



Senators Feinstein, Boxer Urge Agriculture Department to
Reconsider Avocado Importation Rule
July 16, 2004

Washington, DC – U.S. Senators Dianne Feinstein (D-Calif.) and Barbara Boxer (D-Calif.) today asked the U.S. Department of Agriculture to re-think its proposed rule on the importation of Mexican Hass avocados.

Citing potential insect infestation and Mexico's continued denial of U.S. avocados to their market, Senators Feinstein and Boxer urged the Department to consider a buffer zone approach, similar to that proposed for the importation of grapefruit, lemons, and oranges from Argentina.

Southern California avocado crops have faced quarantines in the past due to an infestation of Mexican fruit flies. One such infestation in January 2003 affected 117 square-miles in San Diego County putting at risk approximately one thousand growers and crops valued at nearly \$80 million.

Following is the text of the letter sent Thursday to Secretary Veneman:

July 15, 2004

The Honorable Ann Veneman
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250

Dear Secretary Veneman:

We are writing to express our strong concerns regarding the proposed rule published in the May 24, 2004 Federal Register that would allow untreated Mexican Hass avocados into all areas of the United States during all months of the year.

It is absolutely imperative that any final rule preclude access to California and other states where Hass avocados are commercially produced until there has been ample time to assure that the Department has not miscalculated the risks associated with expanding the import of Mexican avocados. The need to fully test mitigation measures over an extended period of time is critical because insect pests continue to be detected with regularity in the growing regions of Mexico, and shipping has never been allowed during warm weather months when pest populations are at their highest levels and susceptible crops in the U.S. are in full production.

The federal government, the State of California and its localities cannot afford to fund another major eradication program. The pests involved affect avocado trees as well as the fruit. For some of these pests, the only treatment involves the destruction of the infested trees. In addition, tight budgets would make it difficult on a state or federal level to appropriate or direct Commodity Credit Corporation funds for extensive eradication or for grower compensation for tree removal. If the mitigation measures set forth in the proposed regulation are flawed, the consequences would be dire for growers and taxpayers alike.

We were extremely disappointed that such a limited distribution plan was not included in the proposed rule. We believe that such a plan must be included in the final rule for a period of no less than two years, and that the expansion of the Mexican avocado market be reviewed on an annual basis. Further, the close proximity of major markets, such as Phoenix, to the California border warrant the adoption of a buffer zone approach, similar to that proposed for the importation of grapefruit, lemons, and oranges from Argentina (65 Fed. Reg. 37608-69, June 15, 2000). States which border California and Florida should be excluded from the approved distribution area for Mexican avocados.

Finally, we must comment on the inequity of proposing full access to the U.S. market while Mexico continues to deny U.S. avocados even limited access to their market. We are aware of numerous USDA communications to Mexico pointing out that there is no scientific basis for denial of access and specifically refuting Mexican pest claims. Yet, we understand that Mexico continues to create obstacles every time the U.S. tries to ship into their market and, thus far, has only agreed to very limited access to Tijuana and Mexicali. We cannot understand the interest of the Department in facilitating the expanded importation of Mexican avocados into the United States in light of the posture adopted towards U.S. avocados by the Mexican government.

Thank you considering our request. We look forward to your reply.

Sincerely,

Dianne Feinstein
United States Senator

Barbara Boxer
United States Senator

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