



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID AFRIKA

*Regulation Gazette*

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*Regulasiekoerant*

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# Closing times for **ORDINARY WEEKLY** **REGULATION GAZETTE** **2018**

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

- **28 December 2017**, Thursday for the issue of Friday **05 January 2018**
- **05 January**, Friday for the issue of Friday **12 January 2018**
- **12 January**, Friday for the issue of Friday **19 January 2018**
- **19 January**, Friday for the issue of Friday **26 January 2018**
- **26 January**, Friday for the issue of Friday **02 February 2018**
- **02 February**, Friday for the issue of Friday **09 February 2018**
- **09 February**, Friday for the issue of Friday **16 February 2018**
- **16 February**, Friday for the issue of Friday **23 February 2018**
- **23 February**, Friday for the issue of Friday **02 March 2018**
- **02 March**, Friday for the issue of Friday **09 March 2018**
- **09 March**, Friday for the issue of Friday **16 March 2018**
- **15 March**, Thursday for the issue of Friday **23 March 2018**
- **22 March**, Thursday for the issue of Thursday **29 March 2018**
- **28 March**, Wednesday for the issue of Friday **06 April 2018**
- **06 April**, Friday for the issue of Friday **13 April 2018**
- **13 April**, Friday for the issue of Friday **20 April 2018**
- **19 April**, Thursday for the issue of Thursday **26 April 2018**
- **25 April**, Wednesday for the issue of Friday **04 May 2018**
- **04 May**, Friday for the issue of Friday **11 May 2018**
- **11 May**, Friday for the issue of Friday **18 May 2018**
- **18 May**, Friday for the issue of Friday **25 May 2018**
- **25 May**, Friday for the issue of Friday **01 June 2018**
- **01 June**, Friday for the issue of Friday **08 June 2018**
- **08 June**, Friday for the issue of Friday **15 June 2018**
- **15 June**, Friday for the issue of Friday **22 June 2018**
- **22 June**, Friday for the issue of Friday **29 June 2018**
- **29 June**, Friday for the issue of Friday **06 July 2018**
- **06 July**, Friday for the issue of Friday **13 July 2018**
- **13 July**, Friday for the issue of Friday **20 July 2018**
- **20 July**, Friday for the issue of Friday **27 July 2018**
- **27 July**, Friday for the issue of Friday **03 August 2018**
- **02 August**, Thursday for the issue of Friday **10 August 2018**
- **10 August**, Friday for the issue of Friday **17 August 2018**
- **17 August**, Friday for the issue of Friday **24 August 2018**
- **24 August**, Friday for the issue of Friday **31 August 2018**
- **31 August**, Friday for the issue of Friday **07 September 2018**
- **07 September**, Friday for the issue of Friday **14 September 2018**
- **14 September**, Friday for the issue of Friday **21 September 2018**
- **20 September**, Thursday for the issue of Friday **28 September 2018**
- **28 September**, Friday for the issue of Friday **05 October 2018**
- **05 October**, Friday for the issue of Friday **12 October 2018**
- **12 October**, Friday for the issue of Friday **19 October 2018**
- **19 October**, Friday for the issue of Friday **26 October 2018**
- **26 October**, Friday for the issue of Friday **02 November 2018**
- **02 November**, Friday for the issue of Friday **09 November 2018**
- **09 November**, Friday for the issue of Friday **16 November 2018**
- **16 November**, Friday for the issue of Friday **23 November 2018**
- **23 November**, Friday for the issue of Friday **30 November 2018**
- **30 November**, Friday for the issue of Friday **07 December 2018**
- **07 December**, Friday for the issue of Friday **14 December 2018**
- **13 December**, Thursday for the issue of Friday **21 December 2018**
- **19 December**, Wednesday for the issue of Friday **28 December 2018**

## 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](http://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 <b>after</b> 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 <b>after</b> submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days <b>after</b> submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days <b>after</b> 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](http://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](mailto: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](mailto: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](mailto: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](http://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](mailto:submit.egazette@gpw.gov.za)

**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)

**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****NO. R. 1339****07 DECEMBER 2018****AGRICULTURAL PRODUCT STANDARDS ACT, 1990  
(ACT No. 119 OF 1990)****REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF POPCORN KERNELS  
INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA**

The Minister of Agriculture, Forestry and Fisheries, acting under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

- (a) made the regulations set out in the Schedule; and
- (b) determined that the said regulations shall come into operation twelve months after date of publication.

**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, unless the context otherwise indicates --

**“animal filth”** means dead rodents, dead birds and dung;

**“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 the case of a farm, the name or number of the farm and of the magisterial district in which it is situated;

**“bulk quantity”** means a quantity of more than 10 kg of popcorn kernels, whether sold in containers or in loose quantities;

**“bulk container”** means a grain truck, any vehicle or container in which bulk of popcorn kernels are stored or transported;

**“broken kernel”** means a popcorn kernel of which a portion thereof is broken;

**“butterfly popcorn kernels”** means popped kernels which are irregular in shape and have number of protruding wings;

**“coffee stained popcorn kernels”** means popcorn kernels with a shiny brown colour that occurs anywhere on the pericarp of the popcorn kernel;

**“consignment”** means -

- (a) a quantity of popcorn kernels of the same grade, which belongs to the same owner, delivered at any one time under cover of the same consignment note, delivery note or receipt note, or delivered by the same vehicle or bulk container, or loaded from the same bin of a grain elevator into a ship's hold or railway truck; or
- (b) in the case where a quantity referred to in paragraph (a), is subdivided into different grades, each such quantity of each of the different grades;

**“container”** means a bag or other suitable packing unit in which popcorn kernels in retail or bulk quantities are packed;

**“defective kernels”** means broken kernels and insect damaged kernels;

**“discoloured popcorn kernels”** means popcorn kernels that as a result of environmental conditions are more than 25% discoloured on both sides of the kernel, excluding coffee stained popcorn kernels, oxidation stained popcorn kernels and pinked popcorn kernels;

**“expansion ratio”** means the total popped volume (cc) expressed as a ratio of the mass (g) of the working samples;

**“foreign matter”** means all materials other than popcorn kernels, animal filth, glass, coal or metal;

**“insect”** means any insect which is injurious to stored grain, irrespective of the stage of development of the insect;

**“insect damaged kernel”** means a kernel that is in any way damaged by a pest insect;

**“inspector”** means the Executive Officer or an officer under his control, or an Assignee or suitably qualified employee of an Assignee;

