

**MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER GMO ACT, 1997
25 MAY 2006**

PRESENT

Dr SR Moephuli	Department of Agriculture (DoA) (Chairperson)
Prof. MM Sibara	Advisory Committee Chairperson (AC Chairperson)
Mr B Durham	Department of Science and Technology (DST)
Ms E Koekemoer	Department of Trade and Industry (DTI)
Ms M Vosges	Department of Agriculture (Registrar)

ABSENT

With apologies:	Ms L Sello (Department of Environmental Affairs and Tourism (DEAT))
	Mr L Motshelanoka (Department of Labour (DoL))

IN ATTENDANCE

Ms M Selematsela	Department of Health
Ms SMG Zwane	Department of Science & Technology
Ms WP Mandivenyi	Department of Environmental Affairs and Tourism
Dr JB Jaftha	Department of Agriculture (Senior Manager: Genetic Resources Management (SMGRM))

NO.	SUBJECT	RESOLUTION	ACTION
1.	Opening and Welcome	Dr Moephuli welcomed everyone present in the meeting	Chairperson
2.	Attendance register	1. The attendance register was circulated to everyone present for signature. 2. Apologies from Ms Sello and Mr Motshelanoka were noted. 3. The Council expressed their concerns regarding the absence of Mr Motshelanoka at Council meetings and requested the Registrar to draft a submission to raise the concerns of the Council to the DG of DoL.	All members Registrar
3.	Adoption of the agenda	The Agenda was adopted with the following amendments:	

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		The following additions were made: 5.5 Stacked GMO seed productions 6.7 SASRI-05/008: Field trials with sugarcane 88H0019 10.5 Secretariat services Item 10.5 was removed from the agenda	Registrar Registrar SMGRM
4.	Approval of minutes	4.1 Minutes of 9 February 2006: Minutes were approved with amendments 4.2 Minutes of 5 April 2006: Minutes were approved with amendments	Registrar Registrar
5.	Matter arising from previous minutes 5.1 Report on study of commodity clearance 5.2 Document on risk assessment of stacked plant biotechnology products 5.3 Standard Operating Procedures for Regulation 4 5.4 Visit to Argentina to benchmark SA trade	5.1.1 DTI indicated that they are planning a meeting with stakeholders in June 2006 and would report at the next meeting. 5.2.1 Item deferred to next meeting. 5.3.1 Document was approved by Council. 5.4.1 Item deferred to next meeting.	DTI All members Registrar All members

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	<p>implications</p> <p>5.5 Stacked GMO seed productions</p>	<p>5.5.1 The Council upheld their decision taken in the meeting of 9 February 2006, regarding the regulation of stacked GMO seed productions making use of conditional general release permits.</p> <p>The reasons for the decision of the Council are as follow:</p> <p>(a) Although farmers and seed companies may be planting approved GMO events next to each other, their intentions are different. Recognizing that the seed companies' contract with farmers prevents the framers from collecting GMO seed for replanting, the farmers are not planting adjacent GMO events with the intention to produce stacked GMO seed. The seed companies, on the other hand, may plant GMO's adjacent to each other with the specific intention to produce stacked GMO seed, for resale to farmers.</p> <p>(b) The second reason for the decision of the Council was that the volumes of stacked GMO seed produced by the farmers and the seed companies are different. The farmers will harvest small percentages of stacked GMO seed due to potential gene flow which results in cross pollination.</p> <p>5.5.2 The Council further instructed the Registrar to amend all permits to state that only non-transgenic crops may be planted in a refugia area to minimize cross-pollination and the production of stacked GMO seed by commercial farmers.</p> <p>5.5.3 Registrar to inform all seed companies of the decision of the Council.</p>	<p>Registrar</p>

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6.	Applications to be considered by EC		
	6.1 Bioclones-06/001: Export of BHK-21 cells to the UK	6.1.1 Application approved subject to positive written recommendation of DEAT and DOH. Registrar authorised to issue permit.	DEAT, DoH Registrar
	6.2 CSIR-05/004: Contained use sorghum	6.2.1 Decision pending. Registrar to refer application back to applicant to address concerns raised by Council. Application to be tabled in next meeting.	Registrar All members
	6.3 Syngenta-06/083: Additional sites for field trials with maize event GA21	6.3.1 Application approved subject to positive written recommendation of DEAT and DOH. Registrar authorised to issue permit.	DEAT, DoH Registrar
	6.4 ARC-05/033: Trial release potato (Potato Tuber Moth)	6.4.1 Decision pending. Registrar to provide information on previous field trials with potato to DoA. Application to be tabled in next meeting.	Registrar All members
	6.5 Pioneer-04/175: Commodity clearance of maize 1507 x NK603	6.5.1 Decision pending. The decision on this application will remain pending until the outcome of the DTI study and a decision of the Council on the document pertaining to risk assessment requirements for stacked plant biotechnology products.	DTI All members
		6.5.2 All other members are requested to still submit their decision in terms of their own mandate.	All members

