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Mexico Disputes U.S. Comments on Origin of Salmonella-Tainted Tomatoes

LADB Staff

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President Felipe Calderon's government may file a complaint against the US through the North American Free Trade Agreement (NAFTA) regarding US statements that Mexican tomatoes might be responsible for an outbreak of salmonella in the US. Administration officials argue that US officials are likely wrong because there has been no outbreak of salmonella in Mexico.

US authorities have not officially imposed any restrictions on Mexican tomatoes nor have they issued official warnings, but comments from US agencies suggest the tainted tomatoes originated either in Mexico or Florida. This has prompted many importers to halt imports of most Mexican tomatoes, which could cause significant monetary losses for producers in states like Sinaloa, Sonora, and Michoacan. Mexico supplies about 80% of the tomatoes imported into the US.

Salmonella cases widespread in US
At least 277 people in 28 states and the District of Columbia had become infected with salmonella after eating tainted tomatoes, the Centers for Disease Control and Prevention (CDC) reported on June 16. The earliest infection was reported on April 10, although many cases may have gone unreported.

The Food and Drug Administration (FDA) has been investigating the salmonella outbreak, but the agency has not been able to identify the source of the infection, which was discovered in raw plum, Roma, and round tomatoes. In early June, the FDA said indications were that that "the vast majority" of tomatoes sold during the outbreak came from Mexico and central and southern Florida. Still, the agency could not say with complete certainty that the tainted tomatoes came from the two places and was continuing to conduct studies.

In the case of Mexico, the studies were being conducted by officials from Mexico's Secretaria de Agricultura, Ganaderia, Desarrollo Rural, Pesca y Alimentacion (SAGARPA). Even with the extensive investigations, the FDA acknowledged that it may never know where the infected tomatoes were produced. "At this stage of the investigation there is no guarantee that we will be able to trace the outbreak back to the farm level, although that is the goal," said David Acheson, the FDA's associate commissioner for foods.

US importers halt all tomato imports from Mexico
Because of the statements, US importers stopped shipping in tomatoes from Mexico, leaving thousands of shipments stranded at warehouses near the border. Many of those tomatoes eventually rotted. Even if the importers had not halted shipments, they likely would have been stuck with the tomatoes, as the FDA alert led many consumers to avoid tomatoes altogether. Several large restaurant chains temporarily removed tomatoes from their menus in reaction to the outbreak.
The FDA subsequently cleared the state of Baja California and northern Florida because farmers in those areas had not begun their harvest when the first case was reported in mid-April. Some Mexican agricultural organizations have strongly criticized the US government for including Mexico as a source of the tainted tomatoes even though the FDA has not yet come up with any proof that the salmonella-infected produce originated in their country.

While the US government has not implemented a ban or issued an official warning, growers say the statements by the US government have virtually halted all tomato exports to the US. "We can't sell a single box of tomatoes," said Jesus Macias, sales manager at Productora Agricola Industrial del Noreste in Baja California. He made the comment before the FDA announced that the tainted tomatoes could not have come from Baja California.

**Biggest impact on Sinaloa state**

The biggest impact of the FDA declarations will fall on Sinaloa, which accounted for about half of the 753,000 tons of Mexican tomatoes exported to the US in 2007. Mexico's total tomato exports to the US were valued at about US$900 million last year, said the Confederacion de Asociaciones Agricolas del Estado de Sinaloa (CAADES).

"This situation is terrible," said Antonio Ruiz, general manager of Agricola Caborita, a Sinaloa-based company that sells tomatoes to the US market. "We have hundreds of canceled orders....We're worried and angry because we know that our product isn't to blame, yet we're paying the consequences."

Because of the potential for significant harm to the Sinaloa agriculture economy, a delegation of representatives from CAADES and the Comision de Investigacion y Defensa de las Hortalizas (CIDH) traveled to Washington to meet with FDA officials to learn more about the results of the investigation and to urge US health officials to quickly define the status of Mexican tomatoes.

SAGARPA officials were also expected to meet with FDA representatives, but it was not clear whether the meeting was separate or whether they were accompanying the Sinaloa delegation. CIDH president Mario Robles Escalante said a US embargo would not only hurt current exports, which are from the 2007-2008 crop, but could have repercussions for the 2008-2009 crop. Even though the next tomato-exporting season does not begin until December, this is the time when producers are deciding how much area to plant. "They need to know how many seeds to order," said Robles.

