

**MINUTES OF THE PROCEEDINGS
OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER THE GMO ACT, 1997 HELD ON
19 July 2011, HARVEST HOUSE, ROOM 332, PRETORIA**

PRESENT

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

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

APOLOGIES

Ms J Mhiophe
Ms E Koekemoer
Mr S Mokhothu

Department of Labour (DoL)
Department of Trade and Industry (**the dti**)
Department of Agriculture, Forestry and Fisheries (DAFF)

IN ATTENDANCE

Ms N L Mkhonza
Ms E Jantjies
Ms I Muedi
Ms R Chanda
Ms L Segooa
Ms T Tshimomola
Ms G Komane

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 Science and Technology (DST)
Department of Environmental Affairs (DEA)
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
3.	ADDITIONS TO AND ADOPTION OF THE	The agenda was adopted with the following addition: 7.7. EU decision.	

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4.	<p align="center">AGENDA</p> <p align="center">APPROVAL OF THE RECORD OF PROCEEDINGS OF 17 May 2011</p>	<p>The record of proceedings of the meeting held on 17 May 2011 was amended and approved.</p>	
5.	<p align="center">MATTERS ARISING FROM THE PROCEEDINGS</p>		
5.1	<p>Feedback on appeals lodged under the GMO Act (DAFF)</p>	<p>(i) The EC members were informed that the matter is still under review.</p> <p>(ii) The EC noted that the OoR received a request from ACB regarding possible hearings but considering that the process is executed in the office of the DG, the OoR could not respond to the request. The OoR will continue to monitor the progress of the appeal.</p>	<p>DAFF</p> <p>OoR</p>
5.2	<p>Commodities (Registrar) (a) SABS standard</p>	<p>(i) There was no discussion.</p>	<p>DAFF</p>
	<p>(b) Asynchronous approvals</p>	<p>(i) There was no discussion</p>	<p>DAFF</p>

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
	(c) Permit conditions	<p>(i) The EC noted that permit conditions should be finalised and circulated amongst members. Members were reminded that they should consider the dti's opinion. The permit conditions were noted as an outstanding matter</p> <p>(ii) The EC recommended that for future commodity applications, applicants should state why general release is not sought as part of the application process.</p>	OoR
5.3	GM threshold vs. adventitious presence (DAFF)	<p>(i) The EC were reminded about the risk matrix that is being developed and that the current version was circulated amongst members.</p> <p>(ii) Another meeting regarding GM threshold and adventitious presence will be scheduled between DAFF, DEA and DoH.</p>	DAFF
5.4	MON810 insect resistance in SA (DEA)	<p>(i) The EC noted that DEA will convene a meeting between the AC Chair and SANBI to consolidate data from the respective publications before the next EC meeting.</p> <p>(ii) The EC noted that DEA is still awaiting feedback on legal opinion from external legal counsel with regard to the Monsanto research agreement. It was noted that this issue is ongoing.</p>	DEA
5.5	Pioneer 17/3/1-Pioneer - 09/383:Commodity clearance of maize 98140	<p>(i) The EC were reminded of the special meeting held on the 07 June 2011 under Section 5(2) g of the GMO Act which stipulates that the Council may reconsider any decision if new and relevant scientific information becomes available.</p> <p>(ii) The EC noted that further review of the existing and new information regarding the maize 98140 and its potential impacts needs to be undertaken. In line with this decision, the EC previous decision regarding maize 98140 was suspended until further notice.</p>	EC
5.6	Monsanto's response on the reasons for the unavailability	(i) The EC proposed that this item be removed from the agenda.	EC

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
	of the isogenic counterparts for general release permits of Maize events MON89034 and MON89034xNK603(DAFF)		
5.8	Visit by Kenyan delegation(DAFF)	(i) The EC noted the proposals by DAFF to either schedule the proposed visit for the Kenyan delegates at a time when field trials are conducted, or to organise delegation to visit the regulatory authorities in Kenya. DAFF was in discussion with the Directorate International Relations with regards to the second proposal but, no final decision has been made. The EC was informed that DAFF will continue the discussion with Kenya High Commission regarding a possible visit.	DAFF
5.9	Departmental representation(DAFF)	(i) The EC recommended that the implication of the legal opinion be assessed by the legal advisers of the affected departments. It was noted that the work regarding this issue is ongoing. Guidance regarding the General Laws Amendments Act that deals with the name changes across the Government sectors will be given by Department of Justice.	OoR
5.10	Terms of Reference for the Advisory Committee (DAFF)	(i) The EC concluded that members should assess the opinion once again towards a conclusion at the next meeting, particularly on the need for such a TOR.	CoR
6.	APPLICATIONS TO BE CONSIDERED BY EC (REGISTRAR) TIME EXTENSIONS, AMENDMENTS TO (EXISTING) PERMITS, IMPORT AND EXPORTS		

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
6.1	Triclinium-11/047: Import and trial release of OncoVEX vaccine (extended treatment)	(i) The EC approved Triclinium import and trial release of OncoVEX vaccine subject to MCC approval.	OoR
	New Applications		
6.2	Extension of trial release (and import and/or export) Monsanto – 11/954: Extension permit for trial release of Maize event MON87460	(i) The EC approved Monsanto's extension of import and trial release of Maize event MON87460 subject to submission of annual report.	OoR
6.3	Monsanto – 11/955: Extension permit for trial release of Maize event MON87460	(i) The EC approved Monsanto's extension of import and trial release of maize event MON87460 subject to submission of annual report.	OoR
6.4	Monsanto – 11/979: Extension permit for contained use of Maize event ZM_70774	(i) The EC approved Monsanto's extension for contained use of maize event ZM70774 subject to submission of report containing actual data of experiments.	OoR
6.5	Monsanto – 11/980: Extension permit for contained use of Maize event LAJ136	(i) The EC approved Monsanto's extension for contained use of maize event LAJ136 subject to submission of report containing actual data of experiments.	OoR

