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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 187

3 March 2006

PLANT IMPROVEMENT ACT, 1976 (ACT No. 53 OF 1976)

REGULATIONS RELATING TO ESTABLISHMENTS, VARIETIES, PLANTS AND PROPAGATING MATERIAL: AMENDMENT

The Minister of Agriculture, acting under section 34 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), has made the following regulations in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R 1064 of 23 May 1980, as amended by Government Notices Nos. R. 1621 of 22 July 1983, R. 2173 of 28 September 1984, R. 1287 of 14 June 1985, (as corrected by Government Notice No. R. 1524 of 12 July 1985), R. 1522 of 12 July 1985, R. 256 of 14 February 1986, R. 1489 of 11 July 1986, R. 1903 of 12 September 1986, R. 1389 of 26 June 1987, R. 1700 of 7 August 1987, R. 86 of 22 January 1988, R. 2496 of 9 December 1988, R. 1518 of 14 July 1989, (as corrected by Government Notice No. R. 1976 of 15 September 1989), R. 2092 of 29 September 1989, R. 76 of 18 January 1991, R. 1638 of 12 July 1991, (as corrected by Government Notice No. R. 1971 of 16 August 1991), R. 2119 of 24 July 1992, R. 2618 of 18 September 1992, R. 891 of 28 May 1993, R. 1590 of 27 August 1993, R. 2057 of 29 October 1993, R. 513 of 18 March 1994, R. 1465 of 26 August 1994, R.174 of 10 February 1995 (as corrected by Government Notice No. R. 319 of 3 March 1995), R. 1976 of 22 December 1995, R. 1177 of 19 July 1996, R. 97 of 24 January 1997, R. 1011 of 1 August 1997, R. 866 of 3 July 1998 (as corrected by Government Notice No. R. 949 of 24 July 1998), R. 1284 of 16 October 1998, R. 1015 of 27 August 1999, R. 232 of 17 March 2000, R. 919 of 15 September 2000, R.1207 of 1 December 2000, R. 430 of 25 May 2001, R. 19 of 11 January 2002, R. 547 of 10 May 2002, R. 1 of 3 January 2003, R. 410 of 28 March 2003, R. 577 of 2 May 2003, R. 185 of 11 March 2005, R. 477 of 27 May 2005, R. 849 of 2 September 2005 (as corrected by R. 928 of 30 September 2005) and R. 131 of 17 February 2006.

Substitution of Table 8 of the Regulations

2. The table in Annexure A is hereby substituted for Table 8 of the Regulations:

No. R. 187

3 Maart 2006

PLANTVERBETERINGSWET, 1976
(WET No. 53 VAN 1976)

**REGULASIES BETREFFENDE ONDERNEMINGS, VARIËTEITE, PLANTE EN
VOORPLANTINGSMATERIAAL: WYSIGING**

Die Minister van Landbou, handelende kragtens artikel 34 van die Plantverbeteringswet, 1976 (Wet No. 53 van 1976), het die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken “die Regulasies” die regulasies gepubliseer by Goewermentskennisgewing No. R. 1064 van 23 Mei 1980, soos gewysig deur Goewermentskennisgewing Nos. R. 1621 van 22 Julie 1983, R. 2173 van 28 September 1984, R. 1287 van 14 Junie 1985, (soos verbeter deur Goewermentskennisgewing No. R. 1524 van 12 Julie 1985), R. 1522 van 12 Julie 1985, R. 256 van 14 Februarie 1986, R. 1489 van 11 Julie 1986, R. 1903 van 12 September 1986, R. 1389 van 26 Junie 1987, R. 1700 van 7 Augustus 1987, R. 86 van 22 Januarie 1988, R. 2496 van 9 Desember 1988, R. 1518 van 14 Julie 1989, (soos verbeter deur Goewermentskennisgewing No. R. 1976 van 15 September 1989), R. 2092 van 29 September 1989, R. 76 van 18 Januarie 1991, R. 1638 van 12 Julie 1991, (soos verbeter deur Goewermentskennisgewing No. R. 1971 van 16 Augustus 1991), R. 2119 van 24 Julie 1992, R. 2618 van 18 September 1992, R. 891 van 28 Mei 1993, R. 1590 van 27 Augustus 1993, R. 2057 van 29 Oktober 1993, R. 513 van 18 Maart 1994, R. 1465 van 26 Augustus 1994, R.174 van 10 Februarie 1995 (soos verbeter deur Goewermentskennisgewing No. R. 319 van 3 Maart 1995), R. 1976 van 22 Desember 1995, R. 1177 van 19 Julie 1996, R. 97 van 24 Januarie 1997, R. 1011 van 1 Augustus 1997, R. 866 van 3 Julie 1998 (soos verbeter deur Goewermentskennisgewing No. R. 949 van 24 Julie 1998), R. 1284 van 16 Oktober 1998, R. 1015 van 27 Augustus 1999, R. 232 van 17 Maart 2000, R. 919 van 15 September 2000, R.1207 van 1 Desember 2000, R. 430 van 25 Mei 2001, R. 19 van 11 Januarie 2002, R. 547 van 10 Mei 2002, R. 1 van 3 Januarie 2003, R. 410 van 28 Maart 2003, R. 577 van 2 Mei 2003, R.185 van 11 Maart 2005, R. 477 van 27 Mei 2005, R. 849 van 2 September 2005 (soos verbeter deur R. 928 van 30 September 2005) en R. 131 van 17 Februarie 2006.

