

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 1300

11 DECEMBER 2020

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS
IN RESPECT OF DRIED VINE FRUIT

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

MRS AT DIDIZA, MP
MINISTER FOR 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

"currants" means the dried vine fruit obtained from seedless currant-type vine fruit;

"dried deciduous fruit" means dried vine fruit (raisins, seedless raisins, sultanas and currants) where either in the whole, cut up or minced form, subjected to any acknowledged drying process during which the largest part of the moisture had been abstracted therefrom, irrespective whether having been treated with water or steam or any preservative;

"exporter" means a person who exports dried vine fruit from South Africa, and includes a person who arranges or handles the exports in the name of, or on behalf of another person;

"handle" means receive, store, dispatch or process;

"importer" means a person who imports dried vine fruit into South Africa, and this includes a person who arranges or handles the imports in the name of or on behalf of another person;

"packer" means a person who handles dried vine fruit and packs it for the purpose of sale;

"process" means to sort, clean, wash, cut, mince, mix or prepare to be packed for sale;

"producer" includes any person concerned in the production of dried vine fruit;
"Raisins South Africa (Raisins SA)" means the company registered in terms of the Companies Act, 2008 (Act No. 71 of 2008 as amended) and which operates under the name Raisins South Africa (Raisins SA); Raisins South Africa (Raisins SA) is a company with the aim to keep the local dried vine fruit

industry abreast of the need for agricultural research; strategic information on volumes and quality; to meet all sanitary and phytosanitary requirements for local and export markets; to serve the best interest of the industry as the need arises; and keep the National Agricultural Marketing Council (NAMC) and Minister of Agriculture, Land Reform and Rural Development informed on strategic issues. The Raisins SA is located at, 9 Groenpunt Avenue, Upington, Northern Cape, South Africa;

"raisins" means the dried vine fruit other than currants, seedless raisins that is obtained from vine fruit;

"seedless raisins" means the dried vine fruit obtained from seedless non-currant type vine fruit, and is either lyed or lyed and bleached or unlyed and unbleached;

"The Act" means the Marketing of Agricultural Products Act 1996, (Act No. 47 of 1996), as amended;

"vine fruit" means the fruits of the plants of *Vitis vinifera*.

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

2. The purpose and aim of this statutory measure is to compel importers, packers, producers, exporters and processors of dried vine fruit to keep records and submit returns to Raisins South Africa (Raisins SA). These shall also include any person, e.g. a producer who acts in the capacity of the aforementioned persons. The statutory measure is deemed necessary in order to ensure that market information in respect of dried vine fruit is made available accurately to all role-players in the dried vine fruit industry. Information gathered by Raisins SA by means of records and returns is disseminated freely in the marketplace. Through the mandatory submission of monthly (weekly during intake) returns on an individual basis, market information for the whole country can be processed and disseminated in the marketplace.

This statutory measure will not only facilitate access for all participants, but it should also assist in promoting the effective marketing of dried vine fruit. Furthermore, the market information obtained in this *manner*, will promote the viability of the dried vine fruit industry and the agricultural sector at large.

Product to which statutory measure applies

3. This statutory measure shall apply to all dried deciduous vine fruit as defined.

Area in which statutory measure applies

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

Records to be kept by importers, packers, exporters and processors of dried vine fruit

5. (1) Each producers, importer, packer, exporter and processor of dried vine fruit shall keep complete records for each calendar month in respect of dried vine fruit handled, imported or exported by him. These shall *also* include any person, e.g. a producer who acts in the capacity of the aforementioned persons.
- (2) Each person mentioned in sub-clause (1), irrespective of whether or not he has premises, shall keep the following records:
- (a) Opening stock - the opening stock of all dried vine fruit physically on his premises on the first day of a calendar month.
 - (b) Producer deliveries - all dried vine fruit received direct from the farm of a producer on his premises according to fruit kind of production. This will include the grades of the loads delivered.
 - (c) Imports - in respect of imported dried vine fruit, records shall be kept of:
 - (i) Name and address of importer and person on whose behalf imports are made.
 - (ii) Quantity of dried vine fruit imported per country of origin and per fruit kind.
 - (iii) Quantity of imported dried vine fruit destined for:
 - (aa) consumption in South Africa.
 - (bb) exports per country of destination.
 - (d) Other receipts - all dried vine fruit received at the premises other than dried vine fruit already declared above as producer deliveries and imports, including records of the name of the consignor and address of the premises from where the dried vine fruit was dispatched as well as the mass of the dried vine fruit received.
 - (e) Dried vine fruit processed - all dried vine fruit processed on his premises in the name of or on behalf of producers or other clients.
 - (f) Exports and local distribution - in respect of dried vine fruit that is distributed (international and local market), records shall be kept in respect of:
 - (i) Name and address of the exporter and the person on behalf of whom the export takes place.
 - (ii) Quantity of dried vine fruit per fruit kind and size exported per country of intended destination.
 - (iii) Name of harbour and owner of harbour premises where the exported dried vine fruit was handled.
 - (iv) Name and particulars of the vessel in which a quantity of dried vine fruit is exported.
 - (g) Other local dispatches - records shall be kept of all dried vine fruit dispatched from his premises to other premises than those mentioned in (f), including separate records of the name of the person and the address of the premises to which the dried vine fruit was dispatched, as well as the mass per fruit kind dispatched.
 - (h) Closing stock - the closing stock of all dried vine fruit physically on his premises on the last day of a calendar month.
 - (i) Storage of dried vine fruit on producer's farm - the quantity of dried vine fruit that is in a storage facility on the producer's farm on the last day of a calendar month and of which the full ownership has already passed on to the keeper of the records.

- 3 Records mentioned in sub-clauses (1) to (2) shall be
 - (a) recorded on an electronic system to ensure volumes and grades can be audited annually.
 - (b) kept at the head office or usual place of business of the person who is required to keep them for a period of at least four years after the end of the period in respect of which such records were kept.
- 4 Producers are requested to supply any records, e.g. numbers of vines or fruit produced.

Returns to be rendered by importers, packers, exporters and processors of dried vine fruit

6.
 - (1) Volume intake (dried vine fruit – grower supplied) will be recorded weekly and reported accordingly to Raisins SA.
 - (2) Each importer, packer, exporter and processor of dried vine fruit shall within 15 days after the end of each calendar month furnish an accurate return to Raisins SA in respect of dried vine fruit handled, imported or exported by him. These shall also include any person, e.g. a producer who acts in the capacity of the aforementioned person.
 - (3) Each importer, packer, exporter and processor of dried vine fruit shall report stock levels (closing- and opening stock) on the 1st January and 30 July, annually.
 - (4) The return shall be furnished on the form obtainable free of charge from Raisins SA, and shall be completed electronically. Totals returns for a specific year must reach Raisins SA by 30 May, after which the final volume numbers will be reconciled by end of July, annually.
 - (5) The return shall when forwarded by post, be addressed to:
The CEO: Raisins SA
PO Box 2536
UPINGTON
8800
 - (b) when delivered by hand, be delivered to:
The CEO: Raisins SA
9 Groenpunt Avenue
Office nr 1
Keidebees
UPINGTON
8801
 - (c) when transmitted electronically, be sent to:
Any of the fax numbers, e-mail addresses or any other electronic addresses as furnished on the official return forms.
 - (6) The return shall be forwarded, delivered or transmitted electronically to reach the chief executive officer of Raisins SA before or on the return date mentioned in sub-clause (1).
 - (7) A zero return shall be submitted if no dried vine fruit was handled, imported or exported during the period of the return.

Commencement and period of validity

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse four (4) years later.