DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 396 13 Maart 1970

REGULASIES MET BETREKKING TOT DIE GRADERING, VERPAKKING EN MERK VAN ONTWATERDE GROENTE BEDOEL VIR VERKOOP IN DIE REPUBLIEK

Die Staatspresident het, kragtens die bevoegdheid hom verleen by artikel 89 van die Bemarkingswet, 1968, (No. 59 van 1968), die regulasies in die Bylae hiervan uiteengesit, gemaak met betrekking tot die gradering, verpakking en merk van ontwaterde groente bedoel vir verkoop in die Republiek.

Hierdie regulasies is gemaak vir die doel van die verbod wat kragtens artikel 84 van genoemde Wet op die verkoop van ontwaterde groente opgelê is.

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 396 13 March 1970

REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF DEHYDRATED VEGETABLES INTENDED FOR SALE IN THE REPUBLIC

The State President has, under the powers vested in him by section 89 of the Marketing Act, 1968 (No. 59 of 1968), made the regulations set out in the Schedule hereto, relating to the grading, packing and marking of dehydrated vegetables intended for sale in the Republic.

These regulations have been made for the purpose of the prohibition of the sale of dehydrated vegetables imposed under section 84 of the said Act.

BYLAE

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Wet 'n betekenis geheg is, 'n ooreenstemmende betekenis, en beteken—

"besending", 'n hoeveelheid ontwaterde groente van dieselfde klas wat op 'n bepaalde tydstip afgelewer word onder dieselfde vragbrief, afleweringsbrief of ontvangsbewys, òf van dieselfde voertuig, òf indien so 'n hoeveelheid van dieselfde graad ingedeel is in verskillende grade, elke hoeveelheid van elk van die verskillende grade.

"defekte", met betrekking tot ontwaterde groente, afwykings wat die algemene voorkoms van die groente benadeel en sluit in oorblywende skil, oormaat kern, oormaat wegesny, vrkleuring, meganiese beskadiging of insekbesmetting;

"Departement", die Departement van Landbou-ekonomie en -bemarking;

"die Wet", die Bemarkingswet, 1968 (No. 59 van 1968);

"groente", kopkool, blomkool, geelwortels, groenboontjies, uie, aartappels, ertjies, spinasie en enige ander ongespesifiseer groentesoorte;

"Hoof van Kommoditeitsdienste", die Hoof van die Afdeling Kommoditeitsdienste van die Departement;

"inspekteur", 'n persoon aangewys ingevolge artikel 85 (1) van die Wet;

"kode", 'n identifikasiemerk deur die Hoof van Kommoditeitsdienste goedgekeur;

"ontwaterde groente", vars groente waarvan die natuurlike vog geheel en al of gedeeltelik verwyder is;

"fyndeeltjies", gedeeltes van ontwaterde groente wat deur 'n sif van 8 mase per 25·4 mm, gemaak van 1·25 mm tot en met 0·9 mm