
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 1020

23 OCTOBER 2015

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

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF PRODUCERS,
EXPORTERS AND PROCESSORS OF POMEGRANATES**

I, SENZENI ZOKWANA, Minister of Agriculture, Forestry & 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.

SENZENI ZOKWANA,

Minister of Agriculture, Forestry & 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 –

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

“**Importer**” means a person who imports pomegranates.

“**Pomegranate**” means the fruit of *Punica granatum* L;

“**Pomegranate Producer**” means a producer of pomegranates intended for fresh fruit exports and domestic fresh consumption, as well as for the production of juice or concentrate;

“**Processor**” means a pomegranate juice or concentrate manufacturer;

A person shall have a choice to register as either a producer or an exporter or processor. A person who is a producer as well as an exporter must register as a producer and as an exporter 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 register with POMASA. Registration is necessary to assist POMASA in ensuring that continuous, timeous and accurate information relating to the products as defined, is available to all role players. Market 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, market 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 marketing of pomegranate products. The viability of the pomegranate 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 administered by POMASA, a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). POMASA will implement and administer the measure as set out in the Schedule.

Products to which statutory measure applies.

3. This statutory measure shall apply to pomegranates intended for export and/or for juice or concentrate processing as well as imported pomegranates.

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, exporters of pomegranates and/or processors of pomegranates shall register with POMASA.
 - (2) A person shall have a choice to register as either a producer or exporter or importer or processor.
 - (3) A person who is a producer as well as a processor or exporter shall register as a producer and as exporter or processor.

Application for registration

6. Application for registration shall –
 - (1) be made within thirty (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 thirty (30) days of becoming such a party;
 - (2) be made on the application form obtainable free of charge from POMASA;

- (3) be submitted, when forwarded by post, to –

POMASA
PO Box 163
PAARL
7620

- (4) when delivered by hand, be delivered to –

POMASA
Main Road 258
PAARL
7646

- (5) when sent by telefax, be addressed to –

021-870 2915

- (6) when sent by E-mail, addressed to –

info@sapomegranate.co.za

Commencement and period of validity

7. This statutory measure shall come into operation on 1 January 2016 and will lapse four (4) years later.