

Congress of the United States
Washington, DC 20515

December 9, 2021

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, D.C. 20250

Dear Secretary Vilsack:

We write to urge you to immediately reverse a U.S. Department of Agriculture (USDA) decision to suspend Section 8e grapefruit juice content standards for imported grapefruits via marketing order “Patch #65.” Additionally, we seek to understand why the USDA implemented this regulatory patch without public notification or input.

The suspension of grapefruit juice standards for imported grapefruits poses a serious threat to American growers and undermines their ability to compete in the American market at a pivotal time. In recent months and years, our grapefruit growers have been severely impacted by natural disasters and citrus diseases. Now, this suspension allows low quality grapefruit products to flood our market, and forces our growers to compete against low-cost, subsidized imports. This regulatory patch is discriminatory in nature, as substandard grapefruit products can now be imported, meanwhile, American-grown grapefruits must still meet juice content standards. Additionally, as these imported grapefruits are of poor quality due to their low juice content, American consumers may become averse to purchasing grapefruits, as the substandard imported products could adversely impact the entire market due to unmet consumer expectations.

In addition to immediately reinstating the juice content standards for imported grapefruits, we ask you to address each of the following questions in a written response:

- Why did USDA implement Patch #65?
- Which authority did the USDA use to suspend the Section 8e juice content standards for imported grapefruits?
- Was this patch implemented at the request of a federal government agency? If so, which agency?
- Why did the USDA implement this Patch #65 without soliciting public comments or notifying Congress?
- Was this patch implemented as part of an agreement with, or an effort to secure an agreement with, a foreign government or entity? If so, please explain the context for the issuance of this patch.

The core mission of USDA is to promote and support American agricultural producers, not to disadvantage them by creating unfair advantages for foreign growers. As such, we urge you to immediately reinstate juice content standards for imported grapefruits.

Thank you for your attention to this important matter. We look forward to receiving your response in a timely manner.

Sincerely,



Marco Rubio
U.S. Senator



Ted Cruz
U.S. Senator



Rick Scott
U.S. Senator



Maria Elvira Salazar
Member of Congress



Bill Posey
Member of Congress



Daniel Webster
Member of Congress



C. Scott Franklin
Member of Congress



Stephanie Murphy
Member of Congress



Brian Mast
Member of Congress



Al Lawson
Member of Congress

John H. Rutherford
Member of Congress

W. Gregory Steube
Member of Congress

Carlos Gimenez
Member of Congress

Tony Gonzales
Member of Congress

Michael Waltz
Member of Congress

Louie Gohmert
Member of Congress

Mario Diaz-Balart
Member of Congress

Michael Cloud
Member of Congress

Kat Cammack
Member of Congress

Vicente Gonzalez
Member of Congress

Darren Soto
Member of Congress

Henry Cuellar
Member of Congress

CC:

Ambassador Katherine Tai, U.S. Trade Representative

Jennifer Lester Moffitt, Under Secretary of Agriculture for Marketing and Regulatory Programs

Bruce Summers, Administrator of the Agriculture Marketing Service