

**RISK ASSESSMENT REPORT
OF THE GENETIC MODIFICATION
ADVISORY COMMITTEE (GMAC)**

FOR

**AN APPLICATION FOR APPROVAL FOR RELEASE
OF PRODUCTS OF SYHT0H2 SOYBEAN FOR
SUPPLY OR OFFER TO SUPPLY**

NBB REF NO: JBK(S) 602-1/1/26

**APPLICANT: SYNGENTA CROP PROTECTION
SDN. BHD.**

DATE: 26 APRIL 2016

I - Summary of Assessment Process

On 5 November 2015, the Genetic Modification Advisory Committee (GMAC, please refer to Appendix 1 for details of GMAC) received from the Department of Biosafety an application for the approval for importation for release [sale/placing on the market for direct use as food, feed and for processing (FFP)] of a product of a Living Modified Organism, herbicide tolerant SYHT0H2 soybean. The application was filed by Syngenta Crop Protection Sdn. Bhd. (hereafter referred to as “the applicant”). After an initial review, GMAC requested for additional information from the applicant.

A public consultation for this application was conducted from 1 October 2015 to 30 October 2015 via advertisements in the local newspapers.

There were comments received from Third World Network (TWN) regarding the safety of the protein, the possibility of exposure of glufosinate ammonium herbicide during application that may exceed acceptable exposure levels as well as thorough molecular characterization of the event should be required. GMAC has taken into consideration the information provided by TWN in the risk assessment.

GMAC had 5 meetings pertaining to this application and prepared the Risk Assessment Report and Risk Assessment Matrix along with its recommended decision, for consideration by the National Biosafety Board.

II - Background of Application

This application is for approval to import and release products of a Living Modified Organism herbicide tolerant SYHT0H2 soybean. The aim of the import and release is to supply or offer to supply for sale/placing on the market for direct use as food, feed and for processing (FFP). According to the applicant, SYHT0H2 soybean has been registered in a number of countries for cultivation as well as for food, feed and for processing. SYHT0H2 soybean is approved in Australia, Canada, New Zealand, Russia, South Africa, Taiwan and United States of America and may be imported, stored and processed for use in food, animal feed and industrial products in the same way as other conventional, non-transgenic soybean. According to the applicant, there will be no difference in use of SYHT0H2 soybean compared to conventional soybean already in the market.

A major food use of soybean is as purified oil, utilized in margarines, shortenings and cooking and salad oils. It is also used in various food products including tofu, simulated milk, soybean sprouts, soymilk film (yuba), soynuts, green vegetable soybean (e.g. edamame), whereas the fermented soyfoods include soybean paste (miso), soybean sauce, natto and *tempeh*. Soybean also is the most commonly grown oilseed in the world. In 2008/09, approximately 211 MMT

(millions metric tons) of harvested seed were produced, representing 56% of the world's oilseed production.

Other than that, soybean meal is used as a supplement in feed rations for livestock. Soybean meal is the most valuable component obtained from processing the soybean, accounting for roughly 50-75% of its overall value. By far, soybean meal is the world's most important protein feed, accounting for nearly 65% of world supplies. Industrial use of soybean ranges from the production of yeasts and antibodies to the manufacture of soaps and disinfectants. A sizeable amount is also used in pet food.

The applicant claims that soybean grain and forage derived from SYHT0H2 soybean are compositionally and nutritionally equivalent to those of the conventional soybeans. The type of expected use of the products derived from SYHT0H2 soybean in Malaysia will be the same as the expected usage for products derived from conventional soybean. Potential users of products derived from SYHT0H2 soybean such as grains are feed millers, food processors and other industrial use.

Information about SYHT0H2 soybean

The recipient or parental plant is *Glycine max* (soybean). Soybean is grown as a commercial crop in over 35 countries without any detrimental effect on the environment. Soybean is a largely self-pollinated species, although low levels of natural cross-pollination can occur. In studies with cultivated soybean where conditions have been optimized to ensure close proximity and flowering synchrony, natural cross-pollination generally has been found to be very low. Cultivated soybean seeds rarely display any dormancy characteristics and only under certain environmental conditions grow as volunteers in the year following cultivation. If this should occur, volunteers do not compete well with the succeeding crop.

