

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 749

27 JULY 2018

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

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS BY
SELLERS OF TABLE EGGS TO THE TRADE**

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, 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 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 under this regulation; and

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

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

The purpose and aim of this statutory measure is to compel the sellers of table eggs to the trade to render records and returns to the levy administrator. This is necessary to ensure that continuous, timeous and accurate information relating to the selling of table eggs 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. 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 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 administration of the statutory measure. The latter shall act in terms of the mandate and on behalf of the South African Poultry Association.

3. PRODUCTS TO WHICH THE STATUTORY MEASURE APPLIES

This statutory measure shall apply to –

- a) 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. RECORDS TO BE KEPT, RETURNS TO BE RENDERED AND THE ENFORCEMENT THEREOF

(1) Establishments selling table eggs to the trade, 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

P O Box 1202

Honeydew

2040

b) when sent by telefax, be addressed to – 011 795 2590.

(4) The implementation, administration and enforcement of the statutory measure established in 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.