



April 15, 2026

TO:

Office of the United States Trade Representative (USTR)
600 17th Street, N.W.
Washington, D.C.

RE: Docket Number USTR-2026-0067: Request for Comments on the Section 301 Investigations of Acts, Policies, and Practices of Certain Economies Relating to Structural Excess Capacity and Production in Manufacturing Sectors

SUBMISSION SUMMARY:

The American Seed Trade Association (ASTA) welcomes the opportunity to provide comments on USTR's public consultation process regarding the Section 301 Investigations of Acts, Policies, and Practices of Certain Economies Relating to Structural Excess Capacity and Production in Manufacturing Sectors.

Founded in 1883, ASTA is one of the oldest trade organizations in the United States. Our nearly 700 members represent companies and researchers that are involved in seed production and distribution, plant breeding, and related industries in North America. ASTA members research, develop, produce, and distribute a wide variety of seeds, including grasses, forages, flowers, vegetables, row crops, and cereals across all agricultural production systems (conventional, organic, and biotechnology). Ninety-five percent of ASTA's active members are small businesses as defined by the Small Business Administration, and ASTA membership includes approximately 85 percent of all private seed companies operating in the United States.

To date, ASTA is not aware of certain economies incentivizing excess capacity and production in the seed sector. While we support the Administration's actions to address market-distorting policies and trade barriers used by major U.S. trading partners, ASTA strongly encourages the U.S. government to pursue trade policies that do not negatively impact the U.S. seed sector and our downstream customers – U.S. farmers. Additionally, tariffs implemented over the past several years by the U.S. government have become prohibitively expensive for conducting basic research and development (R&D) within our sector, which requires moving seed into and out of the United States at different stages of production; this is particularly true for the vegetable and flower seed sector.

In 2025, according to data from the U.S. Department of Agriculture (USDA), U.S. exports and imports of planting seeds (or seeds of a kind for sowing) have declined to their lowest levels in at least 13 years¹ (Attachment 1). These trends do not reflect a correction of past trade imbalances with U.S. trading partners; rather, they are an indicator

¹ USDA Global Agricultural Trade System (GATS) (2026): <https://apps.fas.usda.gov/gats/default.aspx>

of the high economic pressures facing U.S. seed companies in a global marketplace. As our international competitors in China, the European Union, and Latin America charge ahead with R&D investments and streamline their own policies to invite investment in agricultural innovation, companies within the U.S. seed sector are being forced to choose: either absorb millions of dollars in additional costs from tariffs into their R&D programs within the United States, or move operations outside of the United States where they can remain economically competitive.

The U.S. seed sector is currently the cornerstone of U.S. agriculture and drives the U.S. agricultural economy and farmer productivity. In 2025 alone, the \$1.59 billion in total U.S. seed exports and \$899 million in total U.S. seed imports represented a small, but positive, subset of the U.S. trade balance. Yet, over the same timeframe, U.S. exports of agricultural goods that depend on the seed industry were valued at \$177 billion, and the U.S. agricultural sector was estimated to support \$10.4 trillion in economic value and 48.7 million American jobs². However, we cannot take the U.S. agricultural industry's position as a global leader for granted. The U.S. seed sector requires the ability to use a combination of innovative technologies and seed trade to speed the development of new crop varieties for U.S. farmers.

The United States future leadership of seed innovation and investment depends on the ability to conduct tariff-free seed movement with multiple trading partners. It is in the economic and national security interests of the United States to secure tariff-free seed trade with our trading partners on the following grounds:

- 1) **Trade speeds innovation by increasing the number of growing seasons available to U.S. seed companies.** Counter-seasonal production ensures that seed costs remain competitive and allows U.S. seed companies to produce crops in unique environmental and production conditions that cannot be replicated year-round in the United States.
- 2) **Tariff-free trade increases investment in agricultural innovation within the United States.** High-tech U.S. plant breeding and testing facilities currently serve as hubs for processing unfinished, bulk raw seed into high value, finished seed – which is re-exported across the globe. However, tariffs are eroding the ability of these businesses to operate.
- 3) **Seed trade creates long-term alignment between the United States and our trading partners on agricultural production,** which is important for U.S. and global food security. However, as costs increase, our overseas partners will look to other countries to align on their seed production needs.
- 4) **Tariffs are increasing costs facing U.S. farmers and could eventually reduce choices in the marketplace.** Companies are already report millions of dollars in added costs from U.S. tariffs in 2025 alone, which cannot be absorbed indefinitely

² Feeding the Economy (2026): <https://feedingtheeconomy.com/press-release/>

and are already increasing costs for U.S. farmers in the 2026 growing season. As seed companies are forced to make these financial tradeoffs, varieties with narrow or negative profit margins may no longer be viable for U.S. commercialization.

