CHAPTER 1: The Impact of International Phytosanitary Requirements on the Lemon Industry in Tucumán
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1. LEMON PRODUCTION IN TUCUMAN

1.1. INTRODUCTION

Citrus production in Argentina (Table 1), which accounted for 2.5% of the world total in 2003, is found largely in the Northwest (NOA) and Northeast (NEA, Figure 1) of the country. The NEA includes the provinces of Entre Rios, Corrientes and Misiones where oranges and tangerines are the key citrus grown. This is the oldest citrus production area in Argentina and production units are generally smaller and older orchards. Production practices in the NEA have not kept pace with the newer plantations of the NOA and citrus production in the region peaked in the 1970s.

The NOA encompasses the provinces of Tucumán, Jujuy and Salta. Tucumán has specialized in lemon production and the province accounts for 90% of Argentina’s production. Tucumán’s annual rainfall regime is 80 inches, concentrated from October through April. In 2003, rains did not occur until late January and the lack of spring precipitation caused severe reductions in lemon yields because of lesser-quality, small fruit. Drought in the early summer of 2004 will also contribute to yield losses and it is projected that lemon production will fall by 10% in 2004. (FAS, 2004).

The high acid content in lemons makes them unpalatable for whole fruit consumption and most lemons are used in other forms such as juice, essential oil, or dehydrated peel (Table 2). Tucumán exports about 350,000 metric tons of fresh lemon per year and processes a further 800,000 metric tons accounting for 40% of the world’s total processed lemon products. In 2001, lemons and lemon byproducts accounted for 41% of all exports from Tucumán with a total value of USD $169 million.

---

Table 1. Total production of citrus fruit in Argentina (2003-2004).

<table>
<thead>
<tr>
<th>Commodity</th>
<th>2003</th>
<th>2004 (projected)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lemons</td>
<td>1,050,000</td>
<td>950,000</td>
</tr>
<tr>
<td>Tangerines</td>
<td>380,000</td>
<td>400,000</td>
</tr>
<tr>
<td>Oranges</td>
<td>700,000</td>
<td>730,000</td>
</tr>
<tr>
<td>Grapefruits</td>
<td>185,000</td>
<td>150,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>2,315,000</td>
<td>2,232,000</td>
</tr>
</tbody>
</table>


Table 2. Fresh and processed lemon production (1997-2001).

<table>
<thead>
<tr>
<th>Year</th>
<th>Fresh</th>
<th>Concentrated juice (tons)</th>
<th>Essential oil (metric tons)</th>
<th>Frozen pulp (metric tons)</th>
<th>Dehydrated peel, all citrus (metric tons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>1266860</td>
<td>50.0</td>
<td>3.3</td>
<td>750</td>
<td>42.0</td>
</tr>
<tr>
<td>2000</td>
<td>1163229</td>
<td>51.0</td>
<td>3.4</td>
<td>770</td>
<td>43.0</td>
</tr>
<tr>
<td>1999</td>
<td>1042657</td>
<td>41.8</td>
<td>2.7</td>
<td>650</td>
<td>35.0</td>
</tr>
<tr>
<td>1998</td>
<td>1024829</td>
<td>41.3</td>
<td>2.7</td>
<td>640</td>
<td>37.0</td>
</tr>
<tr>
<td>1997</td>
<td>871139</td>
<td>33.6</td>
<td>2.2</td>
<td>522</td>
<td>30.2</td>
</tr>
</tbody>
</table>

2. INTERNATIONAL PHYTOSANITARY CONSIDERATIONS

2.1. EXPORT MARKETS

In 2003, Argentina was the world’s second largest exporter of lemons and limes after Spain (350 and 500.6 metric tons\(^4\) respectively). The Russian Federation, Spain, the Netherlands, Italy and Greece are the primary markets for lemon exports from Argentina (Table 3) and the phytosanitary requirements applied to lemons from Argentina for each are summarized in Table 4. As these markets additionally source lemons from other countries, a survey was completed to identify phytosanitary requirements for lemons exported to the Russian Federation, Spain and the Netherlands (Argentina’s top three export markets) from competing suppliers (Table 5). Argentina and Brazil are under the same phytosanitary restrictions as regards the EU market (see 2.2.2), Russia has essentially the same phytosanitary requirements for all exporting countries, and only Uruguay and Mexico would appear to have to meet less restrictive requirements than Argentina for exports to Spain and the Netherlands, respectively.

Table 3. Top five export markets for lemons from Argentina (1999-2003).

