

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 1146

23 SEPTEMBER 2016

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No 47 OF 1996)ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF PRODUCERS,
PROCESSORS AND IMPORTERS OF TABLE OLIVES AND OLIVE OIL

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, acting under sections 13 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby establish the statutory measure set out in the Schedule.

S 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, unless the context indicates otherwise:

“**Extra virgin olive oil**” means olive oil which conforms to all the conditions set out by the International Olive Council (IOC) for extra virgin olive oil;

“**exporter**” means an entity which exports processed and or unprocessed fruits and or products of *Olea europaea*;

“**fresh olives**” means the unprocessed fruits of the *Olea europaea* to be used for the production of table olives, olive paste or olive oil;

“**grower**” means any entity involved in growing the *Olea europaea* to be sold for commercial gain, i.e. nurseries;

“**importer**” means an entity which imports packaged product and prepares it for retail distribution;

“**olive industry**” means all participants and role players in the South African olive industry;

“**olive oil packer**” means the entity which buys in olive oil in bulk and packages the oil for resale;

“**olive pomace oil**” means the oils that are obtained by treating olive oil pomace with solvents or other physical treatments excluding oils that are obtained by re-esterification process and any mixture with oils of other kinds with the exception of olive oils;

“**olive oil processor**” means the entity which extracts olive oil from fresh olives;

“**olive products**” means the processed products obtained from fresh olives, namely table olives, extra virgin olive oil and virgin olive oil;

“**olives**” means the fruits of the *Olea europaea*;

“**processed olive products**” means the fruits which have been processed and are ready for consumption;

“**processed table olives**” means olives that have been processed and are ready for consumption;

“**producer**” means the entity which grows olive trees to produce fresh olives for commercial gain;

“**table olive packer**” means the entity which buys in processed table olives in bulk and packages these olives for resale;

“**table olive processor**” means the entity which converts the fresh olives into product which can be consumed; and

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

“**virgin olive oil**” means olive oil which conforms to all the conditions set out by the International Olive Council (IOC) for extra virgin olive oil;

A person shall have a choice to register as either a producer or as an importer and/or a processor. A person who is a producer as well as an importer and/or a processor must register as a producer and as an importer and/or a processor.

Purpose and aims of statutory measure and the relation thereof to the objectives of the Act

2. The purpose and aims of the statutory measure is to compel the parties set out herein to register with SA Olive. Registration is necessary to assist the olive industry in ensuring that continuous, timeous and accurate information relating to the industry, is available to all role players. Such information is deemed essential for all role players in order for them to make informed decisions. By combining compulsory registration with the keeping of information and the rendering of returns on an individual basis, generic information for the whole of the industry can be processed and disseminated and will form the basis for the collection of levies where applicable and appropriate.

The establishment of the measure would assist in promoting the efficiency of the production and marketing of table olives and olive oil. The viability of the olive industry will thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice.

It will be administered by SA Olive, a company incorporated under Section 21 of the Companies Act, 1973 (Act 61 of 1973). SA Olive will implement and administer the measure as set out in this Schedule.

Products to which statutory measure applies

3. This statutory measure shall apply to table olives and olive oil, both from a domestic source and on the imported product.

Area in which measure shall apply

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

Registration of parties concerned

5. (1) All producers, growers, processors, packers, importers of olive products shall register with SA Olive in the manner prescribed in clause 6.
- (2) Each person who becomes a producer, grower, processor, packer, importer of fresh olives and/or olive products shall register with SA Olive within 30 days after he/she became a producer, grower, processor, packers, importer of fresh olives and/or olive products.
- (3) A person shall have a choice to register as either a producer or processor or importer.
- (4) A person who is a producer as well as an importer and/or a processor shall register as a producer and as an importer and/or a processor.

Application for registration

6. Application for registration shall –
 - (1) be made within 30 days of the commencement of this statutory measure, and in the case of a person becoming a party as contemplated in clause 5 after such date of commencement, within 30 days of becoming such a party;
 - (2) be made on the application form obtainable free of charge from SA Olive;
 - (3) be submitted, when forwarded by post, to –
SA Olive
PO Box 357
PAARL
7620
 - (4) when delivered by hand, be delivered to –
SA Olive
258 Main Street
PAARL
7620
 - (5) when sent by telefax, be addressed to –
021 870 2915
 - (6) when sent by E-mail, addressed to –
info@saolive.co.za

Commencement and period of validity

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse 4 years later.