

REPUBLIC
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REPUBLIEK
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Government Gazette Staatskoerant

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Local **60c** Plaaslik
Other countries **85c** Buitelands
Post free • Posvry

**Regulation Gazette
Regulasiekoerant**
No. 4413

Registered at the Post Office
as a Newspaper
As 'n Nuusblad by die
Poskantoor geregistreer

Vol. 291

PRETORIA, 15 SEPTEMBER 1989

No. 12107

GOVERNMENT NOTICE

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 2025

15 September 1989

MARKETING ACT, 1968 (ACT No. 59 OF 1968)

MEAT SCHEME.—AMENDMENT

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, acting under section 14, as applied by section 15 (3), of the Marketing Act, 1968 (Act No. 59 of 1968), hereby—

(a) publish the amendments set out in the Schedule, of the Meat Scheme published by Government Notice No. R. 2641 of 30 December 1988, as amended; and

(b) declare that the said amendments shall come into operation on the date of publication hereof.

J. J. G. WENTZEL,
Minister of Agriculture.

SCHEDULE

Definition

1. In this Schedule "the Scheme" means the Meat Scheme published by Government Notice No. R. 2641 of 30 December 1988 (as corrected by Government Notice No. R. 45 of 13 January 1989), as amended by Government Notices Nos. R. 691 of 14 April 1989 and R. 890 of 28 April 1989.

Amendment of section 1 of the Scheme

2. Section 1 of the Scheme is hereby amended—

(a) by the substitution for the definition of "class" of the following definition:

" 'class' in relation to slaughter animals, meat, meat products and hides and skins, includes any category thereof determined according to—

(a) the size, mass, measure, number, measurements, colour, appearance, purity, composition or other feature or characteristic thereof or of a quantity thereof; or

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN LANDBOU- EKONOMIE EN BEMARKING

No. R. 2025

15 September 1989

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

VLEISSKEMA.—WYSIGING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, handelende kragtens artikel 14, soos toegepas by artikel 15 (3), van die Bemarkingswet, 1968 (Wet No. 59 van 1968)—

(a) publiseer hierby die wysigings in die Bylae uitengesit, van die Vleisskema gepubliseer by Goewermenskennisgewing No. R. 2641 van 30 Desember 1988, soos gewysig; en

(b) verklaar hierby dat genoemde wysigings op die datum van publikasie hiervan in werking tree.

J. J. G. WENTZEL,
Minister van Landbou.

BYLAE

Woordskrywing

1. In hierdie Bylae beteken "die Skema" die Vleisskema gepubliseer by Goewermenskennisgewing No. R. 2641 van 30 Desember 1988 (soos verbeter by Goewermenskennisgewing No. R. 45 van 13 Januarie 1989), soos gewysig by Goewermenskennisgewings Nos. R. 691 van 14 April 1989 en R. 890 van 28 April 1989.

Wysiging van artikel 1 van die Skema

2. Artikel 1 van die Skema word hierby gewysig—

(a) deur die volgende paragraaf by die omskrywing van "as 'n besigheid handel" by te voeg:

"(d) met betrekking tot 'n vleisprodukt, elke aankoop en elke handeling by die vervaardiging van 'n vleisprodukt deur enigiemand verrig, indien die aldus aangekoopte of vervaardigde vleisprodukt, of 'n hoeveelheid daarvan, van die hand gesit word of bestem is om van die hand gesit te word deur daardie persoon vir enige vergoeding hoegenaamd, hetsy in die vorm waarin dit aangekoop of

(b) the country, area, place or premises in, upon, to or from which, the person or class of persons by, to or through whom, the manner in which, the time at which, the conditions under which or the purpose for which it has been produced, consigned, conveyed, delivered, received, kept, treated, processed, manufactured, packed, sold, acquired, used or dealt with in any manner or any other act in connection therewith which is or has been performed,

or on the basis of any other circumstance or matter in connection therewith, and the word 'classify' shall have a corresponding meaning;"

(b) by the addition of the following paragraph to the definition of "dealing in the course of trade":

