

**MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER THE GMO ACT, 1997 HELD ON
07 SEPTEMBER 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

APPOLOGIES

Ms J Mhlophe
Ms P Kershaw

Department of Labour (DoL)
Department of Environmental Affairs (DEA)

IN ATTENDANCE

Ms C Arendse
Ms E Janjies
Ms I Muedi
Ms R Chanda
Mr S Mokhothu
Ms L Segooa
Ms M Ruiters
Ms N Nkoana

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) (Observer)
Department of Agriculture, Forestry and Fisheries (DAFF)

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	The agenda was adopted with no additions.	

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	ADOPTION OF THE AGENDA		
4.	APPROVAL OF THE RECORD OF PROCEEDINGS OF 18 JULY 2010	The record of proceedings of the meeting held on 18 July 2010 were amended and approved.	
5.	MATTERS ARISING FROM THE PROCEEDINGS		
5.1	Feedback on appeals lodged under the GMO Act (DAFF)	(i) The EC noted that the GM potato appeal is still in progress and that additional information was submitted to the appeal board chairperson to assist with the appeal process.	DAFF
5.2	Commodities (Registrar) (a) SABS standard	(i) The EC noted that in terms of the SABS standard, a meeting was held with the interim SABS committee chairperson. The interim Chairperson reported that a standards writer had been appointed and that the current commodity standard for GMOs is out for technical review and editing. It was indicated that the standard document will be published on the SABS website and government gazette within approximately three weeks for a 60 day public comment period. The committee chair will be responsible to facilitate a process to address public comments and to resolve relevant issues possibly via email. Final publication of the standard is expected in November 2010. EC members were encouraged to submit comments on the SABS standard document during the public comment period.	OoR
	(b) Asynchronous approvals	(i) The list of commercially approved GM events in the different countries was circulated to the EC.	OoR

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	(c) Permit conditions	<p>(i) The EC noted that with regard to the permit conditions for commodity clearance, commodity import and commodity use, the permits have been finalised following no further inputs by the EC which was due on the 6th of August 2010. The dti recommendations were also incorporated into the permits.</p> <p>(ii) The EC noted further amendments to the permits as proposed by DST who was requested to submit their proposed changes to the OoR. The dti was also requested to ensure that all their recommendations had been captured in the amended permits. EC members were requested to forward any further inputs to the OoR.</p> <p>(iii) The EC recommended that the OoR facilitate a response from all commodity clearance applicants, including those that have not submitted general release applications as well as applicants of field trials, as to the reasons why some of these GM events are not being considered for general release in South Africa (SA). Responses received by the OoR in this regard will be circulated to the EC for consideration at the next meeting.</p> <p>(iv) The EC was informed of an enquiry by Syngenta regarding the minimum data requirements for stacked events where individual single events within the stack do not have general release status in SA. In order to facilitate proper consideration of the enquiry, the EC recommended that the applicant be requested to submit a formal request to the EC for consideration at the next meeting.</p>	<p>EC</p> <p>DST, the dti</p> <p>OoR</p> <p>OoR</p>
5.3	Pioneer 17/3/1-Pioneer - 09/383:Commodity clearance of maize 98140 (DoH, Registrar, AC Chair)	(i) The EC noted that the OoR is still awaiting a response from the applicant with regard to the additional information that was requested.	OoR
5.4	GM threshold vs adventitious presence (DoH, Registrar)	(i) The EC noted that the framework document regarding low level presence (LLP) and adventitious presence (AP) that was circulated. Following discussions it was emphasized that the framework document would need to consider the draft labelling regulations being proposed in terms of the	

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		Consumer Protection Act, 2008, as well the as the mandate of the GMO Act. It was agreed that the purpose or scope of setting threshold limits needed to be clarified within the framework document. The EC recommended that the OoR facilitate a meeting between the DoH, the dfti and DAFF to consider the relevant information on LLP and AP with a view to develop a threshold limit. It was also proposed that DST approach Biosafety South Africa (BSA) to facilitate these discussions.	DoH, the dfti and OoR DST
5.5	Non-GM vaccines (Registrar)	(i) The EC noted that a response is still pending.	OoR
5.6	Departmental representation (Registrar)	(i) The EC noted that a response is still pending.	OoR
5.7	Monsanto /Pannar /Linkseed Introgression agreement (Registrar)	(i) The EC noted that the legal opinion is still pending.	OoR
5.8	Dual permits :Monsanto and Dowagrosiences combined application (Registrar)	(i) The EC noted that the legal opinion is still pending.	OoR
5.9	Risk Assessment guideline (Registrar, All)	(i) The EC noted the impending release of the EFSA guideline document and recommended that this item be removed from the agenda until such time that the EFSA document is available for consideration. The DEA were encouraged to submit environmental inputs for incorporation into the guideline document.	OoR
5.10	Isolation distance workshop (Registrar, DEA, DST)	(i) The EC recommended that this item be removed from the agenda until such time that consolidated information has been received.	OoR
5.11	ARC-VOPI-09/040: Trial release of GM Potato(MNANDI) (Registrar)	(i) The EC noted that this application was considered at the EC meeting in May 2010 where it was recommended that a meeting be scheduled between the DST, DAFF, the dfti and the applicant in order to resolve outstanding technical issues. This recommendation was withdrawn by the EC in the meeting of July 2010 and instead the EC recommended that the applicant be requested to respond to a consolidated list of questions raised by both the EC and the Advisory Committee. A list of questions was submitted to the applicant but the OoR is still awaiting a response.	OoR

