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REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Regulation Gazette

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No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

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government
printing

Department:
Government Printing Works
REPUBLIC OF SOUTH AFRICA

HIGH ALERT: SCAM WARNING!!!

TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

It has come to the attention of the *GOVERNMENT PRINTING WORKS* that there are certain unscrupulous companies and individuals who are defrauding unsuspecting businesses disguised as representatives of the *Government Printing Works (GPW)*.

The scam involves the fraudsters using the letterhead of *GPW* to send out fake tender bids to companies and requests to supply equipment and goods.

Although the contact person's name on the letter may be of an existing official, the contact details on the letter are not the same as the *Government Printing Works*. When searching on the Internet for the address of the company that has sent the fake tender document, the address does not exist.

The banking details are in a private name and not company name. Government will never ask you to deposit any funds for any business transaction. *GPW* has alerted the relevant law enforcement authorities to investigate this scam to protect legitimate businesses as well as the name of the organisation.

Example of e-mails these fraudsters are using:

PROCUREMENT@GPW-GOV.ORG

Should you suspect that you are a victim of a scam, you must urgently contact the police and inform the *GPW*.

GPW has an official email with the domain as [@gpw.gov.za](mailto:GPW@gpw.gov.za)

Government e-mails DO NOT have org in their e-mail addresses. All of these fraudsters also use the same or very similar telephone numbers. Although such number with an area code 012 looks like a landline, it is not fixed to any property.

GPW will never send you an e-mail asking you to supply equipment and goods without a purchase/order number. *GPW* does not procure goods for another level of Government. The organisation will not be liable for actions that result in companies or individuals being resultant victims of such a scam.

Government Printing Works gives businesses the opportunity to supply goods and services through RFQ / Tendering process. In order to be eligible to bid to provide goods and services, suppliers must be registered on the National Treasury's Central Supplier Database (CSD). To be registered, they must meet all current legislative requirements (e.g. have a valid tax clearance certificate and be in good standing with the South African Revenue Services - SARS).

The tender process is managed through the Supply Chain Management (SCM) system of the department. SCM is highly regulated to minimise the risk of fraud, and to meet objectives which include value for money, open and effective competition, equitability, accountability, fair dealing, transparency and an ethical approach. Relevant legislation, regulations, policies, guidelines and instructions can be found on the tender's website.

Fake Tenders

National Treasury's CSD has launched the Government Order Scam campaign to combat fraudulent requests for quotes (RFQs). Such fraudulent requests have resulted in innocent companies losing money. We work hard at preventing and fighting fraud, but criminal activity is always a risk.

How tender scams work

There are many types of tender scams. Here are some of the more frequent scenarios:

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to a company to invite it to urgently supply goods. Shortly after the company has submitted its quote, it receives notification that it has won the tender. The company delivers the goods to someone who poses as an official or at a fake site. The Department has no idea of this transaction made in its name. The company is then never paid and suffers a loss.

OR

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to Company A to invite it to urgently supply goods. Typically, the tender specification is so unique that only Company B (a fictitious company created by the fraudster) can supply the goods in question.

Shortly after Company A has submitted its quote it receives notification that it has won the tender. Company A orders the goods and pays a deposit to the fictitious Company B. Once Company B receives the money, it disappears. Company A's money is stolen in the process.

Protect yourself from being scammed

- If you are registered on the supplier databases and you receive a request to tender or quote that seems to be from a government department, contact the department to confirm that the request is legitimate. Do not use the contact details on the tender document as these might be fraudulent.
- Compare tender details with those that appear in the Tender Bulletin, available online at www.gpwonline.co.za
- Make sure you familiarise yourself with how government procures goods and services. Visit the tender website for more information on how to tender.
- If you are uncomfortable about the request received, consider visiting the government department and/or the place of delivery and/or the service provider from whom you will be sourcing the goods.
- In the unlikely event that you are asked for a deposit to make a bid, contact the SCM unit of the department in question to ask whether this is in fact correct.

Any incidents of corruption, fraud, theft and misuse of government property in the *Government Printing Works* can be reported to:

Supply Chain Management: Ms. Anna Marie Du Toit, Tel. (012) 748 6292.
Email: Annamarie.DuToit@gpw.gov.za

Marketing and Stakeholder Relations: Ms Bonakele Mbhele, at Tel. (012) 748 6193.
Email: Bonakele.Mbhele@gpw.gov.za

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.
Email: Daniel.Legoabe@gpw.gov.za

Closing times for **ORDINARY WEEKLY** **REGULATION GAZETTE** **2023**

*The closing time is **15:00** sharp on the following days:*

- **29 December**, Thursday for the issue of Friday **06 January 2023**
- **06 January**, Friday for the issue of Friday **13 January 2023**
- **13 January**, Friday for the issue of Friday **20 January 2023**
- **20 January**, Friday for the issue of Friday **27 January 2023**
- **27 January**, Friday for the issue of Friday **03 February 2023**
- **03 February**, Friday for the issue of Friday **10 February 2023**
- **10 February**, Friday for the issue of Friday **17 February 2023**
- **17 February**, Friday for the issue of Friday **24 February 2023**
- **24 February**, Friday for the issue of Friday **03 March 2023**
- **03 March**, Friday for the issue of Friday **10 March 2023**
- **10 March**, Friday for the issue of Friday **17 March 2023**
- **16 March**, Thursday for the issue of Friday **24 March 2023**
- **24 March**, Friday for the issue of Friday **31 March 2023**
- **30 March**, Thursday for the issue of Thursday **06 April 2023**
- **05 April**, Wednesday for the issue of Friday **14 April 2023**
- **14 April**, Friday for the issue of Friday **21 April 2023**
- **20 April**, Thursday for the issue of Friday **28 April 2023**
- **26 April**, Wednesday for the issue of Friday **05 May 2023**
- **05 May**, Friday for the issue of Friday **12 May 2023**
- **12 May**, Friday for the issue of Friday **19 May 2023**
- **19 May**, Friday for the issue of Friday **26 May 2023**
- **26 May**, Friday for the issue of Friday **02 June 2023**
- **02 June**, Friday for the issue of Friday **09 June 2023**
- **08 June**, Thursday for the issue of Thursday **15 June 2023**
- **15 June**, Thursday for the issue of Friday **23 June 2023**
- **23 June**, Friday for the issue of Friday **30 June 2023**
- **30 June**, Friday for the issue of Friday **07 July 2023**
- **07 July**, Friday for the issue of Friday **14 July 2023**
- **14 July**, Friday for the issue of Friday **21 July 2023**
- **21 July**, Friday for the issue of Friday **28 July 2023**
- **28 July**, Friday for the issue of Friday **04 August 2023**
- **03 August**, Thursday for the issue of Friday **11 August 2023**
- **11 August**, Friday for the issue of Friday **18 August 2023**
- **18 August**, Friday for the issue of Friday **25 August 2023**
- **25 August**, Friday for the issue of Friday **01 September 2023**
- **01 September**, Friday for the issue of Friday **08 September 2023**
- **08 September**, Friday for the issue of Friday **15 September 2023**
- **15 September**, Friday for the issue of Friday **22 September 2023**
- **21 September**, Thursday for the issue of Friday **29 September 2023**
- **29 September**, Friday for the issue of Friday **06 October 2023**
- **06 October**, Friday for the issue of Friday **13 October 2023**
- **13 October**, Friday for the issue of Friday **20 October 2023**
- **20 October**, Friday for the issue of Friday **27 October 2023**
- **27 October**, Friday for the issue of Friday **03 November 2023**
- **03 November**, Friday for the issue of Friday **10 November 2023**
- **10 November**, Friday for the issue of Friday **17 November 2023**
- **17 November**, Friday for the issue of Friday **24 November 2023**
- **24 November**, Friday for the issue of Friday **01 December 2023**
- **01 December**, Friday for the issue of Friday **08 December 2023**
- **08 December**, Friday for the issue of Friday **15 December 2023**
- **15 December**, Friday for the issue of Friday **22 December 2023**
- **20 December**, Wednesday for the issue of Friday **29 December 2023**

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

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.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3026.32** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
<i>Extraordinary Gazettes</i>	As required	Any day of the week	<i>Before 10h00 on publication date</i>	<i>Before 10h00 on publication date</i>
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwnonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. (*Please see Quotation section below for further details*)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (*Please see the Copy Section below, for the specifications*).
 - 8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** **GPW's** annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.
- The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:
- Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;
- Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

CUSTOMER INQUIRIES

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwnonline.co.za free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:

Government Printing Works
149 Bosman Street
Pretoria

Postal Address:

Private Bag X85
Pretoria
0001

GPW Banking Details:

Bank: ABSA Bosman Street
Account No.: 405 7114 016
Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

E-mail: submit.egazette@gpw.gov.za

E-mail: info.egazette@gpw.gov.za

Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za

Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 3478

2 June 2023

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

REGULATIONS REGARDING CONTROL OF THE EXPORT OF FRESH VEGETABLES

The Minister of Agriculture, Land Reform and Rural Development has, under section 15 of the Agricultural Product Standards Act, 1990 (Act 119 of 1990) made the regulations in the Schedule.



A.T. Didiza

Minister of Agriculture, Land Reform and Rural Development

SCHEDULE

Definitions

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

“address” means a physical address in the Republic of South Africa and includes the street or road number or name, and the name of the town, village or suburb and in 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 as under section 2(3) of Agricultural Product Standard Act No.119 of 1990;

“consignment” means a quantity of vegetables of the same kind, belonging to the same owner which is delivered at any one time under cover of the same consignment note, delivery note or receipt note, or is delivered by the same vehicle or if such quantity is divided into different classes, grades, cultivars, counts or size groups each quantity of each of the different classes, grades, cultivars, counts or size groups;

“consignment note” means a consignment note approved by the Executive Officer or the Assignee;

“container” means the immediate container in which fresh vegetables are packed directly and the outer container but excluding shipping containers in which pallet loads are shipped;

“certificate” means a certificate that may be issued either in paper format (including electronically prepared) or in a verified electronic format which describe and attest to conformity of a consignment of regulated agricultural products to stipulated requirements as set out in regulation 6;

“Executive Officer” means the officer designated under section 2 (1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

“Department” means the Department of Agriculture, Land Reform and Rural Development;

“Food Business Operator (FBO)” means the person or persons responsible for ensuring that the prescribed requirements of these regulations are met within the food business under his or her control and include both the management of the food business as well as the person with overall authority on site or in the specific establishment;

“fresh vegetables” means herbs, endives, artichokes, asparagus, aubergines (also known as eggplant or brinjals), baby marrows (courgettes), beetroot, broccoli, Brussels sprouts, butternut, cabbage, capsicums(also known as sweet peppers), carrots, cauliflower (also known as witloof chicory), chilies, Chinese cabbage, courgettes, celery, chives, cucumbers, garlic, gem squashes, ginger, green beans, green peas, green onions (also known as chives), leeks, lettuce, okra, dry onions, parsley, parsnips, peppers, pumpkin, potatoes, radishes, rhubarb, shallots, spinach, sweet corn, sweet potatoes, tomatoes, turnips and unspecified vegetables;

“herbs” means parsley, lemon basil, balm, rosemary, paprika, cinnamon, celery, oregano and other unspecified herbs;

“ISO” means the International Standard Organization;

“Inspector” means the Executive Officer or an officer under his control, or an Assignee or an employee of an Assignee;

“miniature vegetables” means a variety of carrots, courgettes, aubergines, cauliflower, cabbage, sweet corn or other type of vegetables obtained through plant breeding or special cultivation techniques;

"National Reference Laboratory" means an official laboratory of the Department of Agriculture, Land Reform and Rural Development and the Perishable Products Export Control Board (PPECB) that has been nominated in writing by the Executive Officer for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"non-miniature varieties" means produce of varieties which have not fully developed or are inadequate in size and have "mini vegetables" or "baby vegetables" a corresponding meaning;

"Officially Recognized Laboratories" means any laboratory that is not a National Reference Laboratory and that is nominated by the Executive Officer in writing as being suitable or required for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1); and

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

Prohibition on the export of fresh vegetables

2. (1) Subject to the provisions of sub regulation (2) no person shall export fresh vegetables from the Republic of South Africa unless each quantity thereof has been approved by the Executive Officer for that purpose.

(2) Fresh vegetables which are-

- (a) exported in a consignment of less than 20kg; and
- (b) taken in as provisions for consumption abroad a conveyance to another country shall be exempted from the prohibition set out in sub regulation (1).

(3) An approval in terms of sub regulation (1) may also be given by an Assignee.

Application for approval for export

3. (1) An application for an approval in terms of section 4 of the Act for the export of fresh vegetables shall be directed in writing to the Executive Officer or Assignee, as the case may be.

(2) Such an application shall be made at least five working days before the intended date of export.

(3) The following particulars shall be supplied when such application is made:

- (a) The name and address of the applicant and where applicable, of his agent or exporter.
- (b) The kind of vegetable, as well as specific class thereof.
- (c) The applicable Food Business Operator code.
- (d) The number of containers, the mass, or the number of units, as the case may be which comprises the consignment concerned.
- (e) The intended date of export and the port from which the consignment concerned shall be exported.
- (f) The destination of the consignment concerned.
- (g) The address of the premises where the consignment concerned may be inspected and the date and time when the consignment will be ready for inspection.
- (h) Any other pertinent information concerning the consignment.

Presentation for inspection

4. (1) Each consignment of fresh vegetables intended for export which has to be presented for inspection in terms of these regulations shall, prior to the export thereof, be approved for export by an inspector: Provided that the consignment of fresh vegetables concerned shall be presented for inspection at least 12 hours prior to the intended time of export or as otherwise arranged with the Executive Officer or Assignee.

(2) A consignment of fresh vegetables referred to in sub regulation (1) that shall be thus inspected, shall be stored in such a manner that –

- (a) access to each container therein can be obtained readily; and
- (b) the marks, printing or writing on such containers can readily be read.

Consignment note

5. (1) Every consignment of fresh vegetables destined for export shall when submitted for inspection, be accompanied by a consignment note completed clearly, legibly, fully and correctly.

(2) All the copies of such a consignment note shall have the same serial number and one copy thereof shall be retained by the Department or Assignee.

Procedure at inspection

6. (1) An inspector may in any consignment of fresh vegetables open as many containers and inspect the contents thereof and remove samples of such contents for the purpose of further inspection or analyses as he/she may deem necessary.

(2) An inspector's finding in relation to the containers opened by him/her by virtue of the provisions of subregulation (1), and the contents thereof, shall apply as a finding in respect of the whole consignment from which such containers were abstracted.

(3) If an inspector is satisfied after his/her inspection that the consignment of fresh vegetables -

- (a) comply with the requirements of these regulations he/she shall approve such consignment for export, either by marking or causing to be marked on each container or label affixed thereto with a mark of approval or by issuing a certificate which indicates such approval: Provided that, the Executive Officer taking into consideration the country of destination's legal requirements may in his or her discretion authorize in writing the issuance of a certificate(s) within a prescribed time after the vegetables have left South Africa; or
- (b) do not comply with the requirements of these regulations he/she shall prohibit such consignment for export, either by marking or causing to be marked on each container or label affixed thereto with a mark or prohibition or by issuing a certificate which indicates such prohibition.

(4) An inspector may at his/her own discretion re-inspect a consignment of fresh vegetables which has already been approved for export and may confirm or withdraw according to subregulation (3) (b) any previous approval with regard to the consignment concerned: Provided that no inspection fee shall be payable in respect of a re-inspection carried out on demand of an inspector.

Assessment of the competence of testing laboratories involved in the export of fresh vegetables

7. (1) For the purpose of analysis as required by regulation 6(1), analysis may be conducted by a National Reference Laboratory or an Officially Recognized Laboratories.

(2) The Executive Officer shall nominate a National Reference Laboratory or Officially Recognized Laboratories in writing to conduct analyses as set out in subregulation (1).

(3) The said laboratories shall be considered on the basis of their suitability, which suitability shall *inter alia* be based on the following criteria:

- (a) A reasonable demonstrable knowledge or expertise in the testing and analysis of fresh vegetables;
- (b) Compliance with the general criteria for testing laboratories as laid down in ISO/IEC 17025: 2017;
- (c) Annual participation in appropriate proficiency testing schemes for analysis which conform to the requirements as laid down in the document titled "The international harmonized protocol for the proficiency testing of analytical laboratories";
- (d) Whenever available, use methods of analysis which have been validated according to the principles as laid down by the *Codex Alimentarius Commission*; and
- (e) Use internal quality control procedures as described in the document titled "Harmonized Guidelines for internal Quality Control in Analytical Chemistry Laboratories".

(4) In addition to compliance with suitability criteria as set out in subregulation (3), an Officially Recognized Laboratory shall be considered for nomination on the following grounds:

- (a) Of necessity in as far as fulfillment of capacity as determined from time to time by the Executive Officer.
- (b) On a three-year period, the period which may be considered for renewal upon assessment by the Executive Officer.

Fees for inspection and analysis

8. The following fees shall be payable for inspection and analysis:

(1) The determined inspection fee when fresh vegetables are presented for inspection.

(2) The fee for testing and analysis of samples shall be charged by the laboratory concerned and this shall include incidental costs such as courier or transport fee.

Approvals and rejections

9. (1) If an inspector approves the export of a consignment of fresh vegetables he shall-

- (a) mark each container in that consignment with a mark of approval; or
- (b) endorse the consignment note of that consignment to such effect; and
- (c) issue a certificate to the effect that such consignment has been approved for export.

(2) If a consignment of fresh vegetables has been rejected for export purposes as a result of an inspection or re-inspection carried out at a port of export, the custodian of that consignment shall as soon as feasible remove it from the port area concerned.

(3) Notwithstanding the provisions of sub regulation (2), an inspector may, in the case of a consignment in connection with which an appeal is lodged -

- (a) direct that such consignment shall not without his consent be removed from the place where the inspection or re-inspection concerned was carried out; and
- (b) apply any mark to the containers concerned which he may deem necessary for identification purposes.

Appeal

10. Any person may lodge an appeal against a decision or direction of the Executive Officer or an Assignee in terms of section 10(1) of the Act or as prescribed in the Appeal Procedures Regulations promulgated under the Act, to the Director-General.

Offences and penalties

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

Commencement

12. These regulations shall come into operation on the date of publication.

Repeal

13. Regulations published by Government Notice No. R.1031 of 19 December 2014 are hereby repealed from the date of commencement of these regulations.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 3479

2 June 2023

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

REGULATIONS REGARDING CONTROL OF THE EXPORT OF GRAINS

The Minister of Agriculture, Land Reform and Rural Development has, under section 15 of the Agricultural Product Standards Act, 1990 (Act 119 of 1990) made the regulations in the Schedule.



A.T. Didiza

Minister of Agriculture, Land Reform and Rural Development

SCHEDULE

Definitions

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

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

"assignee" means a person, undertaking body, institution, association, or board designated as under section 2(3) of the Agricultural Product Standard Act No.119 of 1990;

"bread wheat" means the caryopsis or grain of the plant *Triticum aestivum*;

"buckwheat" means the seed of the plant *fagopyrum esculentum*;

"bulk container" means a grain truck, any vehicle or container used for the transportation or storage of the grains;

"castor beans" means the threshed seed of the plant *Ricinus communis*;

"certificate" means a certificate that may be issued either in paper format (including electronically prepared) or in verified electronic format which describe and attest to conformity of a consignment of regulated agricultural products to stipulated requirements as set out in regulation 6;

"cereals" means maize, wheat, grain sorghum, barley, millet and buckwheat;

"consignment" means a quantity of grains of the same grade belonging to the same grade or class belonging to the same owner, and which is delivered at any one time under cover of the consignment note, delivery note or receipt note, is delivered by the same vehicle or bulk container or railway truck, or which is loaded from the same bin of a grain elevator into different grades or classes, each quantity of each of the different grades or classes;

"consignment note" means a consignment note approved by the Executive Officer or Assignee;

"container" means a bag or bulk container in which grains are stored or transported;

"cotton seed" means the ginned seed of the plant *Gossypium hirsutum*;

"department" means the Department of Agriculture, Land Reform and Rural Development;

"dry beans" means the threshed ripe seeds of the plants *Phaseolus coccineus* L. (kidney beans), *P vulgaris* L. and *P actitifolius* a Gray (teparty beans), which are intended for human consumption;

"durum wheat" means caryopsis of the species *Triticum durum*, *Triticum turquidum* and *Triticum polonicum*;

"Executive Officer" means the officer designated under section 2 (1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

"food business operator" (FBO) means the person or persons responsible for ensuring that the prescribed requirements of these regulations are met within the food business under his or her control and include both the management of the food business as well as the person with overall authority on site or in the specific establishment;

"fortification" means the addition of one or more micronutrients by means of a fortification mix as prescribed in terms of Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

"grains" means cereals, *leguminous seeds*, oilseeds, grass seeds and the processed grains thereof;

"grain sorghum" means the seed of any sorghum except a broom sorghum, hay, sorghum or cane sorghum;

"grass seed" means the threshed seed of the following types of grasses:

- (a) Babala, also called pearl millet (*Pennisetum typhoides*);
- (b) Boer and German millet (*Setaria italica*);
- (c) Japanese Millets;
- (d) Japanese barnyard millet (*Panicum miliaceum*); and
- (e) Canary seed (*Phalaris canariensis*);

"groundnuts" means the fruit of the plant *Arachis hypogaea*;

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

"ISO" means International Organization for Standardization;

"lesser known types of maize" means waxy maize, popcorn, sweet corn and bread maize the threshed seed of the plant *zea mays amyacea*: Provided that white and yellow plant maize (*Zea mays indentata*) and white and yellow plant maize (*Zea mays indurata*) are, for the purpose of these regulations, not included;

"leguminous seeds" means, the threshed seeds of soya beans (*Glycine max*); dry beans, velvet beans (*Mucuna deeringiana*), sword or jack beans (*Canava ensiformis*, *C gladiata*), cowpeas (*Vigna unguiculata*), pulses; peas (*Pisum sativum*), lupins, lentils (*Lens culinaris*) and chickpeas or mung beans (*Cicer arietinum*, *Phaseolus mungo*, *Vinga mungo* or *Vigna radiata*);

"linseed" means the threshed seeds of the plant *Linum usitatissimum*;

"maize" means threshed seeds of white maize, yellow maize, bread maize, lesser-known types of maize;

"maize products" means a commodity derived from the processing of maize or into which maize or any part of maize has been converted;

"millet" means the threshed seeds of the plant *pennisetum glaucum*;

"National Reference Laboratory" means an official laboratory of the Department of Agriculture, Land Reform and Rural Development and the Perishable Products Export Control Board that has been nominated in writing by the Executive Officer for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"Officially Recognized Laboratories" means any laboratory that is not a National Reference Laboratory and that is nominated by the Executive Officer in writing as being suitable or required for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"**oilseeds**" means sunflower seed, soya beans, canola, castor beans, groundnuts linseed, cotton seed, and safflower seed;

"**ISO**" means International Organization for Standardization;

"**popcorn**" means the threshed seed of *Zea mays everta*;

"**processed**" means maize products, wheat products and other unspecified processed grains;

"**Processing**" means shelling, drying, blanching, milling, crushing, coarse milling or rolling, cutting and fortification;

"**pulses**" means an edible seed that grows in a pod which include all beans, peas, lentils, and lupins which are intended for human consumption;

"**safflower seed**" means the capsula of the plant *Carthamus tinctorius*;

"**sunflower seed**" means the capsula of the plant *Helianthus annuus*;

"**sweetcorn**" means the threshed seed of *Zea mays saccharata*;

"**the Act**" means the Agricultural Product Standards Act, 1990 (Act 119 of 1990);

"**unspecified grains**" means any other kind of grains which is not mentioned under this regulation;

"**waxy maize**" means the threshed type of maize which contains a high percentage of molecular branched amylopectin starch fraction in the endosperm and which normally originates from the plant *Zea mays ceratina*;

"**wheat**" means bread wheat, soft wheat and durum wheat;

"**wheat products**" means a commodity derived from the processing of wheat or into which wheat or any part of wheat has been converted;

"**white maize**" means maize that consists of the white dent type botanically known as *Zea mays indentata* or of the white flint type botanically known as *Zea mays indurata*, or of a mixture of the two types or of one or more crossings of the two types; and

"**yellow maize**" means maize that consists of the yellow flint type botanically known as *Zea mays indurata*, or of the yellow dent type botanically known as one *Zea mays indentata* or of a mixture of the two types or of one or more crossings of the two types.

Prohibition on the export of grains

2. (1) Subject to the provisions of subregulation (2) no person shall export grains from the Republic unless each quantity thereof has been approved by the Executive Officer for that purpose.

