

US Blueberry Fresh Market Access Issues

Attachments

- a. Oregon request to US Embassy Seoul for Assistance with market access for fresh blueberries, 2000.
- b. Aphis response to NABC telling us that there has not been any progress in seven years.
- c. APHIS rules to allow South Hemisphere blueberries into the USA.
- C1. APHIS Press Release touting progress on imports of Uruguayan blueberries into the USA.
- C2. US Embassy press release with quotes from President Bush on the importance of Uruguayan blueberry imports into the USA.
- C3. Uruguayan pests!
- D. North American Blueberry Council objection to APHIS rules.

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ODA Director negotiates trade opportunities with Korea

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Talks pave the way for Oregon blueberries, potatoes, & Christmas trees

ODA Director negotiates trade opportunities with Korea

October 5, 2000...Oregon Department of Agriculture Director Phil Ward met today with government officials in Seoul, Korea, urging them to allow greater access for Oregon agricultural products. The discussion has led to an official announcement by the U.S. Embassy in Korea that the United States will make a formal request of Korea to open its market to blueberries-- a development that could lead to Oregon being the first state to export fresh blueberries to Korea. Talks have also centered on increased opportunities for Oregon potatoes and Christmas trees.

The visit to Korea is part of an Asian tour that has included stops in China and Japan, where Ward is meeting with high level government officials and industry leaders.

In a meeting with a top official of Korea's National Plant Quarantine Service, Ward asked Korea to end its ban on fresh blueberries, expedite entry of Oregon Christmas trees and wreaths, and reclassify the custom codes at which dehydrated potatoes are assessed tariffs.

Ward estimates the potential for fresh blueberries in Korea to be very large, with Japan as a model. In 1997, Japan lifted its ban on fresh blueberries. One year later, the volume exported from the U.S. was 1.8 million pounds and is now at 3 million pounds. With a population of 47 million, compared to Japan's 125 million, Korea represents potential sales of about 680,000 pounds, with Oregon standing to take the lion's share of the business due to its proximity and reputation for quality. Blueberries are enjoying a wave of popularity in Asia, largely due to their health benefits.

The market for Oregon Christmas trees is equally impressive. About half the Korean population is Christian. Many Koreans celebrate Christmas with plastic trees, as the country does not have the volume or species of trees to develop a domestic market. Although not banned outright, imported Christmas trees are subject to stringent phytosanitary examination for pests and diseases by Korea, which presents a non-tariff barrier to trade, according to Ward. During his talks with the Korean government, Ward stressed the need for a transparent system with objective protocols that could be met through a program initiated by ODA's Plant Division.

Dehydrated potato flakes are subject to a prohibitively high tariff that discourages their purchase by Korean customers. Ward asked Korean

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agriculture officials to reassess the tariff.

The Asia mission is an example of ODA's role, through its Agricultural Development and Marketing Division, to negotiate access to international markets on behalf of Oregon companies.

For more information, contact Bruce Pokarney at (503) 986-4559.



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**Last edited:
June 28, 2007**

Thomas J. Payne

From: Michael.A.Guidicipietro@aphis.usda.gov
Sent: Thursday, July 05, 2007 12:13 PM
To: Thomas J. Payne
Cc: Jennifer.R.Lemly@aphis.usda.gov
Subject: Re: US Blueberries to Republic of Korea

Follow Up Flag: Follow up
Flag Status: Completed

Note: We have never seen any document, paper, technical request that has been made to the Korean government.

Tom:

Sorry for the delayed response.

Although it is true that our first market access request for blueberries to South Korea was back in 2000, the request we received was only for blues from Oregon. We did discuss this issue at our last bilateral meeting with Korea and they affirmed they received the technical information they requested and continue to work on the PRA.

I know these things take much longer than we would like and we will continue to prioritize the issue. If other States are interested in exporting to South Korea, we need a letter from you or other, specifying which states are interested. We will need to submit pest lists for the supplying states. However, I do not suggest we approach Korea to add additional states to their assessment at this time as it will undoubtedly slow the process down considerably.

Hope this helps.

Michael Guidicipietro
Deputy Director
Phytosanitary Issues Management
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(650) 876-9110 Ph
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06/28/2007 02:51
PM

"Michael A. Guidicipietro"
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To

cc

Subject
US Blueberries to Republic of Korea

Hello, and hope the wonderful Burlingame weather finds you at home.

The North American Blueberry Council (NABC) who I work with has asked if there has been any progress on allowance of fresh blueberries from the USA into Korea. We note that there was an official request from the US Embassy to the Korean government back in October 2000 to open the market for fresh blueberries. Last time we were back in Washington DC, we were told that something was in the works. Michael, our growers in 30 states are pretty bewildered at this point and would like to have some sort of yes no or maybe, a timeline or anything. To exasperate this, we received a copy of the Federal register that stated that APHIS and Uruguayan growers had completed work on market entry for Uruguayan blueberries in record time.

(Coincidentally, one month after a Presidential visit where blueberries were discussed.)

I am not looking for any official statement or promise. But, our guys are stirred up and if I am not able to give them any answers or hope, they may also begin to take steps down a political route. Thanks for any help or information you can provide.

Tom Payne

For the North American Blueberry Council

865 Woodside Way

San Mateo, CA 94401

650-340-8563

650-219-9695 (mobile)

Proposed Rules

Federal Register

Vol. 72, No. 107

Tuesday, June 5, 2007

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Parts 305 and 319

[Docket No. APHIS–2007–0061]

RIN 0579–AC40

Importation of Blueberries From South Africa, Uruguay, and Argentina With Cold Treatment

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to allow the importation into the continental United States of fresh blueberries from South Africa and Uruguay under certain conditions. As a condition of entry, the blueberries would have to undergo cold treatment and would have to be accompanied by a phytosanitary certificate issued by the national plant protection organization of the exporting country. This action would allow for the importation of blueberries from South Africa and Uruguay into the continental United States while continuing to provide protection against the introduction of quarantine pests. In addition, we are proposing to allow the use of cold treatment for blueberries imported into the United States from Argentina. This action would provide an alternative to the methyl bromide treatment that is currently required for blueberries imported from Argentina.

DATES: We will consider all comments regarding this proposed rule that we receive on or before July 20, 2007 and all comments regarding the information collection requirements associated with this proposed rule that we receive on or before August 6, 2007.

ADDRESSES: You may submit comments by either of the following methods:

Federal eRulemaking Portal: Go to <http://www.regulations.gov>, select “Animal and Plant Health Inspection

Service” from the agency drop-down menu, then click “Submit.” In the Docket ID column, select APHIS–2007–0061 to submit or view public comments and to view supporting and related materials available electronically. Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site’s “User Tips” link.