For these reasons, ASTA and our members urge the U.S. government to eliminate tariffs on seed movement with U.S. trade partners and to not pursue tariffs on planting seeds under additional Section 301 investigations (Attachment 2: Harmonized Tariff Schedule (HTS) codes for relevant products). Our sector's position at the top of the U.S. agricultural value chain dictates that, in practical terms, the seed trade contributes a small proportion of tariff revenue that is unlikely to incentivize changes in non-market practices for other sectors that trade in higher value or higher volume products. Additionally, tariffs on planting seeds have disproportionately negative impacts on downstream U.S. agricultural innovation and U.S. farmers.

ASTA and our members strongly encourage USTR to take a balanced approach and recognize that a flat tariff rate applied across all sectors does not reflect the diversity and realities of global supply chains. For American seed companies and farmers to remain leaders in global agricultural innovation, U.S. trade policy must address the unique challenges facing the seed industry and streamline barriers to seed trade for companies operating in the United States. The complexity of the U.S. seed industry's R&D and production needs depend on seed movement between over 100 markets, and the diversity of our products and breeding programs makes it difficult to request country-specific tariff rates for individual HTS codes. In the following sections, we provide additional background on the unique aspects of our industry and outline how the global industry operates in other markets, as evidence that tariffs will continue to reduce U.S. competitiveness in the global seed business.

BACKGROUND ON SEED TRADE

The U.S. seed industry is highly specialized and diversified, developing and selling hundreds of varieties of seeds across numerous species. In 2025 alone, the U.S. seed sector exported planting seeds under nearly 80 tariff codes within Chapters 7, 10, and 12 of the Harmonized Tariff Schedule (Attachment 2). These goods were destined for over 100 export markets (Source: USDA GATS, 2026). Unlike other agricultural goods, which are exported primarily for immediate use or processing in food and feed, the seed sector relies on trade for commercial sales, seed production, and as a fundamental step of years-long research and development (R&D) pipelines. **Farmers are our primary customers, and U.S. seeds drive the economic success of nearly all downstream agricultural production within the United States.**

The extensive R&D required to release a new crop variety can take as long as 10-15 years, and the use of new breeding approaches plays an important role in delivering innovation to U.S. farmers. Trade serves an equally critical function for testing and producing new crop varieties on these timelines. For example, counter seasonal production of seed in warmer locations during U.S. winter months allows the sector to complete additional breeding cycles; and seed production in specific environments that are free from pests and diseases

ensures the cleanest seeds reach U.S. farmers. In certain cases, crops might even require certain weather or hours of sunlight to trigger plants to flower — and thus produce seeds. Additionally, for certain vegetable and flower crops, seed companies require production sites in multiple countries of origin to grow sufficient volumes of bulk, raw seed. Unfinished seed is then imported into the United States, where it is batched and undergoes technology intensive steps like cleaning, sorting, testing, processing, priming, and coating. Finished, clean seed is subsequently sold to U.S. farmers or reexported into a final market.

In practical terms, the diversity of our sector’s production needs makes it difficult to draw general trends, on a product-by-product basis using the Harmonized Tariff Schedule (HTS), regarding which U.S. export markets play the most important role to the U.S. seed industry. The needs facing U.S. seed companies depend on the crop species; the stage of the breeding program; the environmental pressures facing seed production each year; and the other costs associated with seed production, such as agricultural or labor inputs. For some crops, companies are required to move seed between as many as six or seven countries throughout the R&D lifecycle – before a seed is sold to a U.S. farmer. **For these reasons, ASTA and our members continue to advocate for elimination of tariffs on all planting seeds for U.S. trading partners** (Attachment 2).

TRADE BARRIERS STIFLE LONG-TERM AGRICULTURAL INNOVATION

Historically, the biggest constraints that impact U.S. seed movement are foreign market regulations that are not transparent, science-based, efficient, or predictable.

Common foreign trade barriers impacting the U.S. seed sector include: uneven regulatory treatment for commercialization of agricultural biotechnology crops; fragmented or non-transparent phytosanitary requirements that prevent the international movement of seed; a lack of intellectual property (IP) rights that protect U.S. seed companies from theft of innovative crop varieties; and unnecessary technical regulations that add hurdles to sale of new seed varieties, such as variety registration requirements that duplicate the need to evaluate the characteristics of a crop and add years of delays to commercialization.