Vervanging van Tabel 8 van die Regulasies

2. Tabel 8 van die Regulasies word hiermee deur die tabel in Aanhangsel A vervang:

ANNEXURE A/ AANHANGSEL A

"TABLE 8/ TABEL 8

VARIETIES IN RESPECT OF WHICH CERTIFICATION IS REQUIRED
VARIËTEITE WAARVAN SERTIFISERING VEREIS WORD

Botanical name Botaniese naam	Common name Gewone naam	Denomination of variety/ Benaming van variëteit	Date of commencement of prohibition/ Datum van inwerkingtreding van verbod
<i>Allium cepa</i> L.	Onion/ Ui	Brownsville	1991-12-01
		* Capricio	2003-03-01
		* Radium	1988-06-01
		* Rion 1	1996-01-01
		* Rion 2	1996-01-01
		* Rion 3	1996-01-01
		* Rion 4	1996-01-01
<i>Arachis hypogaea</i> L. .	Groundnut/ Grondboon	* Akwa	1997-07-01
		* Anel	1997-07-01
		* Billy	1997-01-01
		Harts	1995-01-30
		* Kwarts	1995-01-30
		Sellie	1995-01-30
<i>Avena sativa</i> L.	Oats/ Hawer	Le Tucana	2004-09-01
		* Maluti	1997-07-01
		* SSH 491	2000-06-01
		SSH 497	2000-06-01
		SSH 498	2000-06-01
<i>Brassica napus</i> L.	Forage rape/ Weikool ...	* Varola 50	2001-12-01
		* Varola 54	2001-12-01
<i>Cenchrus ciliaris</i> L.	Blue buffalo grass/ Bloubuffelsgras	* Bergbuffel	2000-06-01
<i>Cucurbita maxima</i> Duchesne ex Lam.	Pumpkin & Squash/ Pampoen en Skorsie	Flat White Boer-Van Niekerk/ Plat Wit Boer-Van Niekerk	1988-06-01
		* Sunproof	2003-03-01
<i>Cucurbita pepo</i> L.	Squash/ Skorsie	Blanco	2003-03-01
		Rolet	1988-06-01
<i>Daucus carota</i> L.	Carrot/ Geelwortel	Brazilia	1991-12-01
		Ideal Red	1991-12-01
<i>Digitaria smutsii</i> Stent	Smuts finger grass/ Smutsvingergras	* Tip Top	1998-01-01
<i>Eragrostis curvula</i> (Schrad.) Nees	Weeping lovegrass/ Oulandsgras	* Agpal	2000-06-01
		Umgeni	1995-10-01
<i>Glycine max</i> (L.) Merr.	Soya bean/ Sojaboon ...	Prima	1988-03-01
		SCS 1	1999-11-01
		* SNK 440	1999-11-01
		* SNK 500	1999-11-01
<i>Hordeum vulgare</i> L. ...	Barley/ Gars	Chariot	2002-04-01
		* Puma	2006-02-01
		* SSG 525	2001-12-01
		* SSG 532	2001-12-01