(2) Grains which are –

- (a) exported in a consignment of less than 20kg; and
- (b) taken in as provisions for consumption abroad a conveyance to another country and shall be exempted from the prohibition set out in subregulation (1).

(3) An approval in terms of subregulation (1) may also be given by an Assignee designated with regard to grains.

Application for approval for export

3. (1) An application for an approval in terms of section 4 of the Act for the export of grains shall be directed in writing to the Executive Officer or Assignee, as the case may be.
- (2) Such an application shall be made at least three working days before the intended date of export.
- (3) The following particulars shall be supplied when such application is made:
- (a) The name and address of the applicant and where applicable, of his agent or exporter.
 - (b) The grade and the class of the grains.
 - (c) The applicable Food Business Operator code.
 - (d) The number of containers and the mass of the grains in the consignment concerned.
 - (e) The intended date of export and the port from which the consignment concerned shall be exported.
 - (f) The destination of the consignment concerned.
 - (g) The address of the premises where the consignment concerned may be inspected and the date and time when the consignment will be ready for inspection.
 - (h) Any other pertinent information concerning the consignment.

Presentation for inspection

4. (1) Each consignment of grains intended for export which has to be presented for inspection in terms of these regulations shall, prior to the export thereof, be approved for export by an inspector: Provided that the consignment of grain concerned shall –
- (a) be presented for inspection when delivered by the producer to a grain elevator;
 - (b) be presented for inspection at least 48 hours prior to the intended time of export or as otherwise arranged with the Executive Officer or Assignee; or
 - (c) be presented for inspection at the inland point at which the consignment will be loaded and sealed into a shipping container, at least 48 hours before the container is to be sealed and released to the shipping agent.
- (2) A consignment referred to in subregulation (1) that shall be thus inspected, shall be stored in such a manner that --
- (a) access to each container therein can be obtained readily; and
 - (b) the marks, printing or writing on such containers can readily be read.

Consignment note

5. (1) Every consignment of grains destined for export shall when submitted for inspection, be accompanied by a consignment note completed clearly, legibly, fully, and correctly.

(2) All the copies of such a consignment note shall have the same serial number and one copy thereof shall be retained by the Department or Assignee.

Procedure at inspection

6. (1) An inspector may open as many containers in a consignment of grains, intended for export as he/she may deem necessary and inspect or analyse or have analysed the contents thereof in such a manner as he/she may deem fit.

(2) The result of an inspection or analysis in terms of subregulation (1) shall be deemed to be applicable to the whole consignment of grains from which such containers were abstracted.

(3) (a) An inspector may re-inspect a consignment of grains which has already been approved for export and may confirm or withdraw any previous approval with regard to the consignment concerned.

(b) The provisions of regulation 4 and this regulation shall *mutatis mutandis* apply to such re-inspection: Provided that no inspection fee shall be payable in respect of a re-inspection carried out on demand of an inspector.

Assessment of the competence of testing laboratories involved in the export of grains

7. (1) For the purpose of analysis as required by regulation 6(1), analysis may be conducted by a National Reference Laboratory or an Officially Recognized Laboratory.

(2) The Executive Officer shall nominate a National Reference Laboratory or Officially Recognized Laboratory in writing to conduct analyses as set out in subregulation (1).

(3) The said laboratories shall be considered on the basis of their suitability, which suitability shall *inter alia* be based on the following criteria:

- (a) A reasonable demonstrable knowledge or expertise in the testing and analysis of grains;
- (b) Compliance with the general criteria for testing laboratories as laid down in ISO/IEC 17025: 2017;
- (c) Annual participation in appropriate proficiency testing schemes for analysis which conform to the requirements as laid down in the document titled "The international harmonized protocol for the proficiency testing of analytical laboratories".
- (d) Whenever available, use methods of analysis which have been validated according to the principles as laid down by the *Codex Alimentarius Commission*; and
- (e) Use internal quality control procedures as described in the document titled "Harmonized Guidelines for internal Quality Control in Analytical Chemistry Laboratories".

(4) In addition to compliance with suitability criteria as set out in subregulation (3), an Officially Recognized Laboratory shall be considered for nomination on the following grounds:

- (a) Of necessity in as far as fulfillment of capacity as determined from time to time by the Executive Officer.

- (b) On a three-year period, the period which may be considered for renewal upon assessment by the Executive Officer.

Fees for inspection and analysis

8. The following fees shall be payable for inspection and analysis:

- (1) The determined inspection fee when grains are presented for inspection.
- (2) The fee for testing and analysis of samples shall be charged by the laboratory concerned and this shall include incidental costs such as courier or transport fee.

Approvals and rejections

9. (1) If an inspector approves the export of a consignment of grains he/she shall --

- (a) mark each container in that consignment with a mark of approval; or
- (b) endorse the consignment note of that consignment to such effect; and
- (c) issue a certificate to the effect that such consignment has been approved for export.

(2) If a consignment of grains has been rejected for export purposes as a result of an inspection or re-inspection carried out at a port of export, the custodian of that consignment shall as soon as feasible, remove it from the port area concerned.

(3) Notwithstanding the provisions of subregulation (2), an inspector may, in the case of a consignment in connection with which an appeal is lodged --

- (a) direct that such consignment shall not without his/her consent be removed from the place where the inspection or re-inspection concerned was carried out; and
- (b) apply any mark to the containers concerned which he/she may deem necessary for identification purposes.

Appeal

10. Any person may lodge an appeal against a decision or direction of the Executive Officer or an Assignee in terms of section 10(1) of the Act or as prescribed in the Appeal Procedures Regulations promulgated under the Act, to the Director-General.

Offences and penalties

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

Commencement

12. These regulations shall come into operation on the date of publication.

Repeal

13. Regulations published by Government Notice Nos. R.1026 of 19 December 2014 and R.48 of 30 January 2015 are hereby repealed from the date of commencement of these regulations.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 3480

2 June 2023

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

**DRAFT REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF DRIED FRUIT
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.



A.T. Didiza

Minister for Agriculture, Land Reform and Rural Development.

SCHEDULE

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PART I DEFINITIONS, SCOPE AND RESTRICTIONS

Definitions

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

"abnormal external moisture" means presence of water, moisture or condensation on the surface of the product;

"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 a definite quantity of dried fruit produced essentially under the same conditions and which do not exceed a period of 24 hours;

"best before date" or **"best quality before date"** means the date which signifies the end of period under any stated storage conditions during which the unopened product will remain fully marketable and will retain any specific qualities for which implied or express claims have been made, however, beyond the date the food may still be acceptable for consumption;

"bleached" means treated with sulfur/sulphur dioxide or sulphite related compounds (e.g. sodium sulphite, calcium sulphite etc.) before drying of the fruit;

"blemishes" means noticeable and localized imperfections that significantly impairs the external appearance, from any cause or source, either intrinsic or extrinsic, including staining, dark spots, blotches, scars, hail marks, scabs, blisters, bruises and other similar defects, but excluding blemishes caused by a more serious defect such as mould, decay or damage by pests: Provided that where specifically used with regard to --

(a) dried subtropical fruit, it also includes skin pieces; and

(b) dried grapes (raisins), it also includes swartbekkie in sultanas with a diameter larger than 2 mm;

"bulk container" means the immediate container in which dried fruit is packed loose, with a minimum mass of 2,5 kg and which is usually packed in an outer container;

"callus" means a scar or deformity due to mechanical injuries (hail, bruising, abrasion, etc.), viral or bacterial diseases, or physiological causes;

"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.;

"container" means the immediate packaging in which dried fruit is presented for sale, and includes wrappers when such is offered to the consumer;

"damage by pests" means visible damage or contamination caused by insects, mites, rodents or other animal pests, including the presence of dead insects and/or mites, their debris or excreta;

"depipped (deseeded)" means the removal of the pips or seeds from the fruit;

- "destoned (pitted)"** means the removal of the stone (pit) in the case of stone fruit and dates;
- "deviations in colour"** means that the colour does not comply with the typical colour of the dried fruit concerned, but excludes blemishes;
- "discolouration"** means significant and widespread change of the typical external or internal colour, from any cause or source, either intrinsic or extrinsic, including in particular blackening and the appearance of very dark colours, but excluding discolouration caused by a more serious defect such as mould, decay or damage by pests;
- "dried fruit"** means fruit which have been cut, peeled, deppiped (deseeded) or destoned (pitted) and dried by means of the sun-, solar-, tunnel-, oven or wind method, or by any other recognized methods of dehydration, but excludes puréed, minced, cooked and baked dried fruit;
- "EU SADC EPA"** means the European Union and Southern African Development Community Economic Partnership Agreement signed on 10 June 2016 between the member states of the European Union and the Southern African Development Community region of which the Republic of South Africa forms part;
- "Executive Officer"** means the officer designated under section 2(1) of the Act;
- "extraneous vegetable matter"** means any harmless plant material of the plant concerned or originating from other plant sources which are not normally present in the product, excluding berry stems (capstems) and pieces of stalk in the case of dried grapes (raisins);
- "fermentation"** means a breakdown of the sugars into alcohol and acetic acid by the action of yeast and bacteria, detected by a characteristic and significant sour/bitter taste of the dried fruit concerned;
- "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);
- "foodstuffs"** 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 the dried fruit concerned, but excludes extraneous vegetable matter and hazardous foreign objects: Provided that --
- (a) when determining the foreign matter, the number of fruit units shall be counted in cases where the foreign matter adheres to the fruit units, and the number of foreign matter itself in cases where it is present in the sample on its own;
 - (b) added foodstuffs shall not be regarded as foreign matter in the case of dried fruit mixed with other foodstuffs (dried fruit mixes);
- "geographical indication" (GI)** means an indication (name) as defined in the regulations relating to the protection of geographical indications used on agricultural products intended for sale in the Republic of South Africa published under the Act;
- "hazardous foreign objects"** means any stone, glass, bird droppings or staples and other metal objects, or any other similar material or objects not usually associated with dried fruit, which are regarded as hazardous when handling and/or consuming the dried fruit concerned;
- "high moisture dried fruit"** means any dried fruit rehydrated after drying to have a moisture content higher than the limit set in these regulations for the type of dried fruit concerned;
- "immature fruit"** means fruit light in mass, stunted or distinctly rubbery in texture;
- "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 dried fruit,

and includes labelling for the purpose of promoting its sale or disposal;

"letters" also means figures and symbols;

"living pests" means the presence of living pests (insects, mites or others) at any stage of development (adult, nymph, larva, egg, etc.);

"loose dried fruit" means dried fruit that are displayed for sale in loose quantities or in a container that is not covered or boxed;

"lyed" means physical-chemical treatment to enhance moisture permeability;

"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 name or trade name in equal prominence of the container;

"major blemishes" mean that the blemishes, including serious sunburn marks, are conspicuous and larger than 6 mm in diameter, or which detract markedly from the appearance of the fruit, or in total extend over more than one tenth of the area of the fruit: Provided that in the case of prunes, the definition in regulation 22(1) shall apply;

"major deviations in colour" mean that the colour is weaker than the colour specifications for the grade concerned as well as for the subsequent lower grade, except in the case of Sub-Standard Grade: Provided that in the case of raisins, the definition in regulation 34(1) shall apply;

"major foreign matter" means matter with a total area larger than a circle with a 2 mm diameter: Provided that minor foreign matter which seriously affect the appearance of the dried fruit shall be considered as major foreign matter;

"minor blemishes" mean that the blemishes, including light sunburn marks, are not more than 6 mm in diameter and which in total do not extend over more than one tenth of the area of the fruit: Provided that in the case of prunes, the definition in regulation 22(1) shall apply;

"minor foreign matter" means matter that does not seriously affect the appearance of the dried fruit, and which does not exceed the total area of a circle with a diameter of 2 mm (individual spots which occur on the fruit unit should be combined in an imaginative way);

"minor deviations in colour" mean that the colour does not comply with the specifications of the grade concerned, but complies with the colour specifications of the subsequent lower grade, excluding black parts: Provided that in the case of raisins, the definition in regulation 34(1) shall apply;

"mould" means mould filaments visible to the naked eye, either inside or outside of the fruit;

"mixed sizes" means two or more consecutive size groups packed or mixed in one container;

"outer container" means any other suitable packaging in which one or more containers or bulk containers of dried fruit are packed, irrespective whether it completely or partially encloses the containers or bulk containers, but excludes any type of open outer container used only for the purpose of transporting the dried fruit products concerned [e.g. crates, lugs, corrugated cartons, etc.];

"overripe" means showing signs of collapse of the fruit cells, but no signs of decay;

"packer" means --

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

"seedless" means fruit naturally without pips (seeds);

"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);

"transparent" in relation to containers and outer containers, means that an area of at least a 25 percent continuous portion of the main panel or back panel, or across any two adjacent panels, of a container or outer container is transparent;

"unbleached" means dried fruit which was not treated with sulfur/sulphur dioxide or sulphite containing preservatives;

"unspecified fruit" means any other dried fruit or dried fruit product of which the quality standards and requirements are not outlined in these regulations;

"use by date" or "expiration date" means the date which signifies the end of the period under any stated storage conditions, after which the product should not be sold or consumed due to safety and quality reasons;

"variant name" means a name used in addition to and separately from the name of the product to distinguish between the different variants of mixed dried fruit and/or dried fruit mixes; and

"whole fruit" means fruit dried as a whole unit, with or without stone (pit), pip (seed) or core.

Scope of regulations

2. These regulations shall apply to dried fruit 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 control over the sale of dried fruit apply.

Restrictions on the sale of dried fruit

3. (1) No person shall sell dried fruit for human consumption in the Republic of South Africa --
- (a) unless such products are graded in accordance with the grades referred to in regulation 4;
 - (b) unless such products comply with the quality standards referred to in regulations 5;
 - (c) unless such products are presented as the styles referred to in regulation 6;
 - (d) unless such products are packed or displayed in accordance with the requirements referred to in regulations 7 and 8 respectively;
 - (e) unless the containers and outer containers in which such product are packed, comply with the requirements referred to in regulation 9;
 - (f) unless such products are marked with the particulars and in the manner prescribed in regulations 10 to 16; and
 - (g) if such products are marked with any restricted particulars or in a manner which is prohibited in terms of regulation 17.

(2) The restrictions in sub-regulation (1) shall not apply to the sale of dried fruit by a parent company or holding company to its subsidiary company(ies) in bulk for the purpose of further processing and/or packing only.

(3) 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).

PART II
GENERAL QUALITY STANDARDS FOR DRIED FRUIT

Grades of dried fruit

4. There shall be three grades of dried fruit, namely Choice Grade, Standard Grade and Sub-Standard Grade: Provided that --

- (a) pear halves with core and whole peaches with stone (pit) shall be graded as Standard Grade and Sub-Standard Grade only;
- (b) dried fruit produced by drying methods other than those referred to in the definition for "dried fruit" in regulation 1, shall be graded: Provided further that the dried fruit concerned resembles the appearance of fruit dried by means of the sun-, solar-, tunnel-, oven- or wind method; and
- (c) freeze dried and vacuum dried fruit shall not be graded.

General quality standards for dried fruit

5. (1) **All grades of dried fruit --**

- (a) shall be prepared from sound, fresh, clean and ripe fruit from any suitable variety;
- (b) shall have an attractive appearance: Provided that the appearance is determined by factors such as the drying method used and the grade thereof;
- (c) shall have a flavour characteristic of the type of fruit from which it was prepared and be free of any foreign smell and taste: Provided that the following shall not be considered as abnormal:
 - (i) A slight salty taste of sodium chloride;
 - (ii) A slight smell of preservatives and/or additives, including sulphur dioxide; and
 - (iii) A slight smell and taste of oil; and
- (d) may contain other added foodstuffs and/or food additives.

(2) Subject to the provisions of sub-regulation (1), dried fruit shall --

- (a) comply with the specific quality standards for each type and grade as set out in Parts VII to XI: Provided that high moisture dried fruit shall --
 - (i) conform to the general quality standards in sub-regulation (1) and paragraph (b), and shall be graded according to the quality standards set out in Parts VII to XI;
 - (ii) be excluded from having to comply with the moisture content limits as set out in Parts VII to X (excluding high moisture dried tomatoes): Provided further that the products are marked as specified in regulation 12(1)(b); and
 - (iii) be treated with a preservative or preserved by any other means (e.g. pasteurisation); and
- (b) display the following characteristics:
 - (i) Intact (only for wholes and halves): Provided that the following shall not be considered as a defect:
 - (aa) Edges that are slightly torn.
 - (bb) Slight superficial damage.

- (cc) Slight scratches.
 - (dd) Coreless in the case of dried apples and pears.
 - (ee) Stems and eye (ostiole) ends that have been removed in the case of dried figs.
 - (ff) Dates effected by mashing tearing, breaking of the skin, leaving the pit visible so that the appearance of the fruit is noticeably affected.
 - (ii) Sound: Provided that produce affected by rotting or deterioration such as to make it unfit for human consumption is excluded.
 - (iii) Clean, practically free of any visible foreign matter.
 - (iv) Sufficiently developed.
 - (v) Free from living pests whatever their stage of development.
 - (vi) Free from damage caused by pests (including the presence of dead insects and/or mites, their debris or excreta).
 - (vii) Free from blemishes.
 - (viii) Free from mould filaments visible to the naked eye.
 - (ix) Free of fermentation.
 - (x) Free of abnormal external moisture.
 - (xi) Free from hazardous foreign objects.
 - (xii) The condition of the dried fruit shall be such that the product is able to withstand transportation and handling.
- (3) **Vacuum dried and freeze dried fruit** shall --
- (a) comply with the general quality standards set out in sub-regulations (1) and (2);
 - (b) be excluded from the grading standards specified in Parts VII to XI;
 - (c) comply with the marking requirements as set out in regulation 12(3); and
 - (d) not be graded.
- (4) **Dried fruit not treated with preservatives** shall --
- (a) comply with the general quality standards set out in sub-regulations (1) and (2): Provided that it shall not be treated with any food additives in the form of preservatives at any stage during or after the drying process;
 - (b) be graded according to the standards set out in Parts VII to XI: Provided that --
 - (i) the colour of dried fruit which is markedly darker shall be evaluated according to the colour characteristics of the particular fruit when it is preserved; and
 - (ii) Choice Grade dried fruit in a single container shall have a uniform colour and Standard Grade dried fruit in a single container shall have a reasonably uniform colour, where applicable; and
 - (c) not consist of bleached and lyed fruit.

(5) Unless specified otherwise in Parts VII to XI, sizing of all grades of dried fruit shall be optional: Provided that --

- (a) if sized, the dried fruit shall be marked as specified in regulation 13(2); and
- (b) a maximum tolerance of 10% size provisions (i.e. size diameter, count) shall be permitted.

(6) Imported dried fruit which have been registered as a Geographical Indication (GI), and which originate from --

- (a) a member country within the European Union shall comply with the standards registered for the GI named dried fruit in the member country concerned; and
- (b) a member country of the World Trade Organisation (WTO), excluding those countries that are members of the European Union, shall comply with the standards registered for the GI named dried fruit in the country of origin concerned.

Styles of dried fruit

6. (1) The styles of dried fruit referred to in sub-regulation (2)(b) to (l), shall be prepared from peeled (where applicable) and destoned (pitted) or depipped (deseeded) or cored fruit.

(2) Dried fruit may be presented as one of the following styles:

- (a) **Whole:** Shall consist of dried fruit with the stone (pit), pips (seeds) or core either still intact or removed.
- (b) **Halves:** Shall consist of dried fruit cut into two approximately equal parts.
- (c) **Segments, Slices and Wedges:** Shall consist of dried fruit cut into four or more approximately equal parts along the longitudinal axis: Provided that in the case of dried pineapple whole slices and half slices, the style descriptions in paragraphs (e) and (g) respectively shall apply.
- (d) **Rings:** Shall consist of dried fruit cut into continuous rings at right angles to the longitudinal axis.
- (e) **Whole slices** (pineapples only): Shall consist of uniformly cut circular slices or rings cut across the axis of the cored pineapple cylinders.
- (f) **Titbits/Tidbits:** Shall consist of wedge shaped units of approximately equal size.
- (g) **Half slices** (pineapples only): Shall consist of uniformly cut, approximately semi-circular halves of slices.
- (h) **Segments** (pineapples only): Shall consist of reasonably uniform, cubed shaped pieces.
- (i) **Spears** (pineapples only): Shall consist of slender sectors cut radially and lengthwise from cored pineapple cylinders.
- (j) **Broken slices** (pineapples only): Shall consist of arc-shaped units which are not uniform in size and/or shape.
- (k) **Pieces or Chunks:** Shall consist of short, thick units of regular or irregular shapes and sizes.
- (l) **Strips:** Shall consist of dried fruit cut longitudinally (i.e. in a direction parallel to the natural seam of the fruit) into strips with a diameter of not more than 15 mm and a thickness not exceeding 10 mm.

- (m) **Dices or Cubes:** Shall consist of dried fruit cut into approximately cube-shaped units.
- (n) **Flats** (apricots and tomatoes only): In the case of --
 - (i) whole apricots, it shall consist of destoned (pitted) and whole apricots that have lost their normal contour and have become definitely flattened at the edge or rim: Provided that the two halves shall be pressed flat and remain intact as one piece;
 - (ii) apricot halves, it shall consist of destoned (pitted) and apricot halves of irregular shape, size and thickness that have been pressed flat; and
 - (iii) tomatoes, it shall consist of halves and wedges which have dried flat, and which may be of irregular shape due to over ripeness.
- (3) Any other presentation of the product shall be permitted if it--
 - (a) is sufficiently distinctive from other styles of presentation prescribed in these regulations: Provided that abbreviations may not be used and the cut style is in accordance with the normal trade practice;
 - (b) meets all other requirements of these regulations, including the permissible deviations (tolerances) which are applicable to that style which most closely resembles the style or styles intended to be provided for under this provision; and
 - (c) is adequately described on the container or label to avoid confusing or misleading the consumer.

PART III PACKING, DISPLAY AND CONTAINERS

Packing requirements

7. Except where stipulated otherwise in these regulations, dried fruit of different grades shall not be packed in the same container.

Displaying loose quantities

8. When dried fruit is sold in loose quantities, no quantity of a particular grade, size group, count or variety, as the case may be, shall be displayed mixed with dried fruit of another grade, size group, count or variety, except for mixed dried fruit as prescribed in these regulations

Requirements for containers and outer containers

- 9. (1) A container in which dried fruit is 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 during normal storage, handling and transport practices;
 - (c) be intact and free of any disorders that may detrimentally affect the quality of the product therein; and
 - (d) be closed properly in a manner permitted by the nature thereof.

(2) If containers of dried fruit 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

10. (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 of at least 1 mm in size for lower case vowels: Provided that letter sizes shall be measured using a vernier caliper only.

(2) Each container of dried fruit shall be marked clearly legible and be indicated with the following particulars at least in English in detached letters:

- (a) **The name of the product** and, where applicable, **the additions to the name of the product**, as specified in regulations 11 and 12 respectively, in detached letters of the same type, size, colour and font, prominently on at least one main panel: Provided that one or more additions to the name of the product may be indicated in one different colour only.
- (b) **The appropriate grade declaration** at least on one main panel, as specified in regulations 4 and 13(1).
- (c) **The additional particulars on the main panel** other than the grade declaration, as specified in regulation 13(2).
- (d) **The name and address**, as specified in regulation 14.
- (e) **The country of origin**, as specified in regulation 15.
- (f) **The date marking** (i.e. "best before" or "best quality before" or "use by" or "expiration" date) or **batch code** or **batch number** for the purpose of traceability, as specified in regulation 16.

(3) Subject to the provisions of sub-regulations (1) and (2), dried fruit shall comply with the additional marking requirements, where applicable, for each type of dried fruit as set out in Parts VII to XI.

- (4) (a) The particulars referred to in sub-regulation (2)(a) to (e), shall be marked on an outer container in which one or more containers of dried fruit are packed.
- (b) The marking requirements prescribed in paragraph (a) 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) When dried fruit is displayed loose for sale, the name of the product, style and grade shall be indicated conspicuously in detached letters of the same type, size and font on either the immediate container in which it is displayed, or on a notice board displayed in close proximity to the dried fruit, in a letter size of at least 50 mm for lower case vowels.

(6) Self-adhesive stickers indicating the particulars referred to in sub-regulation (2)(a) to (e) 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 dried fruit concerned.

(7) Bulk containers are exempted from indicating the marking requirements referred to in sub-regulations (2) and (3): Provided that --

- (a) if marked, all the prescribed marking requirements shall be complied with; and
- (b) if the dried fruit is not packed in an outer container it shall be marked with all the prescribed marking requirements.