Postal Mail/Commercial Delivery: Please send four copies of your comment (an original and three copies) to Docket No. APHIS–2007–0061, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comment refers to Docket No. APHIS–2007–0061.

Reading Room: You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

Other Information: Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

FOR FURTHER INFORMATION CONTACT: Mr. Tony Román, Import Specialist, Commodity Import Analysis and Operation Staff, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737–1231; (301) 734–8758.

SUPPLEMENTARY INFORMATION:

Background

The regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56 through 319.56–8, referred to below as the regulations) prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of plant pests that are new to or not widely distributed within the United States.

The national plant protection organization (NPPO) of South Africa has requested that the Animal and Plant

Health Inspection Service (APHIS) amend the regulations to allow fresh blueberries (*Vaccinium* spp.) to be imported from South Africa into the continental United States. In addition, the NPPO of Uruguay has requested that APHIS amend the regulations to allow fresh blueberries (the highbush blueberries *Vaccinium corymbosum* L. and the rabbit-eye blueberries *Vaccinium virgatum* Aiton) to be imported from Uruguay into the continental United States. As part of our evaluation of South Africa’s and Uruguay’s requests, we prepared pest risk assessments (PRA) for each country, as well as a risk management document that covers both countries. For these risk assessments, we assumed that any blueberries imported into the United States would undergo minimal post-harvest fruit processing, which includes the commercial processes of culling, packing, and forced-air cooling, but no washing or other treatment. Copies of the PRAs and risk management document may be obtained from the person listed under **FOR FURTHER INFORMATION CONTACT** or viewed on the Regulations.gov Web site (see **ADDRESSES** above for instruction for accessing Regulations.gov).

The PRA prepared in response to South Africa’s request, titled “Qualitative Pathway-Initiated Risk Assessment of the Importation of Blueberry Fruits (*Vaccinium* species) from the Republic of South Africa into the United States” (April 2007), evaluates the risks associated with the importation of fresh blueberries into the continental United States from South Africa. The PRA and supporting documents identified one pest of quarantine significance, the Mediterranean fruit fly or Medfly (*Ceratitidis capitata*), present in South Africa that could be introduced into the United States via fresh blueberries. APHIS has determined that measures beyond standard port of entry inspection are required to mitigate the risks posed by this plant pest. Therefore, we propose to require that the blueberries be subjected to cold treatment in accordance with schedule T107–a, which is described in § 305.16 of the phytosanitary treatments regulations in 7 CFR part 305.

Treatment schedule	Temperature (°F)	Exposure period (days)
T107-a	34 or below	14
	35 or below	16
	36 or below	18

This cold treatment schedule has been proven effective in treating the Medfly on imported fruit from South Africa.

The PRA prepared in response to Uruguay's request, titled "Importation of fresh highbush and rabbit-eye blueberry (*Vaccinium corymbosum* L & *V. Virgatum* Aiton) fruit into the Continental United States from Uruguay" (April 2007), evaluates the risks associated with the importation of

fresh blueberries into the continental United States from Uruguay. The PRA and supporting documents identified two pests of quarantine significance, the Medfly and the South American fruit fly (*Anastrepha fraterculus*), that were selected for further analysis and determined to potentially present a risk of introduction into the United States via blueberries from Uruguay. APHIS has determined that measures beyond

standard port of entry inspection are required to mitigate the risks posed by these plant pests. Therefore, we propose to require that the blueberries be subjected to cold treatment in accordance with schedule T107-a-1, which is described in § 305.16 of the phytosanitary treatments regulations in 7 CFR part 305.

Treatment schedule	Temperature (°F)	Exposure period (days)
T107-a-1	34 or below	15
	35 or below	17

This cold treatment schedule has been proven effective in treating the Medfly, as well as several species of *Anastrepha*, including the South American fruit fly, on imported fruit from South America.

In addition to requiring cold treatment, we would limit the importation of fresh blueberries from South Africa and Uruguay to commercial shipments only and require that each shipment of fruit from South Africa and Uruguay be accompanied by a phytosanitary certificate issued by the NPPO of the importing country. Produce grown commercially is less likely to be infested with plant pests than noncommercial shipments. Noncommercial shipments are more prone to infestations because the commodity is often ripe to overripe and is often grown with little or no pest control. Commercial shipments, as defined in § 319.56-1, are shipments of fruits and vegetables that an inspector identifies as having been produced for sale and distribution in mass markets. Identification of a particular shipment as commercial is based on a variety of indicators, including, but not limited to, the quantity of produce, the type of packaging, identification of a grower or packinghouse on the packaging, and documents consigning the shipment to a wholesaler or retailer.

The proposed conditions described above for the importation of fresh blueberries from South Africa and Uruguay into the continental United States would be added to the fruits and vegetables regulations as a new

§ 319.56-2vv. In addition, we would also amend the table in § 305.2(h)(2)(i) of the phytosanitary treatments regulations to add entries for fresh blueberries from South Africa and Uruguay and to designate cold treatment schedule T107-a for South African blueberries and T107-a-1 for Uruguayan blueberries as approved treatments for the specific pests named in this document.

Argentina

The regulations currently allow blueberries from Argentina to be imported into the United States only after fumigation with methyl bromide using treatment schedule T101-i-1-1. This is an approved treatment schedule for mitigating the risks associated with the Medfly, which was found to be present in part of Argentina. In addition to the Medfly, the South American fruit fly is also present in Argentina. Previously, we did not have specific information that blueberry is a host of the South American fruit fly, but research has since demonstrated that blueberry is a host of both the Medfly and the South American fruit fly. Because treatment schedule T101-i-1-1 has been proven effective in treating the South American fruit fly as well as the Medfly, the risks associated with South American fruit fly have already been addressed through that treatment schedule. To reflect the identification of the South American fruit fly as a pest of blueberries from Argentina, we would amend the entry for blueberries from

Argentina in § 319.56-2x to include the South American fruit fly with the Medfly as a pest of blueberry fruit that requires mitigation unless the fruit is grown in a fruit fly-free area.

In May 2006, the NPPO of Argentina requested that APHIS allow the use of cold treatment as an alternative treatment to meet the United States entry requirements for blueberries from Argentina. After receiving this request, we reviewed the data supporting the request and determined that there is no statistical difference in the cold treatment susceptibility of the Medfly and the South American fruit fly when infesting various citrus cultivars. Based on that evaluation, we determined that cold treatment would also mitigate the pest risk associated with these fruit fly species in blueberries and would serve as an effective substitute for the methyl bromide treatment T101-i-1-1. Therefore, we are proposing to amend § 305.2(h) to provide for the use of cold treatment on blueberries from Argentina. This would be a more environmentally favorable option to the currently required methyl bromide fumigation treatment.

Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been reviewed under Executive Order 12866. The rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

We are proposing to allow the importation into the continental United States of fresh blueberries from South Africa and Uruguay under certain conditions. As a condition of entry, the blueberries would have to undergo cold treatment and would have to be accompanied by a phytosanitary certificate issued by the NPPO of the importing country. This action would allow for the importation of blueberries from South Africa and Uruguay into the continental United States while continuing to provide protection against the introduction of quarantine pests. In addition, we are proposing to allow the use of cold treatment for blueberries imported into the United States from Argentina. This action would provide

an alternative to the currently approved methyl bromide treatment.

The Regulatory Flexibility Act requires agencies to evaluate the potential effects of their proposed and final rules on small businesses, small organizations, and small governmental jurisdictions. Section 603 of the Act requires an agency to prepare and make available for public comment an initial regulatory flexibility analysis (IRFA) describing the expected impact of a proposed rule on small entities, unless the head of the agency certifies that the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. APHIS has prepared this IRFA in fulfillment of this requirement. We welcome public comment on expected small-entity effects of the proposed rule.

The United States is the largest producer of blueberries, supplying more than half the world's production (55 percent). Canada follows with 28 percent of world supplies and Poland comes third with 10 percent of the world's blueberry fruit production.

Michigan, Maine, and New Jersey are the leading States in U.S. blueberry production. Combined, these three States produce more than half of all U.S. blueberries (table 1). Nine States account for 98 percent of U.S. production. Fresh blueberries require harvesting by hand, whereas blueberries destined for processing can be machine-harvested. The cost of farm labor is considerably higher in the United States than in many other countries.

TABLE 1.—U.S. PRODUCTION AND VALUE OF BLUEBERRIES FOR THE FRESH MARKET IN 2005 AND FARM ACREAGE IN 2002 BY MAJOR STATES

State	2005		2002	
	(metric tons)	(million dollars)	number of acres	number of farms
Michigan	29,937.1	\$83.5	17,274	590
Maine	26,988.7	39.0	293	116
New Jersey	20,411.7	55.5	7,468	240
Oregon	15,648.9	33.3	3,887	659
North Carolina	11,793.4	36.7	5,009	267
Georgia	11,793.5	31.8	4,451	408
Washington	8,890.4	19.2	2,569	289
California	4,127.7	40.6	827	97
Florida	2,358.7	32.8	1,646	343
Sum	131,950 (98%)	372.3 (98%)	43,424 (84%)	3,009 (47%)
Rest of United States	3,070.9	9.1	8,578	3,419
United States total	135,021.0	381.4	52,002	6,428

Sources: USDA/NASS New England, Oregon, and Washington field offices; North American Blueberry Council; Table 33—Berries Harvested for Sale, 2002 U.S. Census of Agriculture by State, pp. 496–497, USDA/NASS; and Table D–2. Blueberries: Commercial Acreage, Production, and Value, Fruit and Tree Nuts Situation and Outlook Yearbook, October 2006, USDA/ERS.

In 2005, the United States produced 135,021 metric tons of highbush blueberries destined for the fresh market, valued at \$381 million. In the United States, highbush blueberries are harvested from April to early October with the majority of the blueberries picked from mid-June to mid-August.

Between 1995 and 2005, total U.S. blueberry consumption increased by 47 percent, from 13 ounces to 20 ounces per person. Most of the increase has been in the fresh market with a doubling in fresh consumption, from 4.3 ounces per person in 1995 to 8.7 ounces in 2005.

Table 2 shows U.S. imports and exports of fresh blueberries for the past 3 years. The United States is a net importer, and our major foreign supplier of fresh blueberries (by value) is Canada. Annual U.S. imports of fresh blueberries averaged 29,469 metric tons between 2004 and 2006.

TABLE 2.—U.S. IMPORTS AND EXPORTS OF FRESH BLUEBERRIES, 2004–2006

Year	U.S. imports	U.S. exports	Net imports
(million dollars)			
2004	\$91.03	\$29.40	\$61.63
2005	109.82	45.60	64.22
2006	155.14	55.70	99.44
(metric tons)			
2004	28,887.30	15,183.80	13,693.50
2005	26,335.70	22,588.90	3,746.80
2006	32,601.50	22,952.30	9,649.20

Source: U.S. Dept. of Commerce, Bureau of Census, as reported by Global Trade Information Services.

Note: Based on the Harmonized Schedules 0810400028 and 0810400024.

Argentina has supplied about 3 percent of the U.S. imports of fresh blueberries, or 880 metric tons, over the last 3 years. In 2006, Argentina reported 4,000 acres of land devoted to blueberry production, a 35 percent increase since 2003.

The Uruguayan Government Statistics office indicates that Uruguay started producing blueberries in 2003, with 65 metric tons harvested that year. In the following 3 years, Uruguay produced 80, 120, and 200 metric tons, respectively. For 2007 through 2009, crop volumes of around 500, 1,200, and 2,000 metric tons are forecast.

The Government of Uruguay has indicated its intention to export between 200 and 1,200 metric tons of fresh blueberries annually for the next 3 years starting in 2007, with 200 metric tons shipped annually to the continental United States (an amount that exceeds Uruguay's total exports of fresh blueberries in recent years).¹ Even if this export target were met, imports from Uruguay would represent less than 1 percent of U.S. imports of fresh blueberries in 2006.

Uruguay's main export season for fresh blueberries is between November and April. During this season, the supply of fresh blueberries by U.S. producers is limited. Fresh blueberries are generally harvested in the United States by early May through the beginning of September. U.S. domestic shipments of fresh blueberries reach their highest volume between late June and mid-August.

APHIS does not have data on South African production of blueberry fruits (*Vaccinium* spp.). Foreign Agricultural Service statistics indicate that South Africa exported an annual average of 75 metric tons of *Vaccinium* spp. between 2000 and 2004. Specifically, in 2000 the Republic of South Africa exported 3 metric tons, then in the following 4 years, 90, 83, 86, and 109 metric tons, respectively. In sum, the quantities of fresh blueberry expected to be imported into the United States from Uruguay and the Republic of South Africa are small, representing less than 1 percent of U.S. imports and less than one-tenth of 1 percent of the United States' domestic supply (production plus imports minus exports). Moreover, blueberry production in these two countries takes place during our winter months; their blueberry shipments to the United States would largely compete with

blueberry imports from other countries. We do not expect the changes we are proposing would have a significant economic impact on U.S. entities. U.S. entities that could be affected by the proposed changes are domestic producers of fresh blueberries and wholesalers that import fresh blueberries. Businesses producing fresh blueberries are classified in the North American Industry Classification System (NAICS) within the category of Other Vegetable (except Potato) and Melon Farming (NAICS code 111219). The Small Business Administration's (SBA) small-entity definition for these producers is annual receipts of not more than \$750,000. Firms that would import fresh blueberry fruits from Uruguay and the Republic of South Africa are defined as small entities if they have 100 or fewer employees (NAICS code 424480, Fresh Fruit and Vegetable Merchant Wholesalers).²

In general, firms engaged in production or importation of agricultural commodities are predominantly small. We believe that most if not all of the businesses affected by the proposed rule would be small.

