



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

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

TO: All Processors, Packers, Importers, Exporters and Retailers of Canned Fruits, Canned Vegetables and Frozen Fruits & Vegetables
Directorate: Inspection Services
SAFVCA
PPECB

ENQUIRIES:	Matlou Setati	E-MAIL:	matlous@daff.gov.za
TEL:	+27 (0) 12 319 6049	REF NO:	20.4.13.1.3/Canned Fruit;
FAX:	+27 (0) 12 319 6055		20.4.13.1.3/Canned Vegetables; 20.4.13.1.3/Frozen Fruit & Vegetables
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Subject

DISPENSATION: CANCELLATION OF THE REGULATIONS AND STANDARDS AND REQUIREMENTS FOR UNSPECIFIED PRODUCTS - CANNED AND FROZEN FRUITS AND VEGETABLES

1. Background

Both the local regulations as well as the export standards and requirements for canned vegetables (No. R. 1532 of 24 October 2003; Notice 1925 of 10 September 2004), canned fruit (No. R. 135 of 18 February 2005; Notice 1172 of 12 July 2002, as amended) and frozen fruit and frozen vegetables (No. R. 727 of 29 May 1998; Notice 1468 of 11 October 1996, as amended) intended for sale in the Republic of South Africa, currently stipulate that in the case of unspecified products (i.e. products not already provided for in the existing regulations) the proposed standards shall be submitted in writing to the Executive Officer.

At the same time the above-mentioned local regulations as well as the export standards and requirements also make separate provision for grading standards relating to unspecified products. These unspecified requirements are not very comprehensive and as such do not provide much guidance and assistance to either manufacturers or inspectors. This results in two contradictory requirements within the same regulation/ export standard and requirement and creates confusion during application and enforcement.

After much deliberation the Department has decided to –

- (a) cancel the existing grading standards relating to unspecified canned and frozen fruits and vegetables; and
- (b) issue the following dispensation which shall apply to the relevant local regulations as well as the export standards and requirements for canned fruits & vegetables and frozen fruits & vegetables.

2. Dispensation

Permission is hereby granted by the Executive Officer: Agricultural Product Standards in terms of sections 3(1)(c) and 4 (4) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), to all processors, packers, importers, exporters and retailers of canned and frozen fruits and vegetables to ignore the individual grading standards for unspecified canned fruits, canned vegetables as well as frozen fruits and vegetables set out in --

- (a) regulations 50 and 51 of R. 135 of 18 February 2005, and items 31 and 32 in Notice 1172 of 12 July 2002, as amended, in the case of Canned Fruits;
- (b) regulations 38 and 39 of R. 1532 of 24 October 2003, and items 22 and 23 in Notice 1925 of 10 September 2004 in the case of Canned Vegetables; and
- (c) regulations 26 and 43 of R. 727 of 29 May 1998, and items 9 in part II and 17 part III in Notice 1468 of 11 October 1996, as amended, in the case of Frozen Fruits and Vegetables.

3. This permission is subject to the following conditions:

- (a) All other conditions of the relevant local regulations as well as the export standards and requirements shall be complied with.
- (b) It may be withdrawn at any time should a valid complaint be received.
- (c) No grade indication shall appear on any unspecified canned fruit, canned vegetable, frozen fruit or frozen vegetable product unless the proposed quality standards have been submitted in writing to the Executive Officer.
- (d) All processors, packers, importers, exporters and retailers of canned fruits, canned vegetables and frozen fruits and vegetables indemnify this Directorate and this Department from any detrimental effect, financially or otherwise, which may emanate as a result of this permission.
- (e) Termination date:
 - (i) Local Regulations: When the amendment to the relevant local regulations are published in the Government Gazette.
 - (ii) Export Standards and Requirements: Seven days after notice has been given in the Government Gazette that the relevant export standards and requirements have been amended.



EXECUTIVE OFFICER:
AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT 119 OF 1990)