

Request for Public Comments on Agricultural Equipment Sector

The Federal Trade Commission is a federal agency charged with promoting fair competition and protecting the public from unlawful business practices. The FTC’s mission is to protect consumers, workers, and honest businesses from anticompetitive, deceptive, and unfair practices across the economy.

The FTC is actively engaged in efforts to preserve competition in agricultural markets. Recent and ongoing actions include:

- In January 2025, the FTC, joined by several state Attorneys General, filed an [action](#) against agricultural equipment manufacturer Deere & Company seeking to remove impediments to farmers’ ability to repair their own Deere agricultural equipment. The FTC’s Complaint alleged that Deere granted only its network of authorized dealers exclusive access to software tools necessary for repairs on Deere equipment. This restriction impeded the ability of equipment owners (farmers) and independent repair providers to perform key repairs on Deere equipment, forcing farmers to turn to Deere’s authorized dealers for repair services. Deere’s restriction resulted in higher service costs, slower and lower-quality service, and decreased farm yields. The FTC challenged Deere’s practices, and on July 8, 2026, [announced](#) an agreement with Deere on a Stipulated Order for Permanent Injunction and Other Relief. The Order requires, among other things, that Deere make available to farmers and independent repair providers repair resources equivalent to those it makes available to Deere dealers. The Order lasts for ten years and provides for close supervision by the FTC and its state co-plaintiffs.
- In September 2022, the FTC and several state Attorneys General filed an [action](#) against pesticide manufacturers Corteva Inc. and Syngenta Crop Protection for paying distributors—through “loyalty programs”—to block competitors from selling their cheaper generic products to farmers. Defendants’ unlawful loyalty programs allowed each defendant to maintain elevated prices and force American farmers to spend millions of dollars more for essential pesticide products. On September 28, 2026, the FTC [announced](#) a settlement with Corteva that will dismantle Corteva’s exclusionary loyalty program and prohibit it from implementing similar programs for a period of 10 years. The FTC’s action against Syngenta remains ongoing.
- And in May 2026, Chairman Ferguson [announced](#) that, on his order, the Commission had commenced a major, industry-wide investigation into the precipitous rise of fertilizer prices affecting farmers around the country.

USDA is similarly focused on addressing the dramatic escalation of input costs that have affected American farmers for years. Farmers across the country have indicated in meetings with USDA that they face barriers to acquiring agricultural equipment and the service required to keep their equipment operating. These barriers increase the cost of production and thereby disincentivize the production of food domestically while driving up food prices for consumers. USDA is committed to assisting the FTC with its responsibilities under Executive Order 14364 “to determine whether anti-competitive behavior” may “increase the cost of living for Americans” and threaten the food supply chain. As the federal agency entrusted with ensuring

the economic vitality of rural America, USDA's mission is to ensure American farmers remain the most productive and efficient in the world. Any unlawful barriers to farmers' ability to produce the food, fiber, and fuel on which the world relies must fall.

The FTC and the USDA invite public comment to aid in the agencies' understanding of broader issues affecting agricultural equipment manufacturing and distribution markets. The agencies' aim is to ensure efficient market operation and promote consumer welfare, particularly for small and independent agricultural equipment owners, repair providers, and dealers.

The FTC and the USDA encourage members of the public, including farmers, independent repair providers, and current and former employees of agricultural equipment manufacturers and dealers, to comment on any issues or concerns that are relevant to the FTC's and USDA's consideration of this topic, including but not limited to the questions below. In response to those questions, respondents are encouraged to:

- Identify and describe relevant business models, policies, agreements, or contractual terms.
- Provide supporting examples or data (e.g., pricing comparisons).
- Share firsthand experiences or documented cases of restrictions, penalties, or retaliation.
- Discuss the broader competitive implications—how these practices may impact pricing, market entry, innovation, farmer welfare, or rural economic resilience.