The complexity of the U.S. seed sector’s supply chains requires trade policy alignment that allows for continuous movement of seed both into and out of the United States, for R&D, testing, and production at all stages leading to commercial sale. The United States has historically been a leader in agricultural innovation, due to a combination of factors within trade agreements that stimulate investment in the U.S. seed sector like favorable regulatory climates for innovative technologies; flexible and science-based sanitary and phytosanitary (SPS) procedures for seed movement; and strong intellectual property regimes that allow companies to reinvest into seed innovation, despite the long 10-15 year investment pipeline required to release a new crop variety.

Importantly: the United States and many other countries have historically maintained low or zero tariffs on planting seeds as a key mechanism to facilitate the global movement of seeds – regardless of the country of origin or production volume. This is in stark contrast to most traded agricultural goods, for which many countries and agreements have established strict tariff rate quotas (TRQs) or other measures to protect

domestic production of agricultural commodities. The low tariffs applied to planting seeds are an indirect acknowledgement by many countries that trade and seed movement play a critically important role in basic plant breeding, R&D, and crop improvement. The United States' recent trade negotiations, including the use of the tariffs on a wide range of trading partners, are a major departure from this approach and are creating significant additional costs for the U.S. seed sector.

NEGATIVE IMPACTS OF TARIFFS ON THE SEED SECTOR ARE SIGNIFICANT AND GROWING

Farmers globally, including within the United States, rely on the ability of the seed sector to test and trial new crop varieties in a wide range of environments. Any actions that increase costs facing the seed sector, or that slow the ability to trade and test seeds between countries, could further delay commercialization of many important crops and improved varieties. By extension, U.S. farmers and consumers will experience fewer choices, increased costs of seeds for planting, delayed access to improved seeds, less productive seed, and more expensive downstream agricultural goods.

Tariffs are already leading to compounding costs for the U.S. seed sector. According to ASTA members, U.S. seed companies experienced millions of dollars in additional tariff-associated costs in the 2025 calendar year alone. As an industry that operates at the top of the agricultural value chain with low margins and low volumes, these costs are highly significant. Many small businesses in the U.S. seed sector cannot continue operations at these costs. Global trade data already reflects major shifts in U.S. seed trade, with companies forced to choose between rapidly increasing R&D and seed production costs associated with tariffs, or relocating business outside of the United States. According to USDA data, 2025 exports of plantings seeds were valued at \$1.59 billion, the single lowest year for the U.S. seed trade since 2012. Similarly, U.S. planting seed imports in 2025 declined to \$899 million, the lowest year since 2010.

ASTA and our members remain concerned that if these trends continue, the long-term impact on agricultural innovation and R&D within the United States could lead to fewer planting choices and higher prices for U.S. farmers. Furthermore, decreases in seed imports could cripple U.S. companies that provide technology-intensive seed processing and conditioning services. For these businesses that operate within the middle of the seed supply chain, imported raw seed is processed within U.S. facilities and subsequently reexported or sold as high-value, high performing seed to farmers. If these businesses are forced to close or relocate due to costs, these services will no longer exist within the United States. Estimated yield losses without these services in certain U.S. vegetable crops could reach 80-100 percent, which would significantly harm U.S. farmers and consumers.

Elimination of tariffs on seed movement remains a top priority for ASTA and our members. The current tariff rates on many U.S. trading partners threaten U.S. competitiveness, productivity, and technological leadership in the seed sector.

Attachment 1: U.S. Planting Seed Exports and Imports. Source: USDA Global Agricultural Trade Statistics (GATS) (2026): <https://apps.fas.usda.gov/gats/default.aspx>



Attachment 2: U.S. Harmonized Tariff Schedule (HS) Codes: Seeds of a Kind Used for Sowing

