



United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Biotechnology  
Regulatory  
Services

4700 River Road  
Riverdale, MD  
20737

April 24, 2012

**Mr. Richard Hamilton**  
President and Chief Executive Officer  
Ceres, Inc.  
1535 Rancho Conejo Boulevard  
Thousand Oaks, CA 91320

Re: APHIS confirmation of the regulatory status of TRG101B Transgenic Switchgrass

Dear Mr. Hamilton:

Thank you for your letter dated January 20, 2012 regarding the transgenic switchgrass (TRG101B) your company has recently developed. The letter stated this switchgrass produces greater biomass and contains more fermentable sugars than conventional switchgrass varieties, thereby offering a higher yield potential.

APHIS regulates the environmental release of certain genetically engineered organisms which are, or have the potential to be plant pests. Regulations for genetically engineered organisms that have the potential to be plant pests, under the Plant Protection Act, are codified at 7 CFR part 340, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason To Believe Are Plant Pests." Under the provisions of these regulations, a genetically engineered (GE) organism is deemed a regulated article if it has been genetically engineered from a donor organism, recipient organism, or vector or vector agent listed in §340.2 and the listed organism meets the definition of "plant pest" or is an unclassified organism and/or an organism whose classification is unknown, or if the Administrator determines that the GE organism is a plant pest or has reason to believe is a plant pest.

APHIS has evaluated the description of TRG101B Switchgrass in your January 20, 2012 letter. As described, the TRG101B Switchgrass was created using the biolistic method of transformation and include genetic material (promoters, terminators, and genes) from *Sorghum bicolor*, *Arabidopsis thaliana* and *E. coli* K-12.

APHIS has determined that switchgrass itself is not a plant pest, no organisms used as sources of the genetic material to create TRG101B Switchgrass are plant pests, and the method used to genetically engineer TRG101B Switchgrass did not involve plant pests.

No plant pests, unclassified organisms, or organisms whose classification is unknown are being used to genetically engineer this variety of GE switchgrass. In addition, APHIS has no reason to believe TRG101B Switchgrass is a plant pest. Therefore APHIS does not consider this genetically engineered TRG101B Switchgrass as described in your January 20, 2012 letter to be regulated under 7 CFR part 340.

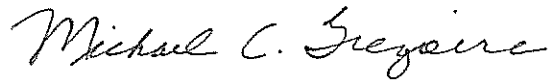


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APHIS is an agency of USDA's Marketing and Regulatory Program

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Please be advised that the use of TRG101B Switchgrass lines may still be subject to other applicable regulatory authorities such as EPA and FDA.

Sincerely,

A handwritten signature in cursive script that reads "Michael C. Gregoire".


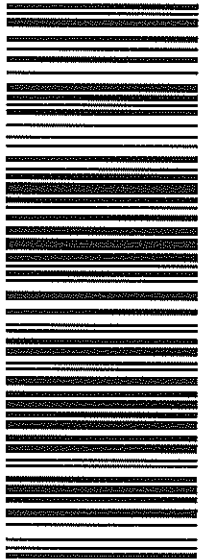

Michael C. Gregoire  
Deputy Administrator  
Biotechnology Regulatory Services

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<p>JODENE NITZPATRICK                  3017347327                  USDA/APHIS/BR5                  4700 RIVER RD                  RIVERDALE MD 20737</p> <p style="text-align: right;"><b>0.0 LBS LTR</b></p> <p style="text-align: right;"><b>1 OF 1</b></p>	<p><b>SHIP TO:</b>                  MR. RICHARD HAMILTON                  805-376-6500                  CERES, INC.                  1535 RANCHO CONEJO BOULEVARD                  PRESIDENT AND CHIEF EXECUTIVE OFCR                  NEWBURY PARK CA 91320-1440</p>	<p style="font-size: 2em; font-weight: bold;">CA 913 2-40</p>  <p style="font-size: 2em; font-weight: bold;">UPS NEXT DAY AIR SAVER 1P</p> <p>TRACKING #: 1Z 072 OAX 29 9007 3542</p>	 <p style="text-align: center; font-size: 0.8em;">BILLING: P/P SIGNATURE REQUIRED</p> <div style="text-align: center;">  <p style="font-size: 0.6em;">CS 14-1.1.0. WAP1ES0 24-0A 01/2012</p> </div>
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