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
	Contained use (and import and /or export)	(i) None	
	Trial release and import and/or export		
6.6	Pioneer-11/517: Import and trial release of Maize event TC1507xNK603	(i) The EC approved Pioneer's import and trial release of maize events TC1507xNK603 subject to submission of detailed PCR protocols and that the distance between trial site 6 and the Crocodile River is increased.	OoR
6.7	Pioneer-11/518: Import and trial release of Maize event TC1507x59122xMON810xNK603	(i) The EC approved Pioneer's import and trial release of maize events TC1507x59122xMON810xNK603 subject to submission of detailed PCR protocols and that the distance between trial site 6 and the Crocodile River is increased.	OoR
6.8	Pioneer-11/519: Import and trial release of Maize event TC1507x59122xNK603	(i) The EC approved Pioneer's import and trial release of maize events TC1507x59122xNK603 subject to submission of detailed PCR protocols and that the distance between trial site 6 and the Crocodile River is increased.	OoR
6.9	Pioneer-11/520: Import and trial release of Maize event TC1507x59122	(i) The EC approved Pioneer's import and trial release of maize events TC1507x59122 subject to submission of detailed PCR protocols and that the distance between trial site 6 and the Crocodile River is increased.	OoR
6.10	Triclinium-11/040: Import	(i) The EC approved Triclinium's import and trial release of TB vaccine AERAS-422	OoR

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
	and trial release of TB Vaccine AERAS-422	subject to MCC approval.	
6.11	Triclinium-11/041: Import and trial release of TB Vaccine VPM1002	(i) The EC approved Triclinium's import and trial release of TB vaccine VPM1002 subject to MCC approval.	OoR
6.12	Wits-10/023 Import of additional MVA-C vials	(i) The EC approved Wits 10/023 request subject to submission of the application of import permit by the applicant	OoR
	General Release	(i) None	
	Commodity clearance		
6.13	Syngenta-10/112: commodity clearance of Maize event BT11xMIR162xTC1501xGA21	(i) The EC approved Syngenta commodity clearance of maize event BT11xMIR162xTC1501xGA21 subject to finalization of the commodity clearance permit conditions.	OoR
7.	General Standing Matters		
7.1	Regulatory and policy development	(i) The EC was informed about the CODEX guidance document on the labelling of food and food ingredients obtained through certain techniques as well as genetic modification or genetic engineering. (ii) The EC noted that no decision has been made with regard to the labelling issues.	DoH
7.2	COP-MOP5	(i) The EC was informed that the second national report on the implementation of the Cartagena Protocol on Biosafety is due in September 2011. The DEA is planning to host a one-day stakeholder consultation for the Second National Report on the implementation of the Cartagena Protocol on Biosafety and Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol. The workshop will be held on the 27 July 2011 at	DEA

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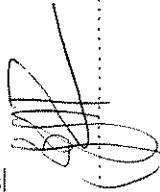
NO.	SUBJECT	RESOLUTION	FOR ATTENTION
		<p>Manhattan Hotel Pretoria. The invitation for the workshop was circulated amongst members on the 01 July 2011.</p> <p>The workshop will focus on the following:</p> <ul style="list-style-type: none"> ➤ Presentation from the National Competent Authority on the progress of South Africa in terms of implementing Cartagena Protocol ➤ National consultation on the Supplementary Protocol ➤ Presentation from DAFF and DST on the overview of implementing the Supplementary Protocol. 	
7.3	Non-compliance (OoR)	(i) None	DAFF
	OTHER		
7.4	EC meeting dates (2012) (All)	(i) The EC was requested to provide inputs by 29 July 2011 with regard to the EC meeting dates that were circulated to them previously	OoR
7.5	(a) Section 3 (11) Terms and conditions under which the Registrar may issue an extension permit for an activity for which a permit has been issued previously (b) Triclinium 11/049 Export permit: TB vaccine AERAS-485	(i) The EC proposed that extension policy should be finalised in order to come up with the terms and conditions	DAFF
		<p>(i) The EC was informed that this application was granted approval previously but the applicant is requesting to export the final vials to Germany.</p> <p>(ii) The EC recommended that if the applicant states that imports/exports will be required in the initial application, the Registrar can issue the permits without submitting the applications to the EC.</p>	DAFF

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NO.	SUBJECT	RESOLUTION	FOR ATTENTION
7.6	General release application form (AC chair)	(i) The EC was informed about the ad hoc meeting of Advisory Committee which will be held on 26 July 2011.. (ii) The EC was requested to give inputs on the general release application document by 12 August 2011.	AC Chair
7.7	EU decision	(i) The EC was informed about the EU decision that member states will have more powers in regulating GMO.	
8.	Date of the next meeting	(i) The date for the next meeting is scheduled for 13 September 2011.	All
9.	Closure	(i) The meeting was concluded at 12:45	

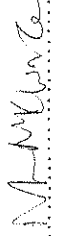
Approved by Chairperson

Dr J Jaffha


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Signature

Approved by Registrar

Ms NL Mkhonza


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Signature