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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT****NO. R. 5241****4 October 2024****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT No 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF  
LEVIES ON FYNBOS CUT-FLOWER PRODUCTS**

I, John Henry Steenhuisen, Minister for Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**MR J.H. STEENHUISEN, MP  
MINISTER FOR AGRICULTURE**

## SCHEDULE

### Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, and unless the context otherwise indicates –

“Exporter” means a person or organisation who exports fynbos cut-flower products for his own account, or acts as an agent on behalf of producers and/or packers of fynbos products;

“Fynbos” refers to plant material from the families *Proteaceae*, *Ericaceae*, *Restionaceae*, *Bruniaceae* and *Chamelaucium* (Geraldton Wax) including any derived plant material such as hybrids, selections or mutations produced and harvested from natural veld, dedicated prepared dry land and / or irrigated planted areas and exported within a cold chain environment;

“Packer” means a person or organisation who manufactures bouquets and other derived products utilising, inter alia, fynbos material;

“Producer” means a producer of fynbos cut-flower products harvested from natural veld, from dedicated prepared dry land and/or irrigated production conditions.

A person shall have a choice to register as either a producer or as a packer or as an exporter. A person has to register for each of the categories (producer, packer, exporter) for which he qualifies.

### Purpose and aims of statutory measure and the relation thereof to the objectives of the Act

2. The levy is needed by Cape Flora SA to fund research projects, technical information and technology transfer; quality control, standards

and certification; information and statistics; communication, market access; and transformation and training for the fynbos industry.

These measures are necessary to ensure that continuous, timeous and accurate information relating to the fynbos industry, is available to all role players in order for them to make informed decisions.

The measure will not be detrimental to the number of employment opportunities or fair labour practice and will support the statutory measures relating to registration and the rendering of returns applicable to fynbos products.

The measure will be administered by CFSA, a non-profit company incorporated under the Companies Act (as amended), 2008 (Act 71 of 2008). CFSA will implement and administer the measure as set out in this Schedule.

**Products to which statutory measure applies.**

3. This statutory measure shall apply to all fynbos cut-flower products destined for export as defined.

**Area in which measure shall apply**

4. This measure shall apply in the geographical area of the Republic of South Africa.

**Imposition of levy**

5. A levy is hereby imposed on all fynbos cut-flower products destined for export as defined.

**Amount of levy**

6. The maximum amount (in Rand) of the levy shall be:

	2024/25	2025/26	2026/27	2027/28
S14 carton	2,92	3,05	3,19	3,33
S11 carton	2,29	2,39	2,50	2,61
S22 carton	4,58	4,78	5,00	5,22
S14 Mini carton	1,46	1,53	1,59	1,67

**Persons by whom and to whom levy shall be payable**

7. (1) The levy imposed under clause 5 shall be –
- (a) Payable by a fynbos producer;
  - (b) Payable by a packer on behalf of a fynbos producer; or
  - (c) Payable by an exporter on behalf of a fynbos producer.
- (2) A levy imposed under clause 5 shall be payable to Cape Flora SA (NPC) in accordance with clause 8.

**Payment of levy**

8. (1) Payment of the levy shall be made not later than sixty (60) days following the month end wherein a quantity of cultivated fynbos was delivered for exports.
- (2) Payment shall be made by means of electronic transfer in favour of Cape Flora SA (NPC), and shall –
- (a) be addressed to –
    - Cape Flora SA
    - PO Box 163
    - PAARL
    - 7620
  - (b) and be paid to the bank account obtainable from CFSA on request.

**Commencement and period of validity**

9. This statutory measure shall come into operation on the date of publication hereof and will lapse four (4) years later.

**DEPARTMENT OF AGRICULTURE**

No.R.

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT No 47 OF 1996)**

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF  
PRODUCERS, PACKERS AND EXPORTERS OF FYNBOS CUT-FLOWER  
PRODUCTS**

I, John Henry Steenhuisen, Minister for Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**MR J.H. STEENHUISEN, MP  
MINISTER FOR AGRICULTURE**

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“Producer” means a producer of fynbos cut-flower products harvested from natural veld, from dedicated prepared dry land and/or irrigated production conditions.

A person shall have a choice to register as either a producer or as a packer or as an exporter. A person has to register for each of the categories (producer, packer, exporter) for which he qualifies.

### Purpose and aims of statutory measure and the relation thereof to the objectives of the Act

2. The purpose and aims of the statutory measure is to compel the parties set out herein to register with Cape Flora SA (CFSA). Registration is necessary to assist the CFSA in ensuring that continuous, timeous and

accurate information relating to the fynbos industry, is available to all role players. Such information is deemed essential for all role players in order for them to make informed decisions. By combining compulsory registration with the keeping of information and the rendering of returns on an individual basis, generic information for the whole of the industry can be processed and disseminated and will form the basis for the collection of levies where applicable and appropriate.

