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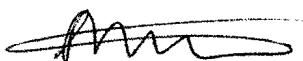
30 January 2009

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No 47 OF 1996), AS AMENDED

**ESTABLISHMENT OF A STATUTORY MEASURE REGARDING RECORDS
AND RETURNS IN RESPECT OF MILK AND OTHER DAIRY PRODUCTS**

I, Lulama Xingwana, Minister of Agriculture,

- (a) acting under sections 13 and 18 of the Marketing of Agricultural Products Act, 1996 (Act 47 of 1996) hereby establish the statutory measure as set out in the Schedule hereto; and
- (b) acting under section 14 of the Marketing of Agricultural Products Act, 1996 (Act 47 of 1996) hereby entrusts the implementation, administration and enforcement of the statutory measure described in the Schedule to Milk SA, an association incorporated under Section 21 of the Companies Act, 1973.



L. XINGWANA

Minister of Agriculture

SCHEDULE

Definitions

1. In this schedule –

“consumers” means the end users of milk;

“milk producer” means a person that produces milk by the milking of cows, goats or sheep;

“retailers” means persons that sell milk directly to consumers; and

“the Act” means the Marketing of Agricultural Products Act, 1996 (Act 47 of 1996).

2. The persons listed under 3, shall keep records of the following:

(a) the quantity of milk (in kg) bought per month;

(b) the quantity of (a) (in kg), used per month to manufacture concentrated dairy products; and

(c) the quantity of (a) (in kg), used per months for purposes other than described under (b).

3. The records described under 2 shall be kept by:

* persons, excluding retailers, that buy milk from milk producers with the purpose to sell it as such or to sell it after processing as milk or to use it to manufacture other products; and

- * persons who are milk producers and that sell milk produced by them to retailers or consumers or that use such milk to manufacture other products and such persons shall report the quantity of milk (in kg) produced per month by them as the quantity of milk (in kg) bought per month as stated under 2 (a)
4. Each of the persons described under 3, shall within 15 days of the end of each month furnish a return form, as prescribed by Milk SA and containing information regarding the records described under 2 to Milk SA.
5. The returns described under 4 shall:

- (a) when forwarded by post, be addressed to:

Milk SA
PO Box 1961
Brooklyn Square
0075

- (b) when delivered by hand, delivered to:

Milk SA
Bank Forum Building
Ground Floor (GL004)
C/o Fehrsen & Veale Street
Brooklyn
Pretoria

(c) when electronically be addressed to:

admin@milksa.co.za

6. The statutory measures described in this schedule shall
- (a) apply within the geographic area of the Republic of South Africa; and
 - (b) come into operation on the date of publication hereof and shall lapse on 23 December 2013.
7. This statutory measure will advance more than one of the objectives of the Act. The information obtained through this statutory measure, will be important in respect of the advancement of market access, efficiency of marketing of milk and other dairy products and the viability of the dairy industry. The information and the analysis thereof will make market signals visible for role players in the industry and for Government institutions and will contribute significantly to the achievement of the relevant objectives of the Act.
8. Confidential information of any person subject to this statutory measure, obtained by Milk SA through the implementation, administration and enforcement of this statutory measure, shall be dealt with by Milk SA in accordance with section 23 (2) of the Act.

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