STRUCTURAL CHANGES AS A SOURCE OF TRADE DISPUTES UNDER NAFTA

EXECUTIVE SUMMARY

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Policy Disputes Information Consortium

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Farm Foundation

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The seventh in a series of workshops organized by the Policy Disputes Information Consortium designed to produce timely, relevant economic analysis related to agricultural, food and trade policy as a means of reducing trade tension and disputes between Canada, United States, and Mexico. This workshop provided a thorough analysis of the relationships between NAFTA and structural changes and addressed questions regarding the impacts of free trade on structure and competition within agriculture and agri-food industry.

This publication was produced by Farm Foundation in the pursuance of public policy education and understanding.

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MAJOR CONCLUSIONS

- NAFTA has made major contributions to agriculture and, particularly, to agribusiness and consumers in the US, Canada, and Mexico. Free trade would allow the comparative advantages of agriculture in the three countries to be fully realized.

- The greatest structural changes attributable to NAFTA have occurred in Canada and Mexico. In Canada, NAFTA has contributed to increased diversification of farming operations and to the development of a robust cattle feeding and hog industry. In Mexico, NAFTA has contributed to the development of the fruit, vegetable, and poultry industries and has had less impact on the indigenous and subsistence corn production systems than had been anticipated.

NAFTA was defined in the workshop as a being composed of the three accords between the US and Canada, Mexico and the US, and Canada and Mexico. These agreements were designed to eliminate tariff and nontariff barriers to the movement of agricultural products.

- Under free trade with NAFTA, structural changes would be more pervasive because farm program subsidies (totaling $32 B in 2000) would not be present to protect farmers from the need for change. The major impacts would be in wheat (where Canada has a comparative advantage), in corn (where the US has a comparative advantage), and in high-risk production areas (where US farmers receive protection through farm program subsidies on prices, income, insurance, and through disaster assistance). In Mexico, the greatest impacts would be on small commercial farms that are forced to compete in a commercial environment.

- Larger farms producing to their comparative advantage would realize the greatest benefits from free trade under NAFTA. Crop farms would become increasingly integrated with agribusiness, as has happened in poultry and is happening in hogs, beef, and dairy. These effects are simply an extension/acceleration of those structural changes otherwise occurring in the agricultural economy.

- NAFTA has been blamed for many adversities and adjustments that would have happened with or without NAFTA. Illustrative are reductions in the level of farm prices and incomes, reduced US wheat production, reductions in farm numbers, changes in consumer tastes and preferences, changes in currency values, increased concentration, and increased integration. While NAFTA may contribute to one or more of these trends, they will continue regardless of what happens to trade.

- The major disputes under free trade would develop in the most highly protected commodities including sugar (US), poultry (Canada), dairy (US and Canada), and wheat (US and Canada).

- Trade remedy laws in each of the three NAFTA countries are highly inefficient and disruptive policy instruments that mainly benefit lawyers and economists (as expert witnesses). Some participants believe that antidumping/countervailing levies in agriculture are not logical in agricultural markets where farm prices are frequently below costs of production, and that serious political steps should be taken to develop alternative, more effective means of dispute resolution.

- The major areas of policy conflict in relation to free trade are in the areas of farm program subsidies (safety nets, supply management programs, disaster assistance, and insurance), state trading, environmental regulations, food safety, plant and animal protection (sanitary and phytosanitary issues), infrastructure, grades and standards, and trade remedy laws.

Free trade was defined as the absence of government institutions (policies, programs, and regulations) that impede trade within and among NAFTA countries. The most sensitive of these institutions are domestic farm programs/subsidies; marketing boards and orders that have market regulation powers; supply management programs; and trade remedy laws.

- Structural changes in animal agriculture have raised substantial environmental questions that farmers and agribusiness managers need to take into account.

- Several of these areas of conflict could be readily removed if there were increased use of institutional pursuit/negotiations within NAFTA. A suggested strategy could be institutionalizing the process through the implementation of a Secretariat charged with fostering and monitoring progress toward free trade under NAFTA.

