

Questions and Answers: Final Environmental Impact Statement Roundup Ready Alfalfa

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) has prepared a final environmental impact statement (EIS) that evaluates the potential environmental effects of deregulating alfalfa genetically engineered (GE) to be resistant to the herbicide glyphosate, known commercially as Roundup. The GE alfalfa is commonly referred to as Roundup Ready (RR) alfalfa.

Q. Why did APHIS prepare an EIS?

A. In 2003, the Monsanto Company and Forage Genetics International submitted a petition to APHIS requesting nonregulated status for RR alfalfa lines J101 and J163. APHIS prepared an environmental assessment (EA) to determine whether deregulating the alfalfa, could have a significant impact on the environment. After a thorough review of the scientific evidence, APHIS issued a finding of no significant impact and deregulated the lines on June 14, 2005. APHIS makes a determination of nonregulated status only when it can conclude that the organism does not pose a plant pest risk.

In February 2007, the Federal District Court in San Francisco vacated APHIS' 2005 decision to deregulate RR alfalfa and determined that the agency must prepare an EIS in support of its decision to deregulate RR alfalfa. It is important to note that the court did not overturn Federal conclusions regarding the safety of the crop for food and feed purposes or APHIS' determination that RR alfalfa is not a plant pest. Rather, the court concluded that APHIS had not adequately documented potential environmental impacts, and that additional data were necessary for APHIS to have reached some of its conclusions in the EA that accompanied its determination.

Q. What did the final EIS for RR alfalfa determine?

A. APHIS considered three alternatives in the final EIS: (1) to maintain the regulated status of RR alfalfa; (2) to deregulate RR alfalfa; or (3) to deregulate RR alfalfa with isolation distances and geographic restrictions for the production of RR alfalfa. APHIS analyzed these alternatives with regard to their potential impacts on gene flow between the RR alfalfa and non-GE alfalfa, on weed development, on wildlife species, and on species with special status.

Q. Did APHIS publish a draft EIS?

A. APHIS published a draft EIS in December 2009 and made it available for public comment for an extended 75-day comment period. APHIS held four public meetings across the United States during the open comment period, and approximately 133 people attended. APHIS received approximately 244,000 comments on the draft and substantive comments and recommended study reports were considered for incorporation into and revision of the final EIS.

Q. How is the final EIS different than the draft EIS?

A. The draft EIS examined two alternatives: continuing to regulate the two lines of RR alfalfa, or deregulating the two lines. The final EIS examines a third alternative that was recommended by commenters on the draft EIS, who suggested that geographic restrictions and isolation distances deserved further examination by the agency.

The final EIS also includes a discussion of glyphosate resistant-weeds and how glyphosate-tolerant crops can contribute to the development of these types of weeds. It outlines management practices that can be used to mitigate this contribution. The final EIS also expands the discussion of the interaction of RR alfalfa and GE-sensitive markets.

Q. Is the agency taking any actions in the final EIS?

A. The final EIS is not a final decision on the regulatory status of RR alfalfa. It is an analysis of the impacts of the various alternatives with regard to their potential environmental and related economic impacts. The final EIS will be available for public review for at least 30 days before USDA will publish a record of decision on how it will proceed.

Q. What is APHIS' preferred alternative in the EIS?

A. USDA has thoroughly analyzed the potential environmental impacts of the proposed alternatives and has listed two preferred options: deregulation as one option and the other deregulation accompanied by a combination of isolation distances and geographic restrictions on the production of GE alfalfa seed and, in some locations, hay.

By listing both options as preferred, USDA has considered plant pest issues as well as broader environmental and related economic issues related to the coexistence between GE, non-GE, and organic alfalfa production.

Q. What are APHIS' next steps?

A. APHIS values feedback from its stakeholders and the public and places a high priority on transparency. The final EIS will be available for public review for at least 30 days before USDA will publish a record of decision on how it will proceed.

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