

MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER THE GMO ACT, 1997 HELD ON 10 NOVEMBER 2020, MICROSOFT TEAMS

PRESENT

Dr J Jaffha (Chairperson)
 Mr B Durham
 Ms N Tshidada
 Prof G Bouwer
 Dr M Jugmohan-Naidu
 Dr N Netnou-Nkoana
 Ms T Ndukwana
 Dr M Matlala
 Ms T Masilela
 Ms P Campbell
 Ms J Mhlophe
APOLOGIES
 Dr A Sigobodhla

Department of Agriculture, Land Reform and Rural Development (DALRRD)
 Department of Science and Innovation (DSI)
 Department of Environment, Forestry and Fisheries (DEFF)
 Chairperson of the Advisory Committee (AC) under the GMO Act, 1997
 Department of Science and Innovation (DSI)
 Department of Agriculture, Land Reform and Rural Development (DALRRD)
 Department of Trade, Industry and Competition (**the dtic**)
 Department of Water & Sanitation (DWS)
 Department of Water & Sanitation (DWS)
 Department of Health (DoH)
 Department of Employment and Labour (DEL)
 Department of Health (DoH)

IN ATTENDANCE

Ms A Madzivhandila
 Ms T Mogapi
 Ms M Hialele
 Mr B Kgope
 Ms R Ngoepe
 Mr S Mokhothu
 Ms B Mahlangu
 Ms N.L. Mkhonza

Department of Health (DoH)
 Department of Environment, Forestry and Fisheries (DEFF)
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 Department of Agriculture, Land Reform and Rural Development (DALRRD)
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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 CoR noted the attendance since this was a virtual meeting.	EC Chairperson
3.	ADDITIONS TO AND ADOPTION OF THE AGENDA	The agenda was adopted with additions.	All
4.	APPROVAL OF THE RECORD OF PROCEEDINGS OF 01 SEPTEMBER 2020	The record of proceedings of 01 September 2020 was approved with amendments.	All
5.	MATTERS ARISING FROM		

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	THE PROCEEDINGS		EC/OoR
5.1	Interview process: vacancy in the Advisory Committee (OoR)	<p>(i) The EC Chairperson reminded the EC that at the September 2020 EC meeting, the EC had discussed the suitability of the candidates. The EC also noted that the EC should conduct interviews with the relevant candidates before a recommendation can be submitted to the Minister of Agriculture, Land Reform and Rural Development for their appointment.</p> <p>(ii) The OoR requested the EC to propose possible dates for the interviews and also to indicate the EC members that will be part of the interview panel.</p> <p>(iii) The EC Chairperson indicated that all EC members are welcome to participate in the interviews and also recommended that the AC Chairperson should provide two to three dates to the OoR. The OoR will then check the availability of the EC members and also inform the candidates of the interview dates accordingly.</p> <p>(iv) The EC noted that the interviews will be conducted virtually via MS teams.</p>	EC/OoR
5.2	Monsanto/Bayer's general release annual reports for GM cotton MON88913 (EC)	<p>(i) The EC Chairperson reminded the EC that at the September 2020 meeting, the EC had a lengthy discussion about Monsanto/Bayer's request regarding the general release permit condition 9. The EC had then concluded that additional work is still needed, before a final assessment can be made on whether there's a need for this permit condition.</p> <p>(ii) The EC noted that there were further consultations on this matter and concluded that based on the extensive deliberation and further consultations, the permit condition in question can be deleted from the permit as requested by Monsanto/Bayer. The OoR will communicate EC's decision to Monsanto/Bayer.</p>	EC
5.3	Bayer: Efficacy evaluation- use of artificial pests infestation (EC)	<p>(i) The EC Chairperson reminded the EC that at the September 2020 meeting, the EC had discussed Bayer's correspondence that requested clarity with regard to the use of artificial pest infestation in GM trials. The EC had then concluded that the EC Chairperson, supported by DEFF, should engage the Registrar of Act 36 to understand how artificial pest infestation is handled under Act 36.</p> <p>(ii) The EC noted that this matter was discussed with the Registrar of Act 36. The EC also noted that under Act 36:</p> <ul style="list-style-type: none"> • Artificial pest infestation is not a common practice, because a majority of the trials are still conducted under natural infestation conditions. Moreover, applicants who would want to use artificial pest infestation are required to justify their request. 	EC