**“main panel”** means that part of the label or container bearing the trade mark, trade name or brand name in greatest prominence and any other part of the label or container bearing the trade mark, trade name or brand name in equal prominence;

**“mushroom popcorn kernels”** means popped kernels which are ball-shaped with few wings;

**“other coloured popcorn kernels”** means popcorn kernels or pieces of popcorn kernels of which the endosperm as a result of genetic (characteristics) composition have another colour than yellow, excluding pinked popcorn kernels and discoloured popcorn kernels;

**“oxidation stained popcorn kernels”** means popcorn kernels with a shiny light brown colour that are discoloured from the crown and not from the tip cap;

**“pinked popcorn kernels”** means kernels and pieces of kernels of which the pericarp or part thereof is shaded red or pink in colour;

**“poisonous seeds”** means seeds or part of seeds of a plant species that may in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972) represent a hazard to human or animal health when consumed, including seeds of *Argemone mexicana* L., *Convolvulus* spp., *Crotalaria* spp., *Datura* spp., *Ipomoea* spp., *Lolium temulentum*, *Ricinus communis* or *Xanthium* spp.;

**“popcorn kernels”** means the threshed seed of the plant *Zea mays everta*;

**“retail quantity”** means a quantity of 10 kg or less of popcorn kernels, irrespective of whether sold in containers or in loose quantities;

**“tester”** means the Metric Weight Volume Tester developed to determine the potential expansion of popcorn; and

**“the Act”** means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990).

**Scope of Regulations**

2. These regulations are the minimum standard applicable to popcorn kernels that are destined for sale in the Republic of South Africa but does not include --

- (a) popcorn which are packed in microwave packaging; or
- (b) ready to eat popped popcorns.

**Restriction on the sale of Popcorn Kernels**

3. (1) No person shall sell a consignment of popcorn kernels in the Republic of South Africa --
- (a) unless the popcorn kernels are sold according to the grades set out in regulations 5;
  - (b) unless the popcorn kernels complies with the standards for the grades set out in regulations 6;
  - (c) unless the popcorn kernels are packed in containers and in the manner prescribed in regulations 7;
  - (d) unless the popcorn kernels are marked with the particulars and in the manner prescribed in regulations 8, 9, 10; and 11;
  - (e) if the popcorn kernels contain a substance that has thus been prescribed as a substance that it should not contain;
  - (f) if the popcorn kernels are packed in a container or in such a manner that has thus been prescribed as a container or a manner in which it shall not be packed; and
  - (g) if the popcorn kernels are marked with particulars or in such a manner that has thus been prescribed as particulars or manner in which it shall not be marked.
- (2) The Executive Officer may grant written exemption, entirely or partially, to any person on such conditions as he or she may deem necessary, from the provisions of sub regulation (1).

**PART I****QUALITY STANDARDS****Classes of Popcorn Kernels**

4. Popcorn kernels shall be classified as either --
- (a) Mushroom popcorn; or
  - (b) Butterfly popcorn.

**Grades of Popcorn Kernels**

5. (1) Popcorn kernels of Class Butterfly shall be graded as Grade Premium, Grade B1 and Grade B2;
- (2) Popcorn kernels of Class Mushroom shall be graded as Grade M1 and Grade M2.

**Standards for grades of Popcorn Kernels**

6. A consignment of popcorn kernels that is graded as Grade premium, Grade B1, Grade B2, Grade M1 and Grade M2 shall --

- (1)
  - (a) be free from a musty or other undesired odour;
  - (b) not exceed the permissible deviations regarding toxins, chemicals or other substances that renders it unfit for human or animal consumption as prescribed in terms of Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);
  - (c) have a moisture content not exceeding 15 per cent;
  - (d) be free from insects;
  - (e) be free from poisonous seeds: Provided that a consignment of popcorn kernels in bulk quantities may contain poisonous seeds to the extent permitted in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);
  - (f) be free from animal filth, coal, glass and metal.

(2) Subject to the provisions of sub regulations (1) all grades of popcorn mentioned in regulation 5, shall not exceed the maximum percentage of permissible deviation as determined in the Table in the Annexure for each grade.

(3) All grades of popcorn kernels shall be of such quality with an expansion ratio (cc/g) of:

Butterfly popcorn		Mushroom popcorn	
Grades	Expansion ratio	Grades	Expansion ratio
Premium Grade	39 - 42 cc/g	Grade M1	29 - 32 cc/g
Grade B1	36 - 38 cc/g	Grade M2	26 - 28 cc/g
Grade B2	30 - 35 cc/g		

**PART II****PACKING AND MARKING REQUIREMENTS****Requirements for containers**

7. (1) The containers in which popcorn kernels are packed shall --

- (a) be manufactured from a material that --
  - (i) will protect the contents thereof against contamination; and
  - (ii) will not impart any undesirable flavour or odour to the contents thereof.
- (b) be so strong that they will not tear or break during normal storage, handling and transport practices;
- (c) be whole, with the exception of grain probe marks: Provided that grain probe marks will not be permissible in the case of popcorn kernels in retail quantities, notwithstanding the

presence of micro-perforations which allow for air release in retail form-fill and seal packaging;

- (d) be clean;
- (e) be closed properly in a manner permitted by the nature thereof; and
- (f) in the case of popcorn in retail quantities, be previously unused for any purpose.

**Marking of containers in which popcorn kernels in retail quantities are packed**

8. (1) (a) Subject to the provisions of paragraph (b) a container in which popcorn kernels are sold in retail quantities shall be marked with –
- (i) name of the product;
  - (ii) class indication; and
  - (iii) country of origin.
- (b) Any illustration on the container shall be an accurate representation of the contents, especially as far as colour and type of popcorn kernels are concerned.
- (2) Each container in which popcorn kernels in retail quantities are sold shall be marked with-
- (a) the name and address of the packer of those popcorn kernels as required by regulation 10; and
  - (b) the net mass of the popcorn kernels packed therein.
- (3) The particulars referred to in sub regulations (1) and (2) shall be indicated in detached letters and figures that are clearly legible.
- (4) The provisions of this regulation shall *mutatis mutandis* apply to particulars that are indicated on an outer container in which one or more separate containers of popcorn kernels intended for sale in the retail trade are packed, if such outer container is not transparent.

