

Comments in regard to “Onions Grown in South Texas and Imported Onions;  
Termination of Marketing Order 959 and Change in Import Requirements”

Agency/Docket Numbers: Docket No. AMS-SC-21-0003

SC21-959-2 PR

The Idaho-Oregon Fruit and Vegetable Association (IOFVASN) represents the onion shippers in Idaho and Malheur County Oregon. This region is one of the largest onion growing areas in the United States and the shippers in this area ship onions starting in August into June of each year. The onion growers and shippers in this area fall under Marketing Order #958.

In the proposed rule that is currently in the comment period, “Onions Grown in South Texas and Imported Onions; Termination of Marketing Order 959 and Change in Import Requirements”, it is asking for the removal of the South Texas Marketing Order #959. The members of IOFVASN ask that M.O. 959 be left in place. Because the growers and shippers under M.O. 958 have onions into June, three months without import regulations would put the Idaho and E. Oregon onion growers as well as all US onion growers at a competitive disadvantage. The shippers and growers in this area would still fall under the grading and inspections requirements of M.O. 958 and imported onions for that three-month time frame would have no inspections and grading requirements to follow.

If it is decided that M.O.959 is terminated, then we ask that the import regulations for onions found under 8e Code of Federal Regulations 980.117 have the focus that is now tied to M.O. 959 changed to M.O. 958. As outlined in the code, excerpts from the code below, it states that pearl and Cipolline onions during the entire marketing year are required to follow M.O. 958 for the entire year. It is our understanding the reason for that is the Idaho-E. Oregon Onion region is in most direct competition for the pearl and Cipolline onions.

We feel that it would be safe to say that all onions coming into the country are in direct competition with the Idaho-E. Oregon Onion region and the dates could be easily changed, for example:

“(1) During the period June 5 through ~~March 9~~ ~~June 4~~ of each marketing year, ~~and the entire year for pearl and cipolline onions~~, whenever onions grown in designated counties in Idaho and Malheur County, Oregon, are regulated under Marketing Order No. 958, imported onions shall comply with the grade, size, quality, and maturity requirements imposed under that order, ~~including pearl and cipolline~~.”

~~“(2) During the period March 10 through June 4 of each marketing year, whenever onions grown in designated counties in South Texas are regulated under Marketing Order No. 959, imported onions, not including pearl and cipolline onions, shall comply with the grade, size, quality, and maturity requirements imposed under that order.” \*~~

Under the import regulations it talks about how the marketing of onions can be reasonably distinguished by seasonal categories. As outlined in the graph\*\* that is attached showing a 14-year comparison of acreage and production for Idaho-E. Oregon Onions and Texas onions, one can see this is no longer the case. The other graph\*\*\* that is attached shows that Idaho and E. Oregon and Texas ship similar carlots of onions during the months from March through June. This reinforces that the marketing of onions can't be reasonably distinguished by seasonal categories. Given the amount of onions that come out of Idaho-E. Oregon and the fact that the shippers in this area ship onions from August into June, the Idaho and Eastern Oregon growing region is the area that is in direct competition year-round. The change to move the focus from M.O. 959 to M.O. 958 would not impose any new import regulations; it would just adjust the current import regulations and show what is reflective of today.

Numbers collected by the IOFVASN for the past six seasons show that the six-year average for year round shipments into June from the Idaho-E. Oregon growing region average about 35,503 forty-thousand pound carlots per season. Where in comparison the USDA numbers show that for the past six years, Texas has had average shipments of 6,759 forty-thousand pound carlots per season.

Attached is a graph\*\* showing a comparison of yield per acre for Idaho-E. Oregon and Texas. However, taking that back even further the USDA numbers show that in 1977 the Idaho-E. Oregon onion growing region's acreage was 480 cwt. This increase in acreage over the years has come at an expense: new technology for packing sheds and growers, new sizing equipment in the packing sheds, computers in tractors, general automation, research and new irrigation methods to assure we are providing the best quality onions. These changes have required more employees in production. If the import regulations are not refocused, growers in the Idaho-E. Oregon onion region feel that they would need to end their production early so as to not compete with uninspected imported onions. That would create a huge loss for the growers and shippers in this area.

With the introduction and implementation of the Food Safety Modernization Act, shippers and growers have had increased costs to make sure the onions sent to market are safe and meet the necessary requirements. Again, these standards imposed on domestic growers are not closely monitored or regulated on onions grown in other countries coming into the United States. "Unless explicitly exempted, companies who import food into the United States are required to have Foreign Supplier Verification Programs for foods they import. Recent FDA Inspection data indicates that 40% of inspected importers were out of compliance with rule". \*\*\*\* Given this data, it shows that more needs to be done with import requirements, and year round import requirements and regulations need to stay in place.

With all of the laws and regulations put on American growers and shippers it would be harmful to remove import regulations and put these onion growers and shippers at an additional unfair disadvantage.

We hope that you will strongly consider leaving M.O. 959 in place, and if not we hope that you will consider changing the focus on the 8e import regulations as we have outlined above. It is vital to have the import regulations in place for the Idaho-E. Oregon Onion growing region as well as the rest of the growing regions in the United States.

#### Sources

\*eCFR §980.117 *Import regulations; onions.*

\*\*Graphs *USDA Vegetable Summary 2011-2020*  
*14-year Comparison Acreage and Production*  
*14-year Comparison Yield per Acre*

\*\*\*Graph *USDA Market News*  
*12-Year Comparison March through June Movement*

\*\*\*\**Foreign Supplier Verification Program Training – United Fresh*