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		<ul style="list-style-type: none"> Artificial pest infestation is not applied in isolation; in practice an applicant may be approved to conduct 30% of the trials under artificial infestation and 70% of the trials under natural infestation. <p>(iii) The EC deliberated and concluded that the EC Chairperson, DEFF, SANBI and officials from the Directorate Plant Health in DALRRD will conduct an assessment on how artificial pest infestation may be regulated.</p>	DEFF/EC Chairperson
5.4	SANSOR: Proposed conditions for conducting field trials with higher-order stack(s) that are approved for commodity clearance and/or general release (EC)	<p>(i) The EC Chairperson reminded the EC that at the September 2020 meeting, the EC deliberated on SANSOR's proposal and noted that the rationale for the proposal is not clear. The EC had then posed questions to SANSOR for them to respond to.</p> <p>(ii) The OoR informed the EC that SANSOR had responded and their response was circulated to the EC for deliberation at this meeting.</p> <p>(iii) The EC deliberated on SANSOR's response and agreed that SANSOR did not provide any new information to clarify and/or support the proposal for a change of permit conditions and concluded that the permit conditions will not be changed. The OoR will communicate EC's decision to SANSOR.</p>	EC Chairperson EC/OoR
5.5	AC NBT workshop	<p>(i) The EC Chairperson reminded the EC that at the September 2020 meeting, the EC was encouraged to participate in all four AC workshops. However subsequent to attending the first workshop, the EC Chairperson had then proposed that the AC should continue with the remaining workshops without EC's participation and the EC had agreed.</p> <p>(ii) The AC Chairperson informed the EC that the AC held a second workshop in October 2020 and the meeting progressed well. The third workshop will be scheduled, the purpose of which is to generate a solid framework to share with the EC. The targeted timelines for concluding the work on NBT's is the end of 2020 or early 2021.</p>	EC AC Chairperson
6.	Compliance/Non-compliance	<p>a. <u>Inspections</u> The OoR informed the EC that no inspections were conducted in October 2020.</p> <p>b. <u>Annual Reports</u> (i) The OoR also informed the EC that eight annual reports for commodity clearance, general release and trial releases were received and assessed. A summary of the annual report assessment was circulated to EC. The permit</p>	OoR

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		<p>(ii) holders were compliant in terms of the permit conditions The EC noted feedback by the OoR on annual reports. c. <u>Notification: Early termination of a trial release</u> The EC noted a notification for an early termination of a trial release for a gene therapy FLT180a from Syneos Health. Syneos Health indicated that the early termination was due to challenges posed by the Covid-19 pandemic.</p>	EC
			EC
7.	APPLICATIONS TO BE CONSIDERED BY EC (REGISTRAR)		Registrar
	Time extensions, amendments to (existing) permits, import and exports	None	
	New applications		
	Trial release and import and /or export		
7.1	Pioneer - 20/1370: Import and trial release of maize MON89034xDAS-40278-9	The EC's decision on the Pioneer - 20/1370: Import and trial release of maize MON89034xDAS-40278-9 is pending submission of additional information by the applicant.	EC
7.2	Pioneer - 20/1371: Import and trial release for maize TC1507xNK603	The EC's decision on the Pioneer - 20/1371: Import and trial release for maize TC1507xNK603 is pending submission of additional information by the applicant.	EC
7.3	Sensako - 20/015: Import & Trial Release for Soybean IND-ØØ41Ø-5 X MON-Ø4Ø32-6	The EC approved the Sensako - 20/015: Import & Trial Release for Soybean IND-ØØ41Ø-5 X MON-Ø4Ø32-6 subject to submission of additional information by the applicant.	EC
	Commodity Clearance		
7.4	Pioneer - 20/1372: Commodity clearance for maize MON89034	The EC's decision on the Pioneer - 20/1372: Commodity clearance for maize MON89034 x TC1507 x MIR162 x NK603 x DAS-40278-9 is pending submission of additional information by the applicant.	EC


