

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. R. 3937****6 October 2023****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON PEACHES &
NECTARINES**

I, Angela Thokozile Didiza, Minister for Agriculture, Land Reform and Rural Development, 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 A.T. 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, unless the context otherwise indicates –

“Exporter” means a person who trade peaches and nectarines for export for his own account, or acts as an agent on a commission basis on behalf of peach and nectarine producers;

“Municipal market” means the national fresh produce markets as defined from time to time;

“Peach and nectarine producer” means a producer of peaches and nectarines intended for exports and/or fresh domestic consumption; and

“Processor” means a person who procures dried peaches and nectarines from a producer; and

“Retailer” means a person who trades peaches and nectarines on a retail level on the domestic market.

A person shall have a choice to register as either a producer or an exporter or municipal market or processor or retailer. A person who is a producer as well as an exporter or a processor or a retailer must register as a producer and as an exporter or a retailer or a processor.

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

2. The levy is needed by HORTGRO to fund research projects, information and technology transfer; plant improvement functions and certification; market information and statistics; communication; trade and market access; and transformation and training for peaches and nectarines.

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 peaches and nectarines.

The measure will be administered by HORTGRO a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). HORTGRO will implement and administer the measure as set out in the Schedule within DFPT Finance NPC, a non-profit company incorporated under the Companies Act (as amended), 2008 (Act 71 of 2008).

Products to which the statutory measure applies

3. This statutory measure shall apply to peaches and nectarines destined for export and/or domestic fresh consumption and/or dried fruit.

Area in which the measure shall apply

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

Imposition of the levy

5. A levy is hereby imposed on peaches and nectarines.

Amount of levy

6. The amount of the levy shall be:

	2023/2024	2024/2025	2025/2026	2026/2027
Fresh exports and domestic volumes	14,00/Kg	14,00c/Kg	14,60c/Kg	15,10c/Kg
Fresh exports trade and market access volumes	23,70c/Kg	23,70c/Kg	24,60c/Kg	25,60c/Kg
Fresh local trade volumes	2,20c/Kg	2,20c/Kg	2,30c/Kg	2,40c/Kg
Dried fruit volumes	8,30 c/Kg	8,30 c/Kg	8,60 c/Kg	8,60 c/Kg
Dried trade and markets volumes	26,00 c/Kg	26,00 c/Kg	27,00 c/Kg	27,00 c/Kg

on all peaches and nectarines on export (all classes) and/or domestic volumes on municipal markets and retail level (all classes) and/or dried fruit volumes (all classes).

Persons by whom and to whom the levy shall be payable

7. (1) The levy imposed under clauses 5 and 6 shall –
- be payable by a peach and nectarine exporter on behalf of the producer from which such peaches and nectarines have been procured in respect of all peaches and nectarines exported;
 - be payable by a municipal market on behalf of the producer from which such peaches and nectarines have been procured in respect of all peaches and nectarines sold on that market;
 - be payable by a processor of dried peaches and nectarines on behalf of the producer from which such dried peaches and nectarines have been procured; and
 - be payable by a retailer on behalf of the producer from which such peaches and nectarines have been procured in respect of all peaches and nectarines procured by that retailer.
- (2) A levy imposed under clauses 5 and 6 shall be payable to DFPT Finance in accordance with clause 8.

Payment of the levy

8. (1) Payment of the levy shall be made not later than sixty (60) days following the month end of delivery of a quantity of peaches and nectarines for export or delivery to be sold on a municipal market or *via* a retailer or processor, or sold *via* any other manner; and
- (2) Payment shall be made by means of electronic transfer to DFPT Finance NPC, into the DFPT Finance NPC bank account obtainable from HORTGRO on request.

Commencement and period of validity

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