

No. R. 1031

29 October 2007

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996**(ACT NO. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS BY
ABATTOIRS AND OTHER ROLE – PLAYERS IN THE RED MEAT INDUSTRY**

I, Lulama Xingwana, Minister of Agriculture, acting under 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.

LULAMA XINGWANA

Minister of Agriculture

SCHEDULE

Definitions

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

“**designated animal**” for purposes of this notice, means cattle, goats and sheep.

“**levy notice**” means any notice whereby a levy is imposed on designated animals, red meat products, meat products, hides and skins in terms of the Act.

“**levy administrator**” means the juristic person entrusted with the implementation, administration and enforcement of the statutory measure established in this regulation, and identified in regulation 5 of the Schedule.

“**red meat**” means a slaughtered and skinned designated animal which has not undergone any processing other than deboning, portioning, dicing, mincing, cooling or freezing.

“**red meat products**” means any products derived from the processing of red meat, with or without the addition of other meat or food products.

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

Purpose and aim of this statutory measure and the relation thereof to the objectives of the Act

2. The purpose and aim of this statutory measure is to compel the parties set out herein to render records and returns to the levy administrator. This is necessary to ensure that continuous, timeous and accurate information relating to designated animals slaughtered is available to all role-players. Market information is deemed essential for all role-players in order for them to make informed decisions. By prescribing the

keeping of records with the rendering of returns on an individual basis, market information for the whole of the industry can be processed and published.

The establishment of this statutory measure should assist in promoting the efficiency of the marketing of red meat. The viability of the red meat industry should thus be enhanced.

The measure is not detrimental to any of the objectives of the Act, and in particular will not be detrimental to the number of employment opportunities or fair labour practice in the red meat industry.

Any information obtained through this mechanism will be dealt with in a confidential manner and sensitive or potentially sensitive client-specific information shall be dealt with in accordance with section 23(2) of the Act.

This statutory measure will be administered by the levy administrator, who will act in terms of the mandate and on behalf of the red meat industry through its representative organ, namely the Red Meat Industry Forum.

Products to which this statutory measure applies

3. This statutory measure shall apply to all designated animals, to hides and skins from these animals, to red meat products from these animals and to meat products as well as all designated animals, red meat products and meat products imported into the Republic of South Africa.

Area in which statutory measure shall apply

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

Records to be kept, returns to be rendered and the enforcement thereof

5. Any person referred to in subregulations 5 (a), 5 (b) and 5 (c) of the levy notice, with the exception of persons referred to in subregulations 5 (a) (i) and 5 (b) (i) thereof, shall keep such records and render the returns as may be required by the levy administrator for designated animals, red meat products, meat products, hides and skins.

- 5.1 The records referred to in regulation 5 shall-
- (a) be recorded on a computer or with ink in a book; and
 - (b) be kept at the registered premises of the person required to keep it for a period of at least three years.
- 5.2 The returns referred to in regulation 5 shall be rendered on a form obtainable free of charge for this purpose from the levy administrator and shall-
- (a) be submitted, when forwarded by post, to-
- The Levy Administrator
PO Box 36802
Menlo Park
Pretoria
0102
- (b) when sent by telefax, be addressed to:
012 361 6004
- 5.3 The implementation, administration and enforcement of the statutory measure established in this regulation are entrusted to the Meat Statutory Measure Services, a Section 21 Company, established in terms of section 14 of the Act.

Commencement and period of validity

6. This statutory measure shall come into operation on 5 November 2007 and will lapse after a period of three years.