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- **07 January**, Friday for the issue of Friday **14 January 2022**
- **14 January**, Friday for the issue of Friday **21 January 2022**
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NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. R. 2826****2 December 2022**

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

**REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF CANNED AND PICKLED
VEGETABLES INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA**

The Minister of Agriculture, Land Reform and Rural Development has, under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) made the regulations in the Schedule.


MRS A T DIDIZA
MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

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PART I DEFINITIONS, SCOPE AND RESTRICTIONS

Definitions

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

"A2½ container" means a container with a capacity of 853 ml;

"200 mm sieve" means a sieve with a diameter of 200 mm, with apertures of 2,36 mm, manufactured from wire with a diameter of not less than 0,9 mm and not more than 1,25 mm;

"300 mm sieve" means a sieve with a diameter of 300 mm, with apertures of 2,36 mm, manufactured from wire with a diameter of not less than 0,9 mm and not more than 1,25 mm;

"address" means a physical address and includes the street or road number or name and the name of the town, village or suburb and, in the case of a farm, the name or number of the farm and of the magisterial district in which it is situated;

"assignee" means a person, undertaking, body, institution, association or board designated under section 2(3) of the Act;

"batch" means definite quantity of a canned or pickled vegetables produced essentially under the same conditions, and which do not exceed a period of 24 hours;

"blemishes" means any external defect on the surface of the vegetable which detrimentally affects the overall appearance of the canned and pickled product, and which are caused by factors such as rain, hail, sun, wind, insects, cold, heat, handling practices and transport (e.g. bruises, scab, and dark discolouration);

"brine" means a solution of sodium chloride in water where the solution is used for curing, flavouring and/or preserving the canned vegetables and pickled vegetables;

"Brix" means the soluble solids content as determined by means of a refractometer corrected to 20°C;

"canned vegetables" means commercially sterile vegetables packed with or without a suitable liquid packing medium, or sauce or which have been vacuum packaged in hermetically sealed containers;

"close proximity" means in the immediate vicinity of or nearest/ closest/ next to, and which shall not be interrupted or separated by for example any wording, symbols, figures, lines, depictions, etc.;

"colourant" means a permitted substance as defined in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

"commercially sterile" means the condition achieved by application of heat, sufficient, alone or in combination with other appropriate treatments, to render the vegetables free from micro-organisms capable of growing in food at normal non-refrigerated conditions at which the vegetables are likely to be held during distribution, storage and display;

"container" means the immediate packaging in which canned or pickled vegetables are presented for sale;

"defects" unless otherwise specified, with regard to canned and pickled vegetables mean --

- (a) injury caused by mechanical damage;

- (b) discolouration;
- (c) insect infestation;
- (d) injury of a pathological or other nature;
- (e) imperfections due to trimming which detract from the good appearance of units;
- (f) foreign or poor tastes or odours;
- (g) abnormal disintegration; and
- (h) any other internal or external defects which detrimentally affect the good quality or appearance of the product;

"diameter" with regard to vegetable units, means the largest diameter measured at right angles to the longitudinal axis;

"drained mass" means the mass, in grams, of the drained contents of a container of canned or pickled vegetables, determined as prescribed in the methods of inspection in regulation 21;

"Executive Officer" means the officer designated under section 2 (1) of the Act;

"extraneous vegetable matter" means any harmless parts (e.g. a leaf or portion thereof, etc.) of a plant or originating from other plant sources which are not normally present in the canned or pickled vegetables concerned, but excludes stems in the case of canned or pickled vegetables packed intentionally with the stem attached;

"food additive" means a permitted substance as defined in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

"foodstuff" means a foodstuff as defined in the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

"foreign matter" means any matter such as but not limited to sand, soil, dust, mud or grease not normally present in, on or between canned or pickled vegetables, but excludes extraneous vegetable matter, and any added foodstuffs and food additives allowed for in terms of these regulations;

"herbs" mean the either fresh, dried or extract of the non-toxic leafy green or flowering parts of a plant used for among others the flavouring of foodstuffs;

"hermetically sealed containers" means containers which are sealed to protect the contents against the entry of micro-organisms during and after heat processing;

"inspector" means an officer under the control of the Executive Officer, or an assignee or an employee of an assignee;

"label" means any tag, brand, mark, pictorial, graphic or other descriptive matter, which is written, printed, stencilled, marked, embossed, impressed upon, or permanently attached to a container of a canned or pickled vegetables product, and includes labelling for the purpose of promoting its sale or disposal;

"liquid medium" means the following products (either single or in combination) in which canned or pickled vegetables are packed:

- (a) water;
- (b) brine;

- (c) aqueous solutions of food acids;
- (d) vinegar;
- (e) aqueous solutions of sugar and/or other sweeteners;
- (f) vegetable juice or puree; and
- (g) edible oil;

"main panel" means that part(s) of the container, outer container or label that bears the brand name or trade mark in greatest prominence or any other part of the container or label that bears the brand or trade name in equal prominence;

"manufacturer" means any establishment which process vegetables to produce canned and/or pickled vegetables;

"mayonnaise" means the products as defined in the latest regulations relating to the classification, packing and marking of mayonnaise and salad dressing intended for sale in the Republic of South Africa published under the Act;

"microbiological spoilage" means spoilage of a microbiological nature, determined as prescribed in the methods of inspection;

"outer container" means any packaging in which more than one container of canned or pickled vegetables is packed irrespective whether it completely or partially encloses the containers, but excludes any type of outer container used only for the purpose of transporting the canned or pickled vegetables products concerned (e.g. crates, lugs, corrugated cartons, etc.);

"packed to capacity" means that the container has been filled with the maximum quantity of vegetables or parts thereof that can be sealed therein without breaking or crushing the contents;

"packer" means any –

- (a) person or establishment dealing in the course of trade with canned or pickled vegetables by packing such products for sale;
- (b) person or entity on behalf of whom canned or pickled vegetables have been packed for sale;

"packing medium" means a liquid medium or sauce in which canned or pickled vegetables are packed;

"pickled vegetables" means that the vegetables have been --

- (a) processed or treated in an appropriate manner to produce an acid or acidified product preserved through natural and/or inoculated fermentation or acidulants, either before or after being hermetically sealed to ensure quality; and/or
- (b) packed with or without a suitable liquid medium with added ingredients appropriate for the type and cultivar of pickled vegetable product, to ensure an equilibrium pH of less than 4.6;

"production group" means a quantity of canned or pickled vegetables with the same factory, product and date of manufacturing codes described in regulation 16;

"salt" means a substance as defined in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

"sauce" means packing medium such as but not limited to tomato sauce, sweetened or non-sweetened sauce, gravy and mayonnaise, etc. in which canned or pickled vegetables may be packed in;

"sound" with regard to canned or pickled vegetables, means that such vegetables are free from any external or internal disorders which detrimentally affect the quality of the vegetables;

"spices" mean dried, pungent or aromatic substances of edible plant origin (i.e. from the fruit, root, stem, bulb, bark or seeds) primarily used for flavouring, colouring or preserving of foodstuffs;

"sugar" means the product as defined in the Codex Standards for Sugars (CODEX STAN 212-1999);

"the Act" means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

"trade mark" means a trade mark as defined in the Trade Marks Act, 1993 (Act No. 194 of 1993);

"trimmed" with regard to canned or pickled vegetables, means that defective or blemished portions have been cut away and "trimming" has a corresponding meaning;

"transparent" in relation to containers and outer containers, means that at least 25 percent continuous portion of the container or outer container's area is transparent;

"uniform colour" means that the product consists of units with a colour which do not vary significantly within the product concerned with regard to colour;

"vacuum packaged" means canned or pickled vegetables packed in a packing media that does not exceed 20% of the product's net mass;

"variant name" means a name used in addition to and separately from the name of the product to, amongst other --

- (a) distinguish between the different variants of a particular canned or pickled vegetable product; or
- (b) emphasise a certain taste and/or flavour profile, texture and/or appearance;

"vinegar" means the product as defined in the latest regulations relating to the classification, packing and marking of vinegar and imitation vinegar intended for sale in the Republic of South Africa published under the Act; and

"water" means potable water as described in the SANS 241-1 Drinking Water Standard.

Scope of regulations

2. These regulations shall apply to canned and pickled vegetables intended for sale 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 canned and pickled vegetables apply.

Restrictions on the sale of canned and pickled vegetables

3. (1) No person shall sell canned or pickled vegetables in the Republic of South Africa –
- (a) unless such products are graded in accordance with the grades referred to in regulation 5;
 - (b) unless such products comply with the quality standards referred to in regulations 6 and 7;

- (c) unless such products are presented as the styles referred to in regulation 8;
- (d) unless such products are packed in accordance with the packing requirements referred to in regulation 9;
- (e) unless the containers and outer containers in which such products are packed, comply with the requirements referred to in regulation 10;
- (f) unless such products are marked with the particulars and in the manner prescribed in regulations 11 to 16;
- (g) if such products are marked with any restricted particulars or in a manner which are prohibited in terms of regulation 17; and
- (h) unless such products have been subjected to the incubation period prescribed in regulation 20.

(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 sub-regulation (1) above.

PART II GENERAL QUALITY STANDARDS FOR CANNED AND PICKLED VEGETABLES

General

4. The specifications and maximum allowable deviations as set out in Parts VII and VIII shall apply to A2½ containers, unless otherwise specified. The specifications and maximum allowable deviations in respect of containers larger or smaller than A2½ containers shall be pro rata to the capacity of A2½ containers.

Grades of canned and pickled vegetables

5. There shall be five grades for canned and pickled vegetables, namely Extra Choice Grade, Choice Grade, Standard Grade, and Substandard Grade: Provided that dried or processed peas shall only be graded as Standard Grade, and Substandard Grade.

General standards for canned and pickled vegetables

6. **All grades of canned vegetables and pickled vegetables --**

- (a) shall be prepared from sound, fresh, clean and washed vegetables of any suitable cultivar;
- (b) shall, subject to the provision of paragraph (c) below, be free from any substance which does not normally form part of canned or pickled vegetables, excluding extraneous vegetable matter; and
- (c) may contain added foodstuffs, food additives, colourants, seeds, spices, aromatic herbs and/or condiments.

Quality standards for grades of canned and pickled vegetables

7. Subject to the provisions of regulation 6, canned and pickled vegetables shall comply with the quality standards for each grade as set out below:

- (a) Extra Choice Grade, Choice Grade and Standard Grade canned and pickled vegetables shall comply with the specific quality standards for each type of canned and pickled vegetables as set out in Parts VII and VIII respectively.

- (b) Sub-Standard Grade canned and pickled vegetables shall comprise of vegetables that do not comply with the specific quality standards for Extra Choice Grade, Choice Grade or Standard Grade, as set out in Part VII and VIII, but which are still edible, normal in appearance and free from any foreign flavours and odours.
- (c) Undergrade canned and pickled vegetables, which shall not be presented for sale, shall comprise of vegetables that do not comply with the quality standards for Extra Choice Grade, Choice Grade, Standard Grade or Sub-Standard Grade, as set out in paragraphs (a) and (b) above, and are inedible due to the presence of harmful or aesthetically objectionable organisms and foreign matter or foreign flavours and odours.

Styles of canned and pickled vegetables

8. (1) Canned or pickled vegetables shall be presented as any of the styles prescribed for each of the canned or pickled vegetables concerned as set out in Parts VII and VIII respectively.
- (2) Any other presentation of the product shall be allowed: Provided that it –
- (a) is sufficiently distinctive from other forms or presentation laid down in these regulations;
 - (b) meets all other requirements of these regulations, including the permissible deviations which are applicable to that style which most closely resembles the style or styles intended to be provided under this provision; and
 - (c) is adequately described on the container or label to avoid confusing or misleading the consumer.

PART III PACKING AND CONTAINERS

Packing requirements

9. Except where stipulated otherwise in these regulations, canned and pickled vegetables of different kinds, grades and types shall not be packed together in the same container or outer container.

Requirements for containers and outer containers

10. (1) A container in which canned or pickled vegetables are packed, shall –
- (a) be made from a material that –
 - (i) is suitable for this purpose;
 - (ii) will protect the contents thereof from contamination; and
 - (iii) will not impart any undesirable flavour to the contents thereof.
 - (b) be sufficiently strong that it will not be damaged or deformed (where applicable) during normal storage, handling and transport practices;
 - (c) in the case of a container that is re-used, be thoroughly cleaned and sterilized before such products are packed therein;
 - (d) be intact and free from rust and serious dents that may damage the seams or any other disorders that may detrimentally affect the quality of the product therein; and
 - (e) be closed properly in a manner permitted by the nature thereof.

(2) Metal surfaces of containers shall be lacquered properly on the inside in the case of all canned and pickled vegetables of which the quality may be impaired at any time as a result of contact with the metal of the container.

(3) If containers of canned or pickled vegetables are packed in outer containers, such outer containers shall be intact, clean, neat, suitable and strong.

PART IV MARKING REQUIREMENTS

Marking of containers and outer containers

11. (1) Except where specifically prescribed, all other marking requirements as specified by these regulations shall be clearly legible and be indicated at least in English, in detached letters or figures of at least 1 mm in size for lower case vowels.

(2) Each container of canned or pickled vegetables shall be marked with the following particulars at least in English:

- (a) **The name of the product** as specified in regulations 12, in detached letters of the same type, size, colour and font, prominently on at least one main panel in a letter size of at least 2 mm for lower case vowels.
- (b) **Additions to the name of the product**, as specified in regulation 13, in detached letters of the same type, size, colour and font, prominently on at least one main panel in a letter size of at least 2 mm for lower case vowels.
- (c) **The appropriate grade declaration** at least on one main panel where the name of the product appears, in detached letters of at least 2mm in size for lower case vowels.
- (d) **The name and address**, as specified in regulation 14.
- (e) **The country of origin**, as specified in regulation 15.
- (f) **The factory, product and date of manufacturing codes**, as specified in regulation 16.

(3) Subject to the provisions of sub-regulations (1) and (2) above, canned and pickled vegetables shall comply with the additional marking requirements, where applicable, for each type of canned and pickled vegetable as set out in Parts VII and VIII respectively.

- (4) (a) The particulars referred to in sub-regulation (2)(a) to (e) above shall be marked on an outer container in which more than one container of canned or pickled vegetables are packed.
- (b) The marking requirements prescribed in paragraph (a) above need not to be complied with if --
 - (i) a transparent outer container is used and the particulars on the containers packed therein are visible from the outside; or
 - (ii) the same label which is affixed to the containers is also affixed to the outer container.

(5) A self-adhesive sticker indicating the particulars referred to in sub-regulation (2)(a) to (e) above in the prescribed letter sizes may be used to cover any incorrect and/or supplement any lacking marking requirements identified during inspection, instead of relabeling the container or repacking the canned or pickled vegetables concerned.

(6) The label used on each container of canned and pickled vegetables shall --

- (a) be clean and neat;
- (b) be affixed (e.g. pasted, application of heat in the case of shrink sleeve labels, etc.) securely;
- (c) not be pasted over existing labels affixed to the container; and
- (d) be affixed to such container only by or on behalf of the manufacturer or packer.

Indicating the name of the product

12. The name of the canned or pickled vegetable product shall be indicated on every container and shall be a true description of the contents: Provided that where the product name is specified in the additional marking requirements in Parts VII and VIII for the canned or pickled vegetable product concerned, the specified name shall be used.

Additions to the product name

13. (1) The following information shall be indicated as part of the name of the product, or in close proximity thereto:

- (a) The applicable style referred to in regulation 8: Provided that --
 - (i) the style may be omitted if it is easily distinguishable in the case of canned and pickled vegetable products packed in transparent containers; and
 - (ii) if the canned or pickled vegetable products are presented in accordance with the provisions on other styles as set out in regulation 8(2), additional words or phrases that will ensure that the consumer is not misled or confused shall be used.
- (b) The packing medium in which the canned or pickled vegetable products is packed: Provided that in the case of canned or pickled vegetable products packed in unflavoured or unsweetened brine only, the packing medium may be omitted.
- (c) The applicable size group when prescribed.
- (d) The name(s) of the added foodstuff(s).
- (e) The name of the added herb and/ or spice: Provided that --
 - (i) where a mixture of two or more kinds of herbs and/ or spices have been added, the expression "mixed herbs", "mixed spices" or "mixed herbs and spices", as the case may be, may instead be used; or
 - (ii) the indication thereof may be omitted where the added herb and/or spice form part of the ingredients used in the original recipe for the canned or pickled vegetable product concerned, i.e. the herb and/ or spice are not added with the intention to achieve a distinctive flavour.

(2) When a flavouring has been added to the canned or pickled vegetable products in order to render a distinctive flavour thereto, the name of the product shall be preceded by the descriptive name for the distinctive flavour concerned and the expression "X Flavoured", or followed by the expression "with X Flavour" or "with X Flavouring", where "X" indicates the name(s) of the flavouring(s) used, unless the flavouring concerned has been added with the intention to enhance the flavour of the canned or pickled vegetable products, or any other added foodstuff, herb and/ or spice concerned.

(3) The name of the vegetable cultivar may be indicated as part of the name of the product, or in close proximity thereto: Provided that it shall correspond with the actual vegetable cultivar used.

Indicating the name address

14. The name and address of the manufacturer, packer, importer, seller or entity on whose behalf the canned or pickled vegetables have been packed shall be indicated on every container: Provided that in the case where --

- (a) it is not possible to indicate the physical address, a postal address with a telephone number may be used instead; and
- (b) imported canned or pickled vegetables indicate the address of the foreign manufacturer or packer only, a South African address for the importer, seller or entity on whose behalf the canned or pickled vegetables have been packed shall in addition be indicated on each container.

