

**MINUTES
OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER GMO ACT, 1997 HELD ON
04 NOVEMBER 2009, AGRICULTURE PLACE, ROOM VG-F-06, PRETORIA**

PRESENT

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

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

VACANT

Representative

Department of Labour (DoL)

APOLOGIES

Ms W P Mandivenyi

Department of Environmental Affairs (DEA)

IN ATTENDANCE

Ms C Arendse
Ms G Christians
Ms E Jantjies
Ms I Muedi
Ms R Chanda
Mr S Mokhothu
Ms L Segooa
Ms P Kershaw
Ms N Nhleko

Department of Agriculture, Forestry and Fisheries
Department of Agriculture, Forestry and Fisheries
Department of Agriculture, Forestry and Fisheries
Department of Agriculture, Forestry and Fisheries (secretariat)
Department of Health
Department of Agriculture, Forestry and Fisheries
Department of Science and Technology
Department of Environmental Affairs
Department of Environmental Affairs

NO.	SUBJECT	RESOLUTION	FOR ATTENTION
1.	OPENING AND WELCOME	The Chairperson welcomed those present at the last meeting of the EC for 2009.	EC Chair
2.	ATTENDANCE REGISTER AND APOLOGIES	The attendance register was circulated to everyone present for signature.	EC Chair

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3.	ADDITIONS TO AND ADOPTION OF THE AGENDA	The agenda was adopted with no additions.	
4.	APPROVAL OF THE RECORD OF PROCEEDINGS OF 1 September 2009	Minutes 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)	<p>(i) The EC noted that the ARC-VOPI lodged an appeal against the EC's decision for the GM Potato Spunta G2 application with the Minister on 26 September 2009.</p> <p>(ii) The EC also noted that DAFF participated in a Media Round Table (MRT) discussion as facilitated by DST's Public Understanding of Biotechnology Programme on the SpuntaG2 potato. Other participants included PotatoSA, ARC-VOPI, and the African Centre for Biosafety.</p>	DAFF, OoR OoR DAFF
5.2	Update on outcome of Argentina fact finding mission (DAFF)	<p>(i) The EC noted that the Memorandum of Understanding as part of the South African-Argentinean Bi-National Commission had been submitted to their Argentinean counterparts</p>	DAFF
5.3	Commodities (Registrar)	<p>(i) The EC noted that the last SABS GMO Standard committee meeting is planned for 18 November 2009. The draft Standard generated from this meeting will be circulated to Committee members, including EC members to provide inputs. Currently most of the work on the document pertains to terminology and correct interpretation of information contained in the proposed Standard. Once finalised, the draft will be made available for public comment which is anticipated to be at the end of January 2010 and further amendment before being finalised, if approved by the Committee.</p> <p>(ii) The EC proposed a possible meeting with the SABS co-ordinator for the assessment of the final document in order to clarify if the objective as per EC request has been satisfied.</p> <p>(iii) The EC noted that comments received from EC members will be incorporated into import and commodity use permits and once again circulated amongst members for further comments, if required.</p> <p>(iv) The EC emphasised that the process of implementing standards such as the SABS GMO standard, is considered part of the EC's oversight role toward strengthening system for implementing control measures.</p>	OoR, EC OoR, EC OoR

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		(v) The EC indicated that the proposed permit conditions for importers and users addressed most concerns raised and that only the approval of commodity clearance permits are pending.	OoR, EC
5.4	Pioneer 08/336: Commodity clearance – soybean 356043 (Registrar)	(i) The EC recommended the approval of Pioneer 08/336: Commodity clearance –soybean 356043 and Pioneer 08/340: Commodity clearance –soybean 305423 subject to the new permit conditions for commodity clearance.	OoR
5.5	Pioneer 08/340: Commodity clearance – soybean 305423 (Registrar)		
5.6	Fort Dodge – 08/001: General release of Poulvac <i>E.coli</i> vaccine for poultry (Registrar)	(i) The EC approved the application Fort Dodge 08/001: General release of Poulvac <i>E.coli</i> vaccine for poultry subject to inclusion of additional permit conditions as indicated as well as approval in terms of Act 36 and Act 101.	OoR
5.7	Pioneer .:Response to EC decision with regard to 17/3/1-Pioneer --pioneer - 09/394 to 17/3/1-Pioneer- 09/404	(i) The EC recommended that Pioneer submits all the additional information for further consideration of the trial release applications.	OoR
5.8	GM threshold vs Adventitious presence (Registrar, DoH)	(i) The EC noted that this matter has arisen from various enquiries from applicants about the status of GM threshold for exports but also whether GM threshold and adventitious presence is considered equivalent. As determined at the EC meeting of 8 February 2002, the GM threshold of 1% is currently applicable for export purposes. At present no products are labelled as GM free in South Africa. Labelling of GM products are however required in terms of the Foodstuffs, Cosmetics and Disinfectants Act (Act 54 of 1972). (ii) The EC noted that GM thresholds are determined by individual countries specifically for their own legislative/consumer purposes. The procedure for dealing with thresholds limits in processed foods needs to be considered by	OoR DoH

