

Testimony of Dale Murden, President of Texas Citrus Mutual

United States House of Representatives
Committee on Agriculture
Subcommittee on Biotechnology, Horticulture, and Research
Washington, D.C.
April 27, 2016

Thank you, Chairman Davis, Ranking Member Delbene, and members of the Subcommittee. On behalf of the more than 400 commercial citrus growers in Texas, I want to express our appreciation for convening this hearing and allowing me to share details about some of the challenges facing the U.S. citrus industry and many of the small, family-owned growers in this country.

My name is Dale Murden. I am President of Texas Citrus Mutual and a farmer. My family and I currently grow citrus, sorghum and raise cattle near Harlingen, Texas.

The Texas citrus industry is comprised of almost 27,000 acres across three counties in the Lower Rio Grande Valley where we grow more than 9 million cartons of fresh grapefruits and oranges each year and another 5 million cartons for fruit juice. Farmgate value of citrus is about \$100 million per year with approximately \$5 million of it coming from organic production.

Citrus growers in California, Florida and Texas face a broad range of challenges. Like other sectors of agriculture we are consistently asked to do more with less. For example, look toward the confusion and challenges with the implementation of the Food Safety Modernization Act (FSMA), along with our consistent concerns regarding labor needs. However, for my testimony today I will focus on two critical issues facing growers that threaten our very existence and causes me to wonder if I will be in business in another year or two or three – Mexican Fruit Fly and Huanglongbing (also known as HLB or Citrus Greening). My intention is to illustrate the very real threat these pests and pathogens pose to our industry and a contradictory federal response that leaves growers vulnerable.

Mexican Fruit Fly

The Mexican fruit fly – or MexFly – is native to parts of Central America but has now spread across the border and into the lower Rio Grande Valley of Texas. The MexFly is a significant problem for citrus fruits, which are extremely susceptible to infestation. Economic losses result from direct damage caused by the larvae that

feed on the fruit pulp. Since 1986, Texas has participated in a fruit fly control program headed by USDA-APHIS, to eradicate the fruit fly from Texas and the Mexican state of Tamaulipas. In 2012 APHIS thought they had successfully eradicated the MexFly. However, the pest has recently reemerged and just last week APHIS found a mated female Mexfly in the Granjeno area of Hidalgo County causing them to expand the quarantine zone in that county to 234 square miles.

Last year proved especially hard for one small grove operation in Brownsville after a Mexican fruit fly was found in a neighboring back yard tree. The discovery triggered a decision to quarantine the area and the grower was no longer able to harvest his crop for the year, leaving thousands of dollars of inventory on the trees with no hope for harvest. The problem has reached a crisis level, since January 2014. There have been fruit fly quarantine areas off and on in the entire citrus growing region of South Texas.

Huanglongbing (HLB or Citrus Greening)

Recent finds of the disease HLB and its vector, the Asian Citrus Psyllid (ACP), has growers of all sizes in south Texas extremely concerned. There is no known cure for this disease and we've learned from the experience of our friends in Florida that its impacts are devastating. Since HLB was first detected in Florida in 2005, approximately 90% of production acres are now infected and production has been cut by more than half, costing the state nearly \$8 billion in revenue.

Greening was first discovered in a Texas grove in January of 2012. Three short years later, we have confirmed that trees located in almost 100 groves valley-wide show signs of the disease. With the extremely long latency period of this disease, it is unclear how many more trees have already been infected.

What this has done to growers in terms of dollars is hard to quantify. When it was first discovered in Texas, we removed not only infected trees, but several of the surrounding trees as well. This translated to lost income, and with no replacement trees to plant, it also equated to a loss of future income as well. Today, positive HLB finds have become so widespread, that most growers have discontinued tree removal.

In a desperate attempt to mitigate the effects of HLB, most growers have initiated aggressive psyllid spray programs to try to slow the spread of infestation until a cure can be found. This strategy requires treatments above and beyond our regular

care programs and has increased our grove care expenses by almost \$400 per acre or 22%.

Developing Solutions

Citrus growers in Texas and elsewhere are in need of solutions and Federal investments to counter the effects of HLB and Mexfly are vital. Surveys, diagnosis, research and eradication programs are critical to the survivability of the citrus industry in the U.S.

Funds from the Farm Bill's Section 10007 program, also known as the Plant Pest and Disease Management and Disaster Prevention Program, are supporting USDA and state partners in their regular surveying for new incursions of Mexfly and arming them with the tools for its rapid identification. These dollars help scientists in devising eradication strategies and execute on those strategies, which include a mixture of biocontrols and insecticides.

On HLB, 10007 has been vital to slowing the diseases spread by providing the industry with recommendations on the best practices for pesticide rotations and treatment timings to take on the psyllid. This program has also funded the training of canines to detect the disease, which has been shown as the most reliable early detection method. Heat treatment protocols identified through 10007 funded projects show promise in the ability to treat infected stock providing temporary relief from the disease.

Through the Citrus Disease Research and Extension (CDRE) program under the Specialty Crop Research Initiative (SCRI) researchers are developing methods to culture HLB so that it can be studied more efficiently. In addition, these funds support scientists searching for bactericides that can reduce or eliminate the disease and efforts to breed HLB resistant rootstock. Much of the breeding relies on virus free and genetically diverse germplasm maintained at the Citrus National Clean Plant Network Centers (NCPN) in Florida and California.