Indicating the country of origin

15. (1) The country of origin shall be indicated as follows on each container:

- (a) "Product of (name of country)" if all the main ingredients, processing and labour used to make the product are from one specific country; or
- (b) "Produced in (name of country)", "Processed in (name of country)", "Manufactured in (name of country)", "Made in (name of country)", or wording having a similar meaning, when the product is processed in a second country which changes its nature; or
- (c) In the case where single ingredient agricultural commodities are imported in bulk and where owing to climatic, seasonal or other contingencies more than one country may be the source of the single ingredient agricultural commodity, the wording "Product of (name(s) of country(ies))" separated by the expression 'and/or', shall be declared on the container of the final pre-packed foodstuff: Provided that the final end product remains a single ingredient agricultural commodity.

(2) The words "Packed in (name of country)" may be used in addition to the requirements referred to in sub-regulation (1) above.

(3) The name(s) of the country(ies) indicated in terms of sub-regulations (1) and (2) above may not be abbreviated.

Indicating the factory, product and date codes

16. (1) A code mark consisting of the name of the canning establishment, the product concerned and the date of manufacture thereof, and which has been approved in writing by the Executive Officer, shall be indicated (e.g. embossed, applied by inkjet, etc.) on every container: Provided that in the case of transparent containers where the contents are clearly visible, the product code need not be indicated.

(2) The requirements in sub-regulation (1) above shall not be applicable to imported canned and pickled vegetables.

Restricted particulars on containers and outer containers

17. (1) (a) Only the applicable grade shall be indicated on a container or outer container.
- (b) No word or expression which so nearly resembles the grade of canned or pickled vegetables that it could be misleading with regard to the quality of that product shall be indicated on the container or outer container.
- (2) No word, mark, illustration, depiction or any other method of expression that constitutes a misrepresentation or directly or by implication creates or may create a misleading impression regarding the quality, nature, grade, origin or composition of canned or pickled vegetables shall be indicated on a container or outer container.
- (3) No claim regarding the absence of any substance that does not normally occur in canned or pickled vegetables shall be indicated on the container or outer container thereof, except in cases where it is allowed for in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).
- (4) The claim "fresh" may only be used on a container or outer container in the case of canned green peas [regulation 35(6)(c)], or when indicating the type of pack in the case of pickled cucumbers [regulation 48(7)(c)].
- (5) (a) No claim which compares the total fat, saturated fat, cholesterol, sugar, sodium or salt, or energy value of two or more similar canned or pickled vegetables products by using words such as "reduced", "less than", "fewer", "light" and "lite", or words having a similar meaning, shall be made on the container or outer container thereof, unless the following conditions are complied with:
- (i) The canned or pickled vegetable product shall be compared with a different version of the same or similar product.
 - (ii) The canned or pickled vegetable product being compared shall be clearly marked on the container with the following information:
 - (iii) A statement of the amount of difference in the energy value or relevant nutrient content, expressed as a percentage.
 - (iv) The identity of the canned or pickled vegetable product to which it is being compared in close proximity to or as part of the comparative claim.
 - (v) The comparison shall be based on a relative difference of at least 25% in the energy value or nutrient content of an equivalent mass or volume.
 - (vi) The canned or pickled vegetable product shall be marked with the prescribed nutritional information declaration required in terms of the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).
- (6) Depictions or illustrations of any added foodstuff, herb and/ or spice shall only be allowed if the requirements on Quantitative Ingredient Declarations (QUID), as specified in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), have been complied with.
- (7) The provisions of this regulation shall also apply to --
- (a) particulars that are marked on a notice board displayed at or in the immediate vicinity of the canned or pickled vegetables that are kept or displayed for sale; and

- (b) all advertisements for canned and pickled vegetables.

PART V SAMPLING AND INSPECTION

Sampling

18. For the purpose of an inspection, grading and sampling for quality control, an inspector shall take such samples of a product, material, substance or other article in question as he or she may deem necessary.

Working sample size

19. The working sample size shall, unless specified otherwise for the type of canned or pickled vegetable concerned in Parts VII and VIII respectively, consist of the following:

- (a) For A2½ containers or smaller: The drained contents of the container.
- (b) For containers larger than A2½: A random drained sample of 600 g.

Determination of microbiological spoilage

20. Microbiological spoilage of canned and pickled vegetables shall be determined in the following manner:

- (a) Store a representative sample of the canned or pickled vegetables for at least ten days at 37°C: Provided that cold packed pickled vegetables shall not be subject to this requirement.
- (b) Determine the percentage of spoilage by calculating the number of containers that blow or leak as a percentage of the batch.
- (c) The containers in any batch that blow or leak during the period of ten days of storage may be removed from the batch concerned if the rest of the batch is stored for a further period of ten days at warehouse temperature for the determination of the percentage of spoilage.

Determination of drained mass

21. (1) The drained mass of canned or pickled vegetables shall be determined as follows:
- (a) Empty the opened container so as to distribute the contents evenly over the meshes of a sieve which has been previously weighed: Provided that --
 - (i) a 200 mm sieve shall be used if the drained mass of the contents of the container is less than 1,4 kg;
 - (ii) a 300 mm sieve shall be used if the drained mass of the contents of the container is 1,4 kg or more;
 - (iii) vegetables to which the sauce adheres shall be rinsed with warm water to remove the sauce from them prior to drainage; and
 - (iv) dried or processed peas shall be spread on a sieve which shall be immersed in cold water for two minutes before it is drained.
 - (b) Allow draining for two minutes then determine the mass of the sieve and drained vegetables.

- (c) The mass so obtained, minus the mass of the sieve, shall be considered to be the mass of the drained vegetables.

(2) When the declared drained mass is more than the prescribed minimum drained mass, it shall comply with the higher drained mass.

(3) Where the drained mass is indicated in these regulations as a percentage of the net mass, the net mass shall be taken as the declared net mass.

(4) In an inspection sample, maximum 10% of the containers may deviate with not more than 5% from the prescribed drained mass: Provided that the average drained mass of the inspection sample is equal to or more than the prescribed drained mass.

Determination of total percentage soluble solids

22. The total percentage soluble solids in canned tomato products shall be determined by means of a refractometer corrected to 20°C. After the containers have been opened, the contents shall be carefully stirred with a glass or metal rod. Place a drop of the product onto the prism of the refractometer and take the reading. The prism should be thoroughly cleaned before the following reading is taken.

PART VI OFFENCES AND PENALTIES

23. 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 to a fine or to imprisonment in accordance with section 11 of the Act.

PART VII SPECIFIC QUALITY STANDARDS FOR CANNED VEGETABLES

ASPARAGUS

Definitions

24. (1) Where used specifically with regard to canned asparagus --
- (a) "**damaged units**" includes discolouration, mechanical injury, disease or damage by other means to the extent that the appearance or edibility of the unit is seriously affected;
 - (b) "**hollow units**" means units that are hollow to the extent that the appearance of the unit is seriously affected;
 - (c) "**misshapen units**" means shoots or heads badly crooked or any unit that is seriously affected in appearance by doubles or other malformations;
 - (d) "**shattered heads and other asparagus material**" means broken or shattered pieces within the container which seriously affect the appearance of the product and include pieces less than 10 mm in length; and
 - (e) "**units with peel**" in the case of peeled asparagus, it means units with unpeeled areas which seriously affect the appearance or edibility of the unit.

Styles and standards for styles

- (2) Canned asparagus shall be presented as one of the following styles:

- (a) **Long asparagus spears or whole asparagus:** Shall consist of the head and adjoining portion of the stalk not more than 180 mm, but not less than 120 mm in length.
- (b) **Asparagus spears or short asparagus:** Shall consist of the head and adjoining portion of the stalk less than 120 mm, but not less than 70 mm in length.
- (c) **Asparagus tips or asparagus points:** Shall consist of the head and adjoining portion of the stalk less than 70 mm, but not less than 30 mm in length.
- (d) **Asparagus cuts or cut asparagus spears:** Shall consist of portions of spears cut transversely into pieces not more than 70 mm, but not less than 20 mm in length.
- (e) **Asparagus cuts with tips:** Shall consist of portions of spears cut transversely into pieces not more than 70 mm, but not less than 20 mm in length: Provided that the portions with tips shall be equal to or greater than 15% (m/m) of the drained mass.

Colour types and standards for colour types

- (3) Canned asparagus shall be presented as one of the following colour types:
 - (a) **White:** Means units which are white, cream or yellowish white and not more than 20% (by number) of the units may possess violet, green, light green or yellowish green tips.
 - (b) **White and violet tipped or white and green tipped:** Means asparagus long spears, spears and tips which are white, cream, or yellowish-white and may have violet, green, light green or yellowish-green heads and adjacent areas, but not more than 25% (by number) of the units may have such colour that extends more than one-half the length of the unit.
 - (c) **Green:** Means units which are green, light green, or yellowish-green and not more than 20% (by number) of the units may possess a white, cream, or yellowish-white colour of the bottom portion of the stalk, but such colour shall not extend more than one-half of the length of the unit.
 - (d) **Mixed:** Means a mixture of white, cream, yellowish-white, violet, green, light green, or yellowish-green units.

Size groups and standards for size groups

- (4) Canned asparagus long spears, spears and tips may be presented as one of the following size groups:
 - (a) **Small:** The asparagus shall have a diameter of --
 - (i) maximum 8 mm in the case of white peeled asparagus;
 - (ii) maximum 10 mm in the case of white unpeeled asparagus; and
 - (iii) between 3 mm and 6 mm in the case of green asparagus.
 - (b) **Medium:** The asparagus shall have a diameter of between –
 - (i) 8 mm and 13 mm in the case of white peeled asparagus;
 - (ii) 10 mm and 15 mm in the case of white unpeeled asparagus; and
 - (iii) 6 mm and 8 mm in the case of green asparagus.

- (c) **Large:** The asparagus shall have a diameter of between --
- (i) 13 mm and 18 mm in the case of white peeled asparagus;
 - (ii) 15 mm and 20 mm in the case of white unpeeled asparagus; and
 - (iii) 8 mm and 10 mm in the case of green asparagus.
- (e) **Extra-large or mammoth:** The asparagus shall have a diameter of more than --
- (i) 18 mm but not exceeding 25.4 mm in the case of white peeled asparagus;
 - (ii) 20 mm in the case of white unpeeled asparagus; and
 - (iii) 10 mm in the case of green asparagus.
- (f) **Colossal:** The asparagus shall have a diameter of more than 25.4 mm in the case of white peeled asparagus only.
- (g) **Mixed sizes or assorted sizes:** Shall consist of a mixture of two or more sizes referred to in paragraphs (a) to (e) above.

Types of pack

- (5) Canned asparagus may be packed in a liquid medium.

Quality standards

- (6) The quality standards for **canned asparagus** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound asparagus which are not excessively fibrous or tough	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass:			
(aa) Green long spears and spears	50%	50%	50%

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(bb) Other styles	56%	56%	56%
(d) Colour	Good, typical of the cultivar concerned	Typical of the cultivar concerned	As for Choice Grade
(e) Flavour	Good, characteristic normal flavour and odour, free from objectionable flavours and odours	As for Extra Choice Grade	As for Extra Choice Grade
(f) Packing medium	Clear liquid with a typical yellow or green colour and fairly free from suspended material and sediment	As for Extra Choice Grade	Fairly clear liquid which may be cloudy but not excessively cloudy, or may possess an accumulation of sediment which may be slightly grey or slightly brown but is not seriously objectionable with no off colour
(g) Shattered heads and other asparagus material	Practically free	Fairly free	Reasonably free
(h) Damaged units	Practically free	Fairly free	Reasonably free
(i) Texture: Every unit shall be cut with an Asparometer at the following cutting point in the case of –			
(i) Long spears, spears and tips	1/3 of total length, measured from the cut end	As for Extra Choice Grade	As for Extra Choice Grade
(ii) Cuts	-	In the centre of the unit	As for Choice Grade
(j) Uniformity of length in any one container in the case of –			
(i) Long spears, spears and tips	At least 75% (by number) of the units are within 10 mm of the predominant length, and at least 95% (by number) of the units are within 20 mm of the predominant length	As for Extra Choice Grade	As for Extra Choice Grade
(ii) Cuts	-	At least 75% (by number) of the units are within 10 mm of the predominant length, and at least 90% (by number) of the units are within	As for Choice Grade

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
		20 mm of the predominant length	
(k) Uniformity of colour in any one container	Asparagus or portions thereof shall be uniform in colour	Asparagus or portions thereof shall be practically uniform in colour	Asparagus or portions thereof shall be reasonably uniform in colour
(l) Uniformity of diameter for all styles	Uniform	Fairly uniform	Reasonably uniform
(m) Foreign matter	None	None	None
(n) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

- Denotes not allowable

Permissible deviations

(7) The maximum permissible deviations (by number per container) for canned asparagus are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Uniformity of length	10%	20%	30%
(b) Texture:			
(i) Long spears and spears	15%	30%	60%
(ii) Tips	5%	10%	15%
(iii) Cuts	-	50%	50%: Provided that if the cans are labelled to indicate that it is for soup or reprocessing, a deviation of 100% will be allowed
(c) Woodiness	0%	5%	10%
(d) Units with peel	10%	20%	30%
(e) Hollow units	10%	20%	30%
(f) Misshapen units	10%	20%	30%
(g) Damaged units	10%	20%	30%
(h) Deviations in (e), (f) and (g) collectively: Provided that such deviations are individually within the limits as specified above:			
(i) Long spears, spears and tips	15%	25%	35%
(ii) Cuts	20%	30%	40%
(iii) Cuts with or without tips	-	35%	45%

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(i) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

- Denotes not allowable

Additional marking requirements

- (8) Subject to the provisions of regulation 11 --
- (a) each container containing canned asparagus shall be marked with the size group on the same main panel as the product name indication;
 - (b) in the case of canned asparagus packed in a non-transparent container the colour type of the asparagus shall be indicated as part of the product name or in close proximity to the product name; and
 - (c) asparagus cuts may be labelled as "salad cuts".

BEANS, DRIED

Definitions

25. (1) Where used specifically with regard to canned dried beans –
- (a) "**broken beans**" means a cotyledon or portions of a cotyledon which have become separated, or a bean or portions of a bean with the skin or portions of the skin missing;
 - (b) "**defects**" means the defects defined in regulation 1, as well as dried beans of which –
 - (i) the skins have completely split down the middle of the bean; and
 - (ii) the skins have split rectangular to the longitudinal axis;
 - (c) "**dried beans**" means dry, mature beans suitable for canning (e.g. white beans, lima beans, garbanzo beans or chickpeas, black-eyed peas, kidney beans etc.), but excludes soybeans;
 - (d) "**fairly tender texture**" means beans that are slightly soft or slightly firm with tender skin;
 - (e) "**loose skin**" means a skin or portions of a skin which have become separated wholly from the cotyledons;
 - (f) "**mashed beans**" means a bean that is crushed or flattened to the extent that the appearance is seriously affected;
 - (g) "**split beans**" means canned dried beans which have split completely in two;
 - (h) "**tender texture**" means beans that are free from hard beans, mushy beans and beans with tough skins; and
 - (i) "**reasonably tender texture**" means beans that are soft but not hard or mushy and the skin may be slightly tough.

Types of pack

- (2) Canned dried beans may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

- (3) The quality standards for canned dried beans are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	61%	61%	61%
(c) Preparation	(i) Shall be practically free from defects (ii) Shall be practically free from broken, mashed or damaged beans (iii) Shall be practically free from loose skin	(i) Shall be reasonably free from defects (ii) Shall be reasonably free from broken, mashed or damaged beans (iii) Shall be reasonably free from loose skin	(i) to (iii) As for Choice Grade
(d) Allowable ingredients:			
(i) Vegetables	Dried beans of a good quality and suitable type which are free from insect damage.	As for Extra Choice Grade	As for Extra Choice Grade
(ii) Any other suitable packing medium	Shall be of a good quality	As for Extra Choice Grade	As for Extra Choice Grade
(e) Split beans	None	None	None
(f) Texture	Shall be tender	Shall be fairly tender	Shall be reasonably tender
(g) Separation	Sauce ingredients shall not show any tendency to separate when removed from the container	Sauce ingredients may show a slight tendency to separate when removed from the container	Sauce ingredients may not show an excessive tendency to separate when removed from the container
(h) Foreign matter	None	None	None

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(i) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(4) The maximum permissible deviations (by mass) for **canned dried beans** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Defects, excluding loose skin, broken beans and mashed beans	5%	8%	12%
(b) Loose skin, broken beans and mashed beans	2%	5%	8%
(c) Split beans	2%	5%	8%
(d) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

Additional marking requirements

(6) Subject to the provisions of regulation 11, canned dried beans may use the product name "baked beans" or "beans".

BEANS, GREEN

Definitions

26. (1) Where used specifically with regard to canned green beans --

- (a) **"developed seeds"** means seeds which have developed to such an extent that when they are removed from the pod, they can be regarded as dried beans.

Varietal groups and standards for varietal groups

(2) Canned green beans of distinct varietal groups with respect to shape may be designated as follows:

- (a) **Round:** Means beans having a width not greater than 1½ times the thickness of the bean.
- (b) **Flat:** Means beans having a width greater than 1½ times the thickness of the bean.

Styles and standards for styles

(3) Canned green beans shall be presented as one of the following styles:

- (a) **Whole green beans:** Shall consist of whole pods of any length.
- (b) **French style or shoestring green beans:** Shall consist of majority of pods sliced lengthwise or at an angle of 45° or less to the longitudinal axis, and has a thickness of no more than 6.5 mm.

- (c) **Green bean cuts or broken green bean cuts:** Shall consist of transversely cut pods not less than 13 mm and not more than 50 mm in length which may contain shorter end pieces resulting from cutting.
- (d) **Short green bean cuts:** Shall consist of pieces of pods cut transversely of which 75 percent or more, by number, are less than 20 mm in length.
- (e) **Diagonal green bean cuts:** Shall consist of pods cut at an angle of approximately 45° to the longitudinal axis.

