

Congress of the United States

Washington, DC 20515

September 15, 2006

The Honorable Susan C. Schwab
Ambassador
Office of U.S. Trade Representative (USTR)
600 17th Street NW
Washington, DC 20506

The Honorable Mike Johanns
Secretary
U.S. Department of Agriculture
14th Street & Independence Ave.
Washington, DC 20250

Dear Ambassador Schwab and Secretary Johanns:

We request your urgent assistance on behalf of the apple, pear and cherry growers of Washington, Oregon and Idaho. Indonesia, a significant trading partner for the Pacific Northwest tree fruit industry, recently implemented a phytosanitary regulation that significantly impedes trade. We ask that you help resolve this problem by meeting with Mr. Kalla, Indonesia's Vice President and Mr. Pengistu, Indonesia's Trade Minister, when they are in Washington, D.C. on September 25.

The Pacific Northwest exports approximately \$22 million of apples to Indonesia per year as well as smaller amounts of pears and some cherries. Our growers have exported to Indonesia for decades without any reported pest interceptions. However, in March of this year, Indonesia implemented "Decree 37," a regulation to control the possible introduction of fruit flies. Unfortunately, this regulation unfairly impacts Pacific Northwest exports. We are concerned Indonesia has imposed these restrictions without putting forward a credible, scientific analysis of pest risk, and may be in violation of World Trade Organization (WTO) commitments.

The U.S. has done a great deal of work to seek a friendly resolution to this issue, beginning in August of 2004 when the U.S. submitted comments on the proposal to Indonesia through the WTO. Last month, USDA Secretary Johanns contacted Mr. Apriyanto, Indonesia's Minister of Agriculture. U.S. Ambassador B. Lynn Pascoe has also met with Mr. Apriyanto. USDA officials from APHIS and FAS have worked with Indonesia's Embassy in Washington, D.C. and with officials in Jakarta constantly since March to address Indonesia's concerns. We recognize and appreciate this significant effort.

We feel that the Indonesian Ministry of Agriculture does not properly understand the magnitude of our concern and the impact its new regulations have on an important sector of the Pacific Northwest economy. Indonesia's new regulation seems to disregard important technical facts and international standards by requiring treatment of product that is either not a host of pests of concern or comes from areas that are free from those pests. In addition, the regulation requires treatment of some fruit even though Indonesia does not have host material (such as cherries) for at least one of its pests of concern. It has become clear that a political commitment by Indonesia's leadership to resolve this problem is necessary.

The Honorable Susan C. Schwab
The Honorable Mike Johanns
September 15, 2006
Page Two

Support for trade is nowhere stronger than in the tree fruit industry of the Pacific Northwest, however, trade barriers that are imposed without merit from WTO member countries erode this support. Accordingly we urge you to bring this issue to the attention of Mr. Kalla and Mr. Pengistu when they are in Washington, D.C. on September 25 so that the unjustified restriction on apples, pears and cherries is immediately removed.

Please keep us informed of the progress USTR and USDA make in removing Indonesia's trade barrier. Thank you for your attention to our concerns.

Sincerely,

Don Lutz

Rich Larsen

Joe Juslee

Alan Sisk

Cathy McKeon

Jim B. Bann

Doug Walde

Mike Sypin

Bob Burtin

Jim McConnett
Norm Sicks