



BROOKS TROPICALS

P.O. Box 900160, 18400 S.W. 256 St., Homestead, FL 33090
(305) 247-3544

Avocados • Limes • Mangos • Carambolas (Star Fruit) • Papaya • Tropical Fruit Specialties

via Facsimile 202-225-8456

April 18, 2000

The Honorable Peter R. Deutsch
204 Cannon House Office Building
Washington, DC 20515-0920

RE: Citrus Canker

Dear Peter:

On March 21, 2000, we sent you the attached letter regarding problems in the Citrus Canker Eradication Program. You were kind enough to call me in late March 2000 to ask how the program was progressing. At that time, I indicated that we had met with the Florida Department of Agriculture and Consumer Services (FDACS) and were awaiting improvements in the program based on those meetings. This is an update of the situation.

Unfortunately, recent events suggest that the Eradication Program continues to have major problems. Given these problems, we are fearful that we are going to lose the balance of the U.S. lime industry and that canker will rapidly spread, by storm and human movement, to the Florida citrus industry.

We asked in our March 21, 2000 letter for "owners, growers, custom care providers or other allied trade industries to notify them (the lime industry) of sanitary procedures that will be required under quarantine."

We also asked for better communications between the Program and growers (Page 3, item 7).

Instead, the Quarantine was expanded on April 2, 2000, with no prior notice to the lime industry. On April 3rd we heard rumors of a change in quarantine status and tried to get details of this change. At the same time, the Federal Marketing Order Committee Administrator, Gail Knodel, who is our industry/program contact, was also trying to find out what was going on. After several calls, she could only get a press release indicating that the quarantine was expanded "south to Florida Bay" with no description of a western boundary. We then downloaded the FDACS quarantine map to find that most of our big western lime groves were not in the quarantine area.

Packer

Grower

Grove Management & Maintenance
— Since 1927 —

Consulting

Shipper

"Life without BROOKS Tropical Fruits Isn't Living"

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We realized that we were in the middle of harvesting and selling our spring lime crop with no harvesting or compliance permits in spite of our repeated efforts to obtain compliance agreement information and harvesting permits in preparation for quarantine. Furthermore, we did not know how we should properly separate quarantine versus non-quarantine fruit in our packinghouse.

At the April 12th, Lime and Avocado Committee Meeting, we showed our downloaded quarantine map to Ken Bailey, the Eradication Program Director, who insisted all lime groves were in the quarantine area. We insisted that that was not true. Mr. Pal Brooks stated that we needed to know because we were selling the non-quarantine limes in the State of Florida that day. Ken Bailey indicated he would get back to us right after the meeting on where the boundary was. This was not done.

Still in the dark on April 12th, we called Mr. Richard Gaskalla, Director, Division of Plant Industry, who stated that the map was in error and that the groves outside the quarantine area would be quarantined by notice to the owner until the boundaries could be corrected. Notice was not provided to Alcides Acosta, our biggest non-quarantine lime grower until April 17th. Furthermore, this Notice (attached) does not protect Mr. Acosta's groves with the protective measures prohibiting homeowner citrus movement inside the quarantine area.

On April 15th, the wrong quarantine boundaries were again published in *The Miami Herald* (attached).

In 1999, we spent over \$300,000 in our packinghouse to deal with canker. Yet, we have been guessing at where the quarantine was and how to deal with it. The lack of notice and quarantine boundary errors could have been cured with a simple meeting with the lime industry.

Mike Hunt, V.P. of Field Operations for Brooks, has the following additional concerns about the Canker Program:

- Positive trees remain. Positive trees confirmed as long ago as January 25, 2000 have yet to be destroyed. We were told at the March 17th Florida Citrus Canker Advisory Task Force Meeting that in other areas of the State, positive trees are destroyed in place as quickly as a day following confirmation.
- Residential trees exposed to groves that were removed as far back as January 14th are still standing. There is no apparent move to destroy those trees.
- Even though the lime industry has been asking for the quarantine area to be expanded since mid-January, this was not done until April 2nd.
- On March 24th, Mike Hunt and Stewart Swanson met with Richard Gaskalla to discuss formulating a plan to best utilize program resources and yield the greatest probability of

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success for South Dade (see attached). Mr. Gaskalla indicated he would incorporate their ideas into a plan, let the industry review this plan and upon approval, begin implementation. They have seen nothing to date to indicate any of this has taken place.