**Marking of containers in which popcorn kernels are packed in bulk quantities**

9. (1) Subject to the provisions of sub regulation (2), each container containing popcorn kernels in bulk, shall be marked clearly and legibly with block letters on the container itself, or on a label affixed to the container, with the following particulars:
- (a) the name of the product shown at least as popcorn kernels;
  - (b) class indication;
  - (c) the grade of the popcorn kernels: Provided that the grade may be omitted if the popcorn kernels have not been graded yet, or in the case of imported popcorn kernels destined for any other purpose other than sale;
  - (d) a lot identification;
  - (e) the country of origin;
  - (f) the name and address of the packer of those popcorn kernels as required by regulation: Provided that the lot identification and the name and address of the packer may be replaced by an identification mark, if such identification mark is clearly identifiable with the accompanying sales documents; and

(g) the net mass of the popcorn kernels packed in more than 10kg therein.

(2) The country of origin may in the case of popcorn kernels destined for further processing or packing be omitted, if the country of origin is indicated on the accompanying sales documents.

***Indications of packer***

10. (1) The name of the packer of popcorn kernels that is marked on the container shall –

- (a) consist of the initials and surname or trade name of the packer or, in the case of imported popcorn kernels in retail quantities, the importer concerned; and
- (b) be preceded by the expression "Packed by" or, in the case of popcorn kernels imported into the Republic in the containers in which they are to be sold in the retail trade, be preceded by the expression "Imported by".

(2) The address as contemplated in regulation 8 (2) (a) and 9 (1) (f) of the packer of popcorn kernels shall be marked on such container immediately after the particulars referred to in subregulation (1).

(3) If popcorn kernels are packed on behalf of a person –

- (a) the particulars referred to in subregulation (1) (a) shall be replaced by the initials and surname or trade name of the person on whose behalf those popcorn kernels have been packed;
- (b) such initials and surname or trade name shall be preceded by the expression "packed for";
- (c) the address of such person shall be indicated in the place of the address referred to in subregulation (2);
- (d) such address shall be marked on a container immediately after the particulars referred to in paragraph (a); and
- (e) the particulars referred to in subregulations (1) and (2) may in addition thereto be marked on a container.

***Restricted particulars***

11. No word, mark, illustration, depiction or any other method of expression that constitutes a misrepresentation, or directly or by implication creates or may create a misleading impression regarding the quality, nature or grade of popcorn kernels shall appear on a container in which popcorn kernels are packed, or on a label attached to such container.



### PART III

#### SAMPLING

##### **General**

12. (1) A sample of a consignment shall for the purpose of the application of these regulations be obtained by --

- (a) in the case of popcorn kernels in retail quantities packed in containers,
  - (i) randomly taking from the number of containers concerned, at least the applicable number of containers mentioned in column 2 of Table 2; and
  - (ii) sampling each such container by hand in the manner set out in regulation 13: Provided that if the contents per container is 1 kg or less, the total contents of all the chosen containers will be taken as sample.
- (b) in the case of popcorn kernels in retail quantities that are kept for sale in loose quantities, obtaining a sample by hand in the manner contemplated in regulation 13;
- (c) in the case of popcorn kernels in bulk quantities --
  - (i) sampling each bag in that consignment with a grain probe as contemplated in regulation 14 or by hand as contemplated in regulation 13 if it consists of 100 bags or less; or
  - (ii) by otherwise sampling at least 10 per cent of the bags in that consignment chosen at random, but with a minimum of 100 bags, with a grain probe as contemplated in regulation 14 or by hand as contemplated in regulation 13.

(2) A sample taken in terms of this regulation is considered to be representative of the consignment from which it was obtained.

##### **Sampling by hand**

13. The sampling of a consignment by hand shall be done as follows:

- (a) Open the containers in the consignment that have to be sampled.
- (b) Insert the open washed hands wearing a clean new latex glove into such container or the loose quantity concerned, close the hand into a fist and thereafter withdraw it evenly.
- (c) Place the material encased by the hand in a suitable collecting tray.
- (d) Repeat the procedure described in paragraph (b) alternately at various depths in the containers or loose quantities concerned, and place the material thus removed in the collecting tray referred to in paragraph (c).
- (e) Take more or less equal quantities or material from each container that is sampled.
- (f) Thoroughly mixes the material thus obtained and divide it by means of a sample divider to obtain a sample of at least 4 kg of material.

***Sampling by means of a grain probe***

14. (1) The sampling of consignment of popcorn kernels with a bag probe shall be done as follows:

- (a) Insert the tapered end of the grain probe upwards at an angle of approximately 30 degrees with the horizontal line and with the aperture thereof downwards, into each bag chosen from that consignment, until the end of the probe is approximately in the centre of such bag.
- (b) Turn the grain probe through approximately 180 degrees on the longitudinal axis thereof so that the aperture thereof is at the top.
- (c) Extract the grain probe with a slight shaking movement and diminishing speed from the bag concerned to ensure that a relatively even and increasing flow of beans is maintained through the aperture thereof closer to the side of the bag.
- (d) Place the material contained in the grain probe in a suitable container.
- (e) Repeat the procedure described in subparagraphs (a), (b) and (c) alternately at various depths of alternate bags and place the material thus removed in the container referred to in subparagraph (d).
- (f) Take approximately equal quantities of material from each bag that is sampled.
- (g) Thoroughly mixes the material thus obtained and divide it by means of a sample divider to obtain a sample of at least 4 kg.

(2) A grain probe referred to in subregulation (1) shall –

- (a) be long enough so that the end thereof will reach the centre of a bag being sampled; and
- (b) consist of a cylindrical tube with a tapered end and an aperture close to the end.

***Sampling if contents differ***

15. If it appears from an examination of the popcorn kernels in bulk quantities taken in accordance with regulation 12 from different bags in a consignment, that the contents of those bags differ conspicuously--

- (a) the respective bags shall be separated from each other;
- (b) all the bags in the consignment concerned shall be sampled in order to make such classification and separation; and
- (c) each group of bags of a particular grade in the consignment concerned shall for the purposes of these regulations be deemed to be a separate consignment.

***Obtaining a working sample***

16. A working sample shall be obtained by dividing the random or deviating sample of the consignment according to the ICC (International Association for Cereal Chemistry) 101 (Approved 1960) Method.

## PART IV

### INSPECTION METHODS

#### ***Determination of undesirable odours and harmful substances***

17. A consignment of popcorn kernels or a sample of a consignment of popcorn kernels shall be sensorially assessed or chemically analysed in order to determine --

- (a) whether it has a musty, sour, rancid or other undesirable odour: Provided that a working sample of unscreened popcorn kernels that is ground in a grain mill to a fine meal may be used for the determination concerned.