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	6.6 Syngenta-05/057: Commodity clearance of maize MIR604	6.6.1 Decision pending. The decision on this application will remain pending until the outcome of the DTI study and a decision of the Council on the document pertaining to risk assessment requirements for stacked plant biotechnology products. 6.6.2 All other members are requested to still submit their decision in terms of their own mandate.	DTI All members All members
7.	Extended permit applications to be considered by EC 7.1 ARC-06/034: Field trials with Bt potatoes	7.1.1 Application approved subject to positive written recommendation of DEAT and DOH. Registrar authorised to issue permit.	DEAT; DoH Registrar
8.	New matters 8.1 Briefing document: Status of pharmaceutical crop research in SA (Registrar) 8.2 Guideline for inspectors (Registrar) 8.3 Guideline for classification of GMO facilities (Registrar)	8.1.1 Item deferred to next meeting. 8.2.1 Item deferred to next meeting. 8.3.1 Item deferred to next meeting.	All members All members All members

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	8.4 Guidelines on "environmental monitoring plan" (DEAT)	8.4.1 Item deferred to next meeting.	All members
9.	Standing matters 9.1 Copy of permits issued since last meeting. 9.2 Report on current trials.	9.1.1 Noted. 9.2.1 Noted.	
10.	General 10.1 Feedback on COP-MOP-3 (DEAT) 10.2 Update on GMO Amendment Bill	10.1.1 DEAT reported that a stakeholder's workshop was held on 18 May 2006 to inform them of the major decisions and the implications for South Africa. During this workshop DEAT requested DoA to inform all stakeholders of the implications of the decision taken on Article 18(2)(a). 10.1.2 DEAT further indicated that the delegation is still in the process of finalising the report of COP-MOP-3. 10.1.3 DEAT further reported that SA was chosen as the rapporteur of the working group on liability and redress. A task team on liability and redress will be formed and the Council requested that DTI be included as part of the task team of SA for liability and redress. 10.2.1 DoA informed Council that National Assembly approved the Bill on 18 May 2006 and that the Bill will now be tabled with the National Council of	DEAT DoA DEAT DEAT DTI DoA

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		<p>Provinces (NCOP).</p> <p>10.2.2 All members were requested to avail themselves for the meeting with the NCOP on 9 June 2006.</p> <p>10.2.3 DoA informed the Council that Parliament expressed specific concerns regarding the current labelling regulations pertaining to GMO's and that DoH would have to address this matter.</p> <p>10.3 Update on BT10 maize</p> <p>10.3.1 The Registrar informed Council that the recommendation from the AC on the scientific information submitted on Bt10 is still outstanding and will be forwarded to the Council as soon as possible.</p> <p>10.3.2 The chairperson requested the Registrar to forward a copy of the WTO ruling on the EU-US case pertaining to the legality of the EU moratorium to all members, as well as the legal opinion received from the Head: Legal Services of the Department.</p> <p>10.4 Syngenta Bt11 monitoring programme</p> <p>10.4.1 Council requested that the proposed monitoring programme be submitted to the Advisory Committee for evaluation.</p> <p>10.4.2 DEAT was requested to indicate specific concerns they have with the monitoring programme to the Registrar to guide the Advisory Committee in their assessment of the document.</p> <p>10.4.3 Registrar to forward the request from DEAT and the monitoring programme to the Committee for recommendation.</p>	<p>All members</p> <p>DoH</p> <p>AC Registrar</p> <p>Registrar</p> <p>Advisory Committee</p> <p>DEAT</p> <p>Registrar</p>

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	10.5 Secretariat services	<p>10.5.1 SMGRM informed Council that consultation with the Head: Legal Services within the Department indicated that the office of the Registrar could make use of the secretariat services provided by Legal Services to assist with secretariat functions performed by the Registrar's office, and that is envisaged that these services would be utilised for upcoming meetings.</p> <p>10.5.2 Council expressed no concerns in this regard.</p>	<p>SMGRM</p> <p>Registrar</p>
11.	Date of next meeting	The next meeting is scheduled for 15 June 2006.	All members
12.	Closure	Chairperson thanked everyone for attending the meeting. The meeting closed @ 12:15	

Approved by Chairperson

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Name

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Signature

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Date

Approved by Registrar

Mrs M Vosges
Name

Signature

Date