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07/22/2011 11:12 AM

To "foia.officer@aphis.usda.gov" <foia.officer@aphis.usda.gov>

cc

bcc

Subject Request for Opinion Letter

7/21 - 669

Facio
AR'S

Dear FOIA Officer:

I have search both the APHIS website and the ISB database for the document that I am requesting. I was unable to find the document. Consequently, I turn to you for assistance in locating the document.

My request:

Document Title: Opinion Letter

Organism: Maize (corn) transgenic that did not involve any plant pest or pest components

Date: Unclear to me – either 1989-1991 (very early) or 1999-2001. I have conflicting information about the date of the opinion letter; (In a conversation where I hear about this opinion letter, I heard it described as the first ever regulatory opinion on GM maize developed by Pioneer. That conversation makes me think that the opinion letter may be from 1989-1991. But in a later conversation, I heard that the date of the opinion letter was 1999-2001.)

APHIS Unit: Biotechnology, Biologics, and Environmental Protection (BBEP) -- the unit name may help you with the date of the letter;

Officer Signing the Letter: John H. Payne, Director BBEP (The BBEP administrator's name may help with the date of the opinion letter;)

Decision in Letter: the transgenic maize is not a "regulated article"

Organization seeking Decision: Pioneer Hi-Bred International

My request is for the opinion letter and also any affiliated letters/documents from Pioneer seeking the letter or affiliated letters/documents opposing Pioneer's request.

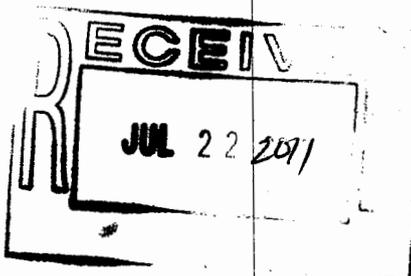
I am a Professor of Law, as my signature block and contact information indicates. It is my understanding that the first 100 pages is free to me as an academic. I feel very confident that this letter (and affiliated letters/documents) will total many pages fewer than 100.

Thank you for your attention to this FOIA request. Thank you for your assistance. If convenient for you (and allowable under FOIA), I would be pleased to receive the copies as electronic documents so long as the documents are readable.

Best regards,

Drew Kershen

Drew L. Kershen
Earl Sneed Centennial Professor of Law
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