

FOR INFORMATION AND ACTION
DA-2015-25

APR 28 2015

Subject: APHIS Amends the Federal Order Restricting Imports of Mediterranean Fruit Fly (*Ceratitis capitata*) Host Commodities from The Dominican Republic into or through the United States

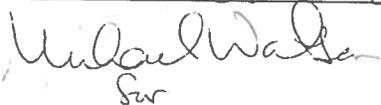
To: State and Territory Agricultural Regulatory Officials

Effective immediately, APHIS is amending the restrictions on imports of certain fruits and vegetables from the Dominican Republic into the United States by allowing entry of commercial consignments of Hass avocados and green tomatoes. On March 18, 2015, APHIS issued a Federal Order (DA-2015-14) suspending imports of certain Mediterranean fruit fly (medfly) fruit and vegetable hosts from the Dominican Republic to prevent the introduction of the medfly. These commodities are:

- avocado
- clementine
- grape
- grapefruit
- lemon
- litchi
- longan
- mamey (sapote)
- mandarin
- mango
- orange
- papaya
- pepper
- pummelo
- tangelo
- tangerine
- tomato
- tuna (cactus fruit)

Based on a review of research, Hass avocados are conditional non-hosts to Mediterranean fruit fly, *Ceratitis capitata*, and the South American fruit fly, *Anastrepha fraterculus*. All other varieties of avocados, including but not limited to Pinkerton, Miguel, Bacon, Lula, Russell, Zutano, and Choquette, are still considered medfly hosts and are prohibited. Additionally, APHIS does not consider green tomatoes a medfly host, as long as the surface of the fruit does not exceed more than 30 percent of pink and/or red at time of harvest. APHIS is requiring the Dominican Republic Ministry of Agriculture certify that tomatoes are harvested green. As with the previous Federal Order commercial consignments of mangoes are still enterable via the APHIS preclearance program.

For additional information regarding this Federal Order, please call Senior Regulatory Policy Specialist Tony Román at 301-851-2242 or write to him at Juan.A.Roman@aphis.usda.gov.



Osama El Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

Federal Order

Mediterranean Fruit Fly (*Ceratitis capitata*) Host Material from the Dominican Republic

DA-2015-25

APR 28 2015

Effective immediately, this Federal Order amends the Federal Order (DA-2015-14) issued by APHIS on March 18, 2015, that suspended imports of certain Mediterranean fruit fly (medfly) fruit and vegetable hosts from the Dominican Republic. With this amendment, APHIS is allowing the importation of Hass avocados and green tomatoes from the Dominican Republic into the United States if they meet certain conditions.

This Federal Order is issued pursuant to the authority provided by the Plant Protection Act (PPA) of June 20, 2000, as amended, Section 412(a), 7 U.S.C. 7712(a). The Act authorizes the Secretary of Agriculture to prohibit or restrict the importation, entry, exportation, or movement in interstate commerce of any plant, plant product, biological control organism, noxious weed, article, or means of conveyance, if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction into the United States or the dissemination of a plant pest or noxious weed within the United States.

On April 9, 2015, the National Plant Protection Organization (NPPO) of the Dominican Republic requested APHIS allow entry of commercial consignments of Hass avocados and green tomatoes. Based on a review of research, APHIS has determined that Hass avocados are conditional non-hosts to medfly, *Ceratitis capitata*, and the *Anastrepha* spp. The conditions for non-host Hass avocados include the requirement that the Hass avocados be commercially produced and safeguarded after harvest from fruit flies prior to export. Tomatoes are not considered medfly hosts if they are harvested green. APHIS has previously determined that practices that are involved in commercial production of fruits and vegetables, such as routine pest management and culling unmarketable fruit, lowers pest risk. Therefore, the APHIS Administrator has determined that allowing the importation of commercial consignments of Hass avocados and commercial consignments of green tomatoes from Dominican Republic into the United States will not pose a risk of introducing Mediterranean fruit fly.

APHIS is amending the Federal Order to allow the importation of commercial consignments of Hass avocados and commercial consignments of green tomatoes. APHIS is still restricting the importation of non-commercial consignments of Hass avocados

and other avocado varieties from the Dominican Republic including, but not limited to, Pinkerton, Miguel, Bacon, Lula, Russell, Zutano, and Choquette as they are still considered medfly hosts. Additionally, non-commercial consignments of green tomatoes are still restricted. APHIS does not consider green tomatoes a medfly host as long as the surface of the fruit does not exceed more than 30 percent of pink and/or red at the time of harvesting. APHIS will require that the Dominican Republic Ministry of Agriculture certify that tomatoes are harvested green for them to be enterable into the United States through the issuance of a phytosanitary certificate. Allowing entry of these products will re-establish markets and provide relief to our stakeholders and trading partners.

Commercial consignments of Hass avocados and green tomatoes will be allowed from the Dominican Republic into the United States as long as they meet the following conditions:

- Green tomato fruit (*Solanum lycopersicum*) and Hass avocados (*Persea americana*) from the Dominican Republic may be imported in accordance with §§319.56-3 that describes the general requirements for the entry of fruits and vegetables into the United States.
- Green tomatoes are enterable only if the surface of the fruit doesn't exceed more than 30 percent of pink and/or red at time of harvesting. Consignments must be accompanied by a phytosanitary certificate with the additional declaration stating that the tomatoes in the consignment were harvested green.

Other commodities listed in the previous Federal Order are still prohibited. This amendment does not affect the conditions allowing the overland in-bond transit movements of such materials north of 39° latitude in the United States.

The APHIS Administrator still considers that the introduction and establishment of medfly poses a serious threat to United States agriculture, including certain fruits or vegetables grown in the United States, and that this serious plant pest threat must be immediately addressed. Medfly is not known to occur in the United States except in Hawaii. It is a widespread tropical species, ranging from South Mexico to Argentina and throughout the Mediterranean and all of Africa. It is also established in Western Australia. It is estimated that the species would be able to establish populations in southern regions of the United States (Plant Hardiness Zones 9-11).

Pursuant to this Federal Order, APHIS is amending the list of restricted Mediterranean fruit fly host material to include the following:

avocado ¹	longan	pepper
clementine	mamey (sapote)	pummelo
grape	mandarin	tangelo
grapefruit	mango ²	tangerine
lemon	orange	tomato ³
litchi	papaya	tuna (Cactus fruit)

¹*Hass avocados are enterable, as revised on April 28, 2015.*

²*Commercial shipments of mangoes from the Dominican Republic continue to be enterable under the conditions of the APHIS hot water treatment preclearance program*

³*Commercial consignments of green tomatoes are enterable if accompanied by a phytosanitary certificate attesting the tomatoes were harvested green, as revised on April 28, 2015.*

For additional information regarding this Federal Order, please call Senior Regulatory Policy Specialist Tony Román at 301-851-2242 or write to him at Juan.A.Roman@aphis.usda.gov.