

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 750

27 JULY 2018

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

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION BY SELLERS OF
TABLE EGGS TO THE TRADE**

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 establish the statutory measure 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 and, unless the context indicates otherwise –

“**table eggs**” means non-fertile eggs of the species *Gallus gallus domesticus* for domestic consumption

“**levy administrator**” means the South African Poultry Association, the juristic person entrusted with the implementation, administration and enforcement of the statutory measure established under this regulation; and

“**the Act**” means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996).

2. PURPOSE AND AIMS OF THE STATUTORY MEASURES AND THE RELATION THEREOF TO OBJECTIVES OF THE ACT

The purpose and aims of this statutory measure is to compel establishments selling table eggs to the trade to register with the levy administrator. This is necessary to ensure that continuous, timeous and accurate market information relating to eggs sold to the trade is available to all role-players. Market information is deemed essential for all role-players in order for them to make informed decisions.

The establishment of the statutory measure should assist in promoting the efficiency of the marketing of table eggs. The viability of the egg industry should thus be enhanced.

The measure is not detrimental to any of the objectives of the Act and, in particular, shall not be detrimental to the number of employment opportunities or fair labour practice in the egg industry.

Confidential information of any person subject to this statutory measure obtained by the levy administrator through the implementation, administration and enforcement of this statutory measure shall be dealt with in accordance with section 23(2) of the Act.

The measure shall be administered by the levy administrator who will appoint a third party to assist them with the registration of the identified role-players. The latter shall act in terms of the mandate and on behalf of the South African Poultry Association.

3. PRODUCT TO WHICH THE STATUTORY MEASURE SHALL APPLY

This statutory measure shall apply to –

- a) A dozen of table eggs sold to the trade.

4. AREA IN WHICH STATUTORY MEASURE SHALL APPLY

This statutory measure shall apply within the geographical area of the Republic of South Africa.

5. REGISTRATION AND ENFORCEMENT

- (1) Any table eggs establishment selling eggs to the trade.
- (2) Registration shall be done immediately upon receipt of a registration form obtainable free of charge for this purpose from the levy administrator, and shall –
 - a) be submitted, when forwarded by mail, to
The Levy Administrator
PO Box 1202
Honeydew
2040
 - b) When sent by telefax, be addressed to 011 795 2590.
- (3) Any establishment selling table eggs as defined in the levy notice may apply to the levy administrator for exemption from the provisions of clause 5(1) and 5(2) of these

regulations on the grounds that it is a welfare organisation as defined in terms of section 1 of the Value Added Tax Act, 1998 (Act no 89 of 1998).

- (4) The implementation, administration and enforcement of the statutory measure established in terms of this regulation is entrusted to the levy administrator in terms of section 14 of the Act.

6. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into operation on the date of publication and will expire on 31 March 2022.