

1558.0020 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to this chapter.

Subp. 2. **Agriculturally related organism.** "Agriculturally related organism" means any organism that is used in agricultural production or processing of agricultural products. It includes livestock and livestock products; dairy animals and dairy products; poultry and poultry products; domestic fur-bearing animals; animal feeds; horticultural stock; nursery stock, as detailed in Minnesota Statutes, section 18.46, subdivision 3; fruit; vegetables; forage; grain; wild rice; seeds; bees; apiary products; and products for the control or mitigation of noxious weeds. It excludes vaccines and drugs for use in humans; genetic engineering of human germ cells and human somatic cells intended for use in human gene therapy; vaccines for use in livestock, dairy animals, poultry, domestic fur-bearing animals, or private aquatic life; genetically engineered wild animals; and forestry products.

Subp. 3. **Applicant.** "Applicant" means a person who files an application with the commissioner for a release permit, notification, or exemption for an agriculturally related genetically engineered organism.

Subp. 4. **Application.** "Application" means the document filed by the person or persons with the commissioner for a release permit, notification, or exemption for an agriculturally related genetically engineered organism.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of agriculture or an agent authorized by the commissioner.

Subp. 6. **Containment facility.** "Containment facility" means a laboratory, greenhouse, building, structure, or other similar facility that complies with the most recent applicable National Institute of Health Guidelines for Research Involving Recombinant DNA Molecules which is incorporated by reference and published in the Federal Register or is certified by the USDA Animal and Plant Health Inspection Service as a containment facility. Such facilities must also be certified under part 1558.0080, subpart 1, or has been exempted by the commissioner under part 1558.0080, subpart 2.

Subp. 7. **Environment.** "Environment" means the physical conditions existing in the area that may be affected by a proposed release. It includes land, air, water, minerals, flora, fauna, ambient noise, energy resources, and artifacts or natural features of historic, geologic, or aesthetic significance.

Subp. 8. **Environmental assessment worksheet; EAW.** "Environmental assessment worksheet" or "EAW" means a document complying with part 4410.0200, subpart 24.

Subp. 9. **Environmental impact statement; EIS.** "Environmental impact statement" or "EIS" has the meaning given in part 4410.0200, subpart 26.

Subp. 10. **Environmental Quality Board; EQB.** "Environmental Quality Board" or "EQB" means the Minnesota Environmental Quality Board.

Subp. 11. **Federal application.** "Federal application" means an application, notification, or petition and supporting documents submitted to any agency of the United States government for the release of a genetically engineered organism.

Subp. 12. **Genetic engineering.** "Genetic engineering" means the introduction of new genetic material into an organism or the regrouping of an organism's genes using techniques or technology designed by humans or any progeny containing the new genetic material or regrouping. This does not include selective breeding, hybridization, or nondirected mutagenesis.

Subp. 13. **Genetically engineered organism; GEO.** "Genetically engineered organism" or "GEO" means an agriculturally related organism that has been modified directly or indirectly using genetic engineering, as defined in Minnesota Statutes, section 18F.02, subdivision 5, experimental genetically engineered pesticides, as defined in Minnesota Statutes, section 18B.01, subdivision 10b, genetically engineered fertilizer as defined in Minnesota Statutes, section 18C.005, subdivision 12b, genetically engineered plant amendments, as defined in Minnesota Statutes, section 18C.005, subdivision 12c, or genetically engineered soil amendments, as defined in Minnesota Statutes, section 18C.005, subdivision 12d.

Subp. 14. **Organism.** "Organism" means an animal, plant, bacterium, cyanobacterium, fungus, protist, or virus.

Subp. 15. **Release.** "Release" means the placement or use of a GEO outside a containment facility or under any other conditions not specifically determined by the commissioner to be adequate containment pursuant to part 1558.0080, subpart 1 or 2.

Subp. 16. **Release permit.** "Release permit" means the terms, conditions, and authorization by the commissioner under this chapter for the release of a genetically engineered organism.

Subp. 17. **Responsible person.** "Responsible person" means a person who has custody of, control of, or responsibility for an agriculturally related genetically engineered organism.

Subp. 18. **Unreasonable adverse effects.** "Unreasonable adverse effects" means an unreasonable risk to humans or the environment, taking into account the environmental costs and benefits of the use of a genetically engineered organism.

Subp. 19. **USDA.** "USDA" means the United States Department of Agriculture.

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