

**1558.0010 SCOPE.**

Subpart 1. **Regulatory authority.** The Minnesota Department of Agriculture is authorized to regulate the release of agriculturally related genetically engineered organisms in Minnesota. The requirement for environmental review is subject to Minnesota Statutes, chapter 116D, and rules adopted under it. The categories of releases are as follows: releases requiring permits, notifications, and commercial use.

Subp. 2. **Releases requiring permits.** All releases of agriculturally related genetically engineered organisms, pesticides, fertilizers, soil amendments, or plant amendments, that do not fall under the notification process or that have not been exempted for commercial use, require a release permit. The procedure for filing a release permit application is outlined in part 1558.0040.

Subp. 3. **Notification.** Corn, soybeans, cotton, tobacco, tomato, potato, and any other plants designated by the commissioner under part 1558.0060, subpart 1, may follow the notification procedure in part 1558.0060, provided that they meet all the eligibility criteria in part 1558.0060, subpart 1, and the performance standards in part 1558.0060, subpart 2.

Subp. 4. **Commercial use exemption.** Agriculturally related genetically engineered organisms, pesticides, fertilizers, soil amendments, or plant amendments that have passed the USDA procedure for delisting by petition, or similar procedures of the USDA or other federal regulatory agencies, may be considered for a commercial use exemption in Minnesota if they meet the guidelines and procedures in part 1558.0070.

**Statutory Authority:** *MS s 18F.12*

**History:** *20 SR 1037*

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