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January 16, 2003

Mr. Bobby R. Acord
Administrator
Animal and Plant Health Inspection Service
U.S. Department of Agriculture
Room 312-E
1400 Independence Avenue, S.W.
Washington, D.C. 20250

Re: Approval of Imports of Clementines and Other Citrus Products from Chile; Docket No. 02-081-1

Dear Mr. Acord:

The Food Marketing Institute (FMI) is pleased to provide you with the following comments on the U.S. Department of Agriculture's (USDA's) Animal and Plant Health Inspection Service's (APHIS's) consideration of certain Chilean citrus fruits, including clementines. FMI conducts programs in research, education, industry relations and public affairs on behalf of its 2,300 member companies — food retailers and wholesalers — in the United States and around the world. FMI's U.S. members operate approximately 26,000 retail food stores with a combined annual sales volume of \$340 billion — three-quarters of all food retail store sales in the United States. FMI's retail membership is composed of large multi-store chains, regional firms and independent supermarkets. Its international membership includes 200 companies from 60 countries.

FMI's members constantly strive to provide consumers with high quality products, including fresh fruits and vegetables, all year long. For this reason, we have been watching with great interest the recent notice of availability and request for public comments concerning the draft pest risk assessment (PRA) for the importation of clementines, mandarins and tangerines from Chile, (67 Fed. Reg. 64862 (Oct. 22, 2002)). Clementines, mandarins and tangerines are always in great demand, and the availability of a high quality and safe source from the Southern Hemisphere is of great interest to our

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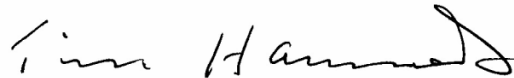
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membership and, especially, to consumers, particularly as the fruit is counterseasonal to domestic citrus.

We note, however, that APHIS appears to be using a different regulatory procedure for these products. We understand that, in the past, the proposed rule was generally released for comment at the same time as the PRA. However, in this case, the PRA has been released in advance, and the proposed rule has not yet been published. The comment period for the PRA expired on December 23. We know that comments on the PRA are intended to be primarily scientific. Although we have no scientific comments to offer at this time, we are writing to urge APHIS to expedite the release of the proposed rule and to finalize the regulation permitting the import of these food products, provided, of course, that the PRA is deemed sufficient.

We appreciate the opportunity to comment on this matter. If you have any questions on our comments, or if we may be of assistance in any way, please do not hesitate to call on us.

Sincerely,

A handwritten signature in black ink that reads "Tim Hammonds". The signature is written in a cursive style with a large, sweeping flourish at the end.

Tim Hammonds
President and CEO

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