

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 5421

11 October 2024

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

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF
LEVIES ON TABLE OLIVES AND OLIVE OIL**

I, John Henry Steenhuisen, Minister of Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**MR J.H. STEENHUISEN, MP
MINISTER OF AGRICULTURE**

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 indicates otherwise:

“cultivar” means a type of *Olea europaea* tree which may include cultivars such as Mission, Leccina, Frantoio, Coratina, Kalamata or any other recognised *Olea europaea* cultivar;

“fresh olives” means the unprocessed fruits of the *Olea europaea* to be used for the production of table olives, olive paste or olive oil;

“grower” means any entity involved in growing the *Olea europaea* to be sold for commercial gain, i.e. nurseries;

“olive oil processor” means the entity which extracts olive oil from fresh olives;

“olive products” means the processed products obtained from fresh olives, namely table olives, extra virgin olive oil and virgin olive oil;

“olive trees” means *Olea europaea* trees of any cultivar;

“olives” means the fruits of the *Olea europaea*;

“processed olive products” means the fruits which have been processed and are ready for consumption;

“processed table olives” means olives that have been processed and are ready for consumption;

“producer” means the entity which grows olive trees to produce fresh olives for commercial gain;

“table olive packer” means the entity which buys in processed table olives in bulk and packages these olives for resale;

“table olive processor” means the entity which converts the fresh olives into product which can be consumed;

“the Act” means the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996); and

“virgin olive oil” means olive oil which conforms to all the conditions set out by the International Olive Council (IOC) for extra virgin olive oil.

A person shall have a choice to register as either a producer or as an importer or as a processor. A person who is a producer as well as an importer and/or processor, must register as a producer and as an importer and/or processor.

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

2. The levy is needed by SA Olives to fund research projects, technical information and technology transfer; quality control and certification; information and statistics; communication, consumer education and market development; and transformation and training for the olive industry.

These measures are necessary to ensure that continuous, timeous and accurate information relating to the olive industry, is available to all role players in order for them to make informed decisions.

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 olive products.

The measure will be administered by SA Olive, a company established in terms of the Companies Act (as amended) 2008 (Act 71 of 2008). SA Olive will implement and administer the measure as set out in this Schedule.

Products to which statutory measure applies.

3. This statutory measure shall apply to table olives and olive oil both from domestic production and imports, including packing and agro - processing.

Area in which measure shall apply

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

Imposition of levy

5. A levy is hereby imposed on table olives and olive oil.

Amount of levy

6. The amount of the levy shall be:
 - (a) 15 c/kg on all table olives; and
 - (b) 65 c/litre on all olive oil.

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall –
 - (a) be payable by a table olive and/or olive oil producer and/or processor and/or importer, including packing and agro – processing.
- (2) A levy imposed under clause 5 shall be payable to SA Olive in accordance with clause 8.

Payment of levy

8. (1) Payment of the levy shall be made not later than thirty (30) days following the month end wherein a quantity of table olives and/or olive oil was delivered for sale on the domestic or international market or imported for sale on the domestic market. Payment shall only apply to the first point of sale.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of SA Olive, and shall –
- (a) when paid by cheque, be addressed to –
SA Olive Offices – 4 A
Klein Joostenberg
The Courtyard,
Muldersvlei,
7607
- (b) when electronically transferred, be paid to the bank account obtainable from SA Olive 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.

DEPARTMENT OF AGRICULTURE

No.R.

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

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND
RETURNS RELATING TO OLIVE TREES AS WELL AS DOMESTIC
PRODUCTION AND PROCESSING OF TABLE OLIVES AND OLIVE OIL,
AND IMPORTATION OF TABLE OLIVES AND OLIVE OIL**

I, John Henry Steenhuisen, Minister for Agriculture acting under sections 13 and 18 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby establish the statutory measure set out in the Schedule.

