

No. R. 1038

1 November 2007

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

ESTABLISHMENT OF STATUTORY MEASURE – REGISTRATION OF MILK PRODUCERS

I, Lulama Xingwana, Minister of Agriculture, acting under sections 10, 11, 13, 14 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the attached 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 –

“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.

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

2. The purpose of this statutory measure is to compel the milk producers of the Republic of South Africa to register with the Milk Producers' Organisation.

The registration of milk producers will assist the industry to liaise with them regarding matters of concern such as legislation, training courses and technology transfer. The registration of milk producers will facilitate the maintenance of a national data base which is a prerequisite for the publication of reliable industry statistics.

In terms of international requirements, exporting countries have to comply with certain specifications. The dairy industry therefore needs to identify steps in dairy farming which is critical to ensure food safety and that adequate safety procedures are identified, implemented, maintained and reviewed. The only way to ensure that every milk producer is informed of the required practices and to monitor those is by means of compulsory registration.

Administration of the measure

3. This statutory measure will be administered by the Milk Producers' Organisation, an association incorporated under Section 21 of the Companies Act, 1973 (Act No. 61 of 1973). This body will also implement, administer and enforce the intervention set out in this Schedule.

Product to which statutory measure applies

4. This statutory measure shall apply to milk.

Area in which statutory measure applies

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

Registration of parties concerned

6. (1) The following persons shall register with the Milk Producers' Organisation in the manner set out in clause 7:
- (a) All milk producers.
- (2) An application for registration shall be made within 30 days from the date of commencement of this statutory measure and, in case of a person becoming a party in terms of subclause (1) after such date of commencement, within 30 days of becoming a party in terms of subclause (1).
- (3) The parties in terms of subclause (1) shall within 30 days of ceasing to be a party in terms of subclause (1) notify the Milk Producers' Organisation in writing thereof whereupon his or her registration shall be cancelled.

Application for registration

7. (1) Application for registration shall be made on an application form, copies of which are obtainable free of charge from the Milk Producers' Organisation.
- (2) The application form shall be completed in ink and signed by a person duly authorized thereto.
- (3) The application form shall be submitted,

(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
90 Cycad Place
off Watermeyer Street
Val de Grace Extension 10
PRETORIA
0184

Commencement and period of validity

8. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 1 November 2011.