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GOVERNMENT NOTICES

GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 322

22 March 2002

AGRICULTURAL PRODUCT STANDARDS ACT, 1990
(ACT No. 119 OF 1990)

REGULATIONS REGARDING CONTROL OVER THE SALE OF ROOIBOS AND ROOIBOS MIXTURES IN THE REPUBLIC OF SOUTH AFRICA

The Minister of Agriculture has under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) --

- (a) made the regulations in the Schedule; and
- (b) read together with section 3(2) of the said Act, repealed the regulations published by Proclamations Nos. R. 220 of 1970, R. 35 of 1971 and Government Notice No. R. 1479 of 4 September 1970.

SCHEDULE

Definitions

1. In these regulations, any word or expression to which a meaning has been assigned in the Act, shall have that meaning and, unless the context otherwise indicates --

"bulk container" means a bag manufactured of any suitable material with a capacity of 15 kg or more;

"chemical residues" means residues of agricultural remedies which in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), are permissible for the treatment of pests and diseases and which do not exceed the prescribed maximum residue limit;

"consignment" means a quantity of rooibos or rooibos mixtures that is delivered at any one time under cover of the same delivery note or receipt note, or is delivered by the same vehicle, or if such a quantity is subdivided into different production groups, each quantity of each of the different production groups;

"container" means the immediate container in which rooibos or rooibos mixtures are packed excluding the tea bag in the case of rooibos or rooibos mixtures packed in tea bags or any other intermediate protective packaging;

"foreign matter" means any matter not derived from rooibos plants: Provided that any permitted additives which may have been added to the rooibos, shall not be regarded as foreign matter;

"green rooibos" means the product obtained from the needle-like leaves and fine stems of the plant *Aspalathus linearis* (also known as *A. contaminatus*) or *Borbonia pinifolia* after it has been cut, bruised, and dried or not, but which has not been fermented;

"inspector" means the Executive Officer or an officer under his or her control or an Assignee or an employee of an Assignee;

"letters" also means figures and symbols;

"milled rooibos" means the product obtained when dry rooibos is milled or granulated;

"moisture content" a percentage of moisture as determined in terms of regulation 15;

"other tea" means all of the recognised tea suitable for blending with rooibos, including but not limited, to *Cyclopia* species and *Camelia sinensis*;

- "**outer container**" means a suitable container which contains one or more containers rooibos or rooibos mixtures;
- "**packer**" means a person dealing in the course of trade with rooibos or rooibos mixtures by packing it for sale, and also a person on behalf of whom such product is packed for sale;
- "**permitted**" means permitted in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);
- "**red tea**" means the type of rooibos referred to in regulation 4;
- "**representative sample**" means the quantity of material obtained after a quantity of rooibos or rooibos mixture has been sampled as set out in regulation 10;
- "**retail packaging**" means a suitable container with a capacity of not more than 1 kg in which loose rooibos or rooibos mixtures or tea bags with rooibos or rooibos mixtures are packed;
- "**rooibos**" means the product obtained from the needle-like leaves and fine stems of the plant *Aspalathus linearis* (also known as *A. contaminatus*) or *Borbonia pinifolia* after it has been cut, bruised, fermented and dried or not;
- "**rooibos mixtures**" means rooibos blended with herbs or other tea and rooibos with permitted additives;
- "**sampling pin**" means a single or double tube pin of suitable length with multiple apertures on one side of the tube or on both tubes;
- "**the Act**" means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);
- "**trade mark**" means a registered trade mark as described in section 2(1) of the Trade Marks Act, 1993 (Act No. 194 of 1993);
- "**white sticks**" means fine sticks of rooibos plant origin, that did not take on the distinctive colour of rooibos during processing, and which detrimentally affect the appearance of rooibos; and
- "**working sample**" means the quantity of material which is obtained by dividing a representative sample with a multiple-slot divider as set out in regulation 11.

Scope of regulations

2. (1) These regulations shall apply to the control over the sale of rooibos and rooibos mixtures in the Republic of South Africa to which and under circumstances in which a prohibition in terms of section 3 of the Act regarding the sale of rooibos and rooibos mixtures apply.

(2) Rooibos mixtures and green rooibos shall be excluded from the quality standards set out in regulation 5.

Requirements for sale

3. (1) Rooibos or rooibos mixtures may in terms of section 3 of the Act be presented for sale if –
- (a) the rooibos consist of the type referred to in regulation 4;
 - (b) the rooibos complies with the quality standards referred to in regulation 5;
 - (c) the rooibos or rooibos mixtures complies with the food safety standards referred to in regulation 6;
 - (d) the containers in which the rooibos or rooibos mixtures are packed, comply with the requirements referred to in regulation 7;
 - (e) the containers concerned are marked in the manner prescribed in regulation 8; and
 - (f) the containers concerned comply with the marking restrictions referred to in regulation 9.

(2) The Executive Officer may grant written exemption, entirely or partially, to any person on such conditions as he or she deems necessary, from the provisions of subregulation (1).

PART I

QUALITY AND FOOD SAFETY STANDARDS

Type of rooibos

4. There is one type rooibos intended for sale namely red tea consisting of the Nortier type that is derived from selected and improved rooibos plants, cultivated in plantations and which produce rooibos with a red colour.

Quality standards for rooibos

5. All rooibos --
- (a) shall have the clean, characteristic taste and aroma and clear, distinctive colour of rooibos; and
 - (b) may contain not more than 10% white sticks: Provided that more than 10% white sticks may be present when rooibos is blended with milled rooibos for the purpose of packing in tea bags.

Food safety standards for rooibos and rooibos mixtures

6. All rooibos and rooibos mixtures --
- (a) may contain not more than 1% foreign matter;
 - (b) may have a moisture content of not more than 10%;
 - (c) shall be free from insects;
 - (d) shall be free from toxin, chemical residues or other substances that render it unsuitable for human consumption; and
 - (e) shall comply with the microbiological standards as set out in the Regulations governing microbiological standards for foodstuffs and related matters as promulgated under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).

PART II

PACKING AND MARKING REQUIREMENTS

Packing requirements

7. (1) The containers in which rooibos or rooibos mixtures are sold shall --
- (a) be manufactured from a material that --
 - (i) will protect the contents thereof from contamination; and
 - (ii) will not impart any undesirable flavour to the contents thereof;
 - (b) be so strong that it will not tear or break during normal storage, handling and transport practices;
 - (c) be intact, excluding holes made by a sampling pin which shall be duly closed;
 - (d) be new, clean and dry; and

- (e) be closed properly in a manner permitted by the nature thereof.
- (2) If a container containing rooibos is packed in outer containers, such containers shall be clean, neat and intact.

