



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service  
Plant Protection and  
Quarantine

Biotechnology  
Regulatory Services  
4700 River Road  
Unit 98  
Riverdale, MD 20737

Mr. Richard Hamilton  
Ceres Inc.  
1535 Rancho Conejo Blvd.  
Thousand Oaks, CA 91320

Re: Follow up response concerning regulating TRSBG101B Sorghum and other modified sorghum under 7 CFR part 360.

Dear Mr. Hamilton:

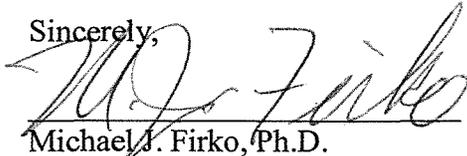
We are following up on our letter dated August 26, 2014 in which we responded to your request for confirmation that TRSBG101B sorghum (*Sorghum bicolor* (L.) Moench ssp. *Bicolor* - "TRSBG101B Transgenic Sorghum") is not a regulated article under 7 CFR part 340. While confirming that your TRSB101B sorghum is not a plant pest pursuant to 7 CFR part 340, we also stated that we were considering listing your product in 7 CFR part 360 and that we would follow up at a later time with respect to regulating TRSBG101B.

APHIS prepared Weed Risk Assessments (WRA) to evaluate the weediness, which also included potential for gene flow and the impacts to plant health should these traits move to sexually compatible weedy relatives, of both non-genetically engineered commercial sorghum and TRSBG101B sorghum, and to determine whether or not the TRSBG101B is a candidate for listing as a Federal noxious weed. The analysis considered whether your TRSBG101B sorghum - which has been engineered for enhanced stem biomass yield, increased juice volume, and total sugar, - would be weedier than commercial sorghum. The establishment/spread potential and impact scores for the two types of sorghum were in the low to moderate range on the WRA scale. The sole difference, which is not statistically significant, is due entirely to the enhanced stem biomass yield, increased juice volume and total sugars of your TRSG101B sorghum. There are two sexually compatible weedy species, shattercane (*S. bicolor* nothosubsp. *drummondii*) and johnsongrass (*S. halepense*), present in the United States. Both species obtained the highest risk score for establishment/spread potential on the WRA scale. However, based on the experimental evidence available on the fitness of TRSBG101B sorghum, we find that it is unlikely that the transgenic traits would provide any competitive advantage to the two weedy species even if they obtain the transgene by gene flow. Our conclusion is that TRSBG101B sorghum engineered for enhanced stem biomass yield, increased juice volume and total sugars, does not pose an increased noxious weed risk by itself

or through gene flow to sexually compatible weedy. Therefore, APHIS has made the decision that TRSBG101B sorghum, will not be listed under 7 CFR part 360.

USDA is committed to helping ensure that GE and non-GE agricultural sectors can continue to thrive and be successful. Although the GE sorghum line is in the early stages of development, the USDA recognizes that if this GE line were to be commercially released as a GE variety, producers wishing to grow non-GE sorghum may have concerns related to gene flow between the GE variety and non-GE sorghum and sexually compatible relatives. Similar to the Department's experience with other GE crop varieties, USDA encourages Ceres to discuss these concerns with various stakeholders during these early stages of research and development of this GE sorghum line. We are willing to help you make these connections with industry to enable you to start the conversation between Ceres and industry on developing appropriate and effective stewardship measures to minimize commingling and gene flow between GE and non-GE sorghum, prior to commercialization.

Sincerely,



Michael J. Firko, Ph.D.  
APHIS Deputy Administrator  
Biotechnology Regulatory Services  
Animal and Plant Health Inspection Service  
U.S. Department of Agriculture

4/28/2016  
Date