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5.9	Monsanto -09/470: Introgression of event MON89034 and MON 89304xNK603 (Pannar and Linkseed) research and development (R & D) Agreement (Registrar)	DoH. (i) The EC noted that requested documentation had been received from Monsanto and circulated amongst EC members. (ii) The EC requested a legal opinion with respect to the agreement concluded between the primary and secondary party (R&D agreement).	OoR OoR
6	Application to be considered by EC Time extensions and amendment to existing permits (registrar)		
6.1	Monsanto -09/606-request to amend a permit 17/3(4/09/242)	(i) The EC approved Monsanto 09/606: Field Trial of MON87460 amendment to time isolation distance from 70m to 60m at the requested site.	OoR
6.2	Pioneer 17/3 (2/09/054/5): Pioneer request for extension of permits maize event 98140	(i) The EC approved the application for an additional season under the existing permit conditions for the proposed activity.	OoR
6.3	Pioneer 17/3 (2/08/257/8): Pioneer request for extension of permits maize event 98140xMON810	(i) The EC approved the application for an additional season under the aforementioned permit and in compliance with the existing permit conditions.	OoR
6.4	Pioneer 17/3 (2/09/056/7):	(i) The EC approved the application for an additional season under the	

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	Pioneer request for extension of permits maize event TC1507	aforementioned permit and in compliance with the existing permit conditions	OoR
6.5	PPD-09/002:Request for extension of import permit AND PPD-09/003:Request for extension of import permit	(i) The EC noted the request for a time extension for both permits as the commencement of the trial had to be delayed and the entire consignment of investigational product could not be imported within the indicated time frame. One month extension was granted to the applicant. Any further requests will be subject to a new application.	OoR
6.6	PPD-09/004:Import and trial release of clinical trial (Medi 534)	(i) The EC noted that this trial had previously been approved. One of the clinical sites had however changed before the commencement of the trial. The applicant requested the corresponding permit be amended to reflect the new site. This will be amended as soon as notification is received from MCC confirming the approval of the new site.	OoR
6.8	WITS-09/002:Request to change import permit	(i) The EC approved the request from WITS to amend their permit conditions. The information provided in the initial application, in terms of investigational product (IP and placebo) to be used, differed from the MCC approval letter which indicated varying amounts of investigational product to be used for the intended clinical trial. (ii) The EC noted that all applicants were informed to submit information pertaining to the number of investigational product required during the study.	OoR
	New applications		
6.9	Monsanto -09/682: Contained use of stacked Maize MON89034	(i) The EC approved the application of Monsanto 09/682: Contained use of maize event MON89034 provided the applicant provides the additional information required.	OoR

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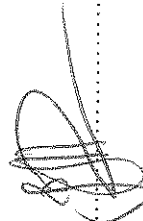
NO.	SUBJECT	RESOLUTION	FOR ATTENTION
6.10	Monsanto -09/683: Contained use of Stacked Maize event MON89034xNK603	(i) The EC approved the application of Monsanto 09/683: Contained use of stacked maize event MON89034xNK603 provided the applicant provides the additional information required.	OoR
6.11	Pioneer-09/410: Import and contained use of Maize (TC1507xMON810)	(i) The EC approved the application of Pioneer 09/410: Import and contained use of maize (TC1507xMON810) subject to registration of the proposed facility.	OoR
6.12	Pioneer-09/383: Commodity Clearance of 98140 Maize	(i) The EC reserved a decision on application of Pioneer 09/383: Commodity clearance of 98140 maize subject to the submission of further information.	OoR
6.13	SASRI-09-013: Trial release of GM Sugarcane (pASNI)	(i) The EC approved the application of SASRI 09/013: Trial release of GM sugarcane (pASNI) for three years subject to submission of annual reports. Applicant should provide justification for the additional 2 years as requested per original application and feedback will be provided at the next EC meeting.	OoR
6.14	SASRI-09-014: Trial release of GM Sugarcane (pSVPPase)	(i) The EC approved the application of SASRI 09/014: Trial release of GM sugarcane (pSVPPase) for three years subject to submission of annual reports. Applicant should provide justification for the additional 2 years as requested per original application and feedback will be provided at the next EC meeting.	OoR
6.15	SASRI-09-015: Trial release of GM Sugarcane (pAUGdf510/p HAN-UGD)	(i) The EC approved the application of SASRI 09/015: Trial release of GM sugarcane (pAUGdf510/pHAN-UGD) for three years subject to submission of annual reports. Applicant should provide justification for the additional 2 years as requested per original application and feedback to be provided at the next EC meeting.	OoR
6.16	Syngenta 09/100:- Commodity Clearance of stacked Maize (Bt11xMIR162xMIR604xGA 21)	(i) The EC approved the application of Syngenta 09/100: Commodity clearance of stacked maize Bt11xMIR162xMIR604xGA21 subject to approval of revised permit conditions for commodity clearance in addressing commodity import concerns into South Africa.	OoR

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7.	General		
7.1	Regulatory and policy development (ALL)	<p>(i) The EC noted that a representative from DST will also be attending the GMCC co-existence conference in November 2009 to be held in Australia.</p> <p>(ii) The EC noted DEA has developed a new brochure on the risk assessment of genetically modified plants and this is currently available for distribution. CD versions will be made available at a later stage.</p> <p>Liability and Redress aspects to be initiated early in 2010 in preparation for COP/MOP.</p> <p>(iii) The EC noted that DAFF (Director Biosafety and EC Chairperson) have been invited to participate in a USDA sponsored tour to USA from 6-20 November 2009. This will also include delegates from neighbouring countries such as Mozambique, Zimbabwe. Feedback to be provided at the next meeting.</p>	DST DEA DAFF
7.2	SANSOR letter (Registrar)	(i) The EC noted that this matter will be addressed by the EC chairperson and other DAFF representatives (other directorates).	EC Chairperson, DAFF
8.	Date of the next meeting	The date for the next meeting is scheduled for 26 January 2010	
9.	Closure	The meeting was concluded at 14:00	

Approved by Chairperson

Dr J Jaffha
Name



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Signature

Approved by Registrar

Ms G Christians
Name



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Signature