Indicating the name of the product

11. The name of the product, which shall include the expression "dried", shall be a true description of the contents of the container: Provided that --

- (a) if the name of the product is prescribed in the additional marking requirements in Parts VII to XI for the type of dried fruit concerned, the specified product name shall be used;
- (b) the word "dried" may be omitted from the name of the product --
 - (i) in the case of dates and dried grapes (raisins); and
 - (ii) if dried fruit other than dates and dried grapes (raisins) is packed in a transparent container and the product is clearly visible and identifiable from the outside; and
- (c) in the case of dried fruit enjoying protection as Geographical Indications (GIs), the product name shall be as follows:
 - (i) The registered GI name listed in Annexure A for the particular dried fruit concerned in the case of dried fruit forming part of the EU SADC EPA.
 - (ii) The GI name registered for the dried fruit concerned in the country of origin in the case of imported dried fruit originating from a World Trade Organization (WTO) member country, excluding those countries that are members of the European Union.
 - (iii) The GI name registered for the dried fruit concerned in the Republic of South Africa in the case of locally produced and processed dried fruit.

Additions to the name of the product

12. (1) The following information shall be indicated as part of the name of the product on the main panel:

- (a) The applicable style referred to in regulation 6: Provided that the style may be omitted if it is easily distinguishable in the case of dried fruit packed in transparent containers: Provided further that mixed dried fruit and dried fruit mixes may not indicate the style.
- (b) The expression "soft", "soft fruit", "soft eating" or "high moisture", or any other expression having a similar meaning, in the case of high moisture dried fruit.
- (c) The name(s) of the added foodstuff(s) in the case of dried fruit mixed with other foodstuffs.

(2) When a flavouring has been added to a single type dried fruit or mixed dried fruit products in order to render a distinctive specific 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.

(3) The expression "vacuum dried" or "freeze dried", as the case may be, shall be indicated in close proximity to the name of the product and/or on its own on the main panel when the fruit have been dried using the vacuum- or freeze-dried method.

(4) The expression "no added 'name of the preservative'" shall be indicated in close proximity to the name of the product and/or on its own on the main panel when the dried fruit meets the requirements in regulation 5(4): Provided that dried fruit that is not typically preserved through the addition of food additives in the form of preservatives (e.g. most raisin types, cranberries and dates) is exempted from this requirement.

(5) The name of the variety may be indicated as part of the name of the product, or in close proximity thereto: Provided that in the case of dates, the name of the variety or the commercial type shall be indicated as part of the name of the product, or in close proximity thereto, as specified in regulation 40(6).

Additional particulars on the main panel

13. (1) The applicable grade shall be indicated on the main panel: Provided that --
- (a) the expression Sub-Standard Grade may be replaced by expressions such as "Industrial Grade", "Manufacturers Grade", "Bakers Grade", "For Industrial use", "For Manufacture", "For Baking Purposes", or any other expression having a similar meaning; and
 - (b) other grade names may be used in the case where the exporting country's grade names differ: Provided further that the importer shall, prior to inspection furnish the inspector with the official legislation or written proof of the exporting country's different requirements.
- (2) (a) The applicable size designation (i.e. small, medium, etc.) or size code, shall be indicated on the main panel if a single type and style of dried fruit is sized: Provided that --
- (i) if no size designation or size code is prescribed for the type and style of dried fruit concerned, the size range concerned in millimetres shall be indicated;
 - (ii) other size designations or size codes may be used in the case where the exporting country's size designations or size codes differ: Provided further that the importer shall, prior to inspection, furnish the inspector with the official legislation or proof of the exporting country's different requirements; and
 - (iii) in the case of mixed sizes the expression "mixed sizes", or the names of the two main sizes designations (e.g. 'medium and large') or size codes shall be indicated.
- (b) Subject to the provisions of regulation 6(3)(a) and paragraph (a) --
- (i) the size designation may be abbreviated if it is preceded by the expression "size: "; and
 - (ii) the size code shall be preceded by the expression "size code:" if indicated.

Indicating the name and address

14. The name and address of the manufacturer, packer, importer, seller or entity on whose behalf the dried fruit 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 dried fruit indicate the address of the foreign manufacturer or packer only, a South African address for the importer, seller or entity on whose behalf the dried fruit 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).

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

Date marking or batch code or batch number

16. (1) Each container of dried fruit shall be clearly marked with the date marking or batch code or batch number in such a way that the specific batch is easily identifiable and traceable.

- (2) (a) When a date marking appears on a container --
- (i) it shall be preceded by appropriate wording "best before" or "best quality before" and/or "use by", and/or "expiration date", depending on the nature of the dried fruit product concerned;
 - (ii) abbreviations of the preceding wording shall not be allowed, except in the case of "best before" where the abbreviation "BB" may be used;
 - (iii) the date sequence shall be "day-month-year" (i.e. "dd/mm/yyyy") when numbers only are used: Provided that in the case of imported products where an altered date sequence is used, the month shall be indicated in letters, either written out in full or abbreviated, and the year shall be written out in full; and
 - (iv) it shall not be removed or altered by any person.
- (b) When dried fruit are packed in an outer container, which will during normal usage be discarded by the consumer, the date marking shall, if indicated, appear on each individual container that will be retained by the consumer until consumption.

Restricted particulars on containers and outer containers

17. (1) The product name "dried fruit mix" and the expressions "dried fruit" and "fruit mix" shall not appear on a container or outer container containing less than 55% (m/m) dried fruit: Provided that this restriction excludes the ingredients list.

(2) No word or expression which so nearly resembles the grade of dried fruit that it could be misleading with regard to the quality of that product shall be marked on the container or outer container.

(3) No word, mark, illustration, depiction or any other method of expression that either directly or by implication constitutes a misrepresentation or creates or shall create a misleading impression regarding the contents, quality, origin, grade or size group of the dried fruit in a container, shall be indicated on a container or outer container containing such containers.

(4) No claim regarding the absence of any substance that does not normally occur in dried fruit shall be indicated on the container or outer container of such dried fruit product, unless it is allowed in terms of the requirements of the Foodstuffs, Cosmetics and Disinfectant Act, 1972 (Act No. 54 of 1972).

(5) No claim which compares the total fat, saturated fat, cholesterol, sugar, sodium or salt, or energy value of two or more similar dried fruit 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:

- (a) The dried fruit product shall be compared with a different version of the same or similar product.
 - (b) The dried fruit product being compared shall be clearly marked on the container with the following information:
 - (i) A statement of the amount of difference in the energy value or relevant nutrient content, expressed as a percentage.
 - (ii) The identity of the dried fruit product to which it is being compared.
 - (c) 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.
 - (d) The dried fruit 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 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 expression "no added 'name of the preservative'", may only be used on dried fruit which meets the requirements in regulation 5(4).
- (8) 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 dried fruit that are kept or displayed for sale; and
 - (b) all advertisements for dried fruit.

PART V SAMPLING AND ANALYSIS

Sampling

18. (1) 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.

Sampling of containers

- (2) For the purpose of determining the deviations (tolerances) in a batch of dried fruit, excluding mixed dried fruit and dried fruit mixed with other foodstuffs, packed in containers, the following procedure shall apply:
- (a) Combine and thoroughly/evenly mix the dried fruit that make up the total number of samples selected under sub-regulation (1) to constitute the composite sample.
 - (b) Select the following quantity from the composite sample obtained under paragraph (a):
 - (i) 100 fruit units in the case of apples, apricots, peaches, pears, plums, prunes, figs and tomatoes.
 - (ii) 100 g in the case of bananas, mangoes, pawpaws (papayas), pineapples, dried grapes (raisins) dates, goji berries and cranberries.
 - (c) Should the inspection result in non-conformity, further random sampling and inspection of the batch shall be conducted and the same procedure set out in paragraphs (a) and (b) shall be followed.

Sampling of mixed dried fruit and dried fruit mixed with other foodstuffs

(3) In the case of mixed dried fruit and dried fruit mixed with other foodstuffs packed in containers, the following procedure shall apply:

- (a) The same sampling procedure set out in sub-regulation 2(a) shall be followed.
- (b) All the different types of dried fruit in the composite sample shall be separated into groups.
- (c) The number of dried fruit in a group shall be weighed or counted and the total reading recorded.
- (d) The dried fruit in each group shall be graded according to the requirements stipulated in these regulations for the type of dried fruit concerned, and any defects recorded.
- (e) The defects found shall be expressed as --
 - (i) either the number of deviating units/total number of units in the group concerned, in the case of deviations by number or count; or
 - (ii) the mass of the deviating units/total mass of the units in the group concerned, in the case of deviations by mass.
- (f) The results recorded in paragraph (e) shall then be calculated *pro rata* to --
 - (i) 100 fruit units in the case of deviations by number or count; or
 - (ii) 100 g in the case of deviations by mass.
- (g) The deviations in each group of dried fruit shall not exceed the permissible limits stipulated in these regulations for the type of dried fruit concerned.
- (h) Should the results of the inspection indicate non-conformity for any group of dried fruit, further sampling and inspection of the batch shall be conducted in accordance with the same procedure set out in paragraphs (a) to (f) shall be followed.

Sampling of bulk containers

(4) For the purpose of determining the deviations (tolerances) in a batch of dried fruit which have been packed in bulk containers at the premises of the packer, the following procedure shall apply:

- (a) Select randomly a number of batches containing the bulk dried fruit product concerned. The number of batches so selected shall constitute the primary sample.
- (b) Take randomly from each primary sample selected under paragraph (a), adequate produce to constitute the secondary sample.
- (c) The same procedure set out in sub-regulations (2)(a) to (b) shall then be followed.

Determination of size

19. Sizing shall be determined by means of sieves with the appropriate mesh diameter or a vernier caliper, or by count (i.e. the number of dried fruit units per specified weight), as the case may be.

Determination of moisture content

20. (1) The moisture content of dried fruit, except whole dates, shall be determined by means of the method set out in Annexure B at any accredited laboratory: Provided that any other method used for determination of moisture in dried fruit, shall be standardised against the method in Annexure B.

(2) Notwithstanding the requirement in sub-regulation (1), inspectors may accept the results of tests performed for moisture content at the processing facility in relation to the batch concerned: Provided that the processing facility is able to produce an up to date calibration certificate for the testing equipment used.

(3) The moisture content of whole dates shall be determined by placing 50 g of shredded pitted dates in a drier for four hours at $100^{\circ}\text{C} \pm 2^{\circ}\text{C}$, using as adjuvant 90 percent alcohol and sand washed in hydrochloric acid and then dried.

PART VI OFFENCES AND PENALTIES

Offence and Penalties

21. 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 imprisonment according to section 11 of the Act.

PART VII SPECIFIC QUALITY STANDARDS FOR DRIED DECIDUOUS FRUIT

Definitions

22. (1) Where used specifically with regard to dried deciduous fruit --
- (a) "**bitter pit**" with regard to apples, means the physiological breakdown of cells under the skin, causing slight depressions generally concentrated at the calyx end of the fruit. The tissue in these depressed areas is darkened, dry and spongy;
 - (b) "**calloused**" with regard to prunes, means a thickening of or a hard thickened area on skin;
 - (c) "**cored**" with regard to apples and pears, means the removal of the seed capsules and pips from the fruit;
 - (d) "**corky tissue**" with regard to apples, means a major disorder affecting the fruit, affected fruit have a hard lump in the pulp and dry acidic flesh, but have no external symptoms;
 - (e) "**damaged prunes**" means --
 - (i) callous-like growth scars of more than 10 mm;
 - (ii) cracks, slits or break down to the stone (pit); and
 - (iii) splits or breaks exposing a substantial part of the flesh and seriously affecting the appearance of the fruit;
 - (f) "**deciduous fruit**" means apples, apricots, nectarines, peaches, pears, plums and prunes;
 - (g) "**defects**" with regard to apples and pears, means --
 - (i) pieces of skin exceeding an aggregate area of 144 mm² adhering to the fruit unit;
 - (ii) bruises which have damaged the fruit to such an extent that its appearance, edibility or keeping quality is affected detrimentally: Provided that light brown bruises shall not be considered as defects;
 - (iii) remains of calyxes adhering to the fruit unit;
 - (iv) bitter pit or other corky tissue in the dried unit exceeding an aggregate area of 144 mm²; or

- (v) the occurrence of water core on more than one quarter of the area of the dried fruit unit or the presence thereof to such an extent that the appearance, edibility or keeping quality is affected detrimentally;
- (h) **"deviations in cut"** means cut fruits which are not symmetrical or cleanly cut, including torn halves: Provided that the original shape of the cut or torn fruit is retained and shall not deviate more than 6 mm from the fruit seam;
- (i) **"major blemishes"** in the case of prunes mean cracks or splits which exceed 10 mm in length, excluding destoning holes, which are markedly calloused, or which detract markedly from the appearance of the prunes;
- (j) **"minor blemishes"** in the case of prunes mean cracks or splits less than 10 mm in length, excluding destoning holes, which are not markedly calloused, of which the callous is not cracked and which does not markedly detract from the appearance of the prunes;
- (k) **"peaches"** means peaches with loose stone (pit), clingstone and nectarines;
- (l) **"residual core"** with regard to apples and pears, means pieces of core exceeding 49 mm² in aggregate area attached to the dried fruit units;
- (m) **"screenings"** with regard to apple rings and apple segments, means pieces which will readily pass through a sieve of 16 mm mesh;
- (o) **"watercore"** with regard to apples, means a physiological disorder characterised by water-soaked tissue around the vascular bundles or core area due to the spaces between cells becoming filled with fluid instead of air. Affected tissue is water-soaked and glassy looking; and
- (p) **"whole rings"** means rings or portions of rings which shall be cut or broken, but which consist of at least three quarters of the original whole rings.

Quality standards

- (2) The maximum moisture content for the various dried deciduous fruit products is as follows:

- (a) Preserved fruit:

Type of dried fruit	Maximum moisture content (%)
Apples	25
Apricots	32
Peaches	37
Pears	26
Prunes	35

- (b) Non preserved fruit:

Type of dried fruit	Maximum moisture content (%)
Apples	22
Apricots	25
Peaches	20
Pears	22
Prunes	25

- (3) In addition to the general quality standards set out in regulation 5, dried deciduous fruit shall also comply with the following requirements:

- (a) Choice Grade deciduous fruit shall have a good texture and a bright colour, typical of the variety concerned and the colour within the same container shall be uniform.
- (b) Standard Grade deciduous fruit shall have a reasonably good texture and a

reasonably bright colour, typical of the variety concerned and colour within the same container shall be reasonably uniform.

(4) The following quality factors shall be used to determine the grade for each dried deciduous fruit product concerned:

- (a) Colour.
- (b) Foreign matter.
- (c) Blemishes.
- (d) Deviations in cut.
- (e) Extraneous vegetable matter.
- (f) Sizing.

APPLES - SEGMENTS AND RINGS (PEELED OR UNPEELED)

Sizing

23. (1) Sizing of dried apple segments and rings is optional: Provided that if sized, the following provisions shall apply:

- (a) The size of apple rings shall be determined by the diameter of the widest part, and the minimum size shall be 23 mm.
- (b) The thickness of apple rings shall not exceed 7 mm.
- (c) In the case of apple segments, the difference between the diameters of the largest fruit and the smallest fruit shall not exceed 20 mm.

Permissible deviations

(2) The maximum permissible deviations for dried apple segments and rings are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	15	20	*
(a) Colour: (ii) Major	1	5	5
(b) Shape	10	35	*
(c) Residual core	7	20	*
(d) Screenings	1	10	*
(e) Defects	7	20	35
(f) Extraneous vegetable matter	4	6	6
(g) Foreign matter: (i) Collectively	10	10	30
(g) Foreign matter: (ii) Minor	10	10	30
(g) Foreign matter: (iii) Major	4	6	6
(h) Deviations allowed under (a)(ii), (c), (d), (e), (f) and (g) collectively: Provided that the individual limits are not exceeded	16	40	*

* Denotes no specification

APRICOTS - WHOLE, HALVES AND FLATS

24. (1) Dried whole apricots, apricot halves and apricot flats shall be prepared from unpeeled apricots which may have been bleached or unbleached: Provided that --

- (a) dried whole apricot shall be destoned (pitted), and the two halves shall be attached to each other and retain the normal round appearance of the fruit: Provided further that Standard Grade and Sub-Standard Grade fruit may contain apricots that did not retain the normal round appearance;
- (b) dried apricot halves shall be cleanly cut, and Standard Grade and Sub-Standard

Grade fruit may contain thin and overripe fruit; and

- (c) in the case of dried apricot flats, Standard Grade and Sub-Standard Grade fruit may have irregular shapes because of over ripeness.

Sizing

- (2) (a) Sizing of dried whole apricots and apricot halves shall be mandatory for Choice Grade and Standard Grade fruit.
- (b) Sizing is determined by --
- (i) diameter (using a sieve mesh or a vernier caliper); or
- (ii) the number of fruit per kilogramme (linked to the size code in column 1 of Table C).

A. By diameter (sieve mesh diameter):

Size	Shall pass through a sieve of mesh diameter:	Shall not pass through a sieve of mesh diameter:
Minimum size	-	14 mm
Small	21 mm	14 mm
Medium: Halves	25 mm	21 mm
Medium: Destoned (pitted) wholes	25 mm	14 mm
Large	32 mm	25 mm
Extra large	-	32 mm

- Not applicable

B. By diameter (using a vernier caliper, measured over the largest dimension):

Size	Dimensions
Small	≥ 14 - 21 mm
Medium: Halves	> 21 - 25 mm
Medium: Destoned (pitted) wholes	≥ 14 - 25 mm
Large	> 25 - 32 mm
Extra large	> 32 mm

C. By number of fruit per kilogramme:

Size code	Number of whole fruit per kilogramme	Number of whole, destoned (pitted) fruit per kilogramme	Number of fruit halves per kilogramme
0	≤ 60	≤ 80	≤ 160
1	61 - 80	81 - 100	161 - 200
2	81 - 100	101 - 120	201 - 240
3	101 - 120	121 - 140	241 - 280
4	121 - 140	141 - 160	281 - 320
5	141 - 160	161 - 180	321 - 360
6	161 - 180	181 - 200	361 - 400
7	181 - 200	201 - 220	401 - 440
8	≥ 201	≥ 221	≥ 441

Permissible deviations

- (3) The maximum permissible deviations for dried whole apricots, apricot halves and apricot flats are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units			
	Choice Grade	Standard Grade (Flats only)	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	15	20	20	*
(ii) Major	1	5	5	5
(b) Blemishes: (i) Minor	20	*	*	*
(ii) Major	5	15	15	*
(iii) Minor and Major collectively: Provided that the individual limits are not exceeded	20	25	25	*
(c) Deviations in cut (flats excluded)	10	-	25	*
(d) Size group (flats excluded):				
(i) Too large	5	-	10	*
(ii) Too small	5	-	10	*
(e) Extraneous vegetable matter	4	6	6	6
(f) Foreign matter: (i) Collectively	10	10	10	30
(ii) Minor	10	10	10	30
(iii) Major	4	6	6	6
(g) Deviations allowed under (a)(ii), (b)(ii), (e) and (f) collectively: Provided that the individual limits are not exceeded	14	28	28	*

* Denotes no specification

- Denotes not applicable

PEACHES - SLICES, HALVES AND WHOLE (WITH STONE (PIT))

25. (1) (a) Dried peach slices and halves shall be cleanly cut.
- (b) Dried whole peaches with stone (pit) shall --
- (i) be prepared from peeled or unpeeled Clingstone peaches;
- (ii) be presented as Standard Grade and Sub-Standard Grade only; and
- (iii) not pass through a sieve of 25 mm mesh in the case of Standard Grade.

Sizing

- (2) Sizing of **dried peach halves** is optional: Provided that if sized, the following provisions shall apply:

- (a) Nectarine halves:

Size	Shall pass through a sieve of mesh diameter:	Shall not pass through a sieve of mesh diameter:
Small and minimum size for mixed sizes	25 mm	14 mm
Medium	35 mm	25 mm
Large	44 mm	35 mm
Extra large	-	44 mm

- Denotes not applicable

- (b) Other peach halves:

Size	Shall pass through a sieve of mesh diameter:	Shall not pass through a sieve of mesh diameter:
Small and minimum size for mixed sizes	25 mm	19 mm
Medium	35 mm	25 mm

Large	44 mm	35 mm
Extra large	-	44 mm

- Denotes not applicable

Permissible deviations

(3) The maximum permissible deviations for dried peach slices are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	20	20	*
(ii) Major	1	5	5
(b) Blemishes: (i) Minor	20	*	*
(ii) Major	5	5	*
(c) Deviations in cut	15	35	*
(d) Foreign matter: (i) Minor	10	10	*
(ii) Major	4	6	6
(e) Extraneous vegetable matter	4	6	6
(f) Slice thickness (Thickness measured over width of back): (i) Thicker than 22 mm	5	10	*
(ii) Thinner than 22 mm	5	10	*
(g) Skin rests (in respect of peeled slices): (i) Surface area smaller than 36 mm ²	5	10	*
(ii) Surface area larger than 36 mm ²	5	10	*
(h) Deviations allowed under (a)(ii), (b)(ii), (d), (e) and (g)(ii) collectively: Provided that the individual limits are not exceeded	13	21	*

* Denotes no specification

Permissible deviations

(4) The maximum permissible deviations for dried peach halves are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	15	20	*
(ii) Major	1	5	5
(b) Blemishes: (i) Minor	20	*	*
(ii) Major	5	15	*
(c) Deviations in cut	10	25	*
(d) Foreign matter: (i) Collectively	10	10	30
(ii) Minor	10	10	30
(iii) Major	4	6	6
(e) Extraneous vegetable matter	4	6	6
(f) Minimum size	5	6	*
(g) Skin rests (in respect of peeled halves): (i) Surface area smaller than 36 mm ²	5	20	*
(ii) Surface area larger than 36 mm ²	5	10	*
(h) Size: (i) Too large	15	15	*
(ii) Too small	15	15	*
(iii) Too large and too small collectively	15	15	*
(i) Deviations allowed under (a)(ii), (b)(ii), (d), (e) and (g)(ii) collectively: Provided that the individual limits are not exceeded	17	32	*

* Denotes no specification

Permissible deviations

- (5) The maximum permissible deviations for **dried whole peaches (with stone (pit))** are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units	
	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	20	*
(ii) Major	5	5
(b) Blemishes: (i) Minor	*	*
(ii) Major	15	*
(c) Foreign matter	6	6
(d) Extraneous vegetable matter	6	6
(e) Minimum size	10	*
(f) Skin rests (in respect of peeled) with a surface area larger than 36 mm ² per fruit unit	25	*
(g) Deviations allowed under (a)(ii), (b)(ii), (c), (d) and (f) collectively: Provided that the individual limits are not exceeded	38	*

* Denotes no specification

PEARS - HALVES (WITH AND WITHOUT CORE) AND SEGMENTS

26. (1) (a) Dried pear halves without core shall be prepared from peeled or unpeeled and cleanly cut pear halves, of which the core has been removed.
- (b) Dried pear halves with core shall --
- (i) be prepared from peeled or unpeeled and bleached pears of the variety Williams' Bon Chretien (Barlett) or any other suitable varieties;
- (ii) be cleanly cut; and
- (iii) be presented as Standard Grade and Sub-Standard Grade only.
- (c) Dried pear segments shall --
- (i) be prepared from unpeeled, bleached and cored pears; and
- (ii) be cleanly cut.

