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No. 959

GOVERNMENT GAZETTE, 29 OCTOBER 2010

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

29 October 2010

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996

(ACT No. 47 OF 1996)

ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS BY PROCESSORS AND PRODUCERS OF FRESH MANGO FRUIT

I, TINA JOEMAT-PERERSSON, Minister for Agriculture, Forestry & Fisheries, acting under sections 13 and 18 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the attached Schedule.

TINA JOEMAT-PETTERSSON,
Minister of Agriculture, Forestry and Fisheries.

Definitions

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SCHEDULE

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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 -

"Subtrop" refers to the Subtropical Growers' Association of South Africa, an association of associations that manages the affairs of the South African Mango Growers' Association (SAMGA);

"processor" means a person or entity that collects and process mangoes, and includes a producer that process mangoes on his own behalf or on behalf of other producers;

"process" refers to the action of converting fresh green or ripe mangoes into a processed product (that include but is not limited to juice, achar, dried or canned mangoes, and mangoes that is used in commercial fruit salad production);

"producer" means a grower of mango fruit;

"mango fruit" refers to fresh fruit, including green (immature) and ripe 'fruit; and

"the Act" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996).

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

2. The purpose and aims of this statutory measure is to compel the parties set out herein to render records and returns to SAMGA. This is necessary to ensure that the amount of levies paid by producers correlate with the total of fresh mango fruit processed. By imposing the keeping of records with the rendering of returns on an individual basis, this information can be correlated to ensure that all producers are actually paying what they are supposed to. The measure will be administered by Subtrop, an association of associations managing the affairs of SAMGA.

Products to which statutory measure applies

3. This statutory measure shall apply to all fresh mango fruit destined for processing.

Area in which measure shall apply

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

Records to be kept and returns to be rendered

5. (1) All processors and all producers shall keep such records and render the returns relating to processed mango fruit produced, received, sold, processed or otherwise utilized.

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(2) The records referred to in subclause (1) shall -

(a) be recorded on a computer or with ink in a book

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(b) be kept at the registered premises of the person required to keep it for a period of at least three years.

(3) The returns referred to in subclause (1) and (2) shall be rendered electronically, or on a form, obtainable free of charge for this purpose from SAMGA, within 30 (thirty) days after the end of each calendar month and shall-

(a) be submitted, when forwarded by post, toSAMGA

P.O. Box 866

Tzaneen

0850

(b) when delivered by hand, be delivered toSubtrop

Prosperitas building 1A

27 Peace Street

Tzaneen, Limpopo

(c) when sent by telefax, be addressed to0153076792

(d) when sent electronically, be addressed to-

Commencement and period of validity

6. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 December 2014.