

**MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER GMO ACT, 1997 HELD ON
15 MAY 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	Chairperson of the Advisory Committee under GMO Act, 1997
Ms L Sello	Department of Environmental Affairs and Tourism (DEAT)
Mr A Pretorius	Department of Health (DoH)
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

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
Ms K C Malakalaka	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 Ngoepe	Department of Agriculture
Ms T Mogapi	Department of Agriculture
Ms R Chanda	Department of Health
Ms S M G Zwane	Department of Science and Technology

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
1.	OPENING AND WELCOME	The Chairperson welcomed those present.	
2.	ATTENDANCE REGISTER AND APOLOGIES	The attendance register was circulated to everyone present for signature and no apologies were presented.	
3.	ADDITIONS TO AND ADOPTION OF THE AGENDA	The agenda was adopted with the addition of 10.4 Report back on GMO Monitoring Workshop.	
4.	APPROVAL OF MINUTES OF 13 MARCH 2007	The minutes of the meeting of 13 March 2007, was amended and approved.	
5.	MATTERS ARISING FROM THE MINUTES OF THE MEETING OF 30 JANUARY 2007		DEAT

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5.1	Risk assessment of stacked plant biotechnology products and Ecological Risk Assessment (DEAT)	<ul style="list-style-type: none"> (i) The Council noted that DEAT is currently on Version 5 of the draft document to which scientific input was received from the Advisory Council members on the triggers for an EIA. (ii) The Advisory Committee recommended that the document also be updated to include pertinent issues and have gone through a global guidance on these issues. Recently a large amount of information has become available, particularly from the European Food Safety Authority on the use of antibiotic resistance markers and this was incorporated into the document. (iii) The document is seventy percent to completion and the comments of the Advisory Committee is currently also being worked into it. (iv) The Council noted that DEAT will present the document to Council members as soon as possible before the meeting of 17 July 2007 and if need be, the Council will then refer it back to the Advisory Committee with specific questions. 	DEAT

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5.2	Visit to Argentina to benchmark SA trade implications (DoA)	<ul style="list-style-type: none"> (i) The Council noted that feedback has been received from both Argentina and Brazil. (ii) The Council proposed that the visit now be negotiated with the hosts for the week of 16 or 30 July 2007. Furthermore should Council members wish to add issues to those already agreed upon, the relevant institutions will have to be approached for approval that they will also be prepared to host the delegation. (iii) The Council requested the Office of the Registrar to again circulate the list of issues to all members who will use it as motivation to obtain approval from their respective Ministers. (iv) The Council noted that DoA has already obtained approval for the Chairpersons of the Council and the Advisory Committee as well as the Registrar to undertake the visit to Argentina and Brazil. (v) The Council requested the Chairperson to approach the DG: DoA to address a letter in this regard to his colleagues at the dti, DoH and DEAT, to in this manner possibly strengthen the application for approval for the visit by the respective Council members. 	DoA
5.3	Study by the dti (DoA)	<ul style="list-style-type: none"> (i) The Council requested the dti to draft and submit an official position in this regard which will serve as a basis for policy decision. (ii) The Council requested that the University of the Free State be approached to submit a final report. 	the dti

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
5.4	Publication of EC decisions	(i) The Council noted that Mr Durham who was tasked with submitting proposals on a best practice model elsewhere in the world where decisions are made available to the public, is not as yet able to do so.	
6.	NEW APPLICATIONS TO BE CONSIDERED BY EC		
6.1	17/3/1-Triclinium-07/007: Trial release with MVA85A in adults with mycobacterium tuberculosis, or HIV, or both	<p>(i) The purpose of this application is to evaluate a new tuberculosis vaccine which will be administered to individuals who have been infected with tuberculosis or HIV or is co-infected with both.</p> <p>(ii) The Council members commented as follows: <u>DoA</u>: Approved. <u>DEAT</u>: Approved. <u>DST</u>: Approved subject to Medical Control Council (MCC) approval. <u>DoH</u>: Approved subject to MCC and relevant ethics committees' approval. <u>the dti</u>: Approved subject to MCC approval.</p> <p>(iii) It was stressed that the onus to obtain approval from the MCC is on the applicant and Council decided that the Registrar must inform the applicant accordingly and indicated that a permit will only be issued once the applicant has submitted a clearance from the MCC.</p>	Registrar

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6.2	17/3/1-Tricilinium-07/008: Trial release with a new TB vaccine (MVA85A) in healthy children and infants.	<p>(i) For this particular application the GMO is still the same, it is only the subject to which it will be administered that has changed from adults to children and infants.</p> <p>(ii) The Council noted that the reviewers considered the application and recommended that the Executive Council approve it.</p> <p>(iii) The Council members commented as follows: <u>DoA</u>: Approved. <u>DEAT</u>: Approved. <u>DST</u>: Approved. <u>DoH</u>: Approved subject to MCC and relevant ethics committees' approval. <u>the dti</u>: Approved.</p> <p>(iv) The Council approved the application for 17/3/1-Tricilinium-07/008: Trial release with a new TB vaccine (MVA85A) in healthy children and infants.</p>	Registrar