HS Code (6-digit)	HS Code (10-digit)	Article Description
060210	0602100000	UNROOTED CUTTINGS AND SLIPS
843710	8437100000	MACHINES FOR CLEANING, SORTING OR GRADING SEED, GRAIN OR DRIED LEGUMINOUS VEGETABLES
843710	8437900090	PARTS, OTHER, FOR MACHINES FOR CLEANING, SORTING OR GRADING SEED, GRAIN OR DRIED LEGUMINOUS VEGETABLES
070110	0701100020	POTATOES, SEED, FRESH OR CHILLED
070110	0701100040	POTATOES, SEED, FRESH OR CHILLED
071290	0712908550	SWEET CORN SEED
071310	0713101000	PEAS (<i>Pisum sativum</i>): SEEDS OF A KIND USED FOR SOWING
071320	0713201000	CHICKPEAS (GARBANZOS): SEEDS OF A KIND USED FOR SOWING
071331	0713311000	BEANS OF THE SPECIES <i>Vigna mungo</i> (L.) Hepper or <i>Vigna radiata</i> (L.) Wilczek: SEEDS OF A KIND USED FOR SOWING
071331	0713312000	BEANS OF THE SPECIES <i>Vigna mungo</i> (L.) Hepper or <i>Vigna radiata</i> (L.) Wilczek: OTHER, If entered for consumption during the period from May 1 to August 31, inclusive, in any year
071331	0713314000	BEANS OF THE SPECIES <i>Vigna mungo</i> (L.) Hepper or <i>Vigna radiata</i> (L.) Wilczek: OTHER, If entered for consumption outside the above stated period, or if withdrawn for consumption at any time
071332	0713321000	SMALL RED (ADZUKI) BEANS (<i>Phaseolus</i> or <i>Vigna angularis</i>): SEEDS OF A KIND USED FOR SOWING
071333	0713331020	KIDNEY BEANS, INCLUDING WHITE PEA BEANS (<i>Phaseolus vulgaris</i>): SEEDS OF A KIND USED FOR SOWING, Navy or pea beans
071333	0713331040	KIDNEY BEANS, INCLUDING WHITE PEA BEANS (<i>Phaseolus vulgaris</i>): SEEDS OF A KIND USED FOR SOWING, Other
071334	0713341000	BAMBARA BEANS (<i>Vigna subterranea</i> or <i>voandzeia subterranea</i>): OF A KIND USED FOR SOWING
071339	0713391110	SEEDS OF A KIND USED FOR SOWING: CRANBERRY BEANS
071339	0713391190	SEEDS OF A KIND USED FOR SOWING: OTHER
071340	0713401000	SEEDS OF A KIND USED FOR SOWING: LENTILS
071350	0713501000	BROAD BEANS (<i>Vicia faba</i> va. <i>major</i>) AND HORSE BEANS (<i>Vicia faba</i> var. <i>equina</i> and <i>Vicia faba</i> var. <i>minor</i>): SEEDS OF A KIND USED FOR SOWING

HS Code (6-digit)	HS Code (10-digit)	Article Description
071360	0713601000	PIGEON PEAS (<i>Cajanus cajan</i>): OF A KIND UESD FOR SOWING
071390	0713901100	OTHER: LEGUME SEEDS OF A KIND UESD FOR SOWING, OTHER
071390	0713905000	GUAR SEEDS
100111	1001110000	DURUM WHEAT SEED
100191	1001910000	WHEAT SEED, EXCLUDING DURUM
100210	1002100090	RYE SEED
100210	1002100010	RYE SEED: SEEDS OF A KIND USED FOR SOWING
100310	1003100000	BARLEY SEED FOR SOWING
100410	1004100000	OATS: SEED FOR SOWING
100510	1005100000	CORN (MAIZE) SEED, CERTIFIED, EXCLUDING SWEET CORN
100510	1005100010	CORN (MAIZE) SEED, YELLOW
100510	1005100090	CORN (MAIZE) SEED, OTHER
100710	1007100000	GRAIN SORGHUM: SEED
100821	1008210000	MILLET: SEED
100860	1008600000	TRITICALE SEED
100830	1008300000	CANARY SEEDS
120110	1201100000	SOYBEAN SEED
120230	1202300500	PEANUT SEED, Described in general note 15 of the tariff schedule and entered pursuant to its provisions
120230	1202304000	PEANUT SEED, Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions
120230	1202308000	PEANUT SEED, Other
120510	1205900010	RAPE OR COLZA SEED, WHETHER OR NOT BROKEN, OTHER, FOR SOWING
120590	1205900010	RAPE OR COLZA SEED, WHETHER OR NOT BROKEN, OTHER, FOR SOWING
120600	1206000031	SUNFLOWER SEEDS, WHETHER OR NOT BROKEN, FOR SOWING
120721	1207210000	COTTON SEEDS: SEED
120730	1207300000	CASTOR OIL SEEDS
120740	1207400010	SESAME SEEDS (CERTIFIED ORGANIC)
120740	1207400090	SESAME SEEDS (OTHER)
120750	1207500000	MUSTARD SEEDS
120760	1207600000	SAFFLOWER (<i>Carthamus tinctorius</i>) SEEDS
120770	1207700000	MELON SEEDS
120770	1207700020	CANTALOUPE SEED
120770	1207700040	WATERMELON SEED
120770	1207700075	MELON SEEDS, OTHER
120791	1207910000	POPPY SEEDS