<table>
<thead>
<tr>
<th>Year</th>
<th>Country</th>
<th>Amount (Metric tonnes)</th>
<th>Value (USD 1000)</th>
<th>% amount</th>
<th>% value</th>
<th>Price (USD1000 per metric tonne)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>Russian Fed.</td>
<td>59398</td>
<td>22599</td>
<td>17.86</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spain</td>
<td>55352</td>
<td>21994</td>
<td>16.65</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Netherlands</td>
<td>53843</td>
<td>19989</td>
<td>16.19</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Italy</td>
<td>49887</td>
<td>18808</td>
<td>15.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Greece</td>
<td>33293</td>
<td>14430</td>
<td>10.01</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>332494</strong></td>
<td><strong>97820</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2002</td>
<td>Russian Fed.</td>
<td>53009</td>
<td>16974</td>
<td>19.80</td>
<td>19.44</td>
<td>0.32</td>
</tr>
<tr>
<td></td>
<td>Spain</td>
<td>36176</td>
<td>12235</td>
<td>13.51</td>
<td>14.01</td>
<td>0.34</td>
</tr>
<tr>
<td></td>
<td>Netherlands</td>
<td>35679</td>
<td>10967</td>
<td>13.33</td>
<td>12.56</td>
<td>0.31</td>
</tr>
<tr>
<td></td>
<td>Italy</td>
<td>33602</td>
<td>10459</td>
<td>12.55</td>
<td>11.98</td>
<td>0.31</td>
</tr>
<tr>
<td></td>
<td>Greece</td>
<td>30196</td>
<td>9796</td>
<td>11.28</td>
<td>11.22</td>
<td>0.32</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>267714</strong></td>
<td><strong>87308</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2001</td>
<td>Netherlands</td>
<td>44250</td>
<td>18299</td>
<td>18.07</td>
<td>16.82</td>
<td>0.41</td>
</tr>
<tr>
<td></td>
<td>Russian Fed.</td>
<td>39895</td>
<td>16924</td>
<td>16.29</td>
<td>15.55</td>
<td>0.42</td>
</tr>
<tr>
<td></td>
<td>Spain</td>
<td>27227</td>
<td>12415</td>
<td>11.12</td>
<td>11.41</td>
<td>0.46</td>
</tr>
<tr>
<td></td>
<td>Italy</td>
<td>25505</td>
<td>10424</td>
<td>10.42</td>
<td>9.58</td>
<td>0.41</td>
</tr>
<tr>
<td></td>
<td>Poland</td>
<td>19405</td>
<td>7657</td>
<td>7.92</td>
<td>7.04</td>
<td>0.39</td>
</tr>
<tr>
<td></td>
<td>Greece</td>
<td>18525</td>
<td>7556</td>
<td>7.57</td>
<td>6.94</td>
<td>0.41</td>
</tr>
<tr>
<td></td>
<td>USA</td>
<td>17684</td>
<td>9852</td>
<td>7.22</td>
<td>9.05</td>
<td>0.56</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>244864</strong></td>
<td><strong>108807</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>Netherlands</td>
<td>53466</td>
<td>22645</td>
<td>26.12</td>
<td>24.07</td>
<td>0.42</td>
</tr>
<tr>
<td></td>
<td>Russian Federation</td>
<td>31851</td>
<td>13719</td>
<td>15.56</td>
<td>14.58</td>
<td>0.43</td>
</tr>
<tr>
<td></td>
<td>Italy</td>
<td>21791</td>
<td>9430</td>
<td>10.65</td>
<td>10.02</td>
<td>0.43</td>
</tr>
<tr>
<td></td>
<td>Spain</td>
<td>17441</td>
<td>7670</td>
<td>8.52</td>
<td>8.15</td>
<td>0.44</td>
</tr>
<tr>
<td></td>
<td>Greece</td>
<td>15584</td>
<td>6687</td>
<td>7.61</td>
<td>7.11</td>
<td>0.43</td>
</tr>
<tr>
<td></td>
<td>USA</td>
<td>6796</td>
<td>6738</td>
<td>3.32</td>
<td>7.16</td>
<td>0.99</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>204662</strong></td>
<td><strong>94076</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1999</td>
<td>Netherlands</td>
<td>65713</td>
<td>28670</td>
<td>32.90</td>
<td>31.94</td>
<td>0.44</td>
</tr>
<tr>
<td></td>
<td>Russian Federation</td>
<td>33158</td>
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<td>16.60</td>
<td>15.94</td>
<td>0.43</td>
</tr>
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<td></td>
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<td>8.85</td>
<td>9.23</td>
<td>0.47</td>
</tr>
<tr>
<td></td>
<td>Poland</td>
<td>14003</td>
<td>5562</td>
<td>7.01</td>
<td>6.20</td>
<td>0.40</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>199722</strong></td>
<td><strong>89761</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3 Although Poland and Greece imported the 5th and 6th highest amounts in tons of lemons, the US imported the 5th highest amount in terms of dollar value.
4 Although Greece imported the 5th highest amount in tons of lemons, the US imported the 5th highest amount in terms of dollar value.
Table 4. Phytosanitary requirements for importation of Argentine citrus fruit, including lemons from Tucumán.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Russian Federation</th>
<th>Spain</th>
<th>Netherlands</th>
<th>Italy</th>
<th>Greece</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phytosanitary certificate</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Fumigation</td>
<td>✓¹</td>
<td>✓²</td>
<td>✓²</td>
<td>✓²</td>
<td>✓²</td>
</tr>
<tr>
<td>Cold treatment</td>
<td>✓¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prohibitions</td>
<td>✓³</td>
<td>✓³</td>
<td>✓³</td>
<td>✓³</td>
<td>✓³</td>
</tr>
<tr>
<td>Inspection at source (other than for certificate)</td>
<td>✓⁶</td>
<td>✓⁶</td>
<td>✓⁶</td>
<td>✓⁶</td>
<td>✓⁶</td>
</tr>
<tr>
<td>Import only from areas free of pests/diseases</td>
<td>✓⁶</td>
<td>✓⁶</td>
<td>✓⁶</td>
<td>✓⁶</td>
<td>✓⁶</td>
</tr>
<tr>
<td>Registration of facilities</td>
<td>✓⁶</td>
<td>✓⁶</td>
<td>✓⁶</td>
<td>✓⁶</td>
<td>✓⁶</td>
</tr>
<tr>
<td>Place of origin marking</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

1Argentina has reported restricted populations of Mediterranean fruit fly (*Ceratitis capitata*). According to Russia’s phytosanitary requirements, this is a quarantine pest (A1). Russia requires that fruits from countries with Mediterranean fruit fly must be fumigated or refrigerated at the point of entry when imported from 1 April to 1 October through Baltic Sea ports or other northern points of entry. The Russian requirements state that citrus fruit from countries reporting these pests must undergo treatment, not areas within countries.

2Fruits need only be fumigated if they originate from an area not recognized as being free of citrus canker (*Xanthomonas campestris*). Tucumán is free of canker.

3Citrus fruit from countries reporting Mediterranean fruit fly (*Ceratitis capitata*) are prohibited entry through Black Sea ports or other southern points of entry from 1 April to 1 October.

4Import of citrus fruits to the Canary Islands is prohibited.

5Italy and Greece are part of a protected zone for citrus tristeza virus which is endemic in Argentina. All fruit must be free from leaves and peduncles.

6Restrictions are for citrus canker (*Xanthomonas campestris*) and citrus black spot (*Guignardia citricarpa*). Tucumán province is recognized as being free of citrus canker, but not black spot. The EU offers the option of utilizing registration and inspection of the place of production, the packing facilities or other operators involved in the handling of fruit. Citrus from the place of production must present no signs of black spot from the last cycle of vegetation, and fruits harvested must be free of symptoms. These restrictions are in place from May to November 2004.

