



## United States Department of Agriculture

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Agricultural Marketing Service, Fruit & Vegetable Program, Specialty Crops Inspection Division

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### PATCH # 008

**DOCUMENT:** Florida Avocados Shipping Point and Market Inspection Instructions, November 2000

### REMARKS:

#### Avocado Variety Enforcement Program (AVEP) Procedures

Several groups within USDA, including the Marketing Order and Agreement Division (MOAD), the Perishable Agricultural Commodities Act (PACA) Division, the Specialty Crops Inspection (SCI) Division and the USDA National Science Laboratory in Gastonia, North Carolina, worked together to develop a program to better assure that imported green-skinned avocados meet import requirements through use of DNA testing. *The following measures are in effect throughout the import season.*

Continue to utilize the Stamp and Fax procedure with U.S. Customs and Border Protection (CBP) Forms 3461 or 7501, which provides proof to CBP that the importer has arranged for inspection of the avocados for 8e requirements. If it hasn't already happened, your office will receive an e-mail with the new **Initial Request for Inspection** form **FV-357**, which is being implemented incrementally throughout the country through MOAD's new Compliance Enforcement Management System (CEMS) program. With this new notification process, there is no need to stamp and fax anything; instead you will receive a completed FV-237 when the lot is ready for inspection for 8e requirements.

The inspection of avocados for 8e requirements is based on the U.S. Standards for Grades of Florida Avocados with a minimum requirement of U.S. No. 2 (*base the inspection on that grade unless the applicant requests a higher grade*). Within that standard is **§51.3057-Similar Varietal Characteristics**, which means that "the avocados *within any container* are similar in shape, texture, and color of skin and flesh." Through your experience, training, and use of the "Florida Avocado Varieties" handbook, found in FEIRS references and on the AMS website at <https://www.ams.usda.gov/sites/default/files/media/FloridaAvocadoVarieties.pdf>, any fruit within a container that is not similar in shape, texture, stem attachment, and/or color of skin

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and flesh to the prominent fruit in that container will be scored as “dissimilar varietal characteristics.” If total defects exceed the lot tolerance of 10%, or any container tolerance is exceeded, the lot would fail 8e requirements. The variety of the avocados has to be declared in writing, either on a bill of lading, manifest, or application for inspection. ***Once the importer has declared the variety of the lot, the varietal designation cannot be changed.***

1. If the lot meets quality and maturity requirements, and the Elected Entry Date on the CBP Form-3461, the Entry Date on the CBP Form-7501 or the Arrival (Entry) Date on the FV-357 is on or after a date consistent with the **shipping schedule**, found in FEIRS references and on the AMS website at <https://www.ams.usda.gov/sites/default/files/media/ShippingSchedule2016-17.pdf>, for that variety, the lot is allowed entry into commercial channels;
2. If the lot fails to meet quality or maturity requirements for the declared variety, the lot is denied entry into commercial channels. The handler or importer has the option to recondition the lot and present it for another inspection, use the fruit for processing or export, donate or dump the lot;
3. If the lot meets quality requirements, but is presented for inspection on a date inconsistent with maturity dates for the declared variety, the lot will fail the maturity requirements and is denied entry into commercial channels. **Any reinspection for maturity requirements must be performed on the same requirements as the original inspection.** The importer cannot wait for the next date on the shipping schedule to see if the load would then meet maturity requirements. The handler or importer has the option to use the lot for processing or export, donate or dump the lot;
4. If an avocado lot(s), or portion thereof, meets quality and maturity date requirements for a declared variety **but** exhibits characteristics, such as color and texture of skin, stem attachment and/or shape, that substantially differ from that variety as shown in the “Florida Avocado Varieties” handbook, the lot would be certified as meeting 8e requirements and allowed entry into commercial channels, **with one stipulation**. The inspection certificate will be noted as follows: ***“Suspect and will be subject to DNA testing as to variety.”*** Inform the importer of the process and that the DNA test results should be available in 3-4 business days. Whether or not the handler or importer declares that they will enter the lot(s) into commercial channels, the following procedures are to be followed:
  - a. For each suspect lot, or portions of lots, select one fruit from three separate containers. Take a silver-dollar size slice of the skin from each fruit, making sure that the slice goes through to the flesh. Scrape off any flesh that may have adhered to the slice of skin. Place the three slices in a ziplock plastic bag and

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using a marker clearly mark the bag with the declared variety of the fruit and the number of the **FV-187, Notice of Sampling**, that will accompany the slices to be analyzed. Clip the FV-187 to the bag; it is permissible to send samples of suspect fruit from more than one lot/load in the same UPS envelope as long as the lab will have no problem determining which samples go with which FV-187. **The serial number of the FV-187 should also be included on the 8e inspection certificate and vice versa (examples included).** If more than one portion of a load is considered to be suspect it will be necessary to secure and submit three slices from different containers of each suspect lot and place them in separate bags.

