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DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 4358

9 February 2024

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT NO. 47 OF 1996)

ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS BY MILK PRODUCERS

I, Angela Thokozile Didiza, Minister of Agriculture, Land Reform and Rural Development, acting in terms of sections 10, 13, 14 and 18 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), as amended, hereby establish the statutory measure set out in the attached Schedule.


MRS AT DIDIZA, MP

MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

SCHEDULE

1. DEFINITIONS

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—

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

“**milk**” means the normal secretion of the mammary glands of bovines, goats or sheep.

“**milk producer**” means any person who keeps bovines, goats or sheep for the production of milk.

2. PURPOSE AND AIM OF THE STATUTORY MEASURE AND THE RELATION THEREOF TO THE OBJECTIVES OF THE ACT

The purpose of this statutory measure is to provide a statutory mechanism for milk producers to keep records and furnish returns to the Milk Producers' Organisation. This is deemed necessary to ensure that continuous, timeous and accurate statistics and information relating to the dairy farming industry is made available to all role players.

Recordkeeping of the dairy cattle population will create statistics per province and districts of the numbers of cows, bulls, heifers and breeds. This information will indicate possible changing population trends per province for the industry to predict milk production trends. The monitoring of trends of herd sizes and dairy breeds as well as the location thereof will assist the industry in steering its educational, research, extension and health programmes.

This statutory measure relating to records and returns, will also promote the research objectives and product quality on matters relating to animal health, production quality, genetics and feeding to proactively conduct research where problem areas are identified. Furthermore, the technical complex nature of the production of unprocessed milk which involves several different fields of expertise and in respect of which, in a coordinated way, research is required to contribute to an increase in

the performance of the producers of unprocessed milk to the benefit of the dairy industry and consumers.

3. ADMINISTRATION OF THE STATUTORY MEASURE

This statutory measure will be administered by the Milk Producers' Organisation, a non-profit company in terms of the Companies Act, 2008 (Act No. 71 of 2008).

Information will be made available from the returns rendered to the Milk Producers' Organisation in a manner suitable to meet the needs the role players in the dairy industry of South Africa. The information collated will be dealt with in such a manner to ensure compliance with the provisions of section 23(2) of the Marketing of Agricultural Products Act, which provides as follows:

“(2) No person shall, except in the performance of his or her functions under this Act, or unless required to do so by a court of law or in terms of any law, or with the written consent of the Minister, disclose to any other person information, pertaining to any person, institution or body of persons, collected under section 18 or otherwise acquired in the performance of functions in terms of this Act.”

4. PRODUCT TO WHICH STATUTORY MEASURE APPLIES

This statutory measure shall apply to milk.

5. AREA IN WHICH STATUTORY MEASURE APPLIES

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

6. RECORDS AND RETURNS TO BE KEPT AND SUBMITTED BY MILK PRODUCERS

- (1) The following persons shall keep records and furnish returns regarding milk in his or her possession or under his or her control:
 - (a) Milk Producers.
- (2) The Milk Producers' Organisation shall make return forms available to facilitate the process of submitting returns.
- (3) The return shall be submitted annually and will be submitted as follows, namely -

(a) When forwarded by post to:

The Administrator
Milk Producers' Organisation
PO Box 1284
Pretoria
0001

(b) When delivered by hand, delivered to:

The Administrator
Milk Producers' Organisation
Glenwood Office Park
Block A, First floor
266 Sprite Avenue
Faerie Glen
Pretoria
0084

(c) When sent electronically to:

admin@mpo.co.za

- (4) Each milk producer shall within 15 days after 31 October of each year, furnish an accurate return to the Milk Producers' Organisation.
- (5) The records and returns shall contain information regarding the following:
- (a) Date of completion of the return form;
 - (b) Producer's name and surname and where applicable, also the name of the company, trust or a closed corporation;
 - (c) Producer's postal address;
 - (d) Name of the producer's farm;
 - (e) GPS co-ordinates of milking parlour;
 - (f) Magisterial district in which the farm resides;
 - (g) Contact details of the producer, namely telephone, fax, e-mail and cell phone numbers;
 - (h) Milk buyer's name;
 - (i) Number of cows in milk;
 - (j) Number of dry cows (not in milk);

- (k) Number of heifers in October:
 - Age 0 – 12 months;
 - Age of more than 12 months:
 - Pregnant heifers; and
 - Not pregnant heifers.
 - (l) Actual litres of milk that were used on the farm(s) in the 12 months preceding 31 October every year;
 - (m) Actual litres of milk produced in the 12 months preceding 31 October every year;
 - (n) Production system for cows in milk:
 - Pasture based; or
 - Total mixed ration; or
 - Combination of a pasture based and total mixed ration.
 - (o) Management system:
 - Automatic computer-based system; or
 - Manual recordings.
 - (p) Breed of cattle and in the case of crossbreeding, the breeds involved.
- (6) A record system that reflects good accounting practice shall be introduced and kept by the Milk Producers' Organisation.

7. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into effect on the date of publication and will lapse four years later.