We do not know the exact number of U.S. producers of fresh blueberries. According to the 2002 Census of Agriculture for the States where blueberries are produced, there were at least 6,428 farms growing blueberries in 52,000 acres of land (table 1). The majority of these farms (84 percent) are located in nine States. We do not know the percentage of blueberry farms that produce blueberries for the fresh market. Also, we do not know their size, but in general, such entities are predominantly small. The United States Census does not report sales receipts by farm or any other unit. The average farm size in these nine States is 15 acres, whereas the average farm size in the remainder of States that grow blueberries is 2.5 acres. We welcome information that the fresh blueberry industry or general public may provide on the number and size of entities that could be affected by the proposed rule.

Executive Order 12988

This proposed rule would allow blueberries to be imported into the continental United States from South Africa and Uruguay and would provide an alternative treatment for blueberries from Argentina. If this proposed rule is adopted, State and local laws and regulations regarding blueberries

imported under this rule would be preempted while the fruit is in foreign commerce. Fresh fruits are generally imported for immediate distribution and sale to the consuming public and would remain in foreign commerce until sold to the ultimate consumer. The question of when foreign commerce ceases in other cases must be addressed on a case-by-case basis. If this proposed rule is adopted, no retroactive effect will be given to this rule, and this rule will not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

In accordance with section 3507(d) of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the information collection or recordkeeping requirements included in this proposed rule have been submitted for approval to the Office of Management and Budget (OMB). Please send written comments to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for APHIS, Washington, DC 20503. Please state that your comments refer to Docket No. APHIS-2007-0061. Please send a copy of your comments to: (1) Docket No. APHIS-2006-0061, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238, and (2) Clearance Officer, OCIO, USDA, room 404-W, 14th Street and Independence Avenue, SW., Washington, DC 20250. A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this proposed rule.

APHIS is proposing to allow the importation into the continental United States of fresh blueberries from South Africa and Uruguay under certain conditions. As a condition of entry, the blueberries would have to undergo cold treatment and would have to be accompanied by a phytosanitary certificate issued by the national plant protection organization of the exporting country. This action would allow for the importation of blueberries from South Africa and Uruguay into the continental United States while continuing to provide protection against the introduction of quarantine pests.

We are soliciting comments from the public (as well as affected agencies) concerning our proposed information collection and recordkeeping requirements. These comments will help us:

(1) Evaluate whether the proposed information collection is necessary for the proper performance of our agency's functions, including whether the information will have practical utility;

¹ Uruguay started exporting fresh blueberries in 2003, with an amount of 250 kilograms or 0.4 metric ton. The following 3 years, 2004-2006, Uruguay exported 3.8, 18.7 and 94.2 metric tons, respectively. Source: Uruguayan Government, Ines Ares (personal communication).

² The wholesale sector comprises two types of wholesalers: Those that sell goods on their own account and those that arrange sales and purchases for others for a commission or fee. Importers are included in both cases.

(2) Evaluate the accuracy of our estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the information collection on those who are to respond (such as through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses).

Estimate of burden: Public reporting burden for this collection of information is estimated to average 0.5 hours per response.

Respondents: NPPOs, importers of blueberries.

Estimated annual number of respondents: 30.

Estimated annual number of responses per respondent: 276.

Estimated annual number of responses: 8,280.

Estimated total annual burden on respondents: 4,140 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual

number of responses multiplied by the reporting burden per response.)

Copies of this information collection can be obtained from Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 734-7477.

E-Government Act Compliance

The Animal and Plant Health Inspection Service is committed to compliance with the E-Government Act to promote the use of the Internet and other information technologies, to provide increased opportunities for citizen access to Government information and services, and for other purposes. For information pertinent to E-Government Act compliance related to this proposed rule, please contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 734-7477.

List of Subjects

7 CFR Part 305

Irradiation, Phytosanitary treatment, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements.

7 CFR Part 319

Coffee, Cotton, Fruits, Imports, Logs, Nursery stock, Plant diseases and pests,

Quarantine, Reporting and recordkeeping requirements, Rice, Vegetables.

Accordingly, we propose to amend 7 CFR parts 305 and 319 as follows:

PART 305—PHYTOSANITARY TREATMENTS

1. The authority citation for part 305 would continue to read as follows:

Authority: 7 U.S.C. 7701-7772 and 7781-7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

2. In § 305.2, the table in paragraph (h)(2)(i) would be amended as follows:

a. Under Argentina, by revising the entry for "Blueberry" to read as set forth below.

b. Under South Africa, by removing the entry for "Apple, grape, pear" and adding a new entry for "Apple, blueberry, grape, pear" in its place to read as set forth below.

c. In the entry for Uruguay, by adding an entry for "Blueberry" to read as set forth below.

§ 305.2 Approved treatments.

- * * * * *
- (h) * * *
- (2) * * *
- (i) * * *

Location	Commodity	Pest	Treatment schedule
Argentina	Blueberry	<i>Anastrepha capitata</i> , <i>fraterculus</i> , <i>Ceratitis</i>	CT T107-a-1 or MB T101-i-1-1.
South Africa	Apple, blueberry, grape, pear	<i>Ceratitis capitata</i>	CT T107-a.
Uruguay	Blueberry	<i>Anastrepha capitata</i> , <i>fraterculus</i> , <i>Ceratitis</i>	CT T107-a-1.

PART 319—FOREIGN QUARANTINE NOTICES

3. The authority citation for part 319 would continue to read as follows:

Authority: 7 U.S.C. 450, 7701-7772, and 7781-7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

4. In § 319.56-2x, the table in paragraph (a) would be amended by revising, under Argentina, the entry for "Blueberry" to read as follows:

§ 319.56-2x Administrative instructions; conditions governing the entry of certain fruits and vegetables for which treatment is required.

- (a) * * *

Country locality	Common name	Botanical name	Plant part(s)
Argentina	Blueberry	Vaccinium spp	Fruit. (Treatment for South American fruit fly and Medfly not required if fruit is grown in a fruit fly-free area (see § 319.56-2(j)).

5. A new § 319.56-2vv would be added to read as follows:

§ 319.56-2vv Administrative instructions: conditions governing the importation of blueberries from South Africa and Uruguay.