Botanical name Botaniese naam	Common name Gewone naam	Denomination of variety/ Benaming van variëteit	Date of commencement of prohibition/ Datum van inwerkingtreeding van verbod
<i>Lolium multiflorum</i> Lam.	Italian and westerwold ryegrass/ Italiaanse en westerwoldse raaigras	* Agriton	2000-06-01
		Midmar	1988-06-01
<i>Lupinus albus</i> L.	White lupin/ Witlupien ...	* Alida	2003-03-01
		* Esta	2003-03-01
		Vladimir	2003-03-01
<i>Lupinus angustifolius</i> L.	Narrow leaf lupin/ Smalblaarlupien	Merrit	2003-03-01
<i>Lycopersicon esculentum</i> Mill., nom cons.	Tomato/ Tamatie	* Rotam 4	1988-06-01
		Stevens	1988-06-01
<i>Medicago sativa</i> L.	Lucerne/Lusern	* S.A. Select	2004-09-01
<i>Phaseolus vulgaris</i> L.	Dry bean/ Droëboon	Bonus	1988-06-01
		* DBS 310	2006-02-01
		* DBS 360	2006-02-01
		* Helderberg	1995-01-30
		Majuba	1988-06-01
		Maskam	1988-06-01
		* Minerva	2000-06-01
		Mkuzi	1989-01-01
		Nuweveld	1988-06-01
		* Stormberg	1995-01-30
Teebus	1988-06-01		
Vulindlela	1989-01-01		
<i>Phaseolus vulgaris</i> L.	Garden bean (Runner)/ Tuinboon (Rank)	Witsa	1988-06-01
<i>Phaseolus vulgaris</i> L.	Garden bean (Dwarf)/ Tuinboon (Stam)	Rowit	1995-10-01
		Wintergreen	1988-06-01
<i>Sorghum</i> spp. [S. <i>almum</i> Parodi, S. <i>sudanense</i> (Piper) Stapf and/ en hybrids/ hibriede]	Forage sorghum/ Voersorghum	Silk	1995-01-01
<i>Trifolium repens</i> L. ...	White clover/ Witklawer	Dusi	1988-03-01
<i>Triticum aestivum</i> L. nom. cons.	Wheat/ Koring	Baviaans .	2004-09-01
		* Betta DN	1999-01-01
		* Caledon	2004-09-01
		* CRN 826	2004-09-01
		* Elands	2004-09-01
		* Duzi	2006-02-01
		* Gariiep	1997-07-01
		* Kariëga	1998-01-01
		* Komati	2004-09-01
		Krokodil	2006-02-01
		* Limpopo	1999-01-01
		* Mac B	2004-09-01
		* Marico	1998-01-01
Matlabas	2006-02-01		
Nossob	2006-02-01		
* Olifants	2004-09-01		

Botanical name Botaniese naam	Common name Gewone naam	Denomination of variety/ Benaming van variëteit	Date of commencement of prohibition/ Datum van inwerkingtredeing van verbod
		* PAN 3118	2003-03-01
		* PAN 3191	2003-03-01
		* PAN 3235	2003-03-01
		* PAN 3349	2003-03-01
		* PAN 3364	2003-03-01
		* PAN 3377	2003-03-01
		* PAN 3490	2003-03-01
		* PAN 3492	2003-03-01
		* Steenbras	2004-09-01
		* SST 015	2004-09-01
		* SST 027	2004-09-01
		* SST 57	1999-11-01
		* SST 65	1999-11-01
		* SST 75	1999-11-01
		* SST 88	2000-06-01
		* SST 94	2000-06-01
		* SST 322	2004-09-01
		* SST 334	2004-0-01
		* SST 363	1999-11-01
		* SST 367	1999-11-01
		SST 822	1999-11-01
		SST 825	1999-11-01
		* SST 835	2004-09-01
		* SST 876	1999-11-01
		* Tugela DN	1998-01-01
x <i>Triticosecale</i> Witt. (<i>Triticum x Secale</i>)	Triticale/ Korog, Triticale	* Arend	1997-07-01
		* Bacchus	2002-04-01
		Cloc 1	1993-11-30
		* Kiewiet	1997-07-01
		* Rex	1997-07-01
		* Tobie	2003-03-01
<i>Zea mays</i> L.	High Quality Protein Maize / Hoë Kwaliteit Protein Mielies	Qsoba	2006-02-01
<i>Zea mays</i> L.	White grain maize/ Wit graanmielie	* Afric 1	2004-09-01
		Gobi	2002-04-01
		Grace	2004-09-01
		Mac Medium Pearl	1995-01-30
		Madonella	1995-01-30
		Namib	2002-04-01
		Navada	2003-03-01
		* Nelson's Choice ZM 521	2004-09-01 2004-09-01
<i>Zea mays</i> L.	Yellow grain maize/ Yellow graanmielie	Colorado	2003-03-01

