

ARC's Appeal Against GM Cassava ruling

www.biosafetyafrica.net

5 September 2007

A year ago, the **African Centre for Biosafety** and international NGO, **GRAIN** teamed up to oppose an application by the Agriculture Research Council (ARC) to conduct GM cassava field trials in South Africa. We put together comprehensive written objections to the application, strongly supported by a wide range of South African and international groups and individuals. These objections can be viewed at www.biosafetyafrica.net

On the 13th March 2007, the GMO Regulatory body in South Africa, the Executive Council (EC), refused the application. The EC ruled that ARC provided woefully inadequate biosafety data, which precluded the EC from undertaking a comprehensive risk assessment/evaluation of the proposed trials. Details of the reasons for the refusal can be found on our website, in the booklet titled *Interrogating GMO decision-making Critique of GMO Permit Applications in South Africa 2004-2007*.

The ARC has lodged an appeal against this decision on the 18th April 2007 and the Minister of Agriculture and Land Affairs has appointed an Appeal Board on the 3 July 2007 in terms of the GMO Act.

The ACB and GRAIN approached the office of the EC about the possibility of submitting an *amicus curiae* brief in support of the refusal. However, the Chairperson of the EC was reluctant to allow this as it was felt that the Appeal Board should only consider our original objections up until the time when the ARC submitted its application and not any new information from us.

Currently, the Appeal Board is deliberating the issue and once it reaches a decision, this will be sent to the Minister of Agriculture for final approval.

Although the GMO Act deals with Appeals, no procedures have yet been prescribed. This lacuna gives the Appeal Board enormous latitude to make up its own procedures.