

**DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT****NO. R. 3938****6 October 2023****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT No 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON PEARS**

I, Angela Thoko Didiza, Minister for Agriculture, 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 pears for export for his own account, or acts as an agent on a commission basis on behalf of pear producers;

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

“Pear producer” means a producer of pears intended for fresh and/or dried fruit exports and/or fresh and/or dried domestic consumption; and

“Processor” means a person who procures and packages dried pears from a producer, and /or for his own account; and

“Retailer” means a person who trades pears on a retail level on the domestic market.

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

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 in terms of the Companies Act (as amended), 2008 (Act 71 of 2008).

### Products to which the statutory measure applies

3. This statutory measure shall apply to pears 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 pears.

**Amount of the levy**

6. The amount of the levy shall be:

	2023/2024	2024/2025	2025/2026	2026/2027
<b>Fresh export and domestic volumes</b>	6,00 c/Kg	6,00c/Kg	6,40 c/Kg	6,40 c/Kg
<b>Fresh exports trade and market access</b>	3,00 c/Kg	3,00 c/Kg	3,20 c/Kg	3,20 c/Kg
<b>Dried fruit volumes</b>	26,00 c/Kg	26,00 c/Kg	27,00 c/Kg	27,00 c/Kg
<b>Dried trade and markets volumes</b>	8,30 c/Kg	8,30c/Kg	8,60c/Kg	8,60c/Kg

on all pears 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 –
- (a) be payable by an pear exporter on behalf of the producer from which such pears have been procured in respect of all pears exported;
  - (b) be payable by a municipal market on behalf of the producer from which such pears have been procured in respect of all pears sold on that market;
  - (c) be payable by a processor of dried fruit on behalf of the producer from which such pears have been procured for the dried pear market; and
  - (d) be payable by a retailer on behalf of the producer from whom such pears have been procured in respect of pears procured by the 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 wherein a quantity of pears was delivered for export or for sale on a municipal market or *via* a retailer or processor, or sold *via* any other method; 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.