

# Department of Agriculture, Forestry and Fisheries

## Directorate: Food Safety and Quality Assurance

### DESIGNATED ASSIGNEES UNDER THE AGRICULTURAL PRODUCT STANDARDS ACT, NO.119 OF 1990

Paarl - 29 August 2017

Theo van Rensburg



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forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

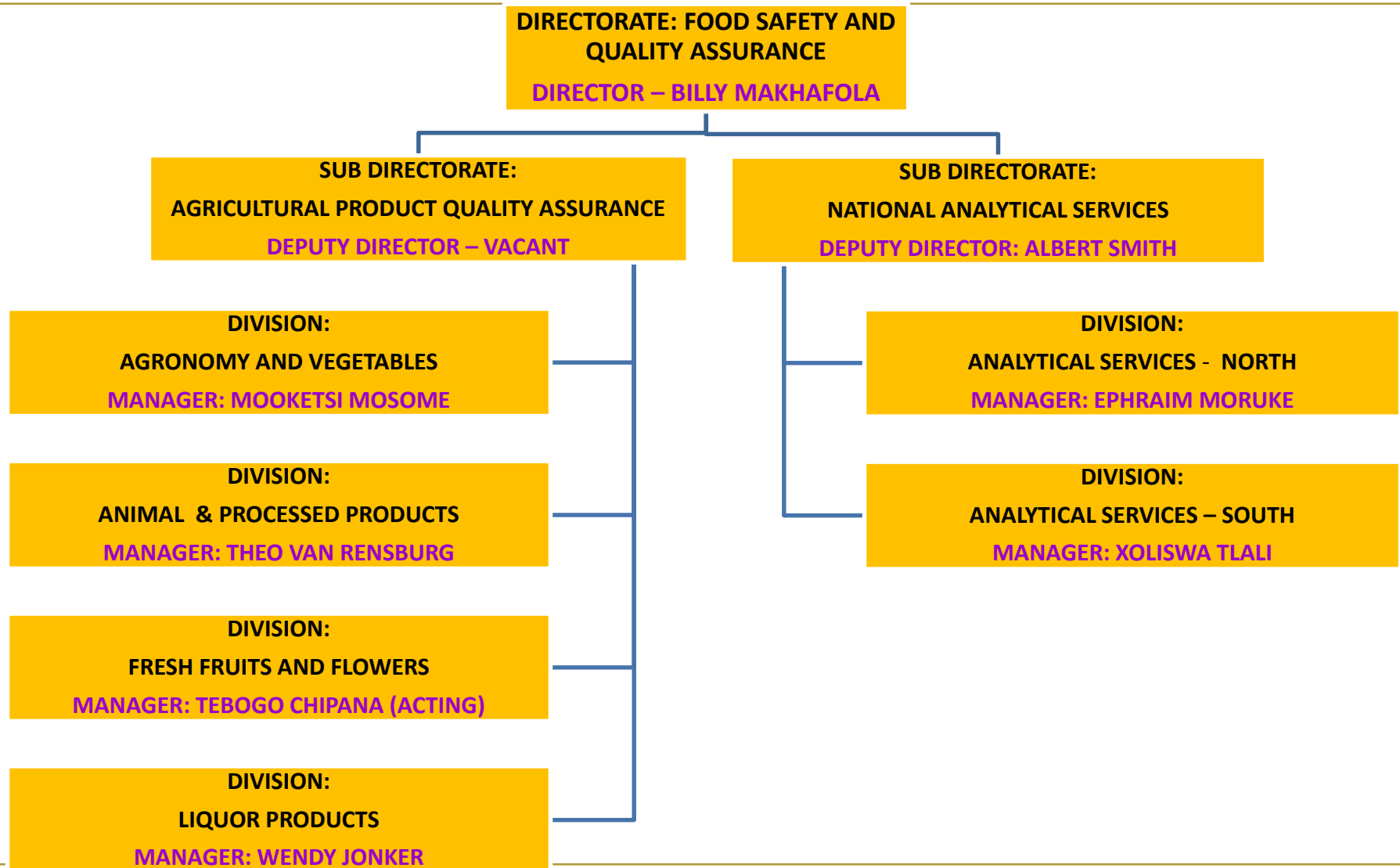
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# STRUCTURE OF THE DIRECTORATE FOOD SAFETY AND QUALITY ASSURANCE (D:FSQA)



