Minutes of the meeting of the Executive Council under GMO Act (Act No. 15 of 1997)
09 FEBRUARY 2006, Agriculture Place Room F- FF- 11

ATTENDANCE

Dr SR Moephuli	Department of Agriculture (Chairperson)
Mr B Durham	Department of Science and Technology (Deputy Chairperson)
Ms L Sello	Department of Environmental Affairs and Tourism
Ms E Koekemoer	Department of Trade and Industry

OBSERVERS

Ms M Selematsela	Department of Health
Ms SMG Zwane	Department of Science & Technology
Dr S Ntutela	Department of Science and Technology
Ms WP Mandivenyi	Department of Environmental Affairs and Tourism

In attendance:

Mrs M Vosges	Department of Agriculture (Registrar)
Dr JB Jaftha	Department of Agriculture (Senior Manager: Genetic Resources Management)
Mr D Matlala	Department of Agriculture
Ms E Jantjies	Department of Agriculture
Ms R Ngoepe	Department of Agriculture

ABSENTEES

Mr L Motshelanoka	Department of Labour
Prof. MM Sibara	Advisory Committee Chairperson

NO.	SUBJECT	DISCUSSION / DECISION	ACTION
1.	**Opening and Welcome**	The Chairperson welcomed everyone present in the meeting.	
2.	**Attendance register**	The attendance register was circulated for signature.	

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3.	**Adoption of the agenda**	The agenda was adopted.	
4.	**Approval of minutes (13 October 2005)**	The minutes were read and adopted with the following correction: Page 3, item 5.5 – grammar correction "is"	Registrar
5.	**Matters arising from previous minutes** 5.1 Report on study pertaining to commodity clearance applications	The Council took note of the progress report submitted by DTI. DTI will - (1) Have a follow-up meeting of the working group to finalise the study. (2) Distribute the documents received from AFMA and AfricaBio to all members (3) Forward information on the value analysis to all members (4) Report back at the next meeting. Dr Moephuli will request a copy of the report on the EU-US case from WTO-office in Geneva and distribute the report to all members. The Registrar will provide DTI with information regarding imports and exports for the countries identified by DTI. DTI to identify the relevant countries. A decision will be made at the next meeting.	DTI EC chairperson Registrar
	5.2 Document on risk assessment of stacked plant biotechnology products	Council recognised that DEAT is in the process of developing a broader risk assessment framework, which will be submitted to the Council for inclusion into the processes under the GMO Act. Council took note that the Advisory Committee has not been consulted on this document and requested that the Registrar send the document to the Committee for	

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		comment and recommendation in their next meeting. Registrar should inform AC of the current developments within DEAT. Bearing in mind the developments within DEAT pertaining to risk assessments, the Council will, taking into consideration the recommendation of the Committee, consider adoption of this document in the next meeting as an interim measure. The document will be reviewed upon completion of the process within DEAT.	Registrar
	5.3 Feedback on export of stacked maize MON810 X NK603	The EC took note of the feedback provided by the Registrar and agreed that there was no contraventions in terms of the GMO Act. Council instructed the Registrar in terms of Section 9(c) to amend all conditional general release permits issued prior to this date to state that the permit authorisation may be used to develop other hybrids/varieties, provided that a hybrid or variety is not made with another GMO event, with immediate effect. In practice this means that stacked products already produced or which will be produced as a result from the harvest of the current growing season, will not be affected by this amendment (noting, however, that new stacked events will still need full permit approval prior to any release). This includes exportation of these stacked products. All current activities must therefore be concluded in this growing season. For production of stacked products in the following growing seasons, applicants must obtain a trial release permit. Production of stacked products making use of conditional general release permits issued for single GMO events will no longer be a legitimate activity. Registrar instructed to inform all applicants of this decision.	Registrar Registrar
	5.4 Standard operating	Council requested the following amendments to the document:	

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	procedure for Regulation 4	(1) A risk assessment is not required for all activities within each facility. Facilities should be classified at a specific risk level/category. Council to define the criteria for the different risk levels/categories. (2) Guidelines should be developed to assist inspectors when they conduct inspections of facilities. (3) Facilities should be registered for a period of 3 years, provided that there is no change within the facility that significantly affect the risk level/category/	
		Registrar to incorporate recommendations of Council and draft (a) guidelines for inspectors and (b) a document with regard to the classification of a facility into different risk levels/categories. Revised SOP to be circulated and tabled for discussion and decision at the next meeting.	Registrar
	5.5 Monsanto document on BGRR general release	The document submitted by Monsanto pertaining to the compliance management plan and the environmental monitoring programme was assessed by the Council. The Council agreed that the document does not address the concerns raised by DEAT.	
		DEAT will indicate their concerns on the document to the Registrar, who will contact the applicant. DEAT proposed that Monsanto consult their offices to discuss this matter in more detail.	DEAT Registrar
		Council further agreed that there is a need to develop a document that will refer to the specific requirements with regard to an environmental monitoring programme. DEAT will draft such a document for discussion in the next meeting.	DEAT
6.	**New applications to be considered by EC**		
	6.1 Triclinium – 05/004 Trial Release with HIV vaccine	Application approved, subject to MCC approval and approval by DoL and AC chairperson. Registrar authorised to issue permit.	DoL, AC chair Registrar