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FVO. (2001). Final report of a mission carried out in Argentina from 10 to 14 September 2001 in order to evaluate the inspection procedures for citrus fruit originating in Argentina and exported to the European Union. Food and Veterinary Office (FVO), European Commission, Brussels.

Table 5. Comparison of phytosanitary requirements for import of citrus, including lemons, into the Russian Federation, Spain and the Netherlands.

<table>
<thead>
<tr>
<th>Countries of Export</th>
<th>Country of Import</th>
<th>Russia</th>
<th>Spain</th>
<th>Netherlands</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requirement</td>
<td></td>
<td>AR</td>
<td>UY</td>
<td>TR</td>
</tr>
<tr>
<td>Phytosanitary certificate</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Fumigation</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Cold treatment</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Prohibitions</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Inspection at source (other than for certificate)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Import only from areas free of pest/diseases</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Registration of facilities</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Place of origin marking</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

1As a re-exporter, the requirements for lemons coming from The Netherlands would include a re-export certificate. As well, the fruit would face phytosanitary restrictions based on its country of origin.
2Brazil is under the same restrictions as Argentina from May 1, 2004 until November 1, 2004 as per the Decision of the Commission 2004/416.
3A phytosanitary certificate and an import certificate are needed.
4*Ceratitis capitata* (medfly) is endemic in Uruguay, Turkey, South Africa, and Spain, and are present in localized populations in Argentina. Fruits originating from these countries are prohibited entry between 1 April and 1 October through Black Sea ports or other southern points of entry. Fruits may enter through Baltic Sea or other northern points of entry provided they are fumigated or refrigerated upon entry. It is unclear as to if Russia makes a distinction for areas of countries known to be free of medfly.
5EC fruits with peduncles and leaves must be accompanied by a phytosanitary passport.
6Only the Western Cape is certified free from citrus black spot. Citrus from other areas must undergo inspection. The field of production and the fruit must be free of symptoms of the disease. For medfly which is endemic in South Africa, the fruits must come from a place of production which has shown to be free of the medfly during monthly official inspections during the last three months of production. The fruit must also be free of medfly. Alternatively, the fruits can be treated with vapour heat treatment, cold treatment, quick freeze, or acceptable chemical treatment.
7The importation of citrus fruits to the Canary Islands is prohibited.
8Fruits must be free of peduncles and leaves.
9Citrus canker is present in the Departments of Salto, Rivera and Paysandu (north of the River Chapicuy).
2.2. **Phytosanitary Issues: European Union**

2.2.1. *Introduction*

In 1991, citrus producers, processors and exporters of citrus fruits in the NOA established the Phytosanitary Association of the NOA (AFINOA). Its aim is to co-operate with national and/or provincial phytosanitary authorities to implement measures designed to protect the region against any harmful pests that could have an adverse effect on citrus exports from the region. AFINOA carries out its phytosanitary programs cooperatively with government phytosanitary authorities through the provision of financial and human resources. AFINOA members support the organization’s activities through financial contributions based on the acreage planted to citrus or on the volume of citrus processed or exported.

In 1992, the Secretaria de Agricultura, Ganadería y Pesca (SAGyP), through the Instituto Argentino de Sanidad y Calidad Vegetal (IASCAV), the provincial governments of the NOA, and AFINOA created the Phytosanitary Regional Committee of NOA (CORENOA). CORENOA proposes phytosanitary regional strategies to SENASA; prepares and approves regional phytosanitary programs and their respective budgets; promotes and proposes legal regulations for the fulfillment of regional objectives; and coordinates the implementation of technical and administrative activities related to the regional programs. One of CORENOA’s programs, Phytosanitary Procedure for Exporting Citrus Fruits from the NOA to the EU, is a collaboration with the Estación Experimental Agroindustrial Obispo Colombres (EEAOC) and the Universidad Nacional de Jujuy (UNJu). This program established phytosanitary measures that must be carried out by producers, packers and exporters of citrus fruit to the EU (see Appendix 1).

Until 1993 when the Single Market of the EU was established, the markets of the Southern EU member states were closed to citrus imports from countries where citrus canker, citrus black spot and citrus leaf spot were know to occur. In preparation for the Single Market, the EU reviewed and amended SPS legislation in 1992 so that countries could establish protected zones closed to certain commodities that could be imported by other Member States. Italy and Greece used this possibility to keep their markets closed to citrus imports from third countries but in 1996 the EU abolished the protected zones for citrus in Italy and Greece.

In order to protect EU citrus producers from prohibited citrus pests and pathogens, a system of protective measures was developed and implemented in 1998 across the Member States. Under this system citrus can be imported from third countries if: 1. the country is free of the diseases of concern, or; 2. the area of production is free of the diseases of concern in a country which is not disease-free.

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6 IASCAV and the Servicio Nacional de Sanidad Animal were merged in 1996 to form the Servicio Nacional de Sanidad y Calidad Agroalimentaria (SENASA).

7 SENASA, Argentina’s national phytosanitary organization, is the competent authority to implement national policies in the field of plant protection.
or; 3. a set of criteria is met which ensures that the product as well as the soil where it is grown is disease free in an area which is not disease free.

In 1998\(^8\), the European Commission recognized the citrus producing provinces of the NOA, namely Catamarca, Jujuy, Salta and Tucuman, as free from *Xanthomonas campestris* (causal agent of citrus canker). This was not extended to the rest of Argentina including the NEA, which remains affected by this phytobacterium. This same Commission decision recognized Argentina as free from the fungus *Cercospora angolensis* (causal agent of citrus leaf spot). In a 1999\(^9\) decision, the Commission did not recognize any part of Argentina as being free from *Guignardia citricarpa* (causal agent of citrus black spot).

