

B. C. Tree Fruits Limited



Phillip Douglas
Deputy Director
Canada - U.S. Trade Policy
Agriculture & Agri-Food Canada

Re: U.S. Bioterrorism Act, Section 307, Docket No. 02N-0278

Dear Deputy Director Douglas:

Thank-you for your timely notification of the proposed U.S. regulatory changes resulting from the U.S. Bioterrorism Act. B.C. Tree Fruits Ltd is a fresh fruit supplier with \$95 million in annual sales of which \$14 million are to U.S. customers.

While we can readily appreciate U.S. concerns with Public Health Security and Safety of the Food Supply, certain components of Title 3 may impose severe restrictions on our ability to continue to conduct business with our U.S. customers.

Of particular concern is Section 307: Prior Notice of Imported Food Shipments. Just in time inventory, a common practice in many industries, is a growing trend in the produce industry. The goal of most modern food retailers is to receive product on one side of the warehouse, break it down into store allocations, assemble it with other products and ship it out of the other side. Very little actual warehousing takes place.

These just in time inventory practices place demands on suppliers to react quickly to the needs of buyers. The result being that many of our orders are received for immediate same day shipment. In order to continue to be a viable and effective supplier to U.S. customers, we will need to continue to be able to ship on the day of the order.

Section 307 states the "the period of advance notice...shall be no less than the minimum amount of time necessary for the Secretary to receive, review and appropriately respond to such notification." This does not sound like a quick undertaking, but rather like a time consuming process, which would delay and restrict U.S. imports.

Our facilities are situated between 10 minutes and 2 hours of the U.S. border. Prior notification greater than 4 hours would restrict our trade, if such notification was required on a shipment by shipment basis. As an alternative, an "Intent to Export" could be filed, with summary reporting of actual shipments on a periodic basis.

Thank-you for considering our concerns, we trust they will form part of the Canadian position regarding the provisions in Title 3.

Sincerely,

Adrian Abbott
Marketing Services Manager

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