AMERICAN FROZEN FOOD INSTITUTE

October 28, 2026

Mr. Mark A. DiPlacido
Chair, Trade Policy Staff Committee
Office of the U.S. Trade Representative
600 17th Street NW
Washington, DC 20508
Submitted via Regulations.gov | Docket No. USTR-2026-0498

Comments Submitted on Significant Foreign Trade Barriers for the 2027 National Trade Estimate Report

Dear Mr. DiPlacido:

The American Frozen Food Institute (AFFI) appreciates the opportunity to provide comments for the Office of the United States Trade Representative's 2027 National Trade Estimate Report on Foreign Trade Barriers (NTER). We appreciate USTR's continued focus on identifying foreign trade practices that disadvantage American producers and on securing expanded market access for U.S. agricultural and manufactured products.

AFFI is the national trade association representing the U.S. frozen food and beverage industry, including fruit and vegetable growers, makers of prepared meals, processors, manufacturers, suppliers, and distributors. The U.S. frozen food sector supports approximately 670,000 American jobs and contributes more than $11 billion annually in taxes. AFFI members collectively export more than $2.5 billion in products each year.

Our comments highlight three core trade priorities, including:

1. Strengthening verification of preferential-origin claims amid changing frozen food trade flows;
2. Reducing foreign tariff barriers that limit opportunities for U.S. frozen products into Japan, Brazil, Vietnam, and India; and
3. Meeting growing consumer demand for frozen vegetables in the United States through enhanced agreements with key supply partners.

Since 2020, U.S. frozen food exports have increased 30% by value driven largely by growth in exports to Japan, Mexico, and Canada as well as increases in certain categories including frozen processed potatoes.[1] Export growth is especially notable given persistent demand for frozen within the United States and our sector's primary aim to enable growth at home. We support our members as they continue to explore new opportunities in foreign markets.

[1] USITC Dataweb data for 2020-2025 by value for priority frozen fruits, vegetables, and processed food products. Please see Annex A for full scope of products.

Below, we outline observations and recommendations to support USTR's trade-enforcement and market-access agenda and identify opportunities for continued engagement with key trading partners.

I. Protecting Trade Integrity: Origin Claims, Duty Evasion, and Illegal Transshipment

AFFI welcomes USTR's inclusion of duty evasion, circumvention, and transshipment among the issues identified in its 2027 NTER request. Changing sourcing patterns are a normal feature of international commerce; however, significant shifts in trade flows can also warrant additional scrutiny where they raise questions about the accuracy of declared origin and/or tariff treatment.

Recent shifts in frozen food trade flows have raised concerns among our AFFI members about potential duty evasion, illegal transshipment, and other forms of trade circumvention. While changing market conditions and sourcing patterns may explain some trends, some movements point to potential risk of illegal transshipment.

Origin matters to our sector and protecting the integrity of trade agreements helps ensure that negotiated benefits accrue only to qualifying goods. Below are two examples – one related to imports from Canada and another on imports from Guatemala – illustrating where there have been recent changes in trade flows and concerns related to origin claims that may impact U.S. competitiveness.

Imports from Canada: Examining Shifts in Frozen Vegetable Trade

Earlier this year, Canada initiated a safeguard investigation given a surge of imports of certain frozen and canned vegetables. As part of that investigation, AFFI provided USTR and USDA with analysis of trade flows specific to frozen vegetables. We found that not only were U.S.-origin shipments into Canada **not** the driver for the import surge, but rather the imports came from China.

At the same time, we reviewed U.S. import data to determine if there was a possible correlation to increased imports into the United States from Canada. Data revealed that U.S. imports of the targeted frozen vegetables from Canada increased approximately 15% in 2025, while direct U.S. imports of comparable products from China were relatively flat.[2] Over the same period, Canadian imports of Chinese frozen vegetables increased approximately 33%[3].

This significant change in trade flow of Chinese goods into Canada coincided with the period when USMCA-compliant goods were exempted from new IEEPA tariffs.

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[2] USITC Dataweb data for 2020-2025 by volume for imports of frozen peas (0710.21), string beans (0710.22), sweet corn (0710.40), carrots (0710.80.70.40), other vegetables not specified of 0710.80, and mixtures of vegetables (0710.90).

