



'Vif Eclat'

all photos Cliff Orent

BEYOND SLEEPY, GRUMPY, DOPEY ET AL IMPORTING ROSES: THE SEQUEL

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If you're thinking about applying for an import permit under the United States Department of Agriculture's Post-Entry Quarantine program, think twice before filling out the application. And if after thinking twice you're still enthusiastic about going forward, think a third time. Due to the convergence of a number of factors over the past few years, importing roses has become a far more complex and potentially expensive proposition and is definitely not for the faint of heart. If you do

decide to take the plunge, don't be surprised if one or more government agencies throw obstacles in your path, from the expected, such as Customs and the Department of Agriculture, to the long-reaching arm of Homeland Security.

This article is not intended to be a "how to" primer on importing roses. The application process for obtaining a post-entry quarantine import permit, the requirements for establishing a quarantine area and having it inspected and more are covered in my earlier article:

"In search of Sleepy, Grumpy, Happy, Dopey, Smiley, Doc and Sneezzy; Importing Roses Under the USDA's Post-Entry Quarantine Program" (Desert Rose, January 2005, and reprinted in the *American Rose*, June 2005 Vol. 38 issue 6, pages 20-23).

Nor is the purpose of this article to discourage anyone who feels truly compelled to import roses from doing so. That's a personal decision anyone who has an interest in importing roses must make. Rather, given the steady

stream of inquiries on the topic that I've received since the first article appeared, I believe that it's important to describe the changed and still evolving environment for importing roses and to provide examples of the types of unexpected roadblocks that an importer might face.

A cursory review of the basic procedures would indicate that things haven't changed significantly over the past few years. On paper, importing roses still appears to be fairly straightforward; however, the scrutiny given each shipment of imported roses is what continues to become more and more oppressive.

My first quarantine area was nothing more than four posts covered with shade cloth and was only large enough to house about a half dozen roses.

As my enthusiasm over the roses I imported grew, so too did the number of roses in subsequent shipments and, consequently, so too did the quarantine area, as it had to keep pace to accommodate the growing number of imported roses.

Following my move to the high desert two years ago, I quickly learned that slightly different quarantine facilities would be required due to the colder winters and strong high desert winds. The current quarantine area includes three cold frames, in which imported bareroot roses are started in 15-gallon pots (they remain in these pots for the duration of the mandatory 2-year quarantine period), and a large outdoor area covered by shade cloth.

Now, roughly 500 roses are in quarantine, from four shipments that arrived between April 2007 and February 2008.

Finding a Willing European Nursery

Before turning to the types of problems the importer may now encounter, let me mention an obstacle that comes before any of these.

The importer must first convince the foreign rose nursery to export the roses to the United States. Someone new to importing might wonder why a rose nursery wouldn't be willing to accept an order. For a European rose nursery to ship roses to a customer in the United States, that nursery must re-

quest an inspection by the governmental authorities in that country, who will then issue a phytosanitary certificate that gives assurances that the roses are free from certain diseases and pests. This becomes somewhat complicated when it comes to the assurance that the fields in which the roses were grown were inspected and found to be free from two particularly harmful types of potato cyst nematode, *Globodera rostochiensis* and *Globodera pallida*. The problem is that historically many European growers rotate their crops and their fields might not be free from these two offenders. If a rose nursery suspects that there is a chance that the inspector will find one or both of these nematodes in the growing fields, it clearly is not worth risking an entire crop for the sake of filling an order from a customer in the United States. For this reason, quite a few European rose nurseries that had been exporting have stopped taking orders from customers in the United States.

It is also worth mentioning that even if the casual rose grower who falls in love with a rose that isn't available in North America can convince a European nursery to export it to the United States, this will end up being an extremely costly rose. The importer must pay for the cost of local inspection in the country of origin, as well as costs related to the issuance of the phytosanitary certificate. Add to that shipping costs and various fees that might or might not be charged by cus-

tomers and/or other agencies upon entry into the United States. Then there's the cost of applying for the import permit and setting up a quarantine area (minimal in most cases), and more and more states are now charging for inspections during the two-year quarantine period, usually based at least in part upon the distance the inspector must travel. (Routine inspections are more often than not carried out by state inspectors, acting on behalf of the USDA.)

