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GENERAL NOTICE

NOTICE 832 OF 2012

DEPARTMENT OF TRADE AND INDUSTRY

LABELLING OF GOODS ORIGINATING FROM ISRAELI OCCUPIED TERRITORY WRONGLY LABELLED AS ORIGINATING FROM ISRAEL IN TERMS OF SECTION 24 OF THE CONSUMER PROTECTION ACT, 2008 (ACT NO. 68 OF 2008)

Whereas in terms of section 24(2) of the Act, a person must not knowingly apply to any goods a trade description that is likely to mislead the consumer as to any matter implied or expressed in that trade description;

Whereas in terms section 24 (4) of the Consumer Protection Act, 2008 (Act No. 68 of 2008 hereinafter referred to as “the Act”), the Minister may prescribe categories of goods that are required to have a trade description applied to them; and

Whereas in terms of section 24(5) of the Act, the producer or importer of goods that have been prescribed in terms of Section 24(4) must apply trade descriptions to those goods, disclosing the country of origin of the goods and any other prescribed information;

I, **Dr Rob Davies**, Minister of Trade and Industry, hereby, in terms of section 24 of the Act intend to issue a notice prescribing information requiring an importer, producer, retailer or supplier in the Republic of South Africa, to label goods that originate from the Israeli Occupied Territory (hereinafter referred to as “IOT”)

namely: East Jerusalem, Gaza and West Bank as goods originating from IOT. Goods originating from IOT must not be labeled as goods originating from Israel.

I hereby invite comments on this notice. Such comments should reach the Department of Trade and Industry within 30 days from the date of publication of this notice.

Comments should be addressed to:

Director-General
Department of Trade and Industry
77 Meintjies Street
Sunnyside
Pretoria

For attention of Mr. Ntutuzelo Vananda email: NVananda@thedti.gov.za contact no: 012 394 1383.


1. In this notice “trade description” means – any description, statement or other direct or indirect indication, other than a trade mark, as to-
 - (i) the ingredients of which any goods consist, or material of which any goods are made; and
 - (ii) the place or country of origin of any goods.
2. Goods from IOT labeled “Made in Israel” must be labeled: “Made in Israeli Occupied Territory”.
3. The label “Made in Israel” may only be applied to goods that originate from within Israel’s borders of 1948 – 1967 before they were unilaterally changed by Israel in 1967 “Six Day War”.

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4. I further hereby, in terms of section 24(4) of the Act, prescribe that the importer, producer, retailer, packager or supplier of the goods specified in the Category of Goods below must apply a trade description to those goods, disclosing-
- (a) the country of origin of the goods;
 - (b) in the event of a producer using imported material to produce goods mentioned in the Category of Goods, such goods should be labeled “made in the Republic of South Africa from material imported from the Israeli Occupied Territory”;
 - (c) in the event of a producer using imported ingredients to produce goods mentioned in the Category of Goods, such goods should be labeled “made in the Republic of South Africa from ingredients imported from the Israeli Occupied Territory”;
 - (d) in the event of an importer, retailer or supplier, selling or supplying goods in the Republic of South Africa, made from material imported from IOT such goods should be labeled “made in country X from material imported from Israeli Occupied Territory”;
 - (e) in the event of an importer, retailer or supplier, selling or supplying goods in the Republic of South Africa, made from ingredients imported from IOT such goods should be labeled “made in country X from ingredients imported from Israeli Occupied Territory”
5. Labelling must permanently be applied to the goods in the prescribed category in a conspicuous and easily legible manner.

6. In this regard consumers in the Republic of South Africa must not be misled into believing that goods originating from the IOT namely: East Jerusalem, Gaza and West Bank are goods originating from Israel.

7. Penalties

Failure to comply with this notice constitutes an offence in terms of section 110(1) and may lead to a penalty in terms of section 111(1)(b) read with section 111(2) of the Act.



Dr Rob Davies (MP)
Minister of Trade and Industry
Date: 9/10/2012

CATEGORY OF GOODS

The above notice applies to the following categories:

1. Cosmetics;
2. Technology;
3. Food and beverages;
4. Textiles; and
5. Household products;

In terms of section 24(4)(a) of the Act the Minister may from time to time prescribe further categories that are required to have a trade description applied to them.

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