SYHT0H2 is tolerant to herbicides that inhibit p-hydroxyphenylpyruvate dioxygenase (HPPD) enzyme, such as mesotrione, and to glufosinate-ammonium herbicides. SYHT0H2 produces AvHPPD-03 protein, whose amino acid sequence is 99.7% identical to that of the native oat (*Avena sativa* L) HPPD and phosphinothricin acetyltransferase (PAT) protein, derived from *Streptomyces viridochromogenes*, which confers tolerance to HPPD-inhibiting herbicides and glufosinate-ammonium herbicide, respectively.

SYHT0H2 soybean may enter Malaysia as grain, food ingredients for processing or packaging or as finished products ready for distribution, or as feed meal for animals.

III - Risk Assessment and Risk Management Plan

GMAC evaluated the application with reference to the following documents:

- (i) CODEX Guideline for the Conduct of Food Safety Assessment of Foods Derived from Recombinant-DNA Plants.
- (ii) Roadmap for Risk Assessment of Living Modified Organisms, (according to Annex III of the Cartagena Protocol on Biosafety produced by the *Ad Hoc* Technical Expert Group (AHTEG) on Risk Assessment and Risk Management of the Convention on Biological Diversity).
- (iii) The risk assessment and risk management plan submitted by the applicant.

GMAC took cognizance of the following as suggested within the AHTEG guidelines:

- (i) That the risk assessment exercise be specific to the details of this particular application
- (ii) That the risk assessment exercise be specific to the receiving environment in question, and
- (iii) That any risk identified be compared against that posed by the unmodified organism.

A Risk Matrix was prepared based on an assessment mechanism developed by Office of the Gene Technology Regulator, Australia (OGTR, 2009). In applying this matrix, GMAC identified potential hazards, and then added a value/rank for the likelihood of each hazard as well as its consequences. The likelihood of each hazard occurring was evaluated qualitatively on a scale of 1 to 4, with 1 for 'highly unlikely', and 4 for 'highly likely'. The consequences of each hazard, if it were to occur, were then evaluated on a scale of 1 to 4, with 1 for 'marginal' and 4 to denote a 'major consequence'. A value was finally assigned for the overall risk from the identified potential hazard. The general formula: Overall Risk = Likelihood x Consequence was employed. GMAC also proposed risk management strategies for potential hazards, where appropriate. This methodology of assessment follows the procedure of Risk Assessment in Annex III of the Cartagena Protocol on Biosafety.

The Risk Assessment was conducted over a series of 5 meetings. To start with, the possible pathways to risk/hazard arising from release of the products were identified and listed. The potential hazards were identified in three main areas:

(i) **Effects on human health**

Issues pertaining to acute toxicity of novel protein / altering / interference of metabolic pathways, potential allergenicity of the novel protein, production of proteins or metabolites with mutagenic / teratogenic / carcinogenic effects, reproductive toxicity, potential transfer of antibiotic resistance genes in digestive tract, pathogenic potential of donor microorganisms and nutritional equivalence.

(ii) **Effects on animal health**

Issues pertaining to allergenicity, toxicity, anti-nutritional content, survivability and animal product contamination.

(iii) **Effects on the environment**

Issues pertaining to accidental release of seeds, unintentional release and planting, potential of transgenes being transferred to bacteria (soil bacteria, bacterial flora of animal gut), increased fitness, weediness and invasiveness, accumulation of the protein in the environment via feces from animals fed with the GM plant/grain, cross pollination leading to transfer of transgenes, toxic effect on non-target organisms were examined.

Based on the above, a final list of 21 potential hazards was identified. All of these hazards were rated as having an Overall Risk of 1 or “negligible”.

GMAC also took caution and discussed a few of the hazards that required further evaluation and data acquisition. Some of these risks are expected to be managed effectively with the risk management strategies proposed (please refer to section IV of this document).