Blueberries from South Africa (*Vaccinium* spp.) and Uruguay (*Vaccinium corymbosum* L. and *Vaccinium virgatum* Aiton) may be imported into the continental United States only under the following conditions:

(a) Blueberries from South Africa must be cold treated for *Ceratitis capitata* in accordance with part 305 of this chapter. Blueberries from Uruguay must be cold treated for *Ceratitis capitata* and *Anastrepha fraterculus* in accordance with part 305 of this chapter.

(b) Each shipment of blueberries must be accompanied by a phytosanitary certificate of inspection issued by the national plant protection organization of the importing country.

(c) The blueberries may be imported in commercial shipments only.

Done in Washington, DC, this 31st day of May 2007.

Kevin Shea,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E7-10818 Filed 6-4-07; 8:45 am]

BILLING CODE 3410-34-P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Federal Credit Union Bylaws

AGENCY: National Credit Union Administration (NCUA).

ACTION: Proposed rule.

SUMMARY: NCUA is proposing to reincorporate the Federal Credit Union (FCU) Bylaws into NCUA regulations. This change clarifies NCUA's ability to use a range of enforcement authorities, in appropriate cases, to enforce the FCU

Bylaws. In addition, NCUA is adding a bylaw provision on director succession, an issue it has previously addressed in legal opinions, and is revising the introduction to the Bylaws to conform it to these changes.

DATES: Comments must be received by August 6, 2007.

ADDRESSES: You may submit comments by any of the following methods (Please send comments by one method only):

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *NCUA Web Site:* http://www.ncua.gov/RegulationsOpinionsLaws/proposed_regs/proposed_regs.html. Follow the instructions for submitting comments.

• *E-mail:* Address to regcomments@ncua.gov. Include "[Your name] Comments on FCU Bylaws" in the e-mail subject line.

• *Fax:* (703) 518-6319. Use the subject line described above for e-mail.

• *Mail:* Address to Mary Rupp, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428.

• *Hand Delivery/Courier:* Same as mail address.

Public inspection: All public comments are available on the agency's Web site at <http://www.ncua.gov/RegulationsOpinionsLaws/comments> as submitted, except as may not be possible for technical reasons. Public comments will not be edited to remove any identifying or contact information. Paper copies of comments may be inspected in NCUA's law library, at 1775 Duke Street, Alexandria, Virginia 22314, by appointment weekdays between 9 a.m. and 3 p.m. To make an appointment, call (703) 518-6546 or send an e-mail to OGC Mail@ncua.gov.

FOR FURTHER INFORMATION CONTACT: Elizabeth Wirick, Staff Attorney, Office of General Counsel, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428 or telephone: (703) 518-6540.

SUPPLEMENTARY INFORMATION:

A. Background

The Federal Credit Union Act (the Act) requires the NCUA Board to prepare bylaws that "shall be used" by FCUs and authorizes NCUA to enforce FCU Bylaws through charter suspension and liquidation. 12 U.S.C. 1758, 1766. Until 1982, the FCU Bylaws were incorporated by reference in NCUA's regulations. NCUA's authority to enforce bylaw violations through less severe administrative remedies then was clear because such violations could be viewed as a violation of NCUA's regulations, thus enabling NCUA to bring a variety of administrative enforcement actions to effect compliance in appropriate cases.

In 1982, the Bylaws were removed from the regulations as part of a general deregulatory effort. At that time, three separate sections of NCUA regulations incorporated the FCU Bylaws by reference. 12 CFR 701.2, 701.3, 701.14 (1982). Another section required NCUA approval of any bylaw amendments. 12 CFR 701.4 (1982). NCUA deleted two of the sections incorporating the Bylaws by reference, as well as the regulation requiring NCUA approval of amendments, in two final rules issued in 1982. 47 FR 23685 (June 1, 1982); 47 FR 46249 (Oct. 18, 1982).

These rules were one result of a comprehensive review of agency regulations NCUA undertook in the early 1980s in an effort to eliminate redundant or outdated requirements. The goal of this process was to reduce the number and complexity of NCUA regulations and delete guidance found in other publications. 47 FR 46249 (Oct. 18, 1982). The Bylaws were only one of several items deleted from incorporation by reference in the 1982 rules cited above. One of the rules also deleted the NCUA Accounting Manual and Data Processing Guidelines from incorporation by reference. 47 FR 23685 (June 1, 1982). The other also deleted references to chartering procedures contained elsewhere in NCUA guidance.



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ESPAÑOL

Proposed Rule for Importation of Blueberries From Uruguay Published

APHIS to consider all public comments submitted on or before July 20, 2007

Posted: June 5, 2007

Today, the Animal and Plant Health Inspection Service of the United States Department of Agriculture (USDA APHIS) announced the publication in the Federal Register of the proposed rule for the importation of blueberries from Uruguay to the continental United States. USDA APHIS also congratulated the Uruguayan Ministry of Livestock, Agriculture and Fisheries - General Direction of Agricultural Services (MGAP DGSA) for their job in sharing and communicating to APHIS the sanitary information of this crop in Uruguay.



Due to the joint effort between DGSA and APHIS the pest risk assessment and the proposed rule were finalized in record time. This proposed rule will allow, once the comments are analyzed and answered, the publication of the final rule for the importation of fresh blueberries into the U.S.

The rule, *Importation of Blueberries From South Africa, Uruguay, and Argentina With Cold Treatment*, is available and open for public comment online at <http://www.regulations.gov/>, by selecting "Animal and Plant Health Inspection Service" from the agency drop-down menu, then click "Submit." In the Docket ID column, select APHIS-2007-0061 to submit or view public comments and to view supporting and related materials available electronically. APHIS will consider all public comments regarding this proposed rule that are received on or before July 20, 2007.

The APHIS office in Montevideo is available to answer any questions regarding this rule, either by phone at 1770-2441 or by email to: Ricardo.Romero@aphis.usda.gov.

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Office of the Press Secretary
March 10, 2007

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President Bush and President Vázquez of Uruguay Participate in Joint Press Availability

Visitors Center
Anchorena Park, Uruguay

[President's Trip to Latin America](#)

11:53 A.M. (Local)

PRESIDENT VÁZQUEZ: (As translated.) Mr. President of the United States of America, Madam Secretary of State, members of the delegation visiting us, the Minister of State, the Ambassador of the United States of America in Uruguay, the Ambassador of Uruguay in the United States of America, ladies and gentlemen journalists.

Mr. President, I would like to welcome you together with the very prestigious delegation that is with you. Mr. President, you represent a people that is a friend of the Uruguayan people. We have historical and friendly relations uniting these two countries, these two peoples. These are firm, respectful relations with solidarity.

