

GROWERTALKS

SAF in the Lobby

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APHIS Launches Offshore Greenhouse Certification Pilot Program

The Society of American Florists

A six-month pilot program that launched October 1 could streamline the importation of plant cuttings produced in offshore facilities, speeding their entry into the U.S. while making inspections for pests and diseases more efficient.

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) currently inspects roughly one billion imported plant cuttings each year at two stations, in Miami and Atlanta. Through the new program, five participating companies—Ball Horticultural Company, Darwin Perennials, Dümmen Orange, Proven Winners and Syngenta Flowers—will instead certify their offshore sites under strict standards for facility construction, security, production and sanitation, pest management, training and record-keeping.

"It makes more sense to monitor [for pests and diseases] at the source," said Dr. Mike Klopmeier, general manager of Darwin Perennials in West Chicago, Illinois. "It's a proactive way to relieve the pressure on APHIS at the border, knowing that there is a system in place at the farm level."

The program is a result of about a year's worth of planning, and an example of industry and government coming together, said Dr. Klopmeier. AmericanHort and the Society of American Florists collaborated with APHIS to establish this pilot program. At the end of the program, APHIS will review its findings, and if the outcomes are good, the new protocols will be more widely implemented.

"We're hopeful the pilot program will lead to a more efficient import process when the risks have been identified to be sufficiently low and necessary standards are in place at production sites," said Drew Gruenberg, SAF's COO.

In fact, as Klopmeier pointed out, the pilot program is based on a framework of success.

In the early 2000s, an outbreak of *Ralstonia* became a serious threat to geranium producers—because the pathogen also affects potatoes, part of the U.S. food supply, it was considered especially dangerous. Coordination between APHIS and the floral industry, led by SAF, helped establish an offshore certification program, one that's successfully prevented outbreaks for nearly 15 years.

Mandatory E-Verify Legislation Introduced

On September 8, Rep. Lamar Smith (R-TX) introduced H.R. 3711, the Legal Workforce Act, which would require U.S. employers to check the work eligibility of all future hires through the E-Verify system.

During SAF's Congressional Action Days, SAF members educated their members of Congress about the danger of enacting a stand-alone E-Verify bill and urged them to enact legislation that includes providing legal status for current employees to ensure continued production in agriculture and also creates a new agricultural worker visa program that will provide access to a legal, reliable workforce into the future.

Currently, participation in E-Verify is optional for most employers. The Legal Workforce Act (LWA) would eliminate the current paper-based system and require all employers to submit the information employees currently provide them on the I-9 forms to the E-Verify system. While the bill would require all employers to use E-Verify within two years, agricultural employers would have 30 months before they had to start using E-Verify for field workers.

If the information provided to E-Verify by employees to their employers fails to match the records of the Department of Homeland Security or Social Security Administration, E-Verify issues a "tentative nonconfirmation" (TNC).

Under the LWA, people who receive a TNC would need to challenge it within two weeks or it would become a "final nonconfirmation" (FNC), which requires an employer to immediately terminate their employment or face major fines or jail time.

Errors can occur because employers enter the name incorrectly. This mistake is particularly common for people with multiple or hyphenated last names or names with difficult spellings. They also happen when government employees incorrectly enter information into their databases or when employees fail to fully update their information after a name change.

The current I-9 system requires employers to accept documents that "appear" genuine during the hiring process and forbids them from checking their authenticity. Falsified documents have been submitted to employers by undocumented workers during the vetting process and they have been hired.

As a result, it is estimated that as much as 70% of agriculture's current 1.8 million workers are unauthorized and utilized false documents.

Enactment of a stand-alone E-Verify bill such as the LWA could result in the loss of 70% of the agricultural workforce, crippling American agriculture and undermine our economy.

No action has been scheduled for the bill and SAF will continue to lobby on the issue.

APHIS Publishes Final Rule to Allow the Importation of Korean Orchid Plants

The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) is amending its regulations to allow the importation of orchid plants of the genera *Phalaenopsis* and *Cymbidium* in growing media from the Republic of Korea (South Korea) into the United States.

After analyzing the potential plant pest risks, APHIS scientists determined these Korean orchids can safely be

imported into the United States under a comprehensive systems approach.

The systems approach is a series of overlapping measures taken by growers, packers and shippers that, in combination, minimize pest risks prior to importation into the United States. In this case, the systems approach requires the use of specific types of growing media, a written agreement between APHIS and the national plant protection organization of the Republic of Korea (NPPO), and NPPO and the grower providing detailed information about growing conditions and sources of the seeds or parent plants used to produce the orchids.

In addition, the plants must be inspected in the greenhouse and found free of plant pests and diseases no more than 30 days before they're exported to the United States. Each shipment must also be accompanied by a phytosanitary certificate verifying these conditions have been met.

In August 2016, APHIS published a proposed rule to amend its regulations to allow the importation of orchid plants of the genera *Phalaenopsis* and *Cymbidium* in growing media from the Republic of Korea into the United States provided that the plants are produced in accordance with a systems approach.

The final rule was published in the Federal Register on September 14, 2017 and will become effective 30 days after publication, or on October 16, 2017. GT

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