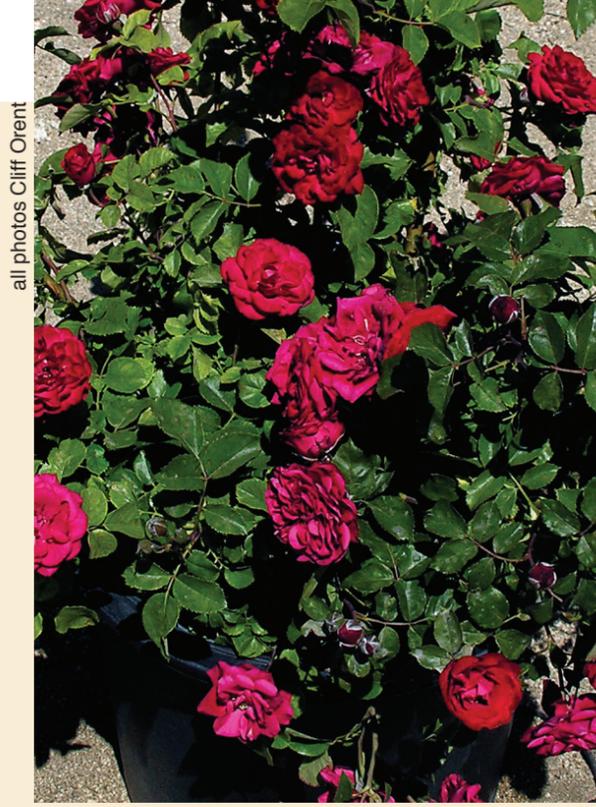
Another pitfall that those new to importing may encounter is dealing with a nursery with which you have no prior experience. Some are better than others in acknowledging orders and keeping the customer well informed during the local inspection, issuance of the phytosanitary certificate and preparation for shipping. Yet others can go completely silent, leading the importer to believe that that the order has not been accepted and will not be filled. I had one shipment arrive a few years ago with no prior confirmation of the order or confirmation that the roses had been shipped. Despite my having emphasized at the time the order was placed that the roses would be destroyed in the absence of the necessary assurances on the phytosanitary certificate regarding freedom from the two potato cyst nematodes, the phytosanitary certificate was silent on this issue. The USDA inspector at the port of entry was willing to hold the roses pending receipt of a new certificate with the necessary language included,

Quarantine area covered with shade cloth with one of three cold frames in the background.





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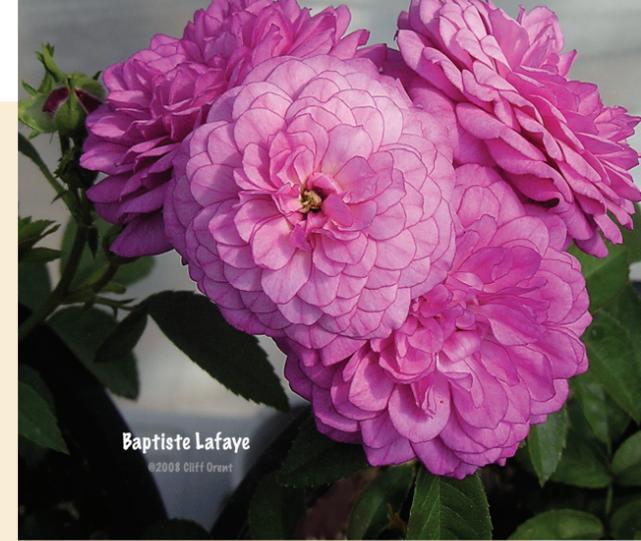
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Below: 'Werner von Blon'



Werner von Blon
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A FEW STARS AMONG MY IMPORTED ROSES



Baptiste Lafaye
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'Baptiste Lafaye'

'Bukavu'



Bukavu
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Mold on bare root roses

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but when the nursery was contacted, they refused to request a new inspection, most probably for the reasons cited previously. Of course, this particular concern charged my credit card at the time my order was placed, and they refused to issue a refund. The roses were ultimately destroyed.

But let's say that you've found an experienced, reputable nursery willing to go through the various hoops required to get that precious rose to you. Having overcome all of the aforementioned hurdles, what further obstacles might the rose importer expect once the roses reach our shores?

Your roses have arrived in the United States — Now what?

Recent experience has taught me that each time you think you've encountered every conceivable problem in importing roses, it's very possible that there's another you hadn't even dreamed of lurking just around the corner.

I should first say that my early shipments from Europe came through with virtually no delays. Sadly, of my last four shipments not one arrived without at least some delay.

The USDA Post-Entry Quarantine Program was set up with reasonably efficient procedures for moving ship-

ments from arrival in the United States through customs and USDA inspection and on to the importer. In fact, roses that arrived on a flight from Europe one day would likely be cleared through customs and inspected and cleared by USDA within 24-48 hours and would then be on their way to your quarantine area.

My first indication that things had changed involved what appeared to be rather minor issues, which I'd characterize as technicalities.

Example #1: Shipment was held because the phytosanitary certificate was a copy, rather than the original, despite the fact that the copy had been stamped by the issuing authorities. I was assured by the nursery that the original had been attached to the outside of the carton (as required), but I was informed that it was nowhere to be found on arrival at the port of entry. Further, convincing the authorities to open the box to look inside for the certificate proved to be an ordeal in itself. The European nursery had to request a duplicate original from the issuing authorities and send that by courier. Of course, it was instead sent by regular mail, adding several days to the process. Total delay before roses were released: 10 days.

Example #2: Shipment was held

because the authorities in the country of origin had put a required statement in the wrong box on the phytosanitary certificate. Despite the fact that it was the correct language and quite obvious that it was intended for the other box, again a duplicate original phytosanitary certificate had to be issued and forwarded before the roses would be released.

