



## **Milk SA Regulations and Standards Project**

(PRJ-0282-2021)

### **Dairy Standard Agency**

**Quarter 2 2021/2021** (April 2021 till June 2021)

#### **Project goals**

##### **Goal 1 - Communication on information regarding regulations and standards to Milk SA, SAMPRO and MPO on an ongoing basis**

###### **Achievements**

The project management of the Regulations and Standards Project of Milk SA regularly consulted with the organised dairy industry with specific reference to:

###### 1. Extended Producer Responsibility regulations (EPR) under the National Environmental Management: Waste Act.

Since June 2020, when the Minister for Environment, Forestry and Fisheries (DALRRD) first published draft regulations seeking to introduce Extended Producer Responsibility (EPR) into South Africa's waste regulation regime (Draft EPR Regulations), the regulations have been subject to extensive public scrutiny and have undergone several iterations. The Chairman of the Management of the Regulations and Standards Project of Milk SA made significant contributions in the process. Following an extension to the commenting period on the Draft EPR Regulations, the final regulations were published in November 2020 (Final EPR Regulations), and in January 2021, the Minister published a notice postponing the implementation of the Final EPR Regulations from their publication date to May 2021. On 5 May 2021 the amendment to the Regulations regarding extended producer responsibility and notices in respect of the extended producer responsibility scheme for the electrical and electronic equipment sector, the lighting sector, and the paper, packaging and some single use products were published in the respective notices. The publications were forwarded to industry.

###### 2. The appointment of the DALRRD assignee and other applicable regulatory matters

Following the High Court hearing that took place on 26 January 2021, the following actions took place:

The judgement regarding the above, was forwarded to industry members on 23 February 2021 to SAMPRO on 23 February 2021, stating the fees of Nejahmogul were set aside and that the respondents (The Minister, the department and Nejahmogul) should pay the costs of the application of Milk SA/Woodlands; and

Subsequent to the court order the legal team of Milk SA and Woodlands responded on request on 14 April 2021, with particular questions to the Executive Officer (EO) of the Department and Nejahmogul relating to amongst other the responsibilities of the Executive Officer and matters that should be attended to by the assignee and the business rescue practitioner. Due to no response from the above parties the matter was followed up on 6 May 2021 by the attorney of Milk SA/Woodlands, again requesting the Executive Officer and Nejahmogul to respond.

Without any response from the above parties the Executive Officer invited the Milk SA Task Team to a meeting which took place on 13 May 2021. During this meeting the following was agreed upon:

- a) That the dairy industry should establish a task team to interact with the Executive

Officer and Nejahmogul; and

b) The Executive Officer and Nejahmogul provide particular information as was previously requested from them.

- The Milk SA team in preparation for a scheduled meeting with the Executive Officer and Nejahmogul on 30 June 2021 liaised with the Milk SA/Woodlands attorney following a letter that was forwarded on 29 June 2021 requesting the Executive Officer and Nejahmogul again to provide the information requested previously.

A meeting between the Milk SA Task Team, the Executive Officer and Nejahmogul took place on 30 June 2021 and the concerns of the dairy industry were conveyed, while the Executive Officer and Nejahmogul, did not provide all the information previously requested from them.

Forwarded a letter dated 7 July 2021, to the Executive Officer and Nejahmogul, essentially put again on record, the information required from the Executive Officer and Nejahmogul and included viewpoints as described in a document prepared by the Office of SAMPRO. Amongst other, this letter implied that no progress is possible in the absence of comprehensive responses from the Executive Officer and Nejahmogul to previous requests for information.

- The Manager of the Regulations and Standards Project of Milk SA requested a follow up meeting to take place between the Executive Officer to discuss the continuous failure of the Executive Officer, Nejahmogul as well as Business Rescue Practitioner to respond to the pertinent outstanding questions asked prior to any further industry meetings during July 2021.

3. Revision of Regulations relating to Dairy and Imitation Dairy Products, R1510 of November 2019 under the Agricultural Product Standards Act

Comments from the industry electronic workgroup for the purpose of writing proposals were received and forwarded to DALRRD: FSQA to collate. The collated comments were sent out to members dealing specifically with the use of dairy terms and class designations of imitation dairy products (plant-based beverages). The next meeting is scheduled to take place on 10 August 2021.

4. Revision of R1555 of 1997, Regulations relating to milk and milk products under the Foodstuffs, Cosmetics and Disinfectants Act.

The first report on developing microbiological criteria for milk and dairy products was completed with the assistance of Prof Lucia Anelich as consultant and discussed during an electronic meeting held on 24 June 2021. The second report dealing the microbiological criteria has been completed and circulated to members for comments in preparation of the next meeting to be held on 16 August 2021.

5. The practical implementation of requirements of the implementation of the SA National Standard SANS 1694: The welfare of dairy cattle.

