

FOR INFORMATION
DA-2022-42
December 29, 2022

Subject: APHIS Prohibits Imports of Fresh Bell Peppers (*Capsicum annuum*) from Spain due to Detections of Mediterranean Fruit Fly (*Ceratitis capitata*)

To: State and Territory Agricultural Regulatory Officials

Effective December 29, 2022, the Animal and Plant Health Inspection Service (APHIS) is prohibiting the importation of fresh bell peppers (*Capsicum annuum*) for consumption from Spain into the United States to prevent the introduction of the Mediterranean fruit fly (*Ceratitis capitata*, Medfly). APHIS is also prohibiting overland in-bond transit movements of these materials south of 39° latitude and west of 104° longitude. APHIS is taking this action in response to multiple Medfly detections during Customs and Border Protection (CBP) inspections of commercial consignments of fresh bell peppers from Spain at ports of entry into the United States.

Medfly poses an unacceptable risk to the United States because of its extensive host range and ability to reproduce quickly. This prohibition will be in place until APHIS investigates and determines that the importation of commercial consignments of fresh bell peppers from Spain do not pose a risk to U.S. agriculture.

This action is necessary to prevent the entry of Medfly into the United States. Other *Capsicum* species (*Capsicum baccatum* L. var. *baccatum*, *Capsicum chinense*, and *Capsicum frutescens*) currently allowed entry from Spain into U.S. are not affected by this Federal Order except as follows: APHIS requires the phytosanitary certificate accompanying each consignment of fresh pepper for consumption from Spain to include the full botanical name (genus and species) of the pepper in the consignment; listing the genus name only is not acceptable.

For additional information regarding this Federal Order, please contact Risk Manager, Dr. Eutyclus Kariuki at 301-356-6657 or via email at Eutyclus.Kariuki@usda.gov.



Dr. Mark Davidson
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

FEDERAL ORDER

APHIS Prohibits Imports of Fresh Bell Peppers (*Capsicum annuum*) from Spain Due to Detections of Mediterranean Fruit Fly (*Ceratitis capitata*)

DA-2022-42
December 29, 2022

This Federal Order prohibits the importation of fresh bell peppers (*Capsicum annuum*) for consumption from Spain into the United States due to multiple detections of Mediterranean fruit fly (*Ceratitis capitata*, Medfly). This prohibition is effective December 29, 2022.

This Federal Order is issued pursuant to the authority provided by the Plant Protection Act of June 20, 2000. As amended, Section 412(a), 7 U.S.C. 7712(a), 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.

The purpose of this Federal Order is to prevent the entry or introduction of Medfly, a harmful plant pest, into the United States. The Animal and Plant Health Inspection Service (APHIS) Administrator has determined that the introduction and establishment of Medfly poses a serious threat to U.S. 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 Central to South America, throughout the Mediterranean region and Africa, as well as parts of 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), where hosts are known to occur.

During December 2022, Customs and Border Protection (CBP) inspectors at John F. Kennedy Airport, New York, detected live Medfly larvae at least three times on commercial consignments of fresh bell peppers from Spain. Live medfly pupa was also detected in a consignment.

Effective December 29, 2022, APHIS is prohibiting importation of fresh bell peppers (*Capsicum annuum*) for consumption from Spain to prevent the introduction of Medfly into the United States, pending an investigation and appropriate remedial measures by Spain. APHIS is also prohibiting overland in-bond transit movements of such materials south of 39° latitude and west of 104° longitude in the United States. These prohibitions apply to all importation and movement including commercial and non-commercial cargo, passenger baggage, international mail, and express courier shipments.

Other *Capsicum* species (*Capsicum baccatum* L. var. *baccatum*, *Capsicum chinense*, and *Capsicum frutescens*) are still admissible from Spain into the United States and are not affected by this Federal Order except as follows: APHIS requires the phytosanitary certificate accompanying each consignment of fresh pepper for consumption from Spain to include the full botanical name (genus and species) of the pepper in the consignment; listing the genus name only is not acceptable.

For additional information regarding this Federal Order, please contact Risk Manager, Dr. Eutyclus Kariuki at 301-356-6657 or via email at Eutyclus.Kariuki@usda.gov.