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APHIS Amends Federal Order for Entry Requirements for Tomato (*Solanum lycopersicum*) and Pepper (*Capsicum spp.*) Seeds Imported from All Countries into the United States

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FOR INFORMATION AND ACTION
DA-2023-03

Subject: APHIS Amends Federal Order for Entry Requirements for Tomato (*Solanum lycopersicum*) and Pepper (*Capsicum spp.*) Seeds Imported from All Countries into the United States

To: State, Tribal, and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is amending the entry requirements for pepper (*Capsicum spp.*) seeds imported into the United States from all countries. APHIS is updating Federal Order DA-2019-21 for tomato and pepper seeds for planting to manage the phytosanitary risk from pospiviroids to reflect current scientific information on quarantine-significant pospiviroids.

APHIS conducted a risk assessment that found no evidence that four of the six quarantine-significant pospiviroids in Federal Order DA-2019-21 follow the pepper seed pathway: *Columnea latent viroid* (CLVd), *Tomato apical stunt viroid* (TASVd), *Tomato chlorotic dwarf viroid* (TCDVd), and *Tomato planta macho viroid* (TPMVd). However, the risk assessment determined that two of the quarantine-significant pospiviroids, *Pepper chat fruit viroid* (PCFVd) and *Potato spindle tuber viroid* (PSTVd), can follow the pepper seed pathway and therefore could cause disease in peppers including severe stunting, leaf or stem necrosis, flowering alterations, and foliar and fruit deformation.

Based on the risk assessment, APHIS is updating the import requirements for pepper seeds from all countries. To prevent an introduction of PCFVd or PSTVd, APHIS will require pepper seeds be either tested and found free of PCFVd and PSTVd or be produced in a country free from PCFVd and PSTVd. Shipments of pepper seeds must be accompanied by a phytosanitary certificate or a re-export phytosanitary certificate with an additional declaration. The additional declaration must verify that the seeds have been tested and found free of PCFVd and PSTVd prior to entry into the United States or produced in a country in which these pospiviroids are not known to occur. The requirement for a phytosanitary certificate with the additional declaration applies to all pepper seed shipments entering the United States including small lots of pepper seeds.

As for tomato seeds, APHIS concluded that all six pospiviroids can follow this pathway. Therefore, no changes were made to the tomato seed import requirements. Both tomato and pepper seeds remain ineligible for importation using a Small Lots of Seed Permit.

For additional information regarding this Federal Order amendment, please contact Senior Regulatory Policy Specialist Indira Singh at 301-851-2020 or Indira.Singh@usda.gov.

Dr. Mark L Davidson
Deputy Administrator
Plant Protection and Quarantine

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