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# APHIS Issues First Regulatory Status Review Response: Norfolk Plant Sciences' Purple Tomato

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WASHINGTON, September 7, 2022 – The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) has reviewed a new tomato from Norfolk Plant Sciences. The tomato was modified to alter its color and enhance its nutritional quality. We found the plant is unlikely to pose an increased plant pest risk compared to other cultivated tomatoes and is not subject to regulation under 7 CFR part 340. That means, from a plant pest risk perspective, this plant may be safely grown and used in breeding in the United States. Our response is based on information from Norfolk Plant Sciences and our:

- familiarity with tomato varieties,
- knowledge of the traits that alter fruit color and nutritional quality, and
- understanding of the modifications.

Under 7 CFR part 340, developers may submit a request to APHIS for a Regulatory Status Review (RSR) when they believe a modified plant is not subject to regulation. APHIS reviews the modified plant and considers whether it might pose an increased plant pest risk compared to a nonregulated plant. If our review finds a plant is unlikely to pose an increased plant pest risk relative to the comparator plant, we issue a response indicating the plant is not subject to the regulations.

With respect to Norfolk Plant Sciences' purple tomato, we did not identify any plausible pathways to increased plant pest risk compared to other cultivated tomatoes and issued a response letter indicating the plant is not subject to regulation. This is the first RSR response we have issued under the revised biotechnology regulations at 7 CFR part 340. You can view the Norfolk Plant Sciences RSR request and our response at the link below.

**[View RSR Requests and APHIS Responses](#)**