Sizing

- (2) Sizing of **dried pear halves** is optional: Provided that if sized, the following provisions shall apply:

- (a) Unpeeled pear halves:

Size	Shall pass through a sieve of mesh diameter:	Shall not pass through a sieve of mesh diameter:
Small and minimum size for mixed sizes	27.5 mm	25 mm
Medium	38 mm	27.5 mm
Large	48 mm	38 mm
Extra large	-	48 mm

- Denotes not applicable

- (b) Peeled pear halves:

Size	Shall pass through a	Shall not pass through a
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	sieve of mesh diameter:	sieve of mesh diameter:
Small and minimum size for mixed sizes	27.5 mm	19 mm
Medium	32 mm	27.5 mm
Large	-	32 mm

- Denotes not applicable

Permissible deviations

(3) The maximum permissible deviations for dried pear halves without core are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	20	20	*
(ii) Major	1	5	5
(b) Blemishes: (i) Minor	20	*	*
(ii) Major	5	15	*
(c) Deviations in cut	10	25	*
(d) Defects	7	20	35
(e) Size group: (i) Too large	5	10	*
(ii) Too small	5	10	*
(f) Extraneous vegetable matter	4	6	6
(g) Foreign matter: (i) Collectively	10	10	30
(ii) Minor	10	10	30
(iii) Major	4	4	6
(h) Deviations allowed under (a)(ii), (b)(ii), (d), (f) and (g) collectively: Provided that the individual limits are not exceeded	14	38	*

* Denotes no specification

Permissible deviations

(4) The maximum permissible deviations for dried pear halves with core are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units	
	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	20	*
(ii) Major	5	5
(b) Blemishes: (i) Minor	*	*
(ii) Major	15	*
(c) Deviations in cut	25	*
(d) Extraneous vegetable matter	6	6
(e) Foreign matter: (i) Collectively	10	10
(ii) Minor	10	10
(iii) Major	4	6
(f) Deviations allowed under (a)(ii), (b)(ii), (d) and (e) collectively: Provided that the individual limits are not exceeded	22	*

* Denotes no specification

Permissible deviations

(5) The maximum permissible deviations for dried pear segments are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	20	20	*
(ii) Major	1	5	5
(b) Blemishes: (i) Minor	20	*	*

Quality factor	Tolerances for defective fruit - number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(ii) Major	5	15	*
(c) Deviations in cut	10	25	*
(d) Defects	7	20	35
(e) Extraneous vegetable matter	4	6	6
(f) Foreign matter: (i) Collectively	10	10	30
(ii) Minor	10	10	30
(iii) Major	4	6	6
(g) Deviations allowed under (a)(ii), (b)(ii), (d), (e) and (f) collectively: Provided that the individual limits are not exceeded	18	40	*

* Denotes no specification

PLUMS - HALVES

27. (1) Dried plum halves shall --

- (a) be prepared from bleached plums of the yellow flesh varieties or any other suitable varieties; and
- (b) be cleanly cut: Provided that Standard Grade and Sub-Standard Grade may contain thin and overripe fruit.

Sizing

(2) Sizing of **dried plum halves** is optional: Provided that if sized, the following provisions shall apply:

Size	Shall pass through a sieve of mesh diameter	Shall not pass through a sieve of mesh diameter
Small and minimum size for mixed sizes	-	14,1 mm
Medium	25 mm	14,1 mm
Large	35 mm	25 mm

- Denotes not applicable

Permissible deviations

(3) The maximum permissible deviations for **dried plum halves** are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	20	20	*
(ii) Major	1	5	5
(b) Blemishes: (i) Minor	20	*	*
(ii) Major	5	15	*
(c) Deviations in cut	10	25	*
(d) Size group: (i) Too large	5	10	*
(ii) Too small	5	10	*
(iii) Too large and too small collectively	5	10	*
(e) Extraneous vegetable matter	4	6	6
(f) Foreign matter: (i) Collectively	10	10	30
(ii) Minor	10	10	30
(iii) Major	4	6	6
(g) Deviations permissible under (a)(ii), (b)(ii), (e) and (f) collectively: Provided that the	14	28	*

Quality factor	Tolerances for defective fruit - number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
individual limits are not exceeded			

* Denotes no specification

PRUNES - WHOLE (WITH AND WITHOUT STONE (PIT))

28. (1) (a) Prunes shall be prepared from whole prunes of suitable varieties with the stone (pit) either still intact or removed.
- (b) In the case of destoned (pitted) prunes, the fruit shall be destoned by an appropriate process such as to minimize the damage to the skin, and the number of cuts necessary to destone the prunes shall be limited to two cuts.
- (c) Pressure-pitted prunes may only be presented as Standard Grade and the number of cuts necessary to destone the prunes is not limited.

Sizing

- (2) (a) Sizing shall be mandatory for prunes: Provided that --
- (i) sizing for pressure pitted prunes is optional unless they are packed and presented for sale to the consumer; and
- (ii) sizing for destoned (pitted) prunes shall be determined by count taken before the stone is removed.
- (b) Sizing shall be determined according to the following scales:

- (i) **Diameter** [for whole fruit with the stone (pit) still intact]:

Count group/Designation	Shall pass through a sieve of mesh diameter:	Shall not pass through a sieve of mesh diameter:
Small	21 mm	19 mm
Medium	23,5 mm	21 mm
Large	27,5 mm	23,5 mm
Extra large	-	27,5 mm

- Denotes not applicable

- (ii) **Count** [for fruit with or without stone (pit)]:

Count group/Designation per 454 gram	Choice Grade (number of prunes)	Standard Grade (number of prunes)
	Choice Grade shall not exceed 80	Standard Grade shall not exceed 110
Extra small	Not permissible	101 - 110
Small	Not permissible	81 - 100
Medium	61 - 80*	61 - 80
Large	41 - 60	41 - 60
Extra large	1 - 40	1 - 40

* In the case of mixed dried fruit, 100 prunes shall be allowed.

- (iii) **Destoned (pitted) Prunes – Choice Grade only:** Size shall be determined by the count taken before the stones (pits) are removed from the prunes.

Count group/ Designation	Number of prunes per 454 g
Large	≤ 60
Medium	> 60

Uniformity of size

- (3) (a) Prunes packed in accordance with the sizing scales referred to in sub-regulation (2)(d) shall be reasonably uniform in size.
- (b) The difference between the number of the smallest prunes and the number of the largest prunes in a sample of 454 g shall not exceed:

Size number	Maximum difference between the number of largest and smallest prunes
44 – 55	25 units
56 – 77	35 units
>77	45 units

- (c) The difference is calculated by reference to 10 percent (by mass) of the sample for the smallest prunes and 10 percent (by mass) for the largest prunes.

Permissible deviations

- (4) The maximum permissible deviations for prunes with stone (pit) are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Damaged prunes	5	10	*
(b) Blemishes: (i) Minor	10	*	*
(ii) Major	3	15	*
(c) Size group: (i) Too large	5	5	*
(ii) Too small	5	5	*
(d) Deviations allowed under (a), (b)(ii) and (c) collectively: Provided that the individual limits are not exceeded	15	28	*

* Denotes no specification

Permissible deviations

- (5) The maximum permissible deviations for destoned (pitted) prunes are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Damaged prunes (excluding two holes across from each other formed during destoning)	15	25	*
(b) Blemishes (excluding two holes across from each other formed during destoning): (i) Minor	10	*	*
(ii) Major	3	15	*
(c) Texture	5	10	*
(d) Prunes with stone (pit)	4	7	10
(e) Foreign matter: (i) Collectively	10	10	30
(ii) Minor	10	10	30
(iii) Major	4	4	6
(f) Extraneous vegetable matter	4	6	6
(g) Deviations allowed under (a), (b)(ii), (d), (e) and (f) collectively: Provided that the individual limits are not exceeded	24	40	*

* Denotes no specification

PART VIII
SPECIFIC QUALITY STANDARDS FOR DRIED SUBTROPICAL FRUIT

Definitions

29. (1) Where used specifically with regard to dried subtropical fruit --
- (a) "**deviations in cut**" means pieces of fruit that differ more than 25% from the mean form or size or mass of the majority of the fruit pieces in a single packet;
 - (b) "**subtropical fruit**" means banana, mango, paw-paw (papaya) and pineapple.

Quality standards

- (2) All dried subtropical fruit shall not contain more than 24% moisture.
- (3) All dried subtropical fruit shall in addition also comply with the general quality standards set out in regulation 5.
- (4) The following quality factors shall be used to determine the grade for each dried subtropical fruit product concerned:
 - (a) Blemishes.
 - (b) Foreign matter.
 - (c) Grey and black discolouration.
 - (d) Deviation in cut.
 - (e) Extraneous vegetable matter.
 - (f) Retained core.

BANANAS - STRIPS AND RINGS

30. (1) Dried bananas shall --
- (a) be prepared from peeled bananas sliced in a direction parallel to the natural seam of the fruit in the case of strips; or
 - (b) be prepared from peeled bananas cut at right angles to the longitudinal axis in the case of rings;
 - (c) have a chewable texture: Provided that Standard Grade bananas shall have a reasonably chewable texture;
 - (d) be pliable when folding a single strip;
 - (e) be free from blackened fruit ends;
 - (f) be free from blackened parts in a strip;
 - (g) consist of uniform size pieces of fruit; and
 - (h) be free from fruit with floury taste and texture.

Sizing

- (2) Sizing of **dried banana strips and rings** is optional: Provided that if sized, the following provisions shall apply:

Grade	Minimum diameter	Thickness
Choice	30 mm	3 – 5 mm
Standard	22 mm	3 – 5 mm
Sub-Standard	15 mm	3 – 5 mm

Permissible deviations

(3) The maximum permissible deviations for **dried banana strips and rings** are as follows:

Quality factor	Tolerances for defective fruit – number per 100 g fruit		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Blemishes	3	6	10
(b) Foreign matter: (i) Minor (ii) Major	5	8	12
	2	4	8
(c) Extraneous vegetable matter	3	6	6
(d) Blackened fruit ends	3	6	12
Tolerances for defective fruit – mass per 100 g fruit			
(e) Blackened fruit parts	20	30	*
(f) Deviations in cut	20	35	*

* Denotes no specification

Additional marking requirements

(4) Subject to the provisions of regulation 10 --

- (a) dried banana strips may use the alternative product name "dried banana sticks"; and
- (b) dried banana rings may use the alternative product name "dried banana roundels" or "dried banana slices".

MANGOES - STRIPS

31. (1) Dried mango strips shall --

- (a) be prepared from peeled and cleanly cut mangoes;
- (b) have a chewable texture: Provided that Standard Grade mangoes shall have a reasonably chewable texture;
- (c) have a maximum thickness of 14 mm for Choice Grade mangoes; and
- (d) be pliable when folding a single piece or strip.

(2) Different varieties of dried mango strips may be packed in the same container.

Sizing

(3) Sizing of dried mango strips is optional: Provided that if sized, the size shall be determined by the diameter of the widest part.

Permissible deviations

(4) The maximum permissible deviations for **dried mango strips** are as follows:

Quality factor	Tolerances for defective fruit - number per 100 g fruit					
	Choice Grade		Standard Grade		Sub-Standard Grade	
	Less than 25 pieces per 100 g	Between 25 and 80 pieces per 100 g	Less than 25 pieces per 100 g	25 pieces and more per 100 g	Less than 25 pieces per 100 g	25 pieces and more per 100 g
(a) Colour: Total area of grey discolouration allowed in 100 g	350 mm ²	550 mm ²	500 mm ²	700 mm ²	*	
(b) Blemishes	3	10	6	20	12	35
(c) Too thick cuts	1	1	3	3	5	5

Quality factor	Tolerances for defective fruit - number per 100 g fruit					
	Choice Grade		Standard Grade		Sub-Standard Grade	
	Less than 25 pieces per 100 g	Between 25 and 80 pieces per 100 g	Less than 25 pieces per 100 g	25 pieces and more per 100 g	Less than 25 pieces per 100 g	25 pieces and more per 100 g
(d) Foreign matter:						
(i) Minor	5	15	8	24	12	40
(ii) Major	2	3	4	6	8	10
(e) Extraneous vegetable material	3	3	6	6	6	6
Tolerances for defective fruit – mass per 100 g fruit						
(f) Deviations in cut	20	20	35	35	*	

* Denotes no specification

PAWPAWS (PAPAYAS) - PIECES AND STRIPS

32 (1) Dried pawpaw (papaya) pieces and strips shall --

- (a) be prepared from peeled and cleanly cut pawpaws (papayas);
- (b) have a yellow to deep orange-red colour; and
- (c) be pliable when folding a single piece or strip.

Sizing

(2) Sizing of dried pawpaw (papaya) pieces and strips is optional: Provided that if sized, the size shall be determined by the diameter of the widest part and the size of units in the same container shall be fairly uniform.

Permissible deviations

(3) The maximum permissible deviations for dried pawpaw (papaya) pieces and strips are as follows:

Quality factor	Tolerances for defective fruit - number per 100 g fruit		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour: Total area of grey discolouration allowed in 100 g	250mm ²	500mm ²	*
(b) Blemishes	10	20	35
(c) Foreign matter: (i) Minor	15	24	40
(ii) Major	3	6	10
(d) Extraneous vegetable material	3	6	6
Tolerances: for defective fruit - mass per 100 g fruit			
(e) Deviations in cut	20	35	*

* Denotes no specification

PINEAPPLES - WHOLE SLICES, HALF SLICES AND SEGMENTS

33. (1) Dried pineapple whole slices, half slices and segments shall --

- (a) be prepared from whole, cored pineapples cut into round slices at right angles to the longitudinal axis in the case of whole slices and half slices; or
- (b) be prepared from whole slices cut into four to six segments;
- (c) be bright yellow to dark yellow in colour and free from darkened portions; and

- (d) have a good texture: Provided that Standard Grade dried pineapples shall have a reasonably good texture.

Sizing

- (2) Sizing of dried pineapple whole slices, half slices and segments is optional: Provided that if sized, the size of units in any container shall be uniform.

Permissible deviations

- (3) The maximum permissible deviations for dried pineapple whole slices, half slices and segments are as follows:

Quality factor	Tolerances for defective fruit - mass per 100 g fruit		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	15	30	*
(ii) Major	1	5	5
(b) Blemishes (by number)	2	4	10
(c) Retained core (by number)	3	6	*
(d) Extraneous vegetable matter	4	6	6
(e) Foreign matter: (i) Minor	5	8	12
(ii) Major	2	4	8
(f) Deviations in cut	20	35	*
(g) Deviations allowed under (a)(ii), (b), (c), (d) and (e)(ii) collectively: Provided that the individual limits are not exceeded	9	18	35

* Denotes no specification

PART IX SPECIFIC QUALITY STANDARDS FOR DRIED GRAPES (RAISINS)

Definitions

34. (1) Where used specifically with regard to dried grapes (raisins) --
- (a) **"berry stems (cap stems)"** means small woody stems, whether attached to a berry or not provided that the nodule shall not be deemed as berry stem: Provided further that --
 - (i) in the case of currants it is small stems attached to the berry or loose amongst the fruit, longer than 3 mm in length; and
 - (ii) in the case of other vine fruit it is small stems attached to the berries or loose amongst the fruit of 1 mm or less in thickness and 10 mm or less in length.
 - (b) **"bold raisins"** means raisins obtained from a seedless grape cultivar that has not been treated with a plant growth regulator(s);
 - (c) **"bunch"** means two or more raisins attached to the same stalk;
 - (d) **"crystallised or sugared"** means berries with external or internal sugar crystals which are readily apparent and seriously affect the appearance of the raisin;
 - (e) **"currants"** means a seedless currant cultivar (e.g. "Black Corinth", "Corinthian" or "Korinthiaki") that has been dried in direct sunlight on concrete slabs, drying nets or drying racks;
 - (f) **"damaged"** means fruit that has been damaged, broken or crushed by handling practices and transport to such an extent that the inner flesh is exposed: Provided that the damage from the removal of seeds and cap stems shall not be considered

"damaged";

- (g) **"flame"** means a seedless table grape cultivar that has been dried on concrete slabs or drying nets, in direct sunlight. It can also be treated with cold lye solution and then dried on concrete slabs or drying nets, in direct sunlight;
- (h) **"floaters"** means dry, immature, hardish berries, underdeveloped berries, extremely light in mass and shrivelled with practically no flesh;
- (i) **"golden jumbo"** means a seedless table grape cultivar that has been treated with a plant growth regulator(s) and a cold lye solution (sultana oil, potash and water), stacked on wooden scaffolding and treated with sulphur dioxide in fumigation rooms and dried on wooden scaffolding in shade;
- (j) **"golden sultanas"** means a seedless grape cultivar that has been sulphur dioxide treated;
- (k) **"jumbo raisins"** means a seedless table grape cultivar that has been treated with a plant growth regulator(s) and dried in direct sunlight on concrete slabs or drying nets;
- (l) **"major deviations in colour"** means a drastic colour deviation from the normal colour range of the vine fruits as defined in the colour chart;
- (m) **"minor deviations in colour"** means a slight colour deviation from the normal colour range of the vine fruits as defined in the colour chart;
- (n) **"Orange River (OR) sultanas"** means a seedless grape cultivar, treated with cold lye solution (sultana oil, potash and water) and dried in the shade on drying shelves;
- (o) **"plant growth regulator"** means a natural or synthetic chemical compound used to stimulate both cell division and elongation that affects leaves and stems, or used to promote fruit ripening, abscission, flower induction, and other responses;
- (p) **"seedless"** means fruit naturally without pips or seeds;
- (q) **"South African (SA) sultanas"** means a seedless grape cultivar that has been treated with cold lye solution (sultana oil, potash and water) and dried in direct sunlight on concrete slabs or drying nets;
- (r) **"stalks"** means the wooden branches of the bunch on which the berries are attached by means of berry stems and will only be deemed as stalks when thicker than 1 mm or else longer than 10 mm;
- (s) **"swartbekkie"** means a brown to black discolouration of up to 3 mm in diameter which develops from the cap-stem: Provided that if the discolouration exceeds 3 mm it shall be considered a blemish; and
- (t) **"vine fruit"** means any suitable dried-grape variety.

Additional marking requirements

- (2) Subject to the provisions of regulation 10, the product name "dried grapes" or "raisins" --
 - (a) shall be replaced by the expression "currants" in the case of currants described in regulation 35;
 - (b) shall be replaced by the expression "golden sultanas", "bleached sultanas", "golden bleached sultanas" or "sultanas" in the case of golden sultanas described in regulation 36;
 - (c) shall be replaced by the expression "Orange River sultanas", "O.R. sultanas" or "sultanas" in the case of Orange River (OR) sultanas described in regulation 37;

- (d) shall be replaced by the expression "seedless raisins", "'X' raisins"/ or "'X' seedless"/ " 'X' seedless raisins" (where 'X' indicates the name of the variety) in the case of seedless raisins described in regulation 38; or
- (e) shall be replaced by the expression "South African sultanas", "S.A. sultanas" or "sultanas" in the case of South African (SA) sultanas described in regulation 39.

CURRENTS

Quality standards

35. (1) The quality standards for currents are as follows:

- (a) Moisture content and berry size:

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Moisture content %	12 – 18	12 – 18	12 – 18
(b) Berry size:			*
(i) Screening	Berries shall pass through a sieve of mesh diameter of maximum 8 mm Berries shall not pass through a sieve of mesh diameter of 2 mm	Berries shall pass through a sieve of mesh diameter of maximum 8 mm Berries shall not pass through a sieve of mesh diameter of 2 mm	
(ii) Count per 100g	900 - 1600	900 - 1800	*

* Denotes no specification

- (b) Currents shall in addition also comply with the general quality standards set out in regulation 5.

Permissible deviations

- (2) The maximum permissible deviations for currents are as follows:

Quality factor	Tolerances for defective fruit - Percent by mass in 100 g of fruit (unless otherwise indicated)		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Berry size > 8 mm	2	5	15
(b) Blemishes	5	10	*
(c) Crystallised or sugared berries	5	10	*
(d) Currents with seeds	2	5	15
(e) Damaged berries	2	5	30
(f) Floaters	2	5	20
(g) Berry stems (Cap stems) per 250g	25	25	25
(h) Stalks (per 12 - 15 kg): > 10 mm in length or thicker than 1 mm	1	1	1

* Denotes no specification

GOLDEN SULTANAS AND GOLDEN JUMBO SULTANAS

Quality standards

36. (1) The quality standards for Golden Sultanas and Golden Jumbo Sultanas are as follows:

- (a) Colour range and moisture content:

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour range	Berries shall comply with Colour Golden Chart no. 1 – 5	Berries shall comply with Colour Golden Chart no. 6 – 7	*
(b) Moisture content %	11 – 17	11 – 17	11 – 17

* Denotes no specification.

- (b) Golden sultanas and Golden Jumbo sultanas shall in addition also comply with the general quality standards set out in regulation 5.

Sizing

(2) Sizing of **Golden Sultanas and Golden Jumbo Sultanas** is optional: Provided that if sized, the size shall be determined by --

- (c) screening (minimum and maximum diameter); or
(b) count (minimum and maximum number of berries per 100 g).

A. Screening:

Designation	Choice Grade		Standard Grade		Sub-Standard Grade	
	Berries shall pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:	Berries shall pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:	Berries shall pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:
Jumbo	15 mm	12 mm	*	*	*	*
Bold	13 mm	10 mm	*	*	*	*
Regular/ Medium	13 mm	6 mm	13 mm	6 mm	13 mm	6 mm
Small/Midget	9 mm	6 mm	*	*	*	*

* Denotes no specification.

B. Count:

Designation	Choice Grade	Standard Grade	Sub-Standard Grade
Jumbo	70 - 150	70 - 150	70 - 150
Bold	150 - 200	150 - 200	150 - 200
Regular/Medium	200 - 310	200 - 310	200 - 310
Small/Midget	310 - 480	310 - 480	310 - 480

* Denotes no specification.

Permissible deviations

(3) The maximum permissible deviations for **Golden Sultanas and Golden Jumbo Sultanas** are as follows:

Quality factor	Tolerances for defective fruit - Percent by mass in 100 g of fruit (unless otherwise indicated)					
	Choice Grade		Standard Grade		Sub-Standard Grade	
	Small & Regular	Bold Jumbo	Small & Regular	Bold Jumbo	Small & Regular	Bold Jumbo
(a) Colour deviation:						
(i) Minor (Chart 1 - 2)	10	10	25	25	*	*
(ii) Major (Chart 3 - 5)	2	2	8	8	*	*
(b) Blemishes	5	5	10	10	35	35
(c) Crystallised or sugared berries	5	5	20	15	*	*
(d) Damaged berries	2	2	5	5	10	10
(e) Swartbekkie	15	15	25	25	*	*
(f) Floaters	2	2	5	5	10	10
(g) Berry stems (Cap stem) per kg	30	40	30	40	30	40
(h) Stalks (per 12 - 15 kg): > 10 mm in length or thicker than 1 mm	1	1	1	1	1	1

* Denotes no specification

ORANGE RIVER (OR) SULTANAS

Quality standards

37. (1) The quality standards for **Orange River (OR) Sultanas** are as follows:

(a) Colour range and moisture content:

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour range	Berries shall comply with O.R. Colour Chart no. 1 - 4	Berries shall comply with O.R. Colour Chart no. 5 - 6	*
(b) Moisture content %	11 - 17	11 - 17	11 - 17

* Denotes no specification.

(b) Orange River (OR) Sultanas shall in addition also comply with the general quality standards set out in regulation 5.

Sizing

(2) Sizing of **Orange River (OR) Sultanas** is optional: Provided that if sized, the size shall be determined by --

- (a) screening (minimum and maximum diameter); or
- (b) count (minimum and maximum number of berries per 100 g).

A. Screening:

Designation	Choice Grade		Standard Grade		Sub-Standard Grade	
	Berries shall pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:	Berries shall pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:	Berries shall pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:
Jumbo	15 mm	12 mm	15 mm	12 mm	15 mm	12 mm
Bold	13 mm	10 mm	13 mm	10 mm	13 mm	10 mm
Regular/ Medium	13 mm	6 mm	13 mm	6 mm	13 mm	6 mm

Designation	Choice Grade		Standard Grade		Sub-Standard Grade	
Small/Midget	9 mm	6 mm	9 mm	6 mm	9 mm	6 mm

* Denotes no specification.

B. Count:

Designation	Choice Grade	Standard Grade	Sub-Standard Grade
Jumbo	70 - 150	70 - 150	70 - 150
Bold	150 - 210	150 - 210	150 - 210
Regular/Medium	210 - 320	210 - 330	210 - 320
Small/Midget	320 - 480	320 - 480	320 - 480

* Denotes no specification.

Permissible deviations

(3) The maximum permissible deviations for Orange River (OR) Sultanas are as follows:

Quality factor	Tolerances for defective fruit - Percent by mass in 100 g of fruit (unless otherwise indicated)					
	Choice Grade		Standard Grade		Sub-Standard Grade	
	Small & Regular	Bold Jumbo	Small & Regular	Bold Jumbo	Small & Regular	Bold Jumbo
(a) Colour deviation:						
(i) Minor (Chart 3)	10	10	20	20	*	*
(ii) Major (Chart 4)	3	3	10	10	*	*
(b) Blemishes	5	5	10	10	*	*
(c) Crystallised or sugared berries	5	5	10	10	*	*
(d) Damaged berries	2	2	5	5	10	10
(e) Swartbekkie	15	15	30	30	*	*
(f) Floaters	2	2	5	5	10	10
(g) Berry stems (Cap stem) per kg	30	40	30	40	30	40
(h) Stalks (per 12 - 15 kg): > 10 mm in length or thicker than 1 mm	1	1	1	1	1	1

* Denotes no specification

SEEDLESS RAISINS - THOMPSON AND OTHER SEEDLESS VARIETIES

Quality standards for Thompson seedless, Prime, Regal, Festival, Crimson and Midnight varieties

38. (1) The quality standards for Thompson seedless, Prime, Regal, Festival, Crimson and Midnight varieties are as follows:

(a) Colour range and moisture content:

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour range	Berries shall comply with Thompson Seedless Colour Chart no. 1 - 5	Berries shall comply with Thompson Seedless Colour Chart no. 5 - 6	*
(b) Moisture content %	11 - 17	11 - 17	11 - 17

* Denotes no specification.

