

Congress of the United States
Washington, DC 20515

August 21, 2019

The Honorable Robert E. Lighthizer
U.S. Trade Representative
600 17th Street, NW
Washington, D.C. 20508

Dear Ambassador Lighthizer:

We write in support of your work to compel the European Union (EU) to implement the World Trade Organization (WTO) Dispute Settlement Body recommendations in the Large Civil Aircraft Dispute (DS316) case. We firmly endorse your commitment to securing U.S. rights under the WTO Agreements by holding the EU accountable for the massive trade-distorting subsidies it has provided to Airbus. However, we are concerned that additional import duties on olive oil as a result of the EU's failure to comply with the WTO decision would cause significant harm to the United States since there is no sufficient alternative supply of olive oil. We ask that you remove olive oil from any future product lists related to this case.

Without imports of olive oil from Europe, the United States cannot meet current consumer demand. The United States is the largest importer of olive oil, about 70 percent of which comes from the EU. Even if all non-EU olive oil available for export was to be exported to the United States, there would still be a shortage of about 100,000 tons, or 30 percent of current consumer demand. The lack of an alternative supply to European olive oil means that such import duties would lead to significant increases in the price of olive oil for consumers, food retailers, food manufacturers, restaurants, and many others in the supply chain.

As you may know, the Food and Drug Administration (FDA) has approved two Qualified Health Claims for the heart healthy qualities of monounsaturated fat and oleic acid in olive oil.¹² Additionally, food manufacturers use it as an ingredient to differentiate their products, to reduce harmful fat content, and to increase sales.

We have supported the previous decades of growth in olive oil consumption because it has improved the diet of millions of Americans. However, large price increases can push many consumers and food manufacturers to choose food oils that lack the unique health qualities of olive oil, as well as increase the incentive for unscrupulous actors to sell misbranded olive oil.

¹ <https://www.fda.gov/food/cfsan-constituent-updates/fda-completes-review-qualified-health-claim-petition-oleic-acid-and-risk-coronary-heart-disease>

² <http://wayback.archive-it.org/7993/20171114183732/https://www.fda.gov/Food/IngredientsPackagingLabeling/LabelingNutrition/ucm072963.htm>

Without the imposition of import duties, America's olive oil importation has significant room for growth—only about 40 percent of U.S. households use olive oil, and per capita consumption remains a small fraction of that in Greece, Italy, and Spain, according to consumer spending data compiled by Nielsen. Federal officials should not stifle this potential for growth.

We respectfully ask that you remove olive oil from any future product lists related to this case. Thank you for your careful consideration and attention to this issue. We look forward to working with you to hold the EU accountable to its WTO commitments in ways that both minimize domestic harm and promote public health.

Sincerely,

Members of Congress:

Bill Parscrell, Jr.
Jodey C. Arlington
Mark Amodei
Anthony Brindisi
Salud Carbajal
Kathy Castor
Gerald E. Connolly
Dwight Evans
Josh Gottheimer
Jim Himes
Will Hurd
Stephanie Murphy
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Elise Stefanik
Thomas R. Suozzi
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Mac Thornberry