

**MEETING OF THE EXECUTIVE COUNCIL UNDER GMO ACT, 1997 HELD ON
13 MARCH 2007, HARVEST HOUSE, ROOM 332, PRETORIA**

PRESENT

Dr J Jaftha (Chairperson)	Department of Agriculture (DoA)
Mr B Durham	Department of Science and Technology (DST)
Dr G Bouwer	University of the Witwatersrand
Ms L Sello (until 09:05)	Department of Environmental Affairs and Tourism (DEAT)
Ms E Koekemoer	Department of Trade and Industry (the dti)
Ms M Vosges	Department of Agriculture (Registrar)
Ms E L Marshall (Secretariat)	Department of Agriculture

APOLOGIES

Mr D Pretorius	Department of Health (DoH)
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ABSENT

Mr L Motshelanoka	Department of Labour (DoL)
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IN ATTENDANCE

Ms W P Mandivenyi	Department of Environmental Affairs and Tourism
Ms P C Kershaw	Department of Environmental Affairs and Tourism
Mr S Mokhothu	Department of Agriculture
Ms E Jantjies	Department of Agriculture
Ms MI Molepo	Department of Agriculture
Ms R Chanda	Department of Health
Ms S M Molefe	Department of Health

NO.	SUBJECT	RESOLUTION	FOR ATTENTION
1.	OPENING AND WELCOME	The Chairperson welcomed those present.	

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2.	ATTENDANCE REGISTER AND APOLOGIES	The attendance register was circulated to everyone present for signature and an apology was tendered for Mr D Pretorius from the Department of Health.	
3.	ADDITIONS TO AND ADOPTION OF THE AGENDA	The agenda was adopted as is.	
4.	APPROVAL OF MINUTES OF 30 JANUARY 2007	The minutes of the meeting of 30 January 2007, was approved	
5. 5.1	MATTERS ARISING FROM THE MINUTES OF THE MEETING OF 30 JANUARY 2007 Risk assessment of stacked plant biotechnology products and Ecological Risk Assessment (DEAT)	(i) The Council noted the report by DEAT that in collaboration with the Office of the Registrar, two meetings with the Advisory Committee under the GMO Act have been scheduled for 20 & 22 March 2007 in Pretoria and Cape Town respectively. The opportunity will be utilised to review the major area around the technical triggers for an Environmental Impact Assessment (EIA). Resolutions in this regard will be submitted to the Executive Council; however the invitation to the workshop is extended to those members who are in a position to	DEAT

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5.2	Visit to Argentina to benchmark SA trade implications (DoA)	<p>make a contribution on a scientific level and wish to do so.</p> <p>(ii) The Council noted that as from 2 July 2006 the EIA Regulations have come into force and the requirements have caused confusion with many stakeholders.</p> <p>(iii) To eliminate this, DEAT decided to put a mechanism in place which will address the environmental legislation as well as remove a great deal of administrative burden for applicants.</p> <p>(iv) The Council noted the proposal by DEAT that the way forward should be to integrate the requirements of the EIA basic assessment into the GMO application forms.</p> <p>(v) The EIA Regulations allow for the Minister to enter into an agreement with another body to assess the same sort of information for decision making. DEAT is therefore proposing a Regulation 6 agreement whereby the Executive Council will be given the power to make the decisions on the basis of the EIA.</p> <p>(vi) The Council decided that DEAT should provide the Office of the Registrar with the required form and that the two will consult on the best process to be followed for compliance and to report to the Council at the meeting on 15 May 2007.</p> <p>(i) The Council noted that the DOA's Directorate International Relations recommended that officials should individually apply for approval for overseas visits.</p> <p>(ii) The Council noted that the Department of Agriculture has extracted the technical information from the Cabinet Memorandum and will distribute it together with the attachments, to individual departments to assist with obtaining approval for the intended visit to Argentina.</p>	<p>DEAT Registrar</p> <p>All members</p>