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	6.2 MSD – 06/003 Importation of additional HIV Vaccine vials	Council noted the additional request to their existing permit application. Council agreed that there are no new significant risks arising from their request to increase the number of vials and patients in their study. Application approved, subject to MCC approval and approval by DoL and AC chairperson. Registrar authorised to issue permit.	DoL, AC chair Registrar
	6.3 SASRI – 05/006 Field Trials with GM Sugarcane containing SCMV	Application approved, subject to approval by DoL and AC chairperson. Registrar authorised to issue permit.	DoL, AC chair Registrar
	6.4 Monsanto – 05/230 Field Trials with maize events MON 89034; MON 89597; MON 89034 X NK603	Application pending. Registrar to compile a document explaining the aim of the application and the history, including previous trials and trial reports, of the events listed in the application. Upon receipt of the document from the Registrar, members will revisit the application and submit their decision in writing at an extraordinary meeting. The Registrar will facilitate an extraordinary meeting in March 2006 to discuss this application.	 Registrar All members Registrar
	6.5 SASRI – 05/009 Field Trials with Sugarcane expressing Pleurocidin	Application approved, subject to approval by DoL, AC chairperson and DoA (will submit by 13 February 2006). Registrar authorised to issue permit.	DoL, AC chair, DoA Registrar
	6.6 Dow Agroscience – 05/ 004 Commodity Clearance with stacked maize event 1507 X	Public input received on the application must be referred to the AC for comment and recommendation. The final decision on this application remains pending until the outcome of the DTI	Registrar, AC

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	59122	study. All other members are requested to still submit their decision in terms of their own mandate (DoA will submit by 13 February 2006).	
7.	**Extended permit applications to be considered by Executive Council**	None tabled for this meeting.	
8.	**New matters**		
	8.1 Visit to Argentina to benchmark SA trade implications.	Council took note of the request from DTI that a delegation from SA visit Argentina to discuss the trading of GMO's and challenges that both SA and Argentina faces in this regard. Council supported the request but further agreed that the discussions with Argentina should not only focus on trade issues, but be used as an opportunity to solicit information with regard to the regulation of GMO's in Argentina and to discuss some of the substantive issues that were raised during the Parliamentary hearings.	
		DoA as chairperson of the Council will approach Cabinet for approval of such a visit to Argentina. DTI will forward the applicable correspondence to the Registrar to facilitate this process.	DoA DTI, Registrar
	8.2 Preparations for COP–MOP–3	DEAT will lead the delegation. DoA will draft a position paper on Article 18.	DEAT, DoA
	8.3 SA Bioproducts – Large scale production	Concerns raised with regard to the extended time periods taken for processing of the applications for contained use by SA Bioproducts, have been noted. In light of the recent concerns and concerns expressed previously by other applicants, the Council agreed that there will be 6 meetings in a year. Registrar to arrange 2 additional Council meetings for 2006.	Registrar
		The Registrar should facilitate registration and an inspection of the facility of SA	Registrar

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		Bioproducts. The two current applications by SA Bioproducts (valine and serine) will be considered by the Council at an extraordinary meeting. Registrar to facilitate the extraordinary meeting.	Registrar All members
9.	**Standing matters** 9.1 Copy of permits issued since last meeting 9.2 Report on current trials	 Noted. This list also serves as information document to DEAT on the volumes contained in extension permits issued between Council meetings. Noted.	
10.	**General** 10.1 Feedback on potential presence of BT10 in SA 10.2 Feedback on GMO Amendment Bill	 Bt11 seed samples were drawn from the Bt11 seed supplies in SA and sent to Germany for testing. Further actions in this regard will depend on the outcome of the test results. In view of having similar GMO tests conducted in SA, the Registrar was requested to explore the feasibility of establishing a GMO testing laboratory for use by Government. The next meeting in Parliament will be on 6 March 2006.	 Registrar
11.	**Date of next meeting**	The next scheduled meeting is for 15 June 2006. However, the Registrar was requested to arrange another meeting in May 2006. This meeting will be in addition to the extraordinary meeting requested by Council.	Registrar
12.	**Closure**	The meeting adjourned @12:40	