

MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER THE GMO ACT, 1997 HELD ON 01 MARCH 2022, MICROSOFT TEAMS

PRESENT

Dr J Jaffha (Chairperson)

Ms N Tshidada

Prof. G Bouwer

Dr N Nethrou-Nkoana

Ms T Masilela

Dr A Sigobodhla

Mr B Durham

Ms P Campbell

Dr M Jugmohan-Naidu

Ms J Mhlophe

Ms T Ndukwana

APOLOGIES

Dr M Mattala

IN ATTENDANCE

Ms A Madzivhandila

Ms T Mogapi

Ms A Hlungwani

Dr T Makholela

Dr B Ntshabele

Mr S Mokhothu

Ms B Mahlangu

Ms N.L Mkhonza

Department of Agriculture, Land Reform and Rural Development (DALRRD)

Department of Forestry, Fisheries and the Environment (DFFE)

Chairperson of the Advisory Committee (AC) under the GMO Act, 1997

Department of Agriculture, Land Reform and Rural Development (DALRRD)

Department of Water & Sanitation (DWS)

Department of Health (DoH)

Department of Science and Innovation (DSI)

Department of Health (DoH)

Department of Science and Innovation (DSI)

Department of Employment and Labour (DEL)

Department of Trade, Industry and Competition (the dtic)

Department of Water & Sanitation (DWS)

Department of Health (DoH)

Department of Forestry, Fisheries and the Environment (DFFE)

Department of Forestry, Fisheries and the Environment (DFFE)

Department of Forestry, Fisheries and the Environment (DFFE)

Department of Agriculture, Land Reform and Rural Development (DALRRD)

Department of Agriculture, Land Reform and Rural Development (DALRRD)

Department of Agriculture, Land Reform and Rural Development (DALRRD)

Department of Agriculture, Land Reform and Rural Development (DALRRD)

RESOLUTION

The EC Chairperson welcomed those present at the EC meeting.

The OoR noted the attendance since this was a virtual meeting.

The agenda was adopted with additions.

The record of proceedings of 02 November 2021 was approved with amendments.

NO.	SUBJECT	FOR ATTENTION
1.	OPENING AND WELCOME	EC Chairperson
2.	ATTENDANCE REGISTER AND APOLOGIES	EC Chairperson
3.	ADDITIONS TO AND ADOPTION OF THE AGENDA	All
4.	APPROVAL OF THE RECORD OF PROCEEDINGS OF 02 NOVEMBER 2021	All
5.	MATTERS ARISING FROM	

MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER THE GMO ACT, 1997 HELD ON 01 MARCH 2022, MICROSOFT TEAMS

5.3	Reappointment of AC member (Chairperson)	(i) The EC Chairperson reminded the EC that at the November 2021, the EC deliberated on the reappointment of one AC member as well as the appointment term of AC members. The EC had concluded that the EC Chairperson should further discuss a way forward on the matter with the OoR. (ii) The EC Chairperson informed the EC that a discussion was held with the OoR and it was noted that an AC terms of reference that was previously developed but not finalised by EC could inform a way forward on this matter. (iii) In conclusion: • The OoR will circulate the AC terms of reference to the EC for further inputs. • The EC will make a final recommendation regarding the reappointment of the one AC member at the May 2022 EC meeting.	OoR/EC	EC Chairperson
5.4	EU RASFF	(i) The EC Chairperson reminded the EC that at the November 2021 meeting, The DoH had informed the EC that they have received two alerts from France through the EU RASFF. These alerts were in relation to food enzymes/additives derived from GM material. The EC had concluded that if the GM derived ingredients are not viable/active organisms in a product they would not be subjected to the GMO Act processes. (ii) The EC Chairperson informed the EC that he further assessed the EU RASFF notification shared by the DoH and the enzymes/food additives seem not to comply with the definition of an organism in the GMO Act and therefore would not be subjected to the GMO Act processes.	DoH	EC
6.	Compliance/Non-compliance	a. <u>Inspections</u> The OoR informed the EC that no inspections were conducted in February 2022.	OoR	

MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER THE GMO ACT, 1997 HELD ON 01 MARCH 2022, MICROSOFT TEAMS

		b. Annual Reports The OoR also informed the EC that three annual reports for general release were received and are in the process of being assessed.	OoR
7.	APPLICATIONS TO BE CONSIDERED BY EC (REGISTRAR)		Registrar
	Time extensions, amendments to (existing) permits, import and exports	None	
	New applications		
	Contained use and import and /or export	None	
	Trial release and import and /or export	None	
	General release		
7.1	Huvepharma South Africa - 21/001: General release of RASV-Cp/01 (Recombinant Attenuated Salmonella Vaccine- Cp/01)	The EC approved Huvepharma South Africa - 21/001: General release application for RASV-Cp/01 (Recombinant Attenuated Salmonella Vaccine- Cp/01), subject to approval by Fertiliser, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947.	EC
7.2	Intervet - 21/005: General release and import of Nobivac Puppy DP PLUS vaccine	The EC approved Intervet - 21/005: General release and import application for Nobivac Puppy DP PLUS vaccine subject to approval by Fertiliser, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947.	EC
	Commodity clearance		
7.3	Trigall Genetics S.A - 21/001: Commodity clearance of HB4 wheat	The EC decision for Trigall Genetics S.A - 21/001: Commodity clearance application for HB4 wheat (IND-ØØ412-7) on is pending further assessment.	EC

MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER THE GMO ACT, 1997 HELD ON 01 MARCH 2022, MICROSOFT TEAMS

	(IND-ØØ412-7)		
7.4	Bioceres Crop Solutions - 21/001: Commodity clearance of HB4 soybean (IND-ØØ41Ø-5)	EC's decision for Bioceres Crop Solutions - 21/001: Commodity clearance application for HB4 soybean (IND-ØØ41Ø-5) is pending further assessment.	EC
7.5	Syngenta - 21/180: Commodity clearance of 3272 x Bt11 x MIR162 x MIR604 x TC1507 x 5307 x GA21 maize	EC's decision for Syngenta - 21/180: Commodity clearance application for 3272 x Bt11 x MIR162 x MIR604 x TC1507 x 5307 x GA21 maize is pending further assessment.	EC
8	Standing matters		
8.1	Regulatory and policy developments (All)	None	
8.2	Cartagena Protocol (All)	(i) The DFFE informed the EC that the SBI-13 and SBSTTA-24 meeting is scheduled for 13 to 30 March 2022 in Switzerland and will be held both physically and virtually. (ii) The DFFE informed the EC that part II of the COP-MOP10 has been rescheduled and the exact dates are not yet confirmed by the CBD Secretariat.	DFFE EC
8.3	Appeals lodged in terms of the GMO Act	(i) The EC Chairperson informed the EC that Agbiz has lodged an appeal with the Minister of Agriculture, Land Reform and Rural Development, against EC's decision regarding SA's regulatory approach for NBT's. (ii) The EC noted the appeal lodged by Agbiz.	EC Chairperson EC
9.	General		

MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER THE GMO ACT, 1997 HELD ON 01 MARCH 2022, MICROSOFT TEAMS

9.1	Explanatory note for applications relating to approved trial releases (OoR)	(i) The OoR informed the EC that they have developed an explanatory note and its purpose is to recommend a procedure for consideration of requests for adding new trial sites to existing trials pertaining to approved GMO events. The explanatory note was circulated to the EC for comments. (ii) The EC requested additional time to consider the explanatory note. The due date for submission of comments is 11 March 2022.	EC EC
9.2	Legal opinion on declaration of conflict of interest (DSI)	(i) The EC Chairperson informed the EC that he received a concern of conflict of interest from a member of the DSI and has subsequently submitted that concern to the Minister because the EC is not empowered to deal with such a matter. (ii) The EC Chairperson reminded the EC that at the November 2021, there was a request from DSI for a declaration of conflict interest by EC members at the beginning of each meeting. The EC Chairperson informed the EC that the DSI has subsequently obtained a legal opinion from DSI's legal services and the legal opinion was circulated to EC members. (iii) The DSI informed the EC that the legal opinion states that a declaration of conflict is not a mandatory legal requirement for the EC members, however, it is good governance practice to adopt for an organisation. (iv) The EC deliberated and concluded as follows: • The EC indicated that section 13 of the GMO Act seems to sufficiently deal with conflict of interest. • The EC will await Minister's guidance regarding a concern on conflict of interest raised by a member of the DSI and this might assist in addressing the need for a declaration of conflict by EC members.	EC Chairperson EC DSI EC EC
10.	Date of the next meeting	The EC noted that the date of the next EC meeting is scheduled for 10 May 2022. The EC meeting is likely to be a virtual meeting via MS teams.	All

MINUTES OF THE MEETING OF THE EXECUTIVE COUNCIL UNDER THE GMO ACT, 1997 HELD ON 01 MARCH 2022, MICROSOFT TEAMS

11.	Closure	The meeting was concluded at 12:00am.	All
-----	---------	---------------------------------------	-----

Approved by Chairperson
Dr J Jaftha

.....
Signature

Approved by Registrar
Ms NL Mkhonza

.....
Signature