

FOR INFORMATION AND ACTION

DA-2016-73

November 30, 2016

Subject: APHIS Rescinds the Federal Order Prohibiting Peppers (*Capsicum annuum*) from Spain due to Mediterranean Fruit Fly (*Ceratitis capitata*).

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is lifting the Federal Order issued on December 30, 2015, prohibiting the importation of peppers (*Capsicum annuum*) from Spain into the United States. The original action was taken in response to multiple detections of live Mediterranean fruit fly (medfly) larvae on peppers from Spain.

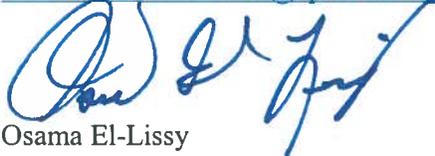
During December 2015, U.S. Customs and Border Protection (CBP) inspections at ports of entry in the United States detected medfly multiple times on commercial consignments of peppers from Spain.

On December 30, 2015, APHIS issued Federal Order DA-2016-10 prohibiting the importation of peppers (*Capsicum annuum*) from Spain into the United States to prevent the introduction of the Mediterranean fruit fly (Medfly).

APHIS and the National Plant Protection Organization (NPPO) of Spain investigated the probable issues that resulted in these interceptions and identified steps to mitigate pest risk and prevent future interceptions. Spain instituted a series of actions which included tightened requirements for growers and packing houses to follow for inclusion in the approved list for export. The NPPO established a new manual with production guidelines, additional medfly traps per approved greenhouse, and improved communication procedures between growers, state and local officials, and packing house operators. The NPPO also established a mandatory training with refresher courses yearly. In November 2016, an APHIS review team in Spain visited numerous greenhouses where peppers are grown for export, reviewed fruit fly trapping data for 2015-2016, reviewed the Spanish fruit and vegetable export database program managed by the NPPO, inspected facilities including packing houses, observed an export inspection procedure by the NPPO at a Spanish port, and discussed growing operations and certification procedures with growers and government officials. The APHIS review team concluded that the new procedures being enforced by Spain were adequate to prevent future interceptions; therefore, APHIS is lifting the Federal Order suspending imports of peppers from Spain to the United States, effective immediately.

For additional information regarding this Federal Order, please call Senior Risk Manager Devaiah Muruvanda, Ph.D., at (301) 851-2055, or write to him via e-mail at

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Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

FEDERAL ORDER

Lifting of the Federal Order Suspending Peppers (*Capsicum annuum*) from Spain Due to Mediterranean Fruit Fly (*Ceratitidis capitata*)

DA-2016-73

November 30, 2016

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is lifting the Federal Order issued on December 30, 2015, prohibiting the importation of peppers (*Capsicum annuum*) from Spain into the United States. The original action was taken in response to multiple detections of live Mediterranean fruit fly (medfly) larvae on peppers from Spain.

During December 2015, U.S. Customs and Border Protection (CBP) inspections at ports of entry in the United States detected medfly multiple times on commercial consignments of peppers from Spain.

Medfly is not known to be established in the continental United States. It is a widespread tropical and subtropical species and its distribution includes southern Mexico south to Argentina, the Mediterranean, Africa, and western Australia. It is estimated that medflies could establish populations in southern regions of the United States.

APHIS issued the Federal Order pursuant to the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412(a), 7 U.S.C. 7712(a) and the regulations found in the *Code of Federal Regulations* at 7 CFR 319.56. The Act authorizes the Secretary of Agriculture to prohibit or restrict the movement in interstate commerce of any plant, plant part, or article if the Secretary determines the prohibition or restriction is necessary to prevent the dissemination of the plant pest within the United States.

APHIS and the National Plant Protection Organization (NPPO) of Spain investigated the probable issues that resulted in these interceptions and identified steps to mitigate pest risk and prevent future interceptions. Spain instituted a series of actions which included tightened requirements for growers and packing houses to follow for inclusion in the approved list for export. The NPPO established a new manual with production guidelines, additional medfly traps per approved greenhouse, and improved communication procedures between growers, state and local officials, and packing house operators. The NPPO also established a mandatory training with refresher courses yearly. In November 2016, an APHIS review team in Spain visited numerous greenhouses where peppers are grown for export, reviewed fruit fly trapping data for 2015-2016, reviewed the Spanish fruit and vegetable export database program managed by the NPPO, inspected facilities including packing houses, observed an export inspection procedure by the NPPO at a Spanish port, and discussed growing operations and certification procedures with growers and government officials. The APHIS review team concluded that the new procedures being enforced by Spain were adequate to prevent future interceptions; therefore, APHIS is lifting the Federal Order suspending imports of peppers from Spain to the United States, effective immediately.

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