

Meeting Summary
Maine Citizen Trade Policy Commission
September 19, 2013
Room 214, Burton M. Cross State Office Building
Augusta, Maine

Members Present: Senator John Patrick, Senator Roger Sherman, Senator Troy Jackson, Representative Sharon Anglin Treat, Representative Jeff McCabe, Steve Cole, Linda Pistner, Bob Umphrey, Pamela Taylor, Jay Wadleigh, John Palmer, Mike Karragiannes

Staff: Lock Kiermaier (Contract)

After determining that the statutory requirement that 11 members must be present to officially convene had been satisfied, CTPC Chair Senator Troy Jackson convened the meeting at approximately 4 PM.

To begin the meeting, Senator Jackson asked Commission members to introduce themselves.

Possible Meeting with Senator Angus King on November 15, 2013

CTPC staff person Lock Kiermaier reported to the commission that he had been in touch with Senator Angus King's office about the possibility of scheduling a meeting between Senator King and the CTPC. Mr. Kiermaier further reported that Senator King's office has indicated that he is available to meet with the CTPC on Friday, November 15th sometime in the mid to late afternoon in Augusta. After discussion, the CTPC members present indicated their interest in meeting with Senator King on that date and asked that staff proceed in making the final scheduling arrangements.

Scheduling the Next CTPC Public Hearing

Proceeding to the next agenda item, Mr. Kiermaier reminded the commission that current Maine law requires that the CTPC must hold 2 Public Hearings each year in different locations across the state. After discussion, the commission members present decided that the next CTPC Public Hearing will be held on Thursday, December 12, 2013 from 4 to 8 PM in a yet-to-be determined location in the midcoast area. Possible locations include Belfast, Brunswick and Boothbay harbor and it is the intent of the CTPC that the hearing focus on the following topics: fishing/lobstering, food safety issues and Country of Origin labeling requirements. Commission members asked Mr. Kiermaier to finalize the details of that proposed Public Hearing.

Update on IGPAC/USTR activity from Representative Sharon Anglin Treat, CTPC Chair

Next, Representative Sharon A. Treat reviewed recent IGPA/USTR activity by stating the following:

US-EU (TTIP) negotiations:

- Next round of negotiations (the 2nd) will be in Brussels week of Oct. 7th. As US did in July, EU will have opportunity for stakeholder presentations. Negotiating rounds will be approximately every 6-8 weeks alternating between D.C. and Brussels, with an accelerated schedule.
- IGPAC chair Kay Wilkie (NY) has asked that US negotiators consult with states on “regulatory coherence”. USTR has no specific plans to do so outside of IGPAC. We have asked for detailed briefing to discuss concerns with “harmonizing downward” and potential challenges to state regulations by foreign companies through the investor-state arbitration process.

Enforcement issues:

- Indonesia has requested retaliation in the case involving Indonesia’s successful challenge of the US ban on flavored tobacco products aimed at children, including clove flavored cigarettes. This will go to arbitration (WTO case).
- Ukraine and Honduras are reviving a dispute at the World Trade Organisation (WTO) challenging Australian laws that impose uniform drab green packaging and large graphic health warnings for cigarettes (Sept. 13 news report).
- Mexico and Canada continue to object to US COOL (country of origin) labeling standards for meat, another challenge to US regulation that succeeded. The US revised its regulations on this but the revised regs did not do anything to change the position of Mexico and Canada.

Trade Promotion Authority (TPA) / Fast Track:

- President Obama has officially requested Congress pass TPA. USTR says that there are a lot of new members of Congress of both parties who have questions and that there has been a lot of “misinformation” about TPA. The Administration is working on a bipartisan TPA bill and “has a real sense of urgency.” TPA is part of the President’s economic agenda.
- Congress has a “full schedule” in September and October so unclear how fast this will move.
- In the past, TPA has been linked to reauthorization of Trade Adjustment Assistance (retraining and other assistance to workers when plants are shut down due to trade agreements – Maine has received funds for numerous facilities). Republican House members are objecting to reauthorization and any linkage to TPA.

Trade in Services Agreement:

- This involves all services – USTR plans to offer text (table) on banking and other financial services in November. Other issues include Internet services, professional licensing. USTR expects negotiations to intensify in 2014.

Trans-Pacific Partnership:

- **Schedule of negotiations:** 19th round in Brunei is completed. No formal negotiating rounds planned but multiple negotiations are, in fact, taking place behind closed doors in September and October, without any stakeholder briefings or presentations, including on tobacco, pharmaceuticals, intellectual property, financial services, in various locations, including D.C. and Mexico. USTR wants to finish negotiations before the APEC (Asia-Pacific Economic Cooperation (APEC) is a forum for 21 Pacific Rim countries that seeks to promote free trade and economic cooperation throughout the Asia-Pacific region and includes all of the TPP countries) meeting in Bali in early October or the WTO ministerial conference, also in Bali, in early December. TPP negotiations are described as being in the “end game”.
- **Tobacco:** Instead of getting rid of loopholes in USTR’s May 2012 tobacco proposal (the “safe harbor” language that CTPC objected to as too weak), USTR tabled even weaker language. At the same time, Malaysia has table a complete carve-out. Both proposals are under consideration.
- **Pharmaceutical “transparency” (pricing) proposals:** No new proposals have been offered by the US. This week, PhRMA has been pushing to re-start these discussions and seeking members of Congress to push the Administration to act on this issue. The other countries in the TPP negotiations were very negative about earlier proposals so this appears to have been on a back burner so far.

Summary of EU TTIP position papers

In a brief presentation, staff person Lock Kiermaier discussed a summary he had prepared regarding a series of leaked position papers from EU negotiators regarding the ongoing TTIP negotiations. Due to time limitations, Mr. Kiermaier was not able to fully delve into the contents of the summary paper but emphasized that these leaked position papers present a unique opportunity to anticipate the EU positions on many important chapters that will be finalized for the TTIP. CTPC Chair Representative Sharon Anglin Treat stated that these papers deserve further in-depth review by the commission and asked that this agenda item be brought up again at the next CTPC meeting.

Articles of Interest

Next, due to lack of time, staff person Lock Kiermaier made reference to a summary of recent articles of interest provided to the CTPC:

- USTR Weekly E-Newsletter (USTR; 9/12/13)
 - United States Welcomes New Zealand’s Decision to Join U.S. Challenge to Indonesia’s Import Restrictions on Horticultural Products, Animals and Animal Products;
 - Ministerial Guidance Energizes Negotiator’s Work During 19th Round of TPP Negotiations;
 - USTR, SBA Launch New Effort to Help U.S. Small Businesses Export to the European Union;
 - Readout of TPP Call with U.S. Stakeholders.

- Trans-Pacific Partnership: U.S. Negotiating “Biologics” Proposal, Marking End to “Period of Reflection” (Len Bracken; 8/28/13)

- TPP Countries Will Consult Internally on Tobacco Proposals, Official Says (Inside U.S. Trade; 9/6/13)

- FDA Takes More Active Role in TTIP, TPP Talks; Establishes Trade Team

- The Hazard of Free-Trade Tobacco (New York Times; 8/31/13)

Adjournment

In order to move on to the scheduled CTPC Public Hearing, Senator Jackson adjourned the meeting at approximately 5 PM.