Types of pack

- (4) Canned green beans may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

- (5) The quality standards for **canned green beans** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound, young, fresh, tender and stringless beans which have similar characteristics	As for Extra Choice Grade	As for Extra Choice Grade, except that the beans may be slightly fibrous
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass:			
(aa) Wholes, French style	50%	50%	50%
(bb) Other styles	52%	52%	52%
(d) Preparation	(i) Shall be free from defects (ii) Shall be practically free from developed seed and pieces thereof (iii) Shall be cleanly cut	(i) Shall be practically free from defects (ii) and (iii) as for Extra Choice Grade	(i) Shall be fairly free from defects (ii) Shall be fairly free from developed seeds and pieces thereof (iii) As for Extra Choice Grade
(e) Uniformity of colour in any container	Uniform good colour of beans that possess a colour that is typical of	As for Extra Choice Grade, but are 80% (by mass) free from any	Reasonably uniform colour of the beans that possess a typical of the

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
	the green bean and are 90% (by mass) free from any beans that stand apart in colour from the overall colour appearance of the product	beans that stand apart in colour from the overall colour appearance of the product	green bean and are 70% (by mass) free from any bean that stand apart in colour from the overall colour appearance of product
(f) Uniformity of size	Uniform	Fairly uniform	Reasonably uniform
(g) Texture	Tender	As for Extra Choice Grade	As for Extra Choice Grade
(h) Foreign matter	None	None	None
(i) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(6) The maximum permissible deviations (by mass or number) for canned green beans are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Loose seed and pieces of seed (by mass)	5%	15%	20%
(b) Size deviations (by number):			
(i) Wholes:			
(aa) In an A2½ container	10 units	15 units	20 units
(bb) In a 1M container	9 units	13 units	16 units
(ii) Green beans cuts:			
(aa) In an A2½ container	20 units per drained mass of 250 g	25 units per drained mass of 250 g	As for Choice Grade
(bb) In a 1M container	13 units per drained mass of 250 g	16 units per drained mass of 250 g	As for Choice Grade
(c) Preparation (by number):			
(i) Wholes:			
(aa) In an A2½ container	8 units	11 units	15 units
(bb) In a 1M container	5 units	7 units	9 units

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(d) Cut green beans:			
(aa) In an A2½ container	15 units	20 units	25 units
(bb) In a 1M container	9 units	13 units	16 units
(e) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

CARROTS

Styles and standards for styles

27. (1) Canned carrots shall be presented as one of the following styles:

(a) **Whole carrots:**

- (i) **Conical or cylindrical cultivars:** Shall consist of carrots which, after processing, more or less retain their original shape: Provided that the largest diameter of the carrots, measured at right angles to the longitudinal axis, shall not exceed 50 mm, and the ratio between the diameters of the largest and smallest carrot shall not exceed 3:1.
- (ii) **Spherical cultivars:** Shall consist of fully mature carrots of a roundish shape of which the largest diameter shall not exceed 45 mm.

(b) **Baby whole carrots:**

- (i) **Conical or cylindrical cultivars:** Shall consist of whole carrots of which the diameter does not exceed 23 mm, and which are not more than 100 mm in length.
- (ii) **Spherical cultivars:** Shall consist of whole carrots of which the largest diameter does not exceed 27 mm.

(c) **Carrot halves:** Shall consist of carrots cut along the longitudinal axis into two approximately equal parts.

(d) **Carrot quarters:** Shall consist of carrots cut into four approximately equal parts at two points perpendicularly to the longitudinal axis.

(e) **Carrots sliced lengthwise:** Shall consist of carrots which have been sliced longitudinally, either smooth or corrugated, into four or more pieces of approximately equal size, with a length of at least 20 mm and a width, measured at the maximum width, of at least 5 mm.

(f) **Carrot rounds or sliced carrots:** Shall consist of carrots which have been cut, either smooth or corrugated, perpendicularly to the longitudinal axis, into rounds/ rings with a maximum thickness of 10 mm and a maximum diameter of 50 mm.

(g) **Diced carrots:** Shall consist of carrots cut into cubes with sides not exceeding 15 mm.

(h) **Strips, Julienne, French style or shoestring carrots:** Shall consist of carrots cut longitudinally, either smooth or corrugated, into strips or sticks. The cross section shall not exceed 5 mm (measured at the longest side of the cross section).

- (i) **Carrot chunks or pieces:** Shall consist of whole carrots cut into sections whose shape may be irregular.

Types of pack

- (2) Canned carrots may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

- (3) The quality standards for **canned carrots** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound carrots of good texture	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	60%	60%	60%
(d) Preparation	(i) Shall be free from defects (ii) Shall be thoroughly washed, peeled, trimmed and free from residual peel (iii) All styles shall be cleanly cut	(i) to (iii) as for Extra Choice Grade	(i) to (iii) as for Extra Choice Grade
(e) Uniformity of length in any container:			
(i) Whole and Baby whole carrots	(i) At least 75% (by number) shall not deviate by more than 5 mm from the average carrot length, and at least 90% (by number) shall not deviate by more than 10 mm from the average carrot length.	(i) As for Extra Choice Grade	(i) As for Extra Choice Grade
(ii) Other styles	(ii) Uniform	(ii) Fairly uniform	(ii) Reasonably uniform

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(f) Uniformity of diameter in any container	Uniform	Fairly uniform	Reasonably uniform
(g) Foreign matter	None	None	None
(h) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(4) The maximum permissible deviations (by mass or number) for **canned carrots** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Size deviations (too large or too small):			
(i) Whole and baby whole carrots (by number)	5%	10%	15%
(ii) Other styles (by mass)	10%	15%	20%
(b) Preparation:			
(i) Whole, baby whole, halves, quarters, sliced lengthwise and chunks (by number)	5%	10%	15%
(ii) Rounds, diced and strips (by mass)	5%	10%	15%
(c) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

CARROTS AND PEAS**Types of pack**

28. (1) Canned carrots and peas may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

(2) The quality standards for **canned carrots and peas** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(b) Vegetable ingredient	The carrots and peas shall each separately comply with the specification for Extra Choice Grade, prescribed in regulations 27 and 35 respectively	The carrots and peas shall each separately comply with the specification for Choice Grade, prescribed in regulations 27 and 35 respectively	The carrots and peas shall each separately comply with the specification for Standard Grade, prescribed in regulations 27 and 35 respectively
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	59%	59%	59%
(d) Composition	The mass of any one component shall not exceed 60% of the drained mass	As for Extra Choice Grade	As for Extra Choice Grade
(e) Foreign matter	None	None	None
(f) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(3) The maximum permissible deviations for **canned carrots and peas** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Loose seed and pieces of seed (by mass)	The carrots and peas shall each separately not exceed the permissible deviations allowed for Extra Choice Grade, prescribed in regulations 27 and 35 respectively	The carrots and peas shall each separately not exceed the permissible deviations allowed for Choice Grade, respectively prescribed in regulations 27 and 35	Carrots and peas which is canned shall each separately not exceed the permissible deviations allowed for Standard Grade, respectively prescribed in regulations 27 and 35
(b) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

Additional marking requirements

(4) Subject to the provisions of regulation 11, the component with the greater mass, shall be indicated first in the name of the product.

CAULIFLOWER

Styles and standards for styles

29. (1) Canned cauliflower shall be presented as one of the following styles:

- (a) **Whole cauliflower:** Shall consist of the whole, intact head of the cauliflower plant which is trimmed at the base and may have small, tender leaves attached.

- (b) **Cauliflower pieces:** Shall consist of cauliflower stems and florets cut into small pieces.

Types of pack

- (2) Canned cauliflower may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

- (3) The quality standards for **canned cauliflower** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound, young, fresh and tender cauliflower heads	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	56%	56%	56%
(d) Preparation	(i) Shall be free from defects (ii) The cauliflower shall be well washed before canning	(i) Shall be fairly free from defects (ii) As for Extra Choice Grade	(i) Shall be reasonably free from defects (ii) As for Extra Choice Grade
(e) Foreign matter	None	None	None
(f) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

- (4) The maximum permissible deviations for **canned cauliflower** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation (by mass)	5%	10%	15%
(b) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

CHAKALAKA**Type of pack**

30. (1) Canned chakalaka may be packed in sauce.

Quality standards

- (2) The quality standards for canned chakalaka are as follows:

Quality Factor	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25
(b) Vegetable ingredient	(i) Shall be prepared from clean and sound vegetables (ii) Onions, green pepper and carrots shall form part of the typical ingredients (iii) May contain vegetables other than those mentioned in paragraph (ii) (iv) May contain added herbs and spices	(i) to (iv) As for Choice Grade
(c) Fill of containers: Shall comply with one of the following minima:		
(i) Vegetable quantity	Packed to capacity	Packed to capacity
(d) Preparation	(i) Shall be practically free from defects (ii) Each type of vegetable used shall be fairly uniform in cut (i.e. thickness and length) for that vegetable within the same container (iii) Vegetable units shall have a good texture, and shall not be hard or tough, or show signs of disintegration to the extent that the type and cut of vegetables are not recognizable	(i) Shall be fairly free from defects (ii) Each type of vegetable used shall be reasonably uniform in cut (i.e. thickness and length) for that vegetable within the same container (iii) Vegetable units shall have a fairly good texture, and shall not be hard or tough, or show signs of excessive disintegration to the extent that the type and cut of vegetables are not recognizable
(e) Foreign matter	None	None
(f) Extraneous vegetable matter	Practically free	Fairly free

Permissible deviations

- (3) The maximum permissible deviations for canned chakalaka are as follows:

Quality factor	Choice Grade	Standard Grade
(a) Preparation	15%	20%
(b) Extraneous vegetable matter (on average per sample)	2 pieces	3 pieces

CORN, BABY (YOUNG CORN)

Definitions

31. (1) Where used specifically with regard to canned baby corn --
- (a) **"baby corn"** or **"young corn"** means the product prepared from selected young, unpollinated corn cob of commercial varieties of *Zea mays* L., from which silk and husk are removed;
 - (b) **"broken pieces"** means the portions of broken pieces that cannot be put together to form the cob shape; and
 - (c) **"broken tip"** means tips of the cobs that are broken after packing, and when these pieces are put together, the cob shape will be formed.

Styles and standards for styles

- (2) Canned baby corn shall be presented as one of the following styles:
- (a) **Whole corn** or **Corn on the cob**: Shall consist of the whole cob of baby corn from which the silk, husk and shank have been removed: Provided that the cob may have been trimmed at both ends.
 - (b) **Cut corn**: Shall consist of baby corn with a diameter not more than 25 mm cut crosswise into sections with a length between 15 mm and 40 mm.

Size groups and standards for size groups

- (3) (a) Canned whole corn may be presented as one of the following size groups:

Cob Size	Length (mm)	Diameter (mm)
(a) Extra Large	100 – 130	18 – 25
(b) Large	80 – 100	10 – 20
(c) Medium	60 – 90	10 - 18
(d) Small	40 – 70	<15

- (b) Notwithstanding the size designations prescribed in paragraph (a) above, other sizing designations may be used in the case of imported baby corn: Provided that such designations are in accordance with the legislation of the country of origin.

Types of pack

- (4) Canned baby corn may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

- (5) The quality standards for canned baby corn are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound, young, and tender baby corn	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	50%	50%	50%
(d) Preparation	(i) Shall be free from defects (ii) Shall be practically free from discoloured kernels (iii) The cobs shall have well-filled kernels (iv) Shall be practically free from husks, silks or particles of cobs	(i) As for Extra Choice Grade (ii) Shall be fairly free from discoloured kernels (iii) As for Extra Choice Grade (iv) Shall be fairly free from husks, silks or particles of cobs	(i) Shall be reasonably free from defects (ii) Shall be reasonably free from discoloured kernels (iii) As for Extra Choice Grade (iv) *
(e) Uniformity of length and diameter of cobs in any container	(i) The length of the longest cob shall not be more than 30 mm longer than the length of the shortest cob (ii) Cobs shall be fairly equal in diameter	(i) and (ii) as for Extra Choice Grade	(i) As for Extra Choice Grade (ii) Cobs shall be reasonably equal in diameter
(f) Colour	Shall be characteristic of the cultivar and shall have a bright appearance	Shall be characteristic of the cultivar and may have a dull appearance	As for Choice Grade
(g) Foreign matter	None	None	None
(h) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

* Denotes no specification

Permissible deviations

(6) The maximum permissible deviations for **canned whole baby corn** are as follows in a sample size of 1kg:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Discolouration (by number)	3%	5%	10%
(b) Broken tips (by number)	5%	10%	10%
(c) Broken pieces (by number)	2%	2%	5%
(d) Damage resulting from cutting (by number)	5%	10%	10%
(e) Presence of husk and shank (by number)	5%	10%	10%
(f) Irregular shape	5%	5%	10%
(g) Silk broken from the cob (combined length)	100 mm	150 mm	200 mm
(h) Extraneous vegetable matter other than silk, husk and shank (on average per sample)	1 piece	2 pieces	3 pieces
(i) Total deviations in (a) to (f) combined	15%	20%	25%

(7) The maximum permissible deviations for **canned cut baby corn** are as follows in a sample size of 1kg:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Discolouration (by number)	3%	5%	10%
(b) Over or under size (by number)	3%	5%	10%
(c) Presence of husk and shank (by number)	3%	5%	10%
(d) Silk broken from the cob (combined length)	100 mm	150 mm	200 mm
(e) Extraneous vegetable matter other than silk, husk and shank (on average per sample)	1 piece	2 pieces	3 pieces
(f) Total deviations in (a) to (c) combined	9%	15%	30%

COURGETTES (BABY MARROW)**Styles and standards for styles**

32. (1) Canned courgettes shall be presented as one of the following styles:
- (a) **Whole courgettes:** Shall consist of marrows with a length of at least 50 mm but not more than 110 mm, and a diameter of at least 15 mm but not more than 50 mm. The variation in diameter between the largest courgettes and smallest courgettes in the same container shall not exceed 3:1.
 - (b) **Courgettes slices:** Shall consist of marrows cut either smooth or corrugated into strips and have a diameter of at least 15 mm but not more than 60 mm, and a thickness of not more than 10 mm.

Types of pack

- (2) Canned courgettes may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

- (3) The quality standards for **canned courgettes** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	(i) Shall be prepared from sound, young and tender courgettes of which the stems have been cut even with the shoulders (ii) Tomato paste may be added	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	56%	56%	56%
(d) Preparation	(i) Shall be free from defects (ii) Shall possess similar cultivar characteristics (iii) Shall be untrimmed	(i) and (ii) as for Extra Choice Grade (iii) Shall be slightly trimmed	(i) to (iii) as for Choice Grade

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(e) Uniformity of colour in any one container	Fairly uniform	Reasonably uniform	As for Choice Grade
(f) Uniformity of size and shape in any one container	Fairly uniform	Reasonably uniform	As for Choice Grade
(g) Foreign matter	None	None	None
(h) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(4) The maximum permissible deviations for canned courgettes are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation:			
(i) Wholes (by number)	15%	20%	25%
(ii) Slices (by mass)	15%	20%	25%
(b) Size deviations:			
(i) Wholes (by number)	10%	15%	20%
(ii) Slices (by mass)	10%	15%	20%
(c) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

LENTILS, DRIED

Definitions

33. (1) Where used specifically with regard to canned dried lentils --

- (a) “**defects**” means the defects defined in regulation 1, as well as dried lentils of which the skins have completely split down the middle of the lentil; and
- (b) “**split lentils**” means dried lentils that have completely split in two.

Types of pack

(2) Canned dried lentils may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

(3) The quality standards for canned dried lentils are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum	0,25%	0,25%	0,25%

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
percentage containers per production group)			
(b) Fill of containers shall comply to at least one of the following minima:			
(i) Vegetable quantity	Packed to capacity	As for Extra Choice Grade	As for Extra Choice Grade
(ii) Drained mass	61%	61%	61%
(c) Vegetable ingredient	(i) Sound, dried lentils free from defects and insect damage (ii) Shall be free from odours or flavours foreign to the product (iii) Shall have a colour characteristic of the type or cultivar concerned	As for Extra Choice Grade	As for Extra Choice Grade
(d) Uniformity of size in the same container	Practically uniform	Fairly uniform	Reasonably uniform
(e) Uniformity of colour in any one container	Practically uniform and shall be free from conspicuous deviations from the general colour	Fairly uniform	Reasonably uniform
(f) Split lentils	None	None	20%
(g) Texture	Tender but firm	As for Extra Choice Grade	As for Extra Choice Grade
(h) Foreign matter	None	None	None
(i) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(4) The maximum permissible deviations for **canned dried lentils** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Uniformity of colour in any one container (by mass)	5%	10%	15%
(b) Defects (by mass)	5%	8%	12%
(c) Split lentils (by mass)	8%	15%	30%

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(d) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

OKRA

Styles and standards for styles

34. (1) Where used specifically with regard to canned okra –
- (a) **"tender texture"** means that the okra is practically free from fibrous material, which is objectionable upon eating and with seeds that are in the early stages of development;
 - (b) **"fairly tender texture"** means that the seeds of okra may have passed the early stages of development, and that the product contains not more than 0.20% (by mass) of dried cellulose material
- (2) Canned okra shall be presented as one of the following styles:
- (a) **Whole okra:** Shall consist of whole pods with stems removed and with or without the caps removed.
 - (b) **Cut okra or Okra cuts:** Shall consist of pods with the caps and stems removed, which have been cut transversely into pieces.