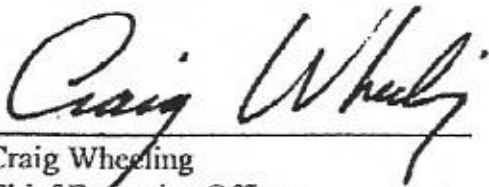
- Communications from the program to the industry remain poor. On April 3rd, Mr. Hunt made a call to Ken Bailey (South Florida Citrus Canker Eradication Program Director) regarding harvest permits. He was promised a return call which he has yet to receive.

Mr. Hunt further states that his concerns about the probable failure of this program are greater today than they were thirty days ago.

If possible, I would like to meet with you to discuss in detail our problems with the Eradication Program.

Thank you for your time and consideration in this matter.

Sincerely,



Craig Wheeling
Chief Executive Officer

Attachment

AFFIDAVIT OF S. CRAIG WHEELING

I hereby state as follows:

1. This affidavit is being made on behalf of Brooks Tropicals, Inc. and in support of the Citrus Canker Payments for Recovery of Lost Production letter to the USDA/APHIS.
2. I am the Chief Executive Officer of Brooks Tropicals, Inc. and have first hand knowledge of the facts herein.
3. On or about January 26, 2000, I and two other members of Brooks Tropicals, Inc., Michael Hunt and Neal P. Brooks, Sr., attended a meeting at the Dade County Agricultural Center in Homestead, Florida to discuss the then-recent citrus canker outbreak in the lime industry.
4. During the meeting, attendees discussed various aspects of the citrus canker problem, including the resistance of Persian variety limes to citrus canker bacteria.
5. At that time, Brooks Tropicals, Inc. owned, managed, or marketed approximately 2000 acres of Persian variety lime trees.
6. Dr. Timothy Schubert, Chief Plant Pathologist of Florida's Division of Plant Industry also attended the meeting. During the meeting, Dr. Schubert stated that Persian variety lime trees were quite resistant to citrus canker and that you could still grow Persian limes on symptomless lime trees and ship them.

Further affiant sayeth not.

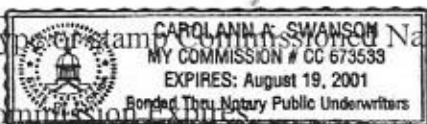
S. Craig Wheeling
S. Craig Wheeling

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

Sworn to and subscribed before me this 19th day of December, 2000 by S. CRAIG WHEELING, who is personally known to me.

Carla Swanson
Signature of Notary Public - State of Florida

Print, type or stamp Commissioned Name of Notary Public
My Commission Expires



AFFIDAVIT OF NEAL P. BROOKS, SR.

I hereby state as follows:

1. This affidavit is being made on behalf of Brooks Tropicals, Inc. and in support of the Citrus Canker Payments for Recovery of Lost Production letter to the USDA/APHIS.
2. I am the President of Brooks Tropicals, Inc. and have first hand knowledge of the facts herein.
3. On or about January 26, 2000, I and two other members of Brooks Tropicals, Inc., Michael Hunt and S. Craig Wheeling attended a meeting at the Dade County Agricultural Center in Homestead, Florida to discuss the then-recent citrus canker outbreak in the lime industry.
4. During the meeting, attendees discussed various aspects of the citrus canker problem, including the resistance of Persian variety limes to citrus canker bacteria.
5. At that time, Brooks Tropicals, Inc. owned, managed, or marketed approximately 2000 acres of Persian variety lime trees.
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Further affiant sayeth not.

Neal P. Brooks, Sr.
 Neal P. Brooks, Sr.

STATE OF FLORIDA)
)
 COUNTY OF MIAMI-DADE)

Sworn to and subscribed before me this 19th day of December, 2000 by NEAL P. BROOKS, SR., who is personally known to me.

Carolann A. Swanson
 Signature of Notary Public - State of Florida

Print, type or stamp Commissioned Name of Notary Public

My Commission Expires