- (b) Thompson seedless, Prime, Regal, Festival, Crimson and Midnight varieties shall in addition also comply with the general quality standards set out in regulation 5.

Sizing for Thompson seedless, Prime, Regal, Festival, Crimson and Midnight varieties

(2) Sizing of **Thompson seedless, Prime, Regal, Festival, Crimson and Midnight varieties** is optional: Provided that if sized, the size shall be determined by --

- (a) screening (minimum and maximum diameter); or
(b) count (minimum and maximum number of berries per 100 g).

A. Screening:

Designation	Choice Grade		Standard Grade		Sub-Standard Grade
	Berries shall pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:	Berries shall pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:	
Jumbo	15 mm	12 mm	15 mm	6 mm	*
Bold	13 mm	10 mm	*	*	*
Regular/ Medium	11 mm	9 mm	13 mm	6 mm	*
Small/Midget	8 mm or 9 mm	6 mm	*	*	*

* Denotes no specification.

B. Count:

Designation	Choice Grade	Standard Grade	Sub-Standard Grade
Jumbo	70 - 150	70 - 150	70 - 150
Bold	150 - 210	150 - 210	150 - 210
Regular/Medium	210 - 320	210 - 320	210 - 320
Small/Midget	320 - 480	320 - 480	320 - 480

* Denotes no specification.

Permissible deviations for Thompson seedless, Prime, Regal, Festival, Crimson and Midnight varieties

(3) The maximum permissible deviations for **Thompson seedless, Prime, Regal, Festival, Crimson and Midnight varieties** are as follows:

Quality factor	Tolerances for defective fruit - Percent by mass in 100 g of fruit (unless otherwise indicated)					
	Choice Grade		Standard Grade		Sub-Standard Grade	
	Small & Regular	Bold Jumbo	Small & Regular	Bold Jumbo	Small & Regular	Bold Jumbo
(a) Colour deviation:						
(i) Minor (Chart No.1)	5	5	15	15	*	*
(ii) Major (Chart No. 2 - 3)	2	2	5	5	*	*
(b) Blemishes	5	5	10	10	*	*
(c) Crystallised or sugared berries	5	5	10	10	*	*
(d) Damaged berries	2	2	5	5	10	10

Quality factor	Tolerances for defective fruit - Percent by mass in 100 g of fruit (unless otherwise indicated)					
	Choice Grade		Standard Grade		Sub-Standard Grade	
	Small & Regular	Bold Jumbo	Small & Regular	Bold Jumbo	Small & Regular	Bold Jumbo
(e) Swartbekkie	15	15	30	30	*	*
(f) Floaters	2	2	5	5	10	10
(g) Berry stems (Cap stem) per kg	30	40	30	40	30	40
(h) Stalks (per 12 - 15 kg): > 10 mm in length or thicker than 1 mm	1	1	1	1	1	1

* Denotes no specification.

Quality standards for Flame seedless variety

(4) The quality standards for **Flame seedless variety** are as follows:

(a) Colour range and moisture content:

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour range	Berries shall comply with Flame Colour Chart no. 1 - 2	Berries shall comply with Flame Colour Chart no. 1 - 2	*
(b) Moisture content %	11 – 17	11 – 17	11 – 17

* Denotes no specification.

(b) Flame seedless shall in addition also comply with the general quality standards set out in regulation 5.

Sizing for Flame seedless variety

(5) Sizing of **Flame seedless variety** is optional: Provided that if sized, the size shall be determined by --

- (a) screening (minimum and maximum diameter); or
- (b) count (minimum and maximum number of berries per 100 g).

A. Screening:

Designation	Choice Grade		Standard Grade		Sub-Standard Grade
	Berries shall not pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:	Berries shall not pass through a sieve of mesh diameter:	
Jumbo	15 mm	12 mm	15 mm	12 mm	*
Bold	13 mm	10 mm	13 mm	10 mm	*
Regular/ Medium	12 mm	6 mm	13 mm	6 mm	*
Small/Midget	9 mm	6 mm	9 mm	6 mm	*

* Denotes no specification.

B. Count:

Designation	Choice Grade	Standard Grade	Sub-Standard Grade
Jumbo	70 - 150	70 - 150	70 - 150
Bold	160 - 230	160 - 230	160 - 230
Regular/Medium	230 - 320	230 - 320	230 - 320
Small/Midget	350 - 480	350 - 480	350 - 480

* Denotes no specification.

Permissible deviations

(6) The maximum permissible deviations for **Flame seedless variety** are as follows:

Quality factor	Tolerances for defective fruit - Percent by mass in 100 g of fruit (unless otherwise indicated)					
	Choice Grade		Standard Grade		Sub-Standard Grade	
	Small & Regular	Bold Jumbo	Small & Regular	Bold Jumbo	Small & Regular	Bold Jumbo
(a) Colour deviation: Minor (Chart 1)	10	10	40	40	*	*
(b) Blemishes	5	5	10	10	*	*
(c) Crystallised or sugared berries	5	5	10	10	*	*
(d) Damaged berries	2	2	5	5	10	10
(e) Swartbekkie	15	15	30	30	*	*
(f) Floaters	2	2	5	5	10	10
(g) Berry stems (Cap stem) per kg	30	40	30	40	30	40
(h) Stalks (per 12 - 15 kg): > 10 mm in length or thicker than 1 mm	1	1	1	1	1	1

* Denotes no specification.

SOUTH AFRICAN (SA) SULTANAS**Quality standards**

39. (1) The quality standards for South African (SA) Sultanas are as follows:

(a) Colour range, moisture content and berry size:

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour range	Berries shall comply with S.A Sultana Colour Chart no. 1 – 4	Berries shall comply with S.A Sultana Colour Chart no. 1 - 4	*
(b) Moisture content %	11 – 17	11 – 17	11 – 17
(c) Berry size:			*
(i) Screening	Berries shall pass through a sieve of mesh diameter of maximum 13 mm Berries shall not pass through a sieve of mesh diameter of 6 mm	Berries shall pass through a sieve of mesh diameter of maximum 13 mm Berries shall not pass through a sieve of mesh diameter of 6 mm	
(ii) Count per 100g	220 - 380	220 - 380	*

* Denotes no specification

(b) South African (SA) sultanas shall in addition also comply with the general quality standards set out in regulation 5.

Permissible deviations

(2) The maximum permissible deviations for **South African (SA) Sultanas** are as follows:

Quality factor	Tolerances for defective fruit - Percent by mass in 100 g of fruit (unless otherwise indicated)		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour deviation: Minor (Chart No. 1)	10	15	*
(b) Swartbekkies	20	35	*
(c) Blemishes	5	20	*
(d) Crystallised or sugared berries	5	10	*
(e) Damaged berries	2	5	10
(f) Floaters	2	5	10
(g) Berry stems (Cap stems) per kg	30	30	30
(h) Stalks (per 12 - 15 kg): > 10 mm in length or thicker than 1 mm	1	1	1

* Denotes no specification

PART X
SPECIFIC QUALITY STANDARDS FOR OTHER DRIED FRUIT

Definitions**DATES - WHOLES AND BLOCKS**

40. (1) Where used specifically with regard to whole dates --
- (a) "**commercial type**" means cane sugar varieties or invert sugar varieties as contemplated in sub-regulation (2);
 - (b) "**damaged fruit**" means, in the case of unpitted dates only, fruit affected by mashing, tearing, breaking of the skin, leaving the kernel visible so that the appearance of the fruit is noticeably affected;
 - (c) "**immature fruit**" means fruit light in mass, stunted or distinctly rubbery in texture; and
 - (d) "**unpollinated fruit**" means fruit not pollinated, as indicated by stunted growth, immature characteristics and absence of pit.

Quality standards**Commercial types and varieties**

- (2) (a) Dates shall be classified as follows based on the nature of their principal sugar component. The list of commercial types and varieties mentioned below is, however, non-exhaustive:
- (i) **Cane sugar commercial types** which contain mainly sucrose, include the following varieties:
 - Dagleat Beidha (Dagleat Beidha).
 - Dagleat Noor (Dagleat Noor).
 - (ii) **Invert sugar commercial types** which contain mainly glucose and fructose, include the following varieties:
 - Alig.
 - Amri.
 - Barhi (Barhee).
 - Begum Jangi.
 - Deri.

- Hallaawi (Halawy).
- Kenta.
- Khadhraawi (Khadrawy).
- Khouet Alig.
- Medjoul (Majhoul; Medjool).
- Saiidi (Saidy).
- Sayir (Sayer).
- Zahdi (Zahidi).

(a) The maximum moisture content for whole dates and date blocks shall be as follows:

Commercial types and varieties	Maximum moisture content (%)
(i) Cane sugar varieties:	
- Daglat Beidha (Deglet Beidha)	26
- Daglat Noor (Deglet Nour)	30
(ii) Invert sugar varieties	30

(b) In addition to the general quality standards set out in regulation 5, **whole unpitted and pitted dates** shall --

- (i) be ripe and plump, where applicable;
- (ii) be intact in the case of whole unpitted dates;
- (iii) have the shape, development and colour characteristic of the variety and/or commercial type: Provided that Standard Grade dates may have slight defects in form or development;
- (iv) be amber-coloured to brown: Provided that Standard Grade dates may have defects of colouration;
- (v) have abundant flesh which is fat or semi-fat and greasy;
- (vi) have a translucent epicarp, which, according to the variety, adhere to the flesh: Provided that Standard Grade dates may have slight defects of the epicarp that do not affect the pulp;
- (vii) be uniform and each container shall contain only fruit of the same origin; and
- (viii) be of the same variety: Provided that Standard Grade shall be of the same commercial type.

(c) In addition to the general quality standards set out in regulation 5, **date blocks** shall also comply with the following requirements --

- (i) consist of compressed whole pitted dates packed in rectangular, or any other shape, blocks;
- (ii) be free from blackened portions;
- (iii) have an attractive and typical colour for Choice Grade fruit and be reasonably attractive and typical of the cultivar concerned for Standard Grade fruit; and
- (iv) have a good and fleshy texture for Choice Grade fruit.

Sizing

(d) Whole pitted and unpitted dates shall, irrespective of the variety, have a minimum mass of 2.0 g.

Permissible deviations

(3) The maximum permissible deviations for **whole unpitted dates** are as follows:

Quality factor	Tolerances for defective fruit – Percent by number in 100 g of fruit (unless otherwise indicated)		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Fermentation (Fermented/ Sour fruit)	0	0	1
(b) Extraneous vegetable matter	3	5	8
(c) Damaged, immature or unpollinated fruit	3	6	15
(d) Blemished fruit	4	6	10
(e) Units less than 2.0 g (percent by mass in 100 g of fruit)	10	10	20
(f) Deviations allowed under (a), (b), (c) and (d) collectively: Provided that the individual limits are not exceeded	7	12	24

(4) The maximum permissible deviations for **whole pitted dates** are as follows:

Quality factor	Tolerances for defective fruit – Percent by number in 100 g of fruit (unless otherwise indicated)		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Fermentation (Fermented/ Sour fruit)	0	0	1
(b) Extraneous vegetable matter	3	5	8
(c) Immature or unpollinated fruit	3	6	15
(d) Blemished fruit	4	6	10
(e) Unpitted units among pitted fruit	2	4	6
(f) Units less than 2.0 g (percent by mass in 100 g of fruit)	10	10	20
(g) Deviations allowed under (a), (b), (c), (d) and (e) collectively: Provided that the individual limits are not exceeded	7	12	24

(5) The maximum permissible deviations for **date blocks** are as follows:

Quality factor	Tolerances for defective fruit - per total units of fruit/block		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Extraneous vegetable matter	4	6	6
(b) Foreign matter	4	6	6

Additional marking requirements

(6) Subject to the provisions of regulation 10, the product name shall be "dates" or "whole dates" or "date block", as the case may be: Provided that --

- (a) the expression "pitted" or "unpitted", as the case may be, shall be indicated as part of the product name in the case of whole dates only;
- (b) the name of the variety or the commercial type shall be indicated either as part of the product name, or in close proximity to such name in the case of whole dates and date blocks: Provided further that if the variety or commercial type is not defined in sub-regulation (2), or cannot be guaranteed in the case of Standard Grade and Sub-Standard Grade, the expression "common" shall be indicated either as part of the product name, or in close proximity to such name.

FIGS - WHOLE AND BLOCKS**Quality standards**

41. (1) (a) The maximum moisture content for dried whole figs and dried fig blocks shall be 25%.
- (b) Dried whole figs --
- (i) shall be prepared from whole figs with the same variety characteristics;
 - (ii) shall have a good and fairly fleshy texture for Choice Grade figs;
 - (iii) may have the stem and the eye (ostiole) ends cut off: Provided that stems, including the nodule, of a length 8 mm and less are allowed on whole figs (stem length measured as illustrated under Annexure C); and
 - (iv) shall be free from blackened portions.
- (c) Dried fig blocks shall --
- (i) consist of compressed dried whole figs packed in rectangular or any other shaped blocks;
 - (ii) be free from blackened portions; and
 - (iii) have a good and fleshy texture for Choice Grade fruit.

Sizing

- (d) (i) Sizing of dried whole figs is mandatory and shall be determined by --
- (aa) the number of fruit per kilogramme; or
 - (bb) the diameter of the fruit.
- (ii) Sizing by number of dried whole figs per kilogramme:
- (aa) Minimum size: The number of fruit per kilogramme shall not exceed 65 for Choice Grade and 120 for Standard Grade.
 - (bb) Uniformity in size: When sized by number of fruit per kilogramme, the number of fruit in each size shall be as set out below:

Size code	Number of fruit per kilogramme	#Size: The mass range in grams between largest and smallest fruit shall not exceed:
1	≤ 40	12 g
2	41 - 45	
3	46 - 50	10 g
4	51 - 55	
5	56 - 60	
6	61 - 65	
7	66 - 70	8 g
8	71 - 80	
9	81 - 100	
10	101 - 120	6 g
11	≥ 121	

- Optionally the number of fruit per kilogramme may be limited to 65 for Choice Grade and Standard Grade.

- (iii) Sizing by diameter: When sized by diameter, the minimum diameter shall be 18 mm for black fig varieties, and 22 mm for white fig varieties.

Permissible deviations

(2) The maximum permissible deviations for **dried whole figs** are as follows:

Quality factor	Tolerances for defective fruit – number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	20	20	*
(ii) Major	1	5	5
(b) Blemishes: (i) Minor	20	*	*
(ii) Major	5	15	*
(c) Size group: (i) Too small	5	10	*
(ii) Too large	5	10	*
(d) Extraneous vegetable matter	4	6	6
(e) Stems longer than 8 mm	5	10	*
(f) Foreign matter	4	6	6
(g) Deviations allowed under (a)(ii), (b)(ii), (c) and (d) collectively: Provided that the individual limits are not exceeded	10	20	*

* Denotes no specification

(3) The maximum permissible deviations for **dried fig blocks** are as follows:

Quality factor	Tolerances: for defective fruit – number per total fruit units in a block		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Extraneous vegetable matter	4	6	6
(b) Foreign matter	4	6	6

TOMATOES - HALVES, WEDGES, RINGS (WHEELS) AND FLATS**Quality standards**

42. (1) (a) Moisture content:

- (i) The texture of dried tomatoes shall vary according to the moisture content indicated.
- (ii) Tomatoes shall have different moisture contents based on the following designations:

Moisture designation	Minimum (%)	Maximum (%)	Texture
High moisture	25	50	Soft and pliable
Regular moisture	18	25	Firm but pliable
Reduced moisture	12	18	Very firm
Low moisture	6	12	Hard and brittle

- (iii) Tomatoes treated with preservatives or preserved by other means (e.g. pasteurization), may have a moisture content of between 25% and 50%.
- (b) In addition to the general quality standards set out in regulation 5, Choice Grade dried tomatoes shall --
 - (i) be prepared from unpeeled bleached or unbleached tomatoes with the same variety characteristics, consisting of cleanly cut halves, wedges or rings (wheels);
 - (ii) have a bright and uniform colour; and

- (iii) in the case of the styles halves and rings (wheels), retain the normal round appearance of the fruit.
- (c) In addition to the general quality standards set out in regulation 5, Standard Grade dried tomatoes --
- (i) shall be prepared from unpeeled bleached or unbleached tomatoes with the same variety characteristics, consisting of cleanly cut halves, wedges or rings (wheels), but may contain thin and overripe halves and wedges;
- (ii) shall in the case of the style flats, be prepared from unpeeled bleached or unbleached tomatoes with the same variety characteristics;
- (iii) shall have a reasonably bright and a reasonably uniform colour; and
- (iv) may in the case of the styles halves and wedges contain tomatoes that did not retain the normal round appearance.

Sizing

- (d) Sizing of **dried tomato halves** is optional: Provided that if sized, the following provisions shall apply:

Size	Shall pass through a sieve of mesh diameter:	Shall not pass through a sieve of mesh diameter:
Minimum size	-	14 mm
Small	19 mm	14 mm
Medium	25 mm	19 mm
Large	31 mm	25 mm
Extra large	-	31 mm

- Denotes not applicable

Permissible deviations

- (2) The maximum permissible deviations for **dried tomato halves, wedges, rings (wheels) and flats** are as follows:

Quality factor	Tolerances for defective fruit - number per 100 fruit units			
	Choice Grade	Standard Grade (Flats)	Standard Grade	Sub-Standard Grade
(a) Colour: (i) Minor	25	25	25	*
(ii) Major	1	5	5	5
(b) Blemishes: (i) Minor	20	*	*	*
(ii) Major	5	15	15	*
(iii) Minor and major collectively: Provided that the individual limits are not exceeded	20	25	25	*
(c) Deviations in cut (flats excluded)	10	-	25	*
(d) Size group: (flats excluded): (i) Too large	5	-	10	*
(ii) Too small	5	-	10	*
(e) Extraneous vegetable matter	4	6	6	6
(f) Foreign matter: (i) Collectively	10	10	10	30
(ii) Minor	10	10	10	30
(iii) Major	4	6	6	6
(g) Deviations allowed under (a)(ii), (b)(ii), (e) and (f) collectively: Provided that the individual limits are not exceeded	14	28	28	*

* Denotes no specification.

- Denotes not applicable.

CRANBERRIES**Quality standards**

43. (1) (a) Maximum moisture content:
- (i) Untreated dried cranberries shall contain not more than 18% moisture.
 - (ii) Dried cranberries treated with preservatives or preserved by other means (e.g. pasteurization) shall contain between 19% and 30% moisture.
- (b) In addition, dried cranberries shall also comply with the general quality standards set out in regulation 5.
- (c) Dried cranberries may contain added sugar to make it more palatable.

Sizing

- (d) Sizing of dried cranberries is optional: Provided that if sized, the size may be determined by measuring the diameter of the widest part or by count (i.e. the number of pieces or number of fruit per 100 g).

Permissible deviations

- (2) The maximum permissible deviations for **dried cranberries** are as follows:

Quality factor	Tolerances for defective fruit – number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Blemished fruit	9	12	15
(b) Calluses from injuries and damage caused by heat during drying	3	5	5
(c) Fruit affected by mould	0	0	1
(d) Fermented fruit	0	1	2
(e) Fruit slightly affected by rotting/ decay	0	0	1
(f) Fruit damaged by pests	2	2	6
(g) Deviations allowed under (a) to (f) collectively: Provided that the individual limits are not exceeded	10	15	20
(h) Size tolerances (if sized): (i) For fruit not conforming to the size indicated	6	8	10
(i) Deviation in uniformity of colour	3	6	9
(j) Extraneous vegetable matter	4	6	6
(k) Foreign matter	2	3	3

GOJI BERRIES**Quality standards**

44. (1) (a) Dried goji berries shall contain not more than 18% moisture.
- (b) In addition to the general quality standards set out in regulation 5, Choice Grade dried goji berries shall --
- (i) have a good and firm texture;
 - (ii) be of a good red to dark red colour characteristic of the type or variety; and
 - (iii) be uniform in size.

- (c) In addition to the general quality standards set out in regulation 5, Standard Grade dried goji berries shall --
- (i) have at least a reasonably good and firm texture;
 - (ii) be of a fairly red to dark red colour characteristic of the type or variety; and
 - (iii) be fairly uniform in size.

Sizing

- (d) Sizing of dried goji berries is optional: Provided that if sized, the size may be determined by count (i.e. the number of fruit per 50 g).

Permissible deviations

- (2) The maximum permissible deviations for **dried goji berries** are as follows:

Quality factor	Tolerances for defective fruit – number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Blemished fruit	7	15	15
(b) Fruit slightly affected by rotting/decay mould/ microbiological spoilage	0	0	1
(c) Fruit damaged by pests	1	2	2
(d) Deviation in uniformity of colour	5	10	15
(e) Deviations allowed under (a) to (d) collectively: Provided that the individual limits are not exceeded	10	15	20
(f) Extraneous vegetable matter	4	6	6
(g) Foreign matter	2	3	3

BLUEBERRIES

Quality standards

45. (1) (a) Dried blueberries shall contain between 8 - 11% moisture: Provided that the moisture content shall be determined using a MX 50 Moisture Analyser recording moisture on % wet mass or using the method prescribed under regulation 20.
- (b) In addition to the general quality standards set out in regulation 5, dried blueberries shall have a soft and firm but not hard texture.
- (c) Dried blueberries shall have a sweet blueberry taste and may contain added sugar or may be infused in a sucrose solution before drying.

Sizing

- (d) Sizing of dried blueberries is optional: Provided that if sized, the size may be determined by measuring the diameter of the widest part or by count (i.e. the number of fruit per 100 g).

Permissible deviations

- (2) The maximum permissible deviations for **dried blueberries** are as follows:

Quality factor	Tolerances for defective fruit – number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Blemished fruit	5	10	15
(b) Injuries calluses and damaged by heat during drying	3	5	5
(c) Fruit affected by mould	0	0	0
(d) Fermented fruit	0	0	0
(e) Fruit slightly affected by rotting/decay	0	0	0
(f) Fruit damaged by pests	2	2	6
(g) Size tolerances (if sized): Fruit not confirming to the size indicated	5	10	20

PERSIMMONS – WHOLES

Quality standards

46. (1) In addition to the general quality standards set out in regulation 5, dried whole persimmons shall --
- (a) be intact with the calyx still attached and may be with or without peduncle; and
 - (b) have the shape, development and colour characteristic of the variety: Provided that standard grade persimmons may have a slight defects in shape and colour.

Sizing

- (2) Sizing of dried whole persimmons shall be determined by the maximum diameter of the widest part and shall not exceed 90 mm and shall not be smaller than 40 mm.

Permissible deviations

- (3) The maximum permissible deviations for dried whole persimmons are as follows:

Quality factor	Tolerances for defective fruit – number per 100 fruit units		
	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Colour (i) Minor	5	10	*
(a) Colour (ii) Major	2	5	20
(b) Blemishes	3	5	10
(c) Fruit affected by mould	0	0	0
(d) Fermented fruit	0	0	0
(e) Fruit slightly affected by rotting/decay	0	0	0
(f) Fruit damaged by pests	2	2	6
(g) Size tolerances (if sized): Fruit not confirming to the size indicated	5	10	20

UNSPECIFIED DRIED FRUIT

Quality standards

47. (1) Unspecified dried fruit shall comply with the general quality standards set out in regulation 5, as well as with the following additional requirements:

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Uniformity of size in any one container	Uniform	Fairly uniform	Reasonably uniform

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
(b) Uniformity of colour in any one container	Shall be uniform in colour	Shall be fairly uniform in colour	Shall be reasonably uniform in colour
(c) Foreign matter	Practically free	Fairly free	Reasonably free
(d) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free
(e) Microbiological spoilage	None	None	None

Permissible deviations

(2) The maximum permissible deviations for unspecified dried fruit are as follows:

Quality factor	Tolerances: for defects by number per 100 g/ number per 100 fruit units sample		
	Choice Grade	Standard Grade	Sub-standard Grade
(a) Extraneous vegetable matter	4	6	6
(b) Foreign matter collectively:			
(i) Minor	5	8	12
(ii) Major	4	6	6
(c) Colour: (i) Minor	15	20	*
(ii) Major	1	5	5
(d) Blemishes	5	15	15

* Denotes no specification

PART XI
SPECIFIC QUALITY STANDARDS FOR MIXED DRIED FRUIT AND DRIED FRUIT MIXES

MIXED DRIED FRUIT

Quality standards

48. (1) Mixed dried fruit shall comply with the following quality standards:

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Dried fruit ingredients	(i) Shall comprise of at least two types of dried fruit (ii) Styles shall be as prescribed in these regulations for the types of dried fruit components used (iii) Any one type of dried fruit shall not contribute more than 70% (m/m) to the mix: Provided that -- (aa) any of the remaining types of dried fruit shall not contribute less than 10% (m/m) to the mix; and (bb) dried apples and dried apricots shall not contribute less than 5% (m/m) to the mix.	As for Choice Grade	As for Choice Grade
(b) Quality	The individual dried fruit compo-	The individual dried fruit	The individual dried

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
standards	nents shall comply with the quality requirements for Choice Grade as prescribed in these regulations for the type of dried fruit concerned: Provided that one component (not exceeding 50%) may be of a Standard Grade	components shall comply at least with the quality requirements for Standard Grade as prescribed in these regulations for the type of dried fruit concerned: Provided that one component (not exceeding 50%) may be of a Sub-Standard Grade	fruit components shall comply at least with the quality requirements for Sub-Standard Grade as prescribed in these regulations for the type of dried fruit concerned
(c) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free
(d) Foreign matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(2) The maximum permissible deviations for extraneous vegetable matter and foreign matter in the case of **mixed dried fruit** shall be aligned with the quality standards for individual fruit types used in the mix.