Plant breeders' rights granted/ Planttelersregte toegeken".

**DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID**

No. R. 186

3 March 2006

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972
(ACT NO 54 OF 1972)**

**REGULATIONS RELATING TO THE POWERS AND DUTIES OF INSPECTORS AND ANALYSTS
ON INSPECTIONS AND INVESTIGATIONS CONDUCTED
ON FOODSTUFFS AND AT FOOD PREMISES**

The Minister of Health intends, in terms of section 15(1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No 54 of 1972), to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments on the proposed regulations, or any representations they may wish to make in regard thereto, to the Director-General: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Food Control), within three months of the date of publication of this notice.

SCHEDULE

Definitions

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

“food premises” means a building, structure, stall or other similar structure, and includes a caravan, vehicle, stand or place used for or in connection with the handling of food;

“handle” includes manufacture, process, produce, pack, prepare, keep, offer, store, transport or display for sale or for serving, and **“handling”** has a corresponding meaning;

“person in charge”, with regard to any foodstuff or food premises contemplated in these regulations, means a natural person who is the owner of or a natural person who is responsible for the foodstuff or food premises; or the agent in the case of imported foodstuff;

“Sample” means a portion consisting of one or more units depending on the situation in question, of a foodstuff, divided or undivided as described by these regulations, of a larger quantity of a foodstuff, drawn by an inspector in terms of the provisions of these regulations and to be sent to a laboratory for testing or analysis;

“Sampling” means the procedure followed to draw and constitute a sample as described in regulation 2(2) and (3); and

“the Act” means the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972) and regulations published under it.

Inspection powers

2. (1) An inspector may, with regard to a food premises in respect of which any provision of the Act is applicable, and with due regard to section 11 thereof-

- (a) demand that the person in charge or apparently in charge of such food premises, submit to him or her any book, document or thing that must be kept or displayed in terms of the Act or that relates to any matter provided for by the Act and that is or was in the possession or in the custody or under the control of such person, or that is on or in such food premises;
- (b) make an extract from or a copy of a book or document referred to in paragraph (a);
- (c) question the person referred to in paragraph (a) with regard to any matter provided for in the Act and obtain information regarding any activity or process or entry in a book or document referred to in paragraph (a);
- (d) for the purpose of preventing a food borne disease, demand any information from a person referred to in paragraph (a) or from any other person who has at any time been on or in such food premises;
- (e) examine any foodstuff that is found in or on such food premises, and any appliance,

product, material, object or substance that is so found and that is or is suspected to be used, or destined or intended for use, for, in or in connection with the handling of any food or any other operation or activity in connection with any foodstuff, and open any package or container of such foodstuff, product, material, object or substance.

- (f) take so much of the foodstuff contemplated in paragraph (e), in whatever kind of package or container it may be, as he may reasonably require as a sample for the purpose of testing or analysing it-
- (i) by offering payment to the person in charge, if the inspector is taking a sample to verify compliance to any of the requirements set in terms of the Act; or
 - (ii) without payment, if the inspector has reason to suspect that such foodstuff is unsound or unwholesome or unfit for human consumption.