Types of pack

- (3) Canned okra may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

- (4) The quality standards for **canned okra** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound, young okra, not more than 100 mm in length	Shall be prepared from sound and reasonably young okra, not more than 100 mm in length	As for Choice Grade
(c) Fill of containers	Packed to capacity	Packed to capacity	Packed to capacity
(d) Preparation	Free from defects	Free from defects	Free from defects
(e) Consistency	May be canned with or without the addition of tomato sauce to which thickening or permitted flavouring ingredients have been added	As for Extra Choice Grade	As for Extra Choice Grade
(f) Texture	Tender	Fairly tender	As for Choice Grade

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(g) Uniformity of diameter and length in any one container	Uniform	Fairly uniform	As for Choice Grade
(h) Foreign matter	None	None	None
(i) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(5) The maximum permissible deviations for **canned okra** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation (by mass)	10%	20%	30%
(b) Uniformity of size (by number)	1 unit	3 units	5 units
(c) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

PEAS, GREEN

Definitions

35. (1) Where used specifically with regard to canned green peas --

- (a) "**green peas**" means the product prepared from fresh, immature (green) seeds of the species *Pisum sativum* L. peas, of the smooth or wrinkled varieties, or other types (i.e. crosses or hybrids of the wrinkled of round seeded varieties) but excludes the subspecies *macrocarpum*.

Size groups and standards for size groups

- (2) (a) Subject to the provisions of paragraphs (c) and (d) below, canned green peas shall be presented as one of the following size groups:
- (i) **Small:** The peas shall pass through a screen of 9,0 mm mesh.
 - (ii) **Medium:** The peas shall pass through a screen of 10,7 mm mesh, but not through a screen of 9,0 mm mesh.
 - (iii) **Large:** The peas shall pass through a screen mesh larger than 10,8 mm.
 - (iv) **Mixed or assorted:** The peas shall pass through a screen of 10,8 mm mesh: Provided that each container shall be marked according to sub-regulation (6) below.
- (b) Notwithstanding the size designations prescribed in paragraph (a) above, other sizing designations may be used in the case of imported green peas: Provided that such designations are in accordance with the legislation of the country of origin, or the Codex Alimentarius standards.
- (c) Large and mixed green peas shall not be presented as Extra Choice Grade.

- (d) No size range shall apply for Standard Grade green peas.

Types of pack

- (3) Canned green peas may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

- (4) The quality standards for **canned green peas** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable Ingredient	Shall be prepared from clean, young, whole and sound peas which are not mealy or starchy	As for Extra Choice Grade: Provided that a slight starchiness is allowable	As for Extra Choice Grade: Provided that a slight mealiness and reasonable starchiness is allowable
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	63%	63%	63%
(d) Preparation	(i) Shall be free from defects (ii) Shall be canned within 36 hours of picking unless they are held under refrigeration in a suitable manner (iii) Shall be young and tender	(i) and (ii) as for Extra Choice Grade (iii) Shall be tender and fairly young	(i) Shall be reasonably free from defects (ii) As for Extra Choice Grade (iii) Shall be free from hard and over-mature peas
(e) Uniformity of colour and maturity in any one container	Uniform	Fairly uniform	May vary: Provided that it shall not markedly affect the general good appearance of the peas
(f) Loose skin and splits	Shall be practically free from loose skin and split	Shall be fairly free from loose skin and splits	Shall be reasonably free from loose skin and splits
(g) Black or objectionably discoloured peas	None	None	None
(h) Uniformity of size	Uniform	Reasonably uniform	As for Choice Grade
(i) Foreign matter	None	None	None
(j) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(5) The maximum permissible deviations for **canned green peas** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation (by number)	10 units	20 units	25 units
(b) Size deviations (by mass)	4%	8%	12%
(c) Loose skin and splits (by number)	40 units	50 units	60 units
(d) Black or objectionably discoloured (by number)	4 units	8 units	12 units
(e) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

Additional marking requirements

(6) Subject to the provisions of regulation 11, canned green peas shall use the product name "green peas", "garden peas" or "green garden peas": Provided that --

- (a) canned green peas of sweet green wrinkled varieties or hybrids having similar characteristics may use the product name "sweet green peas", "sweet garden peas" or "sweet green garden peas";
- (b) small size green peas may use the product name "early peas", "early green peas", "early garden peas" or "petit pois"; and
- (c) the expression "fresh" may form part of the product name.

PEAS, DRIED OR PROCESSED**Definitions**

36. (1) Where used specifically with regard to canned dried or processed peas --

- (a) "**defects**" means the defects set out in the definitions in regulation 1 as well as sprouting when the sprout has grown to such a length that it overhangs the edge of the pea; and
- (b) "**dried or processed peas**" means the product prepared using clean, sound, whole, threshed, and dried grains of the species *Pisum sativum* L., which has undergone soaking, but excludes the subspecies *macrocarpum*.

Types of pack

(2) Canned dried or processed peas may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

(3) The quality standards for **dried or processed peas** are as follows:

Quality Factor	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25
(b) Vegetable ingredient	Shall be prepared from peas of a good quality
(c) Fill of containers: Shall comply with one of the following minima:	
(i) Vegetable quantity	Packed to capacity
(ii) Drained mass	61%
(d) Preparation	(i) Shall be reasonably free from loose skins, broken pieces, defects and split peas (ii) Shall be tender and have a good flavour (iii) Moderate jellying is permitted
(e) Colour	Uniform
(f) Foreign matter	None
(g) Extraneous vegetable matter	Reasonably free

Permissible deviations

- (4) The maximum permissible deviations for **canned dried or processed peas** are as follows:

Quality Factor	Standard Grade
(a) Preparation (by mass)	20%: Provided that defects shall not exceed 10%
(b) Extraneous vegetable matter (on average per sample)	3 pieces

Additional marking requirements

- (5) Subject to the provisions of regulation 11, canned dried or processed peas shall use the product name "dried peas" or "processed peas": Provided that --

- (a) the expression "mature" may form part of the product name;
- (b) if the colour of the peas is not green, it shall be indicated as part of the product name (e.g. "brown dried peas" or "yellow dried peas", etc.);
- (c) the expression "green" or "fresh" or "garden" shall not form part of the product name; and
- (d) no word or depiction indicating, either directly or by implication, that the peas are other than peas which have been dried and soaked, shall be permissible on the container.

POTATOES, WHITE

Definitions

37. (1) Where used specifically with regard to canned white potatoes --
- (a) "**fairly good colour**" means that the potatoes possess a fairly uniform colour typical of white potatoes which may be variable, yellow-white to greyish-white indicative of slight oxidation or slight discolouration;

- (b) **"fairly uniform in size"** means that, in the case of wholes, 80% (by number) of the potatoes are of a uniform size not varying more than 3.2 mm from the maximum diameter;
- (c) **"good colour"** means that the potatoes possess a bright white to creamish-white colour practically free from oxidation and not more than one unit or 5% (by number), whichever is greater, deviate from the overall colour appearance of the product;
- (d) **"practically uniform in size"** means that, in the case of wholes, 90% (by number) of the potatoes are of a size not varying more than 6.4 mm in diameter from the largest to the smallest unit, and that not more than two potatoes in any one container exceed the maximum diameter of 45 mm by 3.2 mm or more;
- (e) **"reasonably good colour"** means that the potatoes may be variable in colour from yellow-white to dark greyish as a result of oxidation but not an off-colour; and
- (f) **"reasonably uniform in size"** means that, in the case of wholes, 70% (by number) of the potatoes are of a uniform size, not varying more than 3.2 mm from the maximum diameter.

Styles and standards for styles

- (2) Canned white potatoes shall be presented as one of the following styles:
 - (a) **Whole potatoes:**
 - (i) **Round cultivars:** Shall consist of potatoes which, after processing, retain their approximate original conformation: Provided that the largest diameter of potatoes, measured at right angles to the longitudinal axis, shall not exceed 51 mm.
 - (ii) **Spherical cultivars:** Shall consist of potatoes of a roundish shape of which the largest diameter in each direction shall not exceed 45 mm.
 - (b) **Baby whole potatoes:** Shall consist of potatoes of which the largest diameter shall not exceed 25 mm.
 - (c) **Diced potatoes:** Shall consist of sections of potatoes cut into uniformly shaped units having a cross section that is square and of which the longest dimension is approximately twice that of the shortest dimension: Provided that the shortest dimension shall not exceed 12,5 mm.
 - (d) **Sliced potatoes:** Shall consist of potatoes which have been cut, either smooth or corrugated, at right angles to the longitudinal axis, into rings having a maximum thickness of 10 mm and a maximum diameter of 50 mm.
 - (e) **Halved potatoes:** Shall consist of potatoes bisected by cutting through the longitudinal axis so that two approximately equal halves result: Provided that it may only be presented as Choice Grade and Standard Grade.

Types of pack

- (3) Canned white potatoes may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

- (4) The quality standards for canned white potatoes are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound white potatoes of a cultivar suitable for canning	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	60%	60%	60%
(d) Preparation	(i) Shall be free from defects (ii) Shall be of a good texture (iii) Shall be properly peeled and well washed (iv) Diced shall be cleanly cut and more or less cube-shaped (v) Shall be free from disintegration	(i) to (iv) as for Extra Choice Grade (v) Shall be fairly free from disintegration	(i) to (iv) as for Extra Choice Grade (v) Shall be reasonably free from disintegration
(e) Colour	The product shall be of a good colour	The product shall be of a fairly good colour	The product shall be of a reasonably good colour
(f) Uniformity of size and shape in any one container	Fairly uniform	Reasonably uniform	As for Choice Grade
(g) Number of units:			
(i) Maximum: Wholes Halves	* -	* 20 units	* 20 units
(ii) Minimum: Wholes Halves	12 units -	12 units 8 units	10 units 8 units
(h) Foreign matter	None	None	None
(i) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

- Denotes not allowable
 * Denotes no specification

Permissible deviations

(5) The maximum permissible deviations for canned white potatoes are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation:			
(i) Wholes, Baby and halves (by number)	5%	10%	15%
(ii) Slices and diced (by mass)	5%	7%	10%
(b) Uniformity of colour (by number)	5%	10%	15%
(c) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

SWEET CORN**Definitions**

38. (1) Where used specifically with regard to canned sweet corn ---

- (a) "**blemished kernel**" means a kernel affected by a lesion due to insects or diseases, or of an abnormal colour (excluding grinded kernels);
- (b) "**Tom kernel**" means a sweet corn kernel to which a piece of cob or hard matter adheres; and
- (c) "**Silks**" means a long, shiny, thread-like strands of plant material, weak fibers that grow as part of ears of sweet corn; the tuft or tassel of silky fibers that protrude from the tip of the ear of sweet corn.

Styles and standards for styles

(2) Canned sweet corn shall be presented as one of the following styles:

- (a) **Whole kernel or cut kernel**: Shall consist of whole or substantially whole cut kernels that are packed in a liquid medium.
- (b) **Creamed sweet corn or Cream style sweet corn**: Shall consist of whole or partially whole cut kernels packed in a creamy component from the corn kernels and other liquid or other ingredients, to form a product of creamy consistency.

Types of pack

(3) **Whole kernel or cut kernel sweet corn** may be packed in a liquid medium, sauce or may be vacuum packed.

Quality standards

(4) The quality standards for canned sweet corn are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable Ingredient	Shall be prepared from sound, young, and tender sweet corn	As for Extra Choice Grade	As for Extra Choice Grade: Provided that slight mealiness is allowable
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass - whole kernel	60%	60%	60%
(d) Preparation	(i) Shall be free from defects (ii) Shall be practically free from discoloured kernels, excluding grilled creamed sweet corn (iii) In the case of cream style, thickening agents may be added (iv) In the case of whole kernel, the kernels shall be cleanly cut from the cob (v) Shall be practically free from husks, silks or particles of cobs	(i) As for Extra Choice Grade (ii) Shall be fairly free from discoloured kernels, excluding grilled creamed sweet corn (iii) and (iv) as for Extra Choice Grade (v) Shall be fairly free from husks, silks or particles of cobs	(i) Shall be reasonably free from defects (ii) Shall be reasonably free from discoloured kernels, excluding grilled creamed sweet corn (iii) and (iv) as for Extra Choice Grade (v) *
(e) Colour	Shall be characteristic of the cultivar and shall have a bright appearance, excluding grilled creamed sweet corn	Shall be characteristic of the cultivar and may have a dull appearance, excluding grilled creamed sweet corn	As for Choice Grade
(f) Consistency of creamed sweet corn	The product shall be well-bodied and possesses a creamy consistency	The product shall not show more than a slight separation of free liquid	As for Choice Grade
(g) Foreign matter	None	None	None

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(h) Presence of fragments of cobs, silks, husks and other extraneous vegetable matter	Practically free	Fairly free	Reasonably free

* Denotes no specification

Permissible deviations

(5) The maximum permissible deviations for **canned sweet corn** are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation (by mass)	5%	10%	15%
(b) Blemished kernels in the case of whole kernels (by number per 400g sample)	4 units	7 units	9 units
(c) Tom kernels in the case of whole kernels (by mass)	1%	2%	2%
(d) Fragments of cobs and husks:			
(i) Whole kernels (drained mass)	Cob: 1 cm ³ /400 g; and Husk: 50 mm ² /400 g [or equivalent percentage (m/m)]	Cob: 1 cm ³ /400 g; and Husk: 70 mm ² /400 g [or equivalent percentage (m/m)]	As for Choice Grade
(ii) Creamed sweet corn (total mass)	Cob: 1 cm ³ /600 g; and Husk: 50 mm ² /600 g [or equivalent percentage (m/m)]	Cob: 1 cm ³ /600 g; and Husk: 50 mm ² /600 g [or equivalent percentage (m/m)]	As for Choice Grade
(e) Silk – broken pieces combined (by length):			
(i) Whole kernels	150 mm	180 mm	200 mm
(iii) Creamed sweet corn	100 mm	150 mm	180 mm
(f) Extraneous vegetable matter other than fragments of cobs and husks, and silk (on average per sample)	1 piece	2 pieces	3 pieces

Additional marking requirements

(6) Subject to the provisions of regulation 11 --

- (a) the word "sweet corn" in the product name may be replaced by the expression "sweetcorn";
- (b) the expression "grilled", or any other word or wording having a similar meaning, shall be indicated either as part of the product name or in close proximity thereto, if the canned sweet corn kernels have been grilled; and
- (c) the expression "white" shall be indicated either as part of the product name or in close proximity thereto, if white sweet corn varieties are used.

TOMATOES (whole, diced, pieces, sliced and wedges)

Definitions

39. (1) Where used specifically with regard to canned tomatoes of the styles whole, diced, pieces, sliced and wedges --

- (a) **"blemished areas"** means areas into which lesions on the surface have penetrated and as a result thereof contrast strongly in colour or texture with the normal tomato tissue and should normally have been removed during processing;
- (b) **"objectionable core material"** means tough and fibrous texture or tomato tissue representing the tomato core that is definitely objectionable as to appearance and edibility;
- (c) **"peel"** (skin) means the residual pieces of skin with a length of more than 5 mm, which adheres to the tomato flesh or is found loose in the container; and
- (d) **"whole or almost whole"** means a tomato of any size in which the contour is not materially altered by coring or trimming: Provided that the unit --
 - (i) may be readily restored to practically its original conformation; and
 - (ii) may be slightly cracked or split but not to the extent that there is a substantial loss of shape.

Varietal groups and standards for varietal groups

(2) Canned tomatoes of distinct varietal groups or other similar physical characteristics with respect to shape may be designated as follows:

- (a) **Round:** Means tomatoes having a globular or semi-globular shape.
- (b) **Cylinder, Pear, Egg or Plum:** Means tomatoes having an elongated shape.

Styles and standards for styles

- (3) (a) Canned tomatoes of the styles whole, diced, pieces, sliced and wedges shall comply with the following standards:
 - (i) **Whole tomatoes:** Shall consist of peeled or unpeeled whole tomatoes of any size which keep their initial shape after processing.
 - (ii) **Diced tomatoes or chopped tomatoes:** Shall consist of peeled or unpeeled tomatoes cut into approximate cube-shaped units.

- (iii) **Tomato pieces:** Shall consist of peeled or unpeeled tomatoes cut into sections/pieces with irregular shape.
 - (iv) **Sliced tomatoes:** Shall consist of peeled or unpeeled tomatoes cut perpendicular to the longitudinal axis in rounds with a regular thickness.
 - (v) **Tomato wedges:** Shall consist of peeled or unpeeled tomatoes cut into four roughly equal parts.
- (b) Styles of canned tomatoes which have not been peeled shall in addition be marked as set out in sub-regulation (8) below.

Types of pack

(4) Canned tomatoes of the styles whole, diced, pieces, sliced and wedges may be packed in a liquid medium as set out in sub-regulation (5) below, or may be packed without any added liquid (i.e. solid pack).

Packing media

(5) Canned tomatoes of the styles whole, diced, pieces, sliced and wedges may be packed in the following packing media:

- (a) **Tomato juice:** Shall consist of the liquid obtained from ripened tomatoes, from the residue resulting from preparing tomatoes for canning or by diluting tomato concentrates (as defined in regulation 43).
- (b) **Tomato puree or Tomato paste:** Shall consist of tomato puree or tomato paste as defined in regulation 43.
- (c) **Tomato pulp:** Shall consist of skinless ground tomatoes.
- (d) **Water:** Only permissible in the case of unpeeled canned tomatoes.