Additional marking requirements

(3) Subject to the provisions of regulation 10 --

- (a) the name of the product shall be "dried fruit mix" or "mixed dried fruit": Provided that the names of the types of dried fruit used shall be indicated in descending order (m/m) in close proximity to the name of the product; and
- (b) the use of a variant name (e.g. "fruit cocktail", "fruit salad", "cake mix", "baker's mix", etc.) in addition to and separately from the name of the product on the main panel to distinguish between the different variants of mixed dried fruit, is permissible: Provided that such variant names shall not be misleading.

DRIED FRUIT MIXED WITH OTHER FOODSTUFFS (DRIED FRUIT MIXES)**Definitions**

49. (1) Where used with regard to dried fruit mixed with other foodstuffs (dried fruit mixes) --

- (a) "**other foodstuffs**" means foodstuffs other than dried fruit which are mixed with dried fruit and presented for sale as suitable for immediate consumption (e.g. nuts, glazed fruit, pieces of fruit skin, pieces of fruit leather, coconut flakes, etc.).

Quality standards

(2) Dried fruit mixed with other foodstuffs (dried fruit mixes) shall comply with the following quality standards:

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
(a) Composition and quality standards	(i) Shall comprise of one or more types of Choice Grade dried fruit mixed with other foodstuffs: Provided that -- (aa) dried fruit shall comprise at least 55% (m/m) of the	(i) Shall comprise of one or more types of Standard Grade dried fruit mixed with other foodstuffs: Provided that -- (aa) dried fruit shall comprise at least 55%	(i) Shall comprise of one or more types of Sub-Standard Grade dried fruit mixed with other foodstuffs: Provided that -- (aa) dried fruit shall comprise at least 55%

Quality Factor	Choice Grade	Standard Grade	Sub-Standard Grade
	<p>total mass of the product; and</p> <p>(bb) if more than one type of dried fruit is used, the quality standards as contemplated in regulation 48 for Choice Grade shall apply.</p> <p>(ii) Other foodstuffs shall be --</p> <p>(aa) sound, and free from rotting or deterioration;</p> <p>(bb) clean and free from visible foreign matter;</p> <p>(cc) free from living insects or mites, whatever their stage of development;</p> <p>(dd) free from visible damage by insects, mites or other parasites;</p> <p>(ee) free from mould or fermentation;</p> <p>(ff) free from abnormal external moisture;</p> <p>(gg) free from of foreign smell and taste; and</p> <p>(hh) not over dried or burned.</p> <p>(iii) Very slight superficial defects on other foodstuffs are permissible: Provided that the general appearance of the product, its quality, keeping quality and/ or its presentation in the container are not affected.</p>	<p>(m/m) of the total mass of the product; and</p> <p>(bb) if more than one type of dried fruit is used, the quality standards as contemplated in regulation 48 for Standard Grade shall apply.</p> <p>(ii) and (iii) As for Choice Grade</p>	<p>(m/m) of the total mass of the product; and</p> <p>(bb) if more than one type of dried fruit is used, the quality standards as contemplated in regulation 48 for Sub-Standard Grade shall apply.</p> <p>(ii) and (iii) As for Choice Grade</p>
(b) Extraneous vegetable matter	Practically free	Fairly free	Reasonably free
(c) Foreign matter	Practically free	Fairly free	Reasonably free

Permissible deviations

(3) The maximum permissible deviations for extraneous vegetable matter and foreign matter in the case of **mixed dried fruit** shall be aligned with the quality standards for individual fruit types used in the mix.

Additional marking requirements

(4) Subject to the provisions of regulation 10 --

- (a) the name of the product shall be "dried fruit with/ and [the name(s) of the added foodstuff(s)]": Provided that --
 - (i) the expression "dried fruit" may be substituted by the name(s) and style(s) of the types of dried fruit used in descending order (m/m); or
 - (ii) the name(s) and style(s) of the types of dried fruit used shall at least be indicated in the ingredients list; and
- (b) the use of a variant name (e.g. "cake mix", "baker's mix", "trail mix", etc.) in addition to and separately from the name of the product on the main panel to distinguish between the different variants of dried fruit mixed with other foodstuffs (dried fruit mixes), is permissible: Provided that such variant names shall not be misleading.

PART XII COMMENCEMENT AND REPEAL

- 50. These regulations shall come into operation 12 months from the date of publication.
- 51. Regulations published under Government Notice No. R. 653 of 29 August 2014 are hereby repealed from the date of commencement of these regulations.

ANNEXURE A**LIST OF IMPORTED DRIED FRUIT GIs PROTECTED UNDER THE EU SADC EPA**

Country	GI name
France	Pruneaux d'Agen / Pruneaux d'Agen mi-cuits
Greece	Korinthiaki Stafida Vostitsa

ANNEXURE B**DETERMINATION OF MOISTURE CONTENT**

The moisture content of dried fruit, excluding dates, shall be determined by the following method:

A. Laboratory Reference Method^{*1}**(a) Definition**

The moisture content of dried fruit is defined as being the loss of mass determined under the operating conditions described below.

^{*1} This method is the same as that prescribed by the AOAC: Official methods of Analysis, XIIIth Edition, 1980, 22.013 - Moisture in Dried Fruits, Official Final Action. The results are expressed to one decimal place. Duplicate determinations should agree to 0,2% moisture.

^{*2} Dried sand which has previously been washed in hydrochloric acid and then rinsed thoroughly with water shall be used in the place of the asbestos. Analysts using this technique should note that it is a deviation from the AOAC procedure and should mention this in their report.

(b) **Principle**

The principle of the method is the heating and drying of a sample of dried fruit at a temperature of $70^{\circ}\text{C} \pm 1^{\circ}\text{C}$ at a pressure not exceeding 100 mm Hg.

(c) **Apparatus**

Usual laboratory apparatus is used together with the following items:

- Electrically heated constant-temperature oven, capable of being controlled at 70°C at a pressure of 100 mm Hg.
- Dishes with lids of about 8,5 cm in diameter.
- Hand or mechanically operated mincer.
- Desiccator, containing an effective desiccant.
- Analytical balance.

(d) **Procedure**(i) **Preparation of the sample**

Take approximately 50 g of dried fruit from the laboratory sample and mince these twice with the mincer.

(ii) **Test portion**

Place 2 g of finely divided asbestos*² into the dish. Tare the analytical scale with the dish with its lid and the asbestos, dried beforehand. Weigh, to the nearest 0,01 g, 5 g of prepared sample.

(iii) **Determination**

Moisten the sample and the asbestos thoroughly with a few ml of hot water. Mix the sample and the asbestos together with a spatula. Wash the spatula with hot water to remove the sample residues from it, letting the residues and the water fall into the dish.

Heat the open dish on a boiling-water bath to evaporate the water. Then place the dish, with the lid alongside it, in the oven and continue drying for six hours at 70°C under a pressure not exceeding 100 mm Hg, during which time the oven should not be opened. During drying admit a slow current of air (about two bubbles per second) to the oven, the air having been dried by passing through H_2SO_4 . The metal dish shall be placed in direct contact with the metal shelf of the oven. After drying, remove the dish, cover it immediately with its lid and place it in the desiccator. After cooling to ambient temperature, weigh the covered dish to the nearest 0,01 g.

(e) **Calculation and expression of results**

The moisture content of the sample, as percentage by mass is given by the expression:

$$\text{Moisture Content} = \frac{(M_1 - M_2)}{(M_1 - M_0)} \times 100$$

Where:

M_0 : is the mass of the empty dish with its lid and containing the asbestos, g.

M_1 : is the mass of the dish with its lid, asbestos and test portion before drying, g.

M_2 : is the mass of the dish with its lid, asbestos and test portion after drying, g.

ANNEXURE C**ILLUSTRATION FOR MEASUREMENT OF STEM LENGTH IN THE CASE OF WHOLE FIGS**

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 3481

2 June 2023

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

REGULATIONS REGARDING CONTROL OF THE EXPORT OF ANIMAL PRODUCTS

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.



A.T. Didiza

Minister of Agriculture, Land Reform and Rural Development

SCHEDULE

Definitions

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

“animal products” means dairy products, eggs and poultry meat;

“assignee” means a person, undertaking, body, institution, association or board designated as such under section 2(3)(a) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

“certificate” means a certificate that may be issued either in paper format (including electronically prepared) or in a verified electronic format which describe and attest to conformity of a consignment of regulated agricultural products to stipulated requirements as set out in regulation 6;

“composite dairy product” means a product consisting of a combination of a primary dairy product and another foodstuff, the solids of which are not intended to replace any part of the milk solids of that primary dairy product;

“consignment” means, where used with regard to –

- (a) dairy products, a quantity of dairy products of the same kind which is delivered at any one time under cover of the same consignment note, delivery note or receipt note, or is delivered by the same vehicle, or if such a quantity is subdivided into different production lots, classes or packing sizes, each quantity of each of the different production lots, classes or packing sizes;
- (b) eggs, a quantity of eggs belonging to the same supplier, which is delivered at any one time under cover of the same consignment note, delivery note or receipt note, or is delivered by the same vehicle, or if such a quantity is sub-sorted into different production groups, grades or size groups, each quantity of each of the different production groups, grades or size groups; or
- (c) poultry meat, a quantity of poultry meat of the same type, which belongs to the same owner, delivered at any one time under cover of the same consignment note, delivery note or receipt note, or is delivered by the same vehicle, or if such a quantity is divided into different classes, grades, portions, cuts or production lots, every quantity of each of the different classes, grades, portions, cuts or production lots;

“consignment note” means a consignment note approved by the Executive Officer or Assignee;

“dairy product” means a primary dairy product, a composite dairy product or a modified dairy product;

“Department” means the Department of Agriculture, Land Reform and Rural Development;

“eggs” means the eggs of the specie *Gallus domesticus* (domesticated fowls), *Meleagrus gallapavo* (turkeys) and *Anas* (ducks and muscovies);

“Executive Officer” means the officer designated under section 2(1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990)

“inspector” means the Executive Officer or an officer under his/her control, or an Assignee or an employee of an Assignee;

“ISO” means International Organization for Standardization;

“milk” means the normal secretion of the mammary glands of bovines, goats or sheep or other milking animals;

"modified dairy product" means a product that, in so far as it relates to general appearance, presentation and intended use, corresponds to a primary dairy product, and of which not more than 50 per cent of the fat content, protein content and/or carbohydrate content has respectively been obtained from a source other than a primary dairy product;

"National Reference Laboratory" means an official laboratory of the Department and the Perishable Products Export Control Board that has been nominated in writing by the Executive Officer for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"Officially Recognized Laboratory" means any laboratory that is not a National Reference Laboratory and that is nominated by the Executive Officer in writing as being suitable or required for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"poultry meat" means the slaughtered and sometimes deboned carcasses of the species *Gallus domesticus* (fowls), *Meleagrus gallopavo* (turkeys) and *Anas* (ducks and muscovies) as well as any portions or parts of such carcasses which are usually sold for human consumption, whether as such or in cut form and which is still recognizable as a carcass, portion, piece or strip and includes raw processed poultry meat;

"primary dairy product" means milk or a product that has been derived or manufactured solely from milk, and to which no substance other than permitted food additives not intended to replace any part of the milk solids in that product are added, and includes a product that consists of a combination of two or more of such products;

"raw processed poultry meat" means poultry meat which has been treated with a formulated solution, has not undergone any heat treatment and is still recognizable as a poultry carcass, portion, piece or strip; and

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

Prohibition on the export of animal products

2. (1) Subject to the provisions of subregulation (2), no person shall export animal products from the Republic unless each quantity thereof has been approved by the Executive Officer for that purpose.

(2) Animal products which are -

- (a) exported in a consignment of less than 20 kg net mass; and
- (b) taken in as provisions for consumption aboard a conveyance to another country, shall be exempted from the prohibition set out in subregulation (1).

(3) An approval in terms of subregulation (1) may also be given by an Assignee.

Application for approval for export

3. (1) An application for an approval in terms of section 4 of the Act for the export of a consignment of animal products, shall be directed in writing to the Executive Officer or Assignee.

(2) Such an application shall be made at least four working days before the intended date of export, or as otherwise arranged with the Executive Officer or Assignee.

(3) The following particulars shall be supplied when such an application is made:

- (a) The name and address of the applicant and, where applicable, of his agent or exporter.
- (b) The type, class or grade and size (in the case of eggs) of product.

- (c) The number of containers in and the mass of the consignment concerned.
- (d) The intended date and time of export, the method of transport and, in the case of export by sea, the name of the vessel concerned and the port or airport from which the consignment concerned shall be exported.
- (e) The particulars concerning the marking and destination of the consignment concerned.
- (f) The address of the premises where the consignment concerned can be inspected and the date and time when the consignment will be ready for inspection.
- (g) Any other additional information regarding the consignment concerned.

Presentation for inspection

4. (1) Each consignment of animal products intended for export which has to be presented for inspection in terms of these regulations shall, prior to the export thereof, be approved for export by an inspector: Provided that the consignment of animal products concerned shall be presented for inspection at least 12 hours prior to the intended time of export, or as otherwise arranged with the Executive Officer or Assignee.

(2) A consignment of animal products referred to in subregulation (1), shall be presented for inspection in such a manner that -

- (a) access to each container therein can be obtained readily; and
- (b) the marks, printing or writing on such containers can readily be read.

Consignment note

5. (1) Every consignment of animal products destined for export shall, when submitted for inspection, be accompanied by a consignment note completed clearly, legibly, fully and correctly.

(2) All the copies of such a consignment note shall have the same serial number and one copy thereof shall be retained by the Department or Assignee.

Procedure at inspection

6. (1) An inspector may in any consignment of animal products open as many containers and inspect the contents thereof and remove samples of such contents for the purpose of further inspection or analyses as he/she may deem necessary.

(2) An inspector's finding in relation to the containers opened by him/her by virtue of the provisions of subregulation (1), and the contents thereof, shall apply as a finding in respect of the whole consignment from which such containers were abstracted.

(3) If an inspector is satisfied after his/her inspection that the consignment of animal products

- (a) comply with the requirements of these regulations he/she shall approve such consignment for export, either by marking or causing to be marked on each container or label affixed thereto with a mark of approval or by issuing a certificate which indicates such approval; or
- (b) do not comply with the requirements of these regulations he/she shall prohibit such consignment for export, either by marking or causing to be marked on each

container or label affixed thereto with a mark or prohibition or by issuing a certificate which indicates such prohibition.

(4) An inspector may at his/her own discretion re-inspect a consignment of animal products which has already been approved for export, and may confirm or withdraw according to subregulation (3)(b) any previous approval with regard to the consignment concerned: Provided that no inspection fee shall be payable in respect of a re-inspection carried out on demand of an inspector.

Assessment of the competence of testing laboratories involved in the export of animal products

7. (1) For the purpose of analyses as required by regulation 6(1), analyses may be conducted by a National Reference Laboratory or an Officially Recognized Laboratory.

(2) The Executive Officer shall nominate a National Reference Laboratory or an Officially Recognized Laboratory in writing to conduct analyses as set out in subregulation (1).

(3) The said laboratory shall be considered on the basis of their suitability, which shall *inter alia* be based on the following criteria:

- (a) A reasonable demonstrable knowledge or expertise in the testing and analyses of animal products;
- (b) Compliance with the general criteria for testing laboratories laid down in ISO/IEC Guide 17025:2017;
- (c) Annual participation in appropriate proficiency testing schemes for analyses which conform to the requirements as laid down in "The international harmonized protocol for the proficiency testing of analytical laboratories";
- (d) Whenever available, use methods of analyses which have been validated according to the principles as laid down by the *Codex Alimentarius Commission*; and
- (e) Use internal quality control procedures as described in the document titled "Harmonized Guidelines for internal Quality Control in Analytical Chemistry Laboratories".

(4) In addition to compliance with suitability criteria as set out in subregulation (3), an Officially Recognized Laboratory shall be considered for nomination on the following grounds:

- (a) Of necessity in as far as fulfillment of capacity as determined from time to time by the Executive Officer.
- (b) On a three-year period, the period which may be considered for renewal upon assessment by the Executive Officer.

Fees for inspection and analyses

8. The following fees shall be payable for inspection and analyses:

- (1) The determined inspection fee when animal products are presented for inspection.
- (2) The fee for testing and analyses of samples shall be charged by the laboratory concerned and this shall include incidental costs such as courier or transport fees.

Appeal

9. Any person may lodge an appeal against a decision or direction of the Executive Officer or an Assignee in terms of section 10(1) of the Act or as prescribed in the Appeal Procedures Regulations promulgated under the Act, to the Director-General.

Offences and penalties

10. Any person who contravenes or fails to comply with the provisions of these regulations shall be guilty of an offence and shall be liable to a fine or imprisonment as set out in section 11 of the Act.

Commencement

11. These regulations shall come into operation on the date of publication.

Repeal

12. Regulations published by Government Notice No.R.422 dated 22 May 2015 are hereby repealed from the date of commencement of these regulations.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 3482

2 June 2023

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

REGULATIONS REGARDING CONTROL OF THE EXPORT OF FRESH FRUITS

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.



A.T. Didiza
Minister of Agriculture, Land Reform and Rural Development

SCHEDULE

Definitions

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

"**apple**" means the fruit of the cultivars which are grown from the species *Malus sylvestris*;

"**apricot**" means the fruit of the cultivars which are grown from the species of the tree *Prunus armeniaca*;

"**assignee**" means a person, undertaking, body, institution, association or board designated as such under section 2 (3) (a) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

"**avocado**" means the fruit of the cultivars which are grown from the species *Persea Americana* Miller;

"**blackberry**" means the fruit of the cultivars which are grown from the species *Rubus spp.*

"**blueberry**" means the fruit of the cultivars which are grown from the species *Vaccinium corymbosum* L., *Vaccinium australe* Small, *Vaccinium angustifolium* Ait. and their hybrids.

"**cactus pear**" means the fruit of the cultivars which are grown from the species *Opuntia spp.*

"**certificate**" means a certificate that may be issued either in paper format (including electronically prepared) or in a verified electronic format which describe and attest to conformity of a consignment of regulated agricultural products to stipulated requirements as set out in regulation 6;

"**cherry**" means the fruit of the cultivars which are grown from the species *Prunus avium* or *Prunus cerasus*;

"**citrus fruits**" means fruit of the kinds oranges, grapefruit, lemons, kumquats, mandarins, pummelos, seville oranges and limes;

"**consignment**" means a quantity of fresh fruits of the same cultivar, belonging to the same owner and delivered at the same time under cover of the same delivery note, consignment note or receipt note, or is delivered by the same vehicle, or in the case of a quantity of fresh fruits that is divided into different cultivars, classes, diameter groups, pallet loads, trademarks or types of packaging, every quantity of each of the different cultivars, classes, diameter groups, pallet loads, trademarks of types of packaging;

"**consignment note**" means a description of a consignment approved by the Executive Officer or the Assignee;

"**deciduous fruits**" means fruits of the kinds apricots, apples, cherries, table grapes, nectarines, pears, peaches, plums and prunes;

"**Executive Officer**" means the officer designated under section 2 (1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990)

"**fig**" means the fruit of the cultivars which are grown from the species *Ficus carica* L;

"**Food Business Operator (FBO)**" means the person or persons responsible for ensuring that the prescribed requirements of these standards are met within the food business under his or her control and include both the management of the food business as well as the person with overall authority on site or in the specific establishment;

"**Food Business Operator code**" means an alpha-numeric code which needs to be uniquely identified and has been registered with the Executive Officer of the Act by each responsible person (FBO)

producing or handling in any way products of plant origin destined for the export market. Examples include farms, fields, processing facilities, storage units, transportation, etc.;

"fresh fruits" means deciduous fruits, citrus, subtropical fruits and other unspecified fruits;

"gooseberry" means the fruit of the cultivars which are grown from the species *Ribes uva-crispa* L. (*R. grossularia*).

"granadilla" means the fruit of the cultivars which are grown from the species *Passiflora edulis*, or *Passiflora* var. *Flavicarpa* and their hybrids;

"grapefruit" means the fruit of the cultivars which are grown from the species *Citrus paradisi* (Macf.) and its hybrids;

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

"ISO" means International Organization for Standardization;

"kiwifruit" means the fruit of the cultivars which are grown from the species *Actinidia deliciosa*;

"kumquats" means the fruit of the cultivars which are grown from the species *Fortunella margarita* and *Fortunella japonica* (Thunb.) Swingle;

"lemon" means the fruit of the cultivars which are grown from the species *Citrus limon* (L.) Burm. F.;

"lime" means the fruit of the cultivars which are grown from the species *Citrus latifolia* (Yu. Tan.) Tan. (*Acid limes*) and *Citrus aurantifolia* (Christm.) Swingle (*Mexican limes*).

"litchi" means the fruit of the cultivars which are grown from the species *Litchi chinensis*;

"mandarin" means fruit of the cultivars which are grown from the species *Citrus reticulata* Blanco, *Citrus unshiu* Marcow, *Citrus nobilis* Lour, *Citrus deliciosa* Tenore and their hybrids;

"mango" means the fruit of the cultivars which are grown from the species *Mangifera indica*;

"melon" means the fruit of the cultivars which are grown from the species *Cucumis melo*;

"National Reference Laboratory" means an official laboratory of the Department of Agriculture, Land Reform and Rural Development and the Perishable Products Export Control Board that has been nominated in writing by the Executive Officer for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"nectarine" means the fruit of the cultivars which are grown from the species *Prunus persica* var. *nucipersica*;

"Officially Recognized Laboratory" means any laboratory that is not a National Reference Laboratory and that is nominated by the Executive Officer in writing as being suitable or required for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"orange" means the fruit of the cultivars which are grown from the species *Citrus sinensis* (L.) Osbeck;

"other unspecified fruit" means all other fruits not mentioned under this regulation;

"papaya" means the fruit of the cultivars which are grown from the species *Carica papaya*;

"peach" means the fruit of the cultivars which are grown from the species *Prunus persica*

"pear" means the fruit of the cultivars which are grown from the species *Pyrus communis*;

"persimmon" means the fruit of the cultivars which are grown from the species *Diospyros kaki*;

"pineapple" means the fruit of the cultivars which are grown from the species *Ananas comosus*;

"plum" means the fruit of the cultivars which are grown from the species *Prunus salicina*;

"pomegranate" means the fruit of the cultivars which are grown from the species *Punica granatum*;

"prune" means the fruit of the cultivars which are grown from the species *Prunus domestica*;

"pummelo (Shaddocks)" means the fruit of the cultivars which are grown from the species *Citrus grandis* (L.) Osbeck;

"raspberry" means the fruit of the cultivars which are grown from the species *Rubus idaeus* L., *Rubus occidentalis* L.

"seville orange" means the fruit of the cultivars which are grown from the species *Citrus aurantium* (L.);

"strawberry" means the fruit of the cultivars which are grown from the species *Fragaria ananassa*;

"subtropical fruits" means fruits of the kinds avocado, mango, kiwifruit, litchi, pineapple, melon and watermelons;

"table grape" means the fruit of the cultivars which are grown from the species *Vitis vinifera*;

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

"water melon" means the fruit of the cultivars which are grown from the species *citrullus vulgaris*.

Prohibition on the export of fresh fruits

2. (1) Subject to the provisions of subregulation (2), no person shall export fresh fruits from the Republic unless each quantity thereof has been approved by the Executive Officer for that purpose.

(2) Fresh fruits which are -

- (a) exported in a consignment of less than 20 kg net mass; and
 - (b) taken in as provisions for consumption aboard a conveyance to a foreign country,
- shall be exempted from the prohibition set out in subregulation (1).