BACKGROUND

The above conclusions were reached in a workshop involving a cross-section of agricultural interests from academia, production agriculture, agribusiness, and government in Mexico, Canada, and the US. The workshop theme arose out of the realization that risk, fear, and uncertainty associated with structural change in agriculture could be an important contributor to lack of continuing progress toward free trade under NAFTA.

While substantial gains from trade in terms of increased efficiency and growth have been realized, there appear to be inherent concerns among production agriculture, laborers, and some agribusinesses that they will be reorganized or displaced, that production will be relocated, that economic rents that may have existed in a protected market will disappear, and that the nature of agriculture, including its institutions and culture, will be forever changed. This potential for structural change is believed to be a substantial reason for protests by farmers and agribusiness managers who view NAFTA and its perceived effects. At the same time, there are many farmers and agribusiness managers who view NAFTA as creating opportunities to adjust crop mixes and business operations into more profitable and more efficient configurations.

Conclusions In Brief

Structural Diversity

Zafiriou, Zahniser, Rosenzweig

For each of the three countries, the 80-20 rule appears to apply. That is, roughly 80 percent of the production is from 20 percent or less of the farms. Farms in each of the three countries can be divided between commercial, part-time, retirement, and subsistence. Smaller commercial farms are the most vulnerable in all three countries because they cannot realize economics of size, have less off-farm income, and often have negative farm income. What constitutes a small economically vulnerable farm varies by country and subsector.

Free trade would result in increased specialization in production reflecting the comparative advantages of each region.

- ***Mexico: Fruits and vegetables, sugar, and cattle.***
- ***Canada: Wheat, barley, dry beans/peas, and beef.***
- ***US: Corn, soybeans, poultry, hogs, beef, and milk.***

Structure of Farming under Free Trade among NAFTA Countries

Tweeten, Gray, Salcedo, Bailey, de Lassé, McAuley

Free trade would result in an increased specialization, geographically reflecting the comparative advantages of each region. As a result, one might expect the following general trends:

- Mexico would experience continuing increased specialization in the production of fruits, vegetables, food corn, sugar, and cattle.
- Canada would experience increased specialization in the production of the cool weather crops of wheat, barley, canola, dry beans/peas, and beef. The greatest adjustment would occur in dairy and poultry.
- US would experience increased specialization in the production of corn, soybeans, poultry, hogs, beef, and milk. The greatest adjustment would occur in sugar.

Smaller commercial farms are the most vulnerable in all the countries because they cannot realize economies of size, have less off-farm income, and often have negative net farm income. Farmers who have relied on government intervention would require the greatest adjustment.

Across all three countries there would be pressures on commercial farms to become larger and more integrated. Pressures to grow would result from the need to be competitive and would be realized through achieving economies of size, marketing, and management. Pressures to integrate would result from the need to meet market needs and reduce risk. Market pressures would replace government price and income-related subsidies and mandates. Forward-looking and market-oriented farm and agribusiness managers would profit and grow. Farmers who have relied on government intervention would require the greatest adjustment.

Competition under Free Trade

Rude, Fulton, MacDonald, Célis, McGeorge, Palsson, Castañeda

Two related developments drive current concerns over competition in agribusiness. The first is increasing concentration in many industries that either buy agricultural commodities from farmers or sell inputs to farmers. Second, methods of exchange are changing as cash markets handle declining shares of commercial transaction between farmers and their buyers or suppliers. Participants in concentrated markets frequently rely on contracts and vertical integration to handle exchange; and in a world of substantially increased concentration, contracts can at times be structured to extend or exploit market power.

A long-held belief in industrial economics is that extending the size of the market reduces concentration and thus diminishes the ability of firms to exercise market power. At its simplest, this proposition stems from the idea that larger markets will be able to support a greater number of firms and that the presence of more firms leads to more competitive pricing. This belief has had particular application in the areas of trade. Trade economists have a long history of assuming that open borders help discipline monopolistic type behavior in domestic markets.

There are serious questions of whether antitrust is the best approach for dealing with agricultural issues of concentration, contracting, and pricing.

