

No. R. 51

30 January 2015

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996**(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE - REGISTRATION OF CERTAIN PERSONS IN
RESPECT OF POME FRUIT, STONE FRUIT, GRAPES AND CITRUS FRUIT**

I, Senzeni Zokwana, Minister for Agriculture, Forestry and Fisheries 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.

S. ZOKWANA,

Minister for Agriculture Forestry and Fisheries.

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 –

“CGA” Citrus grower Association

“Citrus Fruit” means Oranges, Lemons, Grapefruit, Pummelos, Soft Citrus and all hybrids of these;

“Exporter” means a person who export fruit for his own account, or acts as an agent on a commission basis on behalf of fruit producers;

“FPEF” means Fresh Produce Exporters Forum

“Grapes” means Table Grapes;

“Hortgro” is the grower association representing the Pome and Stone fruit producers

“Importer” means a person or trader who imports fruit for sale on the domestic market.

“ISP” means Information Service Providers

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

“PPECB” means Perishable Products Exports Control Board

“Pome Fruit” means apples, pears and all hybrids of these

“Producer” means a producer of fruit intended for exports;

“Retailer” means a person who trades fruit on a retail level on the domestic market;

“SATI” means South African Table Grapes Industry;

“Stakeholders” mean market participants which are the growers, pack houses, depots and exporters;

“Stone Fruit” means Peaches, Plums, Apricots, Nectarines and all hybrids of these;
and

“the Act” means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996) as amended.

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

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

2. The purpose and aims of this statutory measure are to compel exporters and producers of fruit to register with Agri-hub. These shall also include any person e.g. a producer who acts in the capacity of the aforementioned persons. Registration of the said persons is necessary in order to ensure that market information in respect of fruit is made available for all role-players in the relevant industry. Information gathered by Agri-hub by means of records and returns is disseminated freely in the market place. Through the mandatory registration of all the stakeholders and submission of electronic transmission files on an individual basis, market information for the whole of the country can be processed and disseminated in the marketplace.

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

This statutory measure will not only assist in improving market access for all market participants, but it should also assist in promoting the efficiency of the marketing of fruit. Furthermore, the market information obtained in this manner, will promote the viability of the fruit industry and the agricultural sector at large.

The statutory measure is administered by Agri-hub. Agri-hub was specifically established for the purpose of registration and handling information gathering, processing and dissemination on behalf of the various fruit role-players in South Africa.

Agri-hub makes macro generic market information available to the grower associations and other interested parties. This information is obtained and furnished

from the returns submitted to Agri-hub. The information is published in a manner that is suitable to reach the majority of the role-players in the fruit industry.

Agri-hub is an independent registered company with equal shareholding between CGA, Hortgro, SATI, (representing the grower associations), FPEF (representing the Exporters), Dipar, Farsoft, Paltrack and Prophet (representing the ISP)

Product to which statutory measure applies

3. This statutory measure shall apply to:
- (a) Pome Fruit
 - (b) Stone Fruit
 - (c) Citrus Fruit
 - (d) Table Grapes

Area in which statutory measure applies

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

Registration of exporters or stakeholders of Pome Fruit, Stone Fruit, Citrus Fruit and Table Grapes industry.

5. (1) All exporters or stakeholders of Pome Fruit, Stone Fruit, Citrus Fruit and Table Grapes industry shall register as such with Agri-hub in the manner set out in clause 6. These shall also include any person e.g. a producer who acts in the capacity of the aforementioned persons.

(2) Each person who becomes an exporters or stakeholders of Pome Fruit, Stone Fruit, Citrus Fruit and Table Grapes industry after the date at which this statutory measure comes into force, shall register with Agri-hub within 30 days after he became an exporter or stakeholder.

(3) Each exporter or stakeholder who registered with Agri-hub in terms of Government Notice R.1045, R.1046, R.1047 and R.1048 of 27 October 2000 as amended, shall be deemed to be registered with Agri-hub in terms of this statutory measure.

(4) Upon registration a certificate of registration will be issued by Agri-hub to the applicant.

(5) The registration certificate issued in terms of subclause (4) shall expire when this statutory measure is revoked or when it is cancelled by Agri-hub.

(6) Every exporter or stakeholder of Pome Fruit, Stone Fruit, Citrus Fruit and Table Grapes shall notify Agri-hub in writing within 30 days after he has ceased to act in that capacity, whereupon his registration will be cancelled.

(7) The provisions of clause 6 shall apply *mutatis mutandis* to persons who were already registered with Agri-hub at the time of this publication.

Application for registration as exporters or stakeholders of Pome Fruit, Stone Fruit, Citrus Fruit and Table Grapes industry

- 6 (1) An application for registration in terms of clause 5 shall be made on the application form available from Agri-hub.
- (2) The application form shall be completed in ink by a person who is duly authorised and it shall be accompanied by the corroborating documentation as specified in the application form.
- (3) The application form shall -
- (a) when forwarded by post, be addressed to -
The General Manager: Agri-hub
P.O. Box 15134
Panorama
7506, or
 - (b) when delivered by hand, be delivered to -
The General Manager: Agri-hub
Platterkloof Office Park
First Floor – Building -E
Blouelie Street
Platterkloof
 - (c) if sent electronically, be sent to:
Any of the fax numbers, e-mail addresses or any other electronic addresses as they appear on the application form.

Commencement and period of validity

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