

Importation and interstate movement of fruits and vegetables: APHIS publishes final rule to expand notice-based process

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) is expanding its use of a notice-based process for approving fruits and vegetables for importation into the United States. This will help APHIS achieve USDA's goal of reducing regulations by eliminating the need for rule-making to approve fruits and vegetables for import. This action does not in any way compromise the rigor of APHIS' analysis for potential plant pest risks, nor our safeguarding efforts. Instead, it will streamline procedures and help to reduce the time it takes to approve commodities for entry into the United States. This change will also allow us to focus regulatory resources, which would otherwise be consumed with the lengthy rule-making process, on other critical priorities.

Previously, APHIS required proposed and final rules to allow a new commodity access to the U.S. market. In 2007, APHIS began using a notice-based process for approving fruits and vegetables for importation on a limited basis. Since then, a number of commodities have been safely introduced into the United States under this procedure. Moving forward, APHIS will use the notice-based process for approving all new fruits and vegetables for importation. That means, APHIS will issue a notice to announce a new fruit or vegetable for importation and publish a pest risk assessment in the Federal Register for public comment. APHIS will carefully consider all comments received and announce a decision to allow a new fruit or vegetable entry into the United States in a subsequent Federal Register notice.

The science-based process for assessing risk and mitigation remains the same. APHIS will continue to prepare economic documentation for all notices. The public is also still able to submit comments on the pest risk assessment, which will be available for review and comment for a minimum of 60 days when it is posted in the Federal Register.

APHIS will make similar revisions to its regulations for the interstate movement of fruits and vegetables from Hawaii and U.S. territories to align them with the new process for the importation of new fruits and vegetables.





When the final rule is implemented, the Fresh Fruits and Vegetables Manual WILL NO LONGER BE AVAILABLE. All content regarding entry requirements for fresh fruits and vegetables as well as additional information containing language currently housed in 7 CFR 319.56 will be in the FAVIR Database only. You can access the FAVIR database [here](#). For access to additional APHIS import and export manuals please visit the APHIS Plant Protection and Quarantine manuals web page [here](#).

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