As a result, expanded international trade may allay some of the concerns about agribusiness mergers and might, thereby, limit the need for expanded antitrust. The usual argument along these lines is that trade, arising from reduced transport and communications costs or from reduced government barriers, expands the geographic reach and commercial volume of markets. Increased market sizes allow firms to expand and to realize available scale economies, thereby lowering costs. At the same time, by combining previously separate markets, expanded market size brings local dominant firms into new competition with one another in the larger market, thereby driving prices closer to costs.

The combined effect can lead to sharply reduced prices for products where scale economies are larger relative to the size of the market. This is more likely in Mexican and Canadian markets than in the US, where the large national market means that trade agreements will generally have only incremental effects on market sizes and competition. Nevertheless, expanded trade, by increasing the reach of some markets, will play a role in merger evaluations.

There are serious questions of whether antitrust is the best approach for dealing with agricultural issues of concentration, contracting, and pricing. Antitrust can deal with merger issues but maybe not to the degree desired by the stakeholders.

Since contracting, itself, is sometimes viewed as a problem, there is nothing that existing antitrust can do. There must be obvious evidence of systematic abuse for the existing antitrust laws to be applicable.

Many believe that there is a substantial monopoly problem at local levels. The US Department of Justice investigated this issue as a component of the Continental-Cargill acquisition and required several divestitures where local monopoly conditions were found. Yet this investigation just touches the tip of the iceberg. Little can be done about this issue under existing legislation unless there is overt abuse and a complaint is filed. Alternatives include increased cooperative involvement in markets to make them more competitive, or changing existing legislation.

Antidumping laws are a barrier to competition. Farm prices frequently fall below costs of production for agricultural commodities sold in interstate commerce. The Canada-Chile free trade agreement contained a provision to eliminate antidumping complaints. Because of increasing incidence of the use of antidumping remedies, where the largest gain accrue to lawyers rather than producers, a similar approach should be pursued under NAFTA.

Structural Change in the Hog/Pork Subsector under Free Trade

Meyer, Rice, Domínguez, Tyrchniewicz

The driving forces in the hog/pork industry are economies of size, integration, and environmental considerations. The destabilizing effects of adjustment have led to a series of counterproductive trade remedies involving the imposition of countervailing duties. Ways must be found to overcome these disputes during this period of structural adjustment.

In both hogs and beef, the destabilizing effects of structural adjustment, that are generally unrelated to NAFTA, have led to a series of counterproductive trade remedy complaints with a proposed remedy of countervailing duties.

Prior to NAFTA, both the US and Canada had zero import tariffs in effect on unprocessed pork as a result of previous GATT rounds, and as major players in the world grains and oilseeds markets had internationally competitive feed grain prices. Mexico, however, had not been a member of the General Agreement on Tariffs and Trade for very long prior to the creation of NAFTA. It had in place high tariffs on meat as well as significant restrictions on the use and importation of corn for livestock production.

For the Mexican pork industry, adjustment to a free trade environment involved much more significant change than was the case for its northern neighbors. It had to adjust from a situation where prices of inputs and output were largely determined within Mexico to one where North American prices were subject to a declining tariff. This included having to adapt to the same up-and-down hog price cycle as its northern counterparts. To make matters even more challenging for a protected industry moving to open competition, it was being directly exposed to Canadian and US hog prices, which due to their production and marketing efficiencies, generally are among the lowest in the world, at least among open market economies.

While modernization was, no doubt, taking place within the Mexican hog/pork industries already, the new market realities made it more important, and more feasible, to tap into the feeding, genetics, and other input strategies being developed and pursued elsewhere.

Another consideration for examining structural impacts of free trade is whether all segments of the supply chain are in similar circumstances, or is one better able to withstand and even thrive on increased competition and opportunities arising from NAFTA?

At the time that the NAFTA negotiations were conducted, the hog growing segment of the Canadian hog/pork subsector was quite competitive vis-à-vis its US counterparts. Such was not the case for the hog-processing segment. In the 1980s and early 1990s there were growing exports of Canadian feeder and slaughter pigs to the United States. The smaller and technologically older Canadian slaughter and processing facilities were unable to pay prices for the hogs that would prevent a growing proportion of them from moving to US buyers who were paying higher prices.

