

**APPROVED MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER GMO ACT, 1997 HELD  
ON 17 AUGUST 2006, GONDWANALAND CONFERENCE ROOM, DEPARTMENT OF SCIENCE AND  
TECHNOLOGY, PRETORIA**

**PRESENT**

Dr SR Moephuli (Chairperson until 10:00)	Department of Agriculture (DoA)
Mr B Durham (Chairperson from 10:00)	Department of Science and Technology (DST)
Prof. MM Sibara	Advisory Committee Chairperson (AC Chairperson)
Ms L Sello	Department of Environmental Affairs and Tourism (DEAT)
Ms E Koekemoer	Department of Trade and Industry (DTI)
Mr D Pretorius	Department of Health (DoH)
Ms M Vosges	Department of Agriculture (Registrar)
Ms E L Marshall (Secretariat)	Department of Agriculture

**ABSENT**

With apologies:

Mr L Motshelanoka	Department of Labour (DoL)
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**IN ATTENDANCE**

Dr J Jaftha	Department of Agriculture
Ms SMG Zwane	Department of Science and Technology
Ms WP Mandivenyi	Department of Environmental Affairs and Tourism
Ms E Magagula	Department of Environmental Affairs and Tourism
Mr MD Matlala	Department of Agriculture
Ms E Jantjies	Department of Agriculture
Ms MI Molepo	Department of Agriculture

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
1.	<b>OPENING AND WELCOME</b>	The Chairperson welcomed everyone present at the meeting and thanked DST for providing the venue.	
2.	<b>ATTENDANCE REGISTER</b>	<ul style="list-style-type: none"> <li>(i) The attendance register was circulated to everyone present for signature.</li> <li>(ii) Apology from Mr Motshelanoka was noted.</li> </ul>	
3.	<b>ADOPTION OF THE AGENDA</b>	<p>The agenda was adopted with the following additions:</p> <ul style="list-style-type: none"> <li>5.8 Study by DTI</li> <li>8.3 Labelling of GMOs</li> <li>8.4 Notification of EC approvals</li> <li>10.2 Alternate to attend meetings</li> </ul>	
4.	<b>APPROVAL OF MINUTES</b>	The minutes of the meeting of 15 June 2006 were approved.	
5.	<b>MATTER ARISING FROM PREVIOUS MINUTES</b>		

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
5.1	<b>Document on (1) risk assessment of stacked plant biotechnology products and (2) DEAT – Ecological Risk Assessment</b>	<ul style="list-style-type: none"> <li>(i) The Executive Council noted that the Ecological Risk Assessment document prepared by DEAT will be discussed at a workshop scheduled for 31 August 2006 which will also be attended by other line function departments.</li> <li>(ii) The Council noted that DEAT will, after the workshop on the Ecological Risk Assessment, appoint a technical task team that will in collaboration with the Registrar: GMO Act and other line function departments, revise the document.</li> <li>(iii) The Council noted that the revised Ecological Risk Assessment document might be submitted as a draft for initial consideration by the Executive Council under the GMO Act at their meeting scheduled for 11 September 2006.</li> <li>(iv) The Council requested DEAT to also invite the Departments of Water Affairs and Forestry and Arts and Culture to attend the workshop scheduled for 31 August 2006.</li> </ul>	<p>DEAT</p> <p>DEAT &amp; Registrar</p> <p>DEAT</p>
5.2	<b>Visit to Argentina to benchmark SA trade implications (DoA)</b>	<ul style="list-style-type: none"> <li>(i) The Council noted the report by DTI that:- <ul style="list-style-type: none"> <li>➤ Argentina is very eager to collaborate with S A on GMOs and bio-fuels and</li> <li>➤ S A's Ambassador in Argentina, Mr Pieter Goosen is prepared to set up a contact with the relevant people in Argentina.</li> </ul> </li> <li>(ii) The Council indicated that a visit to both Argentina and Brazil would be expedient as they have different approaches to GMOs.</li> <li>(iii) The Council tasked DTI and the Registrar to follow-up on the visit to Argentina by identifying the key issues and to organise an exploratory visit by the Executive Council to Argentina and Brazil, possibly during early December 2006.</li> </ul>	<p>DTI &amp; Registrar</p>