In this sense, I would like to give an example with two elements which I think are of significance. First of all, Mr. President, thousands of Uruguayan citizens live in the United States of America and have found in that country a standard of living that they did not have in our country and that forced them to migrate. They bettered themselves there, they have their own families, their work, they have studied, they have health and education for their children. Therefore, this is a very clear element of what the United States people have given to the Uruguayan people.

Undoubtedly, there are many Uruguayans who are waiting, pending legalization of the situation in this country,



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but I believe your solidarity will help our citizens to be able to live legally in your country.

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And the second example I would like to mention is something that we Uruguayans recall very well. When we underwent the most severe economic crisis of our history, where Uruguay was living a very moving and very serious condition, your country, and you, in particular, Mr. President, gave us a hand to help Uruguay to leave that situation in which it was and fought for a way to recovery that we are now trying to consolidate.

Sixteen years ago another President of the United States visited our country -- it was 5 December 1990, and this President was your father. At that time I was the mayor of the city of Montevideo, and I handed him the keys of the city of Montevideo. We had a brief exchange with President Bush, your father, and I recall a statement: "Let us," he said, "leave aside our differences, as we do have certain differences, and let us follow the path of agreement and coincidences that we also have." The defense of democracy as an organization and as a functioning of our societies, but rather as a style of life; the defense of freedoms and the determined struggle to improve the standards of living of our people, giving them work, education and health, are common elements that permit us to think that we may continue working beyond our differences, Mr. President.

With these words I would like to say that the path we have followed and the dialogue we had today with the President of the United States is precisely this one: to try and increase our trade exchanges, the possibility of placing the fruits of our worker in the markets of the United States of America; try and increase the scientific, technological, cultural exchange with our brother country, and see how together we may have a better standard of living for our people.

Mr. President, members of the U.S. delegation, I hope you may feel at home here. Most welcome.

PRESIDENT BUSH: Thank you, Mr. President. I feel very much at home. You know, it's -- in my state of Texas, when you invite somebody to your estancia, it's a sign of respect. And I thank you very much for this warm gesture of hospitality, but after all, you are Tejano. (Laughter.)

We've had -- this is our second meaningful dialogue. I remember so well your visit to the Oval Office. You were very articulate about your desire to improve the lives of all people in your country. I was impressed then by your compassion and your care.

I was expecting to see a beautiful country when I came here, and that is precisely what I have seen. Your capital city is magnificent. The architecture is really beautiful. And then, of course, we come up to this beautiful place that is so peaceful, and reminds me of the great natural resources that your country has.

We discussed a lot of subjects. First of all, Mr. President, I completely agree with the spirit of our conversations, that we will find common ground and we will advance that common ground for the benefit of our respective peoples.



One place we have common ground is the respect for human rights and human dignity, respect for rule of law; we welcome a free press -- most of the time. (Laughter.) No, all the time. We honor elections. And Uruguay is a strong example of the stability that can come with democracy. But you also recognize that which I recognize, that you can't take democracy for granted, that the people have to see tangible benefits.

And so on my trip to South America and Central America, I want to remind people that the United States and its compassionate people care deeply about issues such as education and health, issues that you're concerned about. We spent a lot of time talking about education, and I suspect most Americans don't know that we're actively involved in helping the President institute a program for youngsters to become more literate, particularly in English. We want to continue helping.

We spent time talking about how we can exchange students in a more -- in a better way. We talked about exchanging ideas, that our experts sit down at the same table to discuss issues such as alternative fuels. In my trip to Brazil yesterday we spent time talking about alternative fuels and the need for the United States and Brazil to work together -- it's the same conversation we had in Uruguay.

We talked about the fact that -- or at least I talked about the fact -- the President is a modest man, but I talked about the fact that the Uruguayan economy is growing at -- estimated at 7 percent. And I congratulate you, sir, on creating the conditions so that people feel comfortable making investments that cause economies to grow, and that we want to work together to continue to advance the progress we have made on trade and investment at a pace that both our peoples will be comfortable with.

I want to thank you very much for your commitment to democracy and peace in our neighborhood. I congratulate you and the people of Uruguay for providing peacekeepers to Haiti and to the Congo. It is a gesture of a strong nation to reach out to help others realize the benefits of a free society. And you've sent a strong and powerful message.

Finally, I do want to say something about immigration in the United States. The President has spoken eloquently to me about the need for there to be a immigration policy that upholds the values of America. I explained to him that it is my interest to get a comprehensive immigration bill out of the United States Congress as soon as possible. I look forward to working with both Republicans and Democrats, Mr. President, to do what is right to uphold the laws of the United States, but at the same time, recognize that, on the one hand, we can't grant automatic citizenship, nor on the other hand, can we kick people out. And so, therefore, there's got to be a rational way forward.

And I pledge to you, as a man who is concerned about people from your country that may be living in the United States, that I will work as hard as I can to have a compassionate and rational immigration law that respects the rule of law, but also respects the great traditions of the United States, a tradition which is a



welcoming society, a tradition that says that we welcome our diversity because we believe in our diversity. We can find the strength of our nation.

And so I've been -- I'm really looking forward to this trip. I'm especially looking forward to the asado. I appreciate the -- I appreciate your willingness to cook some Uruguayan beef. You've told me all along how good it is, and after we answer a few questions, we're about to find out.

So, Mr. President, thank you for your hospitality.

Q My question is addressed to President George Bush. Bearing in mind the regional context governed by Presidents such as Vázquez or Chavez, especially, what similarities and what differences do you find amongst them? And what is your opinion about President Vázquez and Uruguay?

PRESIDENT BUSH: The temptation is to try to get people to talk about their differences. I want to talk about our commonalities. We share respect for each other. We respect our countries, we respect our history and traditions, and we share a great respect for a government that -- where the people decide who's in charge.

Interestingly enough, we both have gotten rid of colonial powers in our past, and it is -- I think it is that heritage that makes Uruguay and the United States such natural partners. We talk about the need to invest and to grow economies through investment. That's a common ground that leads to a positive relationship.

We both recognize that education is vital for the success of our respective countries. When we find illiteracy in the United States, that's where we find poverty, oftentimes. And, therefore, education policy is focused on improving the lives of all by giving people the skills necessary to compete in the 21st century.

I think many people in my country don't know that Uruguay is the leading exporter of software in South America. It means that one of the great assets of this country is the brain power of the country. Oftentimes when you think of a country like Uruguay, you think of natural resources -- fantastic farms, a lot of cows, and lambs, and blueberries -- which, by the way, came up today in our conversation. But I think it is hopeful for both our countries to know that a friend is a leading exporter of something that requires the ingenuity and brainpower of its citizens. And so we find common ground there as to how to work together.