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
5.12	Monsanto-09/649:General Release of Maize event MON89034	<p>(i) The EC noted the additional information submitted by the applicant which was circulated amongst EC members.</p> <p>(ii) The EC was informed of the DEA's research programme on insect resistance monitoring being undertaken in collaboration with the Norway Project.</p> <p>(iii) The EC was also informed of the industry proposal on insect resistance monitoring that was circulated at a previous EC meeting. The EC requested that the industry proposal be circulated to the AC for consideration.</p> <p>(iv) The EC approved the application for Monsanto- 09/649: General release of maize event MON 89034 and requested that:</p> <ul style="list-style-type: none"> ➤ Clarification is provided by the applicant on general release approvals of MON 89034 in other export markets. ➤ The General release permit conditions make provision for post market monitoring and the inclusion of a provision relating to approvals of the event in SA's major export markets. ➤ The general release permit is circulated to EC members for comments. 	OoR and EC DEA OoR
5.13	Monsanto-09/649:General Release of Maize event MON89034 x NK603	<p>(i) The EC noted the additional information submitted by the applicant which was circulated amongst EC members and that recommendations for this application are the same as those recommended for the application discussed under agenda item 5.12.</p>	OoR
5.14	Syngenta – 09/109:General release of Maize (Bt11x GA21)	<p>(i) The EC noted that additional questions raised at the previous EC meeting were submitted to the applicant and that a response from the applicant is still outstanding.</p>	OoR
5.15	Syngenta – 09/107:General release of Maize (event GA21)	<p>(i) The EC noted that additional questions raised at the previous EC meeting were submitted to the applicant and that a response from the applicant is still outstanding.</p>	OoR
5.16	Pioneer-09/448 :Commodity Clearance of stacked soybean(305423x40-3-2)	<p>(i) The EC approved the application for Pioneer-09/448: Commodity Clearance of stacked soybean (305423x40-3-2) pending the final outcome of the EC decision on commodity clearance applications and adherence to permit conditions for labelling.</p>	DoH
6.	Application to be considered by EC		

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
	Time extensions and amendment to existing permits (Registrar) New Applications	(i) None	OoR
	Extension of trial release (and import and/or export) Contained use (including import and /or export)	(i) None	OoR
	Trial release (including import and / or export)	(i) None	OoR
	General Release Commodity clearance	(i) None	OoR
6.1	Monsanto-10/811 and Dow Agrosience-10/006:Multiple-stack maize event MON89034x1507xMON8801 7x59122	(i) The EC noted that the OoR experienced some challenges regarding the accessibility of application documents on the compact disk provided by the applicant (ii) The EC agreed that the application be deferred to the next meeting and that new compact disks be distributed to EC members for review of the application.	OoR
7.	General Standing Matters		
7.1	Regulatory and policy development	(i) The DoH provided feedback on the GMO labelling regulations workshop hosted by the dti. The meeting was informed that the dti intends to publish the labelling regulations in September 2010 for a 30 day comment period followed by a final publication date in October 2010.	DoH
7.2	COP-MOP5		
7.2.1	Feedback on progress regarding the Fifth Meeting of the Conference of the Parties serving as the Meeting of the Parties (COP-MOP5) to the	(i) The EC noted the feedback provided by the DEA on stakeholder consultations that had taken place in order to inform the drafting of positions on substantive issues on the agenda of the Fifth Meeting of the Conference of the Parties in Japan. The EC was informed that the approval of a cabinet memo submitted by DEA provided general approval for the various COP-	DEA

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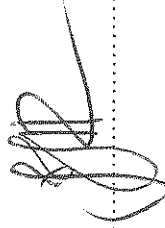
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	Cartagena Protocol on Biosafety (All)	<p>MOP positions including a mandate for the Supplementary Protocol on Liability and Redress. It was agreed that a matrix of various positions for COP-MOP5 be circulated amongst EC members for further information. The DEA indicated that the Liability and Redress protocol was supported subject to the successful conclusion of the two outstanding issues for SA i.e. the inclusion of "products thereof" and the financial security mechanism.</p> <p>(ii) The EC was informed that the COP-MOP5 delegation to Nagoya would be headed by the Director-General of DEA.</p> <p>(iii) Delegation members were encouraged to consult the DIRCO for assistance regarding logistics and accommodation for Japan. EC members that would be part of the COP-MOP5 delegation were informed to submit final positions to the DEA by the 17th of September 2010.</p>	EC
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 SA would not participate at the COP-MOP5 exhibition.	DEA, DST
7.3	Non-compliance (Registrar)	(i) The EC noted that there were no reports of non-compliance.	OoR
7.4	WEMA Presentation (Monsanto) at 9:00 (before the official start of meeting)	(i) The Water Efficient Maize for Africa (WEMA) project presentation was provided by representatives from Monsanto.	
7.5	Registrar Vacancy (DAFF)	(i) The EC noted the vacant Registrar position was advertised in the Sunday Times on the 5 th of September 2010. Based on discussions by the EC at a previous meeting, Dr Jaffha's appointment as the acting Registrar would be confirmed and approved by the Vice Chairperson of the EC.	OoR

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7.6	Genok Biosafety Training	(i) The EC noted the feedback provided by DST regarding the Genok training course. The training focused on the principles of the precautionary approach and provided a first world perspective on GMOs to participants from developing countries.	DST
8.	Date of the next meeting	(i) The date for the next meeting is scheduled for 26 October 2010.	All
9.	Closure	(i) The meeting was concluded at 14:23	

Approved by Chairperson

Dr. J Jaffha
Name



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Signature

Approved by Acting Registrar

Dr. J Jaffha
Name



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Signature