

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**NO. 91****07 FEBRUARY 2020****MARKETING OF AGRICULTURAL PRODUCTS ACT,
1996 (ACT NO. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS
BY MILK PRODUCERS**

I, Angela Thoko Didiza, Minister of Agriculture, Land Reform and Rural Development, acting under sections 10, 13, 14 and 18 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the attached Schedule hereto.

MRS A T DIDIZA, MP**MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**

SCHEDULE

1. DEFINITIONS

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 indicates otherwise –

“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.

2. PURPOSE AND AIM OF THE STATUTORY MEASURE AND THE RELATION THEREOF TO THE OBJECTIVES OF THE ACT

The purpose of this statutory measure is to provide a statutory mechanism for milk producers to keep records and furnish returns to the Milk Producers' Organisation. This is deemed necessary to ensure that continuous, timeous and accurate statistics and information relating to the primary dairy industry are made available to all role-players.

Recordkeeping in the primary dairy industry will continue to create statistics per province and district about issues that are of collective importance to the dairy industry, such as the number of cows, heifers, breeds, changing population trends and herd sizes. These variables will continue to assist the dairy industry with - amongst others - its educational, research, herd health (including diseases such as tuberculosis, brucellosis and other zoonosis) and dairy quality & safety programmes.

By means of this measure, producer inputs can be obtained which are relevant to conduct research which will address the challenges faced by milk producers and to improve the competitiveness of the dairy industry. As an example, research projects that support efficient and effective herd management, will result in improved product quality.

3. ADMINISTRATION OF THE MEASURE

This statutory measure will be administered by the Milk Producers' Organisation, a non-profit company in terms of the Companies Act, 2008 (Act No. 71 of 2008). Information will be made available from the returns submitted to the Milk Producers' Organisation in a manner suitable to meet the needs of the role-players in the dairy industry of South Africa. The information collated will be dealt with in such a manner to ensure compliance with the provisions of section 23(2) of the Marketing of Agricultural Products Act, which provides as follows:

“(2) No person shall, except in the performance of his or her functions under this Act, or unless required to do so by a court of law or in terms of any law, or with the written consent of the Minister, disclose to any other person information, pertaining to any person, institution or body of persons, collected under section 18 or otherwise acquired in the performance of functions in terms of this Act.”

4. PRODUCT TO WHICH THE STATUTORY MEASURE APPLIES

This statutory measure shall apply to milk.

5. AREA IN WHICH THE STATUTORY MEASURE APPLIES

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

6. RECORDS AND RETURNS TO BE KEPT AND SUBMITTED BY MILK PRODUCERS

(1)	The following persons shall keep records and furnish returns with regard to milk in his or her possession or under his or her control:
	(a) Milk Producers.
(2)	The Milk Producers' Organisation shall make return forms available to facilitate the process of submitting returns.
(3)	(a) The return shall be submitted annually, 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 86 Watermeyer street, Val de Grace Pretoria 0184
(c)	when sent electronically to:
	IST@mpo.co.za

- (4) Each milk producer shall within 15 days after 31 October of each year, furnish an accurate return to the Milk Producers' Organisation.
- (5) The records and returns shall contain information with regard to the following:
- (a) Date of completion of the return form;
 - (b) Producer's name and surname and where applicable, also the name of the company, trust or closed corporation;
 - (c) Producer's postal address;
 - (d) Name of the producer's farm/s;
 - (e) GPS co-ordinate/s of milking parlour/s;
 - (f) Registration number of milking parlour/s;
 - (g) Name of the buyer/s of the milk
 - (h) Magisterial district in which the farm/s reside/s;
 - (i) Contact details of the producer, namely telephone, fax, e-mail and cell phone numbers;
 - (j) Breed of cattle and, in the case of cross-breeding, the breeds involved;

- (k) Number of cows in milk in October;
 - (l) Number of dry cows (not in milk) in October;
 - (m) Number of heifers in October;
 - Age 0 to 12 months; and
 - Age of more than 12 months:
 - Pregnant heifers; and
 - Not pregnant heifers.
 - (n) Actual liters of milk produced in the 12 months preceding 31 October every year;
 - (o) Actual liters of milk that was used on the farm/s in the 12 months preceding 31 October every year;
 - (p) Production system:
 - Pasture based; or
 - Total mixed ration; or
 - Combination of pasture based and total mixed ration
 - (q) Management system:
 - Automatic computer based system; or
 - Manual recordings.
- (6) A record system that reflects good accounting practice shall be introduced and kept by the Milk Producers' Organisation.

7. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into operation on the date of publication hereof and shall lapse on 1 November 2023.