

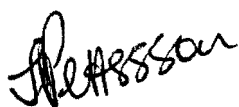
No. R. 956

9 October 2009

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

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS BY
BREEDERS OF BROILER CHICKENS AND SUPPLIERS OF PACKAGING
MATERIAL FOR PACKING EGGS**

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and 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.



25/9/2009
TINA JOEMAT-PETTERSSON
MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES

SCHEDULE

1. DEFINITIONS

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 indicates otherwise –

“breeder” means a breeder of day old female parent broiler chickens of the species *Gallus domesticus* for commercial purposes, excluding those facilities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

“broiler” means a chicken of the species *Gallus domesticus* hatched for the purpose of producing meat;

“eggs” means eggs laid by the species *Gallus domesticus*;

“hatchery” means a facility where eggs of the species *Gallus domesticus* are hatched for commercial purposes as broiler chickens, excluding those facilities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

“levy administrator” means the Southern African Poultry Association which is entrusted with the implementation, administration and enforcement of the statutory measure established under this regulation;

“supplier of packaging material” means a supplier of packaging material for the packing of commercial eggs of the species *Gallus domesticus*; excluding those entities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

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

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

The purpose and aim of this statutory measure is to compel breeders of day old female parent broiler chickens and suppliers of packaging material for the packing of eggs to render records and returns to the levy administrator. This is necessary to ensure that continuous, timeous and accurate information relating to day old chickens bred and marketed as well as packaging material supplied for the packing of eggs 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 disseminated. The establishment of the statutory measure should assist in promoting the efficiency of the marketing of poultry products. The viability of the local poultry industry should thus be enhanced.

This measure is not detrimental to any of the objectives of the Act and, in particular, shall not be detrimental to the number of employment opportunities or fair labour practice in the poultry industry.

Confidential information of any person subject to this statutory measure obtained by the levy administrator through the implementation, administration and enforcement of this statutory measure shall be dealt with in accordance with section 23(2) of the Act.

3. PRODUCTS TO WHICH THE STATUTORY MEASURE APPLIES

This statutory measure shall apply to –

- Day old female parent broiler chickens bred by breeders for commercial use other than for own consumption, and
- Eggs for commercial use other than for own consumption,

4. AREA IN WHICH STATUTORY MEASURE SHALL APPLY

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

5. RECORDS TO BE KEPT, RETURNS TO BE RENDERED AND THE ENFORCEMENT THEREOF

(1) Records must be kept and returns rendered in respect of the following-

- Day old female parent broiler chickens bred by breeders for commercial use other than for own consumption, and
- Packaging material equivalent to dozens of packed eggs sold for commercial use other than for own consumption.

(2) The records referred to in sub-clause (1) 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 such records for a period of at least three years.

- (3) The returns referred to in sub-clause (1) 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
P O Box 1202
HONEYDEW
2060
- (b) when sent by telefax, be addressed to – 011 795 3180
- (4) The implementation, administration and enforcement of the statutory measure established in this regulation are entrusted to the levy administrator in terms of section 14 of the Act.

6. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into operation from date of publication hereof and shall lapse four years later.

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