HS Code (6-digit)	HS Code (10-digit)	Article Description
120799	1207990310	NIGER SEED
120799	1207990340	HEMP SEED FOR SOWING
120799	1207990391	OTHER OIL SEEDS AND OLEAGINOUS FRUITS, WHETHER OR NOT BROKEN
120910	1209100000	SUGAR BEET SEEDS
120921	1209210020	ALFALFA (LUCERNE) SEEDS, CERTIFIED
120921	1209210040	ALFALFA (LUCERNE) SEEDS, UNCERTIFIED
120922	1209222000	CLOVER (<i>Trifolium</i> spp.) SEEDS: WHITE AND LADINO
120922	1209224020	CLOVER (<i>Trifolium</i> spp.) SEEDS: ALSIKE
120922	1209224030	CLOVER (<i>Trifolium</i> spp.) SEEDS: CRIMSON
120922	1209224041	CLOVER (<i>Trifolium</i> spp.) SEEDS: RED DOUBLE CUT
120922	1209224049	CLOVER (<i>Trifolium</i> spp.) SEEDS: RED OTHER
120922	1209224060	CLOVER (<i>Trifolium</i> spp.) SEEDS: SWEET
120922	1209224095	CLOVER (<i>Trifolium</i> spp.) SEEDS: OTHER
120923	1209230020	FESCUE SEEDS: TALL
120923	1209230031	FESCUE SEEDS: CREEPING RED CERTIFIED
120923	1209230039	FESCUE SEEDS: CREEPING RED UNCERTIFIED
120923	1209230060	FESCUE SEEDS: MEADOW
120923	1209230090	FESCUE SEEDS: OTHER
120924	1209240000	KENTUCKY BLUE GRASS (<i>Poa pratensis</i> L.) SEEDS
120925	1209250020	RYEGRASS (<i>Lolium multiflorum</i> Lam., <i>Lolium perenne</i> L.) SEEDS: ANNUAL
120925	1209250040	RYEGRASS (<i>Lolium multiflorum</i> Lam., <i>Lolium perenne</i> L.) SEEDS: PERENNIAL
120929	1209291000	BEET SEED
120929	1209299120	BENT GRASS (genus <i>Agrostis</i>) SEED
120929	1209299125	BERMUDAGRASS FOR SOWING: HUSKED
120929	1209299126	BERMUDAGRASS FOR SOWING: OTHER
120929	1209299130	BIRDSFOOT TREFOIL SEED
120929	1209299136	BROMEGRASS SEED: MEADOW
120929	1209299137	BROMEGRASS SEED: SMOOTH
120929	1209299138	BROMEGRASS SEED: OTHER
120929	1209299140	ORCHARDGRASS SEED
120929	1209299160	SUDAN GRASS SEED
120929	1209299171	WHEATGRASS SEED: CRESTED
120929	1209299174	WHEATGRASS SEED: OTHER
120929	1209299176	WILD RYE SEED
120929	1209299179	OTHER GRASS SEEDS
120929	1209299196	FORAGE SEED, OTHER
120930	1209300010	PETUNIA SEED
120930	1209300090	FLOWER SEED, OTHER
120991	1209911000	CAULIFLOWER SEED

HS Code (6-digit)	HS Code (10-digit)	Article Description
120991	1209912000	CELERY SEED
120991	1209914000	ONION SEED
120991	1209915000	PARSLEY SEED
120991	1209916010	PEPPER SEED: SWEET
120991	1209916090	PEPPER SEED: OTHER
120991	1209918005	BROCCOLI SEED
120991	1209918008	CABBAGE SEED: GREEN CABBAGE
120991	1209918009	CABBAGE SEED: OTHER
120991	1209918010	CARROT SEED
120991	1209918020	RADISH SEED
120991	1209918030	SPINACH SEED
120991	1209918040	CUCUMBER SEED
120991	1209918045	KALE SEED
120991	1209918047	KOHLRABI SEED
120991	1209918050	LETTUCE SEED
120991	1209918054	PARSNIP SEED
120991	1209918055	PUMPKIN SEED
120991	1209918060	SQUASH SEED
120991	1209918070	TOMATO SEED
120991	1209918074	TURNIP SEED
120991	1209918090	VEGETABLE SEED, OTHER
120999	1209992000	TREE AND SHRUB SEED
120999	1209994170	TOBACCO SEED
120999	1209994190	OTHER SEEDS OF HERBACEOUS PLANTS NOT CULTIVATED PRINCIPALLY FOR THEIR FLOWERS