This is a -- I would call this meeting very constructive and very hopeful and very positive. And the reason why is because we've got so much in common. There's a lot more that unites us than divides us, Mr. President, and I appreciate the chance to visit with you.

Tony.

Q President Bush --

PRESIDENT BUSH: Bret Baier. So the guy -- I'm 60 years old and he thinks I can't hear. (Laughter.)

Q Sorry about that. Mr. President, the FBI acknowledged that some agents used post-9/11 powers to demand

personal information on Americans. What do you say to people who are concerned about the use of these national security letters? And in the wake of how these letters were used, do you still have confidence in Attorney General Gonzales and FBI Director Mueller?

PRESIDENT BUSH: I was briefed by the Attorney General and the Director of the FBI on this subject last week. We spent a lot of time talking about the IG report. First of all, I want to compliment the IG for good and necessary work. They brought the findings of this good work to my attention. My question is, what are you going to do to solve the problem and how fast can you get it solved?

And I was pleased by Director Mueller's answer, that he had already begun to address some of the problems, but there's more work to be done. I thought his testimonies the other day were very good; he took responsibility, as he should have. And I have confidence in Director Mueller, as I do in the Attorney General.

I want to remind you, Bret, and others that the IG report, which justly made issue of FBI shortfalls, also made it clear that these letters were important to the security of the United States. And so we'll address the problems in the report, and those problems will be addressed as quickly as possible.

Q Good afternoon. The first question is addressed to President Bush. You recognize the protectionist obstacles in your government. How flexible may your administration be on making progress in a trade agreement with Uruguay, and what agreement has been reached today?

And the second question for both Presidents. President Vázquez, did you ask President Bush to intercede in the differences that Uruguay and Argentina have --

PRESIDENT BUSH: We spent a lot of time talking about how to address Uruguayan concerns about market access for certain products. The President talked about a variety of issues when it comes to trade. He felt like the quotas on certain items, such as cows and sheep, was not fair, and I told him I would absolutely consider requests he made.

You thought I was teasing about blueberries, but I wasn't. It turns out Uruguay produces a fantastic blueberry. And the fundamental question is, will that blueberry -- will the blueberry grower be able to sell product into the United States?

So we talked about a variety of produce. And I told the President, I said, you can't solve problems unless you put the problems on the table, and that where we could help, we would, and where we couldn't, I would give an explanation as to why not.

Now, you brought up protectionist tendencies, and I'm concerned about protectionist tendencies, not only with our own country, but around the world. I happen to believe a world that trades freely and fairly is a world that is more likely to be able to address poverty. And therefore, I'm a strong supporter of completing the Doha Round of the WTO.

I shared with the President about our strategies as to advance the Doha Round. I spent a lot of time with President Lula -- he was most interested in our conversations, and I shared our conversations. I didn't betray any confidences, of course, but I talked to him about how we need to advance the Doha Round. The United States is fully prepared to reduce agricultural subsidies, as I explained to the President. We just want to make sure there is market access for our products. And that's what I told President Lula, that's what I've told the Europeans, and that's what I shared with the President.

I'm optimistic we can get a deal done. As a matter of fact, our Trade Minister is -- Susan Schwab has remained in São Paulo to talk to her Brazilian counterpart, all aiming at continuing to make progress toward what is a complicated, but necessary deal.

Thank you.

PRESIDENT VÁZQUEZ: As an answer to your first question, I fully agree with what has just been expressed by the President of the United States. We have created a plan starting with this meeting, where our experts, our ministers are going to discuss and make progress on issues of bilateral relationships.

Now, concerning the general multilateral situation, Uruguay has made clear its position in the defense of free trade and tried to have a drop of tariffs and subsidies, which hinder the sale of our great cultural products, particularly. But we have also analyzed the possibility of making progress with the GSP, particularly on certain issues that are going to be considered in the coming weeks.

As to the second part of your question, I have not talked about the problems we have with the republic of Argentina with the President of the United States, amongst other things, because in a few days from now -- in a few weeks, and thanks to the conciliation of His Majesty, the King of Spain, we are going to get closer. We're not going to negotiate. We're going to have a dialogue between the two governments in order to find a friendly way out. We're going to try to come to an understanding and to be able to solve the very sad differences that we have with our brethren of Argentina.

Q Thank you, Mr. President and Mr. President. For President Bush, Hugo Chavez suggested that you are afraid to mention his name. So, are you? And how much of a threat is he to the United States' interests in the hemisphere?

And, President Vázquez, can you discuss at all your position between trying to broaden ties to the United States in terms of trade, but also indicate to your own neighbors that you are -- want to remain integrated in South American trade?

PRESIDENT BUSH: I've come to South America and Central America to advance a positive, constructive diplomacy that is being conducted by my government on behalf of the American people.

My message to the people in our neighborhood is that we care about the human condition and that we believe the human condition can be improved in a variety of ways -- one, investment. And so the question is, how can we have constructive dialogue with our neighbors as to how to spread the benefits of investment?

I also am reminding people that the United States taxpayer is most generous when it comes to bilateral aid. Since I've been the President, we've doubled the amount of annual bilateral aid to Latin America from \$800 million a year to \$1.6 billion a year. And most of the money is aimed at social justice programs, programs like education and health care.

I also know full well that -- and I saw this firsthand yesterday in Sao Paulo -- that many American NGOs and faith-based groups and individuals express their concern about the plight of the poor through programs and activities all aimed at giving people a chance. Yesterday in São Paulo we went to a pretty wealthy neighborhood, but it was surrounded by a favela. And there we found in the midst of hopelessness there was a little center of love. And some of the program money had been raised as a result of concerts in the United States, where citizens, average citizens contribute to make sure this program remain viable.

And so the trip is a statement of desire to work together with people in our neighborhood. I've been to Central and South America a lot since I've been the President, because I fully understand a prosperous and peaceful neighborhood is in the interest of the United States of America.

I would call our diplomacy quiet and effective diplomacy -- diplomacy all aimed at helping people, aimed at elevating the human condition, aimed at expressing the great compassion of the American people.

And, Mr. President, I appreciate you giving me a chance to come and visit with you, have a dialogue about how we can advance our interests and the interests of our neighborhood.

PRESIDENT VÁZQUEZ: Concerning your question, the strategy for international insertion of Uruguay is quite well defined and quite clear. We are in favor of an open integration process. We are strongly in favor of the regional process. We are where we are and we don't want to leave this place. And the trade we have and the cultural, historical relationships that we have with our brethren countries in the region are very solid, very strong. But we don't want a close integration process, but an open integration process.

