

REGULATORY REVIEW OF ROUNDUP READY ALFALFA

Virgil Meier¹

HISTORY

May, 2003 Petition 03-127-01p requesting deregulation of Roundup Ready Alfalfa was received by APHIS. APHIS requested additional information and the petition was withdrawn.

April, 2004 Petition 04-110-01p requesting deregulation of Roundup Ready Alfalfa was received by APHIS with additional information added.

June, 2005 After thorough review, APHIS came to a Finding of No Significant Impact (FONSI) and deregulated Roundup Ready Alfalfa.

February, 2006 A lawsuit was filed against the USDA challenging the Department's decision to deregulate the GE alfalfa, pursuant to the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), and the Plant Protection Act (PPA).

February 13, 2007 Judge Charles R. Breyer of Federal District Court in San Francisco ruled that pursuant to the NEPA claim, APHIS should have prepared an Environmental Impact Statement (EIS) on the alfalfa. The Judge disagreed that the Environmental Assessment (EA) prepared by APHIS sufficiently examined the environmental impact as required by NEPA. He argued that additional data is necessary in order for APHIS to reach some of the conclusions in the EA. The court did not overturn federal conclusions regarding the safety of RR alfalfa for food and feed purposes, but rather concluded that APHIS had not adequately documented the lack of or potential of environmental impacts.

March 12, 2007 Judge Breyer revoked the government's approval of Roundup Ready alfalfa, ordering a halt to seed sales and banning any planting of the crop after March 30.

January 7, 2008 Federal Register publication of Notice of Intent (NOI) to prepare an EIS and proposed scope of study. Comments made to the NOI can be found at: <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2007-0044>

¹ V. Meier (virgil.d.meier@aphis.usda.gov) USDA-APHIS- Biotechnology Regulatory Services (BRS), 4700 River Road, Riverdale, MD 20737; (**In**: Proceedings, Alfalfa & Forage Symposium and Western Seed Conference, 2-4 December, 2008, San Diego, CA, UC Cooperative Extension, Agronomy Research and Extension Center, Plant Sciences Department, University of California, Davis 95616. (See <http://alfalfa.ucdavis.edu> for this and other proceedings).

FUTURE PROCEDURES

1. Publication of Draft EIS
2. Comment period
3. Publication of Final EIS and Plant Pest Risk Assessment
4. Decision on Deregulation

For additional information on these future procedures, check:

http://www.aphis.usda.gov/biotechnology/brs_main.shtml