

No. 891

2 November 2012

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

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS
RELATING TO VINES; AS WELL AS PRODUCTION & MARKET
INFORMATION OF TABLE GRAPES**

I, Tina Joemat-Petterssen, Minister for Agriculture, Forestry and Fisheries acting under sections 13 and 18 of the Marketing of Agricultural Product Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**TINA JOEMAT-PETTERSSEN,
Minister for Agriculture.**

SCHEDULE

Definitions

11. 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 -

“Exporter” means a person who trades table grapes for export for his own account, or acts as an agent on a commission basis on behalf of producers;

“Grape Producer” means a producer of table grapes intended for fresh table grape exports; and

“Vines” means vines intended for the production of table grapes.

A person shall have a choice to register as either a producer or an exporter. A person who is a producer as well as an exporter must register as a producer and as an exporter.

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

12. The purpose and aims of the statutory measure is to compel the parties set out herein to keep records and render returns to the South African Table Grape Industry (SATI). This is necessary to ensure that continuous, timeous and accurate information relating to the products as defined, is available to all role players. Market information is deemed essential for all role players in order to them to make informed decisions. By prescribing the keeping of records with the rendering of returns on an individual basis, market and production information for the table grape industry can be processed and disseminated.

The establishment of the measure should assist in promoting the efficiency of the marketing of products. The viability of the table grape industry should thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice. Any information obtained will be dealt with in a confidential manner and no sensitive or potentially sensitive client specific information will be made available to any party without the prior approval of the party whose rights are affected.

The measures will be administered by SATI, a company incorporated under Section 21 of the Companies Act, 1973 (Act 61 of 1973). SATI will implement and administer the measure as set out in the Schedule on behalf of SAT, a company incorporated under Section 21 of the Companies Act, 1973 (Act 61 of 1973).

Products to which statutory measure applies

13. This statutory measure shall apply to table grapes intended for export.

Area in which statutory measure applies

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

Records to be kept and returns to be rendered

15. (1) All producers and exporters of table grapes shall keep such records and render the returns as may be required by the SATI relating to

- (a) Vine surveys; and
- (b) The volume of grapes destined for export

(2) No records or returns shall be required in terms of this measure which disclose confidential information of a marketing nature, and in particular, no returns disclosing, inter alia, contracting parties; purchasers of fruit; prices of services or prices obtained for fruit, or any similar information shall be required to be furnished.

- (3) The National Department of Agriculture or its assignee shall render a copy of all export certificates or furnish the information required by SATI contained in such certificates within the period specified in sub-clause (4)
- (4) The records referred to in sub-clause (1) shall –
- (a) be recorded on a computer or with ink in a book;
 - (b) be kept at the registered premises of the person required to keep it for a period of at least three years.
- (5) The returns referred to in sub-clause (1) shall be rendered on forms obtainable free of charge for this purpose from SATI within 15 days after the end of the month in which the returns have been requested and shall –
- (a) be submitted, when forwarded by post, to
SATI
P O Box 2932
PAARL
7620
 - (b) when delivered by hand, be delivered to –
SATI
2 Bergsig Street
Zomerlust Estate
PAARL
7646
 - (c) when sent by telefax, be addressed to –
021 872 4375
 - (d) when sent by E-mail, addressed to –
info@satgi.co.za

Commencement and period of validity

16. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 October 2016.