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
5.3	<b>CSIR-05/004: Contained use sorghum</b>	<p>(iv) The Council tasked DoA with the drafting of a memorandum for Cabinet's approval for the Council's visit to Argentina and Brazil.</p> <p>(v) The Council decided to bring a courtesy visit to the Argentina Embassy in S A once Cabinet has approved the pending visit to that country.</p> <p>(vi) The Council noted that a report on the discussions between India, Brazil and S A regarding collaboration on biosafety matters, will be circulated to Council members.</p> <p>(i) The Council noted that in response to the non approval of the application in the previous meeting, the CSIR has provided information in an attempt to address the concerns raised by the Council and in addition applied for the registration of a greenhouse facility at containment level 3.</p> <p>(ii) The Council concluded that this matter <b>must be considered as a new application and be submitted to the Advisory Committee for a recommendation to the Executive Council.</b></p> <p>(iii) The Council requested that when the new application is submitted to the Committee, the <b>Advisory Committee provide comments</b> on the possible implications on indigenous species and gene flow as well as the questions raised during the previous application. The recommendations will thus not only be on the CSIR sorghum application but will provide the Council with expert input on principle issues.</p> <p>(iv) The application for the registration of a containment facility at level 3, must be <b>considered and concluded on by the Advisory Committee.</b></p>	<p>DoA</p> <p>Executive Council</p> <p>DST</p> <p>Registrar</p> <p>Advisory Committee Registrar</p> <p>Registrar AC</p>

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5.4	<b>Status of pharmaceutical crop research in SA</b>	<ul style="list-style-type: none"> <li>(i) The Council took note of the document regarding the Status of Pharmaceutical Crop Research in S A.</li> <li>(ii) The Council should be provided with more information on what is happening in S A in this regard in order for it to have a better insight into the potential of pharmaceutical crops.</li> </ul>	DST
5.5	<b>Concept note on environmental management (DEAT)</b>	The matter was discussed under 5.1 of the agenda.	
5.6	<b>Guideline for classification of GMO facilities</b>	<ul style="list-style-type: none"> <li>(i) The Council noted the progress reported by the Registrar that the DoA will now commence with the compilation of a draft Guideline for Classification of GMO Facilities and <b>submit it to the Advisory Committee for a recommendation to the Executive Council.</b></li> <li>(ii) The Council noted that the guidelines will, once they have been approved, be posted on the website of the DoA.</li> </ul>	Registrar
5.7	<b>Guideline on Environmental Monitoring Plan DEAT)</b>	The matter was discussed under 5.1 of the agenda.	
5.8	<b>Study by DTI</b>	<ul style="list-style-type: none"> <li>(i) The Council noted with concern, the poor feedback that DTI has received from the industry regarding the study on the trade implications of GMOs, especially since a decision on some of the applications have been placed on hold pending the outcome of the</li> </ul>	

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
6.	<b>NEW APPLICATIONS TO BE CONSIDERED BY EC:</b>	<p>study to be undertaken by DTI.</p> <p>(ii) The Council noted the constraints experienced by the member from DTI.</p> <p>(iii) The Council views the response received by DTI as not sufficient to make a decision and therefore resolves that DoA shall commission a study to determine the trade implications on GMOs and submit the report with recommendations to the Council for consideration.</p> <p>(iv) DoA and DTI will develop the Terms of Reference for the study and can be assisted by DST if required.</p>	<p>Registrar DoA</p> <p>DoA, DTI, DST</p>
6.1	<b>Syngenta-06/081: Field Trials with stacked maize, event Bt11 x GA21</b>	The Council decision on the application for Syngenta-06/081: Field Trials with stacked maize, event Bt11 x GA21 is <b>deferred pending further information supplied by the applicant.</b>	Registrar
6.2	<b>Monsanto-06/313: Additional trial sites for field trails with Maize MON89034; MON89304x NK603</b>	<p>(i) The Council decided that permit conditions should be made absolutely clear when approving applications.</p> <p>(ii) The Council concluded that the application for Monsanto-06/313: Additional trial sites for field trails with Maize MON89034; MON89304XNK603 <b>is not approved.</b></p> <p>(iii) The Council requested the Registrar to communicate to all applicants that should they wish to add sites to the original approved application, it will be deemed an extension permit application with</p>	<p>Registrar</p> <p>Registrar</p>