Sinaloa Gov. Jesus Aguilar Padilla lashed out at US authorities, saying the FDA should closely consider the cultivation and export schedule for tomatoes from his state. "Tomatoes from Sinaloa should be beyond suspicion," said the governor.

Other states that supply tomatoes to the US, including Sonora, Michoacan, and Chihuahua, are expected to feel the pinch from a suspension of exports to the US. Michoacan's primary export to the US is the Haas avocado, but producers also supply tomatoes to consumers north of the border. Authorities in Michoacan say the FDA's inclusion of Mexico as a possible source of salmonella-tainted tomatoes has prevented the export of at least 500 tons of the produce to the US during June.
As a consequence of the temporary loss of the US market, many producers have been forced to sell their tomatoes in the Mexican market. In Michoacan state, the increased supply resulted in a 50% reduction in the price of tomatoes to about 5 pesos (US$0.48) per kg, said local SAGARPA officials. Prices have also declined markedly at the wholesale level. In some areas, the price of a box of tomatoes had fallen to about 80 pesos (US$7.76), compared with about 140 pesos (US$13.60) previously. While this has been beneficial for Mexican consumers in the short term, agriculture organizations are concerned that a loss of income will eventually force many growers to cut back on their operations, possibly resulting in some layoffs and bankruptcies.

**Mexican producers want proof**

Even though the US has not declared a formal embargo, agriculture organizations and academics say the FDA's decision to identify Mexico as a possible origin of the tainted tomatoes is the latest US action to use health concerns as an excuse to block imports of Mexican agricultural products.

In 2002, the US imposed a temporary ban on imports of cantaloupe from Mexico, linking an outbreak of salmonella in the US to melons imported from that country (see SourceMex, 2002-11-20). A year later, in 2003, the US placed temporary restrictions on imports of Mexican strawberries following an outbreak of hepatitis in four US states (see SourceMex, 2003-12-10).

Mexican producers already are having to contend with the increased red tape created by the US bioterrorism law, which imposes very tight restrictions on shipments of produce and other food products to the US. The law requires Mexican exporters to file extensive paperwork to allow US authorities to closely monitor the content and origin of their products (see SourceMex, 2004-11-17).

Some observers suggested that the US producers might have pressured the FDA to raise the possibility that Mexican tomatoes were unsanitary. "This may be a situation where US growers want to protect their market," said Antonio Segura Miranda, a researcher at the Universidad de Chapingo. Similar comments came from Tomas Chavez Salomon, a columnist for the Sinaloa-based newspaper El Debate. "All the leaders of agricultural organizations in our country agree that [the US] is setting a trap," said Chavez. "US tomato producers have finally found a way to halt imports of Mexican tomatoes."

One problem with this theory is that that FDA's declaration is also hurting tomato producers in central and southern Florida. According to the USDA, Florida accounts for about one-third of the commercial tomato acreage in the US. Conversely, California producers account for another third of the US commercial acreage for tomatoes, and that state was not named as a possible source of salmonella.

**Mexican government vows to take necessary action**

Calderon administration officials came out in support of the Mexican producers and said they would consider taking any action necessary to help them. Agriculture Secretary Alberto Cardenas said the strongest argument against the FDA theory about the origin of salmonella is that there has been no outbreak of the disease in Mexico, where consumers are supplied tomatoes from the same sources as those that go to the export market.

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"Mexican tomatoes are more healthy and cleaner than ever," said Cardenas, who promised to defend the interests of Mexican producers with all diplomatic efforts possible. "Without offering any concrete proof, the FDA made its determination that Mexican tomatoes were responsible for the outbreak of salmonella."

Economy Secretary Eduardo Sojo raised the possibility that his agency might seek a dispute-resolution panel through NAFTA but also expressed confidence that Mexico would not have to take such action. "We want to avoid having to use NAFTA in this case," said Sojo, who said he hoped the dispute would be resolved through bilateral consultations. Sojo said the Mexican government is doing its part by conducting inspections in all tomato-producing states in the country. "We want to prove that Mexico is not the source of the salmonella outbreak," said the economy secretary. [Note: Peso-dollar conversions in this article are based on the Interbank rate in effect on June 18, 2008, reported at 10.30 pesos per US$1.00]