"(d) in relation to a meat product, means every purchase and every act performed in the manufacture of a meat product by any person, if the meat product so purchased or manufactured, or any quantity thereof, is or is intended to be disposed of by that person for any consideration whatsoever, whether in the form in which it was purchased or into which it was manufactured or in any other form, but not also such disposal of a meat product by any person who acquired that meat product from a person registered under section 41 (1) (d) of the Scheme;"

(c) by the insertion of the following definition after the definition of "hides and skins dealer":

" 'importer' means a person who imports slaughter animals, meat, meat products or hides and skins into the Republic, or receives it knowing that it was imported, and who is dealing in the course of trade therewith;"

(d) by the substitution for the definition of "meat" of the following definition:

" 'meat' means those portions of slaughter animals, including edible offal, that —

(a) either as such or in minced, sliced, chopped or reconstituted form, are used for human consumption after preparation, irrespective whether it has been treated with flavourants of seasoning or has been partially cooked; and

(b) forms part of the portion specified in paragraph (a), but is not used for human consumption,

but not also a meat product;" and

(e) by the substitution for the definition of "meat product" of the following definition:

" 'meat product' means a commodity —

(a) that consists of meat that, either as such or in minced, sliced, chopped or reconstituted form, has been cooked, smoked, pickled, dried or canned or is in the form of a spread or an extract, irrespective whether such commodity has thereafter been reconstituted and formed; or

(b) of which meat or any article derived from the manufacture or processing of meat forms a substantial portion,

and which, except in the case of bacon, is used for human consumption without further preparation, but not also —

(i) confectionary that consists partly of meat;

(ii) any meat dish prepared as or as part of a meal by the person providing that meal; and

(iii) meat that has been partially cooked;"

vervaardig is of in 'n ander vorm, maar nie ook sodanige van-die-hand-setting van 'n vleisprodukt deur iemand wat daardie vleisprodukt verkry het van iemand wat kragtens artikel 41 (1) (d) van die Skema geregistreer is nie;"

(b) deur die volgende omskrywing na die omskrywing van "huide- en vellehandelaar" in te voeg:

" 'invoerder' iemand wat slagvee, vleis vleisprodukte of huide en velle in die Republiek invoer, of dit ontvang wetende dat dit ingevoer is, en wat daarmee as 'n besigheid handel;"

(c) deur die omskrywing van "klas" deur die volgende omskrywing te vervang:

" 'klas', met betrekking tot slagvee, vleis, vleisprodukte en huide en velle, ook 'n kategorie daarvan bepaal volgens —

(a) die grootte, massa, hoeveelheid, getal, afmetings, kleur, voorkoms, suiwerheid, samestelling of ander kenmerk of eienskap daarvan of van 'n eenheid of hoeveelheid daarvan; of

(b) die land, gebied, plek of perseel waarin, waarop, waarheen of waarvandaan, die persoon of klas persone deur, aan of deur middel van wie, die wyse waarop, die tyd wanneer, die toestand waaronder of die doel waarvoor dit geproduseer, versend, vervoer, gelewer, ontvang, gehou, behandel, verwerk, vervaardig, verpak, verkoop, verkry, gebruik of 'n ander wyse mee gehandel word of is, of 'n ander handeling in verband daarmee verrig word of is,

of op die grondslag van enige ander omstandigheid of aangeleentheid in verband daarmee, en het die woord 'klassifiseer' 'n ooreenstemmende betekenis";

(d) deur die omskrywing van "vleis" deur die volgende omskrywing te vervang:

" 'vleis' daardie gedeeltes van slagvee, insluitende eetbare afval, wat —

(a) hetsy as sodanig of in gemaalde, gesnyde, gekapte of hersaamgestelde vorm, na voorbereiding vir menslike verbruik aangewend word, ongeag of dit met smaak- of geurmiddels behandel of gedeeltelik gaargemaak is; en

(b) deel vorm van die gedeeltes in paragraaf (a) vermeld, maar nie vir menslike verbruik aangewend word nie,

maar nie ook 'n vleisprodukt nie;" en

(e) deur die omskrywing van "vleisprodukt" deur die volgende omskrywing te vervang:

