

# ARMORED SCALE INSECTS SPECIAL 3-19-07 REPORT



This is the first of two SPECIAL REPORTS on the Armored Scale issue planned for electronic distribution this week—March 19-23. Our goal is to provide insight into the issue's trajectory and CAC's strategic response. As we reported in Friday's SPECIAL REPORT (3-16-07), the California Avocado Commission (CAC) board voted unanimously at its March meeting to take aggressive action against the importation of Mexican avocados with dangerous scale pests coming into California. That authorization clears the way to execute the following 3-Plank Strategy developed, and recommended to the CAC Board, by CAC CEO Mark Affleck and Senior Vice President & Corporate Counsel Tom Bellamore:

1. PRESSURE USDA TO MODIFY ITS COOPERATIVE AGREEMENT WITH CDFA
2. INTRODUCE CALIFORNIA AVOCADO PEST & DISEASE PREVENTION ACT OF 2007 (State Legislature)
3. FILE LAWSUIT IN FEDERAL COURT AGAINST USDA TO SUSPEND MEXICAN AVOCADO IMPORTS INTO CALIFORNIA (VENUE TO BE DETERMINED)

## DETAILS FOR #1--CDFA/USDA COOPERATIVE AGREEMENT

The Commission has continued to stay in close communication with CDFA, urging state regulators to stand firm in their resolve to reject shipments of Mexican avocados found to contain invasive species of armored scale. CDFA recently told CAC that it is seeking to "reopen the discussion on USDA's 1985 Risk Assessment pertaining to armored scale." According to CDFA sources, if USDA is unwilling to do so, the state agency will "remain at loggerheads with USDA for awhile" as it continues to enforce state phytosanitary policy by rejecting shipments found to contain quarantine pests. Another key development on this front is CDFA's offer to convene a Science Advisory Panel consisting of independent, non-regulatory entomologists, to review all available information on the risks presented to agriculture by armored scale insects. USDA has apparently agreed to the scientific review, which CDFA would like to schedule in March. At CDFA's invitation, CAC has submitted the names of several leading scientific experts for possible participation on the Science Advisory Panel. State and federal regulators have agreed that once the outcome of the Science Advisory Panel meeting is known, a decision on modification of the existing USDA-CDFA Cooperative Agreement will be forthcoming. (For more information on this subject, refer to the eight BULLETINS we've sent between March 16<sup>th</sup> and today, now available for download at [http://www.avocado.org/growers/reg\\_issues.php](http://www.avocado.org/growers/reg_issues.php).)

## DETAILS FOR # 2--THE CAPDPA

You will receive three separate emails today with the following documents. They are:

1. **ISSUE BRIEF**  
*Background & Situation; Strategy; Senate Bill 486; Implementing The Act; Special CAPDPA Committee; Assessments & Compliance; Possible Negative; Issues/Outcomes; Project Timeline*
2. **WHITE PAPER**  
*Past, Present and potential future pest and disease problems affecting California avocados and their impact on Public Health, Safety, the environment and the economy*
3. **THE DRAFT LEGISLATION**  
*Declarations and Legislative Intent; Definitions; Administration; Powers and Duties; Entry and Handling of Avocados from Designated Areas; Assessments; Violations; Investigations and Actions by the Commission; Investigations and Action by the Department*

## DETAILS FOR # 3--THE LAWSUIT AGAINST USDA

This information will be sent to you some time next week (March 26-30).

The second SPECIAL REPORT for this week (March 19-26) will contain a comprehensive Issue Chronology titled, "Mexican Avocado Pests & Imports To The U.S." and will be sent on Friday by close of business. Thank you very much.



*Mark Affleck*  
**MARK AFFLECK**  
PRESIDENT & CEO

*Tom Bellamore*  
**TOM BELLAMORE**  
SENIOR VICE PRESIDENT & CORPORATE COUNSEL

