

Docket Clerk

Marketing Order and Agreement Division

Specialty Crops Program

AMS, USDA

1400 Independence Ave. SW, Stop 0237

Washington D.C. 20250-0237

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Pandol Brothers Inc is a grower shipper importer exporter based in Delano California. The company has grown table grapes since the 1940's, exporters grapes since the 1960's and imported grapes since the 1970's.

Pandol Brothers disagrees with this modification specifically and the marketing order generally.

The list of exempt varieties is a trip down memory lane. The once dominate Emperor variety lives on only in the illustrations in the instruction materials for new inspectors. For all practical purposes, the only exempt variety of any significance is the Red Globe.

Red Globe has been imported almost 30 years. If anyone cares to take an intellectually honest look at the impact of this marketing order, Red Globe is the case study. Pandol Brothers markets grapes which require inspection during the April 10 to July 10 period and simultaneously markets grapes which do not require inspection, either Chilean grapes imported prior to April 10, Red Globe which do not require inspection, and any grapes from the San Joaquin Valley which do not require inspection. Pandol Brothers' experience is that the uninspected grapes have no more problems in the marketplace than the inspected grapes. In fact, in late June, the market tends to abandon the certified grapes from the regulated areas and migrate as soon as possible to uncertified grapes from the San Joaquin Valley.

This modification will make no difference what so ever.

Pandol Brothers takes issue with the cost of inspections stated in the Regulatory Flexibility Analysis. Where did 3.8 cents per box come from? Depending on lot size, prevailing rates and travel time, the range is 12 to 25 cents per box. Note this is only the cost of the inspection service. It does not include additional movement of pallets, pulling samples, repacking inspected boxes, boxes lost to inspection, replacing samples boxes, restrapping pallets and the overhead associated with having additional refrigerated square footage to perform the inspection. If there are delays in making grapes available to market because of insufficient availability inspectors as was the case in both the Delaware River ports and Nogales Arizona in 2017, that should be factored in as well.

Regarding the November 12, 2015 meeting which was described as open and widely publicized to all members of the grape industry, that is untrue. The Standardization Committee of the California Fresh Fruit Association was not included.

In closing, Pandol Brothers realizes, that, like the last time the marketing order was modified, these public comments are meaningless, a formality and the USDA pays no attention to them.

Respectfully submitted

John Pandol