Marking requirements

8. (1) A bulk container in which rooibos or rooibos mixtures is packed, or a label that has been securely tied or affixed to such a bulk container, shall be marked in clearly legible and indelible letters with the following particulars:

- (a) A true description of the contents thereof: Provided that in the case of rooibos mixtures –
- (i) the types of tea shall be declared in descending order of mass; and
- (ii) where a permitted additive has been added to the rooibos in order to render a distinctive flavour thereto, the descriptive name for the distinctive flavour concerned shall appear on the container.
- (b) An indication of the net mass as required in terms of the Trade Metrology Act, 1973 (Act No. 77 of 1973).
- (c) The date of processing or packing of the rooibos or rooibos mixtures or the number of the production group concerned.
- (d) The country of origin: Provided that no abbreviations shall be used.

(2) Retail packaging containing rooibos or rooibos mixtures shall be marked in clearly legible and indelible letters with the following particulars:

- (a) The name or trade mark of the packer: Provided that if rooibos or rooibos mixtures has been packed on behalf of a person the name or trade name of the person on whose behalf the rooibos or rooibos mixtures has been packed shall appear on the container.
- (b) The physical address of the packer: Provided that if rooibos or rooibos mixtures has been packed on behalf of a person the physical address of the person on whose behalf the rooibos or rooibos mixtures has been packed shall appear on the container.
- (c) A true description of the contents thereof: Provided that in the case of rooibos mixtures –
- (i) the types of tea shall be declared in descending order of mass; and
- (ii) where a permitted additive has been added to the rooibos in order to render a distinctive flavour thereto, the descriptive name for the distinctive flavour concerned shall appear on the container.
- (d) An indication of the net mass as required in terms of the Trade Metrology Act, 1973 (Act No. 77 of 1973).
- (e) The country of origin: Provided that no abbreviations shall be used.
- (f) The date of processing or packing of the rooibos or rooibos mixtures or the number of the production group concerned.

(3) If one or more containers containing rooibos or rooibos mixtures are packed in an outer

container, such outer container shall be marked in clearly legible and indelible letters with the following particulars:

- (a) The number of containers packed therein.
- (b) The size of each such container or the net mass of the contents thereof.
- (c) The name or trade mark of the packer: Provided that if rooibos or rooibos mixtures has been packed on behalf of a person the name or trade name of the person on whose behalf the rooibos or rooibos mixtures has been packed shall appear on the container.
- (d) The physical address of the packer: Provided that if rooibos or rooibos mixtures has been packed on behalf of a person the physical address of the person on whose behalf the rooibos or rooibos mixtures has been packed shall appear on the container.
- (e) A true description of the contents thereof: Provided that in the case of rooibos mixtures –
 - (i) the types of tea shall be declared in descending order of mass; and
 - (ii) where a permitted additive has been added to the rooibos in order to render a distinctive flavour thereto, the descriptive name for the distinctive flavour concerned shall appear on the container.
- (f) The country of origin: Provided that no abbreviations shall be used.

(4) In the case of transparent outer containers where the particulars on the containers are visible from the outside, the requirements of subregulation (3) need not be complied with.

Prohibited particulars

9. No word, mark, illustration, depiction or any other method of expression that constitutes a misrepresentation or which directly or by implication creates or may create a misleading impression regarding the quality, nature or origin of that rooibos or rooibos mixtures, shall appear on a container or outer container.

PART III

SAMPLING

Obtaining a representative sample

10. (1) An inspector shall for the purpose of these regulations abstract a random sample of rooibos or rooibos mixture in the following manner and shall satisfy himself or herself that the samples so abstracted are representative of the consignment concerned:

- (a) In the case of retail packaging packed in outer containers --
 - (i) select at random from the total number of outer containers in the consignment, specified in column 1 of Table 1, the applicable number of outer containers as specified in column 2 of the same table; and
 - (ii) sample each such outer container by hand to obtain at least 100g per outer container.
- (b) In the case of bulk containers --
 - (i) select at random from the total number of containers in the consignment,

specified in column 1 of Table 2, the applicable number of containers as specified in column 2 of the same table; and

- (ii) sample each such container by making use of a sterilised sampling pin to obtain at least 100g per bulk container.
- (c) In the case of continuous sampling, a sterile sample of a specific size shall be abstracted at regular intervals by means of a pneumatic sampler: Provided that the amount of samples taken per production group corresponds to the amount of samples that should be taken by means of a sampling pin.

(2) Sampling shall be done in such a manner to ensure that the samples for microbiological analysis are not contaminated.

(3) The collective sample obtained in subregulation (1) (a) or (b) shall be thoroughly mixed before further examination: Provided that in the case of a sample withdrawn for microbiological analyses, the material from each bag shall be kept separately, placed directly into a sterile bag and sealed immediately.

(4) A sample that has been drawn in terms of these regulations shall be deemed to be representative of the quantity from which it has been obtained.

Obtaining a working sample

11. A working sample shall be obtained by dividing the representative sample taken in accordance with regulation 10, with a multiple-slot divider.

Deviating sample

12. If an inspector should notice during the process of drawing the random samples or during the inspection that any of the quantities of rooibos or rooibos mixtures taken from any container are obviously inferior to or differ from the samples abstracted from the remainder of the containers, he or she shall base the inspection result only on the samples abstracted from the containers of the deviating portion and further samples required for inspection shall be drawn from the deviating portion.

PART IV

METHODS OF INSPECTION

Determination of foreign matter

13. The percentage of foreign matter in a quantity of rooibos or rooibos mixture shall be determined as follows:

- (a) Prepare a working sample by measuring off at least 10 g of the representative sample.
- (b) Remove all foreign matter and determine the mass thereof.
- (c) Express the mass thus determined as a percentage of the working sample.
- (d) Such percentage shall represent the foreign matter in the quantity concerned.

Determination of white sticks

14. The percentage of white sticks in a quantity of rooibos shall be determined as follows:

- (a) Prepare a working sample by measuring off at least 10 g of the representative sample.
- (b) Remove all white sticks and determine the mass thereof.

- (c) Express the mass thus determined as a percentage of the working sample.
- (d) Such percentage shall represent the white sticks in the quantity concerned.

Determination of moisture content

15. The moisture content of a quantity of rooibos or rooibos mixture may be determined according to any suitable method: Provided that the results thus obtained are in accordance (0,3 per cent permissible deviation) with the results, obtained by the AOAC Official Method 925.19.

Determination of the colour, aroma and taste of rooibos

16. The colour, aroma and taste of rooibos shall be determined as follows:
- (a) Prepare a working sample by measuring off at least 5,8 g of the representative sample.
 - (b) Thereafter prepare an extract thereof by drawing it, without stirring, for 2 minutes at 95° C in 300 ml of water with a pH value of 6.
 - (c) Evaluate the extract sensorically with regard to colour, aroma and taste.
 - (d) Such colour, aroma and taste shall represent the colour, aroma and taste of the quantity concerned.