(2) The inspector shall follow the following procedure when he or she is taking a sample in terms of these regulations with due regard to the powers conferred on inspectors under section 11(1) of the Act:

- (a) The inspector shall take a sample in the presence of -
- (i) the person in charge; or
 - (ii) any other adult person who is employed in those premises as a witness if the person in charge is not present.
- (b) The inspector shall, as soon as practicable after the sample has been obtained in terms of paragraph (a)(ii), notify the person in charge, in writing, of the sampling and of the purpose thereof.
- (c) If the person in charge or a witness is present at the taking of a sample, the inspector shall ascertain from such person in writing and in a format provided in **Annexure A**, whether a part of such sample for examination or analysis is required and if so, the inspector shall -
- (i) divide the sample in such a manner as its nature permits, into three separate parts which shall be as identical as possible. One of the portions shall be handed to such person, one sent to

- an analyst for analysis or examination and one carefully kept by the inspector until the case has been finalised;
- (ii) if the contents of one package are not sufficient for analysis or examination if divided as aforesaid, obtain additional packages of the property of the same person similarly labelled and purporting to contain a similar article and the contents of two or more such packages shall then and there be mixed by the inspector and the mixture divided and dealt with as provided.
 - (iii) pack, seal and label with a special label in a format provided in **Annexure B**, each of the three parts of a sample referred to in paragraph (i) to indicate its nature, origin and identify it with -
 - (aa) an identification number;
 - (bb) concise details regarding the contents;
 - (cc) the nature of the examination or analysis required;
 - (dd) the date on which the sample was taken; and
 - (ee) his or her name and work address;
 - (d) If the offer to divide the sample is not accepted, the undivided sample shall be packed, sealed, labelled with a special label to indicate its origin, nature and to identify it as indicated in paragraph (c) (iii) and sent to an analyst for analysis or examination.
 - (e) In the case of perishable foodstuff, or foodstuff in a sealed package, or where the opening of such package would hamper analysis or examination, or where no person referred to in paragraph (c) is present, a similar procedure to that described in paragraph (d) shall be followed.
 - (f) The original label of the package, if any, or a copy thereof shall accompany the sample sent to the analyst.

- (g) In the case of milk or cream sampled for chemical or compositional analysis, the preservative tricresol, may be added. If a person referred to in paragraph (c) is present, the preservative shall be added to the sample in his presence and he shall be informed of the nature of the preservative.
- (h) The sample may be delivered to the analyst by any convenient means provided the inspector's seal remains intact.
- (i) Samples for bacteriological analysis shall be taken with sterilized equipment and transferred to sterile sample containers taking precautions to prevent the contamination of the samples. The sample container shall be stoppered and, within 15 minutes of the sample being taken, shall be surrounded by crushed ice or other suitable refrigerant which comes into contact with the container and is capable of reducing the temperature of the sample to 7°C and maintaining it at that temperature or below, but not frozen, until delivered to an analyst.

(3) In addition to the procedure described in subregulation (2), when sampling of milk and milk products is carried out, the contents of the International Standard: *ISO 707:1997: Milk and Milk Products – Guidance on Sampling*, shall, where applicable, be taken into consideration.

Detention of foods

3. (1) An inspector may, pending the examination or analysis of a sample, by written order, in a format provided in **Annexure C**, signed by him or her, detain the whole lot or consignment of food in whatever kind of package or container it may be, on or in the premises concerned from which that sample was taken.

(2) The inspector may lock up, seal, mark, fasten or otherwise secure such detained food in or upon such premises or any other premises.

(3) An order referred to in subregulation (1)-

- (a) shall be served on the person referred to in regulation 2(1)(a);

- (b) is binding for the period stated in the order, which shall not exceed a period of 30 days;
- (c) may be withdrawn during that period; or
- (d) may be extended to a maximum period of 30 days if the initial period was less than 30 days.

(4) No person may, without the written permission of the inspector remove any food detained in terms of subregulation (1) from the place where it is being detained, or deal with it in any other manner.

