



July 6, 2026

The Honorable Jamieson Greer  
United States Trade Representative  
Office of the United States Trade Representative  
600 17th Street NW  
Washington, D.C. 20508

**RE: Comments on the Proposed Action in the Section 301 Investigations of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor (Docket ID: USTR-2026-0265)**

Dear Ambassador Greer,

AmericanHort appreciates the opportunity to comment on the proposed action set out in the Federal Register notice of June 5, 2026 (91 Fed. Reg. 34272). We submitted comments in the underlying investigation on April 15, 2026 (Docket USTR-2026-0133) (USTR-2026-0133-00127081), and we write now to respond to the specific products proposed for coverage and to the scope of the Annex A exemptions.

AmericanHort is the leading national trade association representing the U.S. horticulture industry. We represent approximately 20,000 members and affiliated businesses across the horticultural supply chain, including plant breeders, greenhouse and nursery growers, garden retailers, interior and exterior landscapers, and horticultural manufacturers. Most of these businesses are small and medium-sized, family-owned operations. Together, the U.S. horticulture industry contributes more than \$500 billion annually to the national economy and supports approximately three million jobs.

**I. Summary of Request**

AmericanHort supports the effort to eliminate forced labor from global supply chains and submits this request as a constructive partner in that effort. Our request is narrow and targeted: AmericanHort asks USTR to add a limited set of horticultural propagation materials and essential production inputs to Annex A so they are excluded from the proposed action, and to retain the existing Annex A exemption for peat.

These products meet the same exemption criteria USTR has already recognized in Annex A. They are necessary raw materials and early-stage agricultural inputs for U.S. greenhouse and nursery production; they are not available from domestic sources in sufficient quantities, and covering them would cause serious supply dislocations without shifting production to the United States.

Additional duties on these inputs would raise costs for American growers without being practicable or effective in eliminating the investigated forced labor practices. Specifically, AmericanHort requests that USTR:

- Exclude the live plant, cutting, tissue culture, and bulb provisions of Chapter 6 of the HTSUS from the action by adding them to Annex A;
- Exclude the seed-for-sowing provisions of Chapter 12 by adding them to Annex A;
- Exclude the essential growing-media and fiber inputs used in nursery production that have no domestic source, including coconut coir, jute burlap, and sisal twine;
- Retain the existing Annex A exemption for peat and peat litter (2703.00.00).

A consolidated list of the specific HTSUS provisions is provided in the Annex to these comments below.

## **II. These Products Are Necessary Inputs That Cannot Be Produced Domestically in Sufficient Quantities**

USTR has asked whether products under a tariff subheading are necessary raw materials and whether additional tariffs could make domestic supply unavailable. Horticultural propagation materials and the essential inputs listed in the Annex below meet that standard directly.

For many parts of the horticulture industry, imported propagative material is not optional. It is the starting point for U.S. greenhouse and nursery production. Unrooted cuttings, young plants, and tissue culture plantlets are often produced in tropical and equatorial environments and under proprietary international breeding programs that determine where stock can be produced and distributed. These supply chains are also built around year-round availability that matches U.S. growing cycles. Domestic production alone cannot replicate that system at the scale or timing growers need due to environmental limitations.

The import data show this dependence. Flower bulbs come principally from the Netherlands. Live plants, rooted and unrooted cuttings, and tissue culture come from a concentrated set of suppliers, including Mexico, Central and South American countries, Canada, and the Netherlands. There is no domestic substitute at the scale required, and tariffs would not create one.

The same is true for essential fiber and growing-media inputs. Coconut coir, jute burlap, and sisal twine are foundational production materials used throughout U.S. greenhouse and nursery operations. Coir, a by-product of coconuts, is used as a growing medium and comes primarily from Sri Lanka, India, and Vietnam. Burlap, made from the jute plant, is used for root-ball wrapping and shipping and is sourced primarily from India and Bangladesh. Sisal twine, used for staking, tying, and baling plants, is imported primarily from Brazil. The crops used to produce these materials are tropical or subtropical plants that are not commercially grown in the United States at the scale required due to basic climate limitations.

As a result, there is no domestic industry capable of producing these inputs in sufficient quantity for the horticulture sector, and a tariff would function solely as an added cost on essential production inputs for which there is no practical American alternative.

### **III. Additional Duties Would Cause Serious Supply Dislocations Without Reshoring Production**

USTR has also asked whether additional tariffs would cause serious supply dislocations or broader disruptions. For these products, the answer is yes. These materials are inputs to domestic production, not finished consumer goods. Duties on them would raise costs throughout the greenhouse and nursery sector and disrupt supply chains that U.S. growers rely on to produce plants here at home.