### 2.2.2. 2003 Temporary Prohibition on Citrus Imports from Argentina and Brazil

In 2003, Spain’s Ministerio de Agricultura, Pesca y Alimentacion reported to the Commission’s Standing Committee on Plant Health that it had adopted a series of emergency measures prohibiting the introduction of citrus fruits originating from Argentina and Brazil. Spain indicated that it had received consignments of citrus fruits from both countries infected with the prohibited pathogens *Guignardia citricarpa*, *Xanthomonas campestris pv. citri* and *Elsinoe* spp. in 2000, 2001, 2002 and 2003. Similar infestations of citrus fruits with *G. citricarpa* were also reported by the Netherlands and the United Kingdom in 2003\(^10\). Spain reported that the number of interceptions had increased significantly in 2003 and imports were stopped on 12 November of that year. Spain presented a proposal to amend Annex IV of Council Directive 2000/29/EC that describes, in part, the special requirements that must be laid down by all member states for the introduction and movement of citrus into and within all member states\(^11\). The Commission submitted a request to Argentina and Brazil to gather information about the situation\(^12\) and reported back that Argentina had assessed the NOA citrus export program in 2003 and would be taking corrective measures in 2004\(^13\). The Commission issued a Decision\(^14\) on 29 April 2004 on temporary, emergency measures for certain citrus fruits from Argentina and Brazil (see Appendix 2). The effect of the emergency measures will be assessed until 30 November 2004 on the basis of information provided by the Member States. If the emergency measures are found to be insufficient to prevent entry of *G. citricarpa* or *X. campestris* then alternative or more stringent measures may be required.

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\(^{10}\) Commission Decision of 29 April 2004 on temporary emergency measures in respect of certain citrus fruits originating in Argentina or Brazil.

\(^{11}\) Official Journal of the European Union (L 208/68-70).


\(^{13}\) Short Report of the Meeting of the Standing Committee on Plant Health (SCHP) Held on 11-12 December 2003 (10/03).

\(^{14}\) Short Report of the Meeting of the Standing Committee on Plant Health (SCHP) Held on 22 January 2004 (01/04).
2.2.3. **Current Status of Lemon Exports to the EU**

In July 2004, the SCPH assessed the import situation under Decision 2004/416/EC, as well as information received from both Argentina and Brazil. The Committee did not recommend any amendments to the measures as laid down in the Decision but indicated the monitoring will continue and actions taken when appropriate. The Food and Veterinary Office of the Commission was scheduled to carry out a mission to Argentina and Brazil in August 2004 and report back to the SCPH on 27 September 2004.

According the U.S. Foreign Agricultural Service\(^\text{15}^\), sources in the citrus industry have indicated that the EU’s emergency measures, as applied by SENASA, have already excluded some of the largest citrus producers and exporters in Argentina.

2.3. **Phytosanitary Issues: United States**

2.3.1. **Introduction**

In 1993, Argentina officially requested the Animal and Plant Health Inspection Service (APHIS) of the United States Department of Agriculture (USDA) amend its regulations so that lemons, oranges and grapefruit grown in the Argentine states of Catamarca, Jujuy, Salta, and Tucuman could be imported into the United States. APHIS’ citrus fruit regulations restrict the importation of fruit and peel of all genera, species and varieties of the subfamilies *Aurantioidae, Rutoideae*, and *Toddalioideae* of the family *Rutaceae* into the country in order to prevent the introduction of citrus canker disease caused by the phytopathogen *Xanthomonas campestris* pv. *citri*. The citrus regulations also restrict the importation of the fruit and peel of all species and varieties of *Citrus* into the United States from specific countries, including Argentina, in order to prevent the introduction of the citrus diseases sweet orange scab (*Elsinoe australis*) and the B strain of citrus canker (also known as Cancrosis B).

APHIS officials visited the Argentina growing areas in May 1994 and determined that they could not fully assess the risk of citrus black spot and sweet orange scab under the protocol proposed by Argentina. In 1995, APHIS denied Argentina’s petition “unless pest free areas can be established or treatments can be approved” for the two pests. Consequently, at the request of APHIS, Argentina conducted research and surveys and submitted reports on the research to APHIS in support of it petition.

In September 1997, APHIS prepared a Supplemental Plant Pest Risk Assessment to evaluate the likelihood that plant pests and citrus diseases from Argentina would be introduced into the United States if commercial shipments of Argentine citrus to the United States were allowed. The Risk Assessment concluded that without using mitigation measures, there is a high likelihood for the

introduction into the United States of fruit flies and sweet orange scab, a medium likelihood for citrus black spot, and a low likelihood for citrus canker. However, APHIS determined, based on the Risk Assessment, that the likelihood of pest introduction into the United States would be reduced to a negligible level if the mitigation measures set forth in the Argentine Citrus Rule were applied. APHIS did not establish a level above which the risk would no longer be negligible.

2.3.2. **2000 Final Rule**

On August 12, 1998, APHIS published a proposed rule to allow the importation of citrus fruit from Catamarca, Jujuy, Salta, and Tucuman into the United States in accordance with the provisions of the proposed rule. APHIS proposed to amend the citrus fruit regulations by recognizing a citrus-growing area within Argentina as being free from citrus canker. APHIS also proposed to amend the fruits and vegetables regulations to allow the importation of grapefruit, lemons and oranges from the citrus canker-free area of Argentina under conditions designed to prevent the introduction into the U.S. of two other citrus diseases, sweet orange scab and citrus black spot and other plant pests. Following a period for public comment that ended February 11, 1999 and consideration of comments received, APHIS published a final rule on June 15, 2000.\(^\text{16}\)

APHIS final rule allowed the importation of lemons, grapefruit, oranges from Catamarca, Jujuy, Salta and Tucuman under a limited distribution plan involving a three-stage phase-in:

**Stage 1** (the 2000 and 2001 shipping seasons): Upon the effective date of this final rule, fruit that meets the requirements of the export program will be eligible for entry into 34 States in the continental United States that are neither buffer States nor commercial citrus-producing States.

**Stage 2** (the 2002 and 2003 shipping seasons): When Argentina begins shipping fruit in May or June of 2002, the fruit will be eligible for entry into the 34 “Stage 1” States as well as the 10 buffer States (Alabama, Arkansas, Colorado, Georgia, Mississippi, Nevada, New Mexico, Oklahoma, Oregon, and Utah) that share borders with one or more commercial citrus-producing States, leaving only 5 commercial citrus-producing States (Arizona, California, Florida, Louisiana, and Texas) as prohibited destinations in the continental United States.