Quality standards

(6) The quality standards for **canned tomatoes of the styles whole, diced, pieces, sliced and wedges** are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from whole, sound, ripe and well-washed tomatoes	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	56%	56%	56%

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(d) Preparation	(i) Shall be free from defects (ii) Shall be practically free from pieces of skin in the case of peeled styles (iii) Shall be practically free from objectionable core material	(i), (ii) and (iii) as for Extra Choice Grade	(i) As for Extra Choice Grade (ii) Shall be reasonably free from pieces of skin in the case of peeled styles (iii) Shall be reasonably free from objectionable core material
(e) Colour	Shall be of a uniform red colour and shall be free from green or off-coloured patches	Shall be of a fairly good colour	Shall be of a reasonably good colour
(f) Uniformity of size in the case of wholes in any one container	In a container the mass of the x largest tomatoes shall not be more than y times the mass of the x smallest tomatoes, where x=2 and y=2	As for Extra Choice Grade except that x=4 and y=2	As for Extra Choice Grade except that x=6 and y=2
(g) Crushing and wholeness in the case of the style whole	Tomatoes shall not be crushed and the units in each container shall be whole or almost whole	As for Extra Choice Grade: Provided that units which have retained their shape to a large extent shall not be deemed crushed	As for Choice Grade
(h) Foreign matter	None	None	None
(i) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(7) The maximum permissible deviations (by number per container, unless specified otherwise) for **canned tomatoes of the styles whole, diced, pieces, sliced and wedges** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Crushing and wholeness in the case of the style wholes	30%	50%	50%
(b) Preparation	2 units	5 units	6 units
(c) Colour	1 unit	3 units	5 units
(d) Blemished areas (per 1 kg sample)	30 mm ² combined area	35 mm ² combined area	35 mm ² combined area
(e) Presence of peel (skin) in the case of the style whole peeled (per 1 kg sample)	150 mm ² combined area	300 mm ² combined area	300 mm ² combined area
(f) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

Additional marking requirements

(8) Subject to the provisions of regulation 11, the expression "unpeeled" shall either form part of the product name or be indicated in close proximity thereto if the tomatoes have not been peeled.

TOMATOES, CRUSHED AND SIEVED**Definitions**

40. (1) "**Crushed and sieved tomatoes**" means peeled tomatoes that have been crushed or ground and sieved to remove the seeds.

Types of pack

(2) Crushed and sieved canned tomatoes may be packed without any added liquid (i.e. solid pack).

Quality standards

(3) The quality standards for **crushed and sieved canned tomatoes** of are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound, ripe and well-washed tomatoes	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers	Packed to capacity	Packed to capacity	Packed to capacity
(d) Soluble solids content (°Brix)	6 – 11 °Brix	As for Extra Choice Grade	As for Extra Choice Grade
(e) Preparation	(i) Shall be free from defects (ii) Shall be free from pieces of skin (iii) Shall be free from seeds	(i) to (iii) as for Extra Choice Grade	(i) to (iii) as for Extra Choice Grade
(f) Colour	Shall have a good colour typical of the products concerned	Shall have a fairly good colour typical of the products concerned	Shall have a reasonably good colour typical of the products concerned
(g) Foreign matter	None	None	None
(h) Extraneous vegetable matter	Practically free	Fairly free	Reasonable free

Permissible deviations

(4) The maximum permissible deviations for **crushed and sieved canned tomatoes** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Presence of peel (skin) and seeds (by mass)	1%	2%	3%

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(b) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

Additional marking requirements

- (5) (a) Subject to the provisions of regulation 11, the following product name may be used instead of the name "sieved crushed tomatoes":
- (i) "strained crushed tomatoes";
 - (ii) "screened crushed tomatoes"; or
 - (iii) "Passata": Provided that the wording "sieved crushed tomatoes", "strained crushed tomatoes" or "screened crushed tomatoes" shall be indicated in close proximity to the product name "Passata".
- (b) The words "paste" or "puree" shall not appear on a container containing crushed and sieved canned tomatoes".

TOMATOES, CRUSHED OR MASHED**Definitions**

41. (1) "**Crushed or mashed tomatoes**" means peeled or unpeeled tomatoes that have been crushed or ground.

Types of pack

- (2) Crushed or mashed canned tomatoes may be packed without any added liquid (i.e. solid pack).

Quality standards

- (3) The quality standards for **crushed or mashed canned tomatoes** of are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound, ripe and well-washed tomatoes	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers	Packed to capacity	Packed to capacity	Packed to capacity
(d) Soluble solids content (°Brix)	6 – 11 °Brix	As for Extra Choice Grade	As for Extra Choice Grade
(e) Preparation	Shall be free from defects, excluding the presence of seeds and peel (in the case of unpeeled tomatoes).	As for Extra Choice Grade	As for Extra Choice Grade
(f) Colour	Shall have a good colour typical of the products concerned	Shall have a fairly good colour typical of the products concerned	Shall have a reasonably good colour typical of the products concerned

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(g) Foreign matter	None	None	None
(h) Extraneous vegetable matter	Practically free	Fairly free	Reasonable free

Permissible deviations

(4) The maximum permissible deviations for **crushed or mashed canned tomatoes** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

Additional marking requirements

(5) Subject to the provisions of regulation 11, the word "mashed" may only be used on products still containing seeds and peel.

TOMATOES, FLAVOURED, STEWED OR SEASONED

Definitions

42. (1) "**Flavoured, stewed or seasoned tomatoes**" shall consist of peeled or unpeeled tomatoes to which one or more of, but not limited to, the following ingredients have been added:

- (a) Onion and/or other kinds of vegetables.
- (b) Salt, herbs and/or spices.

Types of pack

(2) Flavoured, stewed or seasoned canned tomatoes may be packed without any added liquid (i.e. solid pack).

Quality standards

(3) The quality standards for **flavoured, stewed or seasoned canned tomatoes** are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	(i) Shall be prepared from sound, ripe and well-washed tomatoes (ii) All other vegetables shall be sound and of a good quality	(i) and (ii) as for Extra Choice Grade	(i) and (ii) as for Extra Choice Grade
(c) Fill of containers	Packed to capacity	Packed to capacity	Packed to capacity
(d) Preparation	(i) Shall be free from defects	(i) and (ii) as for Extra Choice Grade	(i) and (ii) as for Extra Choice Grade

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
	(ii) Shall contain visible pieces of tomatoes and other added vegetables (iii) Shall be practically free from loose pieces of tomato skin	(iii) Shall be fairly free from loose pieces of tomato skin	(iii) Shall be reasonably free from loose pieces of tomato skin
(e) Colour	The product shall be of a good colour	The product shall be of a fairly good colour	The product shall be of a reasonably good colour
(f) Composition in the case of tomato and onion mix:			
(i) Tomatoes	(i) 75% - 85%	(i) 75% - 85%	(i) 40% - 60%
(ii) Onions	(ii) 10% - 25%	(ii) 5% - 25%	(ii) 3% - 5%
(iii) Other (other vegetables, thickening and flavouring ingredients)	(iii) Not more than 10% (based on the ingoing mass)	(iii) Not more than 20% (based on the ingoing mass)	(iii) Not more than 46% (based on the ingoing mass)
(g) Foreign matter	None	None	None
(h) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(4) The maximum permissible deviations for **flavoured, stewed or seasoned canned tomatoes** are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation (by mass)	5%	10%	20%: Provided that defects shall not exceed 10%
(b) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

Additional marking requirements

(5) Subject to the provisions of regulation 11, variant names such as for example "Mexican style", "Indian style", "Braai relish", "Mediterranean style", etc. may be indicated in addition to the product name and additions to the product name on a container of flavoured, stewed or season canned tomatoes: Provided that the variant name corresponds with the actual composition and/or intended use of the product concerned.

TOMATO CONCENTRATE, PASTE AND PUREE

Definitions

43. (1) Where used specifically with regard to canned tomato concentrate, paste and puree --

- (a) **"tomato concentrate"** means the product –
- (i) prepared by concentrating the juice or pulp obtained from sound, mature red tomatoes which has been strained or otherwise prepared, to excluded skins, seeds and other coarse or hard substances in the finished product; and
 - (ii) with a tomato concentration of at least 7% of natural total soluble solids (measured without any added salt), but not dehydrated to a dry powder or flake form;
- (b) **"tomato paste"** means tomato concentrate that contains at least 24% of natural tomato soluble solids;
- (c) **"tomato puree"** means tomato concentrate that contains at least 7% but less than 24% of natural tomato soluble solids; and
- (d) **"typical tomato concentrate flavour"** means that the product is free from scorched, bitter, green tomato flavours, or other objectionable flavours or odours of any kind.

Quality Standards

- (2) The quality standards for canned tomato concentrate, paste and puree are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	(i) Shall be free from defects (ii) The concentrate may be seasoned with table salt and other suitable seasoning ingredients, but sodium bicarbonate, in such a quantity as to neutralize part of the tomato acids, may be added during concentration (iii) Shall be free from peel (skin), seeds or particles of seeds and pieces of core (iv) Shall be free of dark specks or scale-like particles	(i) to (ii) as for Extra Choice Grade (iii) Shall be practically free from peel (skin), seeds or particles of seeds and pieces of core (iv) Shall be practically free of dark specks or scale-like particles	(i) to (iv) as for Extra Choice Grade
(c) Fill of containers	Packed to capacity	Packed to capacity	Packed to capacity

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(d) Colour	When the product is diluted with water to reach approximately 8% of natural tomato soluble solids, it shall have a practically good red colour, free from abnormal colours	When the product is diluted with water to reach approximately 8% of natural tomato soluble solids, it shall have a fairly good red colour, free from abnormal colours	When the product is diluted with water to reach approximately 8% of natural tomato soluble solids, it shall have a reasonably good red colour, free from abnormal colours
(e) Texture	The concentrated product shall have a smooth, homogeneous and evenly divided texture	As for Extra Choice Grade	As for Extra Choice Grade
(f) Flavour	When the product is diluted with water to reach approximately 8% of natural tomato soluble solids, it shall have a good flavour, typical of tomato concentrate	As for Extra Choice Grade	As for Extra Choice Grade
(g) Maximum total lactic acid content	1%	1%	1%
(h) Foreign matter	None	None	None
(i) Extraneous vegetable matter	None	None	None

Additional marking requirements

(3) Subject to the provisions of regulation 11, the name of the product shall be "tomato concentrate": Provided that the product name may be substituted by the name "tomato paste" or "tomato puree" if the product complies with the applicable definition in sub-regulation (1) above.

VEGETABLE SALAD (MIXED VEGETABLES)

Types of pack

44. (1) Canned vegetables salad (mixed vegetables) may be packed in a liquid medium or sauce or may be vacuum packed.

Quality standards

(2) The quality standards for **canned vegetable salad (mixed vegetables)** are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(b) Vegetable ingredient	(i) Shall contain at least two kinds of vegetables (ii) Styles for vegetables used shall be as prescribed for the relevant components	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers: Shall comply with one of the following minima: (i) Vegetable quantity (ii) Drained mass	 Packed to capacity 59%	 Packed to capacity 59%	 Packed to capacity 59%
(d) Preparation	(i) The components shall comply with the requirements as prescribed in the relevant regulations: Provided that one component may be one grade lower (ii) If the product contains mayonnaise, the mayonnaise shall be of good colour and consistency	(i) and (ii) as for Extra Choice Grade	(i) and (ii) as for Extra Choice Grade
(e) Composition	After canning, the mass of any one kind of vegetable shall not exceed the sum of the mass of the other kinds of vegetables which are used	As for Extra Choice Grade	As for Extra Choice Grade
(f) Foreign matter	None	None	None
(g) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Additional marking requirements

- (3) Subject to the provisions of regulation 11 --
- (a) the product name "mixed vegetables" may be substituted by the name "assorted vegetables"/ "vegetable assortment" or "vegetable medley"; and
 - (b) the product name "vegetable salad" shall be used if the mixed vegetables contain added mayonnaise or a similar ingredient.

UNSPECIFIED CANNED VEGETABLES**Quality standards**

45. (1) The quality standards for unspecified canned vegetables are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound vegetables	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers	Packed to capacity	Packed to capacity	Packed to capacity
(d) Preparation	Shall be free from defects	Shall be fairly free from defects	Shall be reasonably free from defects
(e) Uniformity of size in any one container	Uniform	Fairly uniform	Reasonably uniform
(f) Uniformity of colour in any one container	Shall be uniform in colour	Shall be fairly uniform in colour	Shall be reasonably uniform in colour
(g) Foreign matter	None	None	None
(h) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(2) The maximum permissible deviations for unspecified canned vegetables are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation (by number)	5%	10%	20%

UNSPECIFIED CANNED VEGETABLE CONCENTRATE, PASTE AND PUREE**Quality standards**

46. The quality standards for unspecified canned vegetable concentrate, paste and puree are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound and well-washed vegetables	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers	Packed to capacity	Packed to capacity	Packed to capacity
(d) Preparation	(i) Shall be free from defects	(i) Shall be fairly free from defects	(i) Shall be reasonably free from defects
	(ii) Shall be free from peel (skin), seeds or	(ii) Shall be practically free from peel (skin),	(ii) Shall be reasonably free from peel (skin),

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
	particles of seeds, where applicable	seeds or particles of seeds, where applicable	seeds or particles of seeds, where applicable
(e) Colour	Shall be good in colour typical of the product concerned	Shall be fairly good in colour	Shall be reasonably good in colour
(f) Texture	The concentrated product shall have a smooth and homogeneous texture	As for Extra Choice Grade	As for Extra Choice Grade
(g) Flavour	Shall have a good flavour, typical of the vegetable concentrate concerned	As for Extra Choice Grade	As for Extra Choice Grade
(h) Off-flavours	Shall be free from off-flavours	As for Extra Choice Grade	As for Extra Choice Grade
(i) Foreign matter	None	None	None
(j) Extraneous vegetable matter	None	None	None

**PART VIII
SPECIFIC QUALITY STANDARDS FOR PICKLED VEGETABLES**

BEETROOT

Definitions

47. (1) Where used with regard to pickled beetroot –
- (a) **"fairly good colour"** means that the pickled beetroot possess a colour that is typical of pickled beetroot produced from beetroot of similar varietal characteristics and such colour may be variable or slightly dull;
 - (b) **"fairly tender texture"** means that the beetroot are fairly tender, may be variable in character but not tough or hard, and may possess a few stringy or coarse fibres;
 - (c) **"good colour"** means that the pickled beetroot possess a colour that is uniform, bright, and typical of pickled beetroot produced from beetroots of similar varietal characteristics; and
 - (d) **"tender texture"** means that the beetroot are tender, not fibrous, and possess a uniform character.

Styles and standards for styles

- (2) Pickled beetroot shall be presented as one of the following styles:
- (a) **Whole beetroot:** Shall consist of beetroot which, after processing, retain their approximate original conformation: Provided that --
 - (i) the diameter measured at right angles to the longitudinal axis, shall not be less than 30 mm for the smallest beetroot and not exceed 50 mm for the largest beetroot; and

- (iii) the variation in diameter between the largest beetroot and smallest beetroot in the same container shall not exceed a ratio of 3:1.
- (b) **Baby beetroot:** Shall consist of a whole beetroot which, after processing, retain a minimum diameter of 20 mm and does not exceed a diameter of 40 mm.
- (c) **Beetroot quarters:** Shall consist of beetroot cut into four approximately equal sections by two cuts at right angles to each other through the longitudinal axis and the radial axis.
- (d) **Beetroot slices or sliced beetroot:** Shall consist of beetroot which have been cut smooth, corrugated, wavy, fluted or scalloped, at right angles to the longitudinal axis, into rings having a maximum thickness of 10 mm and a maximum diameter of 100 mm.
- (e) **Diced beetroot:** Shall consist of beetroot cut into approximate cube-shaped units with edges not exceeding 14 mm.
- (f) **Grated beetroot:** Shall consist of beetroot which have been reduced to small shreds by rubbing it on a grater.
- (g) **Julienne, French style or shoestring beetroot:** Shall consist of beetroot cut into strips: Provided that the strips shall be uniform in size and shape, with the cross sections not exceeding 5 mm.

Types of pack

(3) Pickled beetroot may be packed in a liquid medium, sauce, vacuum packed or be packed without any added liquid (i.e. solid pack).

Quality standards

(4) The quality standards for **pickled beetroot** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	(i) Shall be prepared from sound, young, tender beetroot of a suitable cultivar. (ii) Onions of a good quality and suitable type which are practically free from defects may be added: Provided that it shall not exceed 5% of the total net mass of the product	(i) and (ii) as for Extra Choice Grade	(i) and (ii) as for Extra Choice Grade

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	60%	60%	60%
(d) Preparation	(i) Shall be free from defects (ii) Shall be properly peeled, trimmed and free from residual peel (iii) All styles, excluding grated, shall be cleanly cut (iv) Shall be free from end slices, blotches, stains, black internal discolouration or scab	(i) to (iv) as for Extra Choice Grade	(i) to i(v) as for Extra Choice Grade
(e) Colour	Shall retain a good colour after processing	Shall retain a fairly good colour after processing	As for Choice Grade
(f) Texture	Shall possess a tender texture	Shall possess a fairly tender texture	As for Choice Grade
(g) Uniformity of thickness in the case of slices in any one container	Uniform	Reasonably uniform	As for Choice Grade, except in the case of uneven pieces
(h) Uniformity of shape and size in any one container	Uniform	Reasonably uniform	As for Choice Grade except in the case of uneven pieces
(i) Foreign matter	None	None	None
(j) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(5) The maximum permissible deviations for **pickled beetroot** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation:			
(i) Wholes and quarters (by number)	10%: Provided that where 10% results in a fraction of a unit, not more than one unit may show defects	15%	30%

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(ii) Diced, grated and Julienne (by mass)	3%	6%	8%
(iii) Slices (by mass)	5%	10%	15%
(b) Broken and uneven slices (by mass)	15%	30%	50%
(c) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

Additional marking requirements

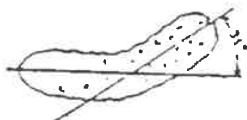
- (5) Subject to the provisions of regulation 11 --
- (a) the product name shall be "beetroot" or "pickled beetroot"; and
 - (b) the expression "smooth", "corrugated"/ "crinkle cut", "wavy", "fluted" or "scalloped", as the case may be, may be indicated as part of the product name or in close proximity thereto, in the case of the style "beetroot slices".