#### ***Determination of animal filth, glass, metal, coal, poisonous seed and insect content***

18. A sample of a consignment shall be sensorially assessed and sorted by hand in order to determine whether the sample has animal filth, glass, metal, coal, poisonous seed and insect content.

#### ***Determination of stones***

19. The percentage of stones in a consignment of popcorn kernels shall be determined as follows:

- (a) Obtain a working sample of at least 200 g popcorn kernels from either a random or a deviating sample, as the case may be.
- (b) Sort the working sample in such a manner that the stones are retained.
- (c) Determine the mass of the stones so obtained and expresses it as a percentage of the mass of the working sample.
- (d) Such percentage represents the percentage of stones in the consignment.

#### ***Determination of percentage of foreign matter***

20. The percentage of foreign matter in a consignment of popcorn kernels shall be determined as follows:

- (a) Obtain a working sample of at least 200 g popcorn kernels from either a random or a deviating sample, as the case may be.
- (b) Sort the working sample in such a manner that the foreign matter is retained.
- (c) Determine the mass of the foreign matter so obtained and expresses it as a percentage of the mass of the working sample.
- (d) Such percentage represents the percentage of foreign matter in the consignment.

***Determination of percentage of insect damaged kernels***

21. The percentage of insect damaged kernels in a consignment of popcorn kernels is determined as follows:

- (a) Obtain a working sample of at least 200 g popcorn kernels from either a random or a deviating sample, as the case may be, after the foreign matter and poisonous seeds have been removed.
- (b) Sort the working sample in such a manner that the insect damaged kernels are retained.
- (c) Determine the mass of the insect damaged kernels and express it as a percentage of the mass of the working sample.
- (d) Such percentage represents the percentage of insect damaged kernels in the consignment.

***Determination of percentage of broken kernels***

22. The percentage of broken kernels in a consignment of popcorn kernels determined as follows:

- (a) Obtain a working sample of at least 200 g popcorn kernels from either a random or a deviating sample, as the case may be, after the foreign matter, undesirable/poisonous seeds and insect damaged kernels have been removed.
- (b) Sort the working sample in such a manner that the broken kernels are retained.
- (c) Determine the mass of the broken kernels and express it as a percentage of the mass of the working sample.
- (d) Such percentage represents the percentage of broken kernels in the consignment.

***Determination of percentage of other coloured popcorn kernels***

23. The percentage of other coloured popcorn in a consignment of popcorn kernels determined as follows:

- (a) Obtain a working sample of at least 200 g popcorn kernels from either a random or a deviating sample, as the case may be, after the foreign matter, undesirable/poisonous seeds and insect damaged kernels have been removed.
- (b) Sort the working sample in such a manner that other coloured popcorn kernels are retained.
- (c) Determine the mass of other coloured popcorn kernels and express it as a percentage of the mass of the working sample.
- (d) Such percentage represents the percentage of other coloured popcorn kernels in the consignment.

***Determination of volume of popped popcorn kernels obtained (expansion ratio)***

24. The volume of popped popcorn kernels are determined as follows with an industrial Standard Metric Weight/Volume Tester:

- (a) Obtain three working samples (regulation 16) of 250 g of raw popcorn kernels after all foreign matter and poisonous seeds have been removed. Label one as "warm up sample" and the other two as "Sample A" and "Sample B".
- (b) Set the power of the Metric Weight/Volume Tester at 1400 watts and the temperature at 240°C ( $\pm$  480°F), add the 118 g of oil while the pot is still cold.
- (c) When the popping pan reaches a temperature of 240°C, add the 250 g of popcorn kernels.
- (d) Determine the volume of popped popcorn kernels after completion of the popping process, as well as of the time that has to pass afterwards as prescribed in the directions for use of the apparatus, the popped volume is determined in a cylinder of 13 cm in diameter and calibrated to provide a reading in cc/g.
- (e) The average volumes of sample A and sample B, will represents the popped popcorn kernels of a consignment.

***Determination of popping percentage***

25. The popping percentage of a consignment of popcorn kernels, if so requested, is determined as follows:

- (a) Take the popped popcorn kernels obtained in sample A or sample B in regulation 24 as a working sample.
- (b) Sort the working sample in such a manner that the popcorn kernels which have not popped are retained and determine the mass thereof.
- (c) Express the mass determined in paragraph (b) as a percentage of the mass of the working sample of raw popcorn kernels prescribed in paragraph (a) of regulation 24.
- (d) Subtract the percentage determined in paragraph (c) from 100.
- (e) The percentage thus obtained represents the popping percentage of the popcorn kernels in the consignment concerned.

***Determination of other classes of popcorn kernels***

26. The percentage of other classes in a consignment of popcorn kernels, if so requested, is determined as follows:

- (a) Take the popped popcorn kernels obtained in regulation 24 as a working sample.
- (b) Sort the working sample in such a manner that the popped popcorn kernels of other classes are retained and determine the mass thereof.
- (c) Express the mass determined in paragraph (b) as a percentage of the mass of the working sample of raw popcorn kernels prescribed in paragraph (a) of regulation 24.
- (d) Subtract the percentage determined in paragraph (c) from 100.
- (e) The percentage thus obtained represents the percentage of other classes of popcorn kernels in the consignment concerned.

***Determination of kernel count per 10 g***

27. The kernel count per 10 g in a consignment of popcorn kernels, if so requested, is determined as follows:

- (a) Obtain three working samples of 10 g each, after all poisonous seeds, foreign matter, broken kernels and insect damaged kernels have been removed.
- (b) Count the number of kernels in each of the working samples and determine the average of the three working samples.
- (c) Such average represents the kernel count per 10 g of a consignment of popcorn kernels.

**PART V****MOISTURE CONTENT*****Determination of moisture content***

28. The moisture content of a consignment of popcorn kernels may be determined according to any suitable method: Provided that the result thus obtained is in accordance with the maximum permissible deviation for a class 1 moisture meter as detailed in ISO 7700/2, based on results of the 72 hour, 103°C oven dried method (AACC Method 44/15A/1981).

**OFFENCE AND PENALTIES**

29. Any person who contravenes or fails to comply with any provision of these regulations shall be guilty of an offence and upon conviction be liable to a fine or imprisonment for a period not exceeding two years, or to both the fine and imprisonment in accordance with section 11 of the Act.

