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Norm Kachuck, MD, CEO



May 7, 2025

The Honorable Brooke L. Rollins
Secretary of Agriculture
U.S. Department of Agriculture
Agsec@usda.gov

Re: Oversight of importation of Mexican avocados into the United States

Dear Madam Secretary:

I am writing in support of our California avocado grower community's opposition to action by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) in substantially modifying the Mexican avocado import program.

The decision to outsource the inspection of Mexican avocados bound for the American market to Mexican government employees appears contrary to the protections built into the trade agreements between our countries. In our understanding, these make it imperative that the USDA oversee the appropriate sourcing and safety of imported produce. APHIS has operated primarily to assure the American market of avocados free of infections and pestilence, and is directly responsible to the USDA and the American people to do so. Making this situation more complicated, you have made this change in your duties at a time when the conditions in which Mexican avocados for import are grown, harvested and shipped have deteriorated to the point where those contaminants are now just a component of a far larger calamity that puts American avocado growers, and our consumers, at risk.

In the last 8 years, it has become increasingly clear that there are worrisome trends in the conduct of the Mexican avocado industry that should not only compel the USDA to continue the APHIS directives, but as well to expand on this assignment, to establish a verifiable attestation by the import industry that avocados sold in in the US are produced in compliance with our health, environmental safety and labor laws, and are ethically sourced and sustainably grown.

The second recent suspension of avocados being imported into the U.S. over the southern border in April 2024 is an example of how difficult the situation is for normal business to be conducted in the Mexican avocado industry. The volatility of our market, in reaction to this State Department decision, which was required to override a USDA request to terminate the suspension, is indicative of how seriously our government must take such threats to even present standards of health and safety, let alone future imported pests.

The USDA's inspection mandate must be seen to operate in the context of continuing reporting on the violence being done to Mexican growers and packing houses by organized crime, as well as expropriation and illegal and unethical deforestation of land repurposed for use by their avocado industry, and the lack of uncorrupted Mexican federal and regional oversight and governance in the avocado growing regions.

The inspections that previously were considered an integral part of the USDA's capacity to monitor the importation pipeline from Mexico have been severely curtailed and access reduced for our inspectors to visit and document fair, ethical and legal practices in the avocado growing regions.

Without comment by the HAB or the USDA concerning this significant limitation, there have been no on-grove inspections in Michoacán possible since at least August 2023, when the State Department forbade US government employees from travelling on roads in Michoacán and Jalisco other than major highways, for fear of physical threats to their safety. Just this week, the Mexican government mobilized army and National Guard personnel to protect Michoacán lime growers from the predations on them by cartel terrorists.

In addition to the amount of violence, intimidation, extortion and appropriation of groves and resources that has been reported over the years, the Climate Research International report and other analyses have revealed that the Mexican government has been unable to counter the theft, deforestation and repurposing of more than 70,000 acres of appropriated land, not to mention the repression and suffering of the farmers who own their land legally, and the villagers deprived of water sources diverted by the cartels for use on the groves. Senator Peter Welch and colleagues have petitioned the US federal overseers of this trade to investigate and remediate the current state of our import practices that are impacted on by these crimes.

These uncontested actions have made the American consumer, and our import industry, complicit in the ecological devastation, and the violence done to those who live and farm there peaceably. The USDA and the HAB have turned a blind eye to the role of cartels and organized crime organizations operating in many of the importing growing regions.

Asking the Mexican government, in its present state, to be responsible to the American avocado industry and its consumer for the certification and oversight of their export pipeline is asking the fox to guard the hen house. Based on what can be gleaned from reporting on the corruption, cartel control, and government acquiescence and even facilitation of the present state of affairs in Michoacán and Jalisco avocado growing areas, there can be little optimism that they can police their industry effectively. The state of Michoacán is to be commended for its plan to certify orchards as not associated with deforestation. Its capacity to do so is untested, and it appears likely that even they do not have the access nor ability, to perform this work in a reliable manner. Unfortunately, as per published reputable reporting, there will likely be a continued lack of Mexican government control over the region. This is likely to worsen, with the last election's solidification of an increasingly autocratic governing party and its leaders, and its difficulties coping with organized crime syndicates.

The dire effects of an unregulated import pipeline on the domestic avocado grower.

California avocado growers are incurring increasingly higher expenses due to regulatory enforcement, costs of water, energy, labor and production, and environmental challenges, all of which are exceeding the burden felt by importers, judging from what they can charge for their produce.

The ostensible aims of the USDA, its Marketing Service, and its Hass Avocado Board to advocate for the success of the ENTIRE American avocado industry have been belied by their actions that clearly emphasize priority placed on total volume of avocado sales regardless of point of origin, without regard for the implications of that decision on domestic farming's contributions. The HAB has allowed NO REFERENDUM on its mission and goals by its American producers in its entire 24- year history. Producer advocates serving on the HAB board have had their attempts to remedy these shortcomings overridden by those who control the administration and oversight of its activities.

The financial stability of our local producer economy is already teetering on the brink of collapse with the present unfair competition with the import sector. These present events and reports are highlighting the conflicts of interest of those elected to positions of leadership in our representative bodies, the California Avocado Commission and the Hass Avocado Board, who are

involved in the import sector, and who are failing to establish mutually beneficial ways for them and producers to unite the various work and service sectors of our California avocado industry to combat these threats. One can presume that importers are fearful of continued danger to their employees and their businesses in Mexico if they are perceived to be trying to counter the influence and control of the cartels on the flow of fruit to the border, such as what was reported to the SEC by Calavo in January 2024.

The continuing provocations, and political awareness of ongoing U.S. government actions like this present one, are bringing the avocado import pipeline's lack of compliance with U.S health and safety standards into increasing media, public and political awareness. This will likely have significant effects on investment (and divestment) decisions of importer corporate shareholders, not to mention the American consumers reviewing their buying habits in the context of this disarray.

Madam Secretary, the USDA should call for a suspension of all avocado importation until it can give the American industry and our consumers assurances concerning sustainable farming methods and remediation of all deforestation associated with avocado production in the Mexican avocado industry.

We are in agreement with the group headed by US Senator Peter Welch, and the supportive messaging from the organizations I have documented in the references attached here, representing concerned Americans, that no avocados from not just deforested areas but from any foreign avocado growing area, should be sold in the US until it can be proven to satisfaction that compliance with expected standards of practice is documented by USDA inspectors.

We require mitigation of unequal regulatory policies which are enforced against US farmers but from which foreign producers are exempt, but who receive enormous benefits from our marketing. We need to challenge our representatives to re-establish policies and programs which will allow the flourishing and success of the California avocado growers in supplying our fruit to the country and the world. In addition to maintaining USDA control over the inspection responsibilities over the imports of avocados into the US, you should help schedule congressional hearings on the unfair trade practices that are being used to undermine and undercut the US domestic growers' capacity to compete with the import sector.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Norman J. Kachuck".

Norman J Kachuck, MD FAAN

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