

agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Directorate Food Safety and Quality Assurance, Private Bag X343, PRETORIA, 0001

FAX COVER SHEET

TO:	All Manufacturers, Packers, Retailers and Importers of Regulated Animal and Processed Plant Products		
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Subject

DISPENSATION: COUNTRY OF ORIGIN INDICATION ON PACKAGING CONTAINING ANIMAL & PROCESSED PLANT PRODUCTS REGULATED UNDER THE APS ACT

1. Background

Marking requirements pertaining to the country of origin indication on packaging containing animal and processed plant products intended for sale on the local RSA market and regulated in terms of the Agricultural products Standards Act, 1990 (Act No. 119 of 1990) are ---

- in some instances not very specific and do not provide clear guidelines to inspectors (just state "country of origin");
- in some instances very prescriptive and restrictive (only allow for the use of the expression "Product of" or "Imported from" or "Manufactured in"); and
- not in line with the latest labelling and advertising of foodstuffs regulations (R.146 of 1 March 2010) of the Department of Health which came into effect on 1 March 2012.

In view of the above-mentioned shortcomings, the following dispensation is therefore issued to provide for the use of the country of origin indication in accordance with regulation R.146 of 01/03/2010. Please take note that in the case of certain products the dispensation will only be applicable to imported products (which is in line with the existing requirements in those specific regulations) since extending it to include local products as well will make the regulations more strict which defies the purpose of a dispensation.

2. Repealing of a previously issued dispensation

The following dispensation issued on 9 March 2012 is hereby repealed:

"Industry dispensation: Country of origin indication on Vinegars - Indication & letter size"

3. Dispensation


Permission is hereby granted by the Executive Officer: Agricultural Product Standards in terms of section 3(1)(c) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), to all manufacturers, packers, retailers and importers of the animal and processed plant products listed in the Annexure hereto, to indicate the country of origin as follows on all packaging (containers and outer containers) containing these products: Provided that no abbreviations shall be used and the letter size of the smallest letter in such indication shall be at least 1mm in height

- "Product of (name of country)" if all the main ingredients, processing and labour used to make the product are from one specific country; or
- "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:

Provided that the words "Packed in (name of country)" may be used in addition to the requirements of paragraph (a) or (b) above.

This permission is subject to the following conditions:

- (a) All other conditions of the relevant regulations shall be complied with.
- (b) It may be withdrawn at any time should a valid complaint be received.
- (c) All manufacturers, packers, retailers and importers of the animal and processed plant products listed in the Annexure hereto, indemnify this Directorate and this Department from any detrimental effect, financially or otherwise, which may emanate as a result of this permission.
- (d) Termination date: When the amendments of the relevant regulations are published in the Government Gazette.



EXECUTIVE OFFICER:

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT 119 OF 1990)

Copy: Directorate: Inspection Services

ANNEXURE

Country of origin indication: Animal and Processed Plant Products – Local Regulations

REGULATION	REGULATION NUMBER	DISPENSATION OF 23 JULY 2012 APPLICABLE TO:
Canned Fruit	R.135 of 1802/2005	Local and Imported products
Canned Mushrooms	R.3 of 05/01/2001 Amended by R.414 of 21/05/2010	Local and Imported products
Canned Pasta	R.903 of 15/09/2000	Local and Imported products
Canned Vegetables	R.1532 of 24/10/2003	Local and Imported products
Dairy & Imitation Dairy Products	R.2581 of 20/11/1987	Applies only to imported products which are to be sold in the retail trade in the containers they are imported in
Dehydrated Vegetables	R.396 of 13/03/1970	Local and Imported products
Dried Fruit	Draft enforced as per dispensation of 14 August 1998	Imported products only
Eggs	R.725 of 16/09/2011	Imported products only
Frozen Fruit & Frozen Vegetables	R.727 of 29/05/1998	Local and Imported products
Fruit Juices & Fruit Drinks	R.286 of 07/11/1980 Amended by R.641 of 30/03/1984 & R.1801 of 17/11/1995	Imported products only
Honey	R.835 of 25/08/2000	Local and Imported products
Jam, Jelly & Marmalade	R.1844 of 15/11/1996 Amended by R.1051 of 28/10/2005	Local and Imported products
Mayonnaise and Salad Dressings	R.636 of 30/06/2000	Local and Imported products
Poultry Meat	R.946 of 27/03/1992 Amended by R.988 of 25/07/1997	Imported products only
Red Meat	R.863 of 01/09/2006	Imported products only
Rooibos	R.322 of 22/03/2002	Local and Imported products
Vinegar	R.1393 of 15/09/1995	Imported products only