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
6.3	<b>Dow Agrosiences-05005: Commodity clearance of triple stacked maize event 1507 x 59122 x NK603</b>	standard conditions that apply to extension permit applications.  The Council decided to <b>defer a decision pending</b> the decision on event 59122 and the outcome of the study on the trade implications on GMOs, which will now be commissioned by DoA.	Registrar
6.4	<b>Syngenta-06/086: Commodity clearance of maize 3272</b>	The Council decided <b>not to approve</b> the application for Syngenta-06/086: Commodity clearance of maize 3272 and to uphold the recommendations of the Advisory Committee regarding the application.	Registrar
6.5	<b>SASRI-05/006: Extended permit for field trials with sugarcane</b>	The Council <b>approved the application</b> of SASRI-05/006: Extended permit for field trials with sugarcane with the request that the Registrar visits the trial site and alerts the applicant on the comments made by the Council.	Registrar
7.	<b>EXTENDED PERMIT APPLICATIONS TO BE CONSIDERED BY EC</b>		
7.1	<b>Monsanto-06/314: Extended permit for field trials with Maize MON810 x NK603</b>	The Council <b>approved</b> the extended permit application for Monsanto-06/314: Extended permit for field trials with Maize MON810 x NK603 subject to the recommendations of DoA and DEAT.	Registrar
7.2	<b>Syngenta-06/087:</b>	The Council <b>approved</b> the extended permit application for Syngenta-06/087:	Registrar

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
7.3	<p><b>Extended permit for field trials with cotton COT102</b></p> <p><b>Syngenta-06/088: Extended permit for field trials with cotton COT102 x Cry1Ab</b></p>	<p>field trials with cotton COT102.</p> <p>(i) The Council requested the Registrar to develop a template for trial reports and DEAT to provide the Registrar with the information they require from the applicant as well as what needs to be incorporated into such reports.</p> <p>(ii) The Council <b>approved</b> the extended permit for Syngenta-06/088: field trials with cotton COT102 x Cry1Ab but require a full trial report after each year and on completion of the trial.</p>	<p>DEAT</p> <p>Registrar</p> <p>Registrar</p>
7.4	<p><b>Syngenta-06/089: Extended permit for field trials with cotton Touchdown®</b></p>	<p>The Council indicated that the quality of the application was poor and <b>agreed that they would approve</b> the extended permit for Syngenta-06/089: field trails with cotton Touchdown® subject to the submission of a complete application and complete risk assessment.</p>	<p>Registrar</p>
7.5	<p><b>Syngenta-06/090: Extended permit for field trials with cotton Cry1Ab</b></p>	<p>The Council <b>approved</b> the extended permit for Syngenta-06/090: field trials with cotton Cry1Ab.</p>	<p>Registrar</p>
7.6	<p><b>D &amp; PL-06/098: Extended permit for field trials with cotton RR-Flex</b></p>	<p>The Council <b>approved</b> the D &amp; PL-06/098: Extended permit for field trials with cotton RR-Flex on condition that the Registrar is informed as to the isolation distances between the different trials and submission of the GPS coordinates of the trials.</p>	<p>Registrar</p>



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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
7.7	<b>D &amp; PL-06/099: Extended permit for field trials with stacked cotton BGII x RR-Flex</b>	The Council <b>approved</b> the D & PL-06/099: extended permit for field trials with stacked cotton BGII x RR-Flex on condition that the Registrar is informed as to the isolation distances between the different trials and submission of the GPS coordinates of the trials.	Registrar
7.8	<b>SASRI-05/006: Extended Permit for field trials with sugarcane</b>	This application was considered as a new application and the Council's resolution minuted under 6.5.	Registrar
7.9	<b>Monsanto-06/312: Extended permit for field trials with cotton BGII x RR-Flex</b>	<ul style="list-style-type: none"> <li>(i) The Council in their discussion on this application confirmed the principle that permit conditions should state that an application for an extended permit must be based on similar quantities as was approved originally. Should the request indicate significantly increased quantities, it requires a new application.</li> <li>(ii) The Council indicated that the Registrar's suggestion to invite a company to inform the Council on the stages that an event normally has to go through to reach a commercial stage, might be useful.</li> <li>(iii) The Council requested that the Registrar should supply DEAT with the initial application and approved permit conditions and available progress reports, for review.</li> <li>(iv) The Council <b>concluded</b> that a decision on the extended permit for Monsanto-06/312 field trials with cotton BGII x RR-Flex is <b>deferred to the Council meeting of 11 September 2006.</b></li> </ul>	Registrar
8.	<b>NEW MATTERS</b>		