[3] Statistics Canada, Canadian International Merchandise Web Application. 2024-2025 data on Canada volume imports of frozen vegetables of peas (0710.21), snap beans (0710.22.00.10), beans (0710.22.00.90), sweet corn (0710.40), carrots (0710.80.00.20), other frozen vegetables (0710.80.00.90), and mixtures of vegetables (0710.90)

This observation raises questions about whether trade flows reflect legitimate sourcing changes or efforts to avoid applicable duties, illustrating why traceability and origin verification are especially important when products move through multiple countries. AFFI encourages USTR to work with U.S. Customs and Border Protection (CBP) and Canadian counterparts to assess relevant product-level trade flows, strengthen targeted origin verification where warranted, and preserve trade flows for legitimate USMCA-compliant goods.

Guatemala: Examining Preferential-Origin Claims for Frozen Strawberries
AFFI members have raised similar questions concerning frozen strawberry shipments from Guatemala. U.S. imports of frozen strawberries from Guatemala increased approximately 273% between 2021 and 2025[4], with a substantial share reportedly entered under the Dominican Republic–Central America–United States Free Trade Agreement (CAFTA-DR) preferences. During that period, Guatemala's reported imports of frozen strawberries from Egypt rose from negligible levels in 2021 to approximately 11.1 million kilograms in 2025.[5]

Similar to the Canadian frozen vegetables, the scale of the shifts warrants careful evaluation of how origin is documented and verified for products claiming CAFTA-DR treatment. AFFI asks USTR to coordinate with CBP and Guatemalan authorities, as appropriate, to evaluate whether existing documentation, traceability, and verification practices are sufficient to detect inaccurate origin claims while protecting legitimate regional trade.

Across both markets, AFFI's goal centers on preserving the benefits of U.S. trade agreements for qualifying goods, consistent enforcement, and prevention of any improper tariff advantage from impacting compliant American producers.

II. Meeting growing consumer demand for frozen fruits and vegetables in the United States through enhanced agreements with key supply partners
AFFI supports preserving duty-free trade under USMCA and pursuing targeted duty-free treatment for frozen food products where the U.S. market is highly dependent on imports such as frozen broccoli and cauliflower, where imports account for approximately 90% or more of domestic supply. This also includes frozen food products that are not commercially grown domestically, such as frozen tropical fruits and some vegetables. Due to labor-intensive harvesting, seasonality, and limited domestic processing capacity, U.S. production cannot fully meet year-round demand for these products. Ecuador is an important supplier of frozen broccoli and cauliflower, helping fill this critical domestic supply gap.

Consistent with this approach, AFFI encourages USTR to provide duty-free treatment for frozen broccoli (HTS 0710.80.97) and frozen cauliflower (HTS 0710.80.97.30), frozen mango (HTS Code 0811.90.52), frozen banana (HTS

[4] USITC Dataweb data for 2021-2025 by volume for imports of frozen strawberries of 0811.10.
[5] Instituto Nactional de Estadistica de Guatemala, Comercio Total, USD data from 2016-2025 for imports and exports of frozen strawberries of 0811.10

0811.90.10), and other frozen tropical fruits, including exemptions from additional Section 301 tariffs. This targeted relief would recognize the limited availability of domestic supply and help maintain affordable access to nutritious frozen fruits and vegetables.

III. Foreign Tariff Barriers: Expanding Access for U.S. Frozen Foods
In Annex B, we have included an overview per market to outline tariff impacts to the frozen category in Japan, Brazil, India, and Vietnam. U.S. shipments of the frozen fruit, vegetable, and processed-food categories to countries with tariffs as high as 40% are minimal, totaling approximately $8 million across Brazil, Vietnam, and India. Japan is a more established market, with approximately $43 million in U.S. exports of frozen foods facing tariffs up to 34%. If tariffs were removed in these four markets alone, we anticipate US exports of frozen products could potentially increase by $5 million to $12.5 million per year.

AFFI appreciates USTR's efforts to advance reciprocal trade and strengthen opportunities for American agriculture. We welcome efforts by USTR to investigate barriers that limit access for our growing exports. On behalf of our members, we look forward to working with USTR and other federal agencies to provide additional industry information and help translate these priorities into practical market-access and enforcement outcomes.

