

Brief record of the 29th Meeting of GEAC held on October 18, 2001

The 29th meeting of the GEAC was held on 18.10.2001 at 11.00 a.m. in the Ministry of Environment and Forests under the chairmanship of Shri A.M.Gokhale, Additional Secretary, to discuss the following two agenda items:

- (a) Clearing of held up consignments of Soya oil imported by CARE and CRS from the USA.
- (b) Marketing of transgenic Bt cotton 'Navbharat 151' by M/s Navbharat Seeds Pvt. Ltd. Ahmedabad.

The list of participants is annexed.

Agenda item (i): Clearing of held-up consignments of soya oil imported by CARE and CRS from the USA.

The Chairman giving a brief background recalled that an emergency meeting of GEAC was convened on 7.9.2001 to consider requests received from two voluntary organizations, namely, Catholic Relief Services and CARE India, regarding clearing of consignment of Soya oil imported from USA through USAID. This Soya oil has been produced from soya bean, both unmodified and genetically modified, grown in the US. These consignments have been held up at Kolkata Port, and these organizations are incurring heavy demurrage on these consignments. As was decided in this meeting, the GEAC directed the two organizations- CARE and CRS- to have the Soya oil samples tested for DNA and protein through either the Central Food Laboratory or the Central Food Technological Research Institute (CFTRI), and submit this information to GEAC for further consideration. As was decided by the GEAC, this Ministry had also requested the nodal Ministries for these two voluntary organizations, namely the Ministry of Social Justice and Empowerment and Department of Women and Child Development for sending information on whether the food items being imported by these organizations are cleared for human consumption in the USA, and also the details of consignments in pipeline of the food items imported by them.

The CRS and CARE informed that they had contacted the two laboratories requesting for DNA and protein tests, who in turn informed that they do not have the facilities for conducting these tests. Thereafter, requested the Centre for DNA Fingerprinting and Diagnostics (CDFD) and Centre for Cellular and Molecular Biology (CCMB) were requested by the Ministry for having the Soya oil samples tested for the presence of DNA and protein. The CDFD have informed that there would be no DNA in Soya oil sample, and verification for presence of protein is quite tedious and is not advisable for routine tests.

The two applicant organizations - CARE and CRS - therefore once again approached the Ministry for taking an urgent view on their request, as they are incurring heavy demurrage on the consignments.

In this background, the GEAC discussed the matter at length. The Committee felt that authentic confirmation after testing of the soya oil for DNA and proteins is required before taking a decision on the matter. It was therefore agreed that the Director, CDFD may be

requested to have the samples of soya oil tested for the presence of DNA and proteins on a priority basis.

Agenda item (ii) : Marketing of transgenic Bt cotton 'Navbharat 151' by M/s Navbharat Seeds Pvt. Ltd., Ahmedabad

Giving a brief background, the Chairman informed the meeting that it was brought to the notice of the Ministry of Environment & Forests that Navbharat Seeds Pvt. Ltd., Ahmedabad, is marketing transgenic Bt cotton seeds (Navbharat 151) as conventional hybrid seeds without the mandatory approval of the Genetic Engineering Approval Committee (GEAC). The Ministry immediately sent a notice to this company seeking explanation. The Ministry also procured a packet of the seeds marketed by the company (Label No. 002948 dated 30.3.2001, lot no. JAN-01-06-00F-028) and got it tested at the Delhi University, South Campus for the presence of Cry 1A(c) gene. The seeds tested positive for Cry 1A(c) gene indicating that they are genetically engineered. The Ministry also sent a two member team comprising of Dr. C.D. Mayee, Director, Central Institute of Cotton Research, Nagpur and Dr. T.V. Ramanaiah, Scientist F, Department of Biotechnology, New Delhi, for on-the spot inspection of the fields near Ahmedabad on 8.10.2001. The team assisted by a representative from the Gujarat State Pollution Control Board, conducted Gene Check and ELISA tests on the samples collected from these fields. Their observations and the test reports conclusively indicated that the 'Navbharat 151' is transgenic cotton. The Chairman further informed that the Managing Director, Navbharat Seeds Pvt. Ltd., has been asked to appear before the GEAC in this meeting. He however, did not appear. Instead, the company deputed a Lawyer to represent the case of the company. As the lawyer is not competent to provide all technical information sought for and since there is no provision for an advocate to represent the company, the GEAC did not entertain the advocate.

The GEAC considered the issue at length. Two facets of the issue that emerged are:

- To take immediate intervention to prevent damage to the environment, nature or health as a result of the standing crop.
- The extent of liability of the company in respect of marketing of Navbharat 151 hybrid seeds and the penalty.

Based on the test reports from Delhi University and the Inspection team, the Committee unequivocally concluded that Navbharat 151 variety is transgenic. So far as immediate intervention required to prevent the damage to environment and nature, the Committee decided to direct the Gujarat State Biotechnology Coordination Committee to take the following actions immediately through the District Level Committees, wherever Navbharat 151 cotton seeds are under cultivation:

- (i) To uproot the standing crop of Navbharat 151 Hybrid Cotton and destroy it by burning;
- (ii) To recover the cotton ('Kapas') and the seeds harvested by farmers from Navbharat 151 plants and destroy these by burning;
- (iii) To destroy the seed production plants of the company, and seeds already harvested pertaining to Navbharat 151 variety;
- (iv) To remove and destroy the breeding lines, hybrids, segregating material including any plucked cotton bolls or any breeding material and seed material pertaining to Navbharat 151 variety available with the company;

- (v) To set into motion the process of determining the quantum of and modalities for compensation payable to the farmers for removal of their standing crop and destruction of the harvested material, and bring this process to conclusion expeditiously.

Regarding the extent of liability to the company, the GEAC in the interest of natural justice, decided to give another opportunity to the company to appear before the GEAC on 31.10.2001.

It was decided that the next meeting of GEAC would be held on 31.10.2001 to further discuss the matter.

The meeting ended with a vote of thanks to the Chair.

List of participants who attended 29th GEAC meeting held on 18.10.01

1. Shri A.M. Gokhale Chairman
Additional Secretary
Ministry of Environment & Forests
New Delhi

2. Shri Sushil Kumar Co-Chairman
Director
Central Institute of Medicinal & Aromatic Plants
Lucknow

3. Dr. P.K. Ghosh
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4. Shri K.C. Jain
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5. Dr. (Mrs.) S. Kulshrestha
Medical Toxicologist
Plant Protection Adviser
Directorate of Plant Protection, Quarantine and Storage
N.H.IV, Faridabad-121 001

6. Prof. Subhash Chand
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7. Ms. Dolly Chakraparty
Director (Seeds)
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8. Shri Surendra Singh
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9. Dr. S.R. Gupta
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10. Shri. R.P. Sharma, Head
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11. Dr. S.K. Mahajan
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12. Dr. A.K. Bhatnagar
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13. Ms. Saipriya Ranganathan
Under Secretary
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14. Shri M.M. Ali Khan
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15. Dr. G.V. Sarat Babu
Additional Director
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16. Dr. Sujata Arora
Deputy Director
Ministry of Environment & Forests
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17. Ms. Madhu Gupta
Research Assistant
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