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5.6	GIS map	<p>(ii) Mr Durham was tasked with submitting proposals on a best practice model elsewhere in the world where decisions are made available to the public.</p> <p>(iii) The Council noted that Mr Durham has started the process and will be able to report in this regard at the Council meeting scheduled for 15 May 2007.</p> <p>(i) The Council noted that in terms of the Biodiversity Act, one of the mandatory functions given to SANBI is to monitor the impact of GMOs on the environment and to report regularly to the Minister of Environment. The first report to the Minister of GMOs and the environment is due in September 2007 and in order to start the process DEAT needed to have a system in place for managing the information and to have an interface between DEAT and SANBI.</p> <p>(ii) DEAT has developed a system to manage information by superimposing the GMO specific data on a number of other data sets. In this particular example the field trials are located and over and above the priority areas for biodiversity conservation in the country.</p> <p>(iii) The system will allow a person to identify GMOs/region/application/crop and will allow a breakdown in terms of the reports, size of the area and a summary of the risk assessment and is intended to form the basis of the GMO monitoring programme.</p> <p>(iv) The current challenge is to generate background information to make the system fully functional and to have the personnel available to upload the material.</p> <p>(v) The system allows access to information by means of a password.</p>	<p>DST</p> <p>DEAT</p>

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6.	NEW APPLICATIONS TO BE CONSIDERED BY EC	The Council noted that no new applications were tabled for consideration at this meeting.	
7.	NEW MATTERS	The Council noted that no new matters were tabled for consideration at this meeting.	
8.	STANDING MATTERS:		
8.1	Copy of permits issued since last meeting	The Council noted the list of GMO-permits (2007) as submitted.	
8.2	Report on current trials	The Council noted the Summary of GMO Trials Planted in Growing Season 2006-2007 (September – August) as submitted.	
9.	GENERAL		
9.1	Update on the GMO Amendment Bill	The Council noted that as soon as the Office of the Registrar is able to determine the progress regarding the GMO Amendment Bill from the DoA Parliamentary Office, it will be communicated electronically to Council members.	Registrar
9.2	Report back – Outcome of SANSOR Appeal	(i) The Council recalled that SANSOR, on behalf of the seed industry, lodged an appeal against a Council decision dated 25 May 2006 which stated that should a company wish to make stacked GMO seed through conventional breeding and use GMO events that have general release clearance, they need to obtain a trial release permit.	

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9.3	Report back - Liability & Redress meeting in Canada	<p>(ii) The Council noted the Appeal Board decision that was upheld by the Minister that in practice seed companies may use any combination of GMO events to make a stacked hybrid, not necessary only two. Furthermore, considering the current stacked products and future developments in this field, it would therefore be appropriate to make the conditions stipulated in the Appeal Board decision applicable to any combination of GMO events that have conditional general release approval.</p> <p>(iii) The Council noted the perceived implications of the decision by the Appeal Board and authorised the Registrar to amend previously issued permits where necessary.</p> <p>(i) The Council noted the report by Ms Mandivenyi on meeting</p> <p>(ii) The Council decided that they would engage with the text of the position, particularly regarding the unintended consequences of the proposals that might have been overlooked.</p> <p>(iii) The Council noted that a Back-to-the-Office Report is being compiled by the component of the Head of the Delegation and it will be shared with Council members.</p> <p>(iv) The Council noted that since S A is the appointed rapporteur of the activities of the working group, DEAT will continue to coordinate and serve as the link with the Secretariat and the National Task Team.</p> <p>(v) The Council commended DEAT with a task well done in their efforts in developing a S A position.</p>	<p>Council</p> <p>Registrar</p> <p>Council</p>
9.4	Report back – Meeting with Sorghum Consortium	The Council noted the report by the Chairperson that he met with the Sorghum Consortium who are still of the view that the Executive Council did not apply its mind to the application and have thus submitted an appeal for which the DoA	

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
10.	DATE OF NEXT MEETING	will go ahead with the constitution of an Appeal Board. The next Executive Council meeting will take place on 15 May 2007.	
11.	CLOSURE	The meeting was concluded at 10:50.	

Approved by Chairperson

Dr J Jaftha
Name

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Signature

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Date

Approved by Registrar

Ms M Vosges
Name

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Signature

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Date