By this time I had taken the advice of colleagues who were having similar difficulties and hired an agent at the port of entry to assist in clearing the shipments through customs and USDA inspection. Although this saved me from making an untold number of trips to the airport (200 miles round-trip), it added hundreds of dollars to the total cost of each shipment. In one instance, I made the trip myself in an attempt to avoid incurring additional expense only to be told by a very rude customs official that he would only clear the shipment through a customs clearing agent and that if I didn't have one I could find one just across the hall. Whether that agent was right or wrong was moot. If I wanted the roses, I had to pay an agent to clear them through customs. Total delay before roses were released: 14 days.

Example #3: I received a call from my agent informing me that there was a "serious problem" and that it would be difficult to clear the roses through customs. "A problem with the phytosanitary certificate?" I asked, assuming that the issue was similar to those described above. "Would that this one was so straightforward," was the ominous reply. "A problem with the plants themselves?" I then asked. "No, the problem is with Homeland Security and you!" was the response.

With the customs agency firmly under the control of Homeland Security, you can now expect the unexpected as I was to learn over the next several days. My agent told me that I would have to drive to the airport for a personal meeting with customs to try to resolve what turned out to be a bizarre situation. The Homeland Security computers decided that my social security number (also used as my importer identification number) was not my social security number. I was

advised to have as much proof of identify with me as possible, including my social security card, passport and anything else I could think of. My social security card? I don't remember seeing that for at least thirty years! "And I have a telephone number in Maryland that you're to call at your earliest convenience. I immediately picked up the phone and called that number, hoping to clear this up without a 200-mile drive, but of course there was a recording at the other end of the line informing me that I should leave a message. The recording went on to say that due to the high volume of calls currently being received, it could take up to 48 hours for someone to return my call. So I left a detailed message, gathered up every conceivable piece of identification I could think of and headed out.

What ensued could be enough material for a television series or a book, so I'll leave out the details. Fortunately, my call was returned about two hours later by a helpful woman who explained that she was with an agency in Maryland that deals exclusively with Importer ID Records and that I needed to fill out an "Importer ID Input Record" form (Customs and Border Protection Form 5106), which I (or my agent) could find on the internet.

This form could be faxed to her along with certain documents required to prove that I was who I said I was and that the social security number that I claimed was mine was indeed mine. No social security card? Then I had to send a copy of my latest tax return.

I was then told that I'd have to return home to get the copy of my tax return before I could fax the form and that without clearance by her agency (which she had to input into a special computer in Maryland), there was no point in continuing my journey. Since by then I was within a few miles of customs, I decided to try to talk my way through release of the shipment. I won't even attempt to provide a quick summary of that frustrating discussion except to say that the customs officer told me that no agency in Maryland had anything to do with clearing the shipment through his agency, but that release was "blocked." He refused to elaborate or give me any information.

It's a good thing that I didn't plan to travel outside the United States anytime soon, for there's no question that I wouldn't have been allowed back into the country without great difficulty.

To fast forward the story of this shipment, I faxed the form and supporting documentation to the helpful woman in Maryland, and she updated her special computer. My social security number was now mine once again. And no, she assured me, this had nothing to do with identify theft.

So after that, clearing the shipment through USDA should be smooth sailing, or so I thought. Hardly! Although the Dutch authorities had used the correct language with regard to freedom from the two types of potato cyst nematodes, they had inserted this language as an addendum rather than typing it into the appropriate box. What ensued can best be described as a comedy of errors. The USDA official refused to contact his Dutch counterpart, and the Dutch insisted that they had made the necessary certification. It was finally resolved when the Dutch issued a duplicate original certificate. Total delay between Homeland Security and Customs issues and USDA: 30 days.

If you have not seen bare root roses that have been sitting in a moist, sealed box for thirty days plus transit time from Europe, it isn't a pretty sight. Nearly all of the plants were covered with mold on at least some part of the roots and/or canes. What followed was an intense cleaning of the plants, including soaking in a bleach solution, washing the canes and roots several times with a strong spray of water and cutting back any areas that were clearly badly diseased.

It is a testament to the resilience of roses that over 100 of the 138 plants in this shipment ultimately leafed out and still appear to be viable, though many had to be cut back to within an inch of the bud union.

Why do we import roses?

I believe it's important to go back and ask why it is that we import roses. Large, commercial nurseries import roses as part of their operations and are hopefully better equipped than most of us to deal with the increasingly complex environment for importation. Why do I import roses? It's fairly simple. There are hundreds and thousands of unbelievably gorgeous roses out there that we might never get to see due in large part to commercial considerations.

A rose nursery can only introduce so many new roses each year and the giants, such as Jackson & Perkins and Weeks have their own in-house breeding programs, further limiting the number of roses they're likely to introduce under license. Will I continue to import roses? I don't know, given the escalating costs and difficulty and the fact that I already have more roses than I can properly care for. But whether I do or not, I'm extremely pleased to have had the chance to see so many exquisite roses come into bloom and will treasure these memories long after the blooms have faded.



During a routine inspection of my quarantine area just after this article was written, I had the opportunity to ask the inspector whether she felt that my recent experiences were becoming the norm or if they were an aberration. Sadly, she confirmed that she's seen many more situations similar to mine since Homeland Security has taken more control of the Customs Agency. An example she cited was with imported bonsai plants, some of which were several decades old, which died prior to release to the importer.

'Matchball'

