Noxious Weeds Program Proposed Rules

Last Modified:

Proposed Rules and Other Federal Register Notices

FR Notice Docket No. APHIS-2011-0081

We are advising the public of our decision that *Poa pratensis* (Kentucky bluegrass) that has been genetically engineered for tolerance to the herbicide glyphosate does not pose a level of harm that would warrant its designation as a noxious weed and therefore will not be regulated under the Animal and Plant Health Inspection Service's regulations for noxious weeds. Our decision is based on our analysis of available scientific data, our weed risk assessment, and our weed risk management analysis.

For details see http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0081. A link to our supporting documents are located on the Weed Risk Assessment Web page.

Visit Regulations.gov for information about the associated docket APHIS-2011-0080.

Importation and Interstate Movement of Noxious Weeds

Weed Final Rule APHIS 2007-0146-15 issued November 10, 2010; Effective Date: December 10, 2010.

We amended the regulations governing the importation and interstate movement of noxious weeds by adding definitions of terms used in the regulations, adding details regarding the process of applying for the permits used to import or move noxious weeds, adding a requirement for the treatment of Niger seed, and adding provisions for petitioning to add a taxon to or remove a taxon from the noxious weed lists. These changes updated the regulations to reflect current statutory authority and program operations and improve the effectiveness of the regulations. We are also added seven taxa to the list of terrestrial noxious weeds and to the list of seeds with no tolerances applicable to their introduction. This action prevents the introduction or dissemination of these noxious weeds into or within the United States.

Final Rule establishing Not Allowed Pending Pest Risk Assessment Category Under Q-37

We are amending the regulations to establish a new category of regulated articles in the regulations governing the importation of nursery stock, also known as plants for planting. This category will list taxa of plants for planting whose importation is not authorized pending pest risk analysis. If scientific evidence indicates that a taxon of plants for planting is a quarantine pest or a host of a quarantine pest, we will publish a notice that will announce our determination that the taxon is a quarantine pest or a host of a quarantine pest, cite the scientific evidence we considered in making this determination, and give the public an opportunity to comment on our determination.

We are advising the public that we have determined that 41 taxa of plants for planting are quarantine pests and 107 taxa of plants for planting are hosts of 13 quarantine pests and therefore should be added to our lists of taxa of plants for planting whose importation is not authorized pending pest risk analysis. We have prepared data sheets that detail the scientific evidence we evaluated in making the determination that the taxa are quarantine pests or host of quarantine pests. We are making these data sheets available to the public for review and comment.

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