

**MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER GMO ACT, 1997 HELD ON
20 JULY 2010, HARVEST HOUSE, ROOM 406, PRETORIA**

PRESENT

Dr J Jaffha (Chairperson)
 Mr B Durham
 Ms W P Mandivenyi
 Mr A Pretorius
 Ms E Koekemoer
 Dr G Bouwer

Department of Agriculture, Forestry and Fisheries (DAFF)
 Department of Science and Technology (DST)
 Department of Environmental Affairs (DEA)
 Department of Health (DoH)
 Department of Trade and Industry (the dti)
 Chairperson of the Advisory Committee (AC) under the GMO Act, 1997

APPOLOGY

Ms P Kershaw
 Department of Environmental Affairs (DEA)

IN ATTENDANCE

Ms C Arendse
 Ms G Christians
 Ms E Janjies
 Ms I Muedi
 Ms R Chanda
 Mr S Mokhothu
 Ms L Segooa
 Ms J Mhlophe
 Ms N Nhleko

Department of Agriculture, Forestry and Fisheries (DAFF)
 Department of Agriculture, Forestry and Fisheries (DAFF)
 Department of Agriculture, Forestry and Fisheries (DAFF)
 Department of Agriculture, Forestry and Fisheries (secretariat) (DAFF)
 Department of Health (DoH)
 Department of Agriculture, Forestry and Fisheries (DAFF)
 Department of Science and Technology (DST)
 Department of Labour (DoL)
 Department of Environmental Affairs (DEA)

NO.	SUBJECT	RESOLUTION	FOR ATTENTION
1.	OPENING AND WELCOME	The Chairperson welcomed those present at the EC meeting.	EC Chairperson
2.	ATTENDANCE REGISTER AND APOLOGIES	The attendance register was circulated to everyone present for signature.	EC Chairperson

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3.	ADDITIONS TO AND ADOPTION OF THE AGENDA	The agenda was adopted with the following additions: 7.7 Request from the applicant to meet with EC members	
4.	APPROVAL OF THE RECORD OF PROCEEDINGS OF 11 May 2010	The record of proceedings of the meeting of 11 May 2010 were amended and approved.	
5.	MATTERS ARISING FROM THE PROCEEDINGS		

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5.1	Feedback on appeals lodged under the GMO Act (DAFF)	(i) The EC noted that the GMO potato appeal is still in progress.	DAFF
5.2	Commodities(Registrar) (a) SABS standard	(i) The EC noted that in terms of status of the SABS Standard, no new standards writer had been appointed. A meeting had been requested with the interim Chair of the SABS Committee but no meeting date could be finalised. Another meeting will be facilitated for the EC and SABS to finalise any outstanding matters pertaining to the Standard. (ii) The EC noted that the dti had a high level meeting with regard to the standard and quality assurance pertaining to GMOs.	EC, OoR
	(b) Asynchronous approvals	(iii) No discussion	OoR
	(c) Permit conditions	(iv) The EC noted that with regard to the permit conditions (commodity clearance, commodity import and commodity use), the OoR received limited inputs which were incorporated into the documents and therefore permits will be circulated again amongst EC members.	EC, OoR
5.3	Pioneer 17/3/1-Pioneer - 09/383:Commodity clearance of maize 98140 (DoH, Registrar, AC Chair)	(i) The EC noted that questions raised previously were forwarded to the applicant and that the OoR is still awaiting a response from the applicant (ii) The EC reserved a decision on this application.	OoR
5.4	GM threshold vs adventitious presence (DoH, Registrar)	(i) The EC noted the survey conducted by the National Advisory Committee on Innovation (NACI) regarding threshold limits. Interesting information had emerged from the survey which pointed towards a 1% threshold for low level presence and 5% for adventitious presence. The concern raised was that threshold limits are not scientific. The results from the survey could however serve as a starting point for further investigation into this matter. (ii) The EC noted that the DEA and OoR attended the stakeholder feedback on the survey. A major concern was that the study was not a representative	DoH