**Stage 3** (the 2004 shipping season): When Argentina begins shipping fruit in May or June of 2004, the fruit will be eligible for entry into all areas of the continental United States.

These “rolling effective dates” are built into the final rule, which precludes the need for APHIS to initiate rulemaking in 2002 and 2004 to expand the area into which the fruit may

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be imported. If it is determined that the requirements of the export program are not being observed routinely or uniformly, APHIS will be able to act quickly to suspend the rolling effective dates or even the entire program, if warranted. The export program provides for the detection of diseased fruit at any point in the pathway, with that detection leading to the rejection of the shipment containing the diseased fruit and the removal of the grove that produced the fruit from the export program for the remainder of the shipping season. Thus, the detection of diseased fruit will not, by itself, result in the suspension of all or part of the export program.

During the summer of 2000, the U.S. permitted imports of Argentine lemons for the first time (lemons were anticipated to make up 99% of Argentine citrus exports to the U.S.) and Argentina quickly became the dominant supplier from outside of the U.S. Argentine imports were also permitted in the summer of 2001, however by September these were terminated when the United States District Court for the Eastern District suspended APHIS’ final rule. The plaintiffs in the court case, four California citrus growers and a coalition of more than 5000 other citrus growers from Arizona and California, successfully argued that the pest risk assessment undertaken by APHIS was faulty and, additionally, that APHIS had failed to prepare an initial and final regulatory economic analysis assessing the negative impact of the rule on small businesses (as is required under the Regulatory Flexibility Act). As part of their argument, the plaintiff’s specifically criticized APHIS’ reliance on SENASA and Argentine growers to implement, verify and enforce the requirements of the systems approach that collectively described the conditions under which citrus could be imported from Argentina (see Appendix 3). The Court Order states:

“Plaintiffs criticize APHIS’ reliance on SENASA and the Argentine growers to implement, verify and enforce the complex and labor intensive requirements of the systems approach. On March 30, 2001, the U.S. Citrus Science Council, a plaintiff in the action, filed a rulemaking petition requesting that defendant APHIS suspend and amend the final rule. Plaintiffs base their request on the fact that SENASA affirmatively concealed a significant outbreak of foot-and-mouth disease in Argentina for several months. Plaintiffs question APHIS’ confidence in SENASA. Plaintiffs contend that even if there were sound grounds for APHIS to predict that the risk of pest introduction will be negligible, plaintiffs have good reason to be concern because SENASA cannot be depended on for an effective verification and enforcement system.

Defendants agree that SENASA’s failure to report the foot-and-mouth disease is of concern. Defendants contend that SENASA’s failure to report the foot-and-mouth disease involves the administration of the Argentine citrus rule and not the efficacy of

the systems approach or whether the rule is arbitrary and capricious. Defendants state that both the President and SENASA and the Argentine Minister of Agriculture have been replaced after SENASA filed to report the foot-and-mouth outbreak. In addition, APHIS has taken several new and additional steps beyond those contemplated by the final rule to ensure that SENASA is in full compliance with its obligations under the rule.

From March 28 to March 30, 2001, APHIS personnel conducted an unannounced review of SENASA’s citrus program. APHIS visited the SENASA offices in Tucumán. They examined SENASA’s records and visited a laboratory to verify the presence of sufficient technical personnel, to review records and to ensure that permanent light, temperature and humidity were in the appropriate parameters. In addition, APHIS personnel reviewed the citrus canker survey activities and APHIS randomly selected a citrus grove for inspection where they verified that the rule’s grove requirements were being met – e.g. registration, buffer zones, sanitation, oil-copper oxychloride spraying and fruit sampling. Throughout its three day review, APHIS did not discover any irregularities or violations of APHIS’ regulatory requirements.

In addition, on March 29, 2001, APHIS finalized a work plan which will provide active and direct monitoring of the Argentine citrus program by APHIS. Each month, APHIS will review all records of Argentina’s citrus canker surveillance program, including all phytosanitary data generated by mobile units and control checkpoints on main roadways into canker-free areas. Moreover, every 45-60 days, APHIS will review all of SENASA’s records relating to the growers and packing houses participating in the expert program. APHIS also will inspect participating groves at random from before bloom to the end of harvest to verify sanitation measures, review fungicidal spray records, and observe fruit sampling. In addition, APHIS will visit laboratories conducting the 20-day incubation to verify procedure, analyses, and documentation. APHIS will also inspect the packing houses at random once to twice a month.

Although the work plan addresses some of the concerns raised by plaintiffs with respect to the supervision of the mitigation steps, the work plan is not part of the final rule. Moreover, SENASA’s failure to report the foot-and-mouth outbreak does involve the efficacy of the systems approach because administration of the Argentine citrus program is critical to the success of the systems approach. Although the Risk Assessment takes human error into content, it may have understated human error in light of SENASA’s failure to report the foot-and-mouth disease. Frankly, the court is concerned about whether SENASA can be entrusted to enforce the mitigation measures used by the systems approach. Although the president of SENASA and the Argentine Minister of Agriculture have been replaced, the court is not convinced that other SENASA officials who were involved in the cover-up have been removed from office.
On remand, APHIS should determine whether it can reasonably rely on SENASA to implement the systems approach.”

2.3.3. **Current Status of Lemon Exports to the U.S.**

Since APHIS final rule was suspended in 2001, the agency completed a supplemental pest risk assessment of citrus exports from Argentina in April 2002\(^{19}\) and an APHIS technical team visited Argentina in order to carry out a new PRA on citrus plantations (mainly lemons) in the NOA in February 2003. A new phytosanitary agreement between the U.S. and Argentina is still pending as, according to APHIS, SENASA has requested that APHIS suspend work on addressing the issue of lemon exports from Argentina until amendments to the risk mitigation processes for the Argentine citrus export program to the EU have been finalized\(^{20}\).