Sincerely,

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Annex A | AFFI Priority Tariff Codes
Annex B | Country-Specific Tariff Barriers

ANNEX A: Priority Tariff Codes for AFFI products

HTS Code	Description
Frozen Fruits	
0811.10	Frozen strawberries
0811.20	Frozen raspberries, blackberries, mulberries, loganberries, black, white, or red currents, and gooseberries (other than kiwi fruit)
0811.90	Other frozen fruit (includes bananas, blueberries, cranberries, mangoes, melons, cherries, tropical fruit, fruit mixtures, peaches, and other fruits not elsewhere specified)
Frozen Vegetables	
0710.10	Frozen potatoes
0710.21	Frozen peas
0710.22	Frozen beans (*Vigna* spp. *Phaseolus* spp.)
0710.29	Frozen Chickpeas, lentils, and other leguminous vegetables
0710.30	Frozen spinach
0710.40	Frozen sweet corn
0710.80	Other frozen vegetables (includes bamboo shoots and water chestnuts other than Chinese water chestnuts, mushrooms, tomatoes, broccoli, cauliflower, and other vegetables not elsewhere specified)
0710.90	Mixtures of vegetables
0714.10.10	Frozen cassava
0714.20.10	Frozen sweet potatoes
0714.30.20	Frozen yams
0714.40.20	Frozen taro
0714.50.20	Frozen yautia
0714.90.41	Frozen mixtures of pea pods and Chinese water chestnuts
0714.90.42	Other mixtures of Chinese water chestnuts
0714.90.44	Chinese water chestnuts, not mixed
0714.90.46	Other frozen roots and tubers
2004.90	Frozen processed vegetables
Frozen Processed Foods	
1902.20.0040	Frozen stuffed pasta
1902.30.0040	Frozen pasta
1904.90.0012	Frozen precooked rice
1905.32.002X	Frozen waffles and wafers
1905.90.1041	Frozen Pastries, Cakes, Pies, and Pudding
1905.90.1049	Frozen Bread and Biscuits
2004.10	Frozen processed potatoes and french fries

ANNEX B: Country Specific Details on Tariff Barriers

Japan

HS code[6]	Product category	MFN
0710.29	Other frozen leguminous vegetables (excluding specified peas and beans)	6% / 8.5%
0710.80	Other frozen vegetables, including selected broccoli, carrots, and cauliflower	0%–12%
0811.90	Other frozen fruits, including certain frozen blueberries	6%–13.8%
1905.90	Selected frozen bakery and prepared-food items (classification-dependent)	0%–34%
2004.90	Selected prepared frozen sweet corn with added sugar	10.5%
2004.90	Selected prepared frozen asparagus	17%

2025 U.S. Export Values [7]	
Frozen products within higher-tariff subset	$42.7M
Frozen fruits and vegetables	$82M
Frozen processed products	$449M

Japan is one of the largest frozen food consumers in the world, growing over 30% in the past decade[8], and the United States' second largest frozen food export market by value. For frozen fruit, the United States is only the 7th largest exporter into Japan[9], following Canada, Chile, China, Peru, Vietnam, and the EU. Many of these countries – including Chile and EU Member States – have an advantage of duty-free access for frozen berries into Japan, while U.S. frozen berries continue to be subject to tariffs.

As an example, U.S. blueberry exports to Japan have declined approximately 36% in volume since 2021.[10] While our bilateral agreement with Japan provides duty-free access for many fruit and vegetable categories, Japan did not provide tariff elimination or reductions on most products under the 0811.90 HS code, which includes frozen blueberries. Japan's tariffs on U.S.-origin frozen blueberries *range* from 6% to 9.6% which make U.S. blueberries less competitive compared to blueberry imports which receive duty-free access into Japan including from Canada, Chile, the EU, and New Zealand.

AFFI encourages USTR to expand on the agreement in place to fully open its market to U.S. frozen products that were excluded like frozen berries. With removal of high tariffs, we anticipate U.S. exports of frozen products to Japan could increase by $2 million to $10 million as we gain increased market share to total over $50 million per year.

[6] Japan Customs, Tariff Schedule

[7] USITC Dataweb. 2025 data by value

[8] Market updates for Japan's Frozen Food Industry, USDA GAIN Report, 18 June 2025

[9] Japan Ministry of Finance, Trade Statistics of Japan, 2025 data by value by commodity, frozen fruit (0811)

[10] USITC Dataweb, 2021-2025 data by volume, U.S. exports of frozen blueberries of 0811.90.20 to Japan.