CUCUMBERS

Definitions

48. (1) Where used with regard to pickled cucumbers --

- (a) "**curved cucumber**" means a whole cucumber that are curved at an angle of more than 35° when measured as illustrated below;



- (b) "**defects**" means the defects defined in regulation 1 as well as --
 - (i) poor texture;
 - (ii) hollow centre; and
 - (iii) blemishes;
- (c) "**hollow centre**" means --
 - (i) in the case of the style whole cucumbers, that the internal cavity is large; and
 - (ii) in the case of the styles ring cuts and slices, that a third or more of the centre is missing;

- (d) **"misshaped cucumbers"** means whole cucumbers, nubbins and other deformed cucumbers as illustrated below;



- (e) **"off colour"** means units that vary markedly from the colour typical of the cultivar and type of pack;
- (f) **"poor texture"** means excessively shrivelled, very soft or flabby units with very large seeds; and
- (g) **"stem"** means any stalk longer than 15 mm.

Styles and standards for styles

- (2) Pickled cucumbers shall be presented as one of the following styles:
- (a) **Whole cucumbers:** Shall consist of cucumbers with a maximum diameter of 54 mm when cut in the middle of the unit.
 - (b) **Whole curved cucumbers:** Shall consist of cucumbers with a maximum diameter of 54 mm and curved at least 35°.
 - (c) **Cucumbers halves:** Shall consist of cucumbers divided lengthwise into halves.
 - (d) **Cucumber spears, cucumber fingers or sliced lengthwise cucumbers:** Shall consist of cucumbers cut lengthwise into sections of approximately equal size.
 - (e) **Ring cut cucumbers or cucumbers chunks:** Shall consist of cucumbers cut at right angles to the longitudinal axis having a thickness from 4 to 40 mm and a maximum diameter of 54 mm.
 - (f) **Cucumber slices, cross cut cucumbers or cucumber chips:** Shall consist of cucumbers cut at right angles to the longitudinal axis having a thickness of not more than 10 mm and a maximum diameter of 54 mm.
 - (g) **Cucumber strips ("Asier"):** Shall consist of large, peeled cucumbers that have been divided lengthwise: Provided that the prepared halves are cut at right angles to the longitudinal direction into strips of approximately 10 mm width.

Types and sub-types of pack

Fresh pack type

- (3) (a) The fresh pack type shall be prepared from fresh, uncured and unfermented cucumbers.

Cured pack type

- (b) The cured pack type shall be prepared from cucumbers which have been cured in salt brine or in other suitable curing solution, with or without natural or controlled fermentation.

Sub-types of pack

- (c) Pickled cucumbers shall be presented as one of the following sub-types of pack based on the sensory characteristics:

Sub-type	Sensory characteristics
(a) Dill	Dill herb, dill seeds and/or oil of dill
(b) "Name of the herb"	Herb and oils thereof other than dill herb and/or oil of dill
(c) Sour	Pronounced sour
(d) Sweet-sour	Moderately sweet-sour
(e) Sweet	Pronounced sweet
(f) Mustard	Mustard sauce, mustard seed and/or oil of mustard
(g) Salt-sour	Pronounced salty
(h) Mild	Neither sweet nor sour
(i) Hot	Pronounced pepper
(j) Sweet and tangy	Sweet and pungent, piquant or spicy note
(k) Other Sub-type	Provided that its sensory characteristics will be submitted to the Executive Officer for approval

Working sample size

- (4) (a) The working sample size shall be as follows for the styles concerned:
- (i) Whole, Whole curved - 20 whole or whole curved cucumbers;
 - (ii) Halves, Spears - 40 halves or spears; and
 - (iii) Ring cuts, Slices, Strips - 300 g drained cucumbers:
- (b) When a container contains less than the amount specified in paragraph (a) above, the total contents of the container shall be taken as the working sample.

Quality standards

- (5) The quality standards for **canned pickled cucumbers** are as follows:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	(i) Shall be prepared from clean, sound cucumbers of a suitable cultivar (ii) Small quantities of other types of vegetables (e.g. chopped onion, sliced red pepper, etc.) may be added mainly for the purpose of enhancing the visual	(i) and (ii) as for Extra Choice Grade	(i) and (ii) as for Extra Choice Grade

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
	appearance/ presentation and/or flavour of the product: Provided that it shall not exceed 5% of the to- tal net mass of the product, except for the sub-type "mustard", which may contain not more than 30%.		
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass:			
(aa) Whole and whole curved	55% (cured pack type) 53% (fresh pack type)	55% (cured pack type) 53% (fresh pack type)	55% (cured pack type) 53% (fresh pack type)
(bb) Other styles	57% (cured pack type) 55% (fresh pack type)	57% (cured pack type) 55% (fresh pack type)	57% (cured pack type) 55% (fresh pack type)
(d) Colour	Shall have a good colour typical of the cultivar, type of pack and style: Provided that a narrow yellow strip comprising an area of not larger than 40% of the unit will not be regarded as a defect	As for Extra Choice Grade	As for Extra Choice Grade
(e) Uniformity of size:			
(i) Whole style and spears	80% or more (by number) of the cucum- bers shall meet the following requirements: (i) Length: the length of the longest unit shall not exceed that of the shortest unit by more than 50%; and (ii) Diameter: the dia- meter of the largest unit shall not exceed that of the smallest unit by more than 50%	75% or more (by number) of the cucum- bers shall meet the following requirements: (i) and (ii) as for Extra Choice Grade	70% or more (by number) of the cucumbers shall meet the following re- quirements: (i) and (ii) as for Extra Choice Grade

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(ii) Ring cut and slices	80% or more (by mass) of units having the most uniform size shall meet the following requirement for individual containers or sample units: (i) Diameter: The diameter of the largest unit shall not exceed that of the smallest unit by more than 50%	75% or more (by mass) of the cucumbers shall meet the following requirements: (i) As for Extra Choice Grade	70% or more (by mass) of the cucumbers shall meet the following requirements: (i) As for Extra Choice Grade
(f) Uniformity of colour in any one container	Shall have a uniform colour typical of the cultivar, type of pack and style	Shall have a fairly uniform colour typical of the cultivar, type of pack and style	Shall have a reasonably uniform colour typical of the cultivar, type of pack and style
(g) Flavour	Shall have a good flavour typical of the type of pack and in consideration of any sensory characteristics or special ingredients used	Shall have a fairly good flavour typical of the type of pack and in consideration of any sensory characteristics or special ingredients used	Shall have a reasonably good flavour typical of the type of pack and in consideration of any sensory characteristics or special ingredients used
(h) Texture	(i) Shall be firm and crisp (ii) Shall be practically free from shrivelled, soft and flabby units (iii) Shall be practically free from very large seeds	(i) Shall be fairly firm and crisp (ii) As for Extra Choice Grade (iii) Shall be fairly free from very large seeds	(i) Shall be reasonably firm and crisp (ii) As for Extra Choice Grade (iii) Shall be reasonably free from very large seeds
(i) Foreign matter	None	None	None
(j) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(6) The maximum permissible deviations based on the working sample size specified in sub-regulation (4) above for the style concerned, are as follows --

(a) In the case of the styles **whole, whole curved, halves, spears and strips**:

Quality factor	Extra Choice Grade		Choice Grade		Standard Grade	
	Whole and whole curved	Halves and spears	Whole and whole curved	Halves and spears	Whole and whole curved	Halves and spears
(i) Curved (except whole curved style)	2	1	3	2	4	3
(ii) Misshapen	2	1	2	1	3	2
(iii) Blemished	2	2	3	3	4	5

Quality factor	Extra Choice Grade		Choice Grade		Standard Grade	
	Whole and whole curved	Halves and spears	Whole and whole curved	Halves and spears	Whole and whole curved	Halves and spears
(iv) Mechanical damage	1	2	2	3	2	3
(v) Stems	2	1	3	2	3	2
(vi) Poor texture	-	2	1	3	1	3
(vii) Off colour	-	1	1	2	1	2
(viii) Hollow centre	1	-	1	-	2	-
(ix) Maximum total allowable in (i) to (viii): Provided that such deviations are individually within the limits as specified above	5	9	7	11	9	13

- Denotes not allowable

(b) in the case of the styles **ring cuts, slices and strips**:

Quality factor	Extra Choice Grade	Choice Grade	Standard Grade
(i) Blemished	10 g	15 g	20
(ii) Mechanical damage	20 g	30 g	35 g
(iii) Poor texture	5 g	10 g	15 g
(iv) Off colour	5 g	10 g	15 g
(v) Hollow centre	20 g	30 g	35 g
(vi) Stems (by number)	1	2	3
(vii) Deviations allowed under (i) to (v) collectively: Provided that the individual limits are not exceeded	65 g	75 g	85 g

Additional marking requirements

(7) Subject to the provisions of regulation 11 --

- (a) the product name shall be "pickled cucumbers", "cucumber pickles" or "pickles": Provided that the styles whole and whole curved cucumbers may be designated as --
 - (i) "gherkins" if they are not larger than 30 mm in diameter; or
 - (ii) "cocktail gherkins" or "baby gherkins" if they are not larger than 20 mm in diameter;
- (b) the sub-types of pack specified in sub-regulation (3)(c) above shall be indicated as part of the product name or in close proximity thereto: Provided that the sub-type "dill" may be indicated as "natural dill" or "genuine dill" when the cucumbers are fermented naturally in a low salt concentration brine; and
- (c) the type of pack, i.e. "fresh pack" or "cured pack", as the case may be, may be indicated as part of the product name or in close proximity thereto.

SAUERKRAUT

Definitions

49. (1) Where used specifically with regard to pickled sauerkraut --
- (a) "**fairly free from defects**" means that minor and major defects may be present that do not materially affect the appearance or eating quality of the product;
 - (b) "**fairly good colour**" means that the sauerkraut possesses a reasonably bright, reasonably uniform, typical cream to light straw general appearance, characteristic of properly prepared and properly processed sauerkraut;
 - (c) "**fairly good flavour**" means that the product possesses a fairly good characteristic kraut flavour which is free from off flavours and off odours of any kind;
 - (d) "**good colour**" means that the sauerkraut possesses a bright, practically uniform, typical white to light cream general appearance, characteristic of properly prepared and properly processed sauerkraut;
 - (e) "**good flavour**" means that the product possesses a good characteristic kraut flavour which is free from off flavours and off odours of any kind;
 - (f) "**major defects**" mean blemished, spotted, or otherwise discoloured shreds or pieces of leaves or core material;
 - (g) "**minor defects**" mean large or coarse pieces of leaves and large or coarse pieces of core material;
 - (h) "**pickled sauerkraut**" means the product prepared from clean, sound and well matured heads of the cabbage plant which have been properly trimmed and cut, and to which --
 - (i) salt is added and which is cured by natural fermentation; and
 - (ii) pickled peppers, pimentos, tomatoes, or other flavouring ingredients to give the product specific flavour characteristics, may have been added;
 - (i) "**practically free from defects**" means that minor defects may be present that do not materially affect the appearance or eating quality and that major defects may be present that do not more than slightly affect the appearance or eating quality of the product;
 - (j) "**reasonably free from defects**" means that minor and major defects may be present that do not seriously affect the appearance or eating quality of the product;
 - (k) "**reasonably good colour**" means that the sauerkraut may possess a dark straw, slightly green, or yellowish general appearance and may be dull or slightly variable but is not off colour; and
 - (l) "**reasonably good flavour**" means that the product possesses a reasonably good kraut flavour which is free from objectionable flavours and objectionable odours which may seriously affect the eating quality of the product.

Type of pack

- (2) Pickled sauerkraut may be packed without any added liquid (i.e. solid pack).

Styles and standards for styles

(3) Pickled sauerkraut shall be presented as one of the following styles:

- (a) **Shredded sauerkraut:** Shall consist of sauerkraut which has been prepared from cabbage cut into shreds.
- (b) **Chopped sauerkraut:** Shall consist of sauerkraut which has been prepared from cabbage cut or chopped into small pieces

Quality standards

(4) The quality standards for pickled sauerkraut are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sauerkraut, which is obtained by the full fermentation of sound, clean, shredded cabbage	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity
(ii) Drained mass	66%	66%	66%
(d) Preparation	(i) Shall be practically free from defects (ii) In the case of the style shredded, the shreds shall be uniform in thickness, and the presence of short or irregular cut pieces shall only slightly affect the appearance of the product (iii) In the case of the style chopped, the pieces shall be uniform in size, and the presence of pieces markedly	(i) Shall be fairly free from defects (ii) In the case of the style shredded, the shreds shall be fairly uniform in thickness, and the presence of short or irregular cut pieces shall not materially affect the appearance of the product (iii) In the case of the style chopped, the pieces shall be fairly uniform in size, and the presence of pieces markedly	(i) Shall be reasonably free from defects (ii) In the case of the style shredded, the shreds shall be reasonably uniform in thickness, and the presence of very short or very fine pieces or large and irregular pieces shall not seriously affect the appearance of the product (iii) In the case of the style chopped, the pieces shall be reasonably uniform in size, and the presence of very

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
	smaller or larger than the predominant size of pieces shall only slightly affect the appearance of the product	smaller or larger than the predominant size of pieces shall not materially affect the appearance of the product	fine pieces or large and irregular pieces shall not seriously affect the appearance of the product
(e) Colour	Shall have a good colour	Shall have a fairly good colour	Shall have a reasonably good colour
(f) Flavour	Shall have a good flavour	Shall have a fairly good flavour	Shall have a reasonably good flavour
(g) Foreign matter	None	None	None
(h) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(5) The maximum permissible deviations for **pickled sauerkraut** are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation (by mass per container)	5%	10%	20%
(b) Colour (by mass per container)	5%	10%	15%
(c) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

UNSPECIFIED PICKLED VEGETABLES

Definitions

50. (1) Where used specifically with regard to unspecified pickled vegetables --

- (a) **"blemishes"** means any characteristics including, but not limited to bruises, scab, and dark, discolouration, which adversely affects the overall appearance of the pickled vegetable product; and
- (b) **"unspecified pickled vegetables"** means processed vegetables other than pickled beetroot, cucumbers and sauerkraut, which –
 - (i) comply with the definition for "pickled vegetables" in regulation 1; and
 - (ii) includes but not limited to onions, garlic, radish, ginger, peppers, vegetable atchar and green mustard, but excludes chutneys and relishes.

Styles

(2) Unspecified pickled vegetables shall be presented as one of the following styles:

- (a) Whole.
- (b) Halves.

- (c) Quarters.
- (d) Pieces.
- (e) Diced.
- (f) Julienne.
- (g) Shredded or chopped.
- (h) Any style other than those referred to in paragraphs (a) to (g) above: Provided that the product meets all requirements of the standard.

Types of pack

- (3) Unspecified pickled vegetables may be packed in a liquid medium as specified in sub-regulation (4) below, sauce or may be packed without any added liquid (i.e. solid pack).

Packing media

- (4) Unspecified pickled vegetables may be packed in the following packing media:
- (a) **Edible oil:** When only edible oil is used as the packing medium for unspecified pickled vegetables, the edible oil shall not be less than 10% (m/m) in the finished product.
 - (b) **Brine:** As defined in regulation 1.
 - (c) **Acidic media (vinegar):** The percentage of the acidity shall be sufficient to ensure the keeping quality and proper preservation of the unspecified pickled vegetable product.
 - (d) **Water:** When necessary, salt or edible oil or acidic media (vinegar) may be added to the water.

Quality standards

- (5) The quality standards for **unspecified pickled vegetables** are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Microbiological spoilage (maximum percentage containers per production group)	0,25	0,25	0,25
(b) Vegetable ingredient	Shall be prepared from sound, clean, edible vegetables with or without seeds, spices, aromatic herbs and/or condiments	As for Extra Choice Grade	As for Extra Choice Grade
(c) Fill of containers: Shall comply with one of the following minima:			
(i) Vegetable quantity	Packed to capacity	Packed to capacity	Packed to capacity

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(ii) Drained mass:			
(aa) Whole and halves	40%	40%	40%
(bb) Other styles	50%	50%	50%
(cc) Pickled red cabbage	45%	45%	45%
(dd) Pickled whole and halves pepper	35%	35%	35%
(d) Preparation	Shall be free from defects	Shall be fairly free from defects	Shall be reasonably free from defects
(e) Uniformity of size in any one container for only the styles whole and halves	Uniform	Fairly uniform	Reasonably uniform
(f) Uniformity of colour in any one container	Shall be uniform in colour	Shall be fairly uniform in colour	Shall be reasonably uniform in colour
(g) Foreign matter	None	None	None
(h) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(6) The maximum permissible deviations for unspecified pickled vegetables are as follows:

Quality Factor	Extra Choice Grade	Choice Grade	Standard Grade
(a) Preparation (by number)	5%	10%	20%
(b) Extraneous vegetable matter (on average per sample)	1 piece	2 pieces	3 pieces

**PART IX
COMMENCEMENT AND REPEAL**

51. These regulations shall come into operation 12 months from the date of publication.
52. Regulations published under Government Notice No. R.1532 of 24 October 2003 are hereby repealed from the date of commencement of these regulations.

DEPARTMENT OF HEALTH

NO. R. 2827

2 December 2022

**PHARMACY ACT, 1974 (ACT NO. 53 OF 1974)
REGULATIONS RELATING TO FEES PAYABLE TO COUNCIL**

The Minister of Health has, in consultation with the South African Pharmacy Council, in terms of Section 49(1)(d), read together with Section 4(zG) of the Pharmacy Act, 1974 (Act No. 59 of 1974), made the regulations in the Schedule.



DR MJ PHAAHLA, MP
MINISTER OF HEALTH

DATE: 25/10/2022

SCHEDULE

Definitions

1. In these regulations, any word or expression to which a meaning has been assigned in the Act has that meaning, unless the context otherwise indicates –
 “Consumer Price Index” means the rate of headline inflation as per the Consumer Price Index as published by Statistics South Africa from time to time;
 “Fees” means the amounts payable to Council;
 “Council” means the South African Pharmacy Council; and
 “the Act” means the Pharmacy Act, 1974 (Act No. 53 of 1974).

