APHIS Amends the Federal Order Prohibiting Importation of Fresh Bell Peppers from Spain Due to Mediterranean Fruit Fly

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FOR INFORMATION AND ACTION
DA-2024-01
January 19, 2024

Subject: APHIS Amends the Federal Order Prohibiting Importation of Fresh Bell 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 amending the Federal Order (DA-2022-42) issued on December 29, 2022, which prohibited importing fresh bell peppers (*Capsicum annuum*) from Spain into the United States to prevent Mediterranean fruit fly (*Ceratitis capitata* or Medfly) introduction. The below amended Federal Order (DA-2024-01) allows importation of fresh bell peppers from Spain to resume under the import requirements currently listed in the Agricultural Commodity Import Requirements (ACIR) database and the corrective actions listed in the below amended Federal Order.

The original action was taken after Customs and Border Protection (CBP) inspectors at John F. Kennedy Airport, New York, intercepted 5 live Medfly larvae and 1 pupa in commercial consignments of fresh bell peppers from Spain in December of 2022 and was necessary to prevent the entry of Medfly into the United States.

The National Plant Protection Organization (NPPO) of Spain traced the interceptions to 11 greenhouses in Almeria province. The NPPO found slight structural damage and minor tears in the plastic covers of 7 of the greenhouses. These greenhouses had passed official inspections in August of 2022. The NPPO reported rainstorms and strong winds had occurred in the Almeria region in the interim and concluded these weather events caused the structural damage and subsequent breaches of the greenhouses by Medfly. The NPPO immediately suspended all 11 non-compliant greenhouses from the pepper export program. Internal investigation of the registered packing houses associated with the 11 non-compliant greenhouses did not detect any non-compliance issues. Therefore, to prevent the recurrence of future infestations, the NPPO developed corrective measures aimed at strengthening the physical integrity of the greenhouses to minimize the risk of the greenhouses becoming compromised by severe weather events.

In October 2023, an APHIS team conducted a site visit of the bell pepper-growing facilities in Almeria, Spain, to verify the Medfly mitigation measures in place met current U.S. import requirements. The team inspected Medfly mitigation measures that included the greenhouses, Medfly traps set inside and outside of the greenhouses, the frequency of trap inspections, and Medfly trapping records. The Medfly mitigation measures were found to be compliant with current U.S. import requirements. Although the site visit occurred outside the export season for Spain bell pepper, the team also inspected and noted packinghouses have the capacity to successfully implement existing import requirements such as safeguarding fruit and packing fruit within 24 hours of harvest.

Overall, APHIS has determined the phytosanitary import requirements for fresh bell pepper from Spain that have been outlined in this Federal Order will adequately mitigate the risk of Medfly introduction via this commodity pathway.

Therefore, APHIS is amending the Federal Order that prohibited imports of bell peppers from Spain to the United States, effective immediately, and the importation of fresh bell peppers from Spain may resume under the import requirements currently listed in the Agricultural Commodity Import Requirements (ACIR) database

and the additional requirements listed in DA-2024-01.

For additional information regarding this Federal Order, please contact Regulatory Policy Specialist Mafalda Santos at 585-300-3558 or via email at Mafalda.Santos@usda.gov.

/s/

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