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## GENERAL NOTICES ALGEMENE KENNISGEWINGS

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### NOTICE 1735 OF 2006

DEPARTMENT OF AGRICULTURE

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996

(ACT No. 47 OF 1996)

#### REQUEST FOR THE CONTINUATION OF STATUTORY MEASURES IN THE LUCERNE INDUSTRY

It is hereby made known in terms of section 11 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), that the Minister of Agriculture **has** received a request **for** the continuation of statutory measures in terms of section 10 of the said Act as set out in the Schedule hereto.

Directly affected groups are hereby invited to submit any comments regarding the proposed continuation of the statutory measures to the National Agricultural Marketing Council **within** 14 days of the publication thereof.

Submissions should be in writing and be addressed to:

**The Chairperson  
National Agricultural Marketing Council  
Private Bag X 935  
PRETORIA  
0001**

**Enquiries: Ms Lizette Mellet  
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**Mr TR Ramabulana  
CHIEF EXECUTIVE OFFICER: NAMC**

## REQUEST FOR THE CONTINUATION OF STATUTORY MEASURES IN THE LUCERNE INDUSTRY

### 1. STATUTORY MEASURES -REGISTRATION AND RECORDS AND RETURNS

The statutory measures that are requested to be continued for a further period of 3 years, are --

- The keeping of records and the submission of returns to the National Lucerne Organisation (NLO) by dealers and processors of lucerne seed and hay, in terms of section 18 of the Marketing of Agricultural Products Act; and
- the registration of producers, processors and dealers of lucerne seed and hay, in terms of section 19 of the Marketing of Agricultural Products Act.

### 2. INFORMATION REQUIRED BY SECTION 10 OF THE ACT

The particulars as required by section 10 of the Act to be included in a request for the continuation of a statutory measure, are as follows:

- 2.1 The statutory measures that are requested, would relate to lucerne seed and lucerne hay.
- 2.2 Producers, traders and processors of lucerne seed and lucerne hay will be directly affected by the measures.
- 2.3 Letters of support for the proposed continuation of the statutory measures on Lucerne seed and hay were not yet received.
- 2.4 The proposed statutory measure will apply to the whole of the Republic of South Africa.
- 2.5 According to the applicant, the continuation of the statutory measures applied for, will further the objectives of the Act as stipulated in section 2(2) thereof. Such establishment will also not contravene section 2(3) of **the Act**.
- 2.6 The manner in which the objectives referred to in section 2(2) of the Act will be furthered (namely the increasing of market access for all market participants, the promotion of the efficiency of the marketing of agricultural products, the optimisation of export earnings from agricultural products and the enhancement of the viability of the agricultural sector), are summarised below:

*The NLO has for many years acted as the mouthpiece of the lucerne seed industry. In 2001 the NLO received a mandate from lucerne hay role players to also act as mouthpiece and secretariat for the lucerne hay industry. As no reliable industry information was available, the NLO applied for two statutory measures, namely registration and records and returns. This was granted by the Minister on 6 February 2004.*

*Since 2004 some 266 lucerne hay producers and 47 lucerne hay dealers/processors were registered. Amongst these there are 79 black and 50 coloured emerging farmers.*

*To date the lucerne industry has not relied on statutory levies to make ends meet. Nevertheless the NLO in co-operation with the University of the Free State for the first time put in place an official quality control and grading system for lucerne hay that will be implemented on 1 October 2006. This will ensure a uniform grading system for the whole of South Africa, and will contribute greatly towards ensuring a level playing field for all participants in the lucerne hay industry. At this stage participation in the grading system is voluntary but should the need arise the industry may request statutory authority to fund and ensure compliance thereto.*

*To make the lucerne industry accessible to existing and upcoming farmers it is necessary to continue to register producers, dealers and processors in order to have a database of who is involved in the industry and to collect and disseminate information. Lucerne plays a crucial role as feedstock and few people realize that in terms of area planted it is one of the largest crops in the country. It is also one of the crops ideally suited for the smaller or emerging farmer to produce.*

#### 2.7 DATE OF IMPLEMENTATION AND DURATION OF STATUTORY MEASURE:

The current measures lapse on 30 April 2007. The continuation is requested for another 3 years.

It should be borne in mind that the measures will, in terms of the Act, be subject to evaluation and review by the National Agricultural Marketing Council at least every two years. Furthermore, the Act provides for the application to be made for the repeal of statutory measures.

#### 2.8 MOST APPROPRIATE BODY TO ADMINISTER MEASURE:

The NLO will administer the measures. The NLO is a non-profit section 21 company and has the required capacity in terms of personnel, infrastructure and skills to administer the measures in a unbiased and responsible manner. The Board of Directors of the NLO consist of:

- Two persons representing producers
- One person representing the seed trade
- One person representing the lucerne seed cleaners
- One person representing the lucerne hay producers
- One person representing the lucerne hay dealers/ processors

#### 2.9 PARTICULARS ON ENFORCEMENT

The inspection and enforcement of the measures will be the responsibility of the NLO and will be carried out by inspection personnel already appointed by the Minister in terms of section 21 of the Marketing of Agricultural Products Act.