

January 8, 2001

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Docket # 00-037-2
Regulatory Analysis and Development, PPD, APHIS
Suite 3C03 Fax: 301-734-8934

Re: Comment on Docket # 00-037-2/ Citrus Canker; Payments for Recovery of Lost
Production Income

Dear Mr. Poe or Whom It May Concern:

Please consider these comments in support of the position that any and all payment for recovery of lost production income should include not only citrus grove owners, but also nursery owners who have lost a substantial part of their business due to the canker eradication effort. My name is Richard A. Hujber, and I am an attorney for (and son of) Mr. Steve Hujber, co-owner of The Grapeyard Nursery, Inc., a family-owned small business located on 16701 S.W. 200 St., Miami, FL 33187. The sale of containerized citrus trees constituted well over fifty (50%) percent of the overall business of The Grapeyard Nursery, Inc.

On July 12, 2000, more than four thousand (4,000) citrus trees were seized from The Grapeyard Nursery. It is now approximately six (6) months since these trees were confiscated, and my father has yet to hear anything from the Florida Department of Agriculture, the United States Department of Agriculture, FEMA, or any government agency pertaining to the seizure of these trees. On December 21, 2000, my father turned 65 years old and is now eligible to retire. However, without any offer of compensation from the state or federal government, it appears impossible for him to retire or for this small family business to survive financially in these troubled times. Clearly, there must be some form of compensation or restoration plan from the United States Department of Agriculture with regard to plant nursery owners who have suffered severe financial loss from the citrus eradication program.

There is absolutely no possible reason to exclude nursery owners from the proposed program which provides for the payment of tree replacement funds. These small business owners have suffered substantial financial losses comparable to the owners of commercial citrus groves who have had citrus trees destroyed because of citrus canker. Therefore, on behalf of The Grapeyard Nursery, Inc. and other small business plant nursery owners, please include nursery owners in the proposed tree replacement fund program.

Sincerely,



Richard A. Hujber, Esq.

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