Fees payable to Council

2. (a) The pharmacies, the persons and providers of education and training must annually pay fees contained in the Schedule to these Regulations to the Council.
 (b) The fees as contained in Schedule 1 are subject to an increase on an annual basis, applicable from 1 January every year, to a maximum annual increase of the rate of headline inflation in terms of the Consumer Price.

Determination of Fees

3. (1) The Council may increase fees as contemplated in Regulation 2(a), by way of a Board Notice.
 (2) The Council must publish Board Notice on its website inviting comments or inputs on the proposed fee increment for a period of not less than thirty (30) days prior to the increment contemplated in subregulation (1).

Short title

4. These Regulations are called the Regulations Relating to Fees Payable to the South African Pharmacy Council, 2022.

SCHEDULE 1 OF FEES AS AT 1 JANUARY 2023

Description	Exclude VAT R	VAT R	Include VAT R
REGISTRATION FEES (payable with a duly completed application form)			
Pharmacy student (Pharmacy Technician/Bachelor of Pharmacy)	902.61	135.39	1 038.00
Registration of traineeship (Pharmacy Technician)	1 046.09	156.91	1 203.00
Pharmacist's Assistant (Learner Basic or Learner Post-Basic) which includes registration on qualification	2 009.57	301.43	2 311.00
Pharmacist's Assistant (Learner Basic or Learner Post-Basic)	1 004.35	150.65	1 155.00
Pharmacist's Assistant (Qualified Basic/Qualified Post-Basic) prior to 15 July 2013 or for registration of additional sector	1 004.35	150.65	1 155.00
Pharmacist Intern	2 373.91	356.09	2 730.00
Pharmacist	4 041.74	606.26	4 648.00
Pharmacy Technician	2 227.83	334.17	2 562.00
Supplementary training	2 398.26	359.74	2 758.00
Specialist pharmacist	2 906.96	436.04	3 343.00
Pharmacy premises application for licensing (as published by the Director-General: National Department of Health)	869.57	130.43	1 000.00
Recording of a pharmacy (new, change of ownership, relocation)	11 750.43	1 762.57	13 513.00
Recording of a pharmacy owner (for each pharmacy premises)	2 227.83	334.17	2 562.00
Responsible Pharmacist (for each pharmacy premises)	2 182.61	327.39	2 510.00
Registration as a provider accredited/approved by the SAPC	2 200.00	330.00	2 530.00
One-time registration as a provider accredited by another Quality Council	15 983.48	2 397.52	18 381.00
Assessor/ moderator/ verifier	1 004.35	150.65	1 155.00
Remote automated dispensing unit (RADU) – Public Sector	6 632.17	994.83	7 627.00
Mobile unit	6 632.17	994.83	7 627.00
ANNUAL FEES			
In terms of Regulation 106 of the <i>Regulations relating to the registration of persons and the maintenance of registers</i> (R.1160 of 20 November 2000), every person registered in terms of the regulations must renew such registration annually by paying the annual fee(s) as determined by Council. The annual fee due dates each year are as follows:-			
- 2 January - Pharmacies and Responsible Pharmacists (private sector): Community, institutional (private), wholesale and manufacturing; - 1 February - Pharmacists; - 1 June - Providers, assessors, Pharmacists' Assistants, students and interns; and - 1 July - Pharmacies and Responsible Pharmacists (public sector); - 1 July - Pharmacy Owner (public and private sector)			
For Persons-			
Pharmacy student (Pharmacy Technician/Bachelor of pharmacy)	229.57	34.43	264.00
Pharmacist's assistant (Learner Basic or Learner Post-Basic)	229.57	34.43	264.00
Pharmacist's Assistant (Basic or Post-Basic)	567.83	85.17	653.00
Pharmacist Intern	567.83	85.17	653.00
Pharmacist	2 071.30	310.70	2 382.00
Responsible Pharmacist (for each pharmacy premises)	305.22	45.78	351.00
Pharmacy owner – State owned (per province)	16 535.65	2 480.35	19 016.00
Pharmacy owner – Non-state owned (per pharmacy)	2 071.30	310.70	2 382.00

Description	Exclude VAT R	VAT R	Include VAT R
For Pharmacies-			
Community pharmacy	3 543.48	531.52	4 075.00
Institutional pharmacy	3 543.48	531.52	4 075.00
Wholesale and manufacturing pharmacy	13 837.39	2 075.61	15 913.00
Consultant pharmacy	3 317.39	497.61	3 815.00
Satellite pharmacy	1 707.83	256.17	1 964.00
Primary healthcare clinics (dispensary) with post- basic assistant(s)	853.91	128.09	982.00
Remote automated dispensing unit (RADU) – Public Sector	1 707.83	256.17	1 964.00
Mobile unit	1 707.83	256.17	1 964.00
For Providers accredited/ approved by the SAPC for-			
Pharmacist's Assistant's qualification	28 433.04	4 264.96	32 698.00
Pharmacy Technician qualification	20 553.91	3 083.09	23 637.00
Bachelor of Pharmacy qualification	21 313.91	3 197.09	24 511.00
Authorised Pharmacist Prescriber qualification	22 302.61	3 345.39	25 648.00
Specialist qualification	22 302.61	3 345.39	25 648.00
Short courses/CPD	16 726.96	2 509.04	19 236.00
Supplementary training courses	10 036.52	1 505.48	11 542.00
Providers accredited/approved by another Quality Council	2 910.43	436.57	3 347.00
Assessor/moderator/verifier	362.61	54.39	417.00
OTHER FEES – the following fees are payable by:			
A Pharmacist's Assistant for-			
• change of facility	980.00	147.00	1 127.00
• change of provider/tutor	427.83	64.17	492.00
• issuing of duplicate certificate of registration	2 210.43	331.57	2 542.00
• entrance to the final integrated summative assessments or external integrated summative assessments	567.83	85.17	653.00
A Pharmacist Intern for-			
• the cession of an internship contract	1 341.74	201.26	1 543.00
• entrance to the pre-registration examination for a third or subsequent attempt	2 159.13	323.87	2 483.00
• late booking fee for pre-registration examination	1 066.96	160.04	1 227.00
• Interns re - submission of Re-assessment of CPD entries (from the 10th and subsequent submission)	252.17	37.83	290.00
• issuing of duplicate certificate of registration	2 210.43	331.57	2 542.00
A Tutor for-			
• issuing of duplicate certificate of registration	2 210.43	331.57	2 542.00
• approval of a tutor of pharmacist intern or pharmacist assistant	1 346.96	202.04	1 549.00
A Pharmacist for the purpose of performing community service for-			
• change of facility	980.00	147.00	1 127.00
A Pharmacist for-			
• change designation from non-practising to practising (voluntary)	305.22	45.78	351.00
• change designation from non-practising to practising (involuntary)	2 071.30	310.70	2 382.00
• assessment of CPD entries (per entry)	252.17	37.83	290.00
• entrance to the pre-registration examination for purposes of restoration	2 159.13	323.87	2 483.00
A Delegated pharmacist for-			
• approval of a delegated pharmacist for the delegation of a Pharmacist Intern training by an approved tutor	1 346.96	202.04	1 549.00

Description	Exclude VAT R	VAT R	Include VAT R
A Pharmacy for-			
• inspection of a pharmacy for: - purposes of approval for training - re-inspection for Grade C or Grade D pharmacies - follow-up re-inspection - at owner's request	3 446.96	517.04	3 964.00
• approval of pharmacy premises- internal changes	2 782.61	417.39	3 200.00
• issuing of duplicate certificate of approval of pharmacy premises for training purposes	2 210.43	331.57	2 542.00
• issuing of duplicate certificate of pharmacy registration or recording of a pharmacy	2 210.43	331.57	2 542.00
• application for an automated dispensing unit	3 124.35	468.65	3 593.00
• application for a remote automated dispensing unit (Public Sector)	3 124.35	468.65	3 593.00
• application fee for mobile unit	3 125.22	468.78	3 594.00
• an application to conduct a separate practice or business within a pharmacy	3 124.35	468.65	3 593.00
• approval of change of trading title	2 046.96	307.04	2 354.00
• approval of change of address where there is no relocation of a pharmacy	2 046.96	307.04	2 354.00
• approval of change of owner's name where there is no change of ownership	2 046.96	307.04	2 354.00
• recording after change of trading title	6 632.17	994.83	7 627.00
• recording after change of address where there is no relocation of pharmacy	6 632.17	994.83	7 627.00
• recording after change of owner's name where there is no change of ownership	6 632.17	994.83	7 627.00
• recording after change of ownership (in case of a Grade A Pharmacy where there are no structural changes)	6 632.17	994.83	7 627.00
• access to group pharmacy information by the nominated person over and above the Responsible Pharmacist and/or first owner	2 212.17	331.83	2 544.00
A Responsible Pharmacist for-			
• Issuing of duplicate certificate of registration	2 210.43	331.57	2 542.00
A Provider of pharmacy education and training on the Occupational Qualification Sub-framework and the Higher Education Sub-framework for the evaluation of an application for the purpose of-			
• approval as a provider for Authorised Pharmacist Prescriber course	37 859.13	5 678.87	43 538.00
• approval as a provider of a Bachelor of pharmacy	92 856.52	13 928.48	106 785.00
• approval as a provider of Pharmacist's assistants' course	67 996.52	10 199.48	78 196.00
• approval as a provider of short courses/CPD	37 633.04	5 644.96	43 278.00
• approval as a provider of specialist pharmacist qualification	37 859.13	5 678.87	43 538.00
• approval as a provider of supplementary training course/s	32 285.22	4 842.78	37 128.00
• approval of a pharmacist's assistant course/qualification	29 366.09	4 404.91	33 771.00
• approval of pharmacy technician course/qualification	17 878.26	2 681.74	20 560.00
• approval of Bachelor of pharmacy course/qualification	30 053.91	4 508.09	34 562.00
• approval of CPD/short courses	23 515.65	3 527.35	27 043.00
• approval of specialist in pharmacy qualification	34 918.26	5 237.74	40 156.00
• approval of courses by another Quality Council	3 197.39	479.61	3 677.00
• verification of an RPL assessment/file	3 154.78	473.22	3 628.00
• approval of an Occupational Certificate: Pharmacist's Assistant (Basic)	91 852.17	13 777.83	105 630.00

Description	Exclude VAT R	VAT R	Include VAT R
• approval of an Occupational Certificate: Pharmacist's Assistant (Post-Basic)	94 772.17	14 215.83	108 988.00
• approval of an Occupational Certificate: Pharmacy Technician	99 149.57	14 872.43	114 022.00
• approval Diploma: Pharmacy Technician	99 149.57	14 872.43	114 022.00
Any Person for-			
• issuing of a duplicate certificate of courses completed for the Council's Diploma in Pharmacy	2 210.43	331.57	2 542.00
• issuing of a duplicate registration certificate or a certified extract from the register or certificate by the Registrar or academic record and curriculum	2 210.43	331.57	2 542.00
• replacement of membership card prior to expiry thereof	375.65	56.35	432.00
• entrance to professional examination for purposes of registration as a pharmacist (per paper)	3 605.22	540.78	4 146.00
• review of professional examination results (per paper)	936.52	140.48	1 077.00
• review of pre-registration examination results	1 406.09	210.91	1 617.00
• examination remediation workshop	460.87	69.13	530.00
• Issuing of Certificate of Good Standing	2 129.57	319.43	2 449.00
• evaluation of a qualification in pharmacy obtained outside the Republic (applicant is a non-South African citizen)	16 934.78	2 540.22	19 475.00
• evaluation of a qualification in pharmacy obtained outside the Republic (applicant is a South African citizen)	8 613.04	1 291.96	9 905.00
• issuing of duplicate certificate: supplementary training/additional qualification/assessor	2 221.74	333.26	2 555.00
RESTORATION FEES			
Restoration as a result of voluntary removal (restoration will include payment of the restoration fee together with payment of the annual fee for the current year of registration) for-			
• Pharmacist's assistant	1 115.65	167.35	1 283.00
• Pharmacy student	1 115.65	167.35	1 283.00
• Pharmacist intern	1 115.65	167.35	1 283.00
• Pharmacists (less than 13 months)	2 198.26	329.74	2 528.00
• Pharmacists (13 to 36 Months)	2 198.26	329.74	2 528.00
• Pharmacists (37 to 60 Months)	3 206.96	481.04	3 688.00
• Pharmacists (more than 60 Months)	5 869.57	880.43	6 750.00
• Pharmacy owner	2 198.26	329.74	2 528.00
• Pharmacist – Retired (aged 70 or older)	148.70	22.30	171.00
• Pharmacist's Assistant (basic or post-basic) – Retired (aged 70 or older)	39.13	5.87	45.00
• Providers accredited/approved by the SAPC	15 983.48	2 397.52	18 381.00
Restoration as a result of involuntary removal (restoration in respect of removal from the register for non-payment of fees and not complying with conditions of registration will include payment of the restoration fee together with the payment of annual fees for the year of removal and payment of the annual fees for the current year of registration) for-			
• Pharmacist's Assistant	2 175.65	326.35	2 502.00
• Pharmacy Student	2 175.65	326.35	2 502.00
• Pharmacist Intern	2 175.65	326.35	2 502.00
• Trainee (Pharmacy Technician)	2 175.65	326.35	2 502.00
• Pharmacists (less than 13 months)	5 696.52	854.48	6 551.00
• Pharmacists (13 to 36 Months)	5 696.52	854.48	6 551.00
• Pharmacists (37 to 60 Months)	6 704.35	1 005.65	7 710.00
• Pharmacists (more than 60 Months)	9 367.83	1 405.17	10 773.00
• Pharmacy owner	5 696.52	854.48	6 551.00
• Pharmacist – Retired (aged 70 or older)	887.83	133.17	1 021.00
• Pharmacist's Assistant (Basic or Post-Basic) – Retired (aged 70 or older)	233.04	34.96	268.00

Description	Exclude VAT R	VAT R	Include VAT R
• Community/Institutional/Consultant pharmacy	7 164.35	1 074.65	8 239.00
• Wholesale/Manufacturing pharmacy	31 640.00	4 746.00	36 386.00
• Providers accredited/approved by the SAPC	63 937.39	9 590.61	73 528.00
GENERAL			
Register: List of persons per row or line (pharmacists/assistants/assessors/moderators)	8.70	1.30	10.00
Register: List of pharmacies per row or line	5.22	0.78	6.00
Amendment of Registration Certificate (for persons only) for-			
• Change in ID/passport number	1 077.39	161.61	1 239.00
• Obtaining SA ID (permanent residency)	1 077.39	161.61	1 239.00
• Change of name/surname - Letter only	1 077.39	161.61	1 239.00
• Change of name/surname - Letter and certificate	1 658.26	248.74	1 907.00
• Removal of limitation on registration/conditions to registration letter only	1 077.39	161.61	1 239.00
• Removal of limitation on registration/conditions to registration letter and certificate	1 658.26	248.74	1 907.00
Section 29(4) Evaluation	4 065.22	609.78	4 675.00
Section 26 Certificate	1 064.35	159.65	1 224.00
EXEMPTIONS AND REDUCED FEES*			
Council may exempt any person from payment of any annual fee on the grounds of age. The following reduced annual fees will be considered for-			
• Pharmacist – Retired (aged 70 or older)	295.65	44.35	340.00
• Pharmacist's Assistant (Basic or Post-Basic) – Retired (aged 70 or older)	77.39	11.61	89.00
*An application form provided by Council must be submitted to the Registrar for consideration and approval. *All pharmacists and Pharmacist's Assistants above the age of 70 who fail to pay annual fees within 3 years and do not have approval for exemption will be removed from Council register.			

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 2828

2 December 2022

DECLARATION OF PEACE OFFICERS MEMBERS OF THE BORDER MANAGEMENT AUTHORITY (BORDER GUARDS) IN TERMS OF SECTION 334 OF THE CRIMINAL PROCEDURE ACT, 1977 (ACT NO. 51 OF 1977)

I, Ronald Ozzy Lamola, Minister of Justice and Correctional Services, in terms of—

- (a) section 334(1)(a) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), hereby declare that every person who, by virtue of his or her office, falls within a category as defined in Column 1 of the Schedule to this notice, shall, within the area specified in Column 2 of the Schedule, be a peace officer for the purpose of exercising, with reference to the offences specified in Column 3 of the Schedule, the powers defined in Column 4 of the Schedule;
- (b) section 334(3)(a) of the Criminal Procedure Act, 1977, hereby prescribe that—
 - (i) a certificate of appointment referred to in section 334(2)(a) of the Criminal Procedure Act, 1977, shall be issued by the employer of a person referred to in Column 1 of the Schedule, only if the employer of that person has been furnished with a certificate of competency issued by the National Commissioner of the South African Police Service;
 - (ii) for the purposes of the issuing of a certificate of competency by the National Commissioner of the South African Police Service, the following criteria and documents provided by the employer to the National Commissioner of the South African Police Service, shall be considered:
 - (aa) the previous criminal convictions of a person referred to in Column 1 of the Schedule, must be verified by the employer, and a SAP 69 report;
 - (bb) a report on whether a person referred to in Column 1 of the Schedule has been declared unfit to possess a firearm as contemplated in the Firearms Control Act, 2000 (Act No. 60 of 2000), or other relevant legislation, together with a valid certificate of competency;
 - (cc) a certificate or certificates of training undergone by the person referred to in Column 1 of the Schedule in respect of the offences specified in Column 3 and the powers defined in Column 4 of the Schedule, attesting to the competency of the person referred to in Column 1 of the Schedule that the person is competent to exercise the relevant

powers as defined in Column 4 of the relevant Part of the Schedule;
and

- (c) section 334(3)(b) of the Criminal Procedure Act, 1977, hereby prescribe that the following information must appear in or on the certificate of appointment referred to in section 334(2) of the Criminal Procedure Act, 1977:
- (i) The full names of the person so appointed;
 - (ii) his or her identity number;
 - (iii) his or her signature;
 - (iv) his or her photograph;
 - (v) a description of the capacity in which he or she was appointed;
 - (vi) the name of the employer who made the appointment; and
 - (vii) the signature and official stamp of the employer or responsible person.

