

California-based U.S. Citrus Science Council (USCSC) has said it is suing the U.S. Department of Agriculture (USDA) over its decision to allow lemon Argentine lemon imports, claiming the risk of pests and diseases entering the country is too great.



In December, the USDA, under then-President Barack Obama, said it would [lift a ban](#) on imports from the northwest Argentina, giving growers in the world's top lemon producer access to the largest consuming market.

Following President Donald Trump's inauguration in January, the organization issued a 60-day stay on the decision and then extended the stay another 60 days.

In a statement issued on May 1, the USDA's Animal and Plant Health Inspection Service (APHIS) said it [would not extend the stay again](#), and that the final rule would come into effect when the stay expires on May 26.

The development came soon after Trump met with his Argentine counterpart Mauricio Macri.

In a statement sent out today (May 18), the USCSC said the Plant Protection Act made 'unmistakably clear which "factors" Congress intended APHIS to consider'.

"The agency must "reduce to the extent practicable....the risk of dissemination of plant pests and noxious weeds" and it must "base" decisions affecting imports ...on sound science," the group said.

It added that upon passing the Act, the House Agricultural Committee stated: "The past cannot be altogether remedied, but the future can be safeguarded, and this Act will go a long way toward accomplishing this end."

"For the reasons cited above the U.S. Citrus Science Council (USCSC), representing approximately 750 family farmers and the overwhelming majority of fresh lemon production in the United States has today filed a suit against the U.S. Department of Agriculture for implementing a rule allowing Argentine lemons into the United States from areas where numerous pests and diseases are found," said Richard Pidduck, a Santa Paula area lemon grower and plaintiff.

"It is obvious that political considerations outweighed the basic administrative process and science for the past 12 months."

"President Obama traveled to Argentina in March of 2016 and upon his return, USDA immediately announced the Argentine proposal has been resurrected."

This was the same proposal placed on hiatus because of issues regarding the efficacy of its scientific evaluations and the proposed systems approach for protecting the domestic citrus industry, according to the USCSC.

"Then President Trump met with the Argentine President in April of 2017 after which access was soon announced," Pidduck said.

The USCSC said politics aside, members of the California citrus industry were challenging the rule because the development violated provisions of the Administrative Procedure Act, a federal law that establishes how federal agencies can issue rules.

"Incomplete science and political considerations"

California Citrus Mutual (CCM) President Joel Nelsen said the rule was claimed to be grounded on information gained from an Argentine site visit said to have taken place in 2015.

"Despite repeated requests and the filing of a Freedom of Information Act request, we have never been allowed to review a trip report for that visit," he said.

"The rule itself provides no information on this foundational visit. That is just one reason why the rule is fatally flawed. Finally, the industry argued vehemently that invasive pests historically infest urban areas prior to transiting to commercial farming locations.

"USDA did not respond to that argument, which is also a violation of the Administrative Procedure Act."

In September 2016, USDA dispatched a team of experts to review farming, harvesting, packing and government adherence to the proposed systems approach, according to the USCSC statement.

"The visit was simply a paper exercise inasmuch the Argentine industry was in a dormant stage at the time of the trip," claim San Joaquin Valley citrus producer Curt Holmes.

"As a grower of lemons and other citrus varieties, I know when pests are prevalent and when the optimum time for evaluating pressures exists. Flush, bloom and petal fall is the major time frame for that to occur. For USDA to assume they can make a determination before any of that occurs is absurd."

Robert Grether, a Ventura area lemon grower and USCSC board member added he knew "first-hand" the pressures of invasive pests.

"Our family has been farming here for five generations and we hope to continue the tradition of our family farm that each generation has worked so hard to sustain," he said.

"But our farming costs have soared since the Asian Citrus Psyllid [which vectors citrus greening disease] moved into Ventura County from the Los Angeles metropolitan area, so it is confounding to us that USDA didn't address the extraordinary risk of a new disease spreading from an urban area to a rural area in this rule.

"We are trying to protect our region from an incurable disease already destroying citrus throughout the western hemisphere, and now the administration has chosen to compound our vulnerability."

The USCSC said it was "striving" to understand why this rule was being put into effect when the *Presidential Executive Order on Promoting Agriculture & Rural Prosperity in America* (4/15/17) "clearly enunciated policies to preserve family farms to promote American agriculture and protect the rural communities where food, fiber, timber and many of our renewable fuels are cultivated."

"The lawsuit argues that incomplete science and political considerations led to a flawed rulemaking process. The end result is to make California lemon industry a pawn to achieve other goals," it said.

The lawsuit was filed in the Federal District Court in Fresno, California.

The US Citrus Science council represents growers, packers, and shippers of lemons in the

states of California and Arizona.

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