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8.1	<b>Advisory Committee vacancies</b>	<ul style="list-style-type: none"> <li>(i) The Council noted that in terms of Section 10 of the GMO Act, Act no. 15 of 1997, and subsequent to their instruction in March 2005 to invite the public to apply for the vacancies on the Advisory Committee, the Committee, in their meeting of 17 May 2005, nominated Drs J Burger or M Ntwasa (alternative) to replace Prof Wingfield and Ms F Jansen van Rijssen or Prof EJ Morris (alternative) as replacement for Prof van Helden.</li> <li>(ii) The Council also noted that the serving Chairperson of the Advisory Committee, Prof M M Sibara must now be replaced with a serving member of the Advisory Committee and that the committee recommended Dr Gustav Bouwer as the new Chairperson.</li> <li>(iii) The Council <b>endorsed</b> the nominees and alternates for positions on the Advisory Committee.</li> <li>(iv) The Council <b>approved</b> the nomination of Dr G Bouwer as the new Chairperson of the Advisory Committee.</li> <li>(v) The Council requested the Registrar to write letters to formalise the process of the appointment of Dr G Bouwer as Chairperson of the Advisory Committee and to thank Prof Sibara, as outgoing Chairperson, for his services.</li> </ul>	Registrar
8.2	<b>Workshop: Latest Developments in Agric Biotech</b>	<ul style="list-style-type: none"> <li>(i) The Council noted the workshop on the Latest Developments and Trends in Agricultural Biotechnology scheduled for 5 &amp; 6 October 2006 and indicated that outside parties must interact with individual government departments on participation in events of this kind and not with the Executive Council.</li> <li>(ii) The Council <b>decided to defer</b> a discussion on a strategy regarding participation in events of this nature, <b>to the meeting of</b></li> </ul>	Registrar

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8.3	<b>Labelling of GMOs</b>	<p align="center"><b>11 September 2006.</b></p> <p>(i) The Council noted the report by Mr Durham that the industry is confused about labelling of GMOs and that Dr Chris Viljoen of the Free State University has published a paper in which he suggests industry's self regulation within parameters set by government.</p> <p>(ii) The Council noted that a discussion in this regard will be taken off line and that Mr Durham will consult some of the Council members in an endeavour to take this matter forward.</p>	
8.4	<b>Notification of Executive Council approvals</b>	<p>(i) The Council noted Mr Durham's idea that in terms of promoting public awareness and understanding, having a document available that explains why a particular event has been approved, will add value to the S A process.</p> <p>(ii) The Council noted that making such a document available will have resource and capacity implications. DST will submit a document for discussion at a future Council meeting.</p>	
9.	<b>STANDING MATTERS</b>		
9.1	<b>Copy of permits issued since last meeting</b>	The Council noted the permits issued since the last meeting.	
9.2	<b>Report on current trials</b>	The Council noted the report on the current trials.	

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<p><b>10.</b></p> <p><b>10.1</b></p> <p><b>10.2</b></p>	<p><b>General</b></p> <p><b>Update of the GMO Amendment Bill</b></p> <p><b>Alternate to attend meetings</b></p>	<p>(i) The Council noted that the NCOP has on 8 August 2006 approved the GMO Amendment Bill without any further amendments.</p> <p>(ii) <b>The Executive Council and Advisory Committee must as a matter of urgency consider</b> the regulations which will be drawn up by the Office of the Registrar, for implementation of the new Act on 1 April 2007.</p> <p>The Council noted the DoH representative's concern that due to a limited staff component in his directorate, he currently does not have anybody else that could attend to matters related to the Council.</p>	<p>Registrar</p>
<p><b>11.</b></p>	<p><b>Closure</b></p>	<p>The meeting was concluded at 11h33.</p>	

Approved by Council on 4 October 2006