MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER GMO ACT, 1997 HELD ON 1 SEPTEMBER 2009, HARVEST HOUSE, ROOM 332, PRETORIA

PRESENT

Dr J Jaftha (Chairperson)	Department of Agriculture, Forestry and Fisheries (DAFF)
Mr B Durham	Department of Science and Technology (DST)
Dr G Bouwer	Chairperson of the Advisory Committee (AC) under the GMO Act, 1997
Ms W P Mandivenyi	Department of Environmental Affairs (DEA)
Mr A Pretorius	Department of Health (DoH)
Ms E Koekemoer	Department of Trade and Industry (DTI)

VACANT

Representative	Department of Labour (DoL)

IN ATTENDANCE

Ms C Arendse	Department of Agriculture, Forestry and Fisheries
Ms G Christians	Department of Agriculture, Forestry and Fisheries
Ms E Jantjies	Department of Agriculture, Forestry and Fisheries
Ms I Muedi	Department of Agriculture, Forestry and Fisheries (secretariat)
Ms R Chanda	Department of Health
Mr S Mokhothu	Department of Agriculture, Forestry and Fisheries
Ms L Segooa	Department of Science and Technology
Ms P Kershaw	Department of Environmental Affairs
Ms N Nhleko	Department of Environmental Affairs

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
3.	**ADDITIONS TO AND ADOPTION OF THE AGENDA**	The agenda was adopted with no additions.	
4.	**APPROVAL OF THE**	The record of proceedings of the meeting of 21 July were amended and approved with	

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	RECORD OF PROCEE-DINGS OF 21 July 2009	the following corrections: 5.3 (i) Substitute "standard" with "Standards" (iii) Insertion of a comma: "food, feed and for processing.." (viii) Deletion of the letter "f" 5.10 (vi) In the last bullet point substitute with "subject to an additional permit" 5.12 (i) In the second sentence substitute "information" with "issues" 6.4 (iv) Substitute "sight" with "site" 6.9 (ii) Substitute "981940" with "98140"	
5.	**MATTERS ARISING FROM THE PROCEEDINGS**		
5.1	Feedback on appeals lodged under the GMO Act (DAFF)	(i) The EC **noted** that the response received from the ARC regarding additional information requested for the GM Cassava appeal has been forwarded to the original review panel.	DAFF, OoR
5.2	Update on outcome of Argentina fact finding mission (DAFF)	(i) The EC **noted** that there was no feedback on this matter.	DAFF
5.3	Commodities (Registrar)	(i) The EC **noted** that a provisional Standard document had been compiled, taking into account all inputs from members of the committee as well as documentation provided by different stakeholders. The preliminary document had been circulated to the EC for further comments in preparation for the SABS meeting scheduled for 29 September 2009. (ii) The EC **noted** that sub-groups were established within the committee to deal with specific aspects in the document e.g. definitions, document requirements, transport and spillage etc. The transport and spillage section was specifically allocated to the SABS chairperson and committee members involved in this process. (iii) The EC **noted** that the current document is the most comprehensive thus far and it was proposed that it be implemented on a trial basis for the next GM commodity import, in order to assess the practicality of the requirements. (iv) The EC **further noted** that this Standard will serve as the basis for permit holders,	OoR, EC OoR

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		importers and commodity users to follow in conjunction with Standard Operating Procedures currently in place within an organisation, in compliance with legislative requirements prescribed by permit conditions. Deviations from any of the above may result in further action being imposed on the transgressor. (vi) The EC **noted** that DoH required clarity on whether Port Health procedures should be included into the draft Standard or only be referenced in the Standard. It was decided that the Port Health procedures only be referenced in the document. (vii) The EC **noted** the requirements importers and buyers needs to comply with in order for an application to be processed. It is currently a pre-requisite for importers to provide an updated letter from the competent authority in the party of export to state which events have been approved for commercial cultivation along with every application submitted for import. Importers should also be requested to state the country of origin for the specific consignment being imported. (ix) The EC **was reminded** to review and submit inputs on the proposed amended permit conditions for commodity clearance, commodity import and commodity use as had been circulated previously.	EC, OoR OoR
5.4 AND 5.5 AND 5.6	Pioneer 08/336:Commodity clearance -Soybean 356043 (Registrar) Syngenta – 08/096: Commodity clearance of maize MIR604xGA21 (Registrar) Syngenta – 08/097: Commodity clearance of	(i) The EC **noted** that additional information requested was adequately addressed by the applicant. (ii) The EC **recommended** the approval of commodity clearance applications - Pioneer 08/336:Commodity clearance -Soybean 356043 - Syngenta – 08/097: Commodity clearance of triple stacked Maize Bt11xMIR604xGA21 - Syngenta – 08/096: Commodity clearance of maize MIR604xGA21, subject to the final EC decision on all commodity clearance.	OoR