Some of the potential hazards are highlighted below along with the appropriate management strategies:

a) Accidental release of viable seeds

Seeds may be accidentally released during transportation. These seeds can germinate and grow along transportation routes and in areas surrounding storage and processing facilities. Soybean is not grown as an economic crop in Malaysia, thus, there is no issue of outcrossing.

b) Planting of seeds

Plants may be grown by uninformed farmers and perpetuated through small scale cultivations. There should also be clear labeling of the product to state that it is only for the purpose of food, feed and processing, and is not to be used as planting material.

c) Compromised Nutritional Content

The potential risk of SYHT0H2 soybean was evaluated in equivalence to, and above any potential risk reported for unmodified soybean.

Analyses of seed and forage from several studies demonstrate that SYHT0H2 soybean is nutritionally and compositionally similar to, and as safe and nutritious as conventional soybean

However as a precautionary measure GMAC recommends that the proposed terms and conditions under section IV should be adhered to.

IV - Proposed Terms and Conditions for Certificate of Approval

Based on the 21 potential hazards identified and assessed, GMAC has drawn up the following terms and conditions to be included in the certificate of approval for the release of this product:

- a) There shall be clear documentation by the exporter describing the product which shall be declared to the Royal Malaysian Customs.
- b) There shall be clear labeling of the product from importation down to all levels of marketing stating that it is only for the purpose of food, feed and processing and is not to be used as planting material
- c) Should the approved person receive any credible and/or scientifically proven information that indicates any adverse effect of SYHT0H2 soybean, the National Biosafety Board shall be informed immediately (for a review as in Section 18 of the Biosafety Act).
- d) Any spillage (during loading/unloading) shall be collected and cleaned up immediately.
- e) Transportation of the consignment from the port of entry to any destination within the country shall be in secured and closed condition.

V - Other Regulatory Considerations

- a) Administrative regulatory procedures shall be arranged between the Department of Biosafety, Royal Malaysian Customs Department and relevant agencies to ensure accurate declaration of product information and clear labeling of the product is implemented.
- b) Administrative regulatory procedures shall be arranged between the Department of Biosafety and the Malaysian Quarantine and Inspection Services (MAQIS) to impose post entry requirements for accidental spillage involving the GM product.
- c) Administrative regulatory procedures shall be arranged between the Department of Biosafety and the Malaysian Quarantine and Inspection Services (MAQIS) and other competent agencies to impose post entry requirements for food safety compliance.
- d) Administrative regulatory arrangements shall be carried out between the Department of Biosafety and the Department of Veterinary Services (DVS) so that any unanticipated adverse effects in animals caused by any consumption of the GM products shall be reported immediately.

- e) Administrative regulatory arrangements shall be carried out by Food Safety and Quality of Ministry of Health to monitor compliance to the Food (Amendment) Regulations 2010 for labelling of GM food.

VI - Identification of issues to be addressed for release and long term use of this product

- a) Continuous monitoring is required from the approved person to report any unanticipated adverse effect caused by the SYHT0H2 soybean.

VII – Conclusion and Recommendation

GMAC has conducted a thorough evaluation of the application for approval for importation for release [sale/placing on the market for direct use as food, feed and for processing (FFP)] of a product of a Living Modified Organism herbicide tolerant SYHT0H2 soybean and has determined that the release of this product does not endanger biological diversity or human, animal and plant health. GMAC recommends that the proposed application for release be **APPROVED WITH TERMS AND CONDITIONS** as listed in section IV - Proposed Terms and Conditions for Certificate of Approval.