2.4. **EMERGING MARKETS**

2.4.1. **Japan**

Thirteen years after entering into bilateral negotiations with Japan to permit export of Argentine citrus, Argentina exported its first shipment of citrus products to Japan in August of 2003 after the government of Japan lifted its import ban on lemons, grapefruit and Valencia oranges in April of that year. Industry analysts estimated that 2003 exports to Japan would reach no more than 4,500 metric tons for fresh lemons and 1,800 metric tons for fresh grapefruits for a total value of $4 million. The agreed price for lemons was one dollar FOB per kilo, more than twice the average FOB price received by Argentine exporters in 2002.

Fruit exported to Japan in August and September 2003 totaled 701 metric tons of lemons, 23 metric tons of oranges and 22 metric tons of grapefruits\(^{21}\). However, the fruit decayed quickly upon arrival presumably because of the Japanese phytosanitary requirement for cold treatment of all citrus from Argentina for Mediterranean fruit flies coupled with the 45 days of ocean surface transportation. Argentine lemons initially traded at Tokyo Ohta Wholesale Market at around $27.40 per 17-kg carton for sizes 95 and 115, but were discounted a couple of weeks after arrival. While Argentina’s goal for 2004 is to attain a steady $20 million in exports of citrus to Japan per year, future growth will depend on whether storage quality problems can be resolved.

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\(^{19}\) [https://web01.aphis.usda.gov/PRAStatusWeb2.nsf](https://web01.aphis.usda.gov/PRAStatusWeb2.nsf)

\(^{20}\) W. Snell, APHIS, personal communication.

3. OBSERVATIONS

Although Tucumán already has a dominant position globally as regards lemon production and export additional opportunities remain. The following observations are predicated on the research undertaken for this case study and should be supplemented, and where necessary, revised with additional information obtained from sources within Argentina.

3.1. SENASA AND THE U.S. MARKET

The U.S. has the potential to become the largest importer of fresh lemons in the world as domestic lemon production in the states of California and Arizona has peaked but country-wide demand has not. Projections estimate that the U.S. could account for 20% of the world's lemon imports by 2010, however, Argentina is currently shut out of the high-value U.S. citrus market because of phytosanitary restrictions. It is not clear why SENASA has requested that APHIS suspend the preparation of a draft rule that, when finalized, would permit Argentine citrus entry into the U.S. According to APHIS, SENASA wishes to resolve the current situation affecting exports into the EU before submitting a revised risk mitigation program to APHIS for their consideration. U.S. and EU phytosanitary requirements for the import of citrus are neither harmonized nor linked and it should be possible (and desirable) for the two processes (maintaining entry into the EU and gaining entry into the U.S. markets) to be managed by SENASA in parallel.

It is clear that U.S. citrus producers do not want Argentine citrus, particularly lemons, coming into the U.S. and they have successfully used elements of SENASA’s corporate history to undermine its reputation as a trustworthy regulator. In the case of Harlan Land. Co. v. USDA (see 2.3.2), SENASA’s deliberate failure to disclose a serious outbreak of foot and mouth disease in Argentina became an issue in the court’s deliberations. SENASA’s reliability as a partner that could be entrusted to effectively monitor and enforce the required phytosanitary safeguards was called into question by the plaintiffs and the court:

“...the court is concerned about whether SENASA can be entrusted to enforce the mitigation measures used by the systems approach. Although the president of SENASA and the Argentine Minister of Agriculture have been replaced, the court is not convinced that other SENASA officials who were involved in the cover-up have been removed from office.”

SENASA’s reputation continues to be exploited in attempts to compromise lemon exports from Argentina. In March of 2003, when it became apparent that Japan would lift its import ban on

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23 W. Snell, APHIS, personal communication.
Argentine citrus, Sunkist Growers Inc.\textsuperscript{24} sent “warnings to the Japanese government relative to their anticipated plan to accept fresh citrus imports from Argentina. As noted in a letter to Sunkist member growers and shippers last week, Sunkist provided information to the Japanese Ministry of Agriculture about phytosanitary risks they may encounter from citrus canker and Medfly found in the Argentine citrus producing regions of Tucumán and Salta. We also reminded MAFF officials that the Argentine government agency - SENASA - was not exactly forthcoming about serious diseases and pest conditions they've experienced, especially their notorious cover-up of hoof and mouth disease in cattle and delayed acknowledgement of canker detections last year\textsuperscript{25}.”

Sunkist’s letter was self-serving as the U.S. is likely to be one of the countries most affected by Argentine citrus exports to Japan, since the U.S. ships to Japan 12 months per year. Due to the higher price of its fruit ($1.6 per kilo in 2002) the U.S. is expected to lose significant market share to Argentina in 2004 (perhaps up to 30 percent) during Argentina’s major shipping period (May-July)\textsuperscript{26}. Although ineffective in influencing Japan’s decision to permit the import of Argentine citrus, Sunkist’s appeal to the Japanese Ministry of Agriculture emphasizes that SENASA needs to reestablish its credibility internationally so that past practices can no longer be used to affect current and future phytosanitary agreements.

3.2. **CORENOA, SENASA AND THE EU MARKET**

While it would appear that SENASA is actively working to ensure that the EU market for lemons from Tucumán remains open, and is implementing the temporary emergency measures instituted by the European Commission in April 2004, information about how infested citrus fruits came to be exported under CORENOA and SENASA inspection from 2000-2003 was not found. This should be evaluated as should the efficacy of the relationship between CORENOA and SENASA to ensure that both are proactively responsive in identifying and addressing emerging phytosanitary problems.

3.3. **IRRIGATION**

In 2003, a prolonged drought at blossom time in the NOA caused significant losses in most lemon (and grapefruit) orchards. The possibility of using irrigation to offset the dependency on monsoon rains in the NOA, which have been sporadic and hence have contributed to significant yield and quality losses, should be evaluated.

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\textsuperscript{24} Sunkist is a not-for-profit marketing cooperative entirely owned by and operated for the 6,500 California and Arizona citrus growers who make up its membership. It is one of the ten largest marketing cooperatives in America and, in the fruit and vegetable industry, it is the largest in the world.