The second meeting was held on 17 June 2021 by the workgroup regarding the validation of the DSA audit criteria: The welfare of dairy cattle, in collaboration with the Milk SA Research and Development Project. The implementation of the work however was delayed due to Covid restrictions and will continue during the third quarter.

6. Effective collaboration between the Regulations and Standards Project and other Milk SA projects via the Milk SA Coordinating Committee continued. A scheduled meeting took place on 13 May 2021 reflecting on matters of common interests between the Milk SA projects Dairy Standard Agency and the Regulations and Standards Project, Research and Development Project and Consumer Education Project.

## ***No Non-achievements / underperformance has been reported***

**Goal 2 - Interaction with the Milk SA Consumer Education Project regarding regulations and standards on an ongoing basis as well as joint meetings with industry stakeholders with the purpose of harmonizing activities**

### ***Achievements***

As per Goal 1

***No Non-achievements / underperformance has been reported***

**Goal 3 - Regular interaction and scheduled meetings with the management of the Coordinating Committee on matters of collective interest**

***Achievements***

As per Goal 1

***No Non-achievements / underperformance has been reported***

**Goal 4 - Liaison with the Department of Agriculture, Land Reform and Rural Development - Food Safety & Quality Assurance and Industry Members regarding: - Progress regarding the APS Amendment Bill - Matters relating to the implementation of R1510/2019 - Appointment of assignee i.t.o the APS Act - PPECB related matters pertaining to amendment of the current (outdated) SOP for inspection of dairy products intended for export in terms of the APS Act into an updated export friendly SOP**

***Achievements***

As per Goal 1

***No Non-achievements / underperformance has been reported***

**Goal 5 - Interaction with the Department of Agriculture, Land Reform and Rural Development, Directorate Animal Health and Industry Members regarding the amendment and update of the current DALRRD Veterinary Procedural Notice (VPN) 20: Facilitating processes to ensure consistent implementation of revised / amended VPN**

***Achievements***

No current interaction with DALRRD on Goal 5

***No Non-achievements / underperformance has been reported***

**Goal 6 - Liaison with Department of Health and industry members regarding amendment or regulations i.t.o the Food-stuffs, Cosmetics and Disinfectants Act. Facilitating of processes to ensure correct procedures regarding certification of milking sheds criteria**

## ***Achievements***

As per Goal 1

### ***No Non-achievements / underperformance has been reported***

**Goal 7 - Liaison with the National Regulator for Compulsory Specifications regarding compulsory specifications and review of metrology standards (weights and measures) in terms of the relevant South African National Standards**

#### ***Achievements***

One scheduled meeting took place reflecting on misleading packaging and underfilling of containers.

### ***No Non-achievements / underperformance has been reported***

**Goal 8 - Liaison with SABS regarding voluntary national and international standards (ISO) relating to food hygiene and food safety, analytical methods, animal welfare and metrology**

#### ***Achievements***

One scheduled meeting took place of the Technical Committee 34/05.

### ***No Non-achievements / underperformance has been reported***

**Goal 9 - Liaison with the Consumer Goods Council of SA, other consumer bodies and retailers regarding industry related standards and requirements and other matters of collective nature**

#### ***Achievements***

Regular interaction between the Project Manager and the CGCSA:FSI to render comments on the amendment of the Labeling Regulations in terms of the Foodstuffs Cosmetics and Disinfectants Act with specific reference to front of pack labelling of dairy products.

### ***No Non-achievements / underperformance has been reported***

**Goal 10 - Communication to industry regarding latest relevant Bulletins of the International Dairy Federation (IDF); and commenting on work of the IDF Standing Committees where relevant**

#### ***Achievements***

As representative of the SANCIDF DSA MD participated in the IDF survey regarding the General Standards for the Use of Dairy Terms in May 2021

Both the IDF SC Identity and Labeling as well as the joint SCIL and SCNH meetings were attended on 25 and 26 May 2021

IDF comments on food additives were followed and used as part of the information forwarded (view of the organised dairy industr) to the SA Codex contact point for the purpose of discussion at the next SA preparation meeting of the Codex meetings.

### ***No Non-achievements / underperformance has been reported***

#### **Goal 11 - Requesting comments and notification of industry members of latest Codex standards relating to the dairy industry**

##### ***Achievements***

As per Goal 10

### ***No Non-achievements / underperformance has been reported***

## **Income and expenditure statement**

Income and expenditure statement	<a href="#">PRJ-0282.pdf</a>
Unnecessary spending during period	No

## **Popular Report**

[R&S Project report Apr to June 2021.pdf](#)

## **Additional documentation**

No file has been uploaded

## **Statement**

Levy funds were applied only for the purposes stated in the contract	Yes
Levy funds were applied in an appropriate and accountable manner	Yes
Sufficient management and internal control systems were in place to adequately control the project and accurately account for the project expenditure	Yes
The information provided in the report is correct	Yes