Seizure of foodstuffs

4. (1) An inspector may-

- (a) if, after an examination of any food contemplated in regulation 2(1)(e) , he or she is satisfied that such food is unsound, or unwholesome or contaminated; or
- (b) where it appears from the testing or analysis of a sample referred to in regulation 2(1)(f), that the sample or any part of it is unsound, unwholesome or contaminated,

by written order in a format provided in **Annexure D**, signed by him or her, seize the food concerned, or the lot or consignment of food from which the sample was taken if he or she is satisfied that the food in that lot or consignment is in the same condition or possesses the same properties as the sample.

(2) An order referred to in subregulation (1) -

- (a) shall be served on the person in charge or witness referred to in regulation 2(1) (c);
- (b) is binding from the time of such service until the food that has been seized -
 - (i) has been used for purposes other than human consumption;
 - (ii) has been destroyed; or

- (iii) has, in terms of subregulation (6), been released for human consumption;
- (c) may at any time be withdrawn by the inspector who issued such order; and
- (d) shall clearly set out the provisions of this regulation.

(3) Wherever food has been seized under subregulation (1), the person in charge may choose at his or her expense and with the permission of an inspector, to have such food treated, disposed of or used for purposes other than human consumption or destroyed in a manner approved by the inspector.

(4) A choice referred to in subregulation (3) shall be made known in writing to the inspector within 24 hours after seizure.

(5) If the person in charge of food which has been seized by an inspector in terms of subregulation (1)-

- (a) refuses or fails to exercise a choice referred to in subregulation (3) within 24 hours after such seizure; or
- (b) exercises such choice but thereafter refuses or fails to act in accordance with that choice within a further period of 24 hours,

the inspector may, at any time thereafter, and for the account and risk of such person in charge, destroy such food or cause such food to be destroyed or otherwise disposed of.

(6) An inspector may release for human consumption food which, after treatment referred to in subregulation (3), is in his or her opinion fit for human consumption, by withdrawing or amending the order pertaining to such food that was issued in terms of sub-regulation (1).

(7) Subject to the provisions of this regulation, no person may, without the written authority and direction of an inspector, remove any food seized in terms of subregulation (1) from the premises referred to in that subregulation, or sell such food, or deal with it in any other manner.

(8) An inspector who grants a written authority referred to in subregulation (7) may, in such authority, impose any condition regarding the transportation and further storage of the food concerned.

(9) An inspector acting in terms of this regulation shall, at the request of the person in charge affected by such action, issue to such person a written certificate, in a format provided in **Annexure E** under his or her signature and designation stating the kind and quantity of food removed for safe disposal and the reason for removing it.

Rectification of certain conditions

5. If an inspector is of the opinion that in relation to food premises or foodstuffs contemplated in the Act, activities or conditions exist which are dangerous or harmful or likely to be dangerous or harmful to health or which are likely to favour the spread or impede the prevention of a food borne disease, he or she shall issue a written order, in a format provided in **Annexure F**, signed by him or her and addressed to the person in charge of such premises, in which he or she instructs that -

- (a) any activity or condition stated in the order must be rectified immediately or within a specified period determined by the inspector; or
- (b) if such an activity or condition is due to failure to comply with the requirements of the Act, such person in charge must comply with the requirements of the Act.

Inspection report

6. An inspector shall, within 14 days after completing an inspection or an investigation of food premises, compile an inspection report, in a format provided in **Annexure G**, and hand or send by registered post a copy thereof to the person in charge of the premises concerned.

Duties of Analysts

7. (1) An analyst referred to in section 12 (2) of the Act shall complete a certificate in a format provided in **Annexure H** of these regulations.

(2) In the case of milk or cream, besides any other aspects which have to be investigated, it shall be determined and reported whether a preservative is present and, if so, whether it is a preservative prescribed by regulation for that purpose.

(3) In the case of a sample of a foodstuff which is not perishable and which is found on analysis or examination to be adulterated or falsely described or otherwise not to comply with the requirements of the Act, and which was not divided by the inspector, the unused portion, if any, of the sample shall be closed, sealed and carefully retained by the analyst until after the conclusion of any prosecution in connection therewith.

Withdrawal

8. The regulations published under Government Notice No. R.2162 of 16 November 1973 made in terms of the Foodstuffs, Cosmetics and Disinfectants Act 1972 (Act No. 54 of 1972) and Notice No. R. 1128 of 24 May 1991 made in terms of the Health Act, 1977 (Act No. 63 of 1977) with the exclusion of regulations 2. (1)(a)-(d); 5; and 6, are hereby withdrawn.