The forces of adjustment in the hog industry will continue to play out under NAFTA. Increased understanding of the rules, and confidence that they will be applied, leads to greater cross-border business collaboration and specialization.

Now, for the first time in probably decades, there actually are some Canadian hog processing facilities, which offer an attractive alternative marketing opportunity for US hog producers. This is particularly evident in the northern states.

Increased understanding of the rules, and confidence that they will be applied, seems to lead to greater cross-border business collaboration and specialization. In the hog/pork sector, one example is the long-term contracting of feeder pigs from Canada to growers in the United States. Even with the emergence of more competitive hog purchasers in Canada, the flows of feeder swine remain steady. That channel of commerce has become quite well established in the form of long-term partnerships.

It is not generally recognized how integrated the hog industry has become. Less than 20 percent of the pork is traded on the spot market, and 57 percent is tied to the spot market. This means that about 75 percent of the hogs are priced on 20 percent of the market. Another basis for pricing must be found.

The hog industry has developed a major environmental problem and, as a result, has lost favor with the public. On the other hand, most environmentalists and some other interest groups do not want hog production. They are very efficient and effective at communicating, including extensive use of the Internet. The hog industry needs to adequately address these concerns. Answers need to be factual and based on the need to be competitive under NAFTA. It is becoming increasingly difficult to move hog production into new geographic areas within both Canada and the US. A third party audit system needs to be adopted to deal with environmental issues.

These forces of adjustment in the hog industry will continue to play out under NAFTA. That is, more highly integrated hog operations are inevitable, meaning continued displacement of smaller producers. Cross border movement of hogs will continue to increase to efficiently and effectively utilize capacity. The major negative in all this structural change is the potential that increasingly intense pressure by environmentalists could drive the industry to countries such as Brazil, which is currently the lowest cost producer of hogs/pork.

STRUCTURAL CHANGE IN THE BEEF/MEAT SUBSECTOR UNDER FREE TRADE

DAVID ANDERSON, KERR, SÁNCHEZ, OCHOA, ANNE ANDERSON, SHWEDEL

The beef subsector was viewed as being as close to free trade as any agricultural commodity. The industry of each of the three countries continues to undergo substantial transformation.

Structural changes are occurring in the industry as revealed in the growth of the feedlot industry in Canada, consolidation in feeding in the US, concentration of packing in a few multinational firms, and consolidation of retail outlets.

About 30 percent of the Mexican calf crop is exported to the US as stockers and feeders. Imports represent over 20 percent of Mexico's beef demand. As a result, the NAFTA beef industry is rapidly moving in the direction of a single market.

The beef subsector was viewed as being as close to free trade as any agricultural commodity. Yet, the industry of each of the three countries continues to undergo substantial transformation.

The transformations that have occurred and are occurring in the beef industry have not been caused by NAFTA. They are the result of basic economic forces that are occurring throughout the agriculture sector. NAFTA has allowed these changes to take place in a relatively unimpeded manner.

However, free trade has not yet been achieved due to specific persistent impediments including no harmonized grading system, no free exchange of disease-free animals across the border and back, and the contesting of trade disputes resulting from claims of dumping. In reaction, the following adjustments can be anticipated as free trade develops:

- Private branding will displace USDA beef grades.
- Disease-free animals will continue to be a major goal since food safety is a number one concern; yet disease-free animals must be able to move both ways.
- Harmonization/elimination of US feed subsidies is essential to achieving a level playing field in livestock.
- The requirement that US school lunchmeat be of domestic origin becomes increasingly problematic as cattle and beef move across essentially free-trade borders.

Structural Change in the Crop Subsector under Free Trade

Johnson, Klein, Yúnez, Rutter, Rello, Heffernan

Long-term economic forces that will continue to influence the structure of the industry in all three countries include:

- Shifting international trade patterns determined by changes in demand, competitiveness, and reactions to technological change.
- Growing importance of privately funded research.
- Continuing pressures toward larger farms.
- Increasing demands for products whose origins and end use characteristics can be readily identified leads to various forms of integration.
- The continued existence and development of product market niches designed to serve particular consumer segments.