MR J.H. STEENHUISEN, MP
MINISTER OF AGRICULTURE

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 indicates otherwise:

“Extra virgin olive oil” means olive oil which conforms to all the conditions set out by the International Olive Council (IOC) for extra virgin olive oil;

“exporter” means an entity which exports processed and or unprocessed fruits and or products of *Olea europaea*;

“fresh olives” means the unprocessed fruits of the *Olea europaea* to be used for the production of table olives, olive paste or olive oil;

“grower” means any entity involved in growing the *Olea europaea* to be sold for commercial gain, i.e. nurseries;

“importer” means an entity which imports packaged product ready for retail distribution;

“olive industry” means all participants and role players in the South African olive industry;

“olive oil packer” means the entity which buys in olive oil in bulk and packages the oil for resale;

“olive pomace oil” means oils that are obtained by treating olive-pomace with solvents or other physical treatments, excluding oils that are obtained by re-esterification processes and any mixture with oils of other kinds with the exception of olive oil;

“olive oil processor” means the entity which extracts olive oil from fresh olives;

“olive products” means the processed products obtained from fresh olives, namely table olives, extra virgin olive oil and virgin olive oil;

“olives” means the fruits of the *Olea europaea*;

“processed olive products” means the fruits which have been processed and are ready for consumption;

“processed table olives” means olives that have been processed and are ready for consumption;

“producer” means the entity which grows olive trees to produce fresh olives for commercial gain;

“table olive packer” means the entity which buys in processed table olives in bulk and packages these olives for resale;

“table olive processor” means the entity which converts the fresh olives into product which can be consumed;

“the Act” means the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996); and

“virgin olive oil” means olive oil which conforms to all the conditions set out by the International Olive Council (IOC) for extra virgin olive oil.

A person shall have a choice to register as either a producer or as an importer or as a processor. A person who is a producer as well as an importer and/or processor, must register as a producer and as an importer and/or processor.

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

2. The purpose and aims of the statutory measure is to compel the parties set out herein to keep records and render returns to SA Olive. This is necessary to ensure that continuous, timeous and accurate information

relating to the products as defined, is available to all role players in the SA Olive Industry. Such information is deemed essential for all role players in order for them to make informed decisions. By prescribing the keeping of records with the rendering of returns on an individual basis, import and production information of table olives and olive oil can be processed and disseminated.

The establishment of the measure will assist in promoting the efficiency of the marketing of olive products. The viability of the olive industry should thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice. Any information obtained will be dealt with in a confidential manner and no sensitive client-specific information will be made available to any party without the prior approval of the party whose rights may be affected.

It will be administered by SA Olive, a company established in terms of the Companies Act (as amended) 2008 (Act 71 of 2008). SA Olive will implement and administer the measure as set out in this Schedule.

Products to which statutory measure applies.

3. This statutory measure shall apply to table olives and olive oil obtained from domestic consumption and/or imports, including packing and agro - processing.

Area in which measure shall apply.

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

Records to be kept and returns to be rendered.

5. (1A) All producers, importers and processors of table olives and olive oil shall keep such records and render the returns as may be required by SA Olive relating to
 - (a) Olive trees; and
 - (b) Volumes of table olives and olive oil.
- (1B) No records or returns will be required in terms of this measure which could be regarded as confidential or of a marketing

nature. Specifically, no information which reflects amongst others contracting parties, buyers of olive products, cost of services, price of products or similar information will be required.

- (2) The National Department of Agriculture or its assignee shall render a copy of all import certificates or furnish the information required by SA Olive contained in such certificates within the period specified in sub-clause (4)
- (3) The records referred to in sub-clause (1) shall –
 - (a) be recorded on a computer or with ink in a book;
 - (b) be kept at the registered premises of the person required to keep it for a period of at least three years.
- (4) The returns referred to in sub-clause (1) shall be rendered on forms obtainable free of charge for this purpose from SA Olive within 15 days after the end of the month in which the returns have been requested.
 - (a) be submitted, when forwarded by post, to –

SA Olive Offices – 4 A
Klein Joostenberg
The Courtyard,
Muldersvlei,
7607
 - (b) when delivered by hand, be delivered to –

SA Olive Offices – 4 A
Klein Joostenberg
The Courtyard,
Muldersvlei,
7607
 - (c) when sent by telefax, be addressed to –

Tel: +27 21 201 8506
 - (d) when sent by E-mail, addressed to –

info@saolive.co.za

Commencement and period of validity

6. This statutory measure shall come into operation on the date of publication hereof and shall lapse 4 years later.

DEPARTMENT OF AGRICULTURE

No.R.

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

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF
PRODUCERS, PROCESSORS AND IMPORTERS OF TABLE OLIVES AND
OLIVE OIL**

I, John Henry Steenhuisen, Minister for Agriculture, acting under sections 13 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby establish the statutory measure set out in the Schedule.

