

# “The Right to Repair” and other issues that farmers want addressed

Over the last couple of decades, farm machinery has become more and more dependent upon electronic chips and software to run smoothly. At the basic level that is a good thing, increasing the reliability of the machinery and allowing farmers to gather more information about things like yield variability across a field. But those increases in reliability and information have come at a cost.

The cost comes when the tractor or other piece of equipment breaks down in the middle of the field.

In the past, getting back up and running was a matter of a wrench or two with the spouse running to town to get a replacement part. At worst, the farmer would have to wait to the middle of the night for the part to come in on a bus from a more distant parts supplier.

Occasionally, the repair would be more complicated than the farmer was willing to deal with and the mechanic from the local welding-repair shop would be called in. Only as the last resort would the equipment dealer’s repair shop be called in—the hourly shop rate was considerably higher than the alternatives.

With the increasing dependence of farm machinery on electronics, farm equipment manufacturers began to include language in warranty documents that required farmers to use authorized repair shops (generally the dealer) to make the repairs. If the farmer attempted the repair or hired an independent shop, the warranty could be voided.

For more than a decade, farmers have called for what they described as “The Right to Repair,” meaning that they could repair it themselves or hire a local shop and that decision would not result in the voiding of the manufacturer’s warranty.

This past week, we ran across a Washington Post article in the Consumer Tech section titled, “If you had trouble getting products fixed under warranty, the FTC wants to hear your horror story: The Commission is ramping up efforts to curtail ‘unlawful’ repair restrictions” by Chris Velazco (<https://tinyurl.com/wb9v9aax>).

Velazco writes, “The problem lies in cases where those companies essentially restrict people who own their products from finding other ways to service them. You might have heard some of the horror stories: Some tractors need specific software and proprietary tools to be repaired, all but ensuring farmers and third-party technicians can’t fix issues on their own. Smartphones rely on highly specialized parts to function, but they’re often glued into place with adhesives, making some repairs needlessly difficult. And at least one camera maker has stopped the flow of replacement parts to third-party repair shops, putting their livelihoods at risk.

“In the face of all that, ‘Right to Repair’ advocates argue that manufacturers should provide independent technicians and the people who own their products—like you and me—access to the tools, parts and information needed to fix the things we own.”

His story lead-in and ours sets the stage to talk about President Biden’s July 9, 2021 Executive Order 14036, “Promoting Competition in the American Economy” (<https://tinyurl.com/2wt8ss8x>). Nearly 2 of the 13 pages of the document are devoted to agricultural issues that range from the Right to Repair, to unfair grower ranking practices in the poultry industry, to “unreasonable preferences, advantages, prejudices, or disadvantages under the Packers and Stockyards Act,” to ensuring “consumers have accurate, transparent labels that enable them to choose products made in the United States, consider initiating a rulemaking to

define the conditions under which the labeling of meat products can bear voluntary statements indicating that the product is of United States origin, such as ‘Product of USA,’” to “measures to enhance price discovery, increase transparency, and improve the functioning of the cattle and other livestock markets.”

The significance of Biden’s Executive Order 14036 is not just that it addresses several long-standing issues in agriculture, but that it does so in the context of a wide range of other consumer and industrial issues.

It is one thing for farmers to complain about the Right to Repair or the harm created by industrial consolidation, but it is another when farmers and consumers of all stripes join together to speak with one voice in challenging the power of corporate enterprises that dominate life in the US. The goal of the Executive Order is to protect small suppliers and consumers by creating a competitive, more vibrant US economy.

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