> ***The largest crop sector adjustments occurring under NAFTA have been in Canada and Mexico.***

There appear to be differences among the three countries in the impacts of NAFTA on the structure of crop farms. Related observations include:

- The US impacts have probably been relatively small.
- The Canadian impacts have been substantially larger. Part of these larger impacts is due to an unlevel playing field in terms of US crop subsidies. The big change is in terms of diversification of crops produced.
- For Mexico the big adjustments have been shifts of grain acres to fruits and vegetables. The biggest social concern is for small farmers. While food corn production has not decreased as much as had been anticipated, poverty conditions among small farmers are common. Yet, there are areas of highly competitive grain production. Also, privatization of railroads has major implications for trade.

With free trade under NAFTA, greater specialization should be anticipated. For example, Canada could be expected to produce a larger share of the wheat, the US a larger share of the corn and soybeans, and Mexico a larger share of the fruits and vegetables.

Role of Government in Facilitating Change and Transition

Knutson, Loyns, Ochoa, Tweeten, Richardson, Jones

Identification of the major areas of conflict in policies among the three NAFTA countries is crucial to identifying the next steps to achieve free trade. Differential levels of subsidies, state trading, and supply management are obvious and, perhaps, the most difficult to resolve. However, there are a number of less obvious areas of conflict that could be pursued, including differences in grades and standards, infrastructure, plant and animal protection (sanitary and phytosanitary issues), food safety, and environment regulations. Trade remedy laws should be modified so as not to apply to agriculture commodities.

Because of the sensitivity of subsidies, state trading, and supply management programs, initial emphasis should be placed on removing differences in grades and standards, infrastructure support, plant and animal protection, food safety, and environmental regulations.

For agricultural public support policies to be harmonized requires the same general programs delivering the same level of support to producers. A starting point for consideration could include the following two options:

- A whole-farm revenue insurance program designed as a safety net to cover economic and weather adversities.

- Individual whole-farm, tax-deferred savings accounts of the NISA-type, designed to encourage voluntary risk management.

It is believed that both of these programs could be modestly subsidized without large production and trade distorting effects. However, this issue would need to be carefully studied.

Accomplishing this level of deregulation would not be easy. In particular, there is special program status held by many commodity groups–dairy producers in each country; supply managed producers in Canada; sugar, tobacco, and peanut producers in the United States; and the Canadian Wheat Board. In Mexico special consideration would need to be given to the small ejido producers and any poverty alleviation initiatives. The logic of free trade suggests that buyouts of various types may be required to deal with change of this magnitude, as is being considered for tobacco producers in the US.

If there are to be positive and progressive next steps in the NAFTA process, there must be a Secretariat that is continuously pushing and monitoring progress. This Secretariat must have ways of concretely measuring progress–scoring the gains and losses. Economists have an important role to play in developing this scoring process. Such a Secretariat could have a series of special working groups to provide advice, facilitate dialog, and ease the transition.

The Secretariat idea raises a number of related issues about how it can be assured that progress will continue to be made. For example:

- How is public support for NAFTA and continued policy change to be accomplished?

- How is the issue of sovereignty protection to be handled?

- What policies can be pursued to aid in the transition?

- How are the losers to be compensated? What means are to be developed for sharing costs across the three countries?

- How are the macroeconomic and social issues to be handled?

Education is needed. There must be a better basis for getting sound information out to the stakeholders on the effects of NAFTA. Substantially more progress has been made than is generally known or even indicated in this workshop. But if this is to be done, the data must be available that allow quantification of the impacts of NAFTA.

As markets further integrate within the three countries, there will be a need to look at NAFTA from the perspective of the whole bloc and how it can be more effectively used to improve the standard of living, economic stability, prosperity, growth, and food security for all its people. Currently, there is a shortsighted tendency to protect domestic industries, rather than planning for the long-term benefits to be gained from market integration.

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