

**MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER GMO ACT, 1997 HELD ON
23 SEPTEMBER 2008, HARVEST HOUSE, ROOM 332, PRETORIA**

PRESENT

Dr J Jaftha (Chairperson)	Department of Agriculture (DoA)
Mr A Pretorius	Department of Health (DoH)
Ms E Koekemoer	Department of Trade and Industry (the dti)
Mr Ben Durham	Department of Science and Technology (DST)
Dr G Bouwer	Chairperson of the Advisory Committee (AC) under the GMO Act, (Act No.15 of 1997)
Ms E L Marshall (Secretariat)	Department of Agriculture (DoA)

VACANT

Representative	Department of Labour (DoL)
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IN ATTENDANCE

Ms W P Mandivenyi	Department of Environmental Affairs and Tourism
Ms L Segooa	Department of Science and Technology (DST)
Ms C Arendse	Department of Agriculture
Ms G Christians	Department of Agriculture
Ms E Jantjies	Department of Agriculture
Ms R Chanda	Department of Health
Ms K C Malakalaka	Department of Environmental Affairs and Tourism
Mr S Mokhothu	Department of Agriculture
Ms P Kershaw	Department of Environmental Affairs and Tourism

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

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
2.	ATTENDANCE REGISTER AND APOLOGIES	<ul style="list-style-type: none"> (i) The attendance register was circulated to everyone present for signature and no apologies were presented. (ii) The Council noted that DEAT currently does not have an official member on the EC but does have a representative in attendance. (iii) The Chairperson also indicated that DoL has registered a vacancy in their representation in the EC. 	
3.	ADDITIONS TO AND ADOPTION OF THE AGENDA	<p>The agenda was adopted with the following additions:</p> <ul style="list-style-type: none"> 5.10 Commodity clearance 5.11 Application per event 7.7 Feedback from MSU 	
4.	APPROVAL OF MINUTES OF 15 AND 29 JULY 2008	<ul style="list-style-type: none"> (i) The proceedings of the meeting of 15 July 2008 was amended and approved. (ii) The proceedings of the meeting of 29 July 2008 was amended and approved. 	
5.	MATTERS ARISING FROM THE PROCEEDINGS		
5.1	Risk assessment of stacked plant biotechnology products and Ecological Risk	The EC decided that the matter has been concluded and must be taken off the agenda.	Secretariat

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	Assesment (DEAT)		
5.2	Feedback on appeals lodged under the GMO Act (DoA)	<p>(i) The EC noted the decision of the Minister on the recommendation of the Appeal Board regarding the application for CSIR-06/005: Contained use of GM Sorghum, namely that the permit may be issued subject to the use of a level 3 containment facility and the provision of additional information on the long term goals of the project.</p> <p>(ii) The EC noted that a decision from the Minister on the recommendation of the Appeal Board regarding ARC: IIC-06/001: Contained use of GM Cassava, is still awaited.</p>	Registrar Registrar
5.3	Update on outcome of Argentina fact finding mission	The EC noted that the DoA still has to engage with Argentina at an upcoming bilateral meeting of which the date still has to be confirmed.	Registrar
5.4	Syngenta-08/096: Commodity clearance of maize MIR604xGA21 (Registrar)	The EC noted that the additional information provided by the applicant, was as per previous decision of the EC, referred to the AC for further review and a report is awaited.	Chairperson
5.5	Planning Calendar	The EC noted that the intended visit to a port of entry is still in the planning phase and that they will be kept informed.	Registrar
5.6	Appointment of AC members	(i) The EC noted the following with regard to the appointment of AC members, namely:-	

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
		a) The recommendation for filling one Advisory Committee vacancy is currently with the Minister for consideration. b) The Directorate Legal Services within the DoA has indicated that State Owned Enterprises (SoE) fall within the definition of public sector and officials from the ARC, OBP etc. therefore fall within the realm of public servant. (ii) The EC decided that the nominations for the replacement of the remaining two vacancies may go ahead.	Registrar AC Chair Registrar
5.7	Pioneer 08/336: Commodity clearance – Soybean 35604 (Registrar)	The EC noted that the OoR has requested additional information from the applicant and that DoH will only after receipt thereof, directly interact with the applicant regarding the labelling requirements and how it will be adhered to, once the application has been approved.	OoR & DoH
5.8	Pioneer 08/340: Commodity clearance – Soybean 305423 (Registrar)	The EC noted that the OoR has requested additional information from the applicant and that DoH will also only after receipts thereof, directly interact with the applicant regarding the labelling requirements and how it will be adhered to, once the application has been approved.	OoR & DoH
5.9	WITS 08/021-Import and Trial release –SAAVI HIV vaccine (Registrar)	The Council recommended approval of the application of WITS/021-Import and Trial release SAAVI HIV vaccine subject to additional permit requirements.	OoR
5.11	Application per event	(i) The Executive Council, concluded that single and stacked events should be submitted as individual applications by all applicants.	OoR
6	NEW APPLICATIONS TO BE CONSIDERED BY EC		

