

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. R. 5709****20 December 2024****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, John Henry Steenhuisen, Minister of Agriculture, 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.

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

"dried vine fruit" means all dried vine fruit (i.e. 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 the Republic of South Africa, and includes a person who arranges or handles the exports in the name of, or on behalf of another person;

"handle(s)" or "handled" means receive, store, dispatch or process;

"importer" means a person who imports dried vine fruit into the Republic of 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;

"processor" includes any person concerned in the processing of dried vine fruit;

"producer" includes any person concerned in the production of dried vine fruit;

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

"Raisins South Africa NPC (Raisins SA)" means the non-profit company incorporated 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 non-profit 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 informed on strategic issues. Raisins SA is located at, 9 Groenpunt Avenue, Keidebees, Upington, Northern Cape, South Africa;

"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; and

"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

3. The purpose and aim of this statutory measure are to impose an obligation on importers, packers, producers, exporters, marketers, handlers/traders and processors of dried vine fruit to keep records and submit returns to Raisins SA within the required timeframe. The aforementioned categories / persons shall include any person who acts on behalf of and/or acts in a representative capacity of the aforementioned categories/persons. This statutory measure is necessary to ensure that market information in respect of dried vine fruit is made available accurately by Raisins SA to all role-players in the dried vine fruit industry. Information gathered by Raisins SA by means of records and

returns is disseminated freely by Raisins SA in the marketplace/industry. Through the mandatory submission of records and returns (weekly during intake) on an individual basis, market information for the whole country can be processed and disseminated in the marketplace/industry.

This statutory measure will not only facilitate access for all role-players in the industry, but also assist in promoting the effective marketing of dried vine fruit. The market information obtained in this manner, will further promote the viability of the dried vine fruit industry and the agricultural sector at large.

Product to which statutory measure applies

4. This statutory measure shall apply to all dried vine fruit (as defined in section 1 above), which is produced in, processed in, handled in, marketed, exported from and/or imported into the Republic of South Africa.

Area in which statutory measure applies

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

Records to be kept by importers, packers, exporters, producers, marketers, handlers/traders and processors of dried vine fruit

6.
 - (1) Each producer, importer, packer, exporter, marketer and processor of dried vine fruit shall keep complete records for each calendar month in respect of dried vine fruit produced, processed, packed, marketed, imported or exported. The aforementioned categories shall also include any persons who acts in the capacity of the aforementioned persons.
 - (2) Each person mentioned in section 6(1) above, irrespective of whether or not he / she / it owns / leases premises from which he / she / it produces, processes, packages, markets, imports, exports, handles/traders or arranges the aforementioned in relation to dried vine fruits, shall keep the following records:
 - (a) **Opening stock** - the opening stock of all dried vine fruit physically on his/her/its premises or arranged for on the first day

of a calendar month.

- (b) **Producer deliveries (exclusive of imports)** - all dried vine fruit received directly from the farm of a producer on his / her / its premises according to fruit kind of production. This shall 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 the Republic of South Africa.
 - (bb) exports per country of destination.
- (d) Receipts other than '**producer deliveries**', '**processed**' and '**imports**' mentioned in this section - all dried vine fruit received at the premises other than dried vine fruit already declared above as 'producer deliveries', 'processed' 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) **Processed** - all dried vine fruit processed on the 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 internationally and locally, 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 the premises to other premises other than those mentioned in section 6(2)(f) above, 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) **Marketers** - records shall be kept of all dried vine fruit marketed monthly, per market destination.
 - (i) **Closing stock** - the closing stock of all dried vine fruit physically on the premises on the last day of a calendar month.
 - (j) **Storage of dried vine fruit on a producer's premises** - the quantity of dried vine fruit that is in a storage facility on the producer's premises on the last day of a calendar month and of which the full ownership has already passed on to the keeper of the records.
 - (k) **Aggregate price information** is vital information to ensure price transparency throughout the value chain. This information will be sourced from all raisin exporters. This information will be collected, analysed and published by a nominated 3rd part (such as Agri-hub). The publication thereof will be anonymous. No individual information will be made available.
- (3) Records mentioned in sections 6(1) and 6(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 (4) 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 vine census and fruit produced.

Returns to be rendered by importers, producers, packers, exporters, marketers, handlers/traders and processors of dried vine fruit

7. (1) Volume intake (dried vine fruit – grower supplied) shall be recorded weekly and reported accordingly to Raisins SA as set out in the sub-sections below.
- (2) Each importer, producer, packer, exporter, marketer and processor of dried vine fruit shall within 15 (fifteen) days after the end of each calendar month furnish an accurate return to Raisins SA in respect of dried vine fruit produced, packed, processed, marketed, handled, imported or exported. The aforementioned categories shall also include any persons who acts on behalf of the legal person/entity.
- (3) Each importer, producer, packer, exporter, marketer, handler / trader and processor of dried vine fruit shall report stock levels (closing- and opening stock) on 1 January of each year and 31 July of each year, on an annual basis.
- (4) The return shall be furnished on the form obtainable free of charge from Raisins SA and shall be completed electronically. Total returns for a specific year must reach Raisins SA by 31 May of each year, after which the final volume numbers will be reconciled by end of July of each year, on an annual basis.
- (5) The return shall
- (a) 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 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 section 7(1) above.
- (7) A zero return shall be submitted if no dried vine fruit was produced,
packed, processed, marketed, handled, imported or exported during the
period of the return.

Offences and Penalties

- 8. In the event of any person contravening and/or failing to comply with any
provision of this statutory measure, section 24 of the Act shall apply.

Commencement and period of validity

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