

No. R. 885

14 November 2014

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

**ESTABLISHMENT OF STATUTORY MEASURE - REGISTRATIONS IN RESPECT OF
MANUFACTURERS, IMPORTERS AND EXPORTERS OF MAIZE PRODUCTS AND WHEATEN
PRODUCTS**

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, acting under sections 13 and 18 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 AND 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 –

“commercial purposes” means where an income, remuneration or other benefit is obtained;

"exporter" means a person who exports maize products or wheaten products from South Africa, and this includes a person who arranges or handles the exports in the name of or on behalf of another person;

"importer" means a person who imports maize products or wheaten products into South Africa, and this includes a person who arranges or handles the imports in the name of or on behalf of another person;

"maize" means the threshed and unthreshed product of plants of *Zea mays indentata*, *Zea mays indurata* and *Zea mays ceratina* or one or more of the hybrids of these, irrespective whether it is classified as white maize or yellow maize;

"maize product" means the following products derived from maize:

- Maize Chop
- Maize Grits
- Maize Rice
- Samp
- Sifted Maize Meal
- Special Maize Meal
- Super Maize Meal
- Unsifted Maize Meal;

“manufacturer” means a person who, for own use or for commercial purposes, manufactures or processes maize products or wheaten products, and this includes a person who does so in the name of or on behalf of another person;

"SAGIS" means the South African Grain Information Services, a company not for gain incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

"the Act" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);

"wheat" means the threshed or unthreshed kernels of the species *Triticum aestivum*;

“wheaten product” means the following products derived from wheat:

- Brown Pan Baked Bread (400g/600g/700g/other)
- White Pan Baked Bread (400g/600g/700g/other)
- Whole Wheat Pan Baked Bread (400g/600g/700g/other)
- Other Pan Baked Bread
- Cake Flour
- Brown Bread Flour
- White Bread Flour
- Other Bread Flour
- Self-Raising Flour
- Wheat Bran
- Wheat Meal

Purpose and Aim of statutory measure and its relation to the objectives of the Act

2. The aim and objectives of this statutory measure are to compel manufacturers, importers and exporters of maize products and wheaten products to register with SAGIS.

Registration of the said persons is necessary to enable SAGIS to make available continuous, timely and accurate market information in respect of maize products and wheaten products to the public. It is essential for market information in the deregulated market to be as accurate as possible in order for market participants to make informed decisions. Through the combination of mandatory registration of manufacturers, importers and exporters, together with the submission of monthly returns on an individual basis, market information for the whole country can be disseminated in the marketplace.

This statutory measure will not only assist in improving market access for all market participants, but it will also assist in promoting the effective marketing of maize products and wheaten products. The viability of the maize and wheat industries will thus be promoted, while at the same time food security will be enhanced. The information could also be used to determine food security policies.

The statutory measure is to be administered by SAGIS. SAGIS was specifically established for purposes of the registration of market players and for information gathering, sorting and dissemination in respect of the various cereal and oilseed industries in South Africa. SAGIS will treat all individual information as strictly confidential and can be contacted by telephone on (012) 523-1400.

Product to which statutory measure applies

3. This statutory measure shall apply to maize products and wheaten products.

Area in which statutory measure applies

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

Registration of manufacturers, importers and exporters

5. (1) All manufacturers, importers and exporters of maize products and wheaten products shall register with SAGIS in the manner set out in clause 6. This shall also include any person who acts in the capacity of the aforementioned persons.

(2) Each person who becomes a manufacturer, importer or exporter of maize products or wheaten products after the date at which this statutory measure comes into force, shall register with SAGIS within 30 days after he became such a manufacturer, importer or exporter.

(3) Upon registration of an applicant by SAGIS, a certificate of registration is to be issued to him.

(4) The registration certificate issued in terms of sub-clause (3) shall expire when it is cancelled by SAGIS or when this statutory measure is revoked.

(5) The provisions of sub-clause (4) shall apply *mutatis mutandis* to persons who are already registered with SAGIS at the time of this publication.

(6) Every manufacturer, importer and exporter of maize products or wheaten products shall notify SAGIS in writing within 30 days after he has ceased to act in that capacity, whereupon his registration will be cancelled.

Application for registration as manufacturer, importer or exporter

6. (1) An application for registration in terms of clause 5 shall be made on the application form that is available from SAGIS.

(2) The application form shall be completed on a computer or in ink by a person who is duly authorised and it shall be accompanied by the corroborating documentation as specified in the application form.

(3) The application form shall –

(a) if sent by mail, be addressed to :

The General Manager
SAGIS
P.O. Box 2267
Montanapark
0159

(b) if delivered by hand, be delivered at :

SAGIS
Montana Forum Building
Cnr Taaifontein and Tecomaria Street
Montanapark X57
Pretoria

(c) if sent electronically, be sent to :

Any of the fax numbers, e-mail addresses or other electronic addresses as stipulated on the application form.

Effective date

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse four years later.