" 'vleisprodukt' 'n handelsartikel —

(a) wat bestaan uit vleis wat, hetsy as sodanig of in gemaalde, gesnyde, gekapte of hersaamgestelde vorm, gaargemaak, gerook, gepek, gedroog of ingemaak is of in die vorm van 'n smeer of ekstrak is, ongeag of sodanige handelsartikel daarna hersaamgestel en gevorm is; of

(b) waarvan vleis of 'n artikel deur die vervaardiging of verwerking van vleis verkry, 'n wesentlike deel uitmaak,

en wat, behalwe in die geval van spekvleis, sonder verdere voorbereiding vir menslike gebruik aangewend word, maar nie ook —

(i) banketgebak wat gedeeltelik uit vleis bestaan nie;

(ii) 'n vleisgereg wat as of as deel van 'n maaltyd berei word deur die persoon wat daardie maaltyd verskaf nie; en

(iii) vleis wat gedeeltelik gaargemaak is nie;"

Amendment of section 3 of the Scheme

3. Section 3 of the Scheme is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

“3. (1) This Scheme shall relate to slaughter animals meat, meat products and hides and skins, including any quantity thereof—”; and

(b) by the substitution for subsection (2) of the following subsection:

“(2) Any requirement or prohibition imposed or decision taken by the Board—

(a) relating to any class of slaughter animals, meat, meat products or hides and skins may differ from any such requirement or prohibition or decision which relates to any other class of slaughter animals, meat, meat products or hides and skins; or

(b) may relate only to a specific class of slaughter animals, meat, meat products or hides and skins.”.

Amendment of section 5 of the Scheme

4. Section 5 of the Scheme is hereby amended by the substitution for paragraph (b) of the following paragraph:

“(b) all persons dealing in the course of trade with slaughter animals, meat, meat products or hides and skins.”.

Substitution of section 7 of the Scheme

5. The following section is hereby substituted for section 7 of the Scheme:

“*Objects of the Board* [sec. 25 (2)]

7. The objects of the Board shall be to regulate the orderly marketing of slaughter animals, meat, meat products and hides and skins, including the import thereof into and the export thereof from the Republic, in accordance with the provisions of the Act and this Scheme.”.

Amendment of section 41 of the Scheme

6. Section 41 of the Scheme is hereby amended—

(a) by the addition of the following paragraph to subsection (1):

“(f) Each importer shall be registered with the Board.”; and

(b) by the substitution for subsection (2) of the following subsection:

“(2) No person shall be registered as an abattoir agent, butcher, general dealer, meat processor, importer, broker or hides and skins dealer unless he complies with such requirements as may be prescribed by regulation.”.

Amendment of section 48 of the Scheme

7. Section 48 of the Scheme is hereby amended by the substitution for paragraph (a) of the following paragraph:

“(a) determine the maximum quantity of slaughter animals, meat, meat products or hides and skins which may during any week, or during any day or other period determined by the Board, be brought into the controlled area; and”.

Wysiging van artikel 3 van die Skema

3. Artikel 3 van die Skema word hierby gewysig—

(a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan, deur die volgende woorde te vervang:

“3. (1) Hierdie Skema het betrekking op slag-vee, vleis, vleisprodukte en huide en velle, insluitende 'n hoeveelheid daarvan wat—”; en

(b) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) 'n Voorskrif van of verbod opgelê of besluit geneem deur die Raad—

(a) met betrekking tot 'n klas slagvee, vleis, vleisprodukte of huide en velle kan verskil van so 'n voorskrif of verbod met betrekking tot 'n ander klas slagvee, vleis, vleisprodukte of huide en velle; of

(b) kan op slegs 'n aangegewe klas slagvee, vleis, vleisprodukte of huide en velle betrekking hê.”.

Wysiging van artikel 5 van die Skema

4. Artikel 5 van die Skema word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

“(b) alle persone wat met slagvee, vleis, vleisprodukte of huide en velle as 'n besigheid handel.”.

Vervanging van artikel 7 van die Skema

5. Artikel 7 van die Skema word hierby deur die volgende artikel vervang:

“*Doelstellings van Raad* [art. 25 (2)]

7. Die doelstellings van die Raad is om die orde-lyke bemaking van slagvee, vleis, vleisprodukte en huide en velle, met inbegrip van die invoer daarvan in en die uitvoer daarvan uit die Republiek, ooreenkomstig die bepalings van die Wet en hierdie Skema te reël.”.