4. APPENDIX 1: A SUMMARY OF PHYTOSANITARY PROCEDURES FOR EXPORTING CITRUS FRUITS FROM THE NOA TO THE EU

Citrus canker control

In order to maintain its citrus canker free status, the following phytosanitary program was established:

- A ban on the introduction of citrus plants including fruits into the region
- A ban on introduction of used fruit packing material unless properly disinfected
- A ban on used fruit packages for citrus fruits unless properly disinfected
- Phytosanitary inspection of products that enter the region at entry control points
- A system of surveying and monitoring of citrus trees in commercial orchards and nurseries; as well as isolated trees in private and public gardens in order to detect the possible presence of the phytobacterium. EEAOC and UNJu have the only laboratories accredited to undertake analysis of samples collected during program surveys.
- An emergency plan to avoid the export of possible contaminated fruits coupled with eradication of the disease in the event that it is detected

Citrus black spot control

Producers in the NOA wishing to export to the EU must register the units of production (UP\textsuperscript{27}) of their farms in SENASA’s provincial registry before 31 August of the previous exporting year. In 2001 there were 1479 UPs, corresponding to 249 farms, registered for the province of Tucumán. Provincial inspectors confirm the list of registered UPs before submitting it to SENASA which then distributes the list to packinghouses and points where fruit destined for the EU leave Argentina. Producers must treat their crop at least twice with an appropriate fungicide, once before the rains in October and once when the fruit is smaller than 2 cm in diameter, and confirm such in a sworn statement. The UPs are randomly inspected by provincial phytosanitary inspectors.

Fruit destined for the EU must be maintained separately from fruit destined for other countries. A chain of custody system has been implemented to preserve the identify of fruit for the EU. This begins with labels provided to the producer by SENASA on which the registration number of the UP and the date of harvest are written. Packinghouses are registered and accredited by SENASA and must follow procedures to ensure that only fruit from a registered UP is accepted and that it is stored and handled separately from other fruit. Packinghouses are regularly inspected by provincial phytosanitary inspectors.

Fruit leaving the packinghouse has a certificate stamped by the phytosanitary control authorities when leaving the NOA indicating the origin of the fruit as NOA, that it complies with Directive

\textsuperscript{27} A unit of production or UP is defined as a planted plot of citrus fruit trees. UPs are clearly demarcated and are usually 1-2 ha in size.
2000/29/EC and the identification of the UP. Fruit is again inspected by SENASA at the port of export.
5. **APPENDIX 2: ANNEX TO COMMISSION DECISION 2004/416/EC**

Without prejudice to the provisions applicable to the fruits in points 16.1, 16.3 and 16.5 of Section I of Part A of Annex IV to Directive 2000/29/EC, the following requirements shall apply:

1. Citrus fruits originating in Argentina or Brazil shall be accompanied by a certificate referred to in paragraph 1 of Article 13 of Directive 2000/29/EC, officially stating that:

   (a) the fruits originate in an area recognised as being free from *Xanthomonas campestris* (all strains pathogenic to Citrus), in accordance with the procedure referred to in Article 18(2) of Directive 2000/29/EC, and mentioned on the certificate;

   or

   (b) — in accordance with an official control and examination regime, no symptoms of *Xanthomonas campestris* (all strains pathogenic to Citrus) have been observed in the place of production since the beginning of the last cycle of vegetation, and

   — in accordance with an official control and examination regime, including an appropriate testing regime, the fruits harvested in the place of production are free from *Xanthomonas campestris* (all strains pathogenic to Citrus), and

   — the fruits have been subjected to treatment such as sodium orthophenylphenate and mentioned on the certificate, and

   — the place of production, the packing facilities, exporters and any other operator involved in the handling of the fruits are officially registered for this purpose.

2. Citrus fruits, other than *Citrus aurantium* L., originating in Argentina or Brazil shall be accompanied by a certificate referred to in paragraph 1 of Article 13 of Directive 2000/29/EC, officially stating that:

   (a) the fruits originate in an area recognised as being free from *Guignardia citricarpa* Kiely (all strains pathogenic to Citrus), in accordance with the procedure referred to in Article 18(2) of Directive 2000/29/EC, and mentioned on the certificate;

   or

   (b) — no symptoms of *Guignardia citricarpa* Kiely (all strains pathogenic to Citrus), have been observed in the place of production since the beginning of the last cycle of vegetation, and none of the fruits harvested in the place of production has shown, in appropriate official examination, symptoms of this organism,

   and

   — the place of production, the packing facilities, exporters and any other operator involved in the handling of the fruits are officially registered for this purpose.
3. Fruits covered by this Decision may only enter the Community if their movement, from their place of production to the point of export to the Community, is accompanied by documents issued under the authority of and supervised by the National Plant Protection Organisation of Argentina or Brazil respectively, as part of a documentary system on which information is made available to the Commission.
6. **APPENDIX 3: § 319.56–2F ADMINISTRATIVE INSTRUCTIONS GOVERNING IMPORTATION OF GRAPEFRUIT, LEMONS, AND ORANGES FROM ARGENTINA.**

Fresh grapefruit, lemons, and oranges may be imported from Argentina into the continental United States (the contiguous 48 States, Alaska, and the District of Columbia) only under permit and only in accordance with this section and all other applicable requirements of this subpart.

(a) *Origin requirement.* The grapefruit, lemons, or oranges must have been grown in a grove located in a region of Argentina that has been determined to be free from citrus canker. The following regions in Argentina have been determined to be free from citrus canker: The States of Catamarca, Jujuy, Salta, and Tucuman.

