

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 1652

31 December 2021

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

**CONTINUATION OF STATUTORY MEASURE REGARDING RECORDS AND
RETURNS IN RESPECT OF MILK AND OTHER DAIRY PRODUCTS**

I, Angela Thoko Didiza, Minister of Agriculture, Land Reform and Rural Development, acting under sections 10, 13, 14 and 18 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby amend Regulation 1396, dated 15 December 2017 and to change it to be as set out in the attached Schedule.

**MRS ANGELA THOKOZILE DIDIZA
MINISTER FOR AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**

SCHEDULE

1. Definitions

In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, unless the context otherwise indicates -

“consumers” means the end users of milk;

“milk producer” means a person that produces milk by the milking of cows, goats or sheep;

“retailers” means persons that sell milk directly to consumers; and

“the Act” means the Marketing of Agricultural Products Act, 1996 (Act 47 of 1996), as amended.

2. The persons listed under 3, shall keep records of the following:

- The quantity (in kg) of raw (unprocessed) cow's milk bought per month;
- The quantity (in kg) of raw milk (unprocessed) cow's milk produced per month;
- The quantity (in kg) of raw (unprocessed) cow's milk sold per month to consumers and retailers;
- The quantity (in kg) of raw (unprocessed) cow's milk (in kg) sold per month outside the jurisdiction of the Republic of South Africa or moved per month outside the jurisdiction of the Republic of South Africa;
- The quantity (in kg) of raw (unprocessed) cow's milk used per month for the production of unsweetened, unflavoured long-life milk (UHT milk) including unsweetened, unflavoured sterilised milk;

- The quantity (in kg) of raw (unprocessed) cow's milk used for the production of unsweetened and unflavoured fresh milk (pasteurised and ultra-pasteurised milk);
 - The quantity (in kg) of raw (unprocessed) cow's milk used per month to produce sweetened and/or flavoured, and/or coloured milk;
 - The quantity (in kg) of raw (unprocessed) cow's milk used per month to manufacture fermented products namely maas, yoghurt, kephir and buttermilk;
 - The quantity (in kg) of raw (unprocessed) cow's milk used per month to manufacture full cream milk powder;
 - The quantity (in kg) of raw (unprocessed) cow's milk used per month to manufacture cheese other than cottage and cream cheese;
 - The quantity (in kg) of whey powder manufactured per month;
 - The quantity (in kg) of butter manufactured per month;
 - The quantity (in kg) of goat's milk sold per month to consumers and retailers;
 - The quantity (in kg) of raw (unprocessed) cow's milk used per month to manufacture skimmed milk powder;
 - The quantity (in kg) of goat's milk used per month to manufacture other products;
 - The quantity (in kg) of sheep's milk sold per month to consumers and retailers;
 - The quantity (in kg) sheep's milk used per month to manufacture other products; and
 - The quantity (in kg) of raw (unprocessed) cow's milk sold to persons registered in terms of Section 3 and the contact details of such persons.
3. The records described under 2, shall be kept by the persons described in 3(a), 3(b) and 3(c) for a minimum of five years and such records shall be made available to inspectors appointed by the Minister upon request of the inspectors;

- a) Persons who buy raw (unprocessed) milk for the purpose of selling it after processing or to use it to manufacture other products, or to sell it to persons located outside the jurisdiction of the Republic of South Africa, or to move it outside the jurisdiction of the Republic of South Africa;
 - b) Persons who are milk producers and who process the raw (unprocessed) milk produced by them, or use it to manufacture other products, or who sell it to consumers, or who sell it to persons located outside the jurisdiction of the Republic of South Africa, or who move it outside the jurisdiction of the Republic of South Africa; and
 - c) Persons who sell raw (unprocessed) milk to retailers.
4. Each of the persons described under 3, shall within 15 days of the end of each month furnish a return form, as prescribed by Milk SA and containing information regarding the records described under 2 to Milk SA.
 5. The returns described under 4 shall:
 - (a) when forwarded by post, be addressed to:

Milk SA
PO Box 1961
Brooklyn Square
0075
 - (b) when delivered by hand, delivered to:

Milk South Africa NPC
Brooklyn Court Building B

First Floor
361 Veale Street
Nieuw Muckleneuk
Brooklyn
Pretoria
0181

- (c) when submitted electronically, be addressed to:

admin@milksa.co.za

6. The statutory measure described in this schedule shall -
- (a) apply within the geographic area of the Republic of South Africa; and
 - (b) come into operation on 1 January 2022 and shall lapse on 31 December 2025.
7. This statutory measure will advance more than one of the objectives of the Act. The information obtained through this statutory measure, will be important in respect of the advancement of market access, efficiency of marketing of milk and other dairy products and the viability of the dairy industry. The information and the analysis thereof will make market signals visible for role players in the industry and for Government institutions and will contribute significantly to the achievement of the relevant objectives of the Act.
- The requested statutory measure can in no way impact negatively on any of the objectives set out in Section 2(2) and Section 2(3) of the Act.
8. Confidential information of any person subject to this statutory measure, obtained by Milk SA through the implementation, administration and

enforcement of this statutory measure, shall be dealt with by Milk SA in accordance with section 23 (2) of the Act.

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