

United States Senate

WASHINGTON, DC 20510-2509

March 1, 2024

Juan R. Luciano
Chief Executive Officer
Archer Daniels Midland
77 W Wacker Dr., Suite 4600
Chicago, Illinois, 60601

Dear Mr. Luciano:

Your company's first responsibility is to American farmers, not European Union (EU) bureaucrats. That is why I am alarmed by reports that your company is kowtowing to a new EU regulation by ending American purchases of soybeans that don't meet the EU's latest arbitrary diktat.

On June 29, 2023, the European Parliament passed the European Union Deforestation Regulation (EUDR), which would ban the import of many products that were produced on land that has been "deforested." Your company has apparently decided to help the EU enforce that policy worldwide: allegedly, Archer Daniels Midland elevators in Novelty, Shelbina, Center, and Montgomery City, Missouri will only buy soybeans that are "deforestation-free" for the upcoming crop year.

Compliance with the EU's stringent requirements is unrealistic for American farmers, especially with little notice. Farmers regularly engage in practices the EU labels "deforestation," by removing trees through regular farm maintenance activities like clearing out fence lines, combining fields, farm road construction, clearing dead vegetation, and more. But the EU's inflexible mandate accounts for none of this.

To be clear, your company is not required to enforce this EU regulation on American soil. Your company need not concentrate its "EU-approved" production facilities in a single area, but could spread them out across a larger swath of the country. Instead, you have decided to impose a top-down, unilateral mandate that makes a particular cluster of American farmers in this region comply with EU policy if they want to do business with your company. That is an unreasonable and abusive business practice.

Ultimately, your company's decision will devastate Missouri farmers. Farmers whose soybeans are "out of compliance" with European law will be forced to sell them elsewhere, with all the attendant costs and burdens.

In meetings with ADM representatives, Missouri farmers have strongly advocated against these changes. Your company agreed to delay implementation, but indicated that the elevators would still require deforestation-free certification at the plants at an unspecified

date. To provide clarity to farmers in my state, please answer the following questions by March 13, 2024:

1. On what date will the aforementioned ADM locations require Missouri farmers to certify that their land is “deforestation-free” to sell to that elevator?
2. Exactly which locations across the country does ADM plan to designate as “deforestation-free” elevators?
3. Does ADM plan to expand this program to additional locations in Missouri?
4. Will you commit to revising the new program requiring only “deforestation-free” soybeans at certain ADM elevators, and instead adopt a more flexible approach to soybean processing?

Sincerely,



Josh Hawley
United States Senator