



December 18, 2020

Kevin Shea, Administrator
United States Department of Agriculture
Animal and Plant Health Inspection Service
4700 River Road
Riverdale, MD 20737

Dear Administrator Shea,

On behalf of the National Association of Wheat Growers (NAWG), we write to provide additional comment and feedback on the Animal and Plant Health Inspection Service's (APHIS) Sustainable, Ecological, Consistent, Uniform, Responsible, Efficient (SECURE) Rule, which was published in its final form on May 18, 2020.

NAWG is a federation of 20 state wheat grower association that works to represent the needs and interests of wheat producers before Congress and federal agencies. Based in Washington, D.C., NAWG is grower-governed and grower-funded, and works in areas as diverse as federal farm policy, trade, environmental regulation, agricultural research and sustainability. Our members feel it is important to provide additional feedback on the SECURE Rule as our membership, wheat researchers, and value chain continue to discuss this regulatory update.

In keeping with our public comments submitted to APHIS's draft rule on August 5, 2019, NAWG would like to reiterate and elaborate on a few key issues related to the final rule, including on the regulatory flexibility for gene editing and how this applies to polyploid species. As APHIS considers future guidance for exemptions, the petition process, and regulatory status review process, we are particularly interested in additional flexibility for polyploids to cover multiple modifications. Continuing to incorporate new and emerging technologies is critical to improving wheat productivity and sustainability, improve the nutritional value and quality of crops, combat pests and diseases, and enhance food safety.

It is our understanding that APHIS issued the final SECURE rule with the ability to expand these exemptions to cover multiple modifications to a specific plant species. However, we remain concerned about permit issuance bottlenecks and urge flexibility and deference to polyploids. It is our concern this rule will create an unnecessary regulatory burden for wheat researchers, and thus deprive wheat growers of potentially significant advances in breeding, if future expansions of the exemption in the SECURE rule do not resolve the issue for polyploids. As the rule is currently written with exemptions only made available for single gene edits, this will preclude alterations in genes on homoeologous chromosomes. This issue presents wheat researchers with a significant barrier to advancing wheat breeding and trait development.

Our membership believe science-based decisions should be used as APHIS continues to develop guidance and as it considers expanding the existing exemptions. Regulation needs to be rational and not burdensome for researchers with unnecessary costs or delays. We appreciate APHIS in its efforts to update the underlying Part 340 regulation and hope the intended flexibility outlined in the final rule can be of high value for wheat research.

Thank you for the opportunity to provide additional comments and for your attention on this issue.

Sincerely,

A handwritten signature in cursive script that reads "Dave Milligan". The signature is written in black ink and is centered below the word "Sincerely,".

Dave Milligan, President
National Association of Wheat Growers