

Questions and Answers: USDA's Proposed Regulations for the Movement of Citrus Fruit from Quarantined Areas

Q. Why is the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) proposing to amend its regulations regarding the movement of fruit from areas quarantined for citrus canker?

A. On June 21, 2007, APHIS published a proposed rule in the *Federal Register* that would eliminate the current requirement for grove inspections and focus solely on inspection and treatment of fruit at packinghouses prior to shipment as a means of ensuring that only disease-free fruit moves interstate. APHIS is proposing this regulatory action because citrus canker is becoming so widespread within Florida that it would be increasingly difficult for the State's citrus fruit growers to meet the disease-free grove conditions required for interstate movement of citrus fruit under the August 1, 2006, interim rule.

Q. Why did APHIS establish the August 2006 interim rule in the first place?

A. The interim rule established a citrus canker quarantine across the entire State of Florida to protect other citrus-producing States and U.S. Territories against the spread of the disease while at the same time maintaining the widest possible market for Florida citrus producers. Cooperative surveys conducted by the State of Florida and APHIS prior to August 2006 showed that citrus canker had become so widespread within Florida that approximately 75 percent of commercial groves in the State were within 5 miles of a location where the disease had been detected. With such a significant portion of the commercial citrus-growing acreage either infected or at risk of becoming infected it was determined that it would no longer be feasible to identify and quarantine citrus acreage quickly enough to prevent further spread of the disease. Since the eradication of citrus canker was not possible, USDA announced that it would no longer provide funds for the removal of infected and exposed

trees to eradicate the disease and would not provide compensation for trees destroyed after January 10, 2006.

As a result, APHIS began working with the citrus scientists, State regulatory officials from Florida and other citrus-producing States, and the citrus industry to foster a national approach to safeguarding citrus health in the United States. This national approach resulted in the creation of the Citrus Health Response Program (CHRP) to manage citrus canker and citrus diseases in general. In addition to conducting other program activities, CHRP officials developed the interim rule published in 2006.

Q. Does the proposed rule continue to prohibit the shipment of citrus fruit from Florida to other citrus-producing States and U.S. Territories?

A. Yes. Under the proposed rule, Florida citrus would continue to be prohibited entry to American Samoa, Arizona, California, Guam, Hawaii, Louisiana, the Northern Marianas Islands, Puerto Rico, Texas, and the Virgin Islands. The interstate movement of fresh citrus fruit from Florida to the Nation's 45 noncitrus-producing States would continue to be allowed with a limited permit.

Q. How did APHIS determine that packinghouse inspections are sufficient to protect against the spread of citrus canker?

A. The proposed rule is based on a pest risk analysis (PRA) as well as a risk management analysis (RMA). The PRA concluded that the risk associated with the interstate movement of citrus fruit that is free of citrus canker lesions (technically referred to as asymptomatic fruit) is negligible. The RMA carefully examined field practices and procedures to determine which ones provide the most effective means of preventing the spread of citrus canker via the movement of commercial citrus fruit and concluded that packinghouse inspections combined with treatment achieve this goal.

Q. What is a PRA?

A. A PRA is a scientific study that evaluates the likelihood of the entry, establishment, or spread of a pest or disease, and its potential consequences. PRAs serve as a basis for identifying potential pathways for the spread of harmful agricultural pests and diseases. The asymptomatic fruit PRA evaluated the potential for the spread of citrus canker through the movement of apparently healthy citrus. The PRA concluded that asymptomatic, commercially produced citrus fruit,

treated with a disinfectant, and subject to other mitigations, poses a negligible risk for the introduction and spread of citrus canker.

