

OBJECTIONS TO THE APPLICATION MADE BY
SYNGENTA SEEDCO
FOR COMMODITY IMPORT AND FIELD TRIALS
OF Bt 11 X GA 21 (STACKED)
TO THE NATIONAL DEPARTMENT OF
AGRICULTURE, SOUTH AFRICA

By Mariam Mayet
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1. On the 28 March 2006, Syngenta Co, advertised in the *Sowetan*, its intention to seek approval from the South African National Department of Agriculture (NDA) it will seek approval for the following:

(a) A commodity clearance approval which will enable the import into South Africa, of stacked GM maize events, Bt11x GA21; and

(b) Approval to enable it to conduct field trials of stacked GM event Bt11xGA21, in the following areas in South Africa: Brits, Delmas, Greytown, Klerksdrop, and Potchefstroom.

We strenuously object to this application, as yet a further example, in a long and seemingly endless chain, by multinational agrochemical and seed companies to use South Africa to conduct its risky experiments in our country and to experiment with the health of our people. Why? In order to capture seed markets and gain competitive advantages over each other, in a battle for control over the global food supply and agricultural systems.

2. On the 13th September 2004, the ACB, and other groups in South Africa, objected to an application by Swiss Agrochemical company, Syngenta, for permission to conduct field trials in South Africa with its GM maize GA21. We were outraged at the stated purpose of the field trial, namely, to “evaluate the efficacy of GA21 GM maize, to increase seed production for the purpose of exporting seed to the US for additional trials, and support the global evaluation of the GA21.” In other words, to use the land of South Africa, as a nursery for the production of seeds to assist and to support Syngenta’s applications for approvals elsewhere in the world. At the time, the application was particularly pertinent, given that GA21, an herbicide resistant technology, is key to Syngenta gaining access to the global seed market, which formed the bone of contention in litigation in the US courts between Syngenta and Monsanto. (*Monsanto and Syngenta were embroiled in bitter legal battles in the United States.*ⁱ *Syngenta challenged Monsanto’s market domination in the U.S District Court in Delaware*ⁱⁱ *and Monsanto in turn, has initiated a patent*

infringement lawsuit in Illinois Federal court to stop Syngenta Seeds Inc from developing, using and selling herbicide tolerant maize seed, including GA21.

iii)

3. The ACB and groups in South Africa have for the past few years, been engaging with the GMO constructively. We have employed experts to assess the risk assessment data of these companies, and have submitted extensive, comprehensive and sound and robust biosafety arguments, rooted in good science to support our numerous objections. We are aware, that these have been totally disregarded and indeed, been the subject of ridicule by government officials in charge of GM regulation in our country.

4. It has become clear to us, that the ears of our government apparatus dealing with GMOs have been tuned exclusively, to hear only the voice of the biotechnology industry. We will thus today, 12 years after our democratic elections, in protest, not furnish any further biosafety information in support of this objection since this information is not only in the public domain, but is with the South African government and has long since, been rejected by them.

4. We are also aware that Syngenta and Dupont have joined forces in a venture to challenge Monsanto's domination in the GM seed market (*DuPont and Syngenta Join in Modified-Seed Venture 11 April 2006* www.nytimes.com/2006/04/11/business/11place.html). Dupont, which owns Pioneer Hi-Bred Seed International Seed Company will become an equal partner in an existing Syngenta venture called Greenleaf Genetics that licenses both conventional and GM varieties to other seed companies.

5. The ACB has in the recent past, submitted objections in respect of several applications made by Pioneer Hi Bred and Dow Agrochemicals for approval in South Africa, of GM varieties (Herculex RW 59122; Herculex Xtra TC1507 x 59122; 59122x NK603). In the course of our work, and with the help of our friends in the United States, we discovered that none of these GM maize varieties had been approved anywhere in the world and indeed, commercial production had not even begun. Indeed, Pioneer Hi Bred was merely

repeating a pattern already established by Syngenta for instance, in regard to its application for approval in South Africa of a GM variety 604, which was still in experimental field trials in the US.

6. During 2004, the ACB discovered that in an application by Pioneer Hi-Bred and Dow Agrosiences, false and misleading information was given to our government, regarding GM maize variety, TC1507.

7. The NGO Biowatch South Africa has challenged Syngenta's application for commercial planting of Bt11. Extensive scientific and legal arguments were proffered by Biowatch in its challenge, which culminated in an appeal against the decision of our government to allow the commercial sale and growing of the GM maize variety. Despite Biowatch's best efforts, they lost the appeal.

8. Currently, a de facto moratorium is in place, which will not see any new approvals being granted for new GM events for the purposes of import into South Africa, pending the outcome of an economic study, currently being finalised by the Department of Trade and Industry. Nevertheless, applications for commodity clearances have been streaming in, -so confident are these multinational companies that our regulatory system will favour them-one way or the other.

ⁱ Competition Threatens Monsanto on Biotech Crop King, *Reuters News Service*, August 31, 2004.

ⁱⁱ Monsanto Market Power Scrutinised in Lawsuit, *Reuters*, August 25, 2004.

ⁱⁱⁱ Monsanto and Syngenta Sue Each Other over Roundup Ready Trait, *Food News Chemical News*, August 9, 2004.