

No. 739

16 September 2011

**NATIONAL AGRICULTURAL MARKETING COUNCIL
MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996, AS AMENDED
(ACT NO. 47 OF 1996)**

**REQUEST FOR THE CONTINUATION OF STATUTORY MEASURES IN THE SOUTH
AFRICAN MILK INDUSTRY (REGISTRATION AND RECORDS & RETURNS) IN TERMS OF
THE MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT NO 47 OF 1996), AS AMENDED**

It is hereby made known in terms of section 11 of the Marketing of Agricultural Products Act, 1996 (Act No.47 of 1996), that the Minister of Agriculture, Forestry and Fisheries has received a request from the milk industry for the continuation of statutory measures in the milk industry relating to registration, the keeping of records and rendering of returns.

Milk Producers' Organisation (MPO), on behalf of the directly affected groups in the milk industry applied for the continuation of the statutory measures. The current statutory measures in the milk industry will lapse on 1 November 2011. The MPO requested ministerial approval for the continuation of these statutory measures for a new period of four years, until 1 November 2015. The statutory measures will relate to milk which is defined in the Agricultural Product Standards Act of 1990 (No. 119 of 1990) as: "the normal secretion of the mammary glands of bovines, goats and sheep."

The purpose and aim of the statutory measure relating to registration is to compel milk producers to register with the MPO. The registration of milk producers will assist the industry to liaise with them regarding matters of concern such as legislation, training courses and technology transfer. This will also facilitate the maintenance of a national data base which is a prerequisite for the publication of reliable industry statistics.

The purpose and aim of the statutory measure relating to records & returns is to provide a statutory mechanism for milk producers to keep records and furnish returns to the MPO. It will be expected from each milk producer within 15 days after 31 October of each year, to furnish accurate returns to the MPO. This is deemed necessary to ensure that continuous, timeous and accurate statistics and information relating to the dairy farming industry sector is made available to all role-players. Recordkeeping of the dairy cattle population will create statistics

per province and districts of the number of cows, bulls, heifers and breeds. It will then be possible to follow changing population trends per province in order for the industry to predict milk production trends. The monitoring of trends of herd sizes and dairy breeds as well as the location thereof will assist the industry in the steering of its educational, research, extension and health programmes.

According to the applicant (MPO), the proposed continuation of the statutory measures will further the objectives of the MAP Act as stipulated in section 2(2) thereof. Such establishment will also not contravene section 2(3) of the Act, namely will not be substantially detrimental to food security, the number of employment opportunities within the economy or fair labour practices. The objectives referred to in section 2(2) of the Act are to increase market access for all market participants, to promote the efficiency of marketing of agricultural products, to optimise export earnings from agricultural products and to enhance the viability of the agricultural sector.

The institution that will be responsible for the administration of the statutory measures is the MPO. The MPO is a voluntary producer organisation and is registered in terms of Article 21 of the Company Act and is a non-profit company in terms of the Companies Act, 2008 (Act No.71 of 2008). It has the required capacity in terms of personnel, infrastructure and skills to administer the statutory measures.

The NAMC took cognisance that the proposed continuation of the statutory measures as requested by the MPO is consistent with the objectives of the Marketing of Agricultural Products Act, 1996 (Act no 47 of 1996), as amended. The request is being investigated by the NAMC and recommendations in this regard will be made to the Minister in the near future.

Directly affected groups in the milk industry are kindly requested to submit any comments regarding the proposed continuation of statutory measures to the National Agricultural Marketing Council within 14 days of the publication hereof.

Submissions should be in writing and be addressed to:

National Agricultural Marketing Council

Private Bag X 935

PRETORIA

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Enquiries: Mr Ndumiso Mazibuko

E-mail: ndumiso@namc.co.za

Tel.: (012) 400 9732

Fax No.: (012) 341 1811