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6.3	17/3/1-WarrenChem-06/001: General release of malolactic wine yeast (ML01)	<p>(i) The Council noted that the Advisory Committee requested additional information from the applicant which they provided and public input was received from certain wine makers as well as Biowatch. The Advisory Committee recommend approval.</p> <p>(ii) The Council members commented as follows: <u>DEAT</u>: Approved. <u>DST</u>: This case is one to have a socio-economic impact and the question was posed on whether it will impact on the marketability of the product, both within or outside the RSA. In terms of bio-safety and health safety, great advantage is seen. <u>DoA</u>: Similar issues were raised around socio-economics and although there seems to be potential benefits, concerns exist on the uptake. <u>the dti</u>: Taking into account the comments by other Council members, the dti indicated that they wish to reserve final comments and will report at the next Council meeting. <u>DoH</u>: Demand for the product must be adequately considered and addressed. The Council reserves a decision on this application.</p>	the dti
7.	EXTENSION PERMITS		

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
7.1	17/3/1-WITS-07/019: Extension permit for trial release MRKAd5 HIV-1 vaccine	<p>(i) Council noted that an application was submitted to conduct trial releases with this HIV vaccine but that the trials have not commenced as yet and an application has now been submitted to add two extra sites to conduct their trials.</p> <p>(ii) The Council members commented as follows: <u>DoA</u>: Approved. <u>the dti</u>: Approved. <u>DoH</u>: Approved. <u>DST</u>: Approved.</p> <p>(iii) The Council raised questions on why an application for extension is submitted when the initial trial has not as yet commenced. The Office of the Registrar informed Council that the trial had not commenced due to a problem with the importation of the vaccine.</p>	
8.	NEW MATTERS		
8.1	Appeal Lodged: Trial release of Cassava	The Council noted that the ARC lodged an appeal against the decision of the Council regarding the trial release of Cassava. The Minister will now appoint an Appeal Board who will access the appeal after which the decision will be made known.	

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8.2	Appointment of Acting Registrar	(i) The Council regretfully noted that the Registrar has resigned from the public service to assume a new position at Syngenta as of 1 June 2007. (ii) The Council noted that in terms of Section 8, Sub-section 3 of the GMO Act, 1997, it is empowered to designate a Council Member to act as Registrar until a new Registrar has been appointed in terms of Sub-section 1. (iii) The Council nominated Dr J Jaftha, Chairperson of the Council to serve as acting Registrar and agreed that the Deputy Chairperson will chair the Council meetings until such time as a Registrar has been appointed.	Chairperson and Deputy Chairperson
9.	STANDING MATTERS:		
9.1	Copy of permits issued since last meeting	The Council noted the list of GMO-permits (2007) as submitted.	
9.2	Report on current trials	(i) The Council noted the Summary of GMO Trials Planted in Growing Season 2006-2007 (September-August).	
10.	GENERAL		
10.1	Update on the GMO Amendment Bill	The Council noted that the GMO Amendment Bill has been signed by the President.	DoA

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10.2	Draft Regulations to the GMO Amendment Bill	<p>(i) The Council noted that the Regulation to the GMO Amendment Bill is being finalised by the DoA.</p> <p>(ii) The Council noted that the Regulations will be published for further public input after Ministerial approval has been obtained. At that point the Regulations will also be forwarded to the Council Members.</p>	DoA
10.3	Update: Biowatch court case - appeal	The Council noted that the appeal of Biowatch against the cost order was heard in the High Court on 23 April 2007. Monsanto and DoA opposed the appeal on which the ruling is awaited.	Registrar
10.4	Report back on GMO Monitoring Workshop	<p>(i) The Council noted that on 10 and 11 May 2007, DEAT and DST jointly convened a workshop with stakeholders for discussions on monitoring of GMOs already released into the environment and linked it to upcoming projects. The monitoring requirements are done in terms of the Biodiversity Act and is a mandatory function through the S A National Biodiversity Institute.</p> <p>(ii) DEAT undertook to provide Council members with a disk containing the presentations, outcomes and a list of participants in the workshop.</p>	DEAT

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11.	DATE OF NEXT MEETING	The next meeting of the Executive Council is scheduled for 17 July 2007 at 09:00. Should the proposed fact finding mission to Argentina overlap with this date, the Council decided that the meeting would be brought forward to 10 July 2007 at 09:00 and the Office of the Registrar would inform members accordingly.	
12	CLOSURE	The meeting was concluded at 10:50.	
		(ii) The Council members commented as follows: <u>DoA</u> : Approved. the dti : Approved. <u>DoH</u> : Approved. <u>DST</u> : Approved.	

Approved by Chairperson

Dr J Jaftha
Name

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Signature

Approved by Registrar

Dr J, Jaftha
Name

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Signature

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