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		<p>study. It is apparent that the industry is much divided with regard to the setting of various thresholds and that LLP and AP should be dealt with individually.</p> <p>(iii) The EC noted that the OoR has received the report from the dti of a recent OECD meeting where LLP issues had been discussed. The report includes feedback from 11 countries with regard to their approaches to LLP and AP issues. These documents have been circulated amongst EC members for consideration.</p>	All
5.5	Non-GM vaccines (Registrar)	(i) The EC noted that the response to the information requested is still outstanding.	OoR
5.6	Departmental representation (Registrar)	(i) The EC noted that the nominations from Departments are still outstanding.	OoR
5.7	Monsanto /Pannar /Linkseed Introgession agreement (Registrar)	(i) The EC noted that the legal opinion is still pending.	OoR
5.8	Dual permits :Monsanto and Dow Agro science combined application (Registrar)	(i) The EC noted that the legal opinion is still pending.	OoR
5.9	Risk Assessment guideline (Registrar, All)	<p>(i) The EC noted that the AC reviewed the draft document and made comments.</p> <p>(ii) The EC noted that the OoR will re-circulate the document to the EC after incorporation of the AC comments (amendments version) and a due date will be given to the EC for additional inputs. It was also indicated that the EFSA guideline will be made available to the EC.</p> <p>(iii) The EC noted that DEA will provide environmental inputs to be incorporated into the guideline document in order to provide a more comprehensive overview of requirements to be included and reviewed in an application.</p>	AC Chair DEA
5.10	Isolation distance workshop (Registrar, DEA, DST)	<p>(i) The EC noted that the consolidated document on isolation distances is still outstanding and requested DST and DEA to follow up on the status of the proposed document.</p> <p>(ii) The EC suggested that the OoR engage relevant stakeholders and solicit inputs on isolation distances for GM crops and assimilate the information into</p>	OoR, DST, DEA

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5.11	ARC-VOPI-09/040: Trial release of GM Potato(MNANDJ) (Registrar)	a consolidated document for assessment by the Advisory Committee.	OoR, EC, AC
5.12	Monsanto-09/649:General Release of Maize event MON89034	(i) The EC recommended that the OoR request the applicant to address the questions raised by the AC and EC and in the interim arrange a meeting between the applicant and the relevant EC members. (i) The EC reserved a decision on Monsanto-09/649: General Release of Maize event MON89034 pending outstanding issues being addressed by the applicant.	OoR, EC
5.13	Monsanto-09/649:General Release of Maize event MON89034 x NK603	(i) The EC reserved a decision on Monsanto-09/649: General Release of Maize event MON89034 x NK603 pending outstanding issues being addressed by the applicant	
5.14	Syngenta – 09/107:General release of Maize (event GA21)	(i) The EC reserved a decision on Syngenta – 09/107:General release of Maize event GA21 pending outstanding issues being addressed by the applicant	
5.15	Pioneer-09/448 :Commodity Clearance of stacked soybean(305423x40-3-2)	(i) The EC reserved a decision on Pioneer-09/448: Commodity clearance of stacked Soybean event 305423x40-3-2 pending outstanding issues being addressed by the applicant.	
6.	Application to be considered by EC	(i) None	
	Time extensions and amendment to existing permits (registrar)		
	New Applications		
	Extension of trial release (and import and/or export)		
6.1	Pioneer-10/457:Extension	(i) The EC noted that Pioneer submitted applications with different combinations	

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	Permit for Maize (TC1507xMON810)	<p>of events last year and that only 8 of these events have since been selected for further field trials this year.</p> <p>(ii) The EC approved the extension of Pioneer-10/457: Extension Permit for Maize event TC1507xMON810 for one season only and subject to all additional requirements being met.</p>	OoR
6.2	Pioneer-10/458:Extension Permit for Maize (TC1507)	(i) The EC approved the extension of Pioneer-10/458: Extension Permit for Maize event TC1507 for one season only and subject to all additional requirements being met.	OoR
6.3	Pioneer-10/459:Extension Permit for Maize (59122)	(i) The EC approved the extension of Pioneer-10/459: Extension Permit for Maize event 59122 for one season only and subject to all additional requirements being met.	OoR
6.4	Pioneer-10/460:Extension Permit for Maize (TC1507xMON810xNK603)	(i) The EC approved the extension of Pioneer-10/460: Extension Permit for Maize events TC1507xMON810xNK603 for one season only and subject to all additional requirements being met.	OoR
6.5	Pioneer-10/461:Extension Permit for Maize (MON810xMIR162)	(i) The EC approved the extension of Pioneer-10/461: Extension Permit for Maize events MON810xMIR162 for one season only and subject to all additional requirements being met.	OoR
6.6	Pioneer-10/462:Extension Permit for Maize (TC1507xMIR162xNK603)	(i) The EC approved the extension of Pioneer-10/462: Extension Permit for Maize events TC1507xMIR162xNK603 for one season only and subject to all additional requirements being met.	OoR
6.7	Pioneer-10/463:Extension Permit for Maize (TC1507xMIR162)	(i) The EC approved the extension of Pioneer-10/463: Extension Permit for Maize events TC1507xMIR162 for one season only and subject to all additional requirements being met.	OoR
6.8	Pioneer-10/464:Extension Permit for Maize (TC1507xMON810xMIR162)	(i) The EC approved the extension of Pioneer-10/464: Extension Permit for Maize events TC1507xMON810xMIR162 for one season only and subject to all additional requirements being met.	OoR
6.9	Contained use (and import and /export) Trial release and import	(i) The EC noted that no applications were tabled for this category of activity.	OoR

