



Att: Minister Tina Joemat- Pettersen

Minister of Agriculture, Fisheries and Forestry
Department of Agriculture, Fisheries and Forestry
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Cc: Director: Genetic Resources: Dr J. Japhta **fax:** 012 319 6329
Cc: Director: Biosafety: Ms. C. Arendse **fax:** 012 319 6339

12 November 2009

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RE: Request to approach SpuntaG2 Appeals Board as *Amicus Curiae*

Dear Minister Joemat-Pettersen

The African Centre for Biosafety (ACB) is heartened by the decision of the Executive Council: GMO Act to deny the Agricultural Research Council (ARC) permission to release genetically modified potatoes onto the market. This decision was made public in the Minutes of the Meeting of the Executive Council under the GMO Act, dated 21 July 2009, and published on the DAFF website on the 14th October 2009. We are aware that the ARC has appealed this decision and that a process to set up an appeal board and appeal process is currently underway.

The ACB requests an opportunity to represent its views during the appeals process or to approach the appeal board as *Amicus Curiae*.

The ACB has a track record of working on biosafety issues in South Africa and has done substantial work on the SpuntaG2 potato since 2004, including:

- Submitted objections to the ARC's application for field trials in 2004 and 2006, as well as an objection to the ARC's application for commercial release. As part of our objections, we included independent analysis of the ARC safety data by experts in related fields.
- Published a comprehensive study titled '**Hot Potato. GM potatoes in South Africa-a critical analysis**' and made copies of the booklet available to every member of the Executive Council: GMO Act, under the direction of the Registrar.
- Consulted widely with consumer groups and social movements.
- Canvassed opinions on the potato from relevant industry.
- Canvassed opinions from several SADC Biosafety Focal Points.

Our objections are on record with the Registrar: Genetically Modified Organisms Act and can be found on the ACB's website, www.biosafetyafrica.org.za, along with our research booklet.

We kindly request information on the timeframe of the appeal process. We look forward to your positive consideration of our request.

Yours Sincerely

Mariam Mayet
Director