Q. What is an RMA?

A. An RMA assesses available strategies and determines optimal measures to effectively manage and mitigate pest risks. In this case, the RMA evaluated pest risks associated with actual field practices and procedures used to produce, harvest and pack fresh citrus fruit. Using the findings from the PRA, the RMA evaluated and identified the best risk management practices to achieve the goal of shipping only fresh fruit that is free of citrus canker lesions. Based on the findings of the RMA, APHIS determined that inspections of commercially packed fruit at the packinghouse will ensure that only asymptomatic fruit is readied for shipment, thus providing the most effective safeguard to prevent the spread of citrus canker via the movement of fresh citrus fruit.

Q. Does the proposed rule place additional requirements on Florida citrus producers?

A. The proposed rule would ease the burden placed on citrus grove owners because it would eliminate mandated grove inspections for canker-free certification. The current interim rule requires that fruit destined for noncitrus-producing States must originate in groves inspected and found free of citrus canker no more than 30 days before the beginning of harvest.

Q. Are self-surveys of citrus groves recommended?

A. If the proposed rule is finalized, State and Federal surveyors will no longer be inspecting Florida citrus groves to determine eligibility for interstate movement. Producers, however, will continue to benefit from conducting their own grove survey on an on-going basis. APHIS encourages citrus growers to perform self-surveys in order to separate fruit that may have citrus canker from fruit free of lesions that qualifies for out-of-state shipment. Self-surveys help growers ensure that their citrus will not be rejected at packinghouses during inspection, but more importantly helps them assess those management practices taken to reduce disease incidence in their grove.

Q. What would the proposed rule require of packinghouses?

A. As with the current interim rule, packinghouses would continue to operate under compliance agreements and be responsible for treating each lot of fruit with an APHIS-approved surface disinfectant. Although citrus canker inoculum, *Xanthomonas axonopodis* pv *citri*, does not normally survive more than 48 hours on the surface of uninfected fruit when the fruit is removed from humid conditions and undergoes drying, APHIS requires the decontamination procedure

to ensure that the citrus canker bacteria is devitalized or rendered incapable of causing infection. Packinghouses must also ensure that each lot of finished fruit is inspected and found free of visible symptoms of citrus canker prior to interstate movement.

Q. What does a compliance agreement require?

A. The compliance agreement requires the owner or operator of a packinghouse to treat fruit to be moved interstate with one of the approved treatments according to the procedures specified in 7 CFR § 301.75-11, and to see that this fruit is packed only in boxes marked in accordance with the requirements in 7 CFR § 301.75-11. The compliance agreement also contains specific provisions pertaining but not limited to:

- Access to the facility and documentation by APHIS inspectors;
- Means by which lots are designated;
- Notice of estimated lot size and run times;
- Need for notice when APHIS inspectors are not present on a regular basis;
- Need for notice when there are significant changes in the amount of fruit being packed;
- Conditions (access to fruit, lighting, safety, etc.) that must be met in order for APHIS inspectors to carry out the required inspections;
- Provisions for handling and storage of fruit, including provisions that prohibit the movement of any part of a lot from a packinghouse until APHIS inspection is complete;
- Hazard-free access to decontamination areas so that APHIS inspectors can monitor the concentrations of chemicals used for fruit treatment;
- Provisions for holding fruit when packing is done at a time when an APHIS inspector is not present; and
- Hours of coverage for APHIS packinghouse inspections.

Any compliance agreement may be canceled orally or in writing by an inspector for noncompliance with the established requirements.

Q. What are the approved treatments for citrus moving interstate from Florida?

A. Treatments for moving citrus interstate are found in the Code of Federal Regulations, which you may access by going to <http://usasearch.gov/> and typing in 7 CFR § 301.75-11. They include either solutions containing sodium hypochlorite or sodium o-phenyl phenate (SOPP). The proposed rule also calls for the use of peroxyacetic acid as a treatment for fruit and the disinfection of equipment. All approved treatments are applied at rates consistent with U.S. Environmental Protection Agency requirements and are known to be effective in deactivating the citrus canker bacteria, rendering it incapable of causing infection.