Wysiging van artikel 41 van die Skema

6. Artikel 41 van die Skema word hierby gewysig—

(a) deur die volgende paragraaf by subartikel (1) by te voeg:

“(f) Elke invoerder moet by die Raad geregi-streer wees.”; en

(b) deur subartikel (2) deur die volgende subarti-kel te vervang:

“(2) Geen persoon word as abattoiragent, slagter, algemene handelaar, vleisverwerker, in-voerder, makelaar of huide- en vellehandelaar ge-registreer nie tensy hy voldoen aan die vereistes by regulasie voorgeskryf.”.

Wysiging van artikel 48 van die Skema

7. Artikel 48 van die Skema word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te ver-vang:

“(a) die grootste hoeveelheid slagvee, vleis, vleis-produkte of huide en velle vasstel wat gedurende 'n week, of gedurende 'n dag of ander tydperk deur die Raad bepaal, in die beheerde gebied ingebring kan word; en”.

Amendment of section 49 of the Scheme

8. Section 49 of the Scheme is hereby amended by the substitution for paragraph (c) of the following paragraph:

"(c) contravenes a provision of section 41 (1) of this Scheme, or fails to comply with any condition imposed under section 41 (3) or (5) (c) of this Scheme;"

Amendment of section 50 of the Scheme

9. Section 50 of the Scheme is hereby amended by the substitution for subsection (6) of the following subsection:

"(6) Any person who immediately prior to the commencement date was registered subject to conditions in terms of section 24 of the Livestock and Meat Control Scheme to deal in the course of trade with slaughter animals, meat, meat products or hides and skins shall be deemed to have been so registered under section 41 (1) of this Scheme: Provided that this registration may under section 41 (5) (d) of this Scheme be cancelled if he contravenes any such condition or fails to comply therewith and that, subject to any such withdrawal or any legal lapsing of his registration on any other ground, his registration shall lapse 12 months after the commencement date."

Amendment of the Annexure to the Scheme

10. The Annexure to the Scheme is hereby amended by the substitution for item 14 of the following item:

Name of area/Naam van gebied	Description/Beskrywing
"14. The extended area/Die uitgebreide gebied	The Republic, excluding the areas specified in items 1 to 13 above/Die Republiek, uitgesonderd die gebiede in items 1 tot 13 hierbo vermeld."

Wysiging van artikel 49 van die Skema

8. Artikel 49 van die Skema word hierby gewysig deur paragraaf (c) deur die volgende paragraaf te vervang:

"(c) 'n bepaling van artikel 41 (1) van hierdie Skema oortree, of versuim om te voldoen aan 'n voorwaarde kragtens artikel 41 (3) of (5) (c) van hierdie Skema opgelê;"

Wysiging van artikel 50 van die Skema

9. Artikel 50 van die Skema word hierby gewysig deur subartikel (6) deur die volgende subartikel te vervang:

"(6) Iemand wat onmiddellik voor die inwerkingtredingsdatum ingevolge artikel 24 van die Vee- en Vleisreëlinskema onderworpe aan voorwaardes geregistreer was om met slagvee, vleis, vleisprodukte of huide en velle as 'n besigheid te handel, word geag aldus kragtens artikel 41 (1) van hierdie Skema geregistreer te wees: Met dien verstande dat sy registrasie kragtens artikel 41 (5) (d) van hierdie Skema ingetrek kan word indien hy 'n bedoelde voorwaarde oortree of versuim om daaraan te voldoen en dat, behoudens so 'n intrekking of 'n wettige verval van sy registrasie op 'n ander grond, sy registrasie van 12 maande na die inwerkingtredingsdatum verval."

Wysiging van die Aanhangsel by die Skema

10. Die Aanhangsel by die Skema word hierby gewysig deur item 14 deur die volgende item te vervang:

Name of area/Naam van gebied	Description/Beskrywing
"14 The extended area/Die uitgebreide gebied	The Republic, excluding the areas specified in items 1 to 13 above/Die Republiek, uitgesonderd die gebiede in items 1 tot 13 hierbo vermeld."

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