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Petitions

Last Modified:

Developers may file a petition for the determination of nonregulated status to demonstrate their modified plant is not a plant pest and should no longer be regulated by USDA. Depending on the product, reviews by FDA and EPA may also be required.

In the petition process, BRS evaluates interactions between the modified plant and plant pests, potential effects on non-target organisms, changes to weediness, and

effects on other organisms which may acquire the modification from the modified plant. BRS also analyzes potential environmental effects following to the National Environmental Policy Act.

When BRS reaches the conclusion that a modified plant presents no greater risk than the non-modified version of the plant, BRS designates it as nonregulated. Although developers often seek nonregulated status to produce a modified product commercially, a designation of nonregulated status does not necessarily mean it is produced commercially, and APHIS does not track a product's commercial status after it is granted nonregulated status.

Expand All

Petition Guidance and Resources

- Petition User Guide (194.58 KB)
- Guidance on Requests for Extensions of Non-Regulated Status (162.89 KB)
- Guide for Submitting Confidential Business Information (315.59 KB)

View Table of Petitions

Regulatory Status Reviews

The regulations enabling the Regulatory Status Review process were vacated on Dec. 2, 2024, by a court order. Responses to Regulatory Status Reviews issued before Dec. 2, 2024, remain valid.

- Table of Regulatory Status Reviews

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