

No. 51

30 January 2009

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

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF CERTAIN
PERSONS IN RESPECT OF DRIED FRUIT**

I, Lulama Xingwana, Minister of Agriculture, acting under sections 13 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996) hereby establish the statutory measure set out in the Schedule.

L 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

"currants" means the dried fruit obtained from seedless currant-type vine fruit;

"dried deciduous fruit" means apricots, apples, nectarines, pears, peaches, prunes and vine fruit (raisins, seedless raisins, sultanas and currants) where either in the whole, cut up or minced form, subjected to any acknowledged drying process during which the largest part of the moisture had been abstracted therefrom, irrespective whether having been treated with water or steam or any preservative;

"Dried Fruit Technical Services (DFTS)" means the company registered in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) and which operates under the name Dried Fruit Technical Services (DFTS); Dried Fruit Technical Services (DFTS) is a company with the aim to keep the local dried fruit industry abreast of the need for agricultural research; strategic information on volumes and quality; to meet all sanitary and phytosanitary requirements for local and export markets; to serve the best interest of the industry as the need arises; and keep the NAMC and Minister of Agriculture informed on strategic issues. The DFTS is located at, 258 Main Street, Paarl, Western Cape, South Africa;

"exporter" means a person who exports dried fruit from South Africa, and includes a person who arranges or handles the exports in the name of ,or on behalf of another person;

"handle" means receive, store, dispatch or process;

"importer" means a person who imports dried fruit into South Africa, and this includes a person who arranges or handles the imports in the name of or on behalf of another person;

"packer" means a person who handles dried fruit and packs it for the purpose of sale;

"process" means to sort, clean, wash, cut, mince, mix or prepare to be packed for sale;

"producer" includes any person concerned in the production of dried fruit;

"prunes" means the dried fruit obtained from fruit of plants of *Prunis domestica* L;

"raisins" means the dried fruit other than currants, seedless raisins that is obtained from vine fruit;

"seedless raisins" means the dried fruit obtained from seedless non-currant type vine fruit, and is

either dyed or dyed and bleached or undyed and unbleached;

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

"vine fruit" means the fruits of the plants of *Vitis vinifera*.

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

2. The purpose and aims of these statutory measures is to compel importers, packers, exporters processors and marketers of dried fruit to register with Dried Fruit Technical Services (DFTS). These shall include any person, e.g. a producer who acts in the capacity of the aforementioned persons. Registration of the said persons is necessary to enable DFTS to make available continuous, timely and accurate market information in respect of dried fruit for all role-players. It is essential that market information in the deregulated market be as accurate as possible in order to be able to make informed decisions. Through the combination of mandatory registration of the major role-players together with the submission of monthly returns on an individual basis, market information for the whole country can be processed and disseminated in the marketplace.

This statutory measure will not only assist in improving market access for all market participants, but it should also assist in promoting the effectivity of the marketing of dried fruit. The viability of the dried fruit industry will thus be promoted. The measure will not be detrimental to the number of employment opportunities or fair labour practice.

Products to which statutory measure applies

3. This statutory measure shall apply to all dried deciduous fruit as defined.

Area in which statutory measure applies

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

Registration of importers, packers, exporters, processors and marketers of dried fruit

5.
 - (1) All importers, packers, exporters, processors and marketers of dried fruit shall register with DFTS in the manner prescribed in clause 6. These shall also include any person, e.g. a producer who acts in the capacity of the aforementioned persons.
 - (2) Each person who becomes an importer, packer, exporter or processor shall register with DFTS within 30 days after he became an importer, packer, exporter, or processor or marketer.
 - (3) Upon registration of an applicant by DFTS, a certificate of registration is issued to him.

- (4) The registration certificate issued in terms of sub-clause (3) shall expire when this statutory measure is revoked or when it is cancelled by DFTS.
- (5) The provisions of sub-clause (6) shall apply *mutatis mutandis* to persons who were already registered with DFTS at the time of this publication.
- (6) Every importer, packer, exporter or processor of dried fruit shall notify DFTS in writing within 30 days after he has ceased to act in that capacity, whereupon his registration will be cancelled.

Application for registration as importer, packers, exporter or processor of dried fruit

- 6. (1) An application for registration in terms of clause 5 shall be made on the application form available from DFTS.
- (2) The application form shall be completed in ink by a person who is duly authorised and it shall be completed in ink by an importer, packer, exporter, or processor and by any person who is duly authorised and it shall be accompanied by the corroborating documentation as specified in the application form.
- (3) The application form shall
 - (a) when forwarded by post, be addressed to :

The General Manager: DFTS
PO Box 163
Paarl
7622
 - (b) when delivered by hand, be delivered to :

The General Manager: DFTS
258 Main Street
Paarl
7620
 - (c) when transmitted electronically, be sent to:

Any of the fax numbers, e-mail addresses or any other electronic addresses as they appear on the application form.

Commencement and period of validity

- 7. This statutory measure shall come into operation on the date of publication hereof and shall lapse four (4) years later.