This Mercosur should be able to integrate to other blocks or other countries of the world and also each of the members of this process -- for example, Uruguay -- might be able to exercise its sovereign right of developing bilateral relations with other integration processes or other countries. It is in this sense that we are working, and it is in this sense that we are holding with the President of the United States.

Thank you, Mr. President.

END 12:18 P.M. (Local)



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MGAP Visit to Argentina Fumigation Plants for Blueberries

The Uruguayan Ministry of Agriculture (MGAP) requested the Argentine Animal Health Service (SENASA) for cooperation in a visit to a Methyl Bromide (MB) fumigation facility for the treatment of blueberries in Concordia, Argentina. The United States Department of Agriculture – Animal and Plant Health Inspection Service (USDA-APHIS) was on hand to answer question from the MGAP officials regarding the operation of the fumigation chamber and the exportation to the US of treated blueberries. Uruguay foresees the eventual approval to export their blueberries to the US under the required fumigation treatment for *Ceratitis capitata* and *Anastrepha fraterculus*, which are two pests that have been proven to attack blueberries in this region of South America.



Methyl Bromide fumigation/ Fumigación con bromuro de Metilo



Blueberries

###

Published: December 21, 2006

(Response to FEDERAL REGISTER regarding the current rule changes to allow the importation of fresh blueberries from Uruguay in the USA.)

My name is Tom Payne, and I am a consultant to the North American Blueberry Council (NABC). Our organization was founded in the 1960s and represents highbush (cultivated) blueberry growers from throughout the United States and Canada. The purpose of our organization is to work cooperatively to create a dynamic and profitable industry now and in the future.

- NABC, along with the newly formed U.S. Highbush Blueberry Council (USHBC), have helped drive market demand for blueberries in the USA, increasing per capita consumption dramatically in the past two decades. This has been accomplished through funding of research on the health benefits of blueberries, promotions to consumers, foodservice and food processors. We have also worked on market development in export markets around the world and have been successful in Japan, Taiwan and other markets.

The key to our success has been our industry strategic planning, cooperation and communications.

Contrary to this spirit, we are taken by surprise by the recent publication in the Federal Register of rules that will allow imported blueberries from Uruguay, South Africa and Argentina into the USA. The information in the Federal Register is drafted as a governmental document. However, press releases that appear to have been published by organizations and producers from Uruguay lead us to believe that both the Uruguayan government and APHIS have authored the information in the Federal Register. For the purpose of this response and reply, we are referring to the Federal Register notice as “the document.”

- The author of the document notes that there was no input from U.S. producers of highbush blueberries in the planning or development of this plan to open the U.S. market to blueberries from Uruguay and South Africa. Information presented in the document related to our industry is out of date and does not reflect the current U.S. production and situation for fresh blueberry production and importation into the USA. We recommend that APHIS and the foreign authors of this document seek current information from the NABC yearly statistical report that clearly defines the U.S. market situation for fresh, processed and imported blueberries. This information is readily available. The NABC was instrumental in proposing and helping pass the legislation that created the U.S. Highbush Blueberry Council (USHBC), which is a national research and promotion program for the highbush blueberry industry with USDA oversight. During the process of governmental acceptance of this program, there was a considerable amount of information published on our industry including its structure, relationship with the global trade of blueberries and the overall need for the organization to work for an orderly global market for blueberries and blueberry products.
- The document presents an argument for processes that will mitigate phytosanitary conditions in Uruguay. Although the information may be complete and comprehensive, we are reluctant to accept the findings due to the haste in which these studies appear to have been conducted. Informational press releases have been issued by Uruguayan organizations praising parties

involved for preparing this information in “record time.” From a scientific standpoint, this alarms and worries our growers who do not wish our current production to be endangered by a politically motivated “green light” for foreign producers.

- We would like clarification on the import status of blueberries into Uruguay at this time. From our understanding, this country does not allow fresh blueberries from the USA or Canada. The production of blueberries in Uruguay is a 100-percent-export-oriented enterprise targeting the USA market. Although it is logical to assume that Southern Hemisphere blueberries will find markets in the USA during the winter months when our domestic blueberries are not in production, we are alarmed that there are no blueberries consumed in Uruguay. To the best of our knowledge producers have made no initiatives to develop their own domestic market or the South American market for their blueberries. We get hundreds of contacts each year from potential blueberry producers who have learned of the success of blueberries. In this context “cooperation” means the new producers want to capitalize on our decades of market promotion and sell in our market. Most current shippers from the Southern Hemisphere have studied our market, work within our current produce distribution channels, attend our meetings and have succeeded through real “cooperation”.
- Information in the Federal Register describes a static season and window of opportunity for Uruguayan producers. This is actually not the case as the U.S. and world production of blueberries has been developing at a rapid pace over the past few years. New U.S. varieties have allowed our growers to extend their blueberry season well into the traditional off-season periods. Our growers are planting new acres in Florida, California and even Hawaii and it is not out of the question that we will eventually see year round blueberry production here in the USA. We are also concerned that the rapidly expanding production in the Southern Hemisphere may eventually disrupt the current market for blueberries.
- The North American blueberry industry is part of a global blueberry industry, and we maintain close commercial and horticultural connections around the world with most every producing country, though to date there has been little communication with Uruguay. Most countries, such as Japan which has a domestic fresh blueberry industry, rely on cooperation with our industry and a two way flow of information and commerce. This has resulted in a dynamic market in Japan for both U.S. and Japanese blueberries. We have also have favorable and cooperative relations with the blueberry industry in Chile. A major exception to this cooperation has been the Republic of Korea. (South Korea). We bring this to the attention of APHIS since for the past five years we have been requesting assistance in opening the South Korean market to U.S. fresh blueberries. Korean farmers, consumers and just about everyone on the peninsula is in favor of fresh blueberry imports from the USA. There are no valid phytosanitary concerns related to U.S. fresh blueberries. Our continued requests to APHIS in Washington D.C. and to APHIS representatives in Seoul have not been heard. Given the lack of response to our South Korean concerns to date, in our view, APHIS has taken the interest of Uruguayan and South African blueberry growers over those of U.S. growers and has set up an expressway for their market entry, while ignoring our interests and requests to open the South Korea to U.S. fresh blueberries.

The North American Blueberry Council (NABC) strongly urges APHIS to suspend the rules for importation of fresh blueberries from Uruguay and South Africa into the USA until a comprehensive study on the potential impact on the U.S. blueberry industry (from a horticultural and market situation) is completed. We also plan to ask our members to contact their Senators and Congressional representatives and advise them of this current situation and ask them to investigate the lack of progress and action by APHIS on behalf of U.S. blueberry growers concerning access to the Republic of Korea market for fresh U.S. blueberries.

aphis-uruguay draft 2 June 07