Q. What are the packing requirements for citrus moving interstate from Florida?

A. In order to be moved interstate, the regulated fruit would have to be packaged in boxes or other containers that are approved by APHIS and that are used exclusively for regulated fruit to be moved interstate. The boxes or other containers in which the fruit is packaged would have to be clearly marked with the statement “Limited Permit: USDA-APHIS-PPQ. Not for distribution in AZ, CA, HI, LA, TX, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands of the United States.” Those proposed provisions would also state that only fruit that meets all of the requirements of the section may be packed in boxes or other containers that are marked with the above statement.

Q. Who will conduct the packinghouse inspections?

A. APHIS inspectors will carry out inspections at the packinghouse level.

Q. What kind of sampling will be required for each lot of citrus?

A. The proposed rule calls for a level of sampling that will allow inspectors to detect, with a 95 percent confidence level, that the incidence of citrus canker in the shipment is less than .38 percent. For most lots, that level of sampling equates to approximately 1,000 pieces of fruit.

Q. Under the proposed rule, what constitutes a lot?

A. In the 7 CFR § 301.75-11, a lot is defined as “fruit of a single variety that has passed through the entire packing process in a single continuous run not to exceed a single work day” (i.e., a run started one day and completed the next is considered two lots).

Q. What if the APHIS inspector suspects citrus canker on the fruit?

A. The same procedures currently in force would apply. When a field diagnosis of citrus canker is made by an APHIS pathologist, a packinghouse may elect to treat the fruit as infected and divert it for processing as juice or for sale intrastate as fresh fruit, or they may hold the shipment and await laboratory confirmation. A preliminary field diagnosis is rendered by the inspector and digital images are sent to APHIS pathologists for review. If photos are inconclusive, a pathologist will be dispatched to the packinghouse to determine if suspect lesions are present. If no suspect lesions are found, the shipment is released and allowed to move interstate.

Q. What is fruit reconditioning?

A. Reconditioning is the re-running and re-grading of

fruit found to be infected with citrus canker. Reconditioning allows for removal of the pieces of fruit that initially made the lot ineligible for shipment and allows for the lot to be resubmitted for inspection. Reconditioned fruit is not eligible for shipment to markets such as the European Union that require canker freedom in the source grove.

Q. Will APHIS make an exception in the proposed rule and allow tangerines to be shipped to citrus-producing States?

A. No. Under the proposed rule, tangerines or *Citrus reticulata*, are included in the quarantine. *Citrus reticulata*, or mandarin, is a group name for a species of citrus with a thin, loose peel. Although some people consider tangerines to be resistant to citrus canker, the disease has been detected on the fruit numerous times. During the 2005-2006 growing season grove surveys, citrus canker was detected on 274 samples from tangerine, tangor, and tangelo groves. In addition, APHIS pest interception data between 1985 and 2006 shows that citrus canker was intercepted 632 times on tangerine varieties.

Q. Will other citrus-producing nations with citrus canker be able to ship to the United States under the same conditions proposed in this rule?

A. Other citrus-producing countries with citrus canker would not be eligible to ship citrus fruit to the United States under the same requirements due to the presence of other exotic pests of concern to the United States. The proposed rule is a domestic regulation that applies only to Florida citrus.

Q. Does the proposed rule apply to Florida citrus shipped within the State or destined for other countries?

A. No. Fruit shipped within Florida does not require sampling and inspection as described in the proposed rule. Florida citrus exported to other international markets must meet all import requirements of the destination country. For example, the European Union requires that fruit originate in groves inspected and found free of citrus canker prior to harvest.

Q. Can homeowners ship backyard citrus interstate?

A. Under the proposed rule, homeowners would have the same opportunity to ship citrus interstate as commercial producers. Homeowners need to meet the same requirements as a producer, including having their citrus treated, packed, and inspected at a packinghouse that has entered a compliance agreement with APHIS. The citrus must be shipped in an appropriately marked box.

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