The samples are to be submitted by UPS overnight to:

**Dr. Deepak Srivastava**  
**USDA National Science Laboratory**  
**801 Summit Crossing Place, Suite B**  
**Gastonia, North Carolina 28054**  
**PH: (704) 867-3873 or (704) 833-1511**

*If at all possible, the sample(s) should be sent by UPS the same day it is drawn.*

The slices from the suspect lot(s) will be compared to DNA baselines developed at the lab. Pre-addressed UPS labels with a MOAD account number will be supplied to each office that normally receives these avocados.

- b.** For offices with digital cameras (including all federal offices), take digital photographs of the fruit in several containers of the suspect lot(s) or portion of the lot, as well as the non-suspect portion, if applicable, which clearly show the difference between the fruit in different containers. **Send the photos along with the FV-300 certificate and FV-187 Notice of Sampling** to [doris.jamieson@ams.usda.gov](mailto:doris.jamieson@ams.usda.gov), [christian.nissen@ams.usda.gov](mailto:christian.nissen@ams.usda.gov), and [dolores.lowenstine@ams.usda.gov](mailto:dolores.lowenstine@ams.usda.gov) (MOAD), and to [cathy.hance@ams.usda.gov](mailto:cathy.hance@ams.usda.gov) (PACA), with cc's to [robert.bridger@ams.usda.gov](mailto:robert.bridger@ams.usda.gov), [nate.tickner@ams.usda.gov](mailto:nate.tickner@ams.usda.gov), and [harry.fisher@ams.usda.gov](mailto:harry.fisher@ams.usda.gov) in the Washington D.C. Operations Section. Be sure and explain which photographs belong to the suspect lot(s) or portion and which ones belong to the non-suspect lot or portion, if applicable.

Ms. Jamieson or Mr. Nissen, and Ms. Hance will contact a principal official with the importing company and explain possible ramifications if the marked/stated variety proves to be incorrect.

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**Billing:**

The fee charged to MOAD for securing and submitting these samples and transmitting the digital images will be based on an hourly basis, with a 1/2 hour minimum, and reported on the FV-187. Do not include travel charges as those will be charged to the handler/importer on the original 8e inspection. **Federal Offices:** Be aware that MOAD may or may not be an active FEIRS applicant in your local market. If it is listed in your local market it can be selected. If it is not, you will need to create a new applicant, USDA AMS SCP MOAD, as a COD applicant, and leave the form checked "COD-Yes," but don't collect the fee for the sampling. You will then enter a "0" for the Check Number and Check Amount (see attached example). Each office will need to complete and submit a New Vendor Form for the first inspection only done for USDA AMS SCP MOAD (if there is not an active account). The transfer of funds from MOAD to SCI will be handled internally in HQ.

Federal-State inspection offices can go to <https://www.ams.usda.gov/sites/default/files/media/FV-213.pdf> to download an **FV-213, Inspection or Audit Services Rendered to Other SC Program Divisions**. The FV-213 (example included) will then become an attachment with the amount credited on the monthly FV-218 from each particular state. Copies of the FV-213s and FV-187s, as well as the original inspection certificates, should be mailed on a monthly basis to:

**Candice Spalding, Deputy Director**  
**USDA, AMS, SCP, MOAD**  
**1400 Independence Avenue, SW**  
**Room 1406-S, Stop 0237**  
**Washington, DC 20250-0237**

By no later than the 10<sup>th</sup> of each month, Federal offices should submit completed FV-213s, copies of the FV-187s, and the original inspection certificates to:

**Randle Macon, Associate Director**  
**USDA, AMS, SCP, SCI**  
**Inspection Services**  
**1400 Independence Avenue, SW**  
**Room 1536-S, Stop 0240**  
**Washington, DC 20250-0240**

Please keep in mind that all regular mail sent to the Headquarters building in Washington, DC is still being sent offsite to be irradiated and delivery could be delayed for 1-2 weeks.

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Billing to MOAD with credit to the appropriate **Federal** inspection office will be overseen by Randle Macon.

