

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 2181

24 June 2022

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

**CONTINUATION OF STATUTORY MEASURES: RECORDS AND RETURNS BY
ABATTOIRS AND EXPORTERS OF LIVE PIGS**

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 establish the statutory measure set out in the Schedule hereto.

MRS AT DIDIZA, MLP

MINISTER OF 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 and, unless the context indicates otherwise –

“abattoir” means a slaughter facility as defined in section 1 of the Meat Safety Act, 2000 (Act No. 40 of 2000), save for those facilities that have been excluded by the levy administrator after application to the levy administrator as provided for in the registration notice;

“levy administrator” means the South African Pork Producers’ Organisation, the juristic person entrusted with the implementation, administration and enforcement of the statutory measure under this regulation; and

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

2. PURPOSE AND AIM OF THE STATUTORY MEASURE AND THE RELATION THEREOF TO THE OBJECTIVES OF THE ACT

The purpose and aim of this statutory measure are to compel abattoirs and exporters of live pigs to render records and returns to the levy administrator. This is necessary to ensure that continuous, timeous and accurate information relating to pigs slaughtered and marketed or live pigs exported is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By prescribing the keeping of records with the rendering of returns on an individual basis, market information for the whole of the industry can be processed and disseminated. The establishment of the statutory measure should assist in promoting the efficiency of the marketing of pork. The viability of the pork 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 pork 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 may appoint other service providers if and when necessary to assist them with the administration of the statutory measure. The latter shall act in terms of the mandate and on behalf of the South African Pork Producers' Organisation.

3. PRODUCTS TO WHICH THE STATUTORY MEASURE APPLIES

This statutory measure shall apply to –

- a) pigs slaughtered by abattoirs for commercial use other than for own consumption;
and
- b) pigs exported live.

4. AREA IN WHICH STATUTORY MEASURE SHALL APPLY

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

5. RECORDS TO BE KEPT, RETURNS TO BE RENDERED AND THE ENFORCEMENT THEREOF

- (1) Abattoirs slaughtering pigs for commercial use other than for own consumption, and exporters of live pigs, shall keep such records and render the returns as may be required by the levy administrator.

- (2) The records referred to in sub-clause (1) shall –
 - a) be recorded on a computer or with ink in a book; and
 - b) be kept at the registered premises of the person required to keep such records for a period of at least three years.
- (3) The returns referred to in sub-clause (1) shall be rendered on a form obtainable free of charge for this purpose from the levy administrator, and shall –
 - a) be submitted, when forwarded by post, to the levy administrator; and
 - b) when sent by email, to the levy administrator.
- (4) The implementation, administration and enforcement of the statutory measure established in these Regulations are 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 1 November 2022 and will expire on 31 October 2025.