

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 1652

13 DECEMBER 2019

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT NO 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF
PRODUCERS, EXPORTERS AND PROCESSORS OF POMEGRANATES**

I, Angela Thoko Didiza, Minister for Agriculture, Land Reform and Rural Development, acting under sections 13 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.

Ms AT DIDIZA (MP)

Minister of Agriculture, Land Reform and Rural Development.

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 –
“**Exporter**” means a person who trade pomegranate for export for his own account, or acts as an agent on a commission basis on behalf of producers;
“**Importer**” means a person who imports pomegranates;
“**Pomegranate**” means the fruit of *Punica granatum* L;
“**Pomegranate Producer**” means a producer of pomegranates intended for fresh fruit exports and domestic fresh consumption, as well as for the production of juice or concentrate; and
“**Processor**” means a person (natural, juristic or otherwise) who processes pomegranates for sale as arils (fresh or otherwise) or in any other way.

A person who is a producer as well as an exporter, importer or processor must register as a producer and as an exporter, importer or processor.

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

2. The purpose and aims of the statutory measure is to compel the parties set out herein to register with Pomegranate Association of South Africa (POMASA). Registration is necessary to assist POMASA in ensuring that continuous, timeous and accurate information relating to the products as defined, is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By combining compulsory registration with the keeping of information and the rendering of returns on an individual basis, market information for the whole of the industry can be processed and disseminated and will form the basis for the collection of levies where applicable and appropriate.

The establishment of the measure would assist in promoting the efficiency of the marketing of pomegranate products. The viability of the pomegranate industry will thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice.

The measure will be administered by POMASA, a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). POMASA will implement and administer the measure as set out in the Schedule.

Products to which statutory measure applies

3. This statutory measure shall apply to pomegranates intended for domestic sales, export, import and/or for processing of arils and concentrate.

Area in which measure shall apply

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

Registration of parties concerned

5. (1) All producers, exporters, importers of pomegranates and/or processors of pomegranates shall register with POMASA.
(2) A person who is a producer as well as a processor or exporter or importer shall register as a producer and as exporter, importer or processor.

Application for registration

6. Application for registration shall –
- (1) be made within thirty (30) days of the commencement of this statutory measure, and in the case of a person becoming a party as contemplated in clause 5 after such date of commencement, within thirty (30) days of becoming such a party;
 - (2) be made on the application form obtainable free of charge from POMASA;
 - (3) be submitted, when forwarded by post, to –
POMASA
PO Box 163
PAARL
7620
 - (4) when delivered by hand, be delivered to –
POMASA
Main Road 258
PAARL
7646
 - (5) when sent by telefax, be addressed to –
021-870 2915
 - (6) when sent by E-mail, addressed to –
andriette@hortgro.co.za

Commencement and period of validity

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