(b) *Grove requirements.* The grapefruit, lemons, or oranges must have been grown in a grove that meets the following conditions:

1. The grove must be registered with the citrus fruit export program of the Servicio Nacional de Sanidad y Calidad Agroalimentaria (SENASA).
2. The grove must be surrounded by a 150-meter-wide buffer area. No citrus fruit grown in the buffer area may be offered for importation into the United States.
3. Any new citrus planting stock used in the grove must meet one of the following requirements:
   1. The citrus planting stock originated from within a State listed in paragraph (a) of this section; or
   2. The citrus planting stock was obtained from a SENASA-approved citrus stock propagation center.
4. All fallen fruit, leaves, and branches must be removed from the ground in the grove and the buffer area before the trees in the grove blossom. The grove and buffer area must be inspected by SENASA before blossom to verify that these sanitation measures have been accomplished.
5. The grove and buffer area must be treated at least twice during the growing season with an oil-copper oxychloride spray. The timing of each treatment shall be determined by SENASA’s expert system based on its monitoring of climatic data, fruit susceptibility, and the presence of disease inoculum. The application of treatments shall be monitored by SENASA to verify proper application.
6. The grove and buffer area must be surveyed by SENASA 20 days before the grapefruit, lemons, or oranges are harvested to verify the grove’s freedom from citrus black spot (Guignardia citricarpa) and sweet orange scab (Elsinoe australis). The grove’s freedom from citrus black spot and sweet orange scab shall be verified through:
   1. Visual inspection of the grove and buffer area; and
(ii) The sampling of 4 fruit from each of 298 randomly selected trees from each grove and buffer area covering a maximum area of 800 hectares. If the area to be sampled exceeds 800 hectares, SENASA must contact APHIS for APHIS’ determination as to the number of trees to be sampled. The sampled fruit must be taken from those portions of the trees that are mostly likely to have infected, symptomatic fruit (i.e. near the outer, upper part of the canopy on the sides of the tree that receive the most sunlight). The sampled fruit must be held in the laboratory for 20 days at 27 °C, 80 percent relative humidity, and in permanent light to promote the expression of symptoms in any fruit infected with citrus black spot.

(c) After harvest. After harvest, the grapefruit, oranges, or lemons must be handled in accordance with the following conditions:

1. The fruit must be moved from the grove to the packinghouse in field boxes or containers of field boxes that are marked to show the SENASA registration number of the grove in which the fruit was grown. The identity of the origin of the fruit must be maintained.

2. During the time that any grapefruit, lemons, or oranges from groves meeting the requirements of paragraph (b) of this section are in the packinghouse, no fruit from groves that do not meet the requirements of paragraph (b) of this section may enter the packinghouse. A packinghouse technician registered with SENASA must verify the origin of all fruit entering the packinghouse.

3. After arriving at the packinghouse, the fruit must be held at room temperature for 4 days to allow bruises or other fruit damage to become apparent.

4. After the 4-day holding period, bruised or damaged fruit must be culled and the fruit must be inspected by SENASA to verify its freedom from citrus black spot and sweet orange scab. The fruit must then be chemically treated as follows:

   (i) Immersion in sodium hypochlorite (chlorine) at a concentration of 200 parts per million for 2 minutes;

   (ii) Immersion in orthophenilphenate of sodium;

   (iii) Spraying with imidazole; and

   (iv) Application of 2–4 thiazalil benzimidazole and wax.

5. Before packing, the treated fruit must be individually labeled with a sticker that identifies the packinghouse in which they were packed and must be inspected by SENASA to verify its freedom from citrus black spot and sweet orange scab and to ensure that all stems, leaves, and other portions of plants have been removed from the fruit.

6. The fruit must be packed in clean, new boxes that are marked with the SENASA registration number of the grove in which the fruit was grown and a statement indicating that the fruit may not be distributed in Hawaii, Guam, the Northern Mariana Islands, Puerto Rico, the U.S. Virgin Islands, and American Samoa.
Islands, or in any State (each of which must be individually listed) into which the distribution of the fruit is prohibited pursuant to paragraph (g)(1) or (g)(2) of this section.

(d) **Phytosanitary certificate.** Grapefruit, lemons, and oranges offered for entry into the United States from Argentina must be accompanied by a phytosanitary certificate issued by SENASA that states the grapefruit, lemons, or oranges were produced and handled in accordance with the requirements of paragraphs (a), (b), and (c) of this section and that the grapefruit, lemons, or oranges are apparently free from citrus black spot and sweet orange scab.

(e) **Cold treatment.** Due to the presence in Argentina of Mediterranean fruit fly (Medfly) (*Ceratitis capitata*) and fruit flies of the genus *Anastrepha*, grapefruit, lemons (except smoothskinned lemons), and oranges offered for entry from Argentina must be treated with an authorized cold treatment listed in the Plant Protection and Quarantine Treatment Manual, which is incorporated by reference at § 300.1 of this chapter. The cold treatment must be conducted in accordance with the requirements of § 319.56–2d of this subpart.

(f) **Disease detection.** If, during the course of any inspection or testing required by this section or § 319.56–6 of this subpart, or at any other time, citrus black spot or sweet orange scab is detected on any grapefruit, lemons, or oranges, APHIS and SENASA must be notified and the grove in which the fruit was grown or is being grown shall be removed from the SENASA citrus export program for the remainder of that year’s growing and harvest season, and the fruit harvested from that grove may not be imported into the United States from the time of detection through the remainder of that shipping season.

(g) **Limitations on distribution.** The distribution of the grapefruit, lemons, and oranges is limited to the continental United States (the 48 contiguous States, Alaska, and the District of Columbia.). In addition, during the 2000 through 2003 shipping seasons, the distribution of the grapefruit, lemons, and oranges is further limited as follows:

1. **During the 2000 and 2001 shipping seasons,** the fruit may be distributed in all areas of the continental United States except Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Louisiana, Mississippi, Nevada, New Mexico, Oklahoma, Oregon, Texas, and Utah.
2. **During the 2002 and 2003 shipping seasons,** the fruit may be distributed in all areas of the continental United States except Arizona, California, Florida, Louisiana, and Texas.
3. **For the 2004 shipping season and beyond,** the fruit may be distributed in all areas of the continental United States.

(h) **Ports of entry.** The grapefruit, lemons, and oranges may enter the United States only through a port of entry located in a State where the distribution of the fruit is authorized pursuant to paragraph (g) of this section.
(i) Repackaging. If any grapefruit, lemons, or oranges are removed from their original shipping boxes and repackaged, the stickers required by paragraph (c)(5) of this section may not be removed or obscured and the new boxes must be clearly marked with all the information required by paragraph (c)(6) of this section.