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CIRCUIT COURT

Homeowners seek canker compensation in lawsuit

The first citrus canker civil case in South Florida is under way as residents battle to get more money for trees lost during the controversial canker eradication program.

By Phil Long

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What is a canker-stricken citrus tree worth?

Not much, according to the state, which chopped down hundreds of thousands of trees in South Florida during the failed citrus canker eradication program.

But Miami attorney Bobby Gilbert, representing Palm Beach County homeowners in a class-action lawsuit, says they are due more than the initial \$100 Wal-Mart voucher they received.

In the first South Florida civil case to reach the courts, Palm Beach Circuit Judge Robin Rosenberg will have to decide.

If she rules in favor of the homeowners, a jury then would decide the value of the trees. A decision is expected next month.

More than 865,000 residential trees were destroyed statewide -- most in South Florida -- during an unsuccessful 10-year effort to stop the spread of the disease.

State agricultural crews went door-to-door searching for infected trees, then cut down every citrus tree within 1,900 feet of an infected one.

For the first trees, homeowners received a \$100 voucher. For subsequent trees, the state doled out \$55.

Similar class-action suits are pending in Miami-Dade and Broward counties, but the issue in this first round is whether the trees were rendered worthless once they were exposed to canker. The state says they were worth virtually nothing; some experts say the trees were worth between \$400 and \$790 each.

Gilbert argues that trees with canker still produced edible fruit, which made them valuable to their owners. Commercial growers still harvest fruit marred with canker for juice, he said.

"Their fruit tastes the same," Gilbert said. "They can still make juice and it doesn't matter."

Wes Parsons, who represents the Florida Department of Agriculture, said that citrus trees within 1,900 feet of an infected tree were a "public menace." Not only would those trees decline, lose production and be unsightly, he said, but they would spread canker bacteria to healthy trees.

CITRUS MARKETING

Supply cuts, competition drive up juice prices

LAKELAND --

The multiple woes of the citrus industry pour into your juice glasses at home -- at a price more than twice as expensive as gasoline.

Nationally, as harvests have diminished, the average price of a gallon of orange juice -- now about \$5.70 -- increased about 25 percent from 2005 and 50 percent from 10 years ago.

Even forecasts of a significant rebound in supplies this year won't help very much, experts say, because the long-term trend remains bearish. In addition, the industry faces rising competition from other juice products, vitamin-enhanced water, specialty coffees and other drinks.

As a consequence, per capita consumption of juice -- which accounts for about 90 percent of the crop -- and fresh citrus fruit is down significantly.

"We're out there scratching and clawing for market share," said Andrew Meadows, a spokesman for the Florida Citrus Mutual.

Look for more television advertising from the industry and a growing presence on entertainment and other websites.

"Marketing is going to be more focused on targeting consumers in the future than it ever has been in the past," said Bob Norberg, a research and operations expert for the state's Department of Citrus.