Dealer Network Structure, Consolidation, and Conduct

1. To what extent do agricultural equipment manufacturers impose formal territorial sales and/or service restrictions on dealers?
2. To what extent do agricultural equipment dealers agree with one another to impose territorial sales and/or service restrictions on customers?
3. To what extent do agricultural equipment manufacturers' and/or dealers' business practices restrict sales and/or service across territories?
4. How and when, if at all, do agricultural equipment manufacturers or dealers disclose to customers any restrictions on sales and/or service across territories?
5. What, if any, pricing, discount, or penalty mechanisms do agricultural equipment manufacturers or dealers employ when customers seek to purchase equipment from dealers outside their designated territories?
6. What disclosure or tracking practices do agricultural equipment manufacturers or dealers use to determine a customer's origin or territorial eligibility?
7. Has there been recent consolidation (involving either elimination of dealer locations or consolidation of ownership of dealer locations) within any agricultural equipment

manufacturer's authorized dealer network? If so, please describe any impact this has had on farmers, dealers, and/or independent repair providers, including with respect to pricing, quality, and/or availability of equipment, repair services, or parts.

8. Has there been any communication or coordination among agricultural equipment manufacturers or dealers concerning territory, pricing, or dealer access?
9. Do agricultural equipment manufacturers or dealers seek to tie access to equipment repair services, replacement parts, or anything else to the purchase or sale of equipment from a specific dealer?
10. How do the terms on which manufacturers or dealers offer agricultural equipment for sale in the United States differ from the terms those same manufacturers or dealers offer agricultural equipment for sale in foreign countries?

Retaliation

11. Has there been threatened or actual retaliation against farmers or independent repair providers for opposing agricultural equipment manufacturer or dealer policies or positions or for any other reasons?
12. Has there been any threatened or actual retaliation against dealers or dealer employees, whether for non-compliant sales or service practices, or for opposing agricultural equipment manufacturer policies or positions or for any other reasons?
13. For purposes of the above questions, "retaliation" includes individuals or businesses being blacklisted, denied equipment or parts, deprioritized, given worse commercial terms, or otherwise penalized or discriminated against.

Instructions for submitting:

For the FTC and USDA to consider your comment, we must receive it on or before **Monday, December 7, 2026 by 11:59pm ET.**

To make a **public comment**: Submit your comment online through the <https://www.regulations.gov> website and follow the instructions on the web-based form.

Please DO NOT include sensitive or confidential information in comments submitted through Regulations.gov, including:

- social security numbers;
- dates of birth;
- driver's license numbers or other state identification numbers;
- financial account information;
- sensitive health information; or
- competitively sensitive information.

Comments submitted through Regulations.gov will be posted on the Internet and made available to the public (subject to exceptions such as for personal privacy information).

If you want to submit a confidential, non-public comment for consideration, DO NOT submit it through Regulations.gov. Instead, please send the comment, along with a request for confidential treatment, to ElectronicFilings@ftc.gov, to the attention of the Office of the Secretary. The communication should reference the Regulations.gov docket number, **FTC-2026-1585**. Per FTC Rule 4.9(c), “Persons submitting material to the Commission ... may designate that material or portions of it confidential and request that it be withheld from the public record. All requests for confidential treatment shall be supported by a showing of justification in light of applicable statutes, rules, orders of the Commission or its administrative law judges, orders of the courts, or other relevant authority.” 16 C.F.R. § 4.9(c). The FTC’s Office of General Counsel (OGC) will review requests for confidential treatment. If OGC grants the request for confidential treatment in full, the comment will be available for consideration by FTC and USDA staff but will not be posted on Regulations.gov. If OGC denies the request for confidential treatment, it will notify the submitter and provide them with ten business days to withdraw the comment. If the submitter requests that the comment be withdrawn, the comment will not be posted on Regulations.gov or otherwise become public.

Whether submitting comments publicly or confidentially, the FTC and USDA encourage all farmers and other interested parties to submit their evidence. This information will help both the FTC and USDA ensure that the marketplace for agricultural equipment remains fair and that farmers can continue to put food on Americans’ tables.