Using eBeam Technology to Import Fruits and Vegetables into the United States

Suresh D. Pillai
Director, National Center for eBeam Research
Texas A&M University
Acknowledgements

- A special thanks to all my USDA-APHIS collaborators and professionals!
- *Some slides courtesy of USDA-APHIS*
If interested in importing specific fruits and vegetables into the US….

• Check the FAVIR database to see if the commodity is eligible for import and whether irradiation treatment is a requirement

• If the commodity can be brought into the US using irradiation as a pre-treatment then eBeam technology can be used

• If eBeam technology is applicable then you need to decide whether to use this technology overseas or use this technology after the commodity is imported (per USDA-APHIS approvals) into the US
FAVIR


Welcome to the APHIS Fruits and Vegetables Import Requirements (FAVIR) Database. This online reference allows easy access to regulations and information pertaining to the importation of fruits and vegetables into the United States, its territories, and possessions. Collectively, these regulations are commonly referred to as Quarantine 56, or Q56. Information on obtaining a permit for the importation of fresh and frozen fruits and vegetables can be obtained by going to the following website: Fruit and Vegetable Import Permit.

All Countries List: The All Countries List is a Country Summary Report of commodities approved for import from any country.

A flag (_emails) indicates information that is intended for and available to an APHIS/CBP audience only.

Important Alerts:

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Recent Changes:

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Date: Sep 4, 2013
eBeam Technology can be used

• Either overseas at a USDA-APHIS approved eBeam facility

Or

• In the United States at a USDA-APHIS approved eBeam facility
Overseas USDA-APHIS Approved eBeam facilities

• Vietnam
  – Son Son Corporation
  – Specializing in dragon fruit and rambutan
Harnessing eBeam and xRay Technologies for Cleaning, Healing, Feeding, and Shaping this World, and Beyond…

In the United States
USDA-APHIS approved eBeam facilities

• Texas
  – National Center for eBeam Research
  – Texas A&M University, College Station, TX
  – [http://ebeam.tamu.edu](http://ebeam.tamu.edu)
  – 979.458.1640

• Iowa
  – Sadex Corporation
If the commodity can be imported into the United States at the present time....

Then you need to have the following completed.....

1. Importer Compliance Agreement
2. Importer Permit
3. Packaging Approval
4. Process Configuration Approval
Importer Compliance Agreement and Permit

Compliance Agreement
• Agreement between APHIS and Importer
• Routing Information and Maps
• Procedures and Contact Information
• Recordkeeping Requirements

Permit
• Allows Importer to Bring Commodity into U.S.
• Commodity and Country of Origin
• Port of Entry
• Required Certification for Entry
• Transportation Conditions
Packaging Approval

• There are specific packaging requirements to bring imported produce for eBeam treatment in the US
  – For further details contact Dr. Laura Jeffers (919) 855-7455
Process Configuration Approval

• Since eBeam treatment involves a very specific pattern of delivery of electrons, there are requirements that the fruit in each package has uniformity in terms of numbers, sizes, weight, etc
• Each package configuration (number of fruits, weight etc) has to be standardized to the maximum extent possible
• Each such package configuration has to be approved by the USDA-APHIS and acceptable to the eBeam treatment facility
Process Configuration Approval

• It is extremely critical that the importer starts a dialog with the eBeam facility about the process configuration as early as possible

• The eBeam facility should be provided with sample cases and with specific information about the number, sizes and weights of the fruit in each case

• Highly recommended that the importer decides on the all possible process configurations and communicates this information with the eBeam treatment facility

• The eBeam facility will in turn work with the USDA-APHIS so that everyone is in agreement about the package design and the process configuration
If the commodity cannot be imported into the United States at the present time...

Then you need to have the following completed:

1. Market Access granted
2. Framework Equivalency Work Plan signed
3. Operational Work Plan signed
4. Commodity specific addendum signed
Market Access

Two ways to approve market access:

**Rulemaking Process** - change to the Code of Federal Regulations (CFR)

**Notice Based Process** - change to the import manual (ex. Fresh Fruit and Vegetable Import Manual)
Rule Development and Clearance Process

APHIS decides to issue or change a rule (based on its own perception of a need, or on suggestions or petitions from the public).
Prepares Regulatory Work Plan (RWP) summarizing the rule and its expected impacts.
RWP reviewed and approved in USDA, and "significance" established (if Significant or Economically Significant, rule goes to OMB review).
Writer and program expert begin drafting rule.

At APHIS option, drafting process may include outside participation through informal (e.g., public meetings) or formal means (e.g., Negotiated Rulemaking).

Draft rule cleared within APHIS and, if required, by USDA levels and OMB.
If "major" as defined by USDA Reorganization Act, review includes USDA/ORACBA review of formal risk analysis and cost-benefit analysis.

Rule is signed (usually by APHIS Administrator), sent to FEDERAL REGISTER, and published.

IF PROPOSED RULE:
Comment period opens (usually 60 days).

IF FINAL RULE:
Takes effect, usually 30 days after publication.

Final rule sent to Congressional review (required by Contract With America Advancement Act of 1996), if "major" by definition of that Act, cannot take effect for at least 60 days (longer if Congress adjourns).

Public Hearings (if any) are held.
Comments on Proposed Rule evaluated, necessary changes decided.
Final Rule drafted.

Final Rule cleared and published in accordance with the above process.

Rulemaking
Notice Based Process
In 2007, APHIS approved the notice based process, a streamlined alternative to the rulemaking process.

Notice based process takes months as opposed to years with Rulemaking.

However, notice based process is only for use with certain designated measures:

• Commercial Consignments
• Pest Free Areas
• Phytosanitary Certificate declaration of Pest Free
• Inspection (External Pests)
• Treatment (Internal Pests)
Mutual agreement between two countries stating that each country will legally accept the other’s system of irradiated products.

As of 3/24/14, 10 FEWPs are signed with U.S. trading partners (others on the way).

- India
- Laos
- Malaysia
- Mexico
- Pakistan
- Peru
- Philippines
- South Africa
- Thailand
- Vietnam
Operational Work Plan

An Operational Work Plan is a bilateral agreement between APHIS and exporting country that describes the requirements for exporting goods to the US, including explicit responsibilities for:

- APHIS
- Exporting NPPO
- Cooperator
- Irradiation Facility
- Packinghouse
- Production Unit
Operational Work Plan

- Commodities for Export to the U.S.
- Summary of Operational Procedures
- Safeguarding Requirements
- Facility Requirements (Treatment and Non-Treatment-Related)
- Post-Treatment Requirements
- Monitoring
- Corrective Actions
- Program Review and Evaluation
Commodity Specific Addendum

- Commodities for Export to the U.S.
- Pests for Each Commodity
- Required Mitigation
- Possible Non-Target Pests
- Sampling Rates
- Decision Tables for Interceptions of Target and Non-Target Pests
Useful Links


Suresh D. Pillai
s-pillai@tamu.edu
979.458.1640
979.845.2994

http://ebeam.tamu.edu