
DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 3224

31 March 2023

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE - REGISTRATION OF CERTAIN
PERSONS IN RESPECT OF BERRIES, CITRUS FRUIT, DRIED GRAPES, POME
FRUIT, STONE FRUIT, SUBTROPICAL FRUIT AND TABLE GRAPES**

I, Angela Thokozile Didiza, Minister for Agriculture, Land Reform and Rural Development, acting under sections 13 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby establish the statutory measure set out in the Schedule, hereto.

MRS AT DIDIZA, MLP**MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**

SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, unless the context indicates otherwise –

“**Berries**” means blueberries, blackberries, raspberries and all hybrids of these.

“**Berries ZA**” is the grower association representing the berry growers.

“**CGA**” means Citrus Growers Association of Southern Africa.

“**Citrus fruit**” means oranges, lemons, limes, kumquats, grapefruit, pummelos, soft citrus and all hybrids of these.

“**Depot**” means a facility that manages stock (for the purposes of Agri-Hub the stock is fruit that has been packed into cartons or bins) or an empty container facility.

“**eCert**” means Electronic Phytosanitary Certification System.

“**Exporter**” means a person who trades Fruit for export for his own account, or acts as an agent on a commission basis on behalf of fruit growers.

“**FPEF**” means Fresh Produce Exporters Forum.

“**Fruit**” refers to berries, citrus fruit, dried grapes, pome fruit, stone fruit, subtropical fruit and table grapes.

“**Grapes**” means table grapes and dried grapes.

“**Grower**” means a grower of fruit intended for exports.

“**Hortgro**” is the grower association representing the pome and stone fruit growers.

“**Importer**” means a person or trader who imports fruit for sale on the domestic market.

“**ISP**” means Information Service Provider.

“**Municipal Markets**” means the national fresh produce markets as defined from time to time.

“**Packhouse**” means a facility where fruit is packed prior to distribution.

“**Pome fruit**” means apples, pears and all hybrids of these.

“**PPECB**” means Perishable Products Export Control Board.

“**Retailer**” means a person who trades fruit on a retail level on the domestic market.

“**SATI**” means South African Table Grape Industry.

“**Shipping Line**” means a company that handles all the commercial activities of the shipping line from load port to discharge port.

“**Stakeholders**” mean market participants which are the growers, packhouses, depots, shipping lines, air lines, logistic service providers, ISPS and exporters.

“**Stone fruit**” means peaches, plums, apricots, nectarines, cherries and all hybrids of these.

“**Subtrop**” means the South African Subtropical Growers Association.

“**Subtropical fruit**” means avocados, litchis, mangos, bananas, kiwi and all hybrids of these.

“**The Act**” means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996) as amended.

A person shall have a choice to register as a grower or an exporter or municipal market or retailer or processor. A person who is a grower as well as an exporter must register as a grower and as an exporter or retailer.

Purpose and aims of statutory measure and the relation thereof to objectives of the Act

2. The purpose and aims of this statutory measure are to compel exporters and growers of fruit to register with Agri-Hub. These shall also include any person e.g. a grower / exporter who acts in the capacity of the aforementioned persons. Registration of the said persons is necessary in order to ensure that market information in respect of fruit is made available for all role-players in the relevant industry. Information gathered by Agri-Hub by means of records and returns is disseminated freely in the marketplace. Therefore, through the mandatory registration of all the stakeholders and the supply of electronic data on an individual basis, market information for the whole of the country can be processed and made available.

These measures are necessary to ensure that continuous, timeous and accurate information relating to the fruit industry is available to all role-players in order for them to make informed decisions.

This statutory measure will not only assist in improving market access for all market participants, but it should also assist in promoting the efficiency of the marketing of fruit. Furthermore, the market information obtained in this manner, will promote the viability of the fruit industry and the Agricultural Sector at large.

The statutory measure is administered by Agri-Hub. Agri-Hub was specifically established for the purpose of registration and handling information gathering, processing and dissemination on behalf of the various fruit industry role-players in South Africa.

Agri-Hub makes macro generic market information available to the grower associations and other interested parties. This information is obtained and furnished from the returns submitted to Agri-Hub. The information is published in a manner that is suitable to reach the majority of the role-players in the fruit industry.

Agri-Hub is an independent registered company with equal shareholding (12.5%) between CGA, Hortgro, SATI, (representing the grower associations), FPEF (representing the exporters), Dipar, Farsoft, Paltrack and Prophet (representing the ISPs).

Products to which the statutory measure applies

3. This statutory measure shall apply to:
 - (a) Berries
 - (b) Citrus fruit
 - (c) Dried grapes
 - (d) Pome fruit
 - (e) Stone fruit
 - (f) Subtropical fruit
 - (g) Table grapes

Area in which measure shall apply

4. This measure shall apply within the geographical area of the Republic of South Africa.

Registration of exporters or stakeholders of pome fruit, stone fruit, citrus fruit, berries, subtropical fruit and table and dried grapes industry

5. (1) All exporters, growers and other stakeholders of berries, citrus fruit, dried grapes, pome fruit, stone fruit, subtropical fruit and table grapes industries shall register as such with Agri-Hub in the manner set out in clause 6. These shall also include any person e.g. a grower / exporter who acts in the capacity of the aforementioned persons.

(2) Each person who becomes an exporter, grower or other stakeholder in berries, citrus fruit, dried grapes, pome fruit, stone fruit, subtropical fruit and table grapes industries after the date at which this statutory measure comes into force, shall register with Agri-Hub within 30 days after becoming an exporter, grower or other stakeholder.

(3) Each exporter, grower or other stakeholder who registered with Agri-Hub in terms of Government Notice R.1045, R.1046, R.1047 and R.1048 of 27 October 2000 as amended, shall be deemed to be registered with Agri-Hub in terms of this statutory measure.

(4) Upon registration a certificate of registration will be issued by Agri-Hub to the applicant.

(5) The registration certificate issued in terms of sub clause (4) shall expire when this statutory measure is revoked or when it is cancelled by Agri-Hub.

(6) Every exporter, grower or other stakeholder in berries, citrus fruit, dried grapes, pome fruit, stone fruit, subtropical fruit and table grapes industries shall

notify Agri-Hub in writing within 30 days after he has ceased to act in that capacity, whereupon his registration will be cancelled.

(7) The provisions of clause 6 shall apply *mutatis mutandis* to persons who were already registered with Agri-Hub at the time of this publication.

Application for registration as exporter, grower or other stakeholder in berries, citrus fruit, dried grapes, pome fruit, stone fruit, subtropical fruit and table grapes industries

6 (1) An application for registration in terms of clause 5 shall be made on the application form available from Agri-Hub.

(2) The application form shall be completed in ink by a person who is duly authorised and it shall be accompanied by the corroborating documentation as specified in the application form.

(3) The application form shall -

(a) when forwarded by post, be addressed to -

The Colosseum
First Floor Foyer 3
Century Way
Century City
Cape Town
7441

Or

(b) when delivered by hand, be delivered to -

The General Manager: Agri-Hub
The Colosseum
First Floor Foyer 3
Century Way

Century City

Cape Town

7441

(c) if sent electronically, be sent to:

Any of the fax numbers, e-mail addresses or any other electronic addresses as they appear on the application form.

Commencement and period of validity

7. This statutory measure shall come into operation on the date of publication and will lapse 4 years later.