**ANNEXURE A****TABLE 1****MAXIMUM PERCENTAGE (%) PERMISSIBLE DEVIATIONS (M/M) FOR POPCORN KERNELS**

Nature of defect	Grades of Popcorn				
	Premium	B1	B2	M1	M2
(a) Other coloured popcorn kernels	2%	3%	5%	3%	5%
(b) Other classes of popcorn kernels	2%	3%	3%	3%	3%
(c) Defective popcorn kernels					
(i) Broken kernels	1%	1.5%	2%	1.5%	2%
(ii) Insect damaged	0.5%	0.7%	0.9%	0.7%	0.9%
(d) Stones	*	0.1%	0.1%	0.1%	0.1%
(e) Foreign matter	0.3%	0.3%	0.5%	0.3%	0.5%
(f) Deviations in paragraphs (a), (b), (c) and (d): Provided that such deviations are individually within the specified limits	2%	3%	5%	3%	5%

\*No Allowance

**TABLE 2****FREQUENCY OF SAMPLING**

Number of containers comprising quantity of Popcorn kernels 1	Minimum number of containers to be selected at random 2
Less than 10	2
11 to 50	4
More than 50	6

## DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 1340

07 DECEMBER 2018

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

**REGULATIONS RELATING TO THE CLASSIFICATION, PACKING AND MARKING OF VINEGAR  
AND IMITATION VINEGAR INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA**

The Minister of Agriculture, Forestry and Fisheries has in terms of section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) –

- (a) made the regulations in the Schedule;
- (b) determined that the said regulations shall come into operation 12 months after date of publication thereof; and
- (c) read together with section 3(2) of the said Act, repealed the regulations published by Proclamation No. R. 1393 of 15 September 1995 with effect from the date of commencement.

**SCHEDULE**

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### Definitions

1. Any word or expression in these regulations to which a meaning has been assigned in the Act shall have that meaning, and unless the context otherwise indicates –

**"acidity"** means the total acid in vinegar expressed as the chemical compound known as hydrogen acetate or anhydrous acetic acid that requires for complete neutralization of 100 parts per mass, 66,61 parts per mass of pure sodium hydroxide;

**"alcohol"** means ethyl alcohol or ethanol;

**"batch"** means a definite quantity of a commodity produced essentially under the same conditions, and not exceeding 24 hours;

**"container"** means the immediate container in which vinegar or imitation vinegar is packed for sale to the consumer;

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

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

**"foreign matter"** means any material which is not normally present in vinegar, but excludes foodstuffs which have been intentionally added as allowed for in regulation 4(1)(g);

**"fortified wine"** means wine to which a spirit derived from the fermented juice of the grape vine has been added to such an extent that the alcohol content thereof is at least 15% (v/v) but does not exceed 22% (v/v);

**"geographical indication"** (GI) means an indication (name) protected in terms of an international agreement and which is used on agricultural products intended for sale in the Republic of South Africa;

**"grape must"** means pressed grape juice that contains the skins, seeds, and stems of the fruit;

**"imitation vinegar"** means a product other than vinegar which in general appearance, presentation and intended use corresponds to vinegar but was not made solely by alcoholic fermentation and subsequent acetous bacterial oxidation of any juice, infusion, solution or decoction of plant or animal origin (e.g. food grade glacial acetic acid);

**"inspector"** means the executive officer of the Act or an officer under his or her control, or an assignee or an employee of an assignee;

**"international agreement"** means any bilateral or multilateral treaty, convention, or agreement to which the Republic of South Africa is a party/signatory, and any arrangement between the Republic of South Africa and another country, concerning the protection of geographical indications;

**"outer container"** means a container in which one or more than one container of vinegar or imitation vinegar is packed;

**"oxidation value"** means the ml of 0.002M KMnO<sub>4</sub> (potassium permanganate) that is required to oxidize a sample of 100ml in 30 minutes under standard conditions;

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

**"vinegar"** means the product made solely by alcoholic fermentation and subsequent acetous bacterial oxidation of any juice, infusion, solution or decoction of plant or animal origin containing starch and/or sugar where the end product has an oxidation value >200, but excludes a liquor product as defined in the Liquor Products Act, 1989 (Act No. 60 of 1989); and

**"wine"** means a liquor product which complies with the requirements prescribed in section 5 of the Liquor Products Act, 1989 (Act No. 60 of 1989).

***Restrictions on the sale of vinegar and imitation vinegar***

2. (1) No person shall, subject to the provisions of subregulation (2), sell vinegar and imitation vinegar in the Republic of South Africa intended for --

- (a) public consumption --
  - (i) unless it is sold according to the classes referred to in regulation 3;
  - (ii) unless it complies with the applicable standards referred to in regulation 4;
  - (iii) unless the containers and outer containers in which it has been packed comply with the requirements referred to in regulation 5;
  - (iv) unless it is marked in the manner and with the particulars referred to in regulation 6; and
  - (v) if it is marked with any restricted particulars or in a manner which is prohibited in terms of regulation 13; or
- (b) delivery by a manufacturer to a packer or use as an ingredient in the manufacture of another foodstuff --
  - (i) unless it is sold according to the classes (e.g. indicated on sales documentation) referred to in regulation 3; and
  - (ii) unless it complies with the applicable standards referred to in regulation 4: Provided that the vinegar may be concentrated.

(2) The Executive Officer may grant written exemption, entirely or partially, to any person on such conditions as he deems necessary, from the provisions of subregulation (1).

**PART I****CLASSES OF AND STANDARDS FOR VINEGAR AND IMITATION VINEGAR*****Classes of vinegar and imitation vinegar***

3. Vinegar and imitation vinegar shall be classified according to the following classes:

- (a) Grape vinegar.
- (b) Wine vinegar.
- (c) Spirit vinegar.
- (d) Glucose vinegar.
- (e) Cider, apple cider or apple vinegar.
- (f) Malt vinegar.
- (g) Balsamic vinegar.
- (h) Honey vinegar.
- (i) Rice vinegar.
- (j) Coconut vinegar/Coconut flower vinegar.
- (k) Unspecified vinegar.
- (l) Blended vinegar.

- (m) Imitation vinegar.
- (n) Flavoured vinegar.
- (o) Geographical indication (GI) vinegar.