# AGRICULTURAL PRODUCT STANDARDS (APS) ACT

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## Purpose of the APS Act:

- ***Consumer protection:***
  - Quality (local and export)
  - Food safety (export)
  - Prohibits false or misleading description of products
  - Protection of geographical indications
- ***Trade facilitation:***
  - Market access – export (EU, Indonesia, Vietnam, other markets)
  - Local and imported products (level playing field)



# INSTRUMENTS USED TO ENSURE FOOD QUALITY & FOOD SAFETY

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## ❖ Subordinate legislation:

### ▪ Local Regulations

- ✓ Packing & Container requirements
- ✓ Marking requirements
- ✓ Quality/Compositional standards for classes or grades

### ▪ Export Regulations and Export Standards & Requirements

- ✓ Presentation for inspection and certification
- ✓ Packing & Container requirements
- ✓ Marking requirements
- ✓ Quality/Compositional standards for classes or grades
- ✓ Food safety requirements, e.g.
  - Pesticide residue monitoring programme (MRL's)
  - Aflatoxins on groundnuts
  - *Salmonella* and *E. Coli* on Rooibos
  - Physical hazards, etc.



# WHAT IS AN ASSIGNEE?

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- **What is an assignee?**

*“**assignee**” means a person, undertaking, body, institution, association or board designated as such under section 2 (3) of the Agricultural Product Standards (APS) Act No. 119 of 1990.*

- **Who may appoint an assignee?**

Only the Minister may for the purposes of the application of the Act or certain provisions thereof, with regard to a **particular product**, designate an assignee having a **particular knowledge** in respect of the product concerned.



# RATIONALE BEHIND THE APPOINTMENT OF NEW ASSIGNEES

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- Personnel and other constraints within DAFF (Specifically D: Inspection Services)
- Inadequate enforcement of the existing local regulations
- Consumer protection and fair trade
- Exponential growth in imported products
- Prevention of inferior products on the local market
- Publication of new regulations



# PROCESS FOLLOWED IN THE APPOINTMENT OF ASSIGNEES

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Publication of advert in the media and Government Gazette

Shortlisting of prospective assignees

Interview of prospective assignees

Recommendation of appointment to the Minister

Appointment and publication thereof in the Government Gazette



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# DESIGNATED ASSIGNEES

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1. **Agency for Food Safety**

*Products: Poultry Meat, Eggs*

2. **Impumelelo Agribusiness Solutions**

*Products: Various processed products (canned fruit & vegetables/ pasta/ mushrooms, frozen fruit & vegetables, Rooibos, vinegar, honey, table olives, fruit juices and drinks, jam, jelly and marmalade, fat spreads, mayonnaise & salad dressings)*

3. **LEAF Services**

*Products: Grains and grain products*

4. **Nejahmogul Technologies and Agric Services**

*Products: Dairy and Imitation Dairy Products, Edible Ices*

5. **PPECB (export only)**

*Products: All fresh and processed products destined for export for which export standards and requirements exist under the APS Act*

