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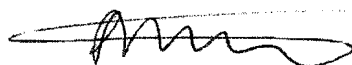
30 January 2009

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No 47 OF 1996), AS AMENDED

**ESTABLISHMENT OF A STATUTORY MEASURE FOR THE REGISTRATION
OF PERSONS INVOLVED IN THE SECONDARY DAIRY INDUSTRY**

I, Lulama Xingwana, Minister of Agriculture,

- (a) acting under sections 13 and 19 of the Marketing of Agricultural Products Act, 1996 (Act 47 of 1996) hereby establish the statutory measure as set out in the Schedule hereto; and
- (b) acting under section 14 of the Marketing of Agricultural Products Act, 1996 (Act 47 of 1996) hereby entrusts the implementation, administration and enforcement of the statutory measure described in Schedule 1 to Milk SA, an association incorporated under section 21 of the Companies Act, 1973.



L. XINGWANA

Minister of Agriculture

SCHEDULE

Definitions

1. In this schedule –

“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).

2. The following persons shall register with Milk SA:

- * persons, excluding retailers, that buy milk from milk producers with the purpose to sell it as such or to sell it after processing as milk or to use it to manufacture other products;
- * persons that import milk and other dairy products classifiable under customs tariff headings 04.01, 04.02, 04.03, 04.04, 04.05 or 04.06, with the purpose to sell it as such or to manufacture and sell other products; and
- * persons who are milk producers and that sell milk produced by them to retailers or consumers or that use such milk to manufacture other products.

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
 - * postal address
 - * electronic address
 - * telephone number
 - * physical address
 - * name of contact person
 - * telephone number of contact person
 - * the nature of their involvement according to the following categories:
 - the buying of milk from the milk producers for the purpose to sell it, without processing, as such;
 - the buying of milk from milk producers with the purpose to process it and to sell it as fresh milk;
 - the buying of milk from milk producers with the purpose to use it to manufacture other products;
 - the import of milk and other dairy products listed in under 2 of this document for the purpose to sell it as such;
 - the import of milk and other dairy products listed in under 2 of this document for the purpose to use it in the manufacturing of other products;

- the selling by a milk producer, of milk, produced by that milk producer, to retail or consumers; and
 - the use by a milk producer of milk produced by that person, in the manufacturing of other products.
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
Bank Forum Building
Ground Floor (GL004)
C/o Fehrsen & Veale Street
Brooklyn
Pretoria

(c) when electronically be addressed to:

admin@milksa.co.za

7. The statutory measures 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 23 December 2013.
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 registration 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.

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