

AMENDED AND RESTATED
MEMORANDUM OF UNDERSTANDING
Between
THE DEPARTMENT OF JUSTICE
And
THE DEPARTMENT OF AGRICULTURE
Relative To
COOPERATION WITH RESPECT TO STRENGTHENING
COMPETITION FOR AGRICULTURAL INPUTS

1. **Background and Existing Cooperation:** The United States Department of Justice (DOJ), through its Antitrust Division, has cooperated closely with the United States Department of Agriculture (USDA) in recent years with respect to monitoring competitive conditions in the agricultural marketplace. This cooperative relationship has proven to be of substantial benefit to these agencies in carrying out their separate respective enforcement responsibilities.

2. **Protecting Competition is a Priority:** DOJ considers protecting competition with respect to food and agricultural inputs to be among its highest priorities and seeks to expand its cooperation with USDA to support this goal, while USDA welcomes and encourages DOJ's engagement on competition issues as a law enforcement partner.

3. **A Historically Successful Partnership:** Since the agencies' September 26, 2025, Memorandum of Understanding, which this Memorandum of Understanding (MOU) amends and restates, DOJ and USDA have cooperated constructively and successfully to identify and address anticompetitive conditions affecting American agriculture. For example, DOJ and USDA have partnered on matters including DOJ's ongoing investigations of meatpacking¹ and seeds,² among other continuing matters. Through this Memorandum, both agencies reaffirm and expand their ongoing cooperation with continued focus on meatpacking and seeds, among other matters.

4. **Expanding Partnership to Benefit America:** It is in the public interest that

¹ See Press Conference (May 4, 2026), <https://www.justice.gov/opa/video/acting-attorney-blanche-announces-antitrust-investigations-meatpacking-operations> ("Acting Attorney General Todd Blanche, Secretary of Agriculture Brooke Rollins, and Director of Trade and Manufacturing Peter Navarro held a press conference on antitrust investigations and meatpacking operations").

² See Press Release, Antitrust Division Secures Seed Tying and Loyalty Program Commitments from Bayer (May 20, 2026), <https://www.justice.gov/opa/pr/antitrust-division-secures-seed-tying-and-loyalty-program-commitments-bayer> ("These actions build upon our 2025 USDA-DOJ Memorandum of Understanding strengthening competition in agricultural supply chains for our farmers, who are among the best in the world.").

this cooperative relationship be maintained and expanded to the benefit of America's agriculture industry. American businesses across the agriculture supply chain benefit from antitrust enforcement that promotes free market competition, and consumers benefit from lower prices, greater output, and higher quality that increased competition delivers. The agencies therefore intend to continue their strong cooperative relationship and, wherever possible, to build upon it. Each agency remains committed to protecting American farmers from the burdens of high and volatile input costs—including feed, fertilizer, fuel, seed, equipment, pesticides, and other essential goods—while promoting competitive supply chains, lowering consumer prices, and strengthening the resilience of U.S. agriculture and the broader food supply.

5. Regular Consultation and Communication: The agencies will continue to confer regularly, as appropriate and consistent with applicable confidentiality restrictions, to discuss and review law enforcement and regulatory matters affecting competitive conditions in the agricultural marketplace. These consultations aim to strengthen each agency's understanding and improve their effectiveness in carrying out their respective legal responsibilities. The agencies will seek to expand and enhance such coordination. Each agency will designate primary points of contact who will meet on an ongoing basis and work together to facilitate robust communication among attorneys, economists, and technical experts across the agencies. In the first instance, the General Counsel at USDA and the Assistant Attorney General of the Antitrust Division at DOJ will serve as the primary points of contact, subject to the designation of additional points of contact.

6. Information Sharing Protocols: Each agency may share information, consistent with applicable confidentiality restrictions and subject to the following conditions:

a. Information shared by DOJ shall remain confidential and may not be disclosed by USDA to third parties without prior consent from DOJ, except as required by law or court order. If USDA receives a request or legal demand (such as from a court order, subpoena, or Freedom of Information Act request) for non-public information that originated from the Antitrust Division, USDA shall promptly notify the Antitrust Division to provide it with an opportunity to seek a protective order or other appropriate remedy.

b. USDA shall employ reasonable measures to protect the confidentiality of non-public information received from the Antitrust Division and to prevent its unauthorized disclosure or use.

c. Information shared pursuant to this MOU shall be used solely for

the purposes outlined in this MOU and not for any other regulatory, enforcement, or administrative action without prior coordination with the sharing agency.

d. Either agency may decline to share specific information if it determines that disclosure could compromise ongoing investigations, enforcement actions, or other legitimate interests.

7. **Prior Coordination Requirement:** Before taking public action, making public statements, issuing reports, or initiating enforcement actions about ongoing DOJ antitrust matters, or about matters based on non-public information shared by the Antitrust Division, USDA shall:

a. Provide advance written notice to DOJ of the proposed action;

b. Consult with the Antitrust Division and provide a reasonable opportunity to review the proposed action; and

c. Obtain the prior written concurrence of the Antitrust Division before proceeding with any public action or statement that is based on non-public information shared by the Antitrust Division or that would reasonably be expected to affect an ongoing or potential antitrust matter.

8. **Dispute Resolution:** If there is disagreement regarding information sharing or coordination requirements under this MOU, the agencies shall engage in good faith consultations at the senior staff level. If disagreements cannot be resolved, either agency may temporarily suspend the sharing of sensitive information while maintaining general cooperation under this MOU.

9. **Amendment and Termination:** This MOU may be amended in the future by agreement between the agencies. Either agency may terminate it by notifying the other agency in writing at least 30 days before the date the notifying agency wishes the termination to become effective.

10. **Relationship to Other Agreements with USDA:** This MOU amends and restates the MOU between the Antitrust Division, Department of Justice and the Department of Agriculture Relative to Cooperation with Respect to Strengthening Competition for Agriculture Inputs, dated September 26, 2025.

11. **Relationship to Other Agreements with Federal Trade Commission.** This MOU does not otherwise modify or supersede any prior agreements between the

Antitrust Division, the Federal Trade Commission, and/or USDA. This MOU does not modify or supersede any protocol, agreement, or MOU in effect between the Antitrust Division and the Federal Trade Commission regarding their dual enforcement responsibilities under the federal antitrust laws.

EFFECTIVE this 5th day of October, 2026.

A handwritten signature in cursive script, appearing to read "Brooke Rollins".

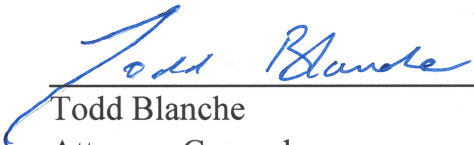
Brooke Rollins
Secretary of Agriculture
United States Department of Agriculture

Todd Blanche
Attorney General
United States Department of Justice

Antitrust Division, the Federal Trade Commission, and/or USDA. This MOU does not modify or supersede any protocol, agreement, or MOU in effect between the Antitrust Division and the Federal Trade Commission regarding their dual enforcement responsibilities under the federal antitrust laws.

EFFECTIVE this 5th day of October, 2026.

Brooke Rollins
Secretary of Agriculture
United States Department of Agriculture



Todd Blanche
Attorney General
United States Department of Justice