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6.10	Monsanto -10/812:Import & trial release of Maize (MON87460)	(i) The EC approved the extension of Monsanto-10/789: Extension Permit for Maize event MON87460 for one season only.	OoR
6.11	General Release Syngenta – 09/109:General release of Maize (Bt11x GA21)	(i) The EC reserved a decision on Syngenta – 09/109: General release of Maize event Bt11xGA21 subject to all additional requirements being addressed by the applicant.	OoR
7.	General Standing Matters		
7.1	Regulatory and policy development	<p>(i) The EC was informed about the GMO conference on horticulture that will be held in Nelspruit in September.</p> <p>(ii) The EC noted the approval and publication of the GMO Amendment Act and the Amendment Regulations. Final implementation of all requirements is anticipated to be finalised by 2011.</p> <p>(iii) The EC Chair was nominated to act as Registrar in the absence of the Registrar for approximately three weeks. The Registrar will attend training in the USA from 15 August until 2 September 2010.</p>	All DAFF DAFF, OoR
7.2	COP-MOP5		
7.2.1	Feedback on COP-MOP5 progress(AI)	<p>(i) The EC noted that the outstanding issues for the upcoming meeting in Japan. In terms of the text “imminent threat” will be replaced with “sufficient likelihood” of damage. The dti has raised specific concerns regarding this issue.</p> <p>(ii) The EC noted the concerns with regard to civil liability provisions and that the Supplementary Protocol will enable countries to make provision for civil liability, if so desired.</p> <p>(iii) The EC were informed of a meeting between DAFF and the dti to discuss the unresolved issues resulting from the outcomes of the 3rd Meeting of the Group of the Friends of the Chair on Liability and Redress.</p> <p>(iv) The EC noted an upcoming regional workshop on risk assessment and risk management which is funded by the Dutch government and being coordinated</p>	DEA, the dti DEA All

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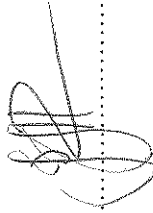
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		<p>by RAEIN-Africa. DEA was requested to arrange key note presentations at the workshop. EC members were encouraged to attend the workshop which will be held from 9-14th August 2010 in Johannesburg. DAFF and DoH have been requested to make presentations at the workshop</p> <p>The EC noted that there will be a preparatory workshop for the Africa Group for COP-MOP5 in Kenya from 25 to 27 August 2010.</p> <p>(v)</p>	All
7.2.2	Fair on National Experiences with the implementation of the Cartagena Protocol on Biosafety at the margins of the fifth meeting of the Conference of the Parties serving as the Meeting of the parties of the Protocol (COP-MOP5) (DEA)	(i) The EC noted that the DST requires a formal invitation from DEA to participate in the exhibition at COP-MOP 5.	DEA, DST
7.3	Non-compliance (Registrar)	(i) The EC noted that there were no incidences of non-compliance during the reporting period.	OoR
7.4	EC meeting dates 2011/2012 (All)	(i) The EC noted that meeting dates for 2011 had been circulated. (ii) The EC noted the request by the OoR that availability for the 2011 meeting dates be confirmed by 23 July 2010.	OoR EC
7.5	Amendments to Extension policy (Registrar)	(i) The EC noted that the current policy had been amended to clarify the conditions/circumstances under which an extension will be granted. This will prevent the possible abuse of this type of activity to conduct new work /experiments. (ii) The EC members were requested to submit comments to the OoR by 6 August 2010.	OoR EC
7.6	Request from the applicants to meet with individual departmental EC	(i) The EC noted that an applicant has requested an appointment to discuss their current applications with individual departmental representatives serving on the EC.	EC, OoR

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	representatives (DoH)	(ii) The EC concluded that it would be up to individual members to grant applicants an opportunity to discuss applications and other relevant matters. These interactions would however be in the capacity of departmental mandates and not specifically linked to EC matters.	EC
8.	Date of the next meeting	(i) The date for the next meeting is scheduled for 7 September 2010.	All
9.	Closure	(i) The meeting was concluded at 14:23	

Approved by Chairperson

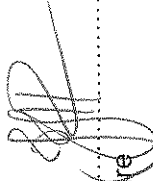
Dr J Jaftha
Name



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Signature

Approved by Acting Registrar

Dr J Jaftha
Name



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Signature