

FOR INFORMATION AND ACTION

DA-2018-40

October 29, 2018

Subject: APHIS Amends Requirements for Fresh Blueberry Fruit (*Vaccinium* spp.)  
Imported from Chile into the United States

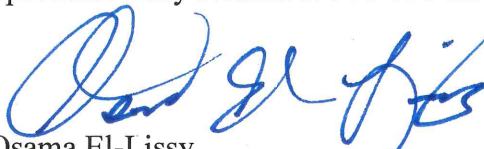
To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is amending the entry requirements for the importation of fresh blueberry fruit (*Vaccinium* spp.) from Chile into the United States. Chile has divided Region VIII (Biobio), which is known to have European grapevine moth (*Lobesia botrana* or EGVM), into two regions: Biobio (Region VIII) and Nuble (Region XVI). Therefore, APHIS is adding Region XVI to the list of regions in Chile that are known to have EGVM.

Additionally, APHIS is revising related port of entry restrictions. Prior to this Federal Order, U.S. ports with approved fumigation facilities were required to request receiving Chilean blueberries from regions known to have EGVM. Based on the volume of these requests and the absence of EGVM detections at ports of entry for the last four years, APHIS will allow blueberry shipments into all ports with approved fumigation facilities. The list of approved facilities can be found in [Appendix D of the APHIS treatment manual](#).

To prevent the introduction of EGVM into the United States, APHIS requires blueberry shipments from regions VI, VII, VIII, and XVI (EGVM-affected regions of Chile) destined to the United States to be fumigated with methyl bromide at the point of origin or at the first U.S. port of arrival in accordance with 7 US. Code of Federal Regulations Part 305. In addition, consignments from regions in Chile other than VI, VII, VIII, and XVI, that do not require fumigation, are subject to an increased rate of inspection through the APHIS preclearance program at the port of export. Due to the high EGVM population in Chile during recent seasons and the in-country detection of the moth on fresh blueberries, APHIS has determined that these additional requirements are necessary to prevent the entry of EGVM into the United States.

For additional information regarding this Federal Order, please contact Senior Regulatory Policy Specialist Tony Román at 301-851-2242 or at [Juan.A.Roman@aphis.usda.gov](mailto:Juan.A.Roman@aphis.usda.gov).



Osama El-Lissy  
Deputy Administrator  
Plant Protection and Quarantine

Attachment: Federal Order

## FEDERAL ORDER

### Importation of Blueberries (*Vaccinium* spp.) from Chile

DA-2018-40

October 29, 2018

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), which 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.

This Federal Order amends and replaces a previous Federal Order (DA-2017-34), issued by APHIS on October 23, 2017, that required fresh blueberry consignments from regions VI, VII, and VIII in Chile and destined for the United States be fumigated with methyl bromide (MB) at the point of origin or at the first port of arrival of:

- Long Beach and Los Angeles, California;
- Wilmington, Delaware;
- Miami and Port Everglades, Florida;
- Port Authority of New York and New Jersey (to include ports in the New York City metropolitan area);
- Philadelphia, Pennsylvania;
- Pharr-McAllen, Texas; or
- Savannah, Georgia

Chile has divided Region VIII (Biobio), which is known to have European grapevine moth (*Lobesia botrana* or EGVM), into two regions: Biobio (Region VIII) and Nuble (Region XVI). We are therefore adding Region XVI to the list of regions in Chile that are known to have EGVM.

On August 19, 2017, the Chilean President Michelle Bachelet enacted a law to divide the province of Biobio (Region VIII). The northern portion of the region will be Nuble and Biobio will maintain the southern portion. This change was effective September 6, 2018.

As a result of this Federal Order, fresh blueberries from Nuble will be held to the import requirements for blueberries from EGVM-affected regions of Chile. The requirements themselves will not change. Commercial consignments of fresh blueberry from regions VI, VII, VIII, and XVI in Chile to the United States will require fumigation with MB in accordance with

7 U.S. Code of Federal Regulations Part 305 (APHIS treatment regulations). This fumigation requirement is necessary to prevent the introduction into the United States of the harmful plant pest, EGVM through fresh blueberry fruit consignments from Chile.

Additionally, APHIS is changing the port of entry restriction limiting the ports of entry where blueberry shipments imported from regions VI, VII, VIII, and XVI can be shipped into the United States. Currently, ports with approved fumigation facilities must request to receive blueberries from Chile for fumigation. Based on the volume of these requests and the absence of EGVM detections at the port of entry for the last four years, APHIS will allow blueberry shipments into all ports with approved facilities to perform MB fumigations.

The list of approved facilities can be found in [Appendix D of the APHIS treatment manual](#).

APHIS still considers that fresh blueberry consignments destined for the United States from

Chile pose a significant phytosanitary risk to the U.S. domestic grape industry, in part, due to the large populations of EGVM in Chile's production areas in regions VI, VII, VIII, and XVI.

APHIS requires fresh blueberry maritime consignments from the above-mentioned regions to be fumigated with MB at the port of origin or at the maritime port of entry. Fumigation treatments allowed at the maritime port of entry are a treatment rate of 2 lb/1000 cubic feet for 3 1/2 hours at 70° F or above for tarpaulin fumigations, or, 60° F or above for chamber fumigation at normal atmospheric pressure; or, 4 lb/1000 cubic feet for 3 hours at 40° F.

EGVM was detected in Chile in April of 2008 on grapes. This pest, a European tortricid, attacks primarily grape flowers and fruit, however it is polyphagous and appears to affect other commodities as well. Damage caused by the pest can be extensive; some growers reported losses of 70 percent of their grape crops in 2008.

Fresh blueberries have been allowed into the United States from Chile since 1983. Consignments may or may not be pre-cleared. Currently, most consignments are inspected at the port of export, with APHIS and Chile's National Plant Protection Organization's (SAG) supervision, under a pre-clearance agreement between Chile and the United States. Until the December 2012 detections, blueberry was not considered a host of EGVM. With these detections and the current high numbers of EGVM trapped in regions VI, VII, VIII, and XVI. APHIS now considers fresh blueberry fruit to be a host of EGVM.

Apart from the addition of Region XVI and allowing shipments to enter through ports of entry with fumigation capabilities, all other requirements of the October 23, 2017, Federal Order remain in effect. Accordingly, all fresh blueberry consignments from Chile must be:

- Subjected to an increased preclearance inspection rate under the pre-clearance program at the port of export for consignments originating in regions other than VI, VII, VIII, or XVI; or
- If the consignments originate from regions VI, VII, VIII, or XVI, then per 7 CFR 305 they must be fumigated with MB in Chile or upon arrival at ports of entry with fumigation capabilities.

This action is necessary because the APHIS Administrator has determined that the introduction and establishment of EGVM poses a serious threat to agriculture, including certain fruits or vegetables grown in the United States. These restrictions to prevent the introduction and establishment of EGVM are immediately needed and warranted to address plant pest risks associated with currently admissible fresh blueberry fruit. These restrictions are in effect until further notice. However, after each Chilean shipping season ends, APHIS will re-assess and reconsider the entry conditions for subsequent seasons.

For additional information regarding this Federal Order, please contact Senior Regulatory Policy Specialist Tony Román at 301-851-2242 or at [Juan.A.Roman@aphis.usda.gov](mailto:Juan.A.Roman@aphis.usda.gov).