



APHIS-BRS Letter of No Jurisdiction

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Biotechnology  
Regulatory  
Services

4700 River Road  
Riverdale, MD  
20737

Date: October 23, 2013

To: Animal and Plant Health Inspection Service/Biotechnology Regulatory Services  
Applicant

Reference: Courtesy Permit # 13-290-111m for the Movement of Genetically Engineered  
*Drosophila melanogaster*

Dear Applicant:

The Animal and Plant Health Inspection Service (APHIS) regulates introductions of certain genetically engineered (GE) organisms which are, or have the potential to be, plant pests. Under the Plant Protection Act, regulations for such GE organisms are codified at 7 CFR part 340, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason To Believe Are Plant Pests." Under the provisions of these regulations, a GE organism is deemed a regulated article if it has been genetically engineered from a donor organism, recipient organism, or vector or vector agent listed in §340.2 and the listed organism meets the definition of "plant pest" or is an unclassified organism and/or an organism whose classification is unknown, or if the Administrator determines that the GE organism is a plant pest or has reason to believe is a plant pest.

Biotechnology Regulatory Services (BRS) issues courtesy permits for **non-regulated organisms** upon request in order to facilitate their movement, which might otherwise be impeded because of the similarity of the organism to regulated organisms. Since most transgenic *Drosophila melanogaster* developed for research purposes do not contain genetic sequences from plant pests and are themselves not considered plant pests, most transgenic *Drosophila melanogaster* do not require permits from BRS for their movement. APHIS BRS has determined that the organism listed in your courtesy application itself is not a plant pest and therefore APHIS/BRS does not consider this organism, "*Drosophila melanogaster*," as described in your application to be regulated under 7 CFR part 340.

Please be advised that once cleared by the Department of Homeland Security's Customs and Border Protection, **your material (*Drosophila melanogaster*) can be forwarded to its final destination and is not subject to APHIS' Plant Protection and Quarantine's Plant Inspection Station review and clearance requirements.**

Sincerely,

*Steven Bennett*

Steven Bennett  
Biotechnology Regulatory Operations  
Biotechnology Regulatory Services