6. **PROKON**

*Products: Potatoes, Fresh Fruits & Vegetables*

7. **SAMIC**

*Products: Red Meat (beef, sheep, goat, pork)*



# SOME CHALLENGES EXPERIENCED

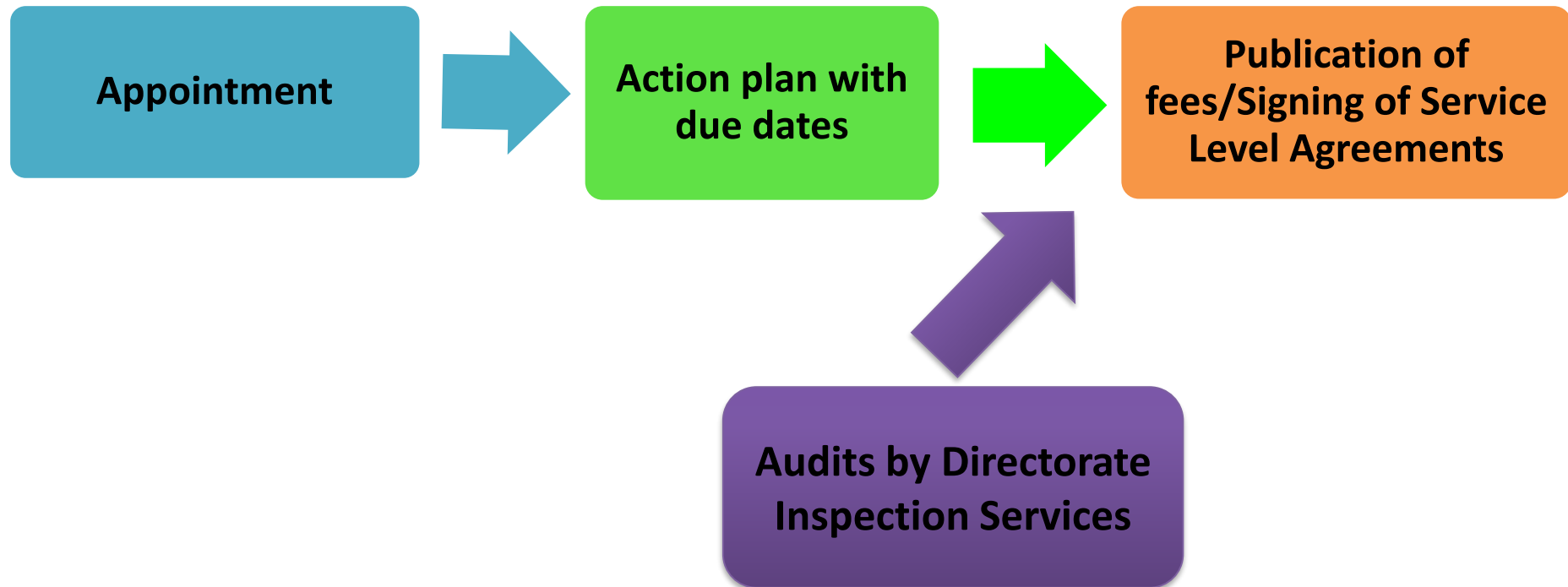
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- Payment of inspection/ analysis/ courier fees a 'new concept'
  - Who is the owner, i.e. who should pay?
  - Possible duplication of inspections, wastage of samples (e.g. bread), etc. a concern
  - Structuring of fees and frequency of inspections due to different dynamics within the various industries
  - Lack of experience
  - Cost of human resources/ inspectors as percentage of total budget
  - Ensuring trained and competent inspectors
  - Buy-in from industry
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# OPERATIONAL ARRANGEMENT BETWEEN DAFF AND ASSIGNEES

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# CONSULTATION WITH STAKEHOLDERS

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- Joint meetings between DAFF, assignees and individual stakeholders
- Individual meetings between DAFF or designated assignees and stakeholders
- Working Groups initiated by DAFF to draft inspection protocols to guide a particular industry and assignee (frequency of inspections, structuring of fees, sampling, etc.)
- Consultation is still on going with stakeholders



# CONCLUSION

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- Regulations, standards and requirements exist under the APS Act and has to be enforced
- Assignees have played a leading and vital role in ensuring compliance with legislation since 1991
- Fair trade remain a priority (export, local and import)
- Protection of the South African market and consumers from inferior products is necessary in the current economic climate



# IMPACT ON OLIVE INDUSTRY

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- Regulations for Table Olives (R.589 of 27 May 2016) exist under the APS Act and has to be enforced
- Drafting of new regulations for Edible Vegetable Oils, including Olive and Olive-Pomace Oils, in progress
- Impumelelo Agribusiness Solutions has been appointed as Assignee for Table Olives
- Assignee's mandate will also be extended to Edible Vegetable Oils regulations once promulgated



# ANY QUESTIONS?

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**THANK YOU**

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**Thank You  
For Your Attention...**



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