

No. R. 18

12 January 2007

## MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996

(ACT No. 47 OF 1996) AS AMENDED

REQUEST FOR THE AMENDMENTS TO STATUTORY MEASURES  
FOR OILSEEDS, SORGHUM, WINTER CEREAL, AND MAIZE

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 amendment 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 amendment 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**

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**Mr TR Ramabulana  
CHIEF EXECUTIVE OFFICER: NAMC**

**REQUEST FOR THE AMENDMENT OF STATUTORY MEASURES  
RELATED TO RECORDS AND RETURNS FOR OILSEEDS, SORGHUM, WINTER  
CEREAL, AND MAIZE, IN TERMS OF THE MARKETING OF AGRICULTURAL  
PRODUCTS ACT, 1996 (ACT NO 47 OF 1996), AS AMENDED**

1. PROPOSED AMENDMENT TO THE STATUTORY MEASURE: RECORDS AND RETURNS

The South African Grain Information Service (SAGIS) requested that the Minister, in terms of sections 13 and 18 of the Act, by notice in the Government Gazette, direct that oilseed processed for consumption in South Africa, in respect of bio-fuel, be included in the statutory measures relating to records and returns to SAGIS.

Furthermore that the Minister direct that whole grain processed in South Africa for bio-fuel be published separately from human consumption and animal feed and be specified separately in the records and returns to SAGIS.

2. SPECIFIC PROPOSALS TO AMEND THE STATUTORY MEASURES:

The **statutory measure for oilseeds** as published by Government Notice No. 1049 of 27 October 2000 (as amended) *is* requested to be amended as follows:

- The definition of "processor" to be replaced by the following definition:  
"Processor" means a person who processes oilseeds, in any manner whatsoever, for the manufacture of oilseeds products (including bio-fuel) with the aim of selling the resultant product;
- Section 5(2)(e)(i) For consumption in South Africa separately in respect of-  
Item (cc) to be amended as follows:  
(cc) oil and oilcake (including bio-fuels).

The **statutory measure for sorghum** as published by Government Notice No. 1042 of 27 October 2000 (as amended) is requested to be amended as follows:

- The definition of "processor" to be replaced by the following definition:  
"Processor" means a person who mills, crushes, grinds to grits or otherwise processes sorghum, in any manner whatsoever, for the manufacture of sorghum products (including bio-fuel and drinking alcohol) with the aim of selling the resultant product;
- Section 5(2)(e)(i) For consumption in South Africa separately in respect of-  
Item (cc) to be amended and (ii) to be added as follows:  
(cc) meal market (including drinking alcohol)  
(ii) bio-fuel.

The statutory measure for winter cereal as published by Government Notice No. 1043 of 27 October 2000 (as amended) is requested to be amended as follows:

- The definition of “processor” to be replaced by the following definition:  
“Processor” means a person who mills, crushes, grinds to grits or otherwise processes winter cereal, in any manner whatsoever, for the manufacture of winter cereal products (including bio-fuel and drinking alcohol) with the aim of selling the resultant product;
- Section 5(2)(e)(i) For consumption in South Africa separately in respect of-  
Item (aa) to be amended and (cc) to be added as follows:  
(aa) human consumption (including drinking alcohol)  
(cc) bio-fuel.

The statutory measure for maize as published by Government Notice No. 1044 of 27 October 2000 (as amended) is requested to be amended as follows:

- The definition of “processor” to be replaced by the following definition:  
“Processor” means a person who mills, crushes, grinds to grits or otherwise processes maize, in any manner whatsoever, for the manufacture of maize products (including bio-fuel and drinking alcohol) with the aim of selling the resultant product;
- Section 5(2)(e)(i) For consumption in South Africa separately in respect of-  
Item (aa) to be amended and (dd) to be added as follows:  
(aa) human consumption (including drinking alcohol)  
(dd) bio-fuel.

### 3. PURPOSE OF THE PROPOSED AMENDMENTS

- 3.1 According to the applicant, the proposed amendments to the statutory measures, will further the objectives of the Act as stipulated in section 2(2) thereof. The proposed amendments will also not contravene section 2(3) of the Act.
- 3.2 The proposed amendments are deemed necessary in order to keep information on grains market related.
- 3.3 If the Minister approves the application, the amendments to the statutory measures will come into operation on the date of publication thereof in the Government Gazette. The statutory measures to be amended lapse on 30 April 2008.