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
6.1	Syngenta – 08/098: Trial release of maize event MIR 162 and Stacked Bt11xMIR 162	The Council recommended approval of the application of Syngenta – 08/098: Trial release of maize event MIR162 and Stacked Bt11xMIR162 subject to submission of additional information.	OoR
6.2	Bayer – 08/008: Trial release of cotton event Bollgard II x LLCotton25	The Council recommended approval of the application of Bayer – 08/008: Trial release of cotton event Bollgard II x LLCotton25 provided the additional information is submitted.	OoR
6.3	Bayer – 08/005: Trial release of cotton event GHB 119	The Council recommended approval of the application of Bayer – 08/005: Trial release of cotton event GHB 119 subject to provision of the additional information.	OoR
6.4	Triclinium – 08/013: Import and trial release of Measles vaccine MVA-mBN85B in healthy children (6 months-6 years)	The Council recommended approval of the application of Triclinium – 08/013: Import and trial release of Measles vaccine MVA-mBN85B in healthy children (6 months-6 years) subject to MCC approval.	OoR
6.5	Triclinium – 08/014: Import and trial release of MVA85A/AERAS-485 TB vaccine	The Council recommended approval of the application of Triclinium –08/014: Import and trial release of MVA85A/AERAS-485 TB vaccine is subject to approval by the MCC.	OoR
6.6	Triclinium – 08/015: Import and trial release of	The Council recommended approval of the application of Triclinium – 08/015: Import and trial release of MVA85A/AERAS-402 TB vaccine subject to the	OoR

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
	MVA85A/AERAS-402 TB vaccine	submission of the additional information and MCC approval.	
6.7	Monsanto – 08/469: Import of maize (MON87460)	The Council recommended approval of the application by Monsanto – 08/469: Import of maize (MON87460) subject to the submission the additional information.	OoR
6.8	Triclinium 08/017: Export application for TB event MVA85A (TB011)	The Council recommended approval of the application by Triclinium 08/017: Export application for TB event MVA85A (TB011) subject to submission of additional information.	OoR
6.9	Triclinium – 08/016: Export application for TB event MVA85A (TB014)	The Council recommended approval of the application by Triclinium – 08/016: Export application for TB event MVA85A (TB014).	OoR
7 7.1	General Regulatory and policy development	<p>(i) The EC noted that the Portfolio Committee for Environmental Affairs and Tourism has approved an amendment to NEMA around the definition of “monitoring” and that Ms W Mandivenyi will forward the amendment to the OoR.</p> <p>(ii) The EC noted that the verbal report by the representative of DEAT that:-</p> <ul style="list-style-type: none"> • The Portfolio Committee for Environmental Affairs and Tourism felt strongly that engagement should be started on the possibility of introducing GM free zones from a bio-diversity management aspect and DEAT was instructed to inform the Chairperson of the EC that they would want the Council to take under consideration. DEAT is also of the opinion that this could be done but indicated that it is not on their business plan for the current financial year but if it is deemed a priority 	OoR

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		<p>during the DEAT planning processes, it might be considered in the next financial year.</p> <ul style="list-style-type: none"> • Through some misfortune, the correct wording for Sec. 78 in the Bill was lost and the only change effected was that the word “impact” was inserted and thus now refers to “environmental impact assessment.” <p>(ii) The EC noted that DoH became aware through the newspapers that the Portfolio Committee on Trade and Industry decided to bring back a clause on the mandatory labelling of all foodstuffs derived from GM and containing GMOs.</p> <p>DoH was approached by the Cape Times for a viewpoint on the mandatory labelling of foodstuffs containing GMOs and has, with the approval of the Minister and the DG prepared a statement which is posted on the DoH website. This statement was also e-mailed to all EC members.</p> <p>DoH included a paragraph that states should the clause be included in the Consumer Protection Bill and passed; DoH would call on all parties concerned (and by implication the dti) to ensure that it does not lead to unintended consequences.</p> <p>Concern was expressed that the process initiated by the Portfolio Committee on Trade and Industry took place without inviting or requesting DoH, DoA or sector involvement.</p>	
7.2	MCC presentation on regulatory procedures and	The EC thanked all concerned for the efforts taken to have a presentation by the MCC which unfortunately did not come into effect.	

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	vaccines		
7.3	Syngenta permit conditions GA21/GA21xBt11 (17/3(4/08145 and 17.3(4/08/147)	(i) The EC decided that the managing and monitoring of a trial site after a single season is crucial.	OoR
7.6	Terms of reference for Advisory Subcommittee members	(i) The EC noted that advisory sub-committee members have been appointed and orientated and that amended the Terms of Reference (ToR) of this committee will be submitted for endorsement at the next meeting.	OoR and AC Chairperson
7.7	Feedback from MSU	The EC decided that the matter is deferred to the next meeting .	Registrar
8	Date of the next meeting	The EC noted that the next meeting is scheduled for 28 October 2008.	Registrar
9	Closure	The meeting was concluded at 13:05.	

Approved by Chairperson

Dr J Jaftha
Name

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Signature

Approved by Registrar

Ms G Christians
Name

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Signature

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