

# United States Senate

WASHINGTON, DC 20510

April 2, 2012

The Honorable Ron Kirk  
United States Trade Representative  
600 17th Street, NW  
Washington, D.C. 20508

Dear Ambassador Kirk:

We are writing to express our concern with the antidumping action Mexico has instituted against chicken leg quarters. This action is based on the "average cost of production" and assumes that every part of the chicken should be priced the same, e.g., that the chicken feet have the same value as the chicken breast. This assumption is flawed and concerns us as members from poultry producing states.


The Mexican ministry recently announced its preliminary results; with proposed duties on U.S. poultry ranging from 64% to 129%. Although these duties have not yet been applied, under Mexican law, a final decision will have to be reached by August.

The Mexican antidumping action will deprive our poultry industry of the market access provided under the North America Free Trade Agreement (NAFTA). This case sets an ominous example that must not be repeated throughout the protein sector. The same approach could encourage others in Mexico to institute frivolous antidumping actions against our beef, pork or dairy sectors.

With U.S. poultry exports to China significantly decreased due to frivolous antidumping duties, Mexico is our most important market, importing nearly 250,000 metric tons in the most recent year valued at nearly \$270 million. Should this case lead to a formal consultation, the U.S. poultry industry will suffer a huge loss due to the historically lengthy legal process employed by the World Trade Organization.

We appreciate your efforts in working to open markets for U.S. poultry. As we continue the Trans-Pacific Partnership negotiations, we urge you to resolve this situation and ensure that Mexico honors its commitment under NAFTA. We hope the antidumping case by Mexico is terminated and look forward to working with you to resolve this matter.

Sincerely,

  
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Jayby Chauhin

  
\_\_\_\_\_  
Tom Sarpen

Jeff Jensen

Kay Bent

Ken Coats

Paul Cook

Barbara L. McCallie

John Bozeman

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