



The Dow Chemical Company
Midland, MI 48674
USA

May 8, 2013

Submitted electronically via www.regulations.gov

Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508

Attn: Docket: USTR-2013-0019

Re: Trans-Atlantic Trade and Investment Partnership (TTIP)

Dear Sir or Madam,

Thank you for affording Dow with an opportunity to comment in support of the United States – European Union trade liberalization effort. Dow firmly believes the proposed transatlantic trade effort has enormous potential to eliminate significant barriers to international commerce. Dow also believes that free trade provides opportunities for all countries to increase their standard of living, expand consumer choice, and improve access to training and job opportunities.

Transatlantic trade and investment constitute the largest economic relationship in the world, a relationship that is vital to the strength of both the U.S. and European economies. Dow strongly supports a comprehensive EU-U.S. negotiation, and recommends the inclusion of the following key pillars:

- **21st Century Trade Template:** Comprehensive, broad and ambitious TTIP negotiations should focus on the establishment of a high-standard approach to regulations, standards, customs facilitation, and key 21st century trade policies.
- **Elimination of tariff and non-tariff barriers:** The reduction of transaction costs, the implementation of common principles for regulatory action and the implementation of more efficient supply chains will result in positive outcomes for the entire Transatlantic economy. For Dow alone, more than 90 percent of our transatlantic trade transactions are intra-company. Removing these tariffs will eliminate duplicative costs on key inputs for manufacturing in both the U.S. and EU and ultimately free these funds for innovation, R&D and job creation.
- **Regulatory cooperation in chemicals management:** More efficient and effective cooperation between the regulatory chemicals management systems in the EU and the U.S. should include common principles for information sharing, prioritizing chemicals for review and evaluation, and coherence in hazard and risk assessment (based on the weight of scientific evidence). A harmonized approach to data assessment would simplify the registration process, improve transparency and be more efficient for companies in both economies. Both governments should focus on the issue of common principles for data quality, including utility, objectivity (which includes reproducibility) and integrity.
- **Customs Regulatory Harmonization and Trade Facilitation:** The implementation of standardized customs processes, efficient customs clearance and harmonized customs and security related standards will ensure more efficient supply chains. Specific items for consideration are noted below:
 - **Fast Track Processing:** Leverage the experience of the EU-China green lanes program, as well as U.S. discussions on Trusted Partner to develop a harmonized approach to fast track processing for businesses that meet the appropriate criteria.

- Secure trade: Mutual recognition of the respective EU and U.S. security standards should be harmonized based on the global WCO standards, leveraging global principles of securing trade.
- Harmonized and Central Customs Clearance: Focus should be on developing more aligned systems:
 - In Europe, the investment in an EU-wide IT platform to ensure harmonized implementation of customs requirements, and move towards a fully integrated internal market with harmonized and electronic paperwork to facilitate data transactions and improve customs processes is critical.
 - In the U.S., creation of an interagency task force that will build on the Department of Homeland Security's efforts to align and facilitate import certification, and develop secure channels to ensure efficient regulatory certification processing for imports.
- **Intellectual Property**: Ensuring high standards for the protection of intellectual property including:
 - Patent System: Building on the European Patent System to foster quick adoption of an EU-wide patent enforcement system preventing the need for 27 separate litigation actions.
 - Trade Secrets: Develop and implement trade secret laws to ensure a high level of trade secrets protection covering process technology that secures U.S. and European companies competitive advantage.
 - Data Exclusivity: Establishing a 15 year data exclusivity requirement to protect innovative products.
- **Energy Issues**: Energy resources, especially crude oil and natural gas, have traditionally been addressed in special ways in the context of international trade negotiations. TTIP negotiations should focus on a prudent, balanced approach to fully leverage new opportunities in the U.S. energy sector. Negotiations should also take into consideration the unique attributes of energy resources and U.S. domestic legal requirements.

Dow employs approximately 54,000 people at 188 sites in 36 countries and its products are available in approximately 160 countries. Today, 68 percent of Dow's revenues come from locations outside the United States, with 32 percent coming from emerging geographies. Trade and market access will allow Dow to export more goods to Dow facilities and customers around the world.

Dow supports the U.S. Government and European Commission's shared mission of reducing excessive regulatory costs, unjustified regulatory differences, and unnecessary red tape, while respecting each other's rights and efforts to protect public health, safety, welfare, and the environment. We believe that a comprehensive EU-U.S. agreement has the potential to establish new high-level commitments in the transatlantic relationship that might be leveraged as a common template in discussions with other countries. Ultimately, given the size of the trade and investment relationship between our respective economies, this agreement will be a significant economic stimulus and opportunity for job creation at this critical time. We urge the highest levels of political support to move quickly to launch this ambitious negotiation.

Sincerely yours,



R. Matt Davis
Corporate Vice President
Global Public Affairs & Government Affairs