The establishment of the measure would assist in promoting the efficiency of the production and marketing of fynbos products. The viability of the fynbos industry will thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice.

The measure will be administered by CFSA, a non-profit company incorporated under the Companies Act (as amended), 2008 (Act 71 of 2008). CFSA will implement and administer the measure as set out in this Schedule.

**Products to which statutory measure applies.**

3. This statutory measure shall apply to all fynbos products destined for exports within a cold chain environment.

**Area in which measure shall apply**

4. This measure shall apply in the geographical area of the Republic of South Africa.

**Registration of parties concerned**

5. (1) All producers, packers and exporters of fynbos cut-flower products shall register with CFSA.  
(2) A person shall have a choice to register as either a producer, packer or exporter.  
(3) A person has to register for each of the categories (producer, packer, exporter) for which he qualifies.



**Application for registration**

6. Application for registration shall –

- (1) be made within 30 days of the commencement of this statutory measure, and in the case of a person becoming a party as contemplated in clause 5 after such date of commencement, within 30 days of becoming such a party;
- (2) be made on the application form obtainable free of charge from CFSA;
- (3) be submitted, when forwarded by courier, to –  
CFSA  
PO Box 163  
PAARL  
7620
- (4) when delivered by hand, be delivered to –  
CFSA  
Main Road 258  
PAARL
- (5) when sent by E-mail, addressed to –  
manager@capeflorasa.co.za

**Commencement and period of validity**

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse four (4) years later.

**DEPARTMENT OF AGRICULTURE**

No.R.

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT No 47 OF 1996)

ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND  
RETURNS RELATING TO FYNBOS CUT-FLOWER PRODUCTS AS WELL  
AS PRODUCTION AND EXPORT INFORMATION OF FYNBOS CUT-  
FLOWER PRODUCTS

I, John Henry Steenhuisen, Minister for Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**MR J.H. STEENHUISEN, MP**  
**MINISTER FOR AGRICULTURE**

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“Producer” means a producer of fynbos cut-flower products harvested from natural veld, from dedicated prepared dry land and/or irrigated production conditions.

A person shall have a choice to register as either a producer or as a packer or as an exporter. A person has to register for each of the categories (producer, packer, exporter) for which he qualifies.

### Purpose and aims of statutory measure and the relation thereof to the objectives of the Act

2. The purpose and aims of the statutory measure is to compel the parties set out herein to keep records and render returns to Cape Flora SA (CFSA). This is necessary to ensure that continuous, timeous and

accurate information relating to the products as defined, is available to all role players. Such information is deemed essential for all role players in order for them to make informed decisions. By prescribing the keeping of records with the rendering of returns on an individual basis, export and production information of fynbos products can be processed and disseminated.

The establishment of the measure should assist in promoting the efficiency of the marketing of fynbos products. The viability of the fynbos industry should thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice. Any information obtained will be dealt with in a confidential manner and no sensitive or potentially sensitive client-specific information will be made available to any party without the prior approval of the party whose rights may be affected.

The measure will be administered by CFSA, a non-profit company incorporated under the Companies Act (as amended), 2008 (Act 71 of 2008). CFSA will implement and administer the measure as set out in this Schedule.

**Products to which statutory measure applies.**

3. This statutory measure shall apply to all fynbos cut-flower products produced and exported within the cold chain.

**Area in which measure shall apply**

4. This measure shall apply in the geographical area of the Republic of South Africa.

**Records to be kept and returns to be rendered**

5. (1) All producers, packers and exporters of fynbos cut-flower products shall keep such records and render the returns as may be required by CFSA.

- (2) The National Department of Agriculture, Forestry and Fisheries or its assignee shall render a copy of all import certificates or furnish the information required by CFSA contained in such certificates within the period specified in sub-clause (4)
- (3) The records referred to in sub-clause (1) shall –
- (a) be recorded on a computer or with ink in a book;
  - (b) be kept at the registered premises of the person required to keep it for a period of at least three years.
- (4) The returns referred to in sub-clause (1) shall be rendered on forms obtainable free of charge for this purpose from CFSA within 15 days after the end of the month in which the returns have been requested.
- (a) be submitted, when forwarded by courier, to –  
CFSA  
PO Box 163  
PAARL  
7620
  - (b) when delivered by hand, be delivered to –  
CFSA  
258 Main Road  
PAARL
  - (d) when sent by E-mail, addressed to –  
manager@capeflorasa.co.za

### **Commencement and period of validity**

6. This statutory measure shall come into operation on the date of publication hereof and shall lapse four (4) years later.