MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER GMO ACT, 1997 HELD ON 29 JANUARY 2008, HARVEST HOUSE, ROOM 332, PRETORIA

PRESENT

Dr J Jaftha (Chairperson)	Department of Agriculture (DoA)
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 E L Marshall (Secretariat)	Department of Agriculture

APOLOGIES

Mr B Durham	Department of Science and Technology (DST)

ABSENT

Mr L Motshelanoka	Department of Labour (DoL)

IN ATTENDANCE

Ms W P Mandivenyi	Department of Environmental Affairs and Tourism
Mr M Masilela	Department of Environmental Affairs and Tourism
Ms S C Kershaw	Department of Environmental Affairs and Tourism
Ms M V Masilela	Department of Environmental Affairs and Tourism
Ms C Arendse	Department of Agriculture
Ms E Jantjies	Department of Agriculture
Ms I Molepo	Department of Agriculture
Ms R Chanda	Department of Health
Mr S Mokhothu	Department of Agriculture
Ms K C Malakalaka	Department of Agriculture

NO.	SUBJECT	RESOLUTION	FOR ATTENTION

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1.	**OPENING AND WELCOME**	The Chairperson welcomed those present and took the opportunity to wish everybody well in 2008.	
2.	**ATTENDANCE REGISTER AND APOLOGIES**	The attendance register was circulated to everyone present for signature and an apology was presented for Mr B Durham who was involved in a motorcycle accident but is doing well.	
3.	**ADDITIONS TO AND ADOPTION OF THE AGENDA**	The agenda was adopted without any additions.	
4.	**APPROVAL OF MINUTES OF 23 OCTOBER 2007**	The minutes of the meeting of 23 October 2007 were approved after the following amendments: • P 3, 5.2, add: DoH: The consolidated report of the delegation was referred to the Minister with additional information. • P 3, 5.3 (i): Rephrase to: The Council noted that Ms E Koekemoer referred it to the WTO helpdesk for comments. • P 4, 5.4 (iii): Correct typing error to “Safety”. • P 7, 7.1: End sentence with a full stop.	

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5.	**MATTERS ARISING FROM THE MINUTES OF THE MEETING OF 17 JULY 2007**		
5.1	Risk assessment of stacked plant biotechnology products and Ecological Risk Assessment (ERA)	(i) The Council **noted** the report by DEAT on the ERA document which has now reached its final stages of development. Comments are still awaited from the Advisory Committee. (ii) The Council also **noted** that the agreed workshop with the AC could not take place as a result of time constraints. (iii) The Council **noted** that the document was once again circulated to the scientific Advisory Committee members a week earlier. Comments are due by 15 February 2008. DEAT will consolidate the document. (iv) The Council **decided** that DEAT will liaise with the Office of the Registrar on when the consolidated document will be submitted to the Advisory Committee for substantive discussion.	GMO Scientific Advisory Committee GMO Scientific Advisory Committee DEAT, Office of the Registrar and GMO Scientific Advisory Committee
5.2	Study by **the dti**	(i) The Council **noted** the report by Ms E Koekemoer. The outcome of the study is currently under discussion within **the dti**. (ii) The Council **noted** that Dr Bouwer will circulate a document from Thailand on the use of GMOs and the trade implications, to all EC members. (iii) The Council **noted** that DEAT will provide the Office of the Registrar with the dates for GMO debates on the Parliamentary Calendar for circulation to EC members.	Dr G Bouwer DEAT & Office of the Registrar

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		(iv) The Council **noted** that commodity clearance applications remain pending a decision by **the dti**. The Office of the Registrar will now address these delays through the respective DGs as it has been outstanding since 2005.	Office of the Registrar
5.3	Codex Safety Information Portal	(i) The Council **noted** that the information which the Codex Secretariat requires, will most probably be more or less the same as the bio-safety clearing house. (ii) The Council **noted** that the Interdepartmental Liaison Committee (IDLC) will be meeting on 2 February 2008 and that this forum is probably the best platform to raise the matter. (iii) The Council **decided** that the Office of the Registrar should liaise with DoH regarding DoA's representative on the committee and decide on a way forward. (iv) The Council **decided** that the matter can be taken off the agenda and can be brought back at the implementation stage of the Codex Safety Information Portal.	Office of the Registrar Office of the Registrar
5.4	Feedback on the Appeals Lodged under the GMO Act	(i) The Council **noted** that the outcome of the appeal on sorghum was routed to the Minister (ii) The Council **noted** that the process of the appeal on cassava has been concluded and that the outcome is pending. (iii) The Council **noted** that they would be copied with the letter from the	

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		Minister informing the applicant of her decision.	
5.5	Update on outcome of Argentina fact finding mission	(i) The Council **noted** that in keeping with their decision to sustain the interactions with Argentina, that **the dti** is awaiting feedback from their contact person regarding the concerns around maize.	
6.	**NEW APPLICATIONS TO BE CONSIDERED BY EC**		
6.1	Triclinium – 07/011: Import and Trial release of AERAS402 vaccine in adults treated for pulmonary TB	(i) The Council **noted** the recommendations of the members as follows: ➢ DEAT, **the dti** and the Advisory Committee (AC): Recommended on condition of MCC approval. ➢ DoA: Recommended approval on condition that DoH and MCC approve. ➢ DoH: Recommended on condition of MCC approval. (ii) The Council **noted** that a similar application, the WITS HVTN STEP trial which was recommended for approval by the EC has since been suspended by the the DoH. (iii) The Council **requested** that the Office of the Registrar make enquiries with the applicant of WITS. (iv) The Council **approved the application subject to MCC approval.**	Office of the Registrar
6.2	Bayer – 07/002:	(i) The Council **noted** the recommendations of the members as follows:	