**Random Sampling Instructions only for the Offices in Miami, FL; Bronx, NY, Newark, NJ; and San Juan, PR:**

The following procedures are in addition to the existing Avocado Variety Enforcement Program procedures outlined on the previous pages, and **will be in effect for a period of 9 weeks, from August 22, 2016 through October 23, 2016.**

1. During the nine-week period each of the above offices will pull a DNA sample of their choosing **at random from one lot per week**. These random samples can be selected anytime *Monday through Friday, and if at all possible, the samples should be sent by UPS the same day they are drawn.*
2. “Suspect” lots must still be sampled anytime necessary, but again make an attempt to ship the sample the same day it is drawn.
3. The lot that will be randomly selected for DNA testing should be selected prior to beginning the inspection; if the selected lot turns out to be a “suspect” lot as to variety, an additional lot should be selected at random during that week.
4. Inform the importer of the process and that the DNA test results should be available in 3-4 business days.
5. UPS envelopes and labels with a MOAD account number will be supplied to each office involved in this random sampling.
6. Try to avoid sampling from the same applicant two weeks in a row, unless they are the only one applying for inspection, or if instructed by MOAD in conjunction with the Washington D.C. Operations Section (see below).
7. Periodically, MOAD may contact the above offices with instructions to pull an additional sample for DNA testing for a particular importer.
8. Follow the same procedures used for suspect lots as far as digital images, e-mail notification, billing, etc.

If you have any questions regarding the Avocado Variety Enforcement Program procedures, please contact the Washington D.C. Operations Section at 202-720-2482 or 1-800-811-2373.

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U.S. DEPARTMENT OF AGRICULTURE  
 AGRICULTURAL MARKETING SERVICE  
 FRUIT AND VEGETABLE DIVISION  
**NOTICE OF SAMPLING**  
 (FOR GRADE OR CHEMICAL ANALYSIS)

EXAMPLE

9-30-16

DATE SAMPLING BEGAN

THIS IS TO CERTIFY That, in compliance with the regulations of the Secretary of Agriculture governing the inspection of fruits, vegetables, and nuts pursuant to the Agricultural Marketing Act of 1946, as amended, (7 U.S.C. 1621 etseq.), I, the undersigned, a duly authorized inspector of the United States Department of Agriculture, do hereby certify that, on the date indicated, samples drawn believed by me to be representative of the lot were as described below:

SAMPLE DRAWN AT: (city, state) ANYWHERE, USA		MILL OR WAREHOUSE NAME: WAREHOUSE # 150	SAMPLING FOR: <input checked="" type="checkbox"/> Grade <input checked="" type="checkbox"/> Chemical Analysis
<input type="checkbox"/> CAR NO.:	<input checked="" type="checkbox"/> TRUCK NO.: MCVW 656705	<input type="checkbox"/> NAME OF SHIP:	
APPLICANT (Name, Address, Zip Code): USDA, AMS, FVP, M0AD 1100 INDEPENDENCE AVE., SW ROOM 1406-S, STOP 0237 WASHINGTON, DC 20257-0237		RECEIVER (Name, Address): TROPICAL SUNSHINE INC. ANYWHERE, USA	SHIPPER (Name, Address): TROPICAL GROWERS SAO PAULO, BR
PRODUCT - PEANUTS <input type="checkbox"/> CLEANED IN THE SHELL PEANUTS <input type="checkbox"/> SHELLED PEANUTS		DESIGNATED AS TYPE: <input type="checkbox"/> *RUNNER* <input type="checkbox"/> *VIRGINIA* <input type="checkbox"/> *SPANISH* <input type="checkbox"/> *VALENCIA*	CONTRACT NO.:
WT. MANIFESTED AS: <input type="checkbox"/> SACKS <input type="checkbox"/> BINS	COLOR TAGS:	CROP YEAR:	STATE:
QUALITY DESIGNATED BY SHIPPER (verbal or marked):		GRADE INSPECTION CERTIFICATE NO.:	DESIGNATED QUALITY: <input type="checkbox"/> MEETS <input type="checkbox"/> FAILS
CHECK HIGHEST QUALITY DETERMINED: <input type="checkbox"/> RUNNER NO. 1 OR BETTER <input type="checkbox"/> SPANISH NO. 1 OR BETTER <input type="checkbox"/> VIRGINIA NO. 1 OR BETTER		<input type="checkbox"/> P.A.C. *WITH SPLITS* <input type="checkbox"/> U.S. SPLITS <input type="checkbox"/> OTHER EDIBLE QUALITY*	<input type="checkbox"/> DOMESTIC CRUSHING <input type="checkbox"/> EXPORT CRUSHING (Fragmented) <input type="checkbox"/> OTHER (Specify):
THIS SAMPLE IS DESIGNATED AS: <input type="checkbox"/> 1-AB <input type="checkbox"/> 2-AB <input type="checkbox"/> 3-AB <input type="checkbox"/> 1-CD <input type="checkbox"/> APPEAL <input type="checkbox"/> OTHER:			
RESULTS FROM PREVIOUS SAMPLES: 1-AB (ppb) 2-AB (ppb) 1-CD (ppb) (All ppb values are stated by the applicant on the job)			
PRODUCT (Other than peanuts): <input type="checkbox"/> IN-SHELL BRAZIL NUTS <input type="checkbox"/> SHELLED PISTACHIO NUTS <input type="checkbox"/> IN-SHELL PISTACHIO NUTS <input checked="" type="checkbox"/> OTHER: AVOCADOS		WEIGHT OF LOT:	NUMBER OF BAGS/CARTONS 1,000
SHIPPER'S MARKS: "TT BRAND", 24 COUNT (MANIFESTED AS CHOQUETE VARIETY)			
TYPE OF ANALYSIS: <input type="checkbox"/> KERNEL AND SHELL <input checked="" type="checkbox"/> KERNEL ONLY	APPROX. WT. OF SAMPLE:	SAMPLE SHIPPED VIA: UPS	RESULTS OF ANALYSIS TO BE: <input checked="" type="checkbox"/> PHONED OR WINED-COLLECT (813) 324-3375 <input type="checkbox"/> MAILED TO APPLICANT
REMARKS: DNA TEST AS TO VARIETY. SEE INSPECTION CERTIFICATE NO. _____			
DATA BLOCK - FOR USDA USE ONLY		SAMPLE SENT TO (Name of Laboratory): USDA NATIONAL SCIENCE LABORATORY	DATE SENT: 9-30-16
ADDRESS: 801 SUMMIT CROSSING PLACE, SUITE B GASTONIA, NORTH CAROLINA 28054		INSPECTOR'S SIGNATURE: John J. Bee	DATE ISSUED (if different than date sent above):
MARKET OFFICE: ANYWHERE, USA		FEE: \$ 74.00	POSTAGE:
		TRANS. CHARGES:	TOTAL: \$ 74.00

