

118TH CONGRESS  
1ST SESSION

# S. 3471

To require the Secretary of Agriculture to publish a report on the fertilizer industry, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2023

Mr. GRASSLEY (for himself, Ms. BALDWIN, and Ms. ERNST) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To require the Secretary of Agriculture to publish a report on the fertilizer industry, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fertilizer Research Act  
5 of 2023”.

6 **SEC. 2. FERTILIZER INDUSTRY REPORT.**

7 (a) IN GENERAL.—Not later than 1 year after the  
8 date of enactment of this Act, the Secretary of Agri-  
9 culture, in consultation with the Administrator of the Eco-  
10 nomic Research Service, shall publish on the website of

1 the Department of Agriculture a report on the United  
2 States fertilizer industry, including—

3 (1) a description of the impacts on the fertilizer  
4 industry that influence the prices that agricultural  
5 producers receive for their agricultural products at  
6 the location of the farm;

7 (2) a description of the current size and value,  
8 and the size and value over the previous 25 years,  
9 of the United States fertilizer market, including—

10 (A) any trends over the previous 25 years;

11 and

12 (B) such sizes and values by each type of  
13 fertilizer;

14 (3) a description of any patterns in pricing of  
15 fertilizer over the previous 25 years;

16 (4) a description of the importation of fertilizer  
17 into the United States, including—

18 (A) a list of types of fertilizer that are im-  
19 ported into the United States, including the  
20 quantity of each type of fertilizer imported;

21 (B) a list of foreign companies and domes-  
22 tic companies that import into the United  
23 States fertilizer, including the quantity of fer-  
24 tilizer imported by each company;

1 (C) a list of the countries from which fer-  
2 tilizer is imported into the United States; and

3 (D) a description of the impacts that anti-  
4 dumping duties and countervailing duties have  
5 on prices of fertilizer paid at the retail level;

6 (5) an overview of the manufacturing level, dis-  
7 tribution channels, and retail level of the fertilizer  
8 supply chain, including transportation, logistics, and  
9 supply chain disruptions from natural disasters;

10 (6) a study of the concentration of the United  
11 States fertilizer industry in United States fertilizer  
12 companies, including an evaluation of the extent to  
13 which concentration has had any anticompetitive im-  
14 pacts;

15 (7) a description of the prices, crop-use effi-  
16 ciencies, and crop yields of emerging fertilizers and  
17 fertilizer technologies, including biological fertilizers  
18 and other recently developed tools, compared to con-  
19 ventional fertilizers and fertilizer technologies;

20 (8) an assessment of the regulatory environ-  
21 ment governing fertilizer production, distribution,  
22 and usage, including a description of areas in which  
23 regulatory burden is hampering domestic production,  
24 distribution, and usage of fertilizer;

1           (9) a description of the extent to which current  
2 public price reporting of fertilizer is transparent for  
3 market participants and the extent to which further  
4 public price reporting is needed to achieve trans-  
5 parency for market participants, including—

6                   (A) an evaluation of the potential for the  
7 Secretary of Agriculture to establish a fertilizer  
8 reporting mechanism in which the fertilizer in-  
9 dustry is required to report fertilizer prices at  
10 multiple levels of the supply chain on a daily,  
11 weekly, or monthly basis; and

12                   (B) a recommendation to Congress on  
13 whether a reporting mechanism described in  
14 subparagraph (A) should be established; and

15           (10) a description of the projected growth of  
16 the United States fertilizer market and the antici-  
17 pated economic and political risks to fertilizer pro-  
18 duction as a result of that growth.

19           (b) CONFIDENTIAL INFORMATION.—The report pub-  
20 lished under subsection (a) shall not include any confiden-  
21 tial business information.

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