Repetition of determinations

17. (1) A determination in terms of these regulations may be repeated at any time with a further sample of the same quantity of rooibos or rooibos mixtures.

(2) If the result of such repetition differs substantially from the result of the original determinations, the determination concerned shall be repeated on a third working sample of the quantity concerned, whereafter the average of the results of the two determinations with the smallest difference shall be deemed to be the result of the determination concerned.

PART V

OFFENCES AND PENALTIES

18. Any person who contravenes or fails to comply with the provisions of these regulations shall be guilty of an offence and upon conviction be liable of a fine or to imprisonment in accordance with section 11 of the Act.

No. R. 322

22 Maart 2002

WET OP LANDBOUPRODUKSTANDAARDE, 1990
(WET No. 119 VAN 1990)

**REGULASIES BETREFFENDE BEHEER OOR DIE VERKOOP VAN ROOIBOS EN ROOIBOS
MENGSELS IN DIE REPUBLIEK VAN SUID-AFRIKA**

Die Minister van Landbou het kragtens artikel 15 van die Wet op Landbouprodukstandaarde, 1990 (Wet No. 119 van 1990) --

- (a) die regulasies in die Bylae uitgevaardig; en
- (b) saamgelees met artikel 3(2) van genoemde Wet, die regulasies gepubliseer by Proklamasies Nos. R. 220 van 1970, R. 35 van 1971 en Goewermentskennisgewing No. R. 1479 van 4 September 1970, herroep.

BYLAE

Woordoms krywing

1. In hierdie regulasies, het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, en tensy uit die samehang anders blyk beteken --

"ander tee" alle erkende tee geskik in die vermenging met rooibos, insluitende maar nie beperk nie, tot *Cyclopia spesies* en *Camelia sinensis*;

"besending" 'n hoeveelheid rooibos of rooibosmengsels wat op 'n bepaalde tydstip gelewer word onder dekking van dieselfde afleweringbrief of ontvangsbewys of gelewer word deur dieselfde voertuig, of indien so 'n hoeveelheid ingedeel is in verskillende produksiegroepe elke hoeveelheid van elk van die verskillende produksiegroepe;

"buitehouer" 'n geskikte houer wat een of meer houters rooibos of rooibosmengsels bevat;

"chemiese residu's" residu's van landboumiddels wat ingevolge die Wet op Misstawwe, Veevoedsel, Landboumiddels en Veemiddels, 1947 (Wet No. 36 van 1947), toelaatbaar is vir die behandeling van peste en siektes en wat nie die voorgeskrewe maksimum residuperk oorskry nie;

"die Wet" die Wet op Landbouprodukstandaarde, 1990 (Wet No. 119 van 1990);

"gemaalde rooibos" die produk verkry wanneer droë rooibos gemaal of gegranuleer word;

"groen rooibos" die produk verkry van die naaldagtige blaartjies en fyn stammetjies van die plant *Aspalathus linearis* (ook bekend as *A. contaminatus*) of *Borbonia pinifolia* hetsy dit gekerf, gekneus, en gedroog is, al dan nie, maar wat nie gefermenteer is nie;

"grootmaathouer" 'n sak vervaardig van enige geskikte materiaal met 'n inhoudsmaat van 15 kg of meer;

"handelsmerk" 'n geregistreerde handelsmerk soos omskryf in artikel 2(1) van die Wet op Handelsmerke, 1993 (Wet No. 194 van 1993);

"houer" die onmiddellike houer waarin rooibos of rooibosmengsels verpak is, uitgesonderd die teesakkie in die geval van rooibos of rooibosmengsels in sakkies verpak of enige ander intermediëre beskermende verpakking;

"inspekteur" die Uitvoerende Beamppte of 'n beamppte onder sy of haar beheer of 'n Gemagtigde of 'n werknemer van 'n Gemagtigde;

"kleinmaatverpakking" 'n geskikte houer met 'n inhoudsvermoë van hoogstens 1 kg waarin los rooibos of rooibosmengsels of teesakkies met rooibos of rooibosmengsels verpak word;

"letters" ook syfers en simbole;

"monsterpen" 'n enkel- of dubbelbuispen van 'n geskikte lengte met veelvoudige openinge aan die een kant van die buis of in albei buise;

"rooitee" die tipe rooibos in regulasie 4 bedoel;

"rooibos" die produk verkry van die naaldagtige blaartjies en fyn stammetjies van die plant *Aspalathus linearis* (ook bekend as *A. contaminatus*) of *Borbonia pinifolia* hetsy dit gekerf, gekneus, gefermenteer en gedroog is, al dan nie;

"rooibosmengsels" rooibos vermeng met kruie of enige ander tee en rooibos met veroorloofde additiewe;

"veroorloof" veroorloof kragtens die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972);

"verpakker" 'n persoon wat met rooibos of rooibosmengsels as 'n besigheid handel deur dit vir verkoop te verpak, en ook 'n persoon ten behoeve van wie sodanige produk vir verkoop verpak word;

"verteenwoordigende monster" die hoeveelheid materiaal wat verkry is nadat 'n hoeveelheid rooibos of rooibosmengsel bemonster is soos in regulasie 10 uiteengesit;

"voginhoud" 'n persentasie vog ingevolge regulasie 15 bepaal;

"vreemde materiaal" enige materiaal wat nie van rooibosplante afkomstig is nie: Met dien verstande dat enige veroorloofde additiewe wat by die rooibos gevoeg mag word, nie as vreemde materiaal beskou sal word nie;

"werkmonster" 'n hoeveelheid materiaal wat verkry word deur 'n verteenwoordigende monster met 'n meergleufverdeler te verdeel soos in regulasie 11 uiteengesit; en

"witstokkies" fyn stokkies van rooibosplant oorsprong, wat nie gedurende verwerking die kenmerkende kleur van rooibos aangeneem het nie en wat die voorkoms van rooibos nadelig beïnvloed.

Bestek van regulasies

2. (1) Hierdie regulasies is van toepassing op die beheer oor die verkoop van rooibos en rooibosmengsels in die Republiek van Suid Afrika, waartoe en onder omstandighede waarin 'n verbod in terme van artikel 3 van die Wet betreffende die verkoop van rooibos en rooibosmengsels toepasbaar is.

(2) Rooibosmengsels en groen rooibos is van die gehaltestandaarde in regulasie 5 uiteengesit, vrygestel.

