

NATIONAL BIOSAFETY BOARD DECISION

APPLICATION FOR TRANSFER OF CERTIFICATE FOR APPROVED LIVING MODIFIED PRODUCTS FOR SUPPLY OR OFFER TO SUPPLY FOR SALE OR PLACING IN THE MARKET

NBB REF. NO: JBK(S) 600-2/1/1
DATE OF DECISION: 14 DECEMBER 2021

The National Biosafety Board (NBB) on the 14 December 2021 reviewed the request from BASF (M) Sdn. Bhd. to transfer the certificate of approval to Syngenta Crop Protection Sdn. Bhd. This request was made in writing to the National Biosafety Board in compliance to Regulations 13 and 14 of the Biosafety (Approval and Notification) Regulations 2010. The relevant documentations to support the basis of this request was reviewed by the NBB.

BASF and MS Tech have signed an agreement to transfer ownership of Glyphosate and Isoxaflutole Tolerant FG72 Soybean to MS Tech. MS Tech has appointed Syngenta Seeds LLC and its affiliates to be globally responsible for making regulatory submissions, and maintaining existing approvals. Syngenta Seeds LLC is represented by Syngenta Crop Protection Sdn. Bhd. in Malaysia.

The National Biosafety Board (NBB) on the 19 December 2014 granted approval with terms and conditions to an application from Bayer Co. (Malaysia) Sdn. Bhd. for release activities of FG72 Soybean [NBB Decision Reference Number JBK(S) 602-1/1/16]. This approval permits the import for release of products of FG72 soybean for supply or offer to supply for sale or placing in the market. The product is aimed only for the purpose of food, feed and processing (FFP) and is not to be used as planting material.

On 14 December 2018, the NBB approved the request to transfer the certificate of approval from Bayer Co. (M) Sdn. Bhd. to BASF (M) Sdn. Bhd. A new certificate of approval was issued for FG72 soybean with BASF (M) Sdn. Bhd as the approved person. All terms and conditions imposed for the approval for FG72 soybean remain the same and BASF (M) Sdn. Bhd is responsible for compliance of these terms and conditions.

On 14 December 2021, the NBB **approved the new request to transfer the certificate of approval from BASF (M) Sdn. Bhd. to Syngenta Crop Protection Sdn. Bhd. for FG72 soybean.** A new certificate of approval has been issued for FG72 soybean with Syngenta Crop Protection Sdn. Bhd. as the approved person.

The approved LMO product is only for the purpose of food, feed and processing (FFP) and is not to be used as planting material. All terms and

conditions imposed for the approval of each of the LMO products remain the same and Syngenta Crop Protection Sdn. Bhd. is responsible for compliance of these terms and conditions. Terms and conditions imposed for FG72 soybean is in Appendix 1.

Syngenta Crop Protection Sdn. Bhd. is required to co-operate with the relevant Government agencies on all matters related to monitoring of these approved LMO products.

**NATIONAL BIOSAFETY BOARD DECISION
APPLICATION FOR APPROVAL FOR IMPORT FOR RELEASE OF
PRODUCTS OF FG72 SOYBEAN FOR SUPPLY OR OFFER TO SUPPLY
FOR SALE OR PLACING IN THE MARKET
NBB REF. NO: JBK(S) 602-1/1/16
DATE OF DECISION: 19 DECEMBER 2014**

**TERMS AND CONDITIONS FOR CERTIFICATE OF APPROVAL
Approval for Import for Release of Products of FG72 Soybean for Supply
or Offer to Supply for Sale or Placing in the Market**

- 1) There shall be clear documentation describing the product by the exporter which shall be declared to the Customs or quarantine and inspection authority of the importing country.
- 2) There shall be clear labeling of the product from importation down to all levels of marketing to state that it is only for the purpose of food, feed and processing and is not to be used as planting material.
- 3) Should the approved person receive any scientifically proven information that confirms any adverse effect of FG72 soybean, the National Biosafety Board authority shall be informed immediately. Feeding studies on livestock are recommended and data from these studies should be provided to the National Biosafety Board.
- 4) Any spillage (during loading/unloading) shall be collected and cleaned up immediately.
- 5) Transportation of the consignment from the port of entry to any destination within the country must be in closed containers.
- 6) Importers are required to provide certificate of analysis for isoxaflutole and glyphosate residues to show that FG72 soybean in the consignments are below the maximum residual level established prior to shipment.