ME TSHABALALA-MSIMANG
MINISTER OF HEALTH

Annexure A

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972(ACT NO 54 OF 1972): REGULATIONS RELATING TO THE POWERS AND DUTIES OF INSPECTORS AND ANALYSTS ON INSPECTIONS AND INVESTIGATIONS CONDUCTED ON FOODSTUFFS AND AT FOOD PREMISES, R. OF2005

OFFER FOR DIVISION OF A SAMPLE TAKEN FOR EXAMINATION OR ANALYSIS REFERRED TO IN REGULATION 2(2)(c)

Sample of Inspector's serial No

Nature of examination Health Authority:.....

Name and work address of Inspector

Name and address of person in charge from whom sample was obtained

Whether divided or not?

Signature: **Name of Inspector:**
 (Inspector taking sample) (Block letters)

Date:

Remarks:

STATEMENT BY INSPECTOR

I intend to submit this foodstuff(s) for analysis and/or examination under the abovementioned regulations.

I now offer to divide the same into three parts to be now separated, each part to be labelled, one of them to be tendered to you. Do you wish me to do so?

Place:

INSPECTOR

I certify that
 has offered to divide the above-mentioned sample into three approximately equal parts and that:
 (i) one part has been tendered to me; (ii) I did not accept the offer of division of the sample.
 (delete (i) or (ii)).

.....
SIGNATURE OF SELLER OR SUPPLIER

.....
DATE

Annexure B

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972(ACT NO 54 OF 1972): REGULATIONS
RELATING TO THE POWERS AND DUTIES OF INSPECTORS
AND ANALYSTS ON INSPECTIONS AND INVESTIGATIONS CONDUCTED
ON FOODSTUFFS AND AT FOOD PREMISES, R. OF2005**

**LABEL OF A SAMPLE TAKEN FOR ANALYSIS OR EXAMINATION
REFERRED TO IN REGULATION 2(2)(c)(iii)**

Sample of Inspector's identification no

Name and address of Inspector
.....

Nature of examination

Date taken20.... Time

Quantity taken:

Name and address of person in charge from whom sample was obtained.

.....
.....

Whether offer of division accepted

.....

Dispatched to analyst

.....

Person in charge's statement or remarks (if any)

.....

Witnesses

.....

Annexure C

(Health authority's letterhead and contact details)

.....

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972(ACT NO 54 OF 1972): REGULATIONS
RELATING TO THE POWERS AND DUTIES OF INSPECTORS
AND ANALYSTS ON INSPECTIONS AND INVESTIGATIONS CONDUCTED
ON FOODSTUFFS AND AT FOOD PREMISES, R. OF2005**

ORDER FOR THE DETENTION OF FOODSTUFFS IN TERMS OF REGULATION 3(1)

In terms of the abovementioned regulations the following foodstuffs are hereby detained at
address:.....

..... from to pending the examination
or analysis of a sample:

Quantity	Article of food	Description	Reason for detention	Mark
.....
.....
.....

.....
SIGNATURE: INSPECTOR

.....
DATE:

Annexure D

(Health authority's letterhead and contact details)

.....

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972(ACT NO 54 OF 1972):
REGULATIONS RELATING TO THE POWERS AND DUTIES OF INSPECTORS
AND ANALYSTS ON INSPECTIONS AND INVESTIGATIONS CONDUCTED
ON FOODSTUFFS AND AT FOOD PREMISES, R. OF2005**

ORDER FOR THE SEIZURE OF FOODSTUFFS IN TERMS OF REGULATION 4(1)(b)

In terms of the abovementioned regulations the following foodstuffs are deemed to be unfit for human consumption as verified by an inspection and/or examination or analysis thereof for the following

reason(s):.....

.....and is hereby

seized at the following address:.....

.....

Quantity	Article of food	Description	Reason for detention	Mark
.....
.....
.....
.....

.....

.....

.....

.....

.....

.....

SIGNATURE: INSPECTOR

.....

DATE:

Annexure E

(Health authority's letterhead and contact details)

.....