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9.2	Cartagena Protocol (All)	<p>verification of non-GMO certificate issued to AGT Foods Africa by SA. The said certificate was issued for white navy beans; however the one received from Zimbabwe was for white maize, which, suggests that the certificate was fraudulent.</p> <p>(ii) The EC deliberated and proposed that further guidance be requested from the DALRRD legal services.</p>	EC/OoR DEFF
		<p>(i) The DEFF informed the EC that the COP-MOP 10 is rescheduled for May 2021 in Kunming, China. The DEFF also informed the EC of the following key meetings:</p> <ul style="list-style-type: none"> • The first extraordinary meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety is scheduled to happen online from the 16 - 19 November 2020 concurrently with the first EXCOP of the Nagoya Protocol and EXCOP-2 for the CBD. The meetings will be conducted with a written/silent procedure. • SBSTTA -24 and SBI-3 will consider the following Biosafety related items respectively: Risk Assessment and Management; Synthetic Biology; Assessment and review of the effectiveness of the Cartagena Protocol on Biosafety; and Review of the effectiveness of the processes under the Convention and its protocols. The draft position matrix was sent to the OoR for circulation to EC members and inputs are required on or before 20 Nov 2020. • Furthermore the COP Presidency is currently proposing having a formal virtual meeting of SBSTTA and SBI, to boost a momentum towards COP15 and its protocols. The Africa Group of Negotiators with guidance from DIRCO is considering the matter and will provide guidance as soon as a way forward is reached. However, the informal virtual session of SBSTTA and SBI will be convened in January and February 2021. • Third meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework will be held February 2021, in Canada. The programme will include: Resource mobilisation, post 2020 GBF, assessment and review of the effectiveness of the Cartagena Protocol on Biosafety and review of the effectiveness of the processes under the Convention and its protocols. • Twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice and Third meeting of the Subsidiary Body on 	

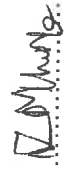
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10.	General	Implementation will be held in March 2021, in Canada. The programme will include: Risk Assessment and Management and Synthetic biology. (ii) The EC noted the meetings under the Cartagena protocol.	EC
10.1	Proposed EC meeting dates for 2021/22	The EC noted the meeting dates for 2021/22 financial year.	All
10.2	IQVIA: Import and trial release application	(i) The OoR informed the EC about the process followed in dealing with IQVIA current application for import and trial release of a GM vaccine Ad26.COV2.S. The GM vaccine (Ad26.COV2.S) was initially reviewed and approved by EC in August 2020 and a permit was later issued in September 2020 upon submission of SAHPRA's approval. The current application was only reviewed by the review chairperson that reviewed the initial application. (ii) The EC approved the process as well as the issuance of a permit subject to a positive recommendation by the review chairperson and SAHPRA's approval.	OoR EC EC
10.3	Request by Sensako to move field trial locations	(i) The EC noted Sensako's request and rationale to move field trial locations for HB4 soybean trial release approved in October 2020. (ii) The EC deliberated and recommended that the DWS and DEFF be given time to assess the information on the proposed new trial locations. (iii) The EC approved Sensako's request subject to positive recommendation by DWS and DEFF.	DWS/DEFF
11.	Date of the next meeting	The EC noted that the date of the next EC meeting is scheduled for 02 March 2021. The EC meeting is likely to be a virtual meeting via MS teams.	EC All
12.	Closure	The meeting was concluded at 13:36.	All

Approved by Chairperson
Dr. J. Jaffha


Signature

Approved by Registrar
Ms. N.L. Mkhonza


Signature

