



April 15, 2011

United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

Freedom of
Information

4700 River Road
Unit 50
Riverdale, MD
20737-1232

Rvan Lonergan

Dear Mr. Lonergan:

This is in response to your March 30, 2011, Freedom of Information (FOIA) request for records that detail exactly where the new genetically modified alfalfa will be planted, including the scientific study relied upon to determine potential crop yields of the GMO. Your request was received via on March 31, 2011, and assigned case number 11-370.

APHIS Biotechnology regulations found in 7 CFR 340 do not require or allow us to require "records that detail exactly where the new genetically modified alfalfa will be planted. Therefore, we have no records responsive to your request. In addition, the "scientific study" requested is in the reference section of the APHIS BRS Final Environmental Impact Statement (FEIS) document, which is located at:
[www.aphis.usda.gov/biotechnology/downloads/alfalfa/gt_alfalfa%20 feis.pdf](http://www.aphis.usda.gov/biotechnology/downloads/alfalfa/gt_alfalfa%20feis.pdf).

Although this does not constitute a denial because no records were found or withheld, you may appeal this determination within 45 calendar days from the date of this letter. An appeal must be submitted in writing and sent to: Administrator, Animal and Plant Health Inspection Service, Ag Box 3401, Washington, D.C. 20250-3401. Please refer to FOIA 11-370 in your appeal letter and add the words "FOIA Appeal" to the front of the envelope. To assist the Administrator in reviewing your appeal, provide specific reasons why you believe modification of the determination is warranted.

Because the cost to process your request is less than \$25.00, the fee has been waived

Sincerely,


Tonya Woods
Director

Freedom of Information & Privacy Act
Legislative and Public Affairs