



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

PUBLIC NOTICE:

03 October 2019

MINISTER'S FINAL DECISION ON THE APPEAL LODGED BY MONSANTO SOUTH AFRICA (PTY) LIMITED UNDER THE GMO ACT, 1997

Minister of Agriculture, Forestry and Fisheries has made a final decision on the appeal lodged by Monsanto South Africa (Pty) Limited against the decision taken by the Executive Council regarding the general release application of a genetically modified maize event MON87460 x MON89034 x NK603. The maize is genetically modified to be tolerant to drought as well as resistant to certain insects.

The Executive Council (EC) took a decision to refuse the application and the reasons for the refusal included the following:

- Kernel count per row and kernel count per ear showed that there were no statistically significant differences between the MON87460 x MON89034 x NK603 maize event and conventional maize in water limited conditions.
- The yield benefits associated with the MON87460 x MON89034 x NK603 maize event were inconsistent and in some trials the MON87460 x MON89034 x NK603 maize event had lower yields than the conventional maize,
- The insect resistance data presented was insufficient since it was only collected from one trial site for two planting seasons.

Monsanto lodged an appeal against the EC's refusal of their general release application of maize event MON87460 x MON89034 x NK603 on 02 November 2018. The matter was referred to the appeal board appointed by the Minister of Agriculture, Forestry and Fisheries in terms of Section 19 of the Genetically Modified Organisms Act, 1997 (Act No. 15 of 1997). The Appeal Board deliberated on the matter and upheld the EC's decision to refuse the application and recommended that more sites and seasons are needed to demonstrate

efficacy of the drought tolerance gene in MON87460 x MON89034 x NK603 maize event.

The reasons for the appeal board decision included the following:

- Kernel data cannot be used as the main criterion for efficacy of the drought tolerance trait; it can however be used as supporting evidence.
- The drought tolerance gene in the MON87460 x MON89034 x NK603 maize event did not provide yield protection in water-limited conditions.

On 28 August 2019 the Minister made the final decision and upheld the Appeal Board's decision and as such the refusal of a general release application for the MON87460 x MON89034 x NK603 maize event is sustained.

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