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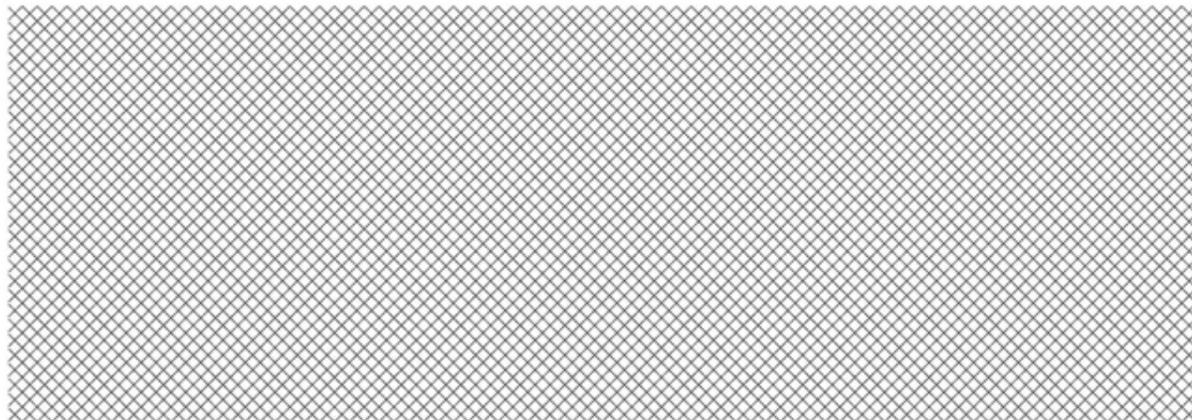
DRAWN AT: ANYWHERE, USA	APPLICANT: USDA AMS FVP MOAD WASHINGTON, DC	SAMPLING (FOR GRADE OR CHEMICAL ANALYSIS)
MILL/WAREHOUSE: WAREHOUSE #150		
SAMPLING FOR:	RECEIVER: TROPICAL SUNSHINE INC. ANYWHERE, USA	BEGAN: 9/30/2016 9:15 AM
TRANSPORT: TRUCK NO. MCUW 656705		COMPLETED: 9/30/2016 10:12 AM
SENT TO: USDA NATIONAL SCIENCE 801 SUMMIT CROSSING PLACE, GASTONIA, NC	SHIPPER: TROPICAL GROWERS SANTO DOMINGO, DR	PASSWORD FOR ONLINE ACCESS
DATE SENT: 9/30/2016	MARKET OFFICE: MIAMI, FLORIDA	ESTIMATED FEE: <b>\$74.00</b>

