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## GOVERNMENT NOTICE

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### DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

No. R. 1114

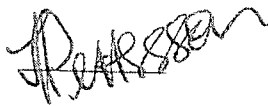
25 November 2010

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

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF GUIDELINE PRICE:  
MARKET DEVELOPMENT AND CONSUMER EDUCATION LEVY ON GRAPEFRUIT INTENDED  
FOR EXPORT**

I, TINA JOEMAT-PETTERSSON, Minister for Agriculture, Forestry & Fisheries, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby -

- (a) establish the statutory measure set out in the Schedule; and
- (b) determine that the guideline price for grapefruit intended for export shall be R3.24 /kg<sup>1</sup>



**TINA JOEMAT-PETTERSSON**

Minister for Agriculture, Forestry & Fisheries  
DATE: 21/11/2010

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<sup>1</sup> Based on this amount (the DIP return) the levy amounts to 0.0116%

## **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 –

“Act” means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);

“Exporter” means any person that exports Export Grapefruit, whether for his own account or on behalf of another person, and for purposes of this levy notice includes an Export Grapefruit Producer that exports for his own account or on behalf of another person;

“Export Grapefruit” means grapefruit intended for export;

“Export Grapefruit Producer” means a grower of Export Grapefruit; and

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

2. This levy application was brought by the Citrus Growers Association of South Africa (CGA), on behalf of grapefruit exporters. The levy is needed to fund a market development and consumer education campaign for grapefruit, primarily for the British and Japanese markets.

The statutory measure (levy) will primarily be funded by the growers of export grapefruit. The levy will not be detrimental to the number of employment opportunities in this agricultural sector or fair labour practice and is supported by statutory measures relating to registration and the rendering of returns applicable to citrus fruit.

The measure will be administered by the CGA, a company incorporated in terms of section 21 of the Companies Act, 1973, who already administers the other industry statutory measures (export citrus levy, registration and records and returns).

### **Products to which statutory measure applies**

3. This statutory measure shall apply to all Export Grapefruit.

### **Area in which statutory measure shall apply**

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

**Imposition of levy**

5. A levy is hereby imposed on Export Grapefruit of all classes.

**Amount of levy**

6. The amount of the levy shall be as indicated in the Table below:

Year	Levy amount per 15 kg carton
First year	R0.60
Second year	R0.65

**Persons by whom and to whom levy shall be payable**

7. (1) The levy imposed in terms of section 5 shall –
- (a) be payable by the Exporter; and
  - (b) be payable to the CGA in the manner set out in section 8.

**Payment of levy**

8. (l) Payment of the levy must be made by the Exporter of that Export Grapefruit: Provided that –
- (a) in the event that an Exporter exports Export Grapefruit on behalf of an Export Grapefruit Producer, the Exporter may withhold the amount of the levy from any proceeds owed to such Export Grapefruit Producer, or the Exporter may collect the amount of such levy from the Export Grapefruit Producer concerned;
  - (b) the Exporter shall be entitled to retain an administration fee of 1% of the levy thus deducted or collected in terms of paragraph (a) for his or her own account; and
  - (c) an Export Grapefruit Producer who has paid a levy or from whose proceeds a levy has been withheld in terms of paragraph (a) may, if no Export Grapefruit was exported by or on behalf of that Export Grapefruit Producer to the United Kingdom or Japan during the levy period, in writing request the CGA to refund the levy amount.
- (2) Payment of a levy contemplated in subsection (1)(a) shall be made no later than thirty days after the Export Grapefruit has been approved for export in terms of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), by means of a cheque or electronic transfer in favour of the CGA, and shall –

- (a) when forwarded by post, be addressed to -  
CGA  
P O Box 461  
Hillcrest  
3650
- (b) when electronically transferred, be transferred to –  
Bank: STANDARD BANK  
Branch: HILLCREST  
Branch Code: 04 57 26  
Account Number: 250 783 924  
Account Type: CURRENT  
Account Name: CITRUS GROWERS ASSOCIATION OF SOUTHERN  
AFRICA NO. 2

**Commencement and levy period**

9. This statutory measure shall come into operation on the date of publication hereof and will lapse two years later.