MR RO LAMOLA, MP
MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

SCHEDULE

Column 1	Column 2	Column 3	Column 4
Border Management Authority Officials (Border Guards) appointed in terms of section 13(1)(b)(i) of the Border Management Authority Act, 2020 (Act No. 2 of 2020)	The areas falling within the definition of border law enforcement area and ports of entry as defined in section 1 of the Border Management Authority Act, 2020 (Act No. 2 of 2020).	(i) Any offence provided for in terms of the Immigration Act, 2002 (Act No. 13 of 2002). (ii) Any offence provided for in terms of the Refugees Act, 1998 (Act No. 130 of 1998). (iii) Any offence provided for in terms of the Border Management Authority Act, 2020 (Act No. 2 of 2020).	(i) The power conferred upon a peace officer in terms of section 23(1)(a) of the Criminal Procedure Act, 1977. (ii) The powers conferred upon a police official or a peace officer in terms of section 37(1)(a)(i) and (d) of the Criminal Procedure Act, 1977. (iii) The power to arrest a person without a warrant in terms of section 40(1)(a), (b), (c), (e), (f), (j) and (l) of the Criminal Procedure Act, 1977. (iv) The powers conferred upon a peace officer under section 41(1) of the Criminal Procedure Act, 1977. (v) The execution of warrants of arrest in terms of section 44 of the Criminal Procedure Act, 1977. (vi) The power to issue a written notice in terms of section 56 of the Criminal Procedure Act, 1977.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 2829

2 December 2022

INVITATION FOR PUBLIC COMMENTS
PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995
REGULATIONS RELATING TO HOUSING ASSISTANCE TO VICTIMS, 2022

1. The Department of Justice and Constitutional Development invites interested parties to submit written comments on the draft Regulations Relating to Housing Assistance to Victims, 2022 (the Regulations).
2. The draft Regulations are issued by the Minister of Justice and Correctional Services, as contemplated in section 27(2) of the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995) and are intended to rehabilitate, restore human dignity and provide reparation to victims of the Truth and Reconciliation Commission.
3. The draft Regulations are available on the website of the Department at <http://www.justice.gov.za>.
4. The comments on the draft Regulations must be submitted on or before **31 January 2023**, marked for the attention of Ms R Baloyi, and—
 - (a) if they are forwarded by post, be addressed to—
The Director-General: Justice and Constitutional Development
Private Bag X81, Pretoria, 0001
 - (b) if they are delivered by hand, be delivered at—
SALU Building, Room 23.03, 316 Thabo Sehume Street, Pretoria
 - (c) if they are delivered by email, be emailed to Bills1@justice.gov.za
 - (d) if they are faxed, be faxed to **012 406 4632**.
5. Further information can be obtained from Ms R Baloyi at **012 406 4769**.

PROCLAMATIONS • PROKLAMASIES

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 95

2 December 2022

PROCLAMATION by the
PRESIDENT of the REPUBLIC of SOUTH AFRICA**SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): AMENDMENT OF PROCLAMATION NO. R. 39 OF 2020**

Under section 2(4) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), I hereby amend Proclamation No. R. 39 of 2020, by—

- (a) the extension of the period referred to in the fourth paragraph of the Proclamation to the date of publication of this Proclamation;
- (b) the substitution for paragraph 1 of the Schedule to the Proclamation of the following paragraph:
 - “1. The procurement of, or contracting for—
 - (a) security services in terms of bid number SBM 45/17/18; and
 - (b) professional consulting engineering services for the formalisation, rezoning and subdivision, related environmental authorisation and land surveyor services for portion 24 of Farm 282 in Middelpoos, Saldanha, in terms of bid number SBM 56/18/19,by or on behalf of the Municipality and payments made in respect thereof in a manner that was—
 - (i) not fair, competitive, transparent, equitable or cost-effective;
 - (ii) contrary to applicable—
 - (aa) legislation;
 - (bb) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or
 - (cc) manuals, policies, procedures, prescripts, instructions of practices of or applicable to the Municipality,and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the State or the Municipality.”;
- (c) the substitution for paragraph 2 of the Schedule to the Proclamation of the following paragraph:
 - “2. Serious maladministration in the affairs of the Municipality in respect of the—
 - (a) strategic partnership concluded between the Municipality and the Saldanha Bay Tourism Office, including the expenditure of public money paid out by the Municipality to the Saldanha Bay Tourism Office;
 - (b) appointment of the Personal Assistant: Speaker and Council Support, Mayoral Support Service, Political Administrator, Strategic Advisor and Executive Mayor: Communications Officer in the year 2019/2020; and
 - (c) writing off by the Municipality’s Council of irregular expenditure of R1 757 758 and R9 959 912, as identified by the Auditor-General of South Africa in its Notes to the Annual Financial Statements of the Municipality as at 30 June 2019, including the causes of such maladministration;”;
- (d) the addition of the following paragraph after paragraph 2 of the Schedule to the Proclamation:
 - “3. Any improper or unlawful conduct by the officials or employees of the Municipality or the applicable service providers, or any other person or entity, in relation to the allegations set out in paragraphs 1 and 2 of this Schedule.”.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this

thirteenth day of November Two thousand and twenty two.

MC Ramaphosa
President

By Order of the President-in-Cabinet:

RO Lamola
Minister of the Cabinet

**PROKLAMASIE VAN DIE
PRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA**

No. R. , 2022

WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): WYSIGING VAN PROKLAMASIE NO. R. 39 VAN 2020

Kragtens artikel 2(4) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), wysig ek hierby Proklamasie No. R. 39 van 2020 deur—

- (a) die verlenging van die tydperk vermeld in die vierde paragraaf van die Proklamasie tot die datum van publikasie van hierdie Proklamasie;
- (b) die vervanging van paragraaf 1 van die Bylae tot die Proklamasie met die volgende paragraaf:

“1. Die aanskaffing van, of kontraktering vir—

- (a) sekuriteitsdienste ingevolge bod nommer SBM 45/17/18; en
- (b) professionele raadgewende ingenieurdienste vir die formalisering, hersonering en onderverdeling, verwante omgewingsgoedkeuring en landmeterdienste vir deel 24 van Plaas 282 in Middelpas, Saldanha ingevolge bod nommer SBM 56/18/19,

deur of namens die Munisipaliteit en betalings wat in verband daarmee gemaak is op 'n wyse wat—

- (i) nie regverdig, mededingend, deursigtig, billik, of koste-effektief was nie;
 - (ii) strydig was met toepaslike—
 - (aa) wetgewing;
 - (bb) handleidings, riglyne, praktyknotas, omsendbriewe of instruksies wat deur die Nasionale Tesourie of toepaslike Provinsiale Tesourie uitgevaardig is; of
 - (cc) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Munisipaliteit van toepassing is,
- en verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verkwiste uitgawes wat deur die Staat of die Munisipaliteit aangegaan is.”;
- (c) die vervanging van paragraaf 2 van die Bylae tot die Proklamasie met die volgende paragraaf:
- “2. Ernstige wanadministrasie in die aangeleenthede van die Munisipaliteit met betrekking tot die—
- (a) strategiese vennootskap gesluit tussen die Munisipaliteit en die Saldanha Baai Toerismekantoor, insluitend die besteding van publieke geld deur die Munisipaliteit uitbetaal aan die Saldanha Baai Toerismekantoor;
 - (b) aanstelling van die Persoonlike Assistent: Speaker en Raadsondersteuning,

- Burgermeestersondersteuningsdiens, Politieke Administrateur, Strategiese Adviseur en Uitvoerende Burgermeester: Kommunikasiebeampte in die jaar 2019/2021; en
- (c) afskryf deur die Munisipaliteit se Raad van onreëlmatige uitgawes van R1 757 758 en R9 959 912, soos deur die Ouditeur-Generaal van Suid-Afrika geïdentifiseer in die Notas tot die Jaarlikse Finansiële State van die Munisipaliteit soos op 30 Junie 2019, insluitend die oorsake van sodanige wanadministrasie; en
- (d) die invoeging van die volgende paragraaf na paragraaf 2 van die Bylae tot die Proklamasie:
- “3. Enige onwettige of onbehoorlike gedrag deur beamptes of werknemers van die Munisipaliteit of die betrokke diensverskaffers, of enige ander persoon of entiteit, ten opsigte van die bewerings uiteengesit in paragrawe 1 en 2 van hierdie Bylae.”.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede dertiende dag van November Tweeduisend-twee-en-twintig.

MC Ramaphosa
President

Op las van die President-in-Kabinet:

RO Lamola
Minister van die Kabinet

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 96

2 December 2022

PROCLAMATION
by the
PRESIDENT of the REPUBLIC of SOUTH AFRICA

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT: DEPARTMENT OF WATER AND SANITATION

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as “the Act”), have been made in respect of the affairs of the National Department of Water and Sanitation (hereinafter referred to as “the Department”);

AND WHEREAS the Department or the State may have suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the Department, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

- (a) serious maladministration in connection with the affairs of the Department;
- (b) improper or unlawful conduct by officials or employees of the Department;
- (c) unlawful appropriation or expenditure of public money or property;
- (d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;
- (e) intentional or negligent loss of public money or damage to public property;

- (f) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the Department; or
- (g) unlawful or improper conduct by any person, which has caused or may cause serious harm to the interests of the public or any category thereof,

which took place between 1 January 2019 and the date of publication of this Proclamation or which took place prior to 1 January 2019 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the Department or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this thirteenth day of November Two thousand and twenty two.

MC Ramaphosa
President

By Order of the President-in-Cabinet:

RO Lamola
Minister of the Cabinet

SCHEDULE

1. The procurement of, or contracting for goods, works or services by or on behalf of the Department in respect of contract number DEV 0043-WTE for:

- (a) Repairs to Pump Number 5 at Grootfontein Pump Station;
- (b) replacement of Rising Main 1 & 2 Power Packs and Controls at Grootfontein Pump Station; and
- (c) design, supply, installation and commissioning of Packaged Water Treatment Plant at Grootdraai Pump Station by the Department in a manner that was—
 - (i) not fair, competitive, transparent, equitable or cost-effective; or
 - (ii) contrary to applicable—
 - (aa) legislation,
 - (bb) manuals, guidelines, circulars, practice notes or instructions issued by the National Treasury; or
 - (cc) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Department;

and any related unauthorised, irregular and fruitless and wasteful expenditure incurred by the Department or the State.

2. Any unlawful, improper or irregular conduct by—

- (a) officials or employees of the Department;
- (b) suppliers or service provider of the Department; or
- (c) any other person or entity

in relation to the allegations set out in paragraph 1 of this Schedule.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. R. 96

2 Desember 2022

PROKLAMASIE
van die
PRESIDENT van die REPUBLIEK van SUID AFRIKA

**WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996:
VERWYSING VAN AANGELEENTHEDE NA BESTAANDE SPESIALE
ONDERSOEKEENHEID: DEPARTEMENT VAN WATER EN SANITASIE**

AANGESIEN bewerings soos beoog in artikel 2(2) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as "die Wet"), gemaak is in verband met die aangeleenthede van die Nasionale Departement van Water en Sanitasie (hierna verwys as "die Departement");

EN AANGESIEN die Departement of die Staat verliese gely het wat verhaal kan word;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele geskille voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, die aangeleenthede in die Bylae vermeld ten opsigte van die Departement, vir ondersoek na die Spesiale Ondersoekeenheid ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleenthede, die opdrag van die Spesiale Ondersoekeenheid is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

- (a) ernstige wanadministrasie in verband met die aangeleenthede van die Departement;
- (b) onbehoorlike of onregmatige optrede deur beamptes of werknemers van die Departement;
- (c) onregmatige bewilliging of besteding van publieke geld of eiendom;
- (d) onwettige, onreëlmatige of nie-goedgekeurde verkrygende handeling, transaksie, maatreël of praktyk wat op Staatseiendom betrekking het;

- (e) opsetlike of nalatige verlies van publieke geld of skade aan publieke eiendom;
- (f) misdryf bedoel in Dele 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voornoemde misdrywe betrekking het) van Hoofstuk 2 van die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet No. 12 van 2004), en welke misdrywe gepleeg is in verband met die sake van die Departement; of
- (g) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak, wat plaasgevind het tussen 1 Januarie 2019 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2019 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede vermeld in die Bylae of wat dieselfde persone, entiteite of kontrakte betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekkeenheid toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die Departement of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die dertiende dag van November Twee duisend-en-twee-en-twintig.

MC Ramaphosa

President

Op las van die President-in-Kabinet

RO Lamola

Minister van die Kabinet

BYLAE

Die aanskaffing van, of kontraktering vir goedere, werke of dienste deur of namens die Departement ten opsigte van kontrak nommer DEV 0043-WTE vir:

- (a) Herstelwerk aan Pomp Nommer 5 by die Grootfontein Pompstasie;
- (b) vervanging van kragpakke en kontroles van Stygende Hoofriool 1 & 2 by die Grootfontein Pompstasie; en
- (c) ontwerp, verskaffing, installering en in gebruikneming van Verpakte Waterbehandelingsaanleg by die Grootfontein Pompstasie deur die Departement op 'n wyse wat—
 - (i) nie regverdig, mededingend, deursigtig of koste-effektief was nie; of
 - (ii) strydig was met toepaslike—
 - (aa) wetgewing;
 - (bb) handleidings, riglyne, omsendskrywes, praktyknotas, of instruksies wat deur die Nasionale Tesourie uitgevaardig is; of
 - (cc) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke wat op die Departement van toepassing is,

en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verkwiste uitgawes wat aangegaan is, deur die Departement of die Staat.

2. Enige onwettige, onbehoorlike of onreëlmatige gedrag deur—

- (a) beamptes of werknemers van die Departement;
- (b) verskaffers of diensverskaffers van die Departement; of
- (c) enige ander persoon of entiteit,

met betrekking tot die bewerings uiteengesit in paragraaf 1 van hierdie Bylae.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 97

2 December 2022

PROCLAMATION
by the
PRESIDENT of the REPUBLIC of SOUTH AFRICA

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): AMENDMENT OF PROCLAMATION NO. 11 OF 2018, AS AMENDED BY PROCLAMATION NO. R. 3 OF 2020

Under section 2(4) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), I hereby amend Proclamation No. 11 of 2018, as amended by Proclamation No. R. 3 of 2020, by—

- (a) the substitution for the expression “1 January 2010” in the fourth paragraph of the Proclamation of the expression “1 January 2003”;
- (b) the extension of the period referred to in the fourth paragraph of the Proclamation to the date of publication of this Proclamation;
- (c) the deletion of the expression “and” after the semi-colon at the end of paragraph (e) of paragraph 1 of the Schedule to the Proclamation;
- (d) the substitution for the comma in paragraph (f) of paragraph 1 of the Schedule to the Proclamation of a semicolon;
- (e) the addition of the expression “and” after the semi-colon at the end of paragraph (f) of paragraph 1 of the Schedule to the Proclamation; and
- (f) the addition in paragraph 1 of the Schedule to the Proclamation of the following paragraphs after paragraph (f):
 - “(g) goods, works and services by Eskom’s Kusile, Medupi, Kendal, Matla, Duvha, Arnot, Tutuka and Grootvlei power stations as well as Eskom’s Head Office situated at Megawatt Park in Johannesburg;
 - (h) contract number 4600062450 for information technology and related services and any subsequent extensions or amendments thereof; and

(i) fuel oil supply contracts,".

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg
this thirteenth day of November Two thousand and twenty-two.

MC Ramaphosa

President

By Order of the President-in-Cabinet:

RO Lamola

Minister of the Cabinet

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. R. 97

2 Desember 2022

PROKLAMASIE
van die
PRESIDENT van die REPUBLIEK van SUID-AFRIKA

WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996
(WET NO. 74 VAN 1996): WYSIGING VAN PROKLAMASIE NO. 11 VAN 2018,
SOOS GEWYSIG DEUR PROKLAMASIE NO. R. 3 VAN 2020

Kragtens artikel 2(4) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), wysig ek hierby Proklamasie No. 11 van 2018, soos gewysig deur Proklamasie No. R. 3 van 2020, deur—

- (a) die vervanging van die uitdrukking “1 Januarie 2010” in die vierde paragraaf van die Proklamasie met die uitdrukking “1 Januarie 2003”;
- (b) die verlenging van die tydperk vermeld in die vierde paragraaf van die Proklamasie tot die datum van publikasie van hierdie Proklamasie;
- (c) die skapping van die uitdrukking “en” na die kommapunt aan die einde van paragraaf (e) van paragraaf 1 van die Bylae tot die Proklamasie;
- (d) die vervanging van die komma in paragraaf (f) van paragraaf 1 van die Bylae tot die Proklamasie met ‘n kommapunt;
- (e) die invoeging van die uitdrukking “en” na die kommapunt aan die einde van paragraaf (f) van paragraaf 1 van die Bylae tot die Proklamasie; en
- (f) die invoeging in paragraaf 1 van die Bylae tot die Proklamasie van die volgende paragraawe na paragraaf (f):
 - “(g) goedere, werke en dienste deur Eskom se Kusile, Medupi, Kendal, Matla, Duvha, Arnot, Tutuka en Grootvlei kragstasies asook Eskom se

- Hoofkantoor gelee te Megawattpark in Johannesburg;
- (h) kontraktnommer 4600062450 vir inligtingstechnologie en verwante dienste en enige daaropvolgende verlengings of wysigings daarvan; en
 - (i) brandstofolie verskaffing kontrakte.”.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die dertiende dag van November Tweeduisend-twee-en-twintig.

MC Ramaphosa

President

Op las van die President-in-Kabinet:

RO Lamola

Minister van die Kabinet

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