



Dr. Stephen A. Yarrow  
Director  
Canadian Food Inspection Agency (CFIA)  
Field Crops Division

RE: The CFIA's conditional authorization of 'SmartStax' corn.

August 3, 2009

Dear Dr. Yarrow,

We are writing to request clarification on the CFIA's authorization of the eight-trait genetically engineered (GE) corn 'SmartStax' (Monsanto and Dow AgroSciences).

The CFIA has granted 'SmartStax' what it has referred to as an "interim" or "conditional" authorization. The CFIA did not however publish a Decision Document to accompany this authorization, nor did the agency provide a public rationale for the cut to refuge environmental stewardship requirements from 20% to 5%.

We are writing to request this documentation. We request the following information:

**Authorization for Environmental Release:**

1. Did the CFIA perform an environmental safety assessment for 'SmartStax'? Which Regulations did 'SmartStax' trigger? Is 'SmartStax' classified as a 'Plant with Novel Traits' by the CFIA?
2. Did Monsanto and Dow AgroSciences submit data packages specific to 'SmartStax', to the CFIA for evaluation? What kind of data did they provide and what questions did this data address? Was any of this data peer reviewed? Is any of this data available to the public?
3. What documentation did the CFIA provide to Monsanto and Dow AgroSciences to authorize unconfined environmental release of 'SmartStax'?

**Reduction of Refuge Requirement:**

4. What is the CFIA's rationale for cutting the environmental stewardship requirement of refuge from 20% to 5% for 'SmartStax'? Upon what analysis was this decision based?
5. What studies did the CFIA conduct or review that specifically evaluate the potential impacts of stacking insect resistant traits (there are 6 such traits in the case of 'SmartStax') on the development of insect resistance? Please provide the list of relevant literature reviewed by the CFIA.
6. What was the decision-making process to reduce the refuge requirement for 'SmartStax' and which parties were consulted?
7. Has the CFIA reviewed the agronomic need for the use of insecticidal traits included in 'SmartStax' relative to actual and current pest infestations in Canada?

Conditional Authorization:

8. What are the terms of the conditions for authorization of 'SmartStax'? Please provide the text of the CFIA authorization that includes this conditionality.
9. Is this the first such conditional authorization granted to a *Bt* crop?
10. In email correspondence from the CFIA, CBAN was told that "Renewal would be conditional on satisfactory results of the additional research studies requested." What are the specified research questions that Monsanto and Dow AgroSciences will answer when they report to the CFIA on December 31, 2012 and what are the methodologies by which these questions will be investigated?

We appreciate your response to our questions and look forward to this clarification.

Sincerely,



Lucy Sharratt  
Canadian Biotechnology Action Network



Éric Darier  
Réseau Québécois contre les Organismes Génétiquement Modifiés

Cc: Krista Thomas, National Manager, Plant Biosafety Office