When I consider the breadth of research and eradication activities underway to tackle the serious challenges facing citrus, much of it through Farm Bill programs, I am reminded of the hard work this subcommittee and your colleagues in the full committee put in to see the last Farm Bill to completion. Thank you for those efforts.

As we look toward the next Farm Bill I'm hopeful funds can be made available to rehabilitate some of the USDA facilities that carry out much of the work that growers like me are counting on. The USDA scientists, who are doing much of the research, need facilities and equipment that are up to the task allow them to execute on the work we expect from them.

EPA Undermining Solutions

However, while we look to act on the information gleaned from the research and look ahead to the tools currently in development, as a result of this committee's investments, we are frustrated by the fact that actions of another federal agency serve to undermine these efforts and the associated investments.

Recent actions by the EPA have done significant harm to our access to the very tools USDA and academic scientists are suggesting we use, while their public comments erode the consumer's confidence in our stewardship of the land we grow on. In January, EPA, in collaboration with Health Canada, published a preliminary risk assessment¹ on imidacloprid, a neonicotinoid, regarding the potential for the chemistry to have a sublethal impact on bees. The results were generally positive with only 3 use patterns out of the 37 evaluated showing some level of concern.

Yet the agency decided to put out a press release with the lead statement² saying the assessment "shows a threat to some pollinators," and "indicates that imidacloprid potentially poses risk to hives when the pesticide comes in contact with certain crops that attract pollinators." In contrast, EPA's partner in the assessment, Health Canada, put out a very different message resulting in Canadian news coverage³ stating, "regulatory reviews show slim risk to bees from imidacloprid."

In the same EPA press release the Assistant Administrator for the Office of Chemical Safety and Pollution Prevention stated that the, EPA is committed, "to protecting bees and reversing bee loss." However, the USDA-ARS clearly identifies a long list of issues impacting bee health including parasites, pathogens, lack of genetic diversity, beekeeper practices, habitat loss and, yes, pesticides,

¹ <https://www.regulations.gov/#!docketDetail;D=EPA-HQ-OPP-2008-0844>

² <https://yosemite.epa.gov/opa/admpress.nsf/0/63E7FB0E47B1AA3685257F320050A7E3>

³ <http://www.agcanada.com/daily/regulatory-reviews-show-slim-risk-to-bees-from-imidacloprid>

including the ones used by beekeepers to manage their primary pest, varroa mites. Yet they place all of their emphasis on agricultural crop uses of pesticides.

In addition, bee losses have already reversed. After hitting a low of 2.3 million hives in 2008⁴, the number of hives have again been increasing and the 2015 USDA-NASS Honey Report⁵ showed that there were an estimated 2.74 million colonies, the highest number in 20 years. The EPA is well aware of these facts yet that is not the narrative they present to the public.

One of the use patterns that was highlighted as a potential concern in the preliminary risk assessment and again in the EPA's press release was foliar applications to citrus. But again, the agency did not share the fact that with minor tweaks in the timing of the application the risk could be easily mitigated. To many growers it seems like the EPA is helping to push an anti-pesticide agenda.

Other products, like flubendiamide (Belt) and sulfoxaflor (Closer), both pivotal tools in fighting ACP, are in the process of being cancelled or have been cancelled. In the case of Closer, which I consider to be my best option for protecting my trees from HLB, the registration was cancelled by a court decision. However, despite the ability of the agency to grant Texas and Florida citrus an emergency use (Section 18) the agency has signaled that it will not grant them.

The hope for more new products to be approved for citrus has largely evaporated after the EPA sent letters to the registrants instructing them to withdraw new use applications for neonicotinoids. The agency made this move without first evaluating the products' risks or considering benefits. When we look to the chemicals that have been registered and reregistered for decades like the organophosphates, such as chlorpyrifos, EPA has proposed to revoke the tolerances.

As a farmer I know that come next season the same pests, and perhaps a new one or two, will be in my field impacting my crop but I have no idea if I will have a product to treat them with. As a citrus grower, the risk side of my assessment is very high and the financial benefits of growing food in this country continue to dwindle.

⁴ <http://usda.mannlib.cornell.edu/usda/nass/Hone//2000s/2009/Hone-02-27-2009.pdf>

⁵ <http://usda.mannlib.cornell.edu/usda/nass/Hone//2010s/2015/Hone-03-20-2015.pdf>

Finally, another tool that we will increasingly rely on for solutions is biotechnology. As USDA moves forward with its updates to Part 340, I ask that the committee be intimately engaged. Earlier in the year, USDA published a Notice of Intent that included suggestions on how they might move forward. It included a significant expansion of the agency's authority into aspects of plant breeding that have been around since the 1950s and never before regulated. Other aspects of the NOI appear to infuse greater subjectivity and open up their process to outside challenges. More regulation and the threat of litigation, from anti-modern agriculture groups, would stifle innovation. If USDA gets the updates to Part 340 wrong, we will not have a viable agricultural sector in this country. That is how important biotechnology is to the future of agriculture.

I'd like to thank you for your attention today on these dire issues. In short, the United States citrus industry as you know it, is in extreme trouble. We are fighting to preserve our very way of life and are doing everything in our power to prevent total eradication of an essential U.S. industry.

Thank you again, Mr. Chairman, for holding this important hearing and for all that you and the Subcommittee are doing. I look forward to working with you in the future.