

**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**

NO. R. 495

29 APRIL 2016

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT NO 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF PRODUCERS, PACKERS AND EXPORTERS OF FYNBOS PRODUCTS**

I, SENZENI ZOKWANA, Minister for Agriculture, Forestry & Fisheries, acting under sections 15 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.

**SENZENI ZOKWANA,**  
Minister for Agriculture, Forestry & Fisheries.

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**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 –

“Exporter” means a person or organisation who exports fynbos products for his own account, or acts as an agent on behalf of producers and/or packers of fynbos products;

“Fynbos” refers to plant material from the families *Proteaceae*, *Ericaceae*, *Restionaceae* and *Bruniaceae* including any derived plant material such as hybrids, selections or mutations produced and harvested from natural veld, dedicated prepared dry land and/or irrigated planted areas and exported within a cold chain environment;

“Packer” means a person or organisation who manufactures bouquets and other derived products utilising, inter alia, fynbos material;

“Producer” means a producer of fynbos products harvested from natural veld, from dedicated prepared dry land and/or irrigated production conditions.

A person shall have a choice to register as either a producer or as a packer or as an exporter. A person has to register for each of the categories (producer, packer or exporter) for which he qualifies.

**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 Cape Flora SA (CFSA). Registration is necessary to assist the CFSA in ensuring that continuous, timeous and accurate information relating to the fynbos 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 fynbos products. The viability of the fynbos industry will thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice.

The measure will be implemented and administered by CFSA a not for profit company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008).

#### **Products to which statutory measure applies.**

3. This statutory measure shall apply to all fynbos products destined for exports within a cold chain environment.

#### **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, packers and exporters of fynbos products shall register with CFSA.  
(2) A person shall have a choice to register as either a producer, packer or exporter.  
(3) A person has to register for each of the categories (producer, packer or exporter) for which he qualifies.

#### **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 CFSA;
  - (3) be submitted, when forwarded by post, to –  
CFSA  
PO Box 163  
PAARL  
7622
  - (4) when delivered by hand, be delivered to –  
CFSA  
Main Road 258  
PAARL
  - (5) when sent by telefax, be addressed to –  
021-870 2915
  - (6) when sent by E-mail, addressed to –  
[info@capeflorasa.co.za](mailto:info@capeflorasa.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.