

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 1299

11 DECEMBER 2020

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES
ON DRIED VINE FRUIT

I, Angela Thoko Didiza, Minister of Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), as amended, hereby establish the statutory measure set out in the attached 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 vine 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 NPC (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 NPC (Raisins SA)". 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 marketing 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. Raisins SA is located at, 9 Groenpunt Avenue, Upington, Northern Cape, South Africa;

"raisins" means the dried vine fruit other than currants and 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 measures and the relation thereof to objectives of the Act

2. The levy is needed by Raisins SA to provide financial support for the following functions that the dried vine fruit industry has identified as essential and in the interest of the industry as a whole: The levy is needed by Raisins SA to fund 1) market access and development; 2) information and communication; 3) research and development programmes and technology transfer; 4) transformation and training and 5) administration for dried vine fruit.

These measures are necessary to ensure that continuous, accurate and timely macro-economic and industry specific information relating to the dried vine fruit industry, is available to all role players in order for them to make informed decisions in the spheres as indicated. This will advance transparent market information to all parties.

The advancement of dried vine fruit production can deliver a material on food security and job creation in South Africa.

Research is important to ensure a complete dried vine fruit industry is advanced, especially in context to a global competitive industry. Research is important for both the commercial and emerging sector. The maintenance of effective cultivar development programmes and the study of cultivar characteristics, such as yield potential, adaptability, weather resistance against pest and diseases, enable dried vine fruit growers to make informed cultivar decisions for specific conditions.

As per the guidelines, funds will also be used to support previous advantage individuals (PDI's) and empower the emerging sector accordingly.

The levies will advance market access for all, but furthermore contribute to furthering the viability of the industry at large. The establishment of these measures is aligned to the objective set out in the Act, as per article 2.

The measure will not be detrimental to the number of employment opportunities or fair labour practice and will support the statutory measures relating to registration and the rendering of returns applicable to dried vine fruit products. This statutory measure shall be administered by Raisins South Africa (Raisins SA).

Product to which statutory measure applies

3. This statutory measure shall apply to all dried deciduous vine fruit as defined, produced in and imported into South Africa.

Area in which statutory measure applies

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

Imposition of levy

5. A levy is hereby imposed on dried vine fruit (gross mass delivered/received) bought or received by a packer or imported by a packer or processor or produced by a producer. A packer who has paid a levy may recover the amount of the levy from the person from which he has received the dried vine fruit on which the levy is payable, or who has produced the dried vine fruit.

Amount of levy

6. The levy shall be imposed on all dried vine fruit gross mass delivered at the following rates:
 - 16c per kilogram for the levy cycle 2020/2021,
 - 17.67c per kilogram for the levy cycle 2021/2022,
 - 19.33c per kilogram for the levy cycle of 2022/2023, and;
 - 21c per kilogram for the levy cycle 2023/2024.All excluding VAT.

Persons by whom and to whom levy is payable

7. The levy imposed in terms of clause 5 shall
 - (a) be payable by packers or processor or traders on behalf of producers of dried vine fruit; and

- (b) be payable to Raisins South Africa (Raisins SA) in accordance with clause 8.

Payment of levy

- 8. (1) Payment of the levy shall be made not later than 60 (sixty) days following the month end of the declared quantity dried vine grapes received. Any amount not paid within this period will be charged interest at a rate of 1% per month. 'n Monthly volume declaration (for invoicing purposes) will be made to Raisins SA, which upon an invoice will be issued.
- (2) Payment shall be made by means of an electronic transfer in favour of and into the bank account of Raisins South Africa (bank details obtainable from Raisins SA on request).

Use of levy

- 9. The schedule provides that -
 - (a) at least 70% of the levy funds should be used for the core business functions e.g. research;
 - (b) not more than 10% for administrative use; and
 - (c) at least 20% be allocated towards transformation.

Commencement and period of validity

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