REMARKS: CHECK NO: 0 CHECK AMT: \$0.00  
DNA TEST AS TO VARIETY, SEE INSPECTION CERTIFICATE NO. \_\_\_\_\_



PRODUCT - PEANUTS	
CATEGORY:	DESIGNATED AS TYPE:
CONTRACT NO.:	WT MANIFESTED AS:
NUMBER OF:	COLOR TAGS:
CROP YEAR:	STATE:
MILL NO.:	LOT NO.:
QUALITY DESIGNATED BY SHIPPER:	GRADE CERTIFICATE:
HIGHEST QUALITY DETERMINED:	
THIS SAMPLE DESIGNATED AS:	RESULTS FROM PREVIOUS SAMPLES:

PRODUCT (Other Than Peanuts)	
CATEGORY: AVOCADOS	
WEIGHT OF LOT: 1,000 CARTONS	NUMBER OF SACKS:
SHIPPER'S MARKS: "TT BRAND", 24 COUNT (MANIFESTED AS CHOQUETTE VARIETY)	
TYPE OF ANALYSIS:	APPROX WT. OF SAMPLE:
SAMPLE SHIPPED VIA: UPS	RESULTS TO BE: PHONED: (863) 324-3375



THIS IS TO CERTIFY That, in compliance with the regulations of the Secretary of Agriculture governing the inspection of fruits, vegetables, and nuts pursuant to the Agricultural Marketing Act of 1946, as amended, (7 U.S.C. 1621 et seq.) I, the undersigned, a duly authorized inspector of the United States Department of Agriculture, do hereby certify that, on the date indicated, samples drawn believed by me to be representative of the lot were as described above:		
Warning: Any person who knowingly shall falsely make, issue, alter, forge, or counterfeit this certificate or participate in any such actions, is subject to a fine of not more than \$1,000 or imprisonment for not more than one year, or both.	Signature: <i>John J. Doe</i>	Date: 9/30/16
FORM FV-E187 (1.0.13.1)		

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United States Department of Agriculture

Agricultural Marketing Service, Specialty Crops Program, Specialty Crops Inspection Division

**Inspection or Audit Services Rendered to Other SC Program Divisions**

SCP DIVISION RECEIVING SERVICE	Marketing Orders and Agreements Division (MOAD)		MONTH AND YEAR OF SERVICE(S)		09/21/16	
LOCATION OF SERVICE	Washington, DC		MONTH AND YEAR OF CORRESPONDING FV-218 (ENTERED BY FPM OR OIC)			
SERVICE DESCRIPTION (DATES, NAMES OF INSPECTORS, COMMODITIES, DOCUMENT OR CERTIFICATE NUMBERS)	HOURS WORKED	HOURLY RATE (\$)	TOTAL CHARGE FOR TIME (\$)	EXPENSES INCURRED (\$)	TOTAL CHARGE FOR SERVICE(S)	
John J. Doe	3.50	\$ 74.00	\$ 259.00		\$ 259.00	
Mary Smith	4.00	\$ 74.00	\$ 296.00		\$ 296.00	
George Jones	2.00	\$ 74.00	\$ 148.00		\$ 148.00	
	0.00	\$ 0.00	\$ 0.00		\$ 0.00	
REMARKS: Notices of Sampling, FV-187, copies attached. DNA testing of avocados as to variety.				<b>GRAND TOTAL FOR ALL SERVICES</b>		<b>\$ 703.00</b>
CREDIT THE INSPECTION PROGRAM OF THE STATE OF :			<b>Instructions:</b> Prepare form in accordance with instructions in Federal and Federal-State Supervisors Manual. Remit the completed form with Email: <a href="mailto:FPRStatePartners@ams.usda.gov">FPRStatePartners@ams.usda.gov</a> or Mail to: USDA AMS SCP SCI Division Federal-State Accounts 1400 Independence Avenue SW Room 1536-S Stop 0240 Washington, DC 20250-0240			
(ENTERED BY FPM OR OIC) FEDERAL MARKET PROVIDING SERVICE(S):			Anywhere, USA			
SIGNATURE OF FEDERAL SUPERVISOR OR OFFICER IN CHARGE:			DATE:			
<i>George Jones</i>			10/02/16			

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