

No. R. 197

9 March 2012

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

**ESTABLISHMENT OF STATUTORY MEASURE – RECORDS AND RETURNS BY MILK
PRODUCERS**

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries acting under sections 10, 11, 13, 14 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.**

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 otherwise indicates –

“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 AIMS OF THIS 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 sector 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. It will then be possible to follow changing population trends per province in order 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 the steering of its educational, research, extension and health programmes.

Statutory support in terms of veterinary inspection, extension, health and quality control services has been scaled down substantially over the past some ten years. Herds that are not treated for critical diseases, pose major health risks to animals and man. Zoonosis, a disease or infection naturally transmittable between vertebrate animals and/or man, undermines the health, productivity and reproductivity of those animals on which man relies for his food and labour. Zoonosis may thus, in the long run, add to the problem of malnutrition in man and particularly in children. Annual losses in the RSA due to tuberculosis, brucellosis and rabies in cattle amount to several million rand. Once milk producers provide the relevant information, action can be taken towards the improvement of animal health on a national basis.

Since the closure of the Dairy Board in 1993, the local research capacity has declined gradually. By means of the proposed measure relating to records and returns, producer inputs in respect of animal health, production quality, genetics and feeding can be obtained in order to pro-actively conduct research where problem areas are identified. Research projects that support efficient and effective herd management, directly correlates with an improvement in product quality.

3. ADMINISTRATION OF THE STATUTORY MEASURE

This statutory measure will be administered by the Milk Producers' Organisation, a non-profit company in terms section 21 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 of 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 THE 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 with regard to 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 submittance of returns.

(3) The return shall be submitted annually,

(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
86 Watermeyer Street,
Val de Grace
Pretoria
0184

(c) when sent electronically to:

info@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 with regard to the following:
- (a) Date of completion of the return form;
 - (b) Producer's name and surname;
 - (c) Producer's postal address;
 - (d) Name of the producer's farm;
 - (e) Magisterial district in which the farm resides;
 - (f) Contact details of the producer, namely telephone, fax, e-mail and cell phone numbers;
 - (g) Milk buyer's name;
 - (h) Number of cows in milk;
 - (i) Number of dry cows (not in milk);
 - (j) Number of pregnant heifers;
 - (k) Number of heifers older than 12 months but not pregnant;
 - (l) Number of heifers from six months to 12 months old;
 - (m) Number of heifers younger than six months;
 - (n) Number of bulls for breeding purposes;
 - (o) Breed of the herd;

- (p) Actual litres of milk sold (during the past month) in the formal and informal markets;
 - (q) Actual litres of milk for own usage/consumption in the past month.
- (6) A record system that reflects good accounting practise shall be introduced and kept by the Milk Producers' Organisation.

7. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into operation on the date of publication and shall lapse on 1 November 2015.

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