Most of these materials are classified under Chapters 6 and 12 as early-stage agricultural inputs. Once imported, they are grown in U.S. greenhouses and nurseries for weeks or months before reaching the market. The labor, infrastructure, production expertise, and most of the value creation occur in the United States. These imports enable U.S. production; they do not replace it.

Restricting these imports would not bring production back to the United States. The biological, climatic, and breeding-program constraints cannot be solved through tariffs. Instead, additional duties would limit U.S. growers' ability to produce at scale, raise costs, reduce competitiveness, increase prices, and weaken economic activity and employment in a fundamentally domestic sector. The harm would fall on American growers and workers, not on the foreign practices the proposed action is intended to address.

### **IV. Duties on These Low-Risk, Highly Traceable Inputs Would Not Be Practicable or Effective in Eliminating Forced Labor**

USTR has asked whether additional tariffs would be practicable or effective in eliminating the investigated acts, policies, and practices. For ornamental horticulture, they would not.

Based on our work with the horticulture industry, we are not aware of forced labor in the ornamental horticulture supply chains serving the U.S. market. Propagation material is highly specialized and is produced in controlled greenhouse and nursery environments that require skilled labor, constant plant health monitoring, and precise environmental management. That is very different from the large-scale, low-cost production systems where the risk of forced labor is typically concentrated.

These supply chains are also highly traceable. Many U.S. companies source from facilities they own or directly oversee, or from long-standing contract partners with continuous operating relationships. Imported plant materials are also subject to strict phytosanitary certification and inspection by national plant protection organizations and U.S. regulators. That creates documentation and traceability that exceed many other global supply chains. Several of the principal source economies for these inputs, including the European Union, Canada, Mexico, and Guatemala, are also among those USTR recognized as maintaining forced labor import prohibitions or commitments and placed in the lower duty tier.

Because the risk is low and the traceability is high, additional duties on these inputs would not meaningfully advance the goal of eliminating forced labor. These products fit the same rationale USTR already used in Annex A for articles where additional tariffs may not substantially contribute to eliminating the investigated practices.

## **V. The Requested Additions Are Consistent With Annex A's Own Stated Rationale**

Annex A already excludes peat and peat litter (2703.00.00), a core horticultural growing-media input, based on the same raw-material and domestic-availability concerns described above. AmericanHort strongly supports retaining that exemption.

Annex A also exempts a wide range of tropical agricultural raw materials that cannot be produced domestically, including coconuts and coconut oil, coffee, cocoa, bananas, tropical fruit, and natural rubber. Horticultural propagation materials, seeds for sowing, coir, jute, and sisal fall into the same category and should be treated the same way. Adding them to Annex A would make the exemption list more consistent and would apply USTR's stated criteria evenly across comparable agricultural inputs.

## **VI. Specific Requests**

For these reasons, AmericanHort respectfully requests that USTR:

- Exclude from the action, by adding to Annex A, the live plant provisions of Chapter 6, including headings 0601 (bulbs, tubers, corms, and rhizomes) and 0602 (live plants, including unrooted and rooted cuttings, orchids, herbaceous perennials, and tissue culture), and the specific statistical subheadings identified in the Annex below;
- Exclude from the action, by adding to Annex A, the seed-for-sowing provisions of Chapter 12, including 1209.30.00 (seeds of herbaceous flowering plants), 1209.91.80 (vegetable seeds, nesoi), and 1209.99.20 (tree and shrub seeds), and the specific statistical subheadings identified in the Annex below;
- Exclude from the action, by adding to Annex A, the essential nursery inputs that have no domestic source, including coconut coir (5305.00.00, and coir pith and coir growing media classified under 1404.90.90), jute burlap (5310.10 and 5310.90), and sisal twine (5607.21.00 and 5607.29.00);
- Clarify that horticultural coconut coir and coir-based growing media are covered by any coir-related exemption, so the treatment does not turn on the current 1404.90.90 limitation to material for religious purposes only; and
- Retain the existing Annex A exemption for peat and peat litter (2703.00.00).

This approach would allow USTR to continue advancing its forced labor enforcement objectives while avoiding unnecessary harm to U.S. horticultural production.

## Conclusion

AmericanHort and its members share the United States' commitment to eliminating forced labor from global supply chains. At the same time, the horticulture sector depends on imported inputs that are not available domestically and that are essential to producing plants in the United States. These supply chains are transparent, relationship-driven, and low risk. Applying the proposed duties to these materials would primarily harm American growers, workers, and businesses without meaningfully advancing the underlying policy goal.