Brazil

HS code[11]	Product category	MFN
0710.10 – 0710.90	Selected frozen potatoes, legumes, spinach, corn, other vegetables, and mixes	9%
0811.10 – 0811.90	Selected frozen strawberries, berries, and other fruits (including blueberries)	9%
1905.90	Selected frozen bakery and prepared-food items	16.2%
2004.10 / 2004.90	Selected frozen potato preparations and prepared sweet corn	12.6%

2025 U.S. Export Values	
Frozen Fruits/Vegetables	<$0.1M
Frozen Processed Products	$2.1M

Frozen blueberries (classified under HS code 0811.90) may be imported into the United States duty-free from Brazil. In contrast, U.S. exports of frozen blueberries to Brazil face a 9% tariff. This lack of reciprocity is also echoed across other frozen products. For instance, U.S. exports of frozen processed products into Brazil face tariffs ranging from 12.6% to 16.2% whereas U.S. imports of frozen processed products from Brazil are subject to much lower MFN rates ranging from duty-free treatment to 11.2%.

Further, our competitors are gaining preferential, lower-duty access into Brazil, making it much more challenging to get a foothold in those markets for U.S. products. In the past year, Mercosur and the European Union signed the EU-Mercosur Partnership Agreement and implemented provisional tariff preferences under the interim trade agreement, which extends immediate tariff reductions to frozen fruits and vegetables, phasing out to duty free in less than 10 years.

AFFI encourages USTR to leverage the recent trade policy actions on Brazil to help negotiate lower tariff rates for frozen food products into Brazil. If Brazil's high tariffs were eliminated for U.S. frozen fruits and vegetables, we anticipate incremental increases in U.S. exports with potential to double over five years.

[11] Siscomex Portal Único, Brazil's Foreign Trade Integrated System

Vietnam[12]

HS code	Product category	MFN
0710.10	Frozen potatoes	10%
0710.21–0710.29	Selected frozen peas, beans, and other legumes	17%
0710.30	Frozen spinach	15%
0710.40–0710.90	Selected frozen corn, other vegetables, and mixtures	17%
0811.10–0811.90	Frozen strawberries, other berries, and other fruits	30%
1905.90	Selected frozen bakery and prepared-food items	20%–30%
2004.10	Selected frozen potato preparations	12%
2004.90	Selected prepared frozen sweet corn	40%

2025 U.S. Export Values	
Frozen Fruits/Vegetables	<$2.3M
Frozen Processed Products	$3.3M

Vietnam represents a promising emerging market for U.S. frozen food exports, yet elevated tariffs restrict market access. Current import duties range from 10% on certain frozen potatoes to 30% on frozen fruits and as high as 40% on selected prepared frozen vegetables, placing U.S. exporters at a disadvantage relative to competitors benefiting from Vietnam's preferential trade agreements.

AFFI welcomes the October 2025 U.S. Vietnam framework for an Agreement on Reciprocal, Fair, and Balanced Trade, under which Vietnam has committed to eliminating tariffs on nearly all U.S. goods, including food and agricultural products. As negotiations advance toward a final agreement, we encourage USTR to secure complete tariff elimination for U.S. frozen fruits, vegetables, and prepared frozen foods.

[12] Vietnam Customs

India[13]

HS code	Product category	MFN
0710.10–0710.90	Selected frozen potatoes, peas, legumes, spinach, corn, and other vegetables	30%
0811.10–0811.90	Selected frozen strawberries, berries, and other fruits	10%–30%
1905.90	Selected frozen bakery and prepared-food items	30%
2004.10	Selected frozen potato preparations	35%
2004.90	Selected prepared frozen sweet corn	30%

2025 U.S. Export Values	
Frozen Fruits/Vegetables	<$0.3M
Frozen Processed Products	<$0.3M

India has historically been a challenging market for U.S. frozen food exporters, with high tariff barriers and limited market access contributing to negligible U.S. exports across frozen food categories. AFFI supports securing a tariff rate of not more than 5% on frozen food products as part of ongoing U.S.–India trade negotiations, including frozen potatoes and prepared potato products, selected frozen vegetables, and frozen fruits. While meaningful export growth will take time and depend on further investment in cold-chain infrastructure and distribution capacity, tariff reductions would represent an important first step toward improving U.S. competitiveness. Over the longer term, India offers significant potential as an emerging market for U.S. frozen food products, particularly as its retail and foodservice sectors continue to develop.

[13] Government of India Central Board of Indirect Taxes & Customs