

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 1397

15 DECEMBER 2017

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No 47 OF 1996)****CONTINUATION OF STATUTORY MEASURE FOR THE REGISTRATION OF
PERSONS INVOLVED IN THE SECONDARY DAIRY INDUSTRY**

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, acting under sections 10, 13, 14 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby amend Regulation 1219, dated 20 December 2013 and to change it to be as set out in the attached Schedule.

SENZENI ZOKWANA**MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES.**

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 following persons shall register with Milk SA:

- a) Persons who buy raw (unprocessed) milk for the purpose of processing it 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 import milk and other dairy products classifiable under customs tariff headings 04.01, 04.02, 04.03, 04.04, 04.05 and 04.06;
- c) 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

- d) Persons who sell raw (unprocessed) milk to retailers.
3. A person who should, in terms of 2, register with Milk SA shall submit an application for registration to Milk SA within 30 days from the date of commencement of this statutory measure and persons who become subject to the registration after date of commencement of this statutory measure, shall register with Milk SA within 30 days after becoming subject to the registration.
4. Application for registration shall be in the format as prescribed by Milk SA and shall contain the following details:
- * Name
 - * Legal status and relevant registration number and, in the case of a natural person, the identification number of the person;
 - * Electronic address;
 - * Telephone number;
 - * Fax number;
 - * Physical address
 - * Name of contact person; and
 - * E-mail address and identification number of the contact person.

The nature of their involvement according to the following categories:

- persons who buy raw (unprocessed) milk for the purpose of processing it 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;
- persons who import milk and other dairy products classifiable under customs tariff headings 04.01, 04.02, 04.03, 04.04, 04.05 and 04.06;

- 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
 - persons who sell raw (unprocessed) milk to retailers.
5. Persons registered with Milk SA should inform Milk SA of any change in respect of the information submitted as part of the registration to Milk SA within 30 days of the change.
6. Applications for registration with Milk SA 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 SA
Brooklyn Forum Building
Ground Floor (GL004)
C/o Fehrsen & Veale Street
Brooklyn
Pretoria

(c) when submitted electronically, be addressed to:

admin@milksa.co.za

7. 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 the date of publication hereof and shall lapse on 31 December 2021.

8. This statutory measure will advance more than one of the objectives of the Act. The information obtained through registration is important in respect of market access, efficiency of marketing and the viability of the industry and it will facilitate communication in the industry aimed at matters of common interest such as technical issues, food safety, product standards and other issues regarding the improvement of the viability of the industry.

The requested statutory measure can in no way impact negatively on any of the objectives set in Section 2(2) and Section 2(3) of the Act.

9. 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.