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Richard Shank, Ph.D.
Senior Vice President
Regulatory and Governmental Affairs

January 31, 2012

Michael C. Gregoire
Deputy Administrator, Biotechnology Regulatory Services
4700 River Road, Unit 98
Riverdale, MD 20737

Re: Enhanced Turfgrass Quality Kentucky Bluegrass

Dear Mr. Gregoire:

The USDA has previously concurred that the Scotts Miracle-Gro Company's (Scotts) genetically modified glyphosate tolerant Kentucky bluegrass (*Poa pratensis*) is not a "regulated article" and therefore not subject to the regulations in 7 C.F.R. Part 340. This letter is to inform you that Scotts is planning to begin field trials on another genetically modified Kentucky bluegrass product that is glyphosate tolerant and has enhanced turfgrass quality using the same transformation methods previously described. Scotts intends to begin field trials on its Enhanced Turfgrass Quality Kentucky bluegrass around May 1, 2012.

I. Enhanced Turfgrass Quality Kentucky bluegrass (*Poa pratensis*)

Transformation of Kentucky bluegrass is stably integrated using purified trait DNA transferred by biolistics. DNA transfer does not involve Agrobacterium transformation or any other plant pest regulated under the Plant Protection Act. The genetically enhanced material is expressing plant sourced genes that result in a turfgrass with glyphosate tolerance and a shorter, thicker and darker green turfgrass stand.

Donor Genetic Elements:

Glyphosate Tolerance:

- CBI

Enhanced Turfgrass Quality:

- CBI

II. Recipient Kentucky bluegrass (*Poa pratensis*)

Kentucky bluegrass is not a federal noxious weed. It is listed as an agricultural seed (7 C.F.R. Part 361), and is commonly grown on both home and government lawns. Kentucky

bluegrass is native to practically all of Europe, northern Asia, and the mountains of Algeria and Morocco. It is adapted for growth in cool, humid climates, and is most prevalent in the northern half of the United States and the southern half of Canada. It is not common in the Gulf states or in desert regions of the Southwest.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich Shank".

Richard Shank, Ph.D.
Senior Vice President
Regulatory and Government Affairs