MR J.H. STEENHUISEN, MP
MINISTER OF AGRICULTURE

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 indicates otherwise:

“Extra virgin olive oil” means olive oil which conforms to all the conditions set out by the International Olive Council (IOC) for extra virgin olive oil;

“exporter” means an entity which exports processed and or unprocessed fruits and or products of *Olea europaea*;

“fresh olives” means the unprocessed fruits of the *Olea europaea* to be used for the production of table olives, olive paste or olive oil;

“grower” means any entity involved in growing the *Olea europaea* to be sold for commercial gain, i.e. nurseries;

“importer” means an entity which imports packaged product ready for retail distribution;

“olive industry” means all participants and role players in the South African olive industry;

“olive oil packer” means the entity which buys in olive oil in bulk and packages the oil for resale;

“olive pomace oil” means oils that are obtained by treating olive-pomace with solvents or other physical treatments, excluding oils that are obtained by re-esterification processes and any mixture with oils of other kinds with the exception of olive oil;

“olive oil processor” means the entity which extracts olive oil from fresh olives;

“olive products” means the processed products obtained from fresh olives, namely table olives, extra virgin olive oil and virgin olive oil;

“olives” means the fruits of the *Olea europaea*;

“processed olive products” means the fruits which have been processed and are ready for consumption;

“processed table olives” means olives that have been processed and are ready for consumption;

“producer” means the entity which grows olive trees to produce fresh olives for commercial gain;

“table olive packer” means the entity which buys in processed table olives in bulk and packages these olives for resale;

“table olive processor” means the entity which converts the fresh olives into product which can be consumed;

“the Act” means the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996); and

“virgin olive oil” means olive oil which conforms to all the conditions set out by the International Olive Council (IOC) for extra virgin olive oil.

A person shall have a choice to register as either a producer or as an importer and/or a processor. A person who is a producer as well as an importer and/or a processor must register as a producer and as an importer and/or a processor.

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

2. The purpose and aims of the statutory measure is to compel the parties set out herein to register with SA Olive. Registration is necessary to assist the SA Olive industry in ensuring that continuous, timeous and accurate information relating to the industry, is available to all role

players. Such information is deemed essential for all role players in order for them to make informed decisions. By combining compulsory registration with the keeping of information and the rendering of returns on an individual basis, generic information for the whole of the industry can be processed and disseminated and will form the basis for the collection of levies where applicable and appropriate.

The establishment of the measure would assist in promoting the efficiency of the production and marketing of table olives and olive oil. The viability of the olive industry will thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice.

It will be administered by SA Olive, a company established in terms of the Companies Act (as amended) 2008 (Act 71 of 2008). SA Olive will implement and administer the measure as set out in this Schedule.

Products to which statutory measure applies

3. This statutory measure shall apply to table olives and olive oil, both from a domestic source and on imported product, including packing and agro - processing.

Area in which measure shall apply

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

Registration of parties concerned

5. (1) All producers, growers, processors, packers, importers of olive products shall register with SA Olive in the manner prescribed in clause 6.
- (2) Each person who becomes a producer, grower, processor, packer, importer of fresh olives and/or olive products shall register with SA Olive within 30 days after he/she became a producer, grower, processor, packers, importer of fresh olives and/or olive products.

- (3) A person shall have a choice to register as either a producer or processor or importer.
- (4) A person who is a producer as well as an importer and/or a processor shall register as a producer and as an importer and/or a processor.

Application for registration

6. Application for registration shall –

- (1) be made within 30 days of the commencement of this statutory measure, and in the case of a person becoming a party as contemplated in clause 5 after such date of commencement, within 30 days of becoming such a party;
- (2) be made on the application form obtainable free of charge from SA Olive;
- (3) be submitted, when forwarded by post, to –
SA Olive Offices – 4 A
Klein Joostenberg
The Courtyard,
Muldersvlei,
7607
- (4) when delivered by hand, be delivered to –
SA Olive Offices – 4 A
Klein Joostenberg
The Courtyard,
Muldersvlei,
7607
- (5) when sent by telefax, be addressed to –
Tel: +27 21 201 8506
- (6) when sent by E-mail, addressed to –
info@saolive.co.za

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.