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	Commodity clearance of LLCOTTON25	➢ DoA: Recommends approval but still wants to consult with International Trade Directorate. Risk management measures to include crushing of the seed before it enters the country. ➢ AC: Recommends approval if the seed is crushed before entry to the RSA. ➢ **the dti**: Recommends approval but is concerned about the seed and possible contamination. Does not share the socio-economic concerns raised by the ACB. (ii) After an in depth discussion it was **decided** that a recommendation is pending and that the socio-economic concerns raised will be referred back to the applicant for response and follow-up done in terms of the registration of the herbicide in the RSA under Act 36.	Office of the Registrar
6.3	Triclinium – 08/012: Export of TB Vaccine, MVA85A, for Contained Use	(i) The Council **noted** that a permit for import and clinical trials was approved in 2005 and that the applicant now wants to export some of the vaccine to Germany. (ii) The Council **noted** the recommendations of the members as follows: ➢ DEAT: Recommends approval. ➢ **the dti**: Recommends approval. ➢ DoA: Recommends approval. ➢ DST: Recommends approval. ➢ DoH: Recommends approval. ➢ AC: Indicated that the document did not reach them. (iii) The Council **noted** that this is an activity that is undertaken under an approved permit and can take place if the export documentation is compliant with the requirements of the importing country.	

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7.	**STANDING MATTERS**		
7.1 7.2	Copies of permits issued since last meeting **and** Report on current trials	(i) The Council **noted** the permits issued since the last meeting and the report on the current trials. (ii) The Council **decided** that these two items can be taken off the agenda and the information can be made available by the Office of the Registrar to DEAT and the AC at their request.	Office of the Registrar
8.	**GENERAL**		
8.1	Syngenta-Maize Monitoring Plan	(i) The Council **noted** the comments on the Syngenta-Maize Monitoring Plan. (ii) The Council **noted** that DEAT approached the Office of the Registrar for access to the general release permits. Following an assessment of the permit conditions and the information required for monitoring purposes, it was evident that most of the required information is already prescribed under the permit conditions. (iii) The Council **decided** that the monitoring plan should be forwarded to the AC for technical analyses. (iv) The Council **decided** that the proposals from DEAT on this matter will be circulated to the AC.	DEAT & Office of the Registrar
8.2	MON810 – Insect resistance in SA and ban in France	(i) The Council **noted** that Dr Koos van Rensburg released a report regarding insect resistance with the MON 810 event. (ii) The French Government also banned this event. In response the	Office of the Registrar

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			DoA released a statement indicating that SA would consider any new scientific evidence in this regard.	
		(iii)	The Council **noted** that the document of the French Government was not made public and that out of the 15 scientists that were part of the deliberations, 13 disagreed with the final statement. DoA will try to obtain the relevant documents which informed the French decision.	AC & Office of the Registrar
		(iv)	The Council **requested** the AC's inputs in this regard and Dr G Bouwer will provide his input and advise the Office of the Registrar on whom else to approach in this regard.	Office of the Registrar
		(v)	The Council **noted** the request by DoH to receive a full copy of the AC's input in this regard.	DoH & AC
8.3	Appointment of members of the sub-committee	(i)	The Council **noted** the request by the Office of the Registrar for recommendations on expertise on human and animal vaccines in order to update and expand the current list of experts.	
		(ii)	DoH will approach both the VCC and MCC to this end and Dr G Bouwer will also make recommendations to the Office of the Registrar.	
8.5	Preparation for COP-MOP 4	(i)	The Council **noted** that COP-MOP 4 will take place mid-May and will deal with liability and redress amongst many other issues.	
		(ii)	Different government departments will be requested to provide inputs on the agenda items. Stakeholder discussions are scheduled for 29	

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		February 2008. (iii) The Council **noted** that DEAT is coordinating a meeting with the State Law advisors of the Department of Foreign Affairs (DFA) and various Departmental representatives on 7 February 2008.	DEAT
8.6	Planning calendar for 2008/09	(i) The Council **noted** that in order for the Office of the Registrar to plan and schedule events and discussions, it will be useful if members submit proposals to the Office of the Registrar by mid-February 2008. (ii) The Council **noted** that the Office of the Registrar will send out a reminder in this regard to members of the EC. (iii) The Council recommended that international engagements/events that are of relevance to Biosafety/ GMO's be elevated for inclusion in the planning calendar.	Office of the Registrar
8.7	Feedback from DoH re. labelling	(i) The Council **noted** that a report regarding labelling was submitted to the Minister of Health and approved. (ii) The Council **requested** DoH to have an internal discussion on a way to inform other Government Departments on DoH's position on labelling.	DoH
9.	**DATE OF NEXT**	The Council **noted** that the next meeting is scheduled for 4 March 2008.	

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10.	**MEETING** **CLOSURE**	The meeting was concluded at 11:40.	

Approved by Chairperson

Dr J Jaftha
Name

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Signature

Date: ……..

Approved by Registrar

Dr J. Jaftha
Name

……..
Signature

Date: ……..