(3) An approval in terms of subregulation (1) may also be given by an Assignee.

Application for approval for export

3. (1) An application for an approval in terms of section 4 of the Act for the export of a consignment of fresh fruits, shall be directed in writing to the Executive Officer or Assignee.

(2) Such an application shall be made at least four working days before the intended date of export or as arranged with the Executive Officer or Assignee.

(3) The following particulars shall be supplied when such an application is made:

- (a) The name and address of the applicant and, where applicable, of his agent or exporter.

- (b) The type of fruit, cultivar and class thereof.
- (c) The applicable Food Business Operator code.
- (d) The number and type of containers in the consignment.
- (e) The intended date and time of export and the port or airport from which the consignment concerned shall be exported.
- (f) The particulars concerning the marking and destination of the consignment concerned.
- (g) The address of the premises where the consignment concerned can be inspected and the date and time when the consignment will be ready for inspection.
- (h) Any other additional information regarding the consignment concerned.

Presentation for inspection

4. (1) Each consignment of fresh fruits intended for export which has to be presented for inspection in terms of these regulations shall, prior to the export thereof, be approved for export by an inspector: Provided that the consignment of fresh fruits concerned shall be presented for inspection at least 12 hours prior to the intended time of export or as otherwise arranged with the Executive Officer or Assignee.

(2) A consignment of fresh fruits referred to in subregulation (1), shall be submitted for inspection in such a manner that -

- (a) access to each container therein can be obtained readily; and
- (b) the marks, printing or writing on such containers can readily be read.

Consignment note

5. (1) Every consignment of fresh fruits destined for export shall, when submitted for inspection, be accompanied by a consignment note completed clearly, legibly, fully and correctly.

(2) All the copies of such a consignment note shall have the same serial number and one copy thereof shall be retained by the Department or Assignee.

Procedure at inspection

6. (1) An inspector may in any consignment of fresh fruits open as many containers and inspect the contents thereof and remove samples of such contents for the purpose of further inspection or analyses as he/she may deem necessary.

(2) An Inspector's finding in relation to the containers opened by him/her and the contents thereof by virtue of the provisions of subregulation (1), shall apply as a finding in respect of the whole consignment from which such containers were abstracted.

- (3) If an inspector is satisfied after his/her inspection that the consignment of fresh fruits -
 - (a) comply with the requirements of these regulations he/she shall approve such consignment for export, either by marking or causing to be marked on each container or label affixed thereto with a mark of approval or by issuing a certificate which indicates such approval: Provided that, the Executive Officer taking into consideration the country of destination's legal requirements may in his or her

discretion authorize in writing the issuance of a certificate(s) within a prescribed time after the fruit has left South Africa; or

- (b) do not comply with the requirements of these regulations he/she shall prohibit such consignment for export, either by marking or causing to be marked on each container or label affixed thereto with a mark or prohibition or by issuing a certificate which indicates such prohibition.

(4) An Inspector may at his/her own discretion re-inspect a consignment of fresh fruits which has already been approved for export, and may confirm or withdraw according to subregulation (3)(b) any previous approval with regard to the consignment concerned: Provided that no inspection fee shall be payable in respect of a re-inspection carried out on demand of an Inspector.

Assessment of the competence of testing laboratories involved in the export of fresh fruits

7. (1) For the purpose of analysis as required by regulation 6 (1), analyses may be conducted by a National Reference Laboratory or Officially Recognized Laboratory.

(2) The Executive Officer shall nominate a National Reference Laboratory or Officially Recognized Laboratory in writing to conduct analyses as set out in subregulation (1).

(3) The said laboratory shall be considered on the basis of their suitability, which shall *inter alia* be based on the following criteria:

- (a) A reasonable demonstrable knowledge or expertise in the testing and analysis of fresh fruit;
- (b) Compliance with the general criteria for testing laboratories as laid down in ISO/IEC Guide 17025:2017;
- (c) Annual participation in appropriate proficiency testing schemes for analysis which conform to the requirements as laid down in "The international harmonized protocol for the proficiency testing of analytical laboratories";
- (d) Whenever available, use methods of analysis which have been validated according to the principles as laid down by the Codex Alimentarius Commission; and
- (e) Use internal quality control procedures as described in the document titled "Harmonized Guidelines for internal Quality Control in Analytical Chemistry Laboratories".

(4) In addition to compliance with suitability criteria as set out in subregulation (3), an Officially Recognized Laboratory shall be considered for nomination on the following grounds:

- (a) Of necessity in as far as fulfillment of capacity as determined from time to time by the Executive Officer.
- (b) On a three-year period, the period which may be considered for renewal upon assessment by the Executive Officer.

Fees for inspection and analysis

8. The following fees shall be payable for inspection and analysis:

- (1) The determined inspection fee when fresh fruits are presented for inspection.

(2) The fee for testing and analysis of samples shall be charged by the laboratory concerned and this shall include incidental costs such as courier or transport fee.

Appeal

9. Any person may lodge an appeal against a decision or direction of the Executive Officer or an Assignee in terms of section 10(1) of the Act or as prescribed in the Appeal Procedures Regulations promulgated under the Act, to the Director-General.

Offences and penalties

10. Any person who contravenes or fails to comply with the provisions of these regulations shall be guilty of an offence and shall be liable to a fine or imprisonment as set out in section 11 of the Act.

Commencement

11. These regulations shall come into operation on the date of publication.

Repeal

12. Regulations published by Government Notice Nos. R748 of 3 October 2014 and R. 864 of 7 November 2014 are hereby repealed from the date of commencement of these regulations.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. R. 3483****2 June 2023**

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

REGULATIONS REGARDING CONTROL OF THE EXPORT OF PROCESSED PRODUCTS

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.



A.T. Didiza

Minister of Agriculture, Land Reform and Rural Development

SCHEDULE

Definitions

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

"apricot and peach kernels" means the seeds and part of seeds of apricots and peaches which are obtained by shelling;

"assignee" means a person, undertaking, body, institution, association or board designated as such under section 2(3)(a) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

"canned fruit" means commercially sterile fruit in hermetically sealed containers;

"canned mushrooms" means commercially sterile mushrooms in hermetically sealed containers;

"canned pasta" means commercially sterile spaghetti, macaroni, vermicelli or any other suitable pasta in hermetically sealed containers;

"canned vegetables" means commercially sterile vegetables in hermetically sealed containers;

"certificate" means a certificate that may be issued either in paper format (including electronically prepared) or in a verified electronic format which describe and attest to conformity of a consignment of regulated agricultural products to stipulated requirements as set out in regulation 6;

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

"consignment" means, where used with regard to ---

- (a) apricot and peach kernels, a quantity of apricot or peach kernels which is delivered at any one time under cover of the same consignment note, delivery note or receipt note or is delivered by the same vehicle or, if such quantity is subdivided into different classes each quantity of each of the different classes;
- (b) canned fruit, canned mushrooms, canned pasta, canned vegetables, frozen fruit, frozen vegetables, jam, jelly or marmalade, a quantity of canned fruit, canned mushrooms, canned pasta, canned vegetables, frozen fruit, frozen vegetables, jam, jelly or marmalade of the same kind which is delivered at any one time under cover of the same delivery note or receipt note, or which is delivered by the same vehicle, or if such a quantity is subdivided into different production groups, types, grades or packing sizes, each quantity of each of the different production groups, types, grades or packing sizes;
- (c) dried fruit, a quantity of dried fruit of the same type, belonging to the same owner, which is delivered at any one time under cover of the same consignment note, delivery note or receipt note, or which is delivered by the same vehicle, or if any such quantity is subdivided into different classes, grades or size groups, each quantity of each of the different classes, grades or size groups; or
- (d) honeybush, green honeybush, honeybush mixtures, rooibos, green rooibos or rooibos mixtures, a quantity of honeybush, green honeybush, honeybush mixtures, rooibos, green rooibos or rooibos mixtures which is delivered at any one time under cover of the same delivery note or receipt note, or is delivered by the same vehicle, or if such a quantity is subdivided into different production groups or classes, each quantity of each of the different production groups or classes;

"**consignment note**" means a consignment note approved by the Executive Officer or Assignee;

"**Department**" means the Department of Agriculture, Land Reform and Rural Development;

"**dried fruit**" means processed and unprocessed fruit, in its original form, deppiped (deseeded) or destoned (pitted), cut, peeled and dried by sun-, solar-, tunnel-, oven, wind-, or by any other recognized methods of dehydration, but does not include puréed, minced, cooked and baked dried fruit;

"**Executive Officer**" means the officer designated under section 2(1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

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

"**food business operator (FBO)**" means the person or persons responsible for ensuring that the prescribed requirements of these standards are met within the food business under his or her control and include both the management of the food business as well as the person with overall authority on site or in the specific establishment;

"**food business operator code**" means an alpha-numeric code which needs to be uniquely identified and has been registered with the Executive Officer of the Act by each responsible person (FBO) producing or handling in any way products of plant origin destined for the export market. Examples include farms, fields, processing facilities, storage units, transportation, etc.;

"**frozen fruit and frozen vegetables**" means --

- (a) fruit and vegetables which are frozen; or
- (b) fruit and vegetables, presented as frozen products;

"**green honeybush**" means the product obtained from the leaves, flowers and stems of the *Cyclopia* genus whether it has been cut, bruised, and dried or not, but which has not been fermented;

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

"**herbs**" means either fresh or dried 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;

"**honeybush**" means the product obtained from the leaves, flowers and stems of the *Cyclopia* genus whether it has been cut, bruised, sweated and dried or not, but excludes honeybush dust presented for export on its own;

"**honeybush dust**" means the honeybush material that passes through a 60 mesh sieve (i.e. <60 mesh) which is not sterilized and is intended for industrial use only;

"**honeybush mixtures**" means honeybush or green honeybush blended with herbs, spices and/ or other herbal teas, and include honeybush or green honeybush with permitted food additives;

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

"**ISO**" means International Organization for Standardization;

"**jam**" means the product --

- (a) which shall consist of whole fruit, pieces of fruit, fruit pulp or fruit purée of one or more types of fruit;
- (b) to which sweeteners permitted under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), with or without the addition of water, shall be added;
- (c) to which food additives permitted under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), with or without the addition of water, may be added;
- (d) with or without fruit juice or concentrated fruit juice as optional ingredient; and
- (e) processed to a suitable consistency;

"**jelly**" means the product --

- (a) which shall consist of either the juice or aqueous extracts of one or more types of fruit or of the juice and aqueous extracts of one or more types of fruit;
- (b) to which sweeteners permitted under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), with or without the addition of water, shall be added;
- (c) to which food additives permitted under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), with or without the addition of water, may be added;
- (d) which is practically free from suspended fruit particles; and
- (e) processed to a semi-solid consistency;

"**marmalade**" means the product --

- (a) which shall consist of whole fruit, fruit pulp or fruit purée of one or more types of citrus fruit with some or all of the peel removed;
- (b) to which sweeteners permitted under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), with or without the addition of water, shall be added;
- (c) to which food additives permitted under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), with or without the addition of water, may be added;
- (d) with or without citrus juice and the extraction of peel; and
- (e) processed to a suitable consistency;

"**National Reference Laboratory**" means an official laboratory of the Department and the Perishable Products Export Control Board that has been nominated in writing by the Executive Officer for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"**Officially Recognized Laboratory**" means any laboratory that is not a National Reference Laboratory and that is nominated by the Executive Officer in writing as being suitable or required for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"**other herbal tea**" means all of the recognised herbal teas suitable for blending with rooibos, green rooibos, honeybush or green honeybush, including but not limited to the generally consumed tea plant (*Camelia sinensis*), chamomile (*Matricaria retutica* or *Chamaemelum nobile*), Buchu (*Agathosma Betulina*), etc.;

"processed products" means --

- (a) apricot and peach kernels;
- (b) canned fruit;
- (c) canned mushrooms;
- (d) canned pasta products;
- (e) canned vegetables;
- (f) dried fruit;
- (g) frozen fruit and frozen vegetables;
- (h) honeybush, green honeybush and honeybush mixtures;
- (i) jam, jelly and marmalade; and
- (j) rooibos, green rooibos and rooibos mixtures;

"rooibos" means the product obtained from the needle-like leaves and fine stems of the plant *Aspalathus linearis* (also known as *A. contaminatus* or *Borbonia pinifolia*) whether it has been cut, bruised, fermented and dried or not, but excludes rooibos dust presented for export on its own;

"rooibos dust" means the rooibos material that passes through a 60 mesh sieve (i.e. <60 mesh) which is not sterilized and is intended for industrial use only;

"rooibos mixtures" means rooibos or green rooibos blended with herbs, spices and/ or other herbal teas, and include rooibos or green rooibos with permitted food additives;

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

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

Prohibition on the export of processed products

2. (1) Subject to the provisions of subregulation (2), no person shall export processed products from the Republic unless each quantity thereof has been approved by the Executive Officer for that purpose.

(2) Processed products which are -

- (a) exported in a consignment of less than 20 kg net mass; and
- (b) taken in as provisions for consumption aboard a conveyance to another country, shall be exempted from the prohibition set out in subregulation (1).

(3) An approval in terms of subregulation (1) may also be given by an Assignee.

Application for approval for export

3. (1) An application for an approval in terms of section 4 of the Act for the export of a consignment of processed products, shall be directed in writing to the Executive Officer or Assignee.

(2) Such an application shall be made at least four working days before the intended date of export, or as otherwise arranged with the Executive Officer or Assignee.

(3) The following particulars shall be supplied when such an application is made:

- (a) The name and address of the applicant and, where applicable, of his agent or exporter.
- (b) The type and class, kind and class, type and grade or kind and grade of product, as the case may be.
- (c) The Food Business Operator code, where applicable.

- (d) The number of containers in and the mass of the consignment concerned.
- (e) The intended date and time of export, the method of transport and, in the case of export by sea, the name of the vessel concerned and the port or airport from which the consignment concerned shall be exported.
- (f) The particulars concerning the marking and destination of the consignment concerned.
- (g) The address of the premises where the consignment concerned can be inspected and the date and time when the consignment will be ready for inspection.
- (h) Any other additional information regarding the consignment concerned.

Presentation for inspection

4. (1) Each consignment of processed products intended for export which has to be presented for inspection in terms of these regulations shall, prior to the export thereof, be approved for export by an inspector: Provided that the consignment of processed products concerned shall be presented for inspection at least 12 hours prior to the intended time of export, or as otherwise arranged with the Executive Officer or Assignee.

(2) A consignment of processed products referred to in subregulation (1), shall be presented for inspection in such a manner that --

- (a) access to each container therein can be obtained readily; and
- (b) the marks, printing or writing on such containers can readily be read.

Consignment note

5. (1) Every consignment of processed products destined for export shall, when submitted for inspection, be accompanied by a consignment note completed clearly, legibly, fully and correctly.

(2) All the copies of such a consignment note shall have the same serial number and one copy thereof shall be retained by the Department or Assignee.

Procedure at inspection

6. (1) An inspector may in any consignment of processed products open as many containers and inspect the contents thereof and remove samples of such contents for the purpose of further inspection or analyses as he/she may deem necessary.

(2) An inspector's finding in relation to the containers opened by him/her by virtue of the provisions of subregulation (1), and the contents thereof, shall apply as a finding in respect of the whole consignment from which such containers were abstracted.

(3) If an inspector is satisfied after his/her inspection that the consignment of processed products --

- (a) comply with the requirements of these regulations he/she shall approve such consignment for export, either by marking or causing to be marked on each container or label affixed thereto with a mark of approval or by issuing a certificate which indicates such approval; or
- (b) do not comply with the requirements of these regulations he/she shall prohibit such consignment for export, either by marking or causing to be marked on each container or label affixed thereto with a mark of prohibition or by issuing a certificate which indicates such prohibition.

(4) An inspector may at his/her own discretion re-inspect a consignment of processed products which has already been approved for export, and may confirm or withdraw according to subregulation (3)(b) any previous approval with regard to the consignment concerned: Provided that no inspection fee shall be payable in respect of a re-inspection carried out on demand of an inspector.

Assessment of the competence of testing laboratories involved in the export of processed products

7. (1) For the purpose of analyses as required by regulation 6(1), analyses may be conducted by a National Reference Laboratory or an Officially Recognized Laboratory.

(2) The Executive Officer shall nominate a National Reference Laboratory or an Officially Recognized Laboratory in writing to conduct analyses as set out in subregulation (1).

(3) The said laboratory shall be considered on the basis of their suitability which shall *inter alia* be based on the following criteria:

- (a) A reasonable demonstrable knowledge and/or expertise in the testing and analyses of processed products;
- (b) Compliance with the general criteria for testing laboratories as laid down in ISO/IEC Guide 17025:2017;
- (c) Annual participation in appropriate proficiency testing schemes for analyses which conform to the requirements as laid down in "The international harmonized protocol for the proficiency testing of analytical laboratories";
- (d) Whenever available, use methods of analyses which have been validated according to the principles as laid down by the Codex *Alimentarius* Commission; and
- (e) Use of internal quality control procedures described in the document titled "Harmonized Guidelines for internal Quality Control in Analytical Chemistry Laboratories".

(4) In addition to compliance with suitability criteria as set out in subregulation (3), an Officially Recognized Laboratory shall be considered for nomination on the following grounds:

- (a) Of necessity in as far as fulfillment of capacity as determined from time to time by the Executive Officer.
- (b) On a three-year period, the period which may be considered for renewal upon assessment by the Executive Officer.

Fees for inspection and analyses

8. The following fees shall be payable for inspection and analyses:

- (1) The determined inspection fee when processed products are presented for inspection.
- (2) The fee for testing and analyses of samples shall be charged by the laboratory concerned and this shall include incidental costs such as courier or transport fee.

Appeal

9. Any person may lodge an appeal against a decision or direction of the Executive Officer or an Assignee in terms of section 10(1) of the Act or as prescribed in the Appeal Procedures Regulations promulgated under the Act, to the Director-General.

Offences and penalties

10. Any person who contravenes or fails to comply with the provisions of these regulations shall be guilty of an offence and shall be liable to a fine or imprisonment as set out in section 11 of the Act.

Commencement

11. These regulations shall come into operation on the date of publication.

Repeal

12. Regulations published by Government Notice No.R.423 dated 22 May 2015 are hereby repealed from the date of commencement of these regulations.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. R. 3484****2 June 2023**

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

REGULATIONS REGARDING CONTROL OF THE EXPORT OF TREE NUTS

The Minister of Agriculture Land Reform and Rural Development has, under section 15 of the Agricultural Product Standards Act, 1990 (Act 119 of 1990), made the regulations in the Schedule.



A.T. Didiya
Minister of Agriculture, Land Reform and Rural Development

SCHEDULE

Definitions

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

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

"assignee" means a person, undertaking body, institution, association or board designated as under section 2(3) of Agricultural Product Standards Act No.119 of 1990;

"cashew nuts" means unshelled edible seeds of the tree *Anacardium occidentale*;

"certificate" means a certificate that may be issued either in paper format (including electronically prepared) or in verified electronic format which describe and attest to conformity of a consignment of regulated agricultural products to stipulated requirements as set out in regulation 6;

"consignment" means a quantity of tree nuts of the same grade belonging to the same grade or class belonging to the same owner and which is delivered at any one time under cover of the consignment note, delivery note or receipt note, is delivered by the same vehicle or bulk container or railway truck, or which is loaded from the same bin or into different grades or classes, each quantity of each of the different grades or classes;

"consignment note" means a consignment note approved by the Executive Officer or Assignee;

"container" means a bag or bulk container in which tree nuts are packed, stored or transported;

"Department" means the Department of Agriculture, Land Reform and Rural Development;

"Executive Officer" means the officer designated under section 2 (1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

"fees" means a gazetted amount payable for inspection and analysis;

"Food Business Operator" (FBO) means the person or persons responsible for ensuring that the prescribed requirements of these regulations are met within the food business under his or her control and include both the management of the food business as well as the person with overall authority on site or in the specific establishment;

"Food Business Operator code" means an alpha-numeric code which needs to be uniquely identified and has been registered with the Executive Officer of the Act by each responsible person (FBO) producing or handling in any way products of plant origin destined for the export market. Examples include farms, fields, processing facilities, storage units, transportation, etc.;

"hazel nuts" means nuts of any of the species of the genus *Corylus*;

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

"ISO" means International Organization for Standardization;

"macadamia nuts" means unshelled edible seeds of the genus *Macadamia*;

"National Reference Laboratory" means an official laboratory of the Department of Agriculture, Land Reform and Rural Development and the Perishable Products Export Control Board (PPECB) that has been nominated in writing by the Executive Officer for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"Officially Recognized Laboratories" means any laboratory that is not a National Reference Laboratory and that is nominated by the Executive Officer in writing as being suitable or required for the testing of compliance as envisaged in terms of regulations 6(1) and 7(1);

"pecan nuts" means unshelled edible seeds of the tree *Carya illinoensis*;

"the Act" means the Agricultural Product Standards Act, 1990 (Act 119 of 1990);

"tree nuts" means cashew nuts, hazelnuts, macadamia nuts, pecan nuts, walnuts and other nuts; and

"walnuts" means unshelled edible seeds of the tree *Juglas nigra*.

Prohibition on the export of Tree Nuts

2. (1) Subject to the provisions of subregulation (2) no person shall export Tree nuts from the Republic unless each quantity thereof has been approved by the Executive Officer for that purpose.

(2) Tree nuts which are –

- (a) exported in a consignment of less than 20 kg; and
- (b) taken in as provisions for consumption abroad a conveyance to another country, shall be exempted from the prohibition set out in subregulation (1).

(3) An approval in terms of subregulation (1) may also be given by an Assignee.

Application for approval for export

3. (1) An application for an approval in terms of section 4 of the Act for the export of tree nuts shall be directed in writing to the Executive Officer or Assignee, as the case may be.

(2) Such an application shall be made at least three working days before the intended date of export.

(3) The following particulars shall be supplied when such application is made:

- (a) The name and address of the applicant and where applicable, of his agent or exporter.
- (b) The grade and the class of the tree nuts.
- (c) The applicable Food Business Operator code.
- (d) The number of containers and the mass of the tree nuts in the consignment concerned.
- (e) The intended date of export and the port from which the consignment concerned shall be exported.
- (f) The destination of the consignment concerned.
- (g) The address of the premises where the consignment concerned may be inspected and the date and time when the consignment will be ready for inspection.

- (h) Any other pertinent information concerning the consignment.

Presentation for inspection

4. (1) Each consignment of tree nuts intended for export which has to be presented for inspection in terms of these regulations shall, prior to the export thereof, be approved for export by an inspector: Provided that the consignment of tree nuts concerned shall be presented for inspection –

- (a) at least 12 hours prior to the intended time of export or as otherwise arranged with the Executive Officer or Assignee; or
- (b) when the consignment is ready for export at the processing facilities before such tree nuts are loaded into a bulk container or onto a truck for transport to a port of export.

(2) A consignment referred to in subregulation (1) shall be presented for inspection and be stored in such a manner that –

- (a) access to each container therein can be obtained readily; and
- (b) the marks, printing or writing on such containers can readily be read.

Consignment Note

5. (1) Every consignment of tree nut destined for export shall when submitted for inspection, be accompanied by a consignment note completed clearly, legibly, fully and correctly.

(2) All the copies of such a consignment note shall have the same serial number and one copy thereof shall be retained by the Department or Assignee, as the case may be.

Procedure at inspection

6. (1) An inspector may open as many containers in a consignment of tree nuts intended for export as he/she may deem necessary and inspect or analyse or have analysed the contents thereof in such a manner as he/she may deem fit.

(2) The result of an inspection or analysis in terms of subregulation (1) shall be deemed to be applicable to the whole consignment of tree nuts from which such containers were abstracted.

- (3) (a) An inspector may re-inspect a consignment of tree nuts which has already been approved for export and may confirm or withdraw any previous approval with regard to the consignment concerned.
- (b) The provisions of regulation 4 and this regulation shall *mutatis mutandis* apply to such re-inspection: Provided that no inspection fee shall be payable in respect of a re-inspection carried out on demand of an inspector.

Assessment of the competence of testing Laboratories involved in the export of tree nuts

7. (1) For the purpose of analysis as required by regulation 6(1), analysis may be conducted by a National Reference Laboratory or an Officially Recognized Laboratories.

(2) The Executive Officer shall nominate a National Reference Laboratory or Officially Recognized Laboratory in writing to conduct analyses as set out in subregulation (1).