**Standards for classes**

4. (1) All classes of vinegar and imitation vinegar --
- (a) shall not have less than 4% (v/v) and not more than 20% (v/v) acidity in the ready to use form;
  - (b) with the exception of imitation vinegar, shall be made solely by alcoholic fermentation and subsequent acetous bacterial oxidation of any juice, infusion, solution or decoction of plant or animal origin containing starch and/or sugar;
  - (c) shall not contain any mineral acid;
  - (d) shall be clear: Provided that --
    - (i) flavoured vinegar may be somewhat turbid/unclear;
    - (ii) unfiltered vinegar may be turbid/unclear: Provided that unfiltered, unpasteurised vinegar may contain some of the jelly like substance that sometimes form during production of the vinegar; and
    - (iii) balsamic vinegar may be turbid/unclear;
  - (e) shall, subject to regulation 7(1)(f) and with the exception of flavoured vinegar (subregulation (15)), have a characteristic flavour and colour of the class of vinegar or imitation vinegar concerned;
  - (f) may contain food additives to the extent permitted under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972); and
  - (g) may contain added foodstuffs.
- (2) Grape vinegar shall consist of vinegar which is solely made from --
- (a) the juice of grapes or dried grapes; or
  - (b) diluted distilled alcohol obtained from the juice of grapes or dried grapes; or
  - (c) fortified wine.
- (3) Wine vinegar shall consist of vinegar which is solely made from wine other than fortified wine.
- (4) Spirit vinegar shall consist of vinegar which is solely made from --
- (a) the juice of cane sugar or molasses; or
  - (b) diluted distilled alcohol obtained from the juice of cane sugar or molasses.
- (5) Glucose vinegar shall consist of vinegar which is solely made from starch, glucose or glucose syrup.
- (6) Cider vinegar, apple cider vinegar or apple vinegar shall consist of vinegar which is solely made from the juice or concentrated juice of apples.
- (7) Malt vinegar shall consist of vinegar which is solely made from whole cereal grain, of which the starch has been converted into fermentable sugar by the direct action of malting.

(8) Balsamic vinegar shall consist of wine vinegar and/or of vinegar which is solely made from grape must: Provided that the vinegar may contain added grape must or juice.

(9) Honey vinegar shall consist of vinegar which is solely made from honey.

(10) Rice vinegar shall consist of vinegar which is solely made from rice.

(11) Coconut vinegar shall consist of vinegar which is made from coconut water with or without the addition of sugar, while coconut flower vinegar shall consist of vinegar made solely from the sap that is tapped from the stems of coconut blossoms.

(12) Unspecified vinegar shall consist of vinegar which is solely made from any juice, infusion, solution or decoction of plant or animal not mentioned in subregulations (2) to (11).

(13) Blended vinegar shall consist of vinegar which is solely made by the blending of two or more of the classes of vinegar mentioned in subregulations (2) to (12), or by the blending of the respective raw materials of such classes prior to alcoholic fermentation and/or subsequent acetous bacterial oxidation.

(14) Imitation vinegar means a product other than vinegar which in general appearance, presentation and intended use corresponds to vinegar but was not made solely by alcoholic fermentation and subsequent acetous bacterial oxidation of any juice, infusion, solution or decoction of plant or animal origin.

(15) Flavoured vinegar shall consist of any of the classes of vinegar mentioned in subregulations (2) to (13), to which flavourings, aromatic plant extracts or plant parts, including spices have been added or which, by leaching of aromatic plant material in the vinegar, has absorbed their flavour characteristics.

(16) Geographical indication (GI) vinegar means vinegar complying with the specifications registered in their country of origin.

## PART II

### CONTAINERS AND OUTER CONTAINERS

#### *Requirements for containers and outer containers*

5. (1) A container, in which vinegar or imitation vinegar is packed, including a tank or bulk container from which vinegar is sold into the container of the buyer, shall --

- (a) be manufactured 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 so strong that it will not be damaged or deformed during normal storage, handling and transport practices;
- (c) be intact and clean; and
- (d) be closed properly in a manner permitted by the nature thereof.

(2) If containers containing vinegar or imitation vinegar are packed in outer containers, such outer containers shall --

- (a) be intact, clean, neat, suitable and strong enough; and
- (b) not impart any undesirable taste or flavour to the contents thereof.



**PART III****MARKING REQUIREMENTS*****Marking of containers and outer containers***

6. (1) Each container in which vinegar or imitation vinegar is packed, shall be marked in at least English, with the following particulars:

- (a) The class designation as specified in regulation 7: Provided that in the case of GI vinegars, the class designation may be indicated in the language of the country from which the vinegar originates.
- (b) The additional particulars on the main panel, where applicable, as specified in regulation 8.
- (c) The name and address as specified in regulation 9.
- (d) The country of origin as specified in regulation 10.
- (e) Traceability as specified in regulation 11.
- (f) Where applicable, the requirements and restrictions for Geographical Indications as specified in regulation 12.
- (g) The nett contents of the vinegar packed in the manner and size as prescribed by the Legal Metrology Act, 2014 (Act No. 9 of 2014).
- (h) An indication of the "best before" and/or "use by" and/or "sell by" date where the integrity and stability of a vinegar is such that it is required: Provided that it shall be indicated in the manner prescribed in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).
- (i) If any foodstuff or food additive has been added to vinegar, it shall be declared in the ingredients list in the manner prescribed in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).

(2) The particulars referred to in subregulation (1) and specified in column 1 of Table 1 shall be indicated in detached letters and figures --

- (a) that are in each separate case of the same colour, type, font and size;
- (b) that appear on a uniform and contrasting background;
- (c) that are clearly legible;
- (d) of which the minimum vertical height of the smallest letters or figures in the indication shall be as specified in column 2 of Table 1 opposite the particulars concerned; and
- (e) either on labels that are properly affixed (pasted/glued) to the containers, or that are indelibly marked directly onto the surface of the containers.

(3) A vinegar or imitation vinegar packed in a container of 10ml or less shall be provided with a label indicating the particulars referred to in regulations 7(1), 9 and 11 in a minimum letter size of 1mm (applicable to smallest letters or figures in the indication): Provided that it is packed in an outer container that is marked with all the applicable particulars in the prescribed manner and size.

(4) If a vinegar or imitation vinegar is sold from a tank or bulk container into the container of the buyer, the tank or bulk container from which such vinegar or imitation vinegar is sold shall be marked in the immediate vicinity of the tap with the applicable class designation as specified in regulation 7 and the country of origin as specified in regulation 10.

(5) The particulars referred to in subregulation (1) shall, subject to the provisions of subregulation (2), also be indicated on outer containers if the vinegar or imitation vinegar is intended to be sold, or if there is the possibility that it may be sold to the public in the outer container.