VIII – Bibliography

1. Conner, A.J. et. al. 2003. The release of genetically modified crops into the environment. *The Plant Journal*. 33:19-46
2. FSANZ. Application to FSANZ to vary Food Standard 1.5.2 to include the double-herbicide-tolerant soybean Event SYHT0H2.
<http://www.foodstandards.gov.au/code/applications/Documents/A1081ExecSummary.pdf>
3. FSANZ. Supporting document 1, Safety assessment (at Approval) – Application A1081, Food derived from Herbicide-tolerant Soybean Line SYHT0H2.
<http://www.foodstandards.gov.au/code/applications/Documents/A1081-GM-AppR-SD1.pdf>
4. Hérouet, C., Esdaile, D.J., Mallyon, B.A., Debruyne, E., Schulz, A., Currier, T., Hendrickx, K., van der Klis, R-J, and Rouan, D. 2005. Safety evaluation of the phosphinothricin acetyltransferase proteins encoded by the pat and bar sequences that confer tolerance to glufosinate-ammonium herbicide in transgenic plants. *Regulatory Toxicology and Pharmacology* 41:134–149;
5. Keese, P. 2008. Risks from GMOs due to horizontal gene transfer. *Environ. Biosafety Res.* 7: 123-149
6. OECD. 2000. Consensus Document on the Biology of *Glycine max* (L.) Merr. (Soybean). Series on Harmonisation of Regulatory Oversight in Biotechnology (Number 15).
7. Tovaas, L. 2012. The Effect of Diets Containing Soybean Meal from SYHT0H2, Nontransgenic Control and a Commercial Variety on Broiler Growth Performance and Carcass Parameters. Report Number: SYN-11-1. Syngenta
8. U.S. EPA. 2001b. Biopesticides registration action document: *Bacillus thuringiensis* (Bt) plant-incorporated protectants (October 15, 2001). U.S. Environmental Protection Agency, Washington D.C. http://www.epa.gov/pesticides/biopesticides/pips/bt_brad.htm.
9. U.S. EPA. 2007. Phosphinothricin acetyltransferase (PAT); exemption from the requirement of a tolerance. USA Federal Register 40 Code of Federal Regulations 174.522

**GENETIC MODIFICATION ADVISORY COMMITTEE (GMAC) MEMBERS INVOLVED IN
SPECIFIC RISK ASSESSMENT AREAS FOR THE APPROVAL FOR RELEASE OF
PRODUCTS OF SYHT0H2 SOYBEAN FOR SUPPLY OR OFFER TO SUPPLY**

Genetic Modification Advisory Committee (GMAC) members divided the task of looking up more information for the Risk Assessment matrix based on three broad categories. The scope of research aspects for each group is as listed below. Each sub-committee had a nominated leader to coordinate the work and report back to the main GMAC. The respective leader contacted the sub-committee members and discussed the work process with their members. The groupings of GMAC sub-committee members and their assigned tasks are as below:

1. ENVIRONMENT

- **Assoc. Prof. Dr. Mohd. Faiz Foong bin Abdullah (Universiti Teknologi MARA) (Leader)**
- Dato' Dr. Sim Soon Liang (Sarawak Biodiversity Centre)
- Dr. Kodi Isparan Kandasamy (Malaysian Biotechnology Corporation Sdn. Bhd.)
- Madam Atikah binti Abdul Kadir Jailani (Department of Agriculture)
- Dr. Norliza Tendot Abu Bakar (Malaysian Agricultural Research & Development Institute)
- Assoc. Prof. Dr. Choong Chee Yen (Universiti Kebangsaan Malaysia)

2. HUMAN HEALTH

- **Madam T.S. Saraswathy (Institute of Medical Research) (Leader)**
- Dr. Rahizan Issa (Institute of Medical Research)
- Dr. Adiratna Mat Ripen (Institute of Medical Research)
- Madam Laila Rabaah Ahmad Suhaimi (Ministry of Health)
- Assoc. Prof. Dr. Chan Kok Gan (Universiti Malaya)
- Prof. Dr. Abd Rahman Milan (Universiti Malaysia Sabah)

3. ANIMAL HEALTH

- **Prof. Dr Jothi Malar Panandam (Universiti Putra Malaysia) (Leader)**
- Dr. Ahmad Parveez bin Hj Ghulam Kadir (Malaysian Palm Oil Board)
- Dr. Norwati Muhammad (Forest Research Institute of Malaysia)
- Assoc. Prof. Dr. Zunita Zakaria (Universiti Putra Malaysia)
- Dr. Teo Tze Min (Entomological Society of Malaysia)