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	triple stacked Maize Bt11xMIR604xGA21 (Registrar)		
5.7	Pioneer 08/340:Commodity clearance -Soybean 305423 (Registrar)	(i) The EC **recommended** approval of Pioneer 08/340: Commodity clearance - Soybean 305423 subject to the final EC decision on all commodity clearance.	OoR
5.8	Fort Dodge 08/001 Poultry vaccine	(i) The EC **noted** that additional information was requested from the applicant. (ii) The EC **suggested** that the OoR should follow up with the applicant to verify whether registration processes in terms of the Fertilizers, Farm Feeds and Stock Remedies Act, 1936 (Act 36) and the MCC (Act 101) have already commenced or has been obtained in the meantime.	OoR
5.9	Monsanto 09/606:Trial Release of Maize MON87460(additional information)	(i) The EC **recommended** the approval of the application Monsanto 09/606: Trial Release of Maize MON87460 for the four sites requested for one season only.	OoR
6	**Application to be considered by EC** **Time extensions and amendment to existing permits (registrar)**		
6.1 AND 6.2	Syngenta-09/102:Extension permit for trial release of Maize(GA21) Syngenta-09/103:Extension permit for trial release of Maize(GA21 x Bt11)	(i) The EC **recommended** approval for the following Syngenta applications - 09/102: Extension permit for trial release of Maize (GA21); and 09/103: Extension permit for trial release of Maize (GA21 x Bt11) subject to satisfactory response of the applicant to relevant objections raised by ACB.	OoR

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6.3	Pioneer 09/433 :Extension of trial of maize event 98140	(i) The EC **recommended** the approval of the application Pioneer 09/433: Extension of trial release for maize event 98140 pending clarification with regard to environmental assessments to be conducted during the proposed trial.	OoR
6.4	PPD-08/002:Import and trial release of GM Intranasal Vaccine (Medi-534)	(i) The EC **recommended** the approval of the application of PPD-08/002: Import and trial release of GM intranasal vaccine (Medi-534) pending MCC and Ethical approval; and all other relevant measures being complied with. The permit conditions should also include submission of Data Safety Monitoring (DSM) information and all reports as per MCC requirement.	OoR
6.5	Pioneer - 09/415 :Import and Trial Release of Maize event 59122	(i) The EC **recommended** approval of application Pioneer - 09/415 :Import and trial release of Maize event 59122, pending the inclusion of this event in the amended multi-trial proposal to be submitted by Pioneer. The amended multi-trial proposal will need to address issues indicated to the applicant.	OoR
6.6	Monsanto 09/616: Export of Maize MON87460	(i) The EC **recommended** the approval for the application of Monsanto 09/616 for the export of maize event 87460 pending compliance with all requirements in terms of the country of import and the provisions of the Cartagena Protocol.	OoR
7	**General**		
7.1	Regulatory and policy development (All)	(i) The EC **noted** that the Technology Innovation Agency (TIA) board has been appointed and is currently functional.	DST
7.2	Import extensions and amendments (registrar)	(i) The EC **recommended** that this section be included under new applications.	OoR
7.3	EC meeting dates 2010 (registrar)	(i) The EC **noted** that the proposed dates for the 2010 EC meetings had been circulated. (ii) The EC **was requested** to submit inputs to the Registrar by 4 September 2009 in order to finalize the dates and make it available on the website.	OoR, EC
7.4	Pioneer: Response to EC decision with regard to 17/3/1-Pioneer-09/394 to 17/3/1-Pioneer-09/404	(i) The EC **noted** the response submitted by Pioneer in reply to issues raised regarding their multiple trial release applications. (ii) The EC **noted** that the decision on these applications is pending the review of additional information.	OoR

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	(registrar)		
7.5	MCC presentation: Dr Misra (registrar)	(i) The EC **noted** the presentation by Dr Misra from the MCC, which highlighted the role of MCC in the evaluation of GM-related applications that are simultaneously submitted to the Directorate Biosafety for evaluation and approval.	OoR
7.6	SANSOR letter (DAFF)	(i) The EC **noted** that a letter was received from SANSOR requesting engagement with the EC with regard to new permit conditions implemented. (ii) The EC **noted** that the EC Chairperson will take up the matter directly with SANSOR.	OoR EC Chairperson
7.7	GM thresholds vs adventitious presence (registrar)	(i) The EC **noted** that there had been increasing requests for clarity on South Africa's GM threshold or adventitious presence levels for imports and exports. (ii) The EC **noted** an EC decision taken on 8 February 2002, where the GM threshold was determined to be 1%. This is the threshold level that is currently used as the criteria for the issuance of GM-status certificates, mainly for exports, and is determined by means of PCR test methods from a laboratory registered in terms of the GMO Act. This document will be circulated for scrutiny by all members. (iii) The EC **also noted** that the DoH has documentation relating to the determination of GM thresholds and further information with regard to adventitious presence as determined by CODEX. These documents will be made available to the OoR for distribution amongst EC members for further discussion at the next EC meeting on 27 October 2009. (iv) The EC **requested** that the status of GM threshold practices in other countries also be compared with that currently implemented in South Africa.	OoR DoH, OoR OoR
8.	Date of the next meeting	The date for the next meeting is scheduled for 27 October 2009	
9.	Closure	The meeting was concluded at 14:21	

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Approved by Chairperson

Dr J Jaftha
Name

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Signature

Approved by Registrar

Ms G Christians
Name

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Signature