

105TH CONGRESS  
2D SESSION

# H. R. 3771

To prohibit the Secretary of Agriculture from implementing a rule that would allow the importation of papayas that are the product of Brazil into the continental United States, Alaska, Puerto Rico, or the Virgin Islands of the United States until certain conditions are met, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 1998

Mr. DEUTSCH (for himself and Mr. FOLEY) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit the Secretary of Agriculture from implementing a rule that would allow the importation of papayas that are the product of Brazil into the continental United States, Alaska, Puerto Rico, or the Virgin Islands of the United States until certain conditions are met, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Sound Science, Safe  
3 Imports, and Healthy Communities Act of 1998”.

4 **SEC. 2. IMPORTATION OF PAPAYAS FROM BRAZIL.**

5 The Secretary of Agriculture may not implement a  
6 proposed or final rule that would allow the importation  
7 of papayas that are the product of Brazil into the con-  
8 tinental United States, Alaska, Puerto Rico, or the Virgin  
9 Islands of the United States unless and until the Secretary  
10 establishes—

11 (1) a quarantine treatment protocol, under di-  
12 rect onsite supervision of appropriate officials of the  
13 United States Department of Agriculture, for pa-  
14 payas that are the product of Brazil to prevent the  
15 introduction of the Mediterranean fruit fly and the  
16 South American fruit fly, and any other internation-  
17 ally recognized destructive plant pest or disease; and

18 (2) a program to prevent the introduction of  
19 the Mediterranean fruit fly and the South American  
20 fruit fly, and any other internationally recognized  
21 destructive plant pest or disease from Brazil into  
22 Florida through the inspection of all freight, com-  
23 mercial vessels, commercial aircraft, commercial  
24 trucks, and railroad cars destined for Florida.

1 **SEC. 3. PROTECTION OF ENVIRONMENTAL QUALITY.**

2       The Secretary may not implement a proposed or final  
3 rule that would allow the importation of papayas that are  
4 the product of Brazil into the continental United States,  
5 Alaska, Puerto Rico, or the Virgin Islands of the United  
6 States unless and until the Secretary determines, in writ-  
7 ing, after completing an environmental impact statement  
8 on the rule in accordance with section 103(2)(C) of the  
9 National Environmental Policy Act of 1969 (42 U.S.C.  
10 4332(2)(C))—

11           (1) that—

12                   (A) a treatment in the country of origin,  
13 supervised onsite by appropriate officials of the  
14 United States Department of Agriculture, can  
15 effectively eradicate the Mediterranean fruit fly  
16 and the South American fruit fly, and any  
17 other internationally recognized destructive  
18 plant pest or disease; or

19                   (B) the area in Brazil from which papayas  
20 are to be shipped is certified by the Secretary  
21 as an area free of the flies and pests described  
22 in paragraph (1); and

23           (2) that—

24                   (A) the proposed or final rule will prevent  
25 the introduction or dissemination of the Medi-  
26 terranean fruit fly and the South American

1 fruit fly, or any other internationally recognized  
2 destructive plant pest or disease from Brazil;  
3 and

4 (B) if such fruit fly or plant pest or dis-  
5 ease is introduced into any part of the continen-  
6 tal United States, Alaska, Puerto Rico, or the  
7 Virgin Islands of the United States from Brazil,  
8 the Secretary will immediately begin the effec-  
9 tive eradication of such fruit fly or plant pest  
10 or disease and conduct such eradication pro-  
11 gram with the least impact possible on humans,  
12 the environment, and the community concerned.

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