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972(ACT NO 54 OF 1972):
REGULATIONS RELATING TO THE POWERS AND DUTIES OF INSPECTORS
AND ANALYSTS ON INSPECTIONS AND INVESTIGATIONS CONDUCTED
ON FOODSTUFFS AND AT FOOD PREMISES, R. OF2005**

**CERTIFICATE FOR REMOVAL AND SAFE DISPOSAL OF SEIZED FOODSTUFFS AT REQUEST
OF THE PERSON IN CHARGE REFERRED TO IN REGULATION 4(9)**

Name and address of person in charge.....

.....

Date:.....

This is to certify that the under mentioned foodstuffs has/have been removed and will be destroyed for the following reason(s);.....

.....

Quantity	Article of food	Description	Reason for detention	Mark
.....
.....
.....
.....

.....

Signature: Inspector

.....

**PERMISSION FOR THE REMOVAL AND SAFE DISPOSAL OF
ABOVEMENTIONED FOODSTUFFS**

I, the undersigned, hereby surrender the abovementioned foodstuff(s) to the Inspector and agree to its removal and safe disposal.

Signature: Owner/Agent:

Date:

Annexure F

(Health authority's letterhead and contact details)

.....

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT NO 54 OF 1972): REGULATIONS
RELATING TO THE POWERS AND DUTIES OF INSPECTORS
AND ANALYSTS ON INSPECTIONS AND INVESTIGATIONS CONDUCTED
ON FOODSTUFFS AND AT FOOD PREMISES, R. OF2005**

ORDER FOR AN INSTRUCTION ISSUED IN TERMS OF REGULATION 5

ADDRESS OF PREMISES:.....

.....

PERSON IN CHARGE:.....

POSTAL ADDRESS:

NAME OF INSPECTOR:

DATE OF INSPECTION:.....

It is hereby instructed that the following condition(s) existing on the above-mentioned food premises be rectified immediately, or by the following date:.....

.....

(1).....

.....

(2).....

.....

(3).....

.....

(4).....

.....

(5).....

.....
SIGNATURE OF INSPECTOR

.....
DATE

Annexure G

(Health authority's letterhead and contact details)

.....

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972(ACT NO 54 OF 1972): REGULATIONS
RELATING TO THE POWERS AND DUTIES OF INSPECTORS
AND ANALYSTS ON INSPECTIONS AND INVESTIGATIONS CONDUCTED
ON FOODSTUFFS AND AT FOOD PREMISES, R. OF2005**

INSPECTION REPORT REFERRED TO IN REGULATION 6

ADDRESS OF PREMISES:.....

.....

PERSON IN CHARGE:.....

POSTAL ADDRESS:

NAME OF INSPECTOR:

DATE OF INSPECTION:.....

INSPECTION REPORT:

.....

(1).....

.....

(2).....

.....

(3).....

.....

(4).....

.....

(5).....

.....
SIGNATURE OF INSPECTOR

.....
DATE

Annexure H

(Laboratory's letterhead and contact details)

.....

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972(ACT NO 54 OF 1972): REGULATIONS
RELATING TO THE POWERS AND DUTIES OF INSPECTORS
AND ANALYSTS ON INSPECTIONS AND INVESTIGATIONS CONDUCTED
ON FOODSTUFFS AND AT FOOD PREMISES, R. OF2005**

CERTIFICATE REFERRED TO IN REGULATION 7(1)

Inspector's Identification No of sample Laboratory No. of sample

CERTIFICATE OF ANALYST

To
.....
.....
.....

I,, an analyst authorized under section 12(1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972), certify that on the Day of 20..... I received from of a sample stated by him to be of, that the sample was contained in an intact package bearing the inspector's identification number and with the inspector's seal impressed (1) which seal was intact, and with the label or copy of the label attached here to (2); and that I have analysed the said sample and declare that the results of my analysis are as follows:

.....
.....

I am of opinion that the sample

.....

Place:..... (Signed):.....

Date:..... 20 Analyst:.....

-
- 1) If seal is numbered, insert number, if not, describe seal.
 - 2) This refers to the label under which the article was sold. Strike out these words if no label (original or copy) is attached.
-