We appreciate USTR's consideration of these comments and stand ready to provide any additional information or industry perspective that may assist the agency as it finalizes its determination.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lionel van der Walt', with a stylized flourish at the end.

Lionel van der Walt  
President & CEO  
AmericanHort

## ANNEX

*Horticultural propagation materials and essential production inputs requested for addition to, or retention in, Annex A. Descriptions are provided for reference; classification of specific products should be confirmed with U.S. Customs and Border Protection.*

HTS Number	Description
<b>0601</b>	<b>Bulbs, tubers, tuberous roots, corms, crowns, and rhizomes, whether dormant, in growth, or in flower; chicory plants and roots (other than the chicory roots of heading 1212)</b>
<b>0601.10</b>	<b>Bulbs, tubers, tuberous roots, corms, crowns, and rhizomes, dormant (not actively growing):</b>
0601.10.15.00	Tulip bulbs
0601.10.30.00	Hyacinth bulbs
0601.10.45.00	Lily bulbs
0601.10.60.00	Narcissus (daffodil) bulbs
0601.10.75.00	Crocus corms
0601.10.85.00	Lily of the valley pips (individual crowns)
0601.10.90	
0601.10.90.20	Iris bulbs
0601.10.90.40	Gladiolus corms
0601.10.90.60	Tuberous begonia tubers
0601.10.90.80	
<b>0601.20</b>	<b>Bulbs, tubers, tuberous roots, corms, crowns, and rhizomes, in growth or in flower; chicory plants and roots:</b>
0601.20.10.00	Hyacinth bulbs, without soil attached
0601.20.90.00	
<b>0602</b>	<b>Other live plants (including their roots), cuttings and slips, and mushroom spawn</b>
0602.10.00.00	Unrooted cuttings and slips (plant pieces taken for propagation, without roots)
0602.20.00.00	Trees, shrubs, and bushes that bear edible fruit or nuts, grafted or not
0602.30.00.00	Rhododendrons and azaleas, grafted or not
0602.40.00.00	Roses, grafted or not
<b>0602.90</b>	
0602.90.20.00	Orchid plants
0602.90.30	<b>With soil attached to roots:</b>
0602.90.30.10	Chrysanthemums
0602.90.30.90	
0602.90.40.00	
0602.90.60	<b>With soil attached to roots:</b>
0602.90.60.10	Trees and shrubs (with soil attached)
0602.90.60.20	Poinsettias (with soil attached)
0602.90.60.90	
0602.90.90	
0602.90.90.10	Trees and shrubs (without soil attached)
0602.90.90.90	
<b>1209</b>	<b>Seeds, fruit, and spores of a kind used for sowing</b>
<b>1209.30</b>	<b>Seeds of herbaceous (non-woody) plants grown mainly for their flowers, for sowing:</b>

1209.30.00.10	Petunia and pansy seed
1209.30.00.90	
<b>1209.91</b>	<b>Vegetable seeds:</b>
1209.91.10.00	Cauliflower seed
1209.91.20.00	Celery seed
1209.91.40.00	Onion seed
1209.91.50.00	Parsley seed
1209.91.60.10	Pepper seed, sweet
1209.91.60.90	Pepper seed, other
1209.91.80.05	Broccoli seed
1209.91.80.08	Cabbage seed, green cabbage
1209.91.80.09	Cabbage seed, other
1209.91.80.10	Carrot seed
1209.91.80.20	Radish seed
1209.91.80.30	Spinach seed
1209.91.80.40	Cucumber seed
1209.91.80.45	Kale seed
1209.91.80.47	Kohlrabi seed
1209.91.80.50	Lettuce seed
1209.91.80.54	Parsnip seed
1209.91.80.55	Pumpkin seed
1209.91.80.60	Squash seed
1209.91.80.70	Tomato seed
1209.91.80.74	Turnip seed
1209.91.80.90	
<b>1209.99</b>	
1209.99.20.00	Tree and shrub seed
1404.90.90	Coconut coir pith and coir growing media (currently limited to religious-purpose material)
2703.00.00	Peat and peat litter, used as growing media (retain existing exemption)
5305.00.00	Coconut (coir) fiber, raw or processed but not spun
5310.10	Woven fabric of jute or other bast fibers, unbleached (e.g., burlap or hessian, used for root-ball wrap, erosion control, and packaging)
5310.90	Woven fabric of jute or other bast fibers, other than unbleached (bleached, dyed, or otherwise finished)
5607.21.00	Sisal twine and cordage (baling, staking, tying)
5607.29.00	Other (of sisal or other agave fibers)