

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

**ESTABLISHMENT OF STATUTORY MEASURE:
RECORDS AND RETURNS RELATING TO VINES; AS WELL AS
PRODUCTION & MARKET INFORMATION OF TABLE GRAPES**

I, John Henry Steenhuisen, Minister of Agriculture acting under sections 13 and 18 of the Marketing of Agricultural Product 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 otherwise indicates -

“Exporter” means a person who trades table grapes for his own account, or acts as an agent on a commission basis or for a fee to export table grapes on behalf of table grape producers;

“SATI” means the South African Table Grape Industry NPC, a non-profit company incorporated in terms of the Companies Act, 71 of 2008, whose members are producers who produce table grapes within the borders of South Africa;

“Table grapes” means fresh table grapes;

“Table grape producer” means a producer of table grapes intended for fresh table grape exports; and

“Vines” means vines intended for the production of table grapes.

A person shall register as either a producer or an exporter. A person who is a producer as well as an exporter must register as a producer and as an exporter.

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 are to compel the parties set out herein to keep records and render returns as may be specified to SATI. This is necessary to ensure that continuous, timeous and accurate information relating to table grapes is available to relevant role players. Market information is deemed essential for all relevant role players in order to them to make informed decisions. By prescribing the keeping of records

with the rendering of returns on an individual basis, export market and production information for the table grape industry can be processed and disseminated.

The establishment of the measure should assist in promoting the efficiency of the marketing of table grapes. The viability of the table grape 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 or potentially sensitive client-specific information will be made available to any party without the prior approval of the party whose rights are affected.

The measures will be implemented and administered by SATI.

Products to which statutory measure applies

3. This statutory measure shall apply to all volumes of table grapes, intended for export.

Area in which statutory measure applies

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. (1) All table grape producers and exporters shall keep such records and render the returns as may be required by SATI relating to:
 - (a) vine surveys; and
 - (b) the volume of table grapes produced; and
 - (c) the volume of table grapes intended for export.
- (2) No records or returns which contain confidential information shall be required in terms of this measure to be disclosed, and in particular, no returns disclosing, inter alia, of contracting parties, purchasers of fruit; prices of services or prices obtained for fruit, or any similar information shall be required to be furnished.

- (3) The National Department of Agriculture or its assignee shall render a copy of all export certificates or furnish the information required by SATI contained in such certificates within the periods specified in sub-clause five (5).
- (4) 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 (3) years.
- (5) The returns referred to in sub-clause (1) shall be rendered on forms obtainable free of charge for this purpose from SATI within 15 days after the end of the month in which the returns have been requested and shall –
- (a) be submitted, when forwarded by post, to
SATI
P O Box 2932
PAARL
7620
 - (b) when delivered by hand, be delivered to –
SATI
63 Main Street,
PAARL,
7646
 - (c) when sent by E-mail, addressed to –
info@satqi.co.za

Commencement and period of validity

6. This is statutory measure shall come into operation on the date of publication hereof and shall lapse after four (4) years.