### ***Class designation***

7. (1) The class designation for the vinegar or imitation vinegar concerned shall be indicated prominently on the container and shall consist of the applicable class name specified in regulation 3: Provided that –

- (a) in the case of blended vinegar, the class designation shall be indicated as "Blended Vinegar" or "Vinegar Blend" with the names of the various classes of vinegar indicated in descending order of volume used in the blend, as part of or in close proximity to the class designation;
- (b) in the case of unspecified vinegar, the word "Unspecified" shall be substituted with an accurate descriptive name which identifies the plant or animal origin of the vinegar;
- (c) in the case where the plant origin of a vinegar is from a specific variety, the variety may be indicated as origin of the vinegar subject to manufacturing practices that guarantee the true variety origin of the vinegar;
- (d) in the case of imitation vinegar, the term "Acetic Acid" shall appear in the immediate vicinity of the class designation;
- (e) in the case of flavoured vinegar, the class designation shall include a descriptive name which identifies the flavour, clarified by applicable wording such as "flavoured", "with", "infused with", as the case may be;
- (f) in the case where the vinegar is made from distilled alcohol, as in the case of spirit vinegar, grape vinegar or grain vinegar, or any other vinegar where the source material's contribution to the characteristics of the vinegar would be negligible, the class designation "Distilled vinegar" may alternatively be used for these vinegars; and
- (g) in the case of GI vinegar the class designation shall be the GI name(s), as indicated in Table 2, or any other vinegar GI name protected in terms of an international agreement.

(2) The class designation of the vinegar concerned shall, subject to the provisions of regulation 6(2), be prominently indicated, but does not have to be the largest on the container.

(3) If vinegar or imitation vinegar is packed in non-transparent containers, the colour of the vinegar or imitation vinegar (e.g. "brown", "white", "red", etc.) shall be indicated on the container in the immediate vicinity of the class designation and/or as part of the class designation: Provided that in the case of transparent containers this indication is optional, but if indicated it may only appear in the immediate vicinity of the class designation and/or as part of the class designation.

### ***Additional particulars***

8. (1) In the case of vinegar or imitation vinegar that requires dilution with water before use, directions for such dilution shall be indicated in the format of "Dilute 1 to x with water" or "Dilute 1 : x with water" where 'x' represents the volume of water required for dilution.

(2) The acidity of the vinegar or imitation vinegar in the container shall be indicated as "X% Acidity" where "X" represents the acidity as described in the definition for acidity.

(3) The word "unfiltered" may only appear on unfiltered vinegar, but it may not be indicated as part of the class designation.

(4) Reference to containing the "mother" may be made on unfiltered, unpasteurised vinegar, but it may not be indicated as part of the class designation.

(5) A vinegar made solely by alcoholic fermentation and subsequent acetous bacterial oxidation of any juice, infusion, solution or decoction of plant and/or animal origin may use the indication "Naturally Fermented" or similar description, but it may not be indicated as part of the class designation.

(6) Subject to the compulsory indication of the class designation as required in regulation 6(1)(a), the container of a vinegar may also in addition to the class designation, but not as part of the class designation, indicate the intended use of the vinegar, such as "Vinegar for", "Ideal for", or any similar description.

#### ***Name and address***

9. (1) The name or trade name and the address of the manufacturer, packer, seller, importer or distributor of the vinegar or imitation vinegar, or entity on whose behalf it has been packed, shall be indicated : Provided that –

- (a) such address shall be the physical address of the manufacturer, packer, seller, importer or distributor concerned, or entity on whose behalf it has been packed; and
- (b) in the case of imported vinegar or imitation vinegar, the name and physical address of the importer or seller in South Africa shall be indicated.

(2) In exceptional cases where it is not possible to indicate a physical address as required in subregulation (1), a postal address with a telephone number may be used: Provided that the exception can be motivated.

#### ***Country of origin***

10. (1) The country of origin shall be declared as follows:

- (a) "Product of (name of country)" if all the main ingredients, processing and labour used to make the product are from one specific country;
- (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 (names of countries)" separated by the expression 'and/or', shall be declared on the label 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 of subregulation (1)(a),(b) or (c) above.

(3) The name(s) of the country(ies) referred to in subregulations (1) and (2) may not be abbreviated.

#### ***Traceability***

11. (1) Each container of vinegar and imitation vinegar shall be identifiable and traceable to such an extent that the factory where the final product was manufactured or packed can be identified.

(2) Each container of vinegar and imitation vinegar shall be clearly marked with a batch identification in such a way that the specific batch is easily identifiable and traceable: Provided that such identification shall be the same for all containers of vinegar or imitation vinegar originating from the same batch.



***Geographical indications (GIs)***

12. (1) The Geographical Indications (GIs) listed in Table 2 may only be used on the particular vinegar originating from the corresponding country when presented for sale in the Republic of South Africa.

(2) Any direct or indirect commercial use of the GIs listed in Table 2 is prohibited on --

- (a) similar agricultural products which are not covered by an international agreement; and
- (b) dissimilar agricultural products where such use exploits the reputation of the protected name.

(3) Imported vinegars presented for sale under a GI that forms part of an international agreement may show any GI symbol(s), designations and acronyms approved for use for such purpose by the competent authority in the country of origin concerned.

(4) GIs may have different labelling and/or compositional requirements as required by these regulations: Provided that such requirements are included in the product specifications registered for the GI concerned in the country of origin.

(5) This regulation shall be applicable to the GI vinegar products protected under the Merchandise Marks Act, 1941 (Act No. 17 of 1941) until the regulations relating to the protection of geographical indications used on agricultural products intended for sale in the Republic of South Africa in terms of the Agricultural Product Standards Act, 1990 have been published and implemented.

***Restriction on the use of certain particulars***

13. (1) No word, mark, illustration, depiction or other method of expression that constitutes a misrepresentation or which directly or by implication creates or may create a misleading impression regarding the quality, nature, class or origin of that vinegar or imitation vinegar, shall be marked on a container thereof.

(2) The words "natural", "super", "ultra", "extra", or "pure" or any other word or expression that directly or by implication creates or may create the impression that the vinegar or imitation vinegar is of a special or particular quality, shall not be marked on a container unless the use of the word or expression concerned can be adequately motivated or is part of the trade mark appearing on such a container: Provided that --

- (a) the mentioned trade mark is not indicated in close proximity to the class designation and the compositional indications, such as the % acidity indication or the indication of the classes of vinegar used in "Blended Vinegar";
- (b) the mentioned trade mark does not create or may not create an obvious misleading impression as contemplated in subregulation (1); and
- (c) the indication "Naturally Fermented" as referred to in regulation 8(5) is excluded from this restriction.