(3) The said laboratories shall be considered on the basis of their suitability, which suitability shall *inter alia* be based on the following criteria:

- (a) A reasonable demonstrable knowledge or expertise in the testing and analysis of tree nuts;
- (b) Compliance with the general criteria for testing laboratories as laid down in ISO/IEC 17025: 2017;
- (c) Annual participation in appropriate proficiency testing schemes for analysis which conform to the requirements as laid down in the document titled "The international harmonized protocol for the proficiency testing of analytical laboratories";
- (d) Whenever available, use methods of analysis which have been validated according to the principles as laid down by the *Codex Alimentarius Commission*; and
- (e) Use internal quality control procedures as described in the document titled "Harmonized Guidelines for internal Quality Control in Analytical Chemistry Laboratories".

(4) In addition to compliance with suitability criteria as set out in subregulation (3) an Officially Recognized Laboratory shall be considered for nomination on the following grounds:

- (a) Of necessity in as far as fulfillment of capacity as determined from time to time by the Executive Officer.
- (b) On a three-year period, the period which may be considered for renewal upon assessment by the Executive Officer.

Fees for inspection and analysis

8. The following fees shall be payable for inspection and analysis:

- (1) The determined inspection fee when tree nuts are presented for inspection.
- (2) The fee for testing and analysis of samples shall be charged by the laboratory concerned and this shall include incidental costs such as courier or transport fee.

Approvals and rejections

9. (1) If an inspector approves the export of a consignment of tree nuts he/she shall --

- (a) mark each container in that consignment with a mark of approval; or
- (b) endorse the consignment note of that consignment to such effect; and
- (c) issue a certificate to the effect that such consignment has been approved for export.

(2) If a consignment of tree nuts has been rejected for export purposes as a result of an inspection or re-inspection carried out at a port of export, the custodian of that consignment shall as soon as feasibly remove it from the port area concerned.

(3) Notwithstanding the provisions of subregulation (2), an inspector may, in the case of a consignment in connection with which an appeal is lodged --

- (a) direct that such consignment shall not without his/her consent be removed from the place where the inspection or re-inspection concerned was carried out; and
- (b) apply any mark to the containers concerned which he may deem necessary for identification purposes.

Appeal

10. Any person may lodge an appeal against a decision or direction of the Executive Officer or an Assignee in terms of section 10(1) of the Act or as prescribed in the Appeal Procedures Regulations promulgated under the Act, to the Director-General.

Offences and penalties

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

Commencement

12. These regulations shall come into operation on the date of publication.

Repeal

13. Regulations published by Government Notice No. R. 65 of 29 January 2016 are hereby repealed from the date of commencement of these regulations.

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. R. 3485

2 June 2023

**SOCIAL SERVICE PROFESSIONS ACT, 1978
(Act No. 110 OF 1978)****FEES PAYABLE BY SOCIAL WORKERS, CHILD AND YOUTH CARE WORKERS,
SOCIAL AUXILIARY WORKERS, AUXILIARY CHILD AND YOUTH CARE
WORKERS, STUDENT SOCIAL WORKERS, STUDENT SOCIAL AUXILIARY
WORKERS, STUDENT CHILD AND YOUTH CARE WORKERS AND STUDENT
AUXILIARY CHILD AND YOUTH CARE WORKERS AMENDMENT REGULATIONS**

I, **Lindiwe Zulu**, Minister of Social Development, has in terms of Sections 28(1)(b) of the Social Service Professions Act, 1978 (Act No. 110 of 1978), and on the recommendation of the South African Council for Social Service Professions, made the regulations set out in the Schedule hereto.



**MS L. ZULU, MP
MINISTER OF SOCIAL DEVELOPMENT**

DATE: 14/12/2022

[] Words in **bold type** in square brackets indicate omissions from existing enactments.
Words underlined indicate insertions in existing enactments.

SCHEDULE

DEFINITIONS

1. Amendment of Regulation 1 of the Regulations

a. Regulation 1 of the Regulations is substituted for the following:

[“In these regulations

‘**the Act**’ shall mean the Social Service Professions Act, 1978 (Act No 110 of 1978), and any expression to which a meaning has been assigned in the Act shall have such meaning and, unless the context otherwise indicates –

“**the Regulations**” means fees payable by social workers, child and youth care workers, social auxiliary workers, auxiliary child and youth care workers, student social workers, student social auxiliary workers, [and] student child and youth care workers and student auxiliary child and youth care workers amendment regulations **[published in Government Notice No. 42240 (GNR 221 of 22 February 2019)]**;

‘**financial year**’ means a year ending 31 March of every year;

“**reference number**” means a unique identifier assigned to any financial transaction that will enable Council to identify the person making a payment and allocate such payment against that person’s name.]

“1 In these regulations

‘**financial year**’ means a year ending 31 March of every year’;

“**reference number**” means a unique identifier assigned to any financial transaction that will enable Council to identify the person making a payment and allocate such payment against that person’s name’;

‘**the Act**’ shall mean the Social Service Professions Act, 1978 (Act No 110 of 1978), and any expression to which a meaning has been assigned in the Act shall have such meaning and, unless the context otherwise indicate’;

“**the Regulations**” means regulations made in terms of section 17(2) (b), 17C (3) (c), 18A (6) (b), 18B (2) (b) and 28 (1) (a) of the Act, regarding fees payable by social workers, child and youth care workers, social auxiliary workers, auxiliary child and

youth care workers, student social workers, student social auxiliary workers, student child and youth care workers and student auxiliary child and youth care workers’.

2. Amendment of regulation 2 of the Regulations

- a. Regulation 2 of the Regulations is hereby **substituted for the following:** [amended by the substitution with the following regulation:]

“2 (a) The following fees shall be paid to the Council by social workers and child and youth care workers:

Classification category and service	Current fees	Proposed fees
(i) Registration fee by applicants who obtained their qualifications at a training institution in the Republic of South Africa.	[R245.00]	<u>R262.00</u>
(ii) Additional levy in the case of paragraph (a)(i) for a registration that is requested to be finalised within three working days.	[R117.00]	<u>R325.00</u>
(iii) Registration fee by applicants who obtained their qualifications at a training institution outside the Republic, in a SADC country.	[R1,807.00]	<u>R1,934.00</u>
(iv) Registration fee by applicants who obtained their qualifications at a training institution outside the Republic in countries other than those mentioned in paragraph (a)(iii).	[R3,555.00]	<u>R3,804.00</u>
(v) Re-registration fee by a person whose registration has been suspended in terms of section 22(1)(b) of the Act.	[R750.00]	<u>R803.00</u>
(vi) Re-registration fee by a person whose registration has been cancelled in terms of section 22(1)(c) of the Act.	[R263.00]	<u>R803.00</u>
(vii) Annual fee, subject to regulation 3.	[R466.00]	<u>R500.00</u>
(viii) Fee (<u>registration and annual fee</u>) for the restoration of the name of a person whose name has been removed from the register in terms of section 20(3) of the Act.	[R233.00]	<u>R762.00</u>
(ix) Registrar's fine for fees paid after 31 March, <u>subject to section 20(1)(d) of the Act.</u>	[R434.00]	<u>R465.00</u>

Classification category and service	Current fees	Proposed fees
(x) Examination fee for the purpose of an examination of a person who obtain a qualification outside the Republic in terms of section 17D (3).	[R1000.00]	<u>R1,2340.00</u>
(xi) Examination fee for the purpose of an examination of a person who obtain a qualification inside the Republic in terms of section 18A (5).	[R1250.00]	<u>R1,340.00</u>
(xii) Administrative fee additional to the fees prescribed in paragraphs (a) (i), (iii), (iv), (v), (vi) and (vii) for the re-assessment of an application that needs to be re-submitted due to insufficient Information.	[R200.00]	<u>R214.00</u>

(b) The following fees shall be paid to the Council for registering a speciality in terms of section 17C of the Act:

Classification category and service	Current fees	Proposed Fees
(i) Assessment fee.	[R840.00]	<u>R900.00</u>
(ii) Registration fee.	[R233.00]	<u>R233.00</u>
(iii) Re-registration fee by a person whose registration of the speciality has been suspended in terms of section 22(1)(b) of the Act.	[R750.00]	<u>R803.00</u>
(iv) Re-registration fee by a person whose registration of the speciality has been cancelled in terms of section 22(1)(c) of the Act.	[R263.00]	<u>R803.00</u>
(v) Annual fee, subject to regulation 3.	[R466.00]	<u>R500.00</u>
(vi) Fee (<u>registration and annual fee</u>) for the restoration of the name of a person whose name has been removed from the register in terms of section 20(3) of the Act.	[R222.00]	<u>R762.00</u>
(vii) Registrar's fine for fees paid after 31 March, <u>subject to section 20(1)(d) of the Act.</u>	[R456.00]	<u>R488.00</u>
(viii) Examination fee for speciality in terms of section 17C(2A) (b) of the Act.	[R900.00]	<u>R1,340.00</u>
(ix) Administrative fee additional to the fees prescribed in paragraphs (b)(i), (ii), (iii) and (v) for the re-assessment of an application that needs to be re-submitted due to insufficient Information.	[R200.00]	<u>R214.00</u>

(c) The following fees shall be paid to the Council by student social workers and student child and youth care workers:

Classification category and service	Current fees	Proposed Fees
(i) Registration fee before 31 March of the first year of study.	[R228.00]	<u>R262.00</u>
(ii) Re-registration fee by a person whose registration has been suspended in terms of section 22(1)(b) of the Act.	[R250.00]	<u>R803.00</u>
(iii) Re-registration fee by a person whose registration has been cancelled in terms of section 22(1)(c) of the Act.	[R250.00]	<u>R803.00</u>
(iv) Fee for the restoration of the name of a person whose name has been removed from the Register in terms of section 20(3) of the Act.	[R222.00]	<u>R262.00</u>
(v) Administrative fee additional to the fees prescribed in paragraphs (c)(i), (ii), (iii) <u>and (iv)</u> for the re-assessment of an application that needs to be re-submitted due to insufficient Information.	[R150.00]	<u>R214.00</u>

(d) The following fees shall be paid to the Council by social auxiliary workers and auxiliary child and youth care workers:

Classification category and service	Current fees	Proposed Fees
(i) Registration fee by applicants who obtained their qualifications at a training institution in the Republic of South Africa.	[R228.00]	<u>R262.00</u>
(ii) Additional levy in the case of paragraph (d)(i) for a registration, which is requested to be finalised within three working days.	[R117.00]	<u>R325.00</u>
(iii) Registration fee by applicants who obtained their qualifications at a training institution outside the Republic, in a SADC country	[R1224.00]	<u>R1,310.00</u>
(iv) Registration fee by applicants who obtained their qualifications at training institutions outside the Republic in countries other than those mentioned in paragraph (a)(iii).	[R2,331.00]	<u>R2,495.00</u>
(v) Registration fee by a person whose registration has been suspended in terms of section 22(1)(b) of the Act	[R500.00]	<u>R803.00</u>
(vi) Registration fee by a person whose registration has been cancelled in terms of section 22(1)(c) of the Act	[R246.00]	<u>R803.00</u>
(vii) Annual fee, subject to regulation 3	[R233.00]	<u>R250.00</u>

Classification category and service	Current fees	Proposed Fees
(viii) Fee (<u>registration and annual fee</u>) for the restoration of the name of a person whose name has been removed from the register in terms of section 20(3) of the Act.	[R233.00]	<u>R512.00</u>
(ix) Registrar's fine for fees paid after 31 March, <u>subject to section 20(1)(d) of the Act</u>	[R228.00]	<u>R245.00</u>
(x) Examination fee for the purpose of an examination of a person who obtain a qualification outside the Republic in terms of section 17D(3)	[R1200.00]	<u>R1,340.00</u>
(xi) Examination fee for the purpose of an examination of a person who obtain a qualification inside the Republic in terms of section 18A(5)	[R900.00]	<u>R1,340.00</u>
(vi) Administrative fee additional to the fees prescribed in paragraphs (d)(i), (iii), (iv), (v), <u>(vi)</u> , [(vii)] and (viii) for the re-assessment of an application that needs to be re-submitted due to insufficient Information.	[R200.00]	<u>R214.00</u>

- (e) The following fees shall be paid to the Council by student social auxiliary workers, student auxiliary child and youth care workers and student auxiliary child and youth care workers:

Classification category and service	Current fees	Proposed Fees
(i) Registration fee before 31 March of the first year of study	[R216.00]	<u>R262.00</u>
(ii) Re-registration fee by a person whose registration has been suspended in terms of section 22(1)(b) of the Act	[R233.00]	<u>R803.00</u>
(iii) Re-registration fee by a person whose registration has been cancelled in terms of section 22(1)(c) of the Act	[R233.00]	<u>R803.00</u>
(iv) Fee for the restoration of the name of a person whose name has been removed from the Register in terms of section 20(3) of the Act	[R210.00]	<u>R262.00</u>
(v) Administrative fee additional to the fees prescribed in paragraphs (e)(i), (ii), [and] (iii), <u>and (iv)</u> for the re-assessment of an application that needs to be re-submitted due to insufficient Information	[R200.00]	<u>R214.00</u>

- (f) The following fees pertaining to Continuing Professional Development (CPD) activities shall be paid to the Council:

Classification category and service	Current fees	Proposed fees from Public Comments
(i) Fees for the approval of a CPD activity offered to practitioners at no cost to the practitioner.	[R117.00]	<u>R150.00</u>
(ii) Fees for the approval of a CPD activity offered to practitioners at a specified registration fee or cost to the practitioner.	[R583.00]	<u>R800.00</u>
(iii) Administrative fee for the re-assessment of an application in terms of paragraphs (f)(i) or (ii) that needs to be re-submitted due to insufficient Information	[R200.00]	<u>R214.00</u>

(g) The following miscellaneous fees shall be paid to the Council:

Classification category and service	Current fees	Proposed fees from Public Comments
(i) Fee for a duplicate registration certificate	[R257.00]	<u>R275.00</u>
(ii) Fee for inspection of the register (per occasion)	[R257.00]	<u>R275.00</u>
(iii) Fee for the issue of an extract from the register (per page)	[R525.00]	<u>R562.00</u>
(iv) Fee for certificate of status of good standing	[R630.00]	<u>R675.00</u>
(v) Additional levy in the case for any <u>express service</u> which is requested to be finalised within three working days	[R117,00]	<u>R325.00</u>

(h) The fees referred to in paragraphs (a), (b), (c), (d) and (e) shall be payable subject to the following -

- (i) annual fees are, subject to the provisions of, sub-regulation (a)(vii), (b)(v) and (d)(vii) are payable on or before 1 January of every year;
- (ii) in the case of a person who is registered for the first time as a social worker; a social auxiliary worker, child and youth care worker or auxiliary child and youth care worker; or a person registering a speciality in terms of the Act, the registration fee and annual fee is payable in full for the financial year concerned before such person's name is entered in the register;
- (iii) in the case of a person who applies for re-registration in terms of section 22(4) of the Act, the registration fee and annual fee is payable in full for the financial year concerned before such person's name is entered in the register;
- (iv) in the case of a person who applies for re-registration in terms of section 22(5) of the Act, the registration fee and annual fee is payable in full for the

financial year concerned before such person's name is entered in the register; or

- (v) in the case of a person whose name is restored in terms of section 20(3) of the Act to a register referred to in section 19(1) of the the restoration fee and annual fee must be paid in full for the financial year concerned before such person's name is re-entered or restored to the register; provided that: in the case of a person who has failed to pay any money in terms of section 20(1)(d) of the Act and such person has proceeded to practice the annual fee be paid in full for the current financial year, and outstanding financial years he or she practiced, before such person's name can be restored to the register concerned;
- (vi) be payable for the financial year(s) following the publication of these Regulations and shall apply to all persons irrespective of the date of publication; and
- (vii) The fees referred to in these Regulations include Value Added Tax.

3. Amendment of regulation 3 of the Regulations

a. Regulation 3 is hereby amended by:-

- (i) **by the substitution of sub-paragraph (a) as follows:**

- [(a) **Any person who attains the age of 65 years on—2nd January in terms of section 28(4)(a) and in the course of a financial year attains the age of 65 years on or before 31 March of that financial year who is not full-time employed or continue to be full time employed, shall be exempted from the payment of annual fees in terms of section 28(4)(a) of the Act for the following financial year, if such application reach Council annually on or before 30 November and shall re-apply annually for the renewal of the exemption status: provided that if such a person being exempted from payment of annual fees becomes full time employed after he or she has been exempted, he or she must declare the employment status and pay the full annual fees for the financial year concerned.**]

“Any person who attains the age of 65 years on 1 January who is not full-time employed or continue to be full time employed, shall be exempted from the payment of annual fees in terms of section 28(4)(a) of the Act for the following financial years [, if such application reach Council annually on or before 30

November provided that if such a person being exempted from payment of annual fees becomes full time employed after he or she has been exempted, he or she must declare the employment status and pay the full annual fees for the financial year concerned.

(ii) by the substitution of sub-paragraph (b) as follows:

[Any person who in the opinion of Council does not practice the profession because of health reasons or he or she is registered with Council at a professional or auxiliary level, or who has been unemployed for a period of three consecutive months or longer, subject to the submission of written proof on or before the annual fee is payable, and who has applied in writing to Council for exemption from payment of the annual fee, shall for the period and on the conditions determined by the Council, be exempted from the payment of annual fees for the following financial year; provided that in the case of a person who is unemployed, s/he provides proof to Council in the form of an affidavit completed at the South African Police Service on a prescribed form that he or she is not employed, nor has any form of income.]

“(b) The following persons registered with Council who has applied in writing to Council for exemption from payment of the annual fee, shall be exempted from the payment of such annual fee for the following financial year, subject to the conditions determined in these regulations, and by Council, and that such an application reach Council annually on or before 30 November for the following financial year -

- (i) a person who does not practice his or her profession because of health reasons; or
- (ii) a person who has been unemployed for a period of three consecutive months or longer, subject to the submission of the following with his or her application:
 - (aa) written proof that he or she is unemployed for a period of three consecutive months or longer;
 - (bb) an affidavit completed at the South African Police Service on a prescribed form that he or she is not employed, nor has any form of income;
- (iii) a person contemplated in sub-paragraphs (i) and (ii) shall re-apply annually for the renewal of the exemption status.”

(iii) by the substitution of sub-paragraph (c) as follows:

“[Any person, other than a person mentioned in paragraphs (b), who in the course of a financial year ceases to practise the profession on or before 31 March of that financial year, and who applies in writing to the Council for partial exemption, shall pay only an amount which is calculated to be fifty (50) percent of the annual fee.

Any person who qualifies for an exemption in terms of paragraphs (b) and (c) is not allowed to practice the profession that he or she is registered for and must before re-entering the profession inform Council in writing of such intention, and shall pay within thirty (30) days, the outstanding pro rata annual fee for the financial year during which he or she resume practice, after which such exemption shall fall away.]

“(i) Any person, other than a person mentioned in paragraphs (a) and (b), who in the course of a financial year ceases to practise the profession on or before 31 March of that financial year, and who applies in writing to the Council on or before 30 November for partial exemption from payment of the annual fee, shall pay only an amount which is calculated to be fifty (50) percent of the annual fee payable.

(ii) Any person who qualifies for an exemption in terms of paragraphs (b) and (c) is not allowed to practice the profession that he or she is registered for and must before re-entering the profession inform Council in writing of such intention, and shall pay within thirty (30) days, the [outstanding pro rata] annual fee for the financial year during which he or she resume practice, after which such exemption shall fall away.”

4. Amendment of regulation 4 of the Regulations

(a) Regulation 4 is hereby substituted for the following:-

“REPEAL

4. The Regulations made under the Social Service Professions Act 110 of 1978 published in Government Notice No. R. 1512 in Government Gazette Number 45501 of 19 November 2021 is herewith repealed.”

5. Amendment of regulation 4A of the Regulations

(a) Regulation 4A is hereby amended as follows:-

- (i) by the substitution in sub-regulation 3 of the number [3] for the number 2 after the words sub-regulation as follows:**

“(3) The Council will publish a list of the valid transaction type codes mentioned in sub-regulation (2) **[3]** on its website, which may be revised from time to time according to the Council’s requirements”.

- (ii) by the substitution in sub-regulation 4 of the number [3] for the number 2 after the words sub-regulation as follows:**

“(4) Payments that cannot be correctly allocated because of failure to comply with sub-regulation (2) **[(3)]** will be regarded as not received in time if there is a deadline by which the payment is due.”

Sub-regulation (5) of regulating 4A is hereby amended by the insertion of the following words:

- (5) A payment contemplated in sub-regulation (4) shall be kept in a separate account until such time the person who made the payment is identified for a period not exceeding three years, where after, the fee will be regarded as un-allocated and recognised as other income in relation to the operations of Council. fees receive prior to the date of the publication of these regulations.

6. Amendment of regulation 4A of the Regulations

(b) Regulation 5 is hereby substituted as follows:-

[SHORT TITLE

5. These regulations are called the *Fees payable by social workers, child and youth care workers, social auxiliary workers, auxiliary child and youth care workers, student social workers, student child and youth care workers, student social auxiliary workers and student auxiliary child and youth care workers 2021 Amendment Regulation.*]

“ SHORT TITLE

- 5.** These regulations shall be called Refulations on Fees payable by social workers, child and youth care workers, social auxiliary workers, auxiliary child and youth care workers, student social workers, student child and youth care workers, student social auxiliary workers and student auxiliary child and youth care workers.”
-

PROCLAMATIONS • PROKLAMASIES

PROCLAMATION 122 OF 2023

**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 AND SPECIAL TRIBUNAL: UMGENI WATER BOARD

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 Umgeni Water Board (hereinafter referred to as the "UBW");

AND WHEREAS the UWB 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 UWB, 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 UWB;
- (b) improper or unlawful conduct by employees of the UWB;
- (c) unlawful appropriation or expenditure of public money;
- (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 UWB; 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 01 March 2018 and the date of publication of this Proclamation or which took place prior to 01 March 2018 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 UWB 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 Cape Town this 15 day of May Two thousand and twenty three.

MC Ramaphosa

President

By Order of the President-in-Cabinet:

RO Lamola

Minister of the Cabinet

SCHEDULE

1. The procurement of and contracting for goods, works or services, by or on behalf of the UWB and payments made in respect thereof in a manner that was—

- (a) not fair, equitable, transparent, competitive or cost-effective;
- (b) contrary to applicable—
 - (i) legislation;
 - (ii) manuals, guidelines, circulars, practice notes or instructions issued by the National Treasury or the relevant provincial treasury; or
 - (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the UWB,

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the UWB in relation to—

- (aa) contracts concluded by the UWB for the provision of security and guarding services on 26 November 2018 and 25 January 2019; and
- (bb) tender number 2020/030 for Social Facilitation and Community Engagement for the UWB Infrastructure Projects for a period of five years.

2. Any improper or unlawful conduct by officials or employees of the UWB or the State, the applicable service providers, or any other person or entity in relation to the allegations set out in paragraph 1 of this Schedule.

PROKLAMASIE 122 VAN 2023
van die
PRESIDENT van die REPUBLIEK van SUID AFRIKA

**WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996:
VERWYSING VAN AANGELEENTHEDE NA BESTAANDE SPESIALE
ONDERSOEKEENHEID: UMGENI WATERRAAD**

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 Umgeni Waterraad (hierna na verwys as “UW”);

EN AANGESIEN die UW 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 UW, 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 UW;
- (b) onbehoorlike of onregmatige optrede deur beamptes of werknemers van die UW;
- (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 UW; 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 Maart 2018 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Maart 2018 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 UW of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die 15 dag van Mei Tweeduisend-drie-en-twintig.

MC Ramaphosa
President

Op las van die President-in-Kabinet

RO Lamola
Minister van die Kabinet

BYLAE

1. Die verkryging van, of kontraktering vir, goedere, werke of dienste, deur of namens die UW en betalings wat ten opsigte daarvan gemaak is op 'n wyse wat—

(a) nie regverdig, mededingend, deursigtig, billik of koste-effektief was nie; of

(b) strydig was met toepaslike—

(i) wetgewing;

(ii) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of die betrokke provinsiale tesourie uitgevaardig is; of

(iii) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die UW van toepassing is,

en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verkwiste uitgawes wat aangegaan is deur die UW ten opsigte van—

(aa) kontrakte deur die UW aangegaan vir die verskaffing van sekuriteit- en beskermingsdienste op 26 November 2018 en 25 Januarie 2019; en

(bb) tendernommer 2020/030 vir Maatskaplike Fasilitering en Gemeenskapsbetrokkenheid vir die UW Infrastruktuur Projekte vir 'n tydperk van vyf jaar.

2. Enige onwettige of onbehoorlike optrede deur beamptes of werknemers van die UW of die Staat, die betrokke diensverskaffers of enige ander persoon of entiteit met betrekking tot die bewerings uiteengesit in paragraaf 1 van hierdie Bylae.

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