Further, India does not allow imports of distiller dried grains with solubles (DDGS) because of a misclassification determining that the product is a “living modified organism”, which is inaccurate. DDGS is an important ingredient in animal feed and would assist livestock production in India, particularly with its dairy herd, which currently struggles with milk quality.

In 2023, India began using corn for ethanol production with the Indian government achieving a 20% ethanol blend in gasoline earlier this year. India historically had been using its domestic corn production for livestock populations but now must turn to imports to meet ethanol production demands. This has made India a net importer of corn instead of a net exporter. Several trade barriers exist to accessing the Indian market for U.S. corn exporters. In addition to the ban on genetically modified corn, India imposes a high tariff of 50% on corn imports, but allowed 500,000 tons to be imported at a 15% duty rate in 2023. Addressing India’s ban on genetically modified corn as well as the high tariff would have the potential to provide a much-needed market access opportunity for American corn exports. NCGA encourages continued efforts to reduce trade barriers in India and open market access.

Japan

Japan is the second largest market for U.S. corn exports, with \$2.79 billion of corn exported to Japan in 2024. In September of 2025, the United States announced a framework agreement between the U.S. and Japan, with a mandatory purchasing agreement including corn and bioethanol totaling \$8 billion per year. NCGA encourages these purchase agreement to be fulfilled and implemented in short order.

Kenya

Securing market access in Kenya for the corn industry would be extremely beneficial to begin meaningful progress to opening up the African continent for trade of U.S. commodities. According to data from the Trade Data Monitor, the United States has only exported 20 metric tons of corn to Kenya in the past marketing year. Kenyan courts recently upheld a decision that removed the importation and cultivation ban on GM agriculture products but this decision was recently stayed in order to hear an appeal from the Kenya Peasants League. NCGA is seeking USTR and USDA to closely engage with Kenya to allow importation of biotech corn that can be solidified long-term, in order to create stability with this new supply chain.

Kenya imposes a 50% ad-valorem import duty on corn imports from outside the East African Community (EAC). However, countries in East Africa do not produce the amount of corn needed to meet the growing demand. This high tariff further prevents U.S. market access into the

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country. Additionally, Kenya's aflatoxin limit is lower than the limit recommended by international standards. Kenya should adjust the aflatoxin limit to match the CODEX standards, which will help enable market access for corn.

With the expiration of the African Growth and Opportunity Act (AGOA) in September 2025, Kenya looks to sign a trade deal with the United States by the end of the year and renegotiate AGOA for another five years, which leaves the United States in a position to renegotiate some of these terms to increase market access for US corn. NCGA is very supportive of obtaining a functioning regulatory system for biotechnology products in Kenya and other countries in Africa to create a market opportunity for U.S. corn.

Thailand

In the 2023/24 marketing year, the United States exported only 2,700 metric tons of corn to Thailand. This is in large part due to trade restrictive measures imposed on exports. Thailand imposes a 73% tariff on corn imports during its corn harvest season and a 20% tariff on corn imports out of season. Thailand also imposes a tariff rate quota of 54,700 metric tons. Recently, the Thailand Ministry of Commerce proposed a very trade restrictive two-pronged mechanism requirement for Thai companies to import corn. Within this new import scheme, regulations would compete for the same local corn purchase requirements, making the regulation entirely impractical. Thailand's thriving livestock sector has increased demand for corn, which will only continue to increase in the future. Further, Thailand only purchased a small amount of ethanol as well, due to a tariff on ethanol imports, set at 28 cents/gallon. Thailand does not permit ethanol blending for on-road fuel, which blocks real ethanol market growth. Thailand also maintains a 9% tariff on DDGS, yet soybean meal sourced from Brazil is subject to only a 2% tax.

Eliminating these tariffs on corn, ethanol, and DDGS would enable the U.S. corn industry to have better access to the Thai market. In the recently announced Framework for Reciprocal Trade between the United States and Thailand, NCGA encourages that corn, ethanol and DDGS be included in the list of products that will be subject to zero tariffs into Thailand, as well as efforts to eliminate restrictive barriers affecting corn imports.

Thailand has historically been a robust market for U.S. DDG exports. However, Thailand's fumigation requirements to address the khapra beetle, a pest that contaminates DDGS, impede market access. Thailand began requiring shipments to use methyl bromide in 2019, which prevents U.S. exporters from using other options like phosphine. Thailand and the United States should develop a long-term plan to address the khapra beetle and create market certainty for DDGS exports.

United Kingdom

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The United Kingdom (UK) has steadily increased ethanol imports since their adoption of E10 in late 2021, increasing from 66 million gallons in 2021 to 242 million gallons in 2024. The United States and the UK announced the U.S.-UK Economic Prosperity Deal designed to expand U.S. market access in the UK, with the deal establishing a duty-free TRQ of 1.4 billion liters of ethanol and creating an opportunity of up to \$700 million of increased U.S. ethanol exports. NCGA is fully supportive of this increase in ethanol access and looks forward to full implementation of the increased TRQ.

Vietnam

Vietnam is the largest corn importer in Southeast Asia, importing over 11 million tons in the 2023-2024 market year. Vietnam's increased livestock populations fuel the growing demand for corn, yet the United States has not been a top supplier apart from the 2018-2019 market year when drought limited yields in Brazil and Argentina. In March 2025, the Government of Vietnam issued a decree eliminating tariffs on American corn, thus allowing the United States to equally compete with other countries for Vietnamese market access. Because of this, U.S. corn exports to Vietnam have drastically increased to reach 43 million bushels by the end of June, the highest level since 2017/2018. NCGA is supportive of the recently announced Framework for an Agreement on Reciprocal Trade between the United States and Vietnam and encourages inclusion of commitments to increase corn purchases.

Turkey

Turkey's Biosafety Law prevents biotech food and feed products that are not registered by the government. Turkey has rejected a significant number of biotech corn events for approval, which has prevented developers from trying to achieve approval in Turkey. Because of the issues with achieving approval for biotechnology traits, U.S. corn exports to Turkey have not been consistent and are at small amounts. NCGA encourages robust engagement with the Government of Turkey to address regulation of biotechnology to create a market access opportunity.

NCGA looks forward to working on these priority issues as well as others to ensure that corn growers can maintain and secure new export markets.

Sincerely,

Nancy Martinez
Director of Public Policy, Trade and Biotechnology
National Corn Growers Association

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