



March 10, 2015

Animal and Plant Health Inspection Service
Docket No. APHIS-2010-0082
Regulatory Analysis and Development
PPD, APHIS Station 3A-03.8
4700 River Road, Unit 118
Riverdale, MD 20737-1238

Re: Establishing a Performance Standard for Authorizing the Importation and Interstate Movement of Fruits and Vegetables

The United Fresh Produce Association appreciates APHIS's willingness to work on industry outreach and information on the "notice-based process" proposed rule and related matters. The efforts of the agency to provide information on stakeholder questions about matters such as the role of economic analysis, the effect on trade discussions and the issues to be resolved by the proposal, are most appreciated. Furthermore, we remain committed to working with the agency to ensure that requests for import and interstate movement are reviewed as expeditiously and thoroughly as possible.

However, we still have concerns about the impact of the proposed changes on the due process currently afforded to the industry. Based on multiple discussions we have had with industry partners, the following overarching concerns with the proposal as it is written remain, including:

- Elimination of the requirement for crucial economic analysis
- The ability of relevant stakeholders to review data
- Stakeholder consultation
- Whether the proposed notice-based system will provide adequate time for review of key documents such as pest lists, pest risk assessments and risk mitigation measures, especially when mitigations occur under a systems approach
- Whether a complimentary process for maintaining notice and comment rule making for import requests that are based on APHIS evaluation and or public input require a higher level of review than that provided by a notice based system should be a part of a revised system.

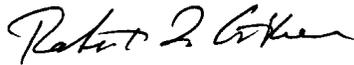
To address the challenges identified by industry stakeholders, we urge the agency to consider the following recommendations in the development of a final proposal:

- Clarification of the process for crucial economic analysis as part of the Pest Risk Assessment (PRA) under either a notice-based or rulemaking-based system
- Enhancement of the ability of relevant stakeholders to review data through the availability of data or data summaries connected to the PRA and the Risk Management Document (RMD)

- Enhancement of stakeholder opportunities for comment and consultation prior to publication of the PRA
- Granting a comment period of a minimum of 60 days on the PRA and RMD to allow for adequate review by scientific and industry experts
- Assess the feasibility of developing a complimentary process for maintaining notice and comment rule making for import requests that is based on APHIS evaluation and or public input
- Inclusion in the PRA of regulated non-quarantine pests, other pests of concern and pests of quarantine significance

Given these and other issues that warrant further discussion with the agency, we believe a 60 day extension of the comment period on the overall proposal is necessary in order to allow for continued productive interaction with industry stakeholders. We hereby request that such an extension be granted on the proposal.

Thank you for your consideration of this recommendations. We look forward to working with you on this and other issues facing the fruit and vegetable industry.



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United Fresh Produce Association