(3) No claim regarding the absence of any substance that does not normally occur in a vinegar or imitation vinegar shall be marked on a container thereof: Provided that the word "unpreserved" and/or negative claims allowed in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), may be indicated.

(4) No class designation other than the applicable class designation may be marked on a container of vinegar or imitation vinegar.

- (5) (a) No depiction of a leaf, fruit animal or any other plant or animal part shall appear on a container of imitation vinegar.
- (b) The provisions of paragraph (a) shall, in the case of imitation vinegar, not be construed so as to include a prohibition on an illustration or depiction of a salad.



(6) Any foodstuff containing vinegar or imitation vinegar as an ingredient that does not comply with the provision of these regulations, may not have its label, packaging, trade name, trade mark or pictorial illustrations so designed as to imply that it is a vinegar or imitation vinegar: Provided that reference may be made to vinegar or imitation vinegar if it is done in a manner that clearly indicates that it is used only as an ingredient in the foodstuff (e.g. by using words such as "with" or "contains").

(7) The provisions of this regulation shall also *mutatis mutandis* apply to --

- (a) particulars that are marked on an outer container in which one or more separate containers of vinegar or imitation vinegar is packed;
- (b) particulars that are marked on a notice board displayed at or in the immediate vicinity of a vinegar or imitation vinegar; and
- (c) all advertisements and any other promotional material related to the sale of a vinegar or imitation vinegar.

#### PART IV

#### SAMPLING AND INSPECTION

##### **Sampling**

14. (1) (a) An inspector may during the course of an inspection of vinegar and imitation vinegar draw randomly --
- (i) for the purpose of analysis, not more than two samples per batch; and/or
  - (ii) for the purpose of further inspection, as many containers as he or she may deem necessary.
- (b) An inspector shall be satisfied that the samples so drawn are representative of the batch concerned.
- (c) Samples of vinegar and imitation vinegar may be obtained from the trade or directly from the factory or warehouse where such products are stored: Provided that duplication of sampling should be avoided.
- (d) Samples taken for the purpose of analysis shall be --
- (i) suitably sealed to ensure the product is tamper-proof; and
  - (ii) clearly labelled to ensure correct identification.

#### PART V

#### ANALYSIS

##### **Analysis**

15. (1) The method to be employed and the procedure to be followed in connection with the analysis of vinegar and imitation vinegar for the determination of a property or any other requirement within these regulations shall be based on internationally acceptable reference methods and procedures.

(2) Where the results of the analysis performed confirm compliance with the prescribed compositional requirements for the class of vinegar and imitation vinegar concerned, the whole batch from which the relevant samples were obtained shall be regarded as compliant.

(3) If the results of the analysis performed deviate from the prescribed compositional requirements for the class of vinegar and imitation vinegar concerned, the whole batch from which the relevant samples were obtained shall be regarded as non-compliant.

## PART VI

### OFFENCES

#### *Offences and penalties*

16. 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 in accordance with section 11 of the Act.

**TABLE 1**  
**LETTER SIZES OF INDICATIONS**

NATURE OF PARTICULARS		MINIMUM VERTICAL HEIGHT OF THE SMALLEST LETTERS OR FIGURES IN THE INDICATION
1.	Indication of class designation and indications forming part of class designation [Reg. 7(1)]	3,0 mm
2.	Indication of the different classes of vinegar in a blended vinegar [Reg. 7(1)(a)]	2,0 mm (or 3,0 mm if part of class designation)
3.	Indication of "Acetic Acid" [Reg. 7(1)(d)]	3,0 mm
4.	Indication of dilution ratio [Reg. 8(1)]	2,0mm
5.	Indication of "X% Acidity" [Reg. 8(2)]	1,0 mm
6.	Indication of name or trade name and address [Reg. 9]	1,0 mm
7.	Indication of country of origin [Reg. 10]	1,0 mm

**Note:** Refer to regulation 6(3) for marking requirements and letter size applicable to containers of 10ml and less.

**TABLE 2**  
**LIST OF PROTECTED GEOGRAPHICAL INDICATIONS (GIs) FOR VINEGAR**  
**[REG. 12]**

Country	GI (Name)
Italy	Aceto Balsamico di Modena
Italy	Aceto balsamico tradizionale di Modena
Any other GI vinegar name that forms part of an international agreement.	

## DEPARTMENT OF LABOUR

NO. R. 1341

07 DECEMBER 2018

## LABOUR RELATIONS ACT, 1995

**NOTICE OF INTENTION TO CANCEL THE REGISTRATION OF AN  
EMPLOYERS' ORGANISATION**

I, Lehlohonolo Daniel Molefe, Registrar of Labour Relations, hereby, in terms of section 106(2B) of the Act, give notice of my intention to cancel the registration of **United Security Service Providers Association (LR 2/6/3/774)** for the following reasons:

- The organisation has ceased to function in terms of its constitution.
- The organisation has failed to comply with the provisions of sections 98, 99 and 100 of the Act.

The employers' organisation and all interested parties are hereby invited to make written representations as to why the registration should not be cancelled. **Only representations pertaining to this Notice and the following case number: 94 of 2018 will be considered.**

Objections must be lodged to me, c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA. [Postal address: Private Bag X117, PRETORIA, 0001 – Fax No. (012) 309-4156/4848, within 60 days of the date of this notice.

  
REGISTRAR OF LABOUR RELATIONS

23/11/2018

## DEPARTMENT OF LABOUR

NO. R. 1342

07 DECEMBER 2018

**LABOUR RELATIONS ACT, 1995  
REGISTRATION OF A TRADE UNION**

I, Lehlohonolo Daniel Molefe, Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995, that **Permanent and Insourcing Contract Workers Union (PICWU) (LR 2/6/2/2780)** has been registered as a trade union with effect from 23/11/2018.....

**REGISTRAR OF LABOUR RELATIONS**23/11/2018

## DEPARTMENT OF LABOUR

NO. R. 1343

07 DECEMBER 2018

## LABOUR RELATIONS ACT, 1995

## REGISTRATION OF A TRADE UNION

I, Lehlohonolo Daniel Molefe, Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995, that the **Azanian Mineworkers Union (AZAMU)** has been registered as a trade union with effect from 23/11/2018



REGISTRAR OF LABOUR RELATIONS

DATE: 23/11/2018





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