Vereistes vir verkoop

3. (1) Rooibos en rooibosmengsels mag in terme van artikel 3 van die Wet vir verkoop aangebied word indien --

- (a) die rooibos bestaan uit die tipe in regulasie 4 bedoel;
- (b) die rooibos aan die gehaltestandaarde in regulasie 5 bedoel, voldoen;
- (c) die rooibos of rooibosmengsels aan die voedselveiligheidsstandaarde in regulasie 6 bedoel, voldoen;
- (d) die houers waarin die rooibos of rooibosmengsels produk verpak is, aan die vereistes in regulasie 7 bedoel, voldoen;
- (e) die betrokke houers gemerk is op die wyse voorgeskryf in regulasie 8; en
- (f) die betrokke houers aan die merkbepelings soos in regulasie 9 bedoel, voldoen.

(2) Die Uitvoerende Beampte kan iemand skriftelik, in die geheel of gedeeltelik, op die voorwaardes wat hy of sy nodig ag, van die bepalings van subregulasie (1) vrystel.

DEEL I

GEHALTE- EN VOEDSELVEILIGHEIDSTANDAARDE

Tipe rooibos

4. Daar is een tipe rooibos bestem vir verkoop, naamlik rooitee wat bestaan uit die Nortier tipe afkomstig van geselekteerde en verbeterde rooibosplante wat in plantasies verbou word en rooibos met 'n rooi kleur lewer.

Gehaltestandaarde vir rooibos

5. Alle rooibos --
- (a) moet die skoon, karakteristieke smaak en aroma en die helder, kenmerkende kleur van rooibos hê; en
 - (b) mag hoogstens 10% witstokkies bevat. Met dien verstande dat meer as 10% witstokkies teenwoordig mag wees indien rooibos met gemaalde rooibos, vir die doeleindes van verpakking in teesakies, gemeng word.

Voedselveiligheidsstandaarde vir rooibos en rooibosmengsels

6. Alle rooibos en rooibosmengsels --
- (a) mag hoogstens 1% vreemde materiaal bevat;
 - (b) mag 'n voginhoud van hoogstens 10% hê;
 - (c) moet vry van insekte wees;
 - (d) moet vry wees van enige toksiene, chemiese residue of ander stowwe wat dit ongeskik vir menslike gebruik maak; en
 - (e) moet voldoen aan die mikrobiologiese standaard soos uiteengesit in die Regulasies betreffende mikrobiologiese standaard vir voedingsmiddels en aanverwante sake, wat onder die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972) uitgevaardig is.

DEEL II

VERPAKKINGS- EN MERKVEREISTES

Verpakkingsvereistes

7. (1) Die houers waarin rooibos of rooibosmengsels verkoop word, moet --
- (a) van 'n materiaal vervaardig wees wat --
 - (i) die inhoud daarvan teen besoedeling sal beskerm; en
 - (ii) nie enige ongewenste reuk aan die inhoud daarvan sal oordra nie;
 - (b) so sterk wees dat dit nie tydens normale opbergings-, hanterings- en vervoerpraktieke sal skeur of breek nie;
 - (c) heel wees, uitgesonderd monsterpenmerke wat behoorlik verseël is;

- (d) nuut, skoon en droog wees; en
- (e) behoorlik toegemaak wees op 'n wyse deur die aard daarvan toegelaat.

(2) Indien houers wat rooibos bevat, verpak is in buitehouers, moet sodanige buitehouers skoon, netjies en heel wees.

Merkvereistes

8. (1) 'n Grootmaathouer waarin rooibostee of rooibosmengsels verpak is óf 'n etiket wat stewig aan so 'n houer vasgebind of vasgeheg is, moet in duidelik leesbare en onuitwisbare letters met die volgende besonderhede gemerk wees:

- (a) 'n Juiste beskrywing van die inhoud daarvan: Met dien verstande dat in die geval van rooibosmengsels --
 - (i) die tipes tee in dalende volgorde van die massa verklaar moet word;
 - (ii) waar 'n veroorloofde additief by die rooibos gevoeg is ten einde 'n onderskeidende bepaalde geur daaraan te verleen, moet die beskrywende naam vir die betrokke onderskeidende geur op die houer aangedui word.
- (b) 'n Aanduiding van die netto massa soos vereis in terme van die Wet op Handelsmetrologie, 1973 (Wet No. 77 van 1973).
- (c) Die datum van verwerking of verpakking van die rooibos of die nommer van die betrokke produksiegroep.
- (d) Die land van herkoms: Met dien verstande dat geen afkortings gebruik mag word nie.

(2) Kleinmaatverpakkings wat rooibos of rooibosmengsels bevat, moet in duidelik leesbare en onuitwisbare letters met die volgende besonderhede gemerk wees:

- (a) Die naam of handelsmerk van die verpakker: Met dien verstande dat indien rooibos of rooibosmengsels namens 'n persoon verpak is, die naam of handelsmerk van die persoon namens wie die rooibos of rooibosmengsels verpak is, op die houer moet verskyn.
- (b) Die fisiese adres van die verpakker: Met dien verstande dat indien rooibos of rooibosmengsels namens 'n persoon verpak is, die fisiese adres van die persoon namens wie die rooibos of rooibosmengsels verpak is, op die houer moet verskyn.
- (c) 'n Juiste beskrywing van die inhoud daarvan: Met dien verstande dat in die geval van rooibosmengsels --
 - (i) die tipes tee in dalende volgorde van die massa verklaar moet word;
 - (ii) waar 'n veroorloofde additief by die rooibos gevoeg is ten einde 'n onderskeidende bepaalde geur daaraan te verleen, moet die beskrywende naam vir die betrokke onderskeidende geur op die houer aangedui word.
- (d) 'n Aanduiding van die netto massa soos vereis in terme van die Wet op Handelsmetrologie, 1973 (Wet No. 77 van 1973).
- (e) Die land van herkoms: Met dien verstande dat geen afkortings gebruik mag word nie.
- (f) Die datum van verwerking of verpakking van die rooibos of die nommer van die betrokke produksiegroep.

(3) Indien een of meer houers wat rooibos of rooibosmengsels bevat in 'n buitehouer verpak word, moet elke buitehouer in duidelik leesbare en onuitwisbare letters met die volgende besonderhede gemerk wees:

- (a) Die aantal houers daarin verpak.
- (b) Die grootte van elke sodanige houer of die netto massa van die inhoud daarvan.
- (c) Die naam of die handelsmerk van die verpakker: Met dien verstande dat indien rooibos of rooibosmengsels namens 'n persoon verpak is, die naam of handelsmerk van die persoon namens wie die rooibos of rooibosmengsels verpak is, op die houer moet verskyn.
- (d) Die fisiese adres van die verpakker: Met dien verstande dat indien rooibos of rooibosmengsels namens 'n persoon verpak is, die fisiese adres van die persoon namens wie die rooibos of rooibosmengsels verpak is, op die houer moet verskyn.
- (e) 'n Juiste beskrywing van die inhoud daarvan: Met dien verstande dat in die geval van rooibosmengsels --
 - (i) die tipes tee in dalende volgorde van die massa verklaar moet word;
 - (ii) waar 'n veroorloofde additief by die rooibos gevoeg is ten einde 'n onderskeidende bepaalde geur daaraan te verleen, moet die beskrywende naam vir die betrokke onderskeidende geur op die houer aangedui word.
- (f) Die land van herkoms: Met dien verstande dat geen afkortings gebruik mag word nie.

(4) In die geval van deursigtige buitehouers waar die besonderhede op die houers van buite sigbaar is, hoef die vereistes van subregulasie (3) nie nagekom te word nie.

Verbode besonderhede

9. Geen woord, merk, illustrasie, afbeelding of enige ander metode van begripsuitdrukking wat 'n wanvoorstelling uitmaak of regstreeks of by implikasie 'n misleidende indruk skep of kan skep met betrekking tot die gehalte, aard of oorsprong van die rooibos of rooibosmengsels in 'n houer of buitehouer, op sodanige houer of buitehouer verskyn nie.

DEEL III

MONSTERNEMING

Verkryging van 'n verteenwoordigende monster

10. (1) 'n Inspekteur moet vir die doeleindes van hierdie regulasies 'n ewekansige monster rooibos of rooibosmengsel op die volgende wyse onttrek en moet homself of haarself tevrede stel dat die monsters wat so onttrek is, verteenwoordigend van die betrokke besending is:

- (a) In die geval van kleinmaatverpakkings wat in buitehouers verpak is --
 - (i) neem ewekansig uit die totale aantal buitehouers in die besending, soos in kolom 1 van Tabel 1 gespesifiseer, die ooreenstemmende aantal buitehouers wat in kolom 2 van dieselfde tabel gespesifiseer word; en
 - (ii) bemonster elke sodanige buitehouer per hand om minstens 100 g per buitehouer te verkry.
- (b) In die geval van grootmaathouers --

- (i) neem ewekansig uit die totale aantal houers in die besending, soos in kolom 1 van Tabel 2 gespesifiseer, die ooreenstemmende aantal houers wat in kolom 2 van dieselfde tabel gespesifiseer word; en
 - (ii) bemonsters elke sodanige houer met behulp van 'n gesteriliseerde monsterpen om minstens 100g per grootmaathouer te verkry.
- (c) In die geval van deurlopende monsterneming, moet 'n steriele monster van 'n spesifieke grootte op gereelde tussenposes met behulp van 'n pneumatiese monsternemer geneem word: Met dien verstande dat die aantal monsters wat per produksiegroep geneem word ooreenstem met die aantal monsters wat deur middel van 'n monsterpen geneem sou word.

(2) Bemonstering moet op so 'n wyse gedoen word om te verseker dat die monsters vir mikrobiologiese ontleding nie gekontamineer word nie.

(3) Die gesamentlike monster in subregulasie (1)(a) of (b) verkry, moet deeglik gemeng word voor verdere ondersoek: Met dien verstande dat in die geval waar 'n monster vir mikrobiologiese ontledings onttrek word, die materiaal wat uit elke sak verwyder is, apart gehou word en direk in 'n steriele sak geplaas en onmiddellik verseël moet word.

(4) 'n Monster wat ingevolge hierdie regulasies geneem is, word gaag verteenwoordigend te wees van die hoeveelheid waaruit dit verkry is.

Verkryging van 'n werkmonster

11. 'n Werkmonster word verkry deur die verteenwoordigende monster wat ooreenkomstig regulasie 10 geneem is, met 'n meergleufverdeler te verdeel.

Afwykende monster

12. Indien 'n inspekteur tydens die neem van ewekansige monsters of tydens die ondersoek merk dat enige van die hoeveelhede rooibos of rooibosmengsel wat uit enige houer geneem is, ooglopend swakker voorkom of verskil van die monsters onttrek uit die res van die houers, moet hy of sy die ondersoekresultaat baseer slegs op die monsters verkry uit houers van die afwykende gedeelte en verdere monsters benodig vir ondersoek moet uit die afwykende gedeelte geneem word.

DEEL IV

ONDERSOEKMETODES

Bepaling van vreemde materiaal

13. Die persentasie vreemde materiaal in 'n hoeveelheid rooibos of rooibosmengsel word soos volg bepaal:

- (a) Berei 'n werkmonster voor deur minstens 10 g van die verteenwoordigende monster af te meet.
- (b) Verwyder alle vreemde materiaal en bepaal die massa daarvan.
- (c) Druk die massa aldus bepaal uit as 'n persentasie van die werkmonster.
- (d) Sodanige persentasie verteenwoordig die vreemde materiaal in die betrokke hoeveelheid.

Bepaling van wilstokkies

14. Die persentasie wilstokkies in 'n hoeveelheid rooibos word soos volg bepaal:

- (a) Berei 'n werkmonster voor deur minstens 10 g van die verteenwoordigende monster af te meet.
- (b) Verwyder alle wilstokkies en bepaal die massa daarvan.

- (c) Druk die massa aldus bepaal uit as 'n persentasie van die werkmonster.
- (d) Sodanige persentasie verteenwoordig die witstokkies in die betrokke hoeveelheid.

Bepaling van voginhoud

15. Die voginhoud van 'n hoeveelheid rooibos of rooibosmengsel kan volgens enige geskikte metode bepaal word: Met dien verstande dat die resultate verkry in oorstemming (0,3 persent toelaatbare afwyking) is met die resultate verkry deur die "AOAC Official Method 925.19".

Bepaling van die kleur, aroma en smaak van rooibos

16. Die kleur, aroma en smaak van rooibos word soos volg bepaal:
- (a) Berei 'n werkmonster voor deur minstens 5,8 g van die verteenwoordigende monster af te meet.
 - (b) Berei daarna 'n ekstrak daarvan voor deur dit vir 2 minute teen 95 °C in 300 ml water met 'n pH-waarde van 6, en sonder om dit te roer, te trek.
 - (c) Evalueer die ekstrak sensories ten opsigte van kleur, aroma en smaak.
 - (d) Sodanige kleur, aroma en smaak verteenwoordig die kleur, aroma en smaak van die betrokke hoeveelheid.

Herhaling van bepalings

17. (1) 'n Bepaling ingevolge hierdie regulasies kan te enige tyd met 'n verdere monster van dieselfde hoeveelheid rooibos herhaal word.

(2) Indien die resultaat van so 'n herhaling wesenlik van die resultaat van die oorspronklike bepalings afwyk, word die betrokke bepaling op 'n derde werkmonster van die betrokke hoeveelheid herhaal, waarna die gemiddelde van die resultate van die twee bepalings met die kleinste verskil geag word die resultaat van die betrokke bepaling te wees.

DEEL V

MISDRYWE EN STRAWWE

18. Iemand wat die bepalings van hierdie regulasies oortree of versuim om daaraan te voldoen is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete of met gevangenisstraf ooreenkomstig artikel 11 van die Wet.

TABLE 1/TABEL 1

**FREQUENCY OF SAMPLING IN THE CASE OF RETAIL PACKAGING/
FREKWENSIE VAN MONSTERNEMING IN DIE GEVAL VAN KLEINMAATVERPAKKINGS**

Net mass total of outer containers containing identical packaging (kg)/ Totale netto massa van buitehouers wat identiese kleinmaatverpakings bevat (kg)	Number of outer containers to be sampled/ Aantal buitehouers waaruit monsters geneem moet word
1	2
1 - 200	3
201 - 800	5
801 - 2 400	7
2 401 - 4 000	10
4 001 - 8 000	15
8 001 - 24 000	20
24 001 and more/en meer	25

TABLE 2/TABEL 2

**FREQUENCY OF SAMPLING IN THE CASE OF BULK CONTAINERS/
FREKWENSIE VAN MONSTERNEMING IN DIE GEVAL VAN GROOTMAATHOUERS**

Total number of bulk containers in a consignment/ Totale aantal grootmaathouers in 'n besending	Number of bulk containers to be sampled/ Aantal grootmaathouers waaruit die monsters geneem moet word
1	2
1 - 25	3
26 - 100	5
101 - 300	7
301 - 500	10
501 - 1 000	15
1 001 - 3 000	20
3 001 and more/en meer	25

No. R. 324**22 March 2002**

VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982
(ACT No. 19 OF 1982)

**REGULATIONS RELATING TO VETERINARY AND PARA-VETERINARY
PROFESSIONS: AMENDMENT**

The Minister of Agriculture has under section 43 of the Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982), made the regulations in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 2085 of 1 October 1982, as amended by Government Notices Nos. R. 1994 of 11 September 1987 (as corrected by Government Notice No. R. 2199 of 2 October 1987), R. 397 of 4 March 1988, R. 1067 of 17 May 1991, R. 11 of 3 January 1992, R. 976 of 27 March 1992, R. 1477 of 23 September 1994, R. 47 of 20 January 1995, R. 701 of 12 May 1995, R. 1401 of 15 September 1995, R. 561 of 1 April 1996, R. 256 of 14 February 1997, R. 257 of 14 February 1997, R. 96 of 16 January 1998, R. 501 of 1 April 1998, R. 751 of 5 June 1998, R. 374 of 26 March 1999, R. 422 of 1 April 1999, R. 618 of 23 June 2000 and R. 734 of 17 August 2001.

Substitution of Table 1 of the Regulations

2. The following Table is hereby substituted for Table 1 of the Regulations:

No. R. 324**22 Maart 2002**

WET OP VETERINÊRE EN PARA-VETERINÊRE BEROEPE, 1982
(WET No. 19 VAN 1982)

**REGULASIES BETREFFENDE VETERINÊRE EN PARA-VETERINÊRE
BEROEPE: WYSIGING**

Die Minister van Landbou het kragtens artikel 43 van die Wet op Veterinêre en Para-Veterinêre Beroepe, 1982 (Wet No. 19 van 1982) die regulasies in die Bylae uiteengesit, uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing No. R. 2085 van 1 Oktober 1982, soos gewysig deur Goewermentskennisgewing Nos. R. 1994 van 11 September 1987 (soos verbeter by Goewermentskennisgewing No. R. 2199 van 2 Oktober 1987), R. 397 van 4 Maart 1988, R. 1067 van 17 Mei 1991, R. 11 van 3 Januarie 1992, R. 976 van 27 Maart 1992, R. 1477 van 23 September 1994, R. 47 van 20 Januarie 1995, R. 701 van 12 Mei 1995, R. 1401 van 15 September 1995, R. 561 van 1 April 1996, R. 256 van 14 Februarie 1997, R. 257 van 14 Februarie 1997, R. 96 van 16 Januarie 1998, R. 501 van 1 April 1998, R. 751 van 5 Junie 1998, R. 374 van 26 Maart 1999, R. 422 van 1 April 1999, R. 618 van 23 Junie 2000 en R. 734 van 17 Augustus 2001.

Vervanging van Tabel 1 van die Regulasies

2. Tabel 1 van die Regulasies word hierby deur die volgende Tabel vervang:

**TABLE 1
FEES PAYABLE**

PURPOSE/DOEL	AMOUNT/BEDRAG
1. Registration of a student/Registrasie van 'n student [Reg. 22]	*R30,00
2. Registration of a person/Registrasie van 'n persoon om – (a) to practice a veterinary profession/'n veteriniere beroep te beoefen (b) to practice a veterinary specialist profession/'n veteriniere spesialis beroep te beoefen (c) to practice a para-veterinary profession/'n para-veteriniere beroep te beoefen [Reg. 23]	*R520,00 for the first registration and *R1 420,00 for the registration of a person whose registration was previously terminated/*R520,00 vir die eerste registrasie en *R1 420,00 vir die registrasie van iemand wie se registrasie voorheen beëindig is *R646,00 for the first registration and *R1 420,00 for a person whose registration was previously terminated/*R646,00 vir die eerste registrasie en *R1 420,00 vir die registrasie van iemand wie se registrasie voorheen beëindig is *R260,00 for the first registration and *R420,00 for the registration of a person whose registration was previously terminated/*R260,00 vir die eerste registrasie en *R420,00 vir die registrasie van iemand wie se registrasie voorheen beëindig is
3. Maintenance of registration of a student/Instandhouding van registrasie van 'n student [Reg. 24(1)]	*R20,00
4. Maintenance of registration of/Instandhouding van registrasie van – (a) a person practising a veterinary profession/iemand wat 'n veteriniere beroep beoefen (b) a person practising a para-veterinary profession/iemand wat 'n para-veteriniere beroep beoefen [Reg. 24(2)]	*R452,00 *R188,00
5. Alteration of/Verandering van registrasie van – (a) registration of a person practising a veterinary profession/iemand wat 'n veteriniere beroep beoefen (b) speciality of a veterinary specialist/spesialiteit van 'n veteriniere spesialis beoefen	*R452,00 *R452,00

PURPOSE/DOEL	AMOUNT/BEDRAG
(c) registration of a person practising a para-veterinary profession/iemand wat 'n para-veterinêre beroep beoefen [Reg. 25]	*R188,00
6. Entry of particulars of a degree, diploma or certificate in a register/Inskrywing van besonderhede van 'n graad, diploma of sertifikaat in 'n register [Reg. 26]	*R55,00
7. Examination determined by the Council for registration purposes/Eksamen deur die Raad bepaal vir registrasiedoeleindes — (a) Application fee/Aansoekfooi (b) Examination fee/Eksamenfooi [Reg. 20(5)(c)]	*R150,00 *R4 410,00

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 319

22 March 2002

BASIC CONDITIONS OF EMPLOYMENT ACT

The Minister of Labour has under section 86(1) of the Basic Conditions of Employment Act (Act No. 75 of 1997), after consulting the Employment Conditions Commission, amended the Regulations in terms of the Basic Conditions of Employment Act, 1997 published in Government Notice No. R 1438 of 13 November 1998, as set out in the Schedule.

SCHEDULE

REGULATIONS AMENDMENTS

Amendment to B. Index of forms annexed to regulations

The index is hereby amended the insertion of the following –

BCEA 14A	Inspectors certificate	Section 63(3)
BCEA 14B	Inspectors card	Section 63(3)

Amendment of clause 1 of the regulations

Clause 1 of the principal regulations is hereby amended by the substitution for sub-clause (2) of the following sub-clause –

- “(2) Whenever the expression “Department of Labour” or “Provincial Executive Manager” [“**Provincial Director**”] appears in the Act or in these regulations, it means –
- (a) in the province of KwaZulu/Natal, the “Provincial Executive Manager” [“**Provincial Director**”], Department of Labour, P O Box 940, Durban, 4000;
 - (b) in the province of Northern Cape, the “Provincial Executive Manager” [“**Provincial Director**”], Department of Labour, Private Bag X5012, Kimberley, 8300;
 - (c) in the Northern Province, the “Provincial Executive Manager” [“**Provincial Director**”], Department of Labour, Private Bag X9368, Pietersburg, 0700;
 - (d) in the province of North-West, the “Provincial Executive Manager” [“**Provincial Director**”], Department of Labour, Private Bag X2040, Mmabatho, 8681;
 - (e) in the province of Eastern Cape, the “Provincial Executive Manager” [“**Provincial Director**”], Department of Labour, Private Bag X9005, East London, 5200;

- (f) in the province of Mpumalanga, the "Provincial Executive Manager" [Provincial Director], Department of Labour, Private Bag X7263, Witbank, 1035;
- (g) in the province of the Free State, the "Provincial Executive Manager" [Provincial Director], Department of Labour, P O Box 522, Bloemfontein, 9300;
- (h) in the province of Gauteng:
Gauteng-South: - in the Magisterial Districts of Alberton, Boksburg, Brakpan, Germiston, Heidelberg, Johannesburg, Kempton Park, Oberholzer, Randburg, Roodepoort, Vanderbijlpark, Vereeniging and Westonaria, The "Provincial Executive Manager" [Provincial Director], Department of Labour, P O Box 4560, Johannesburg, 2000;
Gauteng North: - in the Magisterial Districts of Benoni, Bronkhorstspuit, Cullinan, Krugersdorp, Nigel, Pretoria, Randfontein, Soshanguve 1, Soshanguve 2, Springs and Wonderboom, the "Provincial Executive Manager" [Provincial Director], Department of Labour, P O Box 393, Pretoria, 0001; and
- (i) in the Province of the Western Cape, the "Provincial Executive Manager" [Provincial Director], Department of Labour, P O Box 872, Cape Town, 8000.

Amendment of clause 13 of the regulations

The regulations of the principal regulations is hereby amended by the insertion of the following clause—

"13. Inspector certificates in terms of section 63

- (1) A certificate issued to a labour inspector in terms of section 63(3) must be in the form of Annexure 14A.
- (2) Every labour inspector who is issued with a certificate in terms of sub-regulation (1) must also be issued with a certificate in the form of an inspector card in the form of Annexure 14B
- (3) Production of a certificate by a labour inspector in the form of either Annexure 14A or Annexure 14 B constitutes
 - (a) Proof that the person identified in the certificate is a labour inspector;
 - (b) Compliance with a request for the productions of a certificate in terms of section 65(3)(a) of the Act."

Amendment of BCEA 6

The BCEA 6 form is hereby amended by the substitution of that form by the following form—

BCEA 6

BASIC CONDITIONS OF EMPLOYMENT ACT, 1997

Section 50(1)(b)

READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

This form is an application for a Ministerial determination to replace or exclude certain provisions of the Act or a Sectoral Determination.

WHO FILLS IN THIS FORM?

The employer.

WHERE DOES THIS FORM GO?

The Executive Manager, Employment Standards, Private Bag X117, Pretoria. 0001

INSTRUCTIONS

- The sections of the Act or Sectoral Determination for which variation is sought must be mentioned.
- Proof of any consent to the application by the registered trade union(s) in terms of section 50(7)(a) must be attached to this form.
- If no consent is obtained, proof of service on registered trade union(s) and proof of reasonable steps to bring the application to the notice of employees must be attached.
- Shift roster must be included if applicable.

NOTE

A Department of Labour official may conduct an inspection to verify the information or seek more information in relation to your application.

If there is insufficient space on the form use separate piece of paper.

DEPARTMENT OF LABOUR

APPLICATION FOR MINISTERIAL DETERMINATION

A. EMPLOYER PARTICULARS

1. NAME OF EMPLOYER

.....

2. CORRESPONDENCE ADDRESS

.....

.....

.....

POSTAL CODE **PROVINCE**

TEL. NO. (.....) **FAX. NO. (.....)**

E-MAIL:

3. NATURE OF BUSINESS CONDUCTED

.....

4. CONTACT PERSON(S)

.....

B. DETAILS OF APPLICATION

1. VARIATION IS APPLIED FOR IN RESPECT OF THE FOLLOWING SECTION(S) OF THE ACT OR CLAUSE(S) OF THE FOLLOWING SECTORAL DETERMINATION:

.....

.....

.....

.....

2. AREA FOR WHICH VARIATION IS SOUGHT:

.....

3. PERIOD FOR WHICH VARIATION IS SOUGHT:

.....

.....



LABOUR DEPARTMENT

BCEA 14 A

CERTIFICATE OF APPOINTMENT IN TERMS OF SECTION 63 OF BASIC CONDITIONS OF EMPLOYMENT ACT.

Discrete Serial Number:

Basic Conditions of Employment Act, 75 of 1997

Please read the information before completing this form

WHAT IS THE PURPOSE OF THIS FORM ?

To provide a certificate of appointment to inspectors in terms of Section 63 of BCEA.

WHO AUTHORISE THIS FORM?

A Provincial Executive Manager who has been delegated this power by the Minister in terms of section 85(1) of the BCEA

INSTRUCTIONS

- The Provincial Executive Manager, must sign this form.
The inspector card (Annexure 14B) must contain an inspector's photo, signature of the inspector, signature of the Provincial Executive Manager, office from which the inspector is based.
Inspector card must bear a serial number allocated by Head Office and issued by the respective Provincial Office

THIS IS TO CERTIFY THAT :-

- 1. Name
2. Identity Number

has been appointed, in terms of section 63 (1) of the Basic Conditions of Employment Act, 75 of 1997, as amended, as a labour inspector to monitor and enforce the following laws-

- 1. Basic Conditions of Employment Act, 75 of 1997;
2. Compensation for Occupational Injury and Diseases Act, No. 130 of 1993;
3. Employment Equity Act, 55 of 1998;
4. Occupational Health and Safety Act, 85 of 1993;
5. Unemployment Insurance Act. 30 of 1966

and may perform the following functions -

- (a) promote, monitor and enforce compliance with the above laws in terms of section 64 of the Basic Conditions of Employment Act;
(b) carry out the functions of an inspector in terms of section 29 of the Occupational Health and Safety Act;
(c) enforce the Employment Equity Act in terms of sections 34 to 38 of that Act;
(d) exercise the powers of an inspector in term of section 55 of the Unemployment Insurance Act;
(e) exercise any power delegated or perform any duty assigned by the Director-General: Labour in terms of section 3(1) of the Compensation for Occupational Injuries and Diseases Act.

3. Inspector's signature

3.1 Place :

3.2 Date :

Inspector's Name:

Signature: Labour Inspector

4. Authorising Signature

4.1 Place:


4.2 Date:

Name:

(Provincial Executive Manager)

Signature: Provincial Executive Manager

BCEA 14 B

PHOTO	DEPARTMENT OF LABOUR	
NAME :		
PROVINCIAL OFFICE :		
IDENTIFICATION NUMBER:		
SIGNATURE : _____ (Inspector)		

THIS IS TO CERTIFY THAT

NAME

has, in terms of section 63 (1) of the Basic Conditions of Employment Act, 75 of 1997, as amended, been appointed as a labour inspector to monitor and enforce the following legislation:-

1. Basic Conditions of Employment Act, 75 of 1997;
2. Compensation for Occupational Injury and Diseases Act, 130 of 1993;
3. Employment Equity Act, 55 of 1998;
4. Occupational Health and Safety Act, 85 of 1993;
5. Unemployment Insurance Act, 30 of 1966

PROVINCIAL EXECUTIVE MANAGER

No. R. 323**22 March 2002**

LABOUR RELATIONS ACT, 1995

**SOUTH AFRICAN COTTON TEXTILE PROCESSING AND MANUFACTURING BARGAINING COUNCIL:
EXTENSION OF MAIN COLLECTIVE AMENDING AGREEMENT TO NON-PARTIES**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby in terms of section 32 (2) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the South African Cotton Textile Processing and Manufacturing Bargaining Council and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that industry, with effect from 1 April 2002, and for the period ending 30 June 2002.

M. M. S. MDLADLANA
Minister of Labour

No. R. 323**22 Maart 2002**

WET OP ARBEIDSVARHOUDINGE, 1995

**SUID-AFRIKAANSE KATOENTEKSTIELVERWERKINGS- EN VERVAARDIGINGSNYWERHEID BEDINGINGSRAAD:
UITBREIDING HOOF VAN KOLLEKTIEWE WYSIGINGSOOREENKOMS NA NIE-PARTYE**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, dat die Kollektiewe Ooreenkoms wat in die Bylae hiervan verskyn en wat in die Bedingingsraad vir die Suid-Afrikaanse Katoentekstielverwerkings- en Vervaardigingsnywerheid aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die Ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie nywerheid, met ingang van 1 April 2002, en vir die typerk wat op 30 Junie 2002 eindig.

M. M. S. MDLADLANA
Minister van Arbeid

SCHEDULE

**SOUTH AFRICAN COTTON TEXTILE PROCESSING AND MANUFACTURING BARGAINING COUNCIL
AMENDING AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1995, made and entered into by and between the

South African Cotton Textile Processing Employers' Association

and

Thread Manufacturing and Processing Employers' Association

(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

Southern African Clothing and Textile Workers' Union

(herein referred to as the "employees" or the "trade union"), of the other part, being parties to the South African Cotton Textile Processing and Manufacturing Bargaining Council,

to amend the Agreement published under Government Notice No. R. 582 of 15 June 2000, as amended and renewed by Government Notice Nos. R. 1336 of 8 December 2000 and R. 1379 of 21 December 2001.

PART A: APPLICATION**1. SCOPE OF APPLICATION**

This Agreement applies to all employers and all employees who are members of the parties to this Agreement and who are engaged in the Cotton Textile Processing and Manufacturing Industry as defined in this Agreement.

2. PERIOD OF OPERATION

2.1 This Agreement comes into operation—

- (a) in respect of the parties to the Agreement, on the date of signature;
- (b) in respect of non-parties, 10 days after the date of publication in the *Gazette*.

2.2 The Agreement shall remain in force until 30 June 2002.

3. EXCEPTIONS

This Agreement does not apply to—

- 3.1 employees whose wages are not prescribed in Annexure A to this Agreement; and
- 3.2 non-parties in respect of the clause 2.

4. Substitute the existing Annexure A for the following:

WAGE SCHEDULE

From the date of coming into operation of this Agreement until 30 June 2002:

1: WAGES (clause 4)

"The following hourly increase and minimum wage rate will apply:

<i>Grade</i>	<i>Increase</i>	<i>New minimum</i>
1	66c	R10,59 per hour
2	67c	R10,79 per hour
3	69c	R11,09 per hour
4	72c	R11,56 per hour
5	76c	R12,15 per hour

6: PROVIDENT FUND (clause 22)

Add the following to clause 22:

"Where an employer is paying a provident fund contribution in excess of 7,5%, the current rand amount as at 30 June 2001, will continue to be paid for the duration of the Agreement."

9: SHOP STEWARDS

Substitute the following for (a):

- (a) LEAVE: Each shop steward in an establishment covered by the scope of the Agreement is entitled to paid leave as indicated herewith:

From 1 July 2001 to 30 June 2002: 6 days.

From 1 July 2002 to 30 June 2003: 7 days.

From 1 July 2003 to 30 June 2004: 8 days.

From 1 July 2004 to 30 June 2005: 9 days.

From 1 July 2005 to 30 June 2006: 10 days.

Add the following after the existing ITEM 9. (c):

"In addition, one shop steward per plant will be allocated a further once-off 5 paid days' training, if required by the trade union, in terms of the HIV/AIDS counsellor training. Such training shall form part of the Employers' Workplace Skills Development Plan, and shall be accredited with the SETA.

Employers disclaim any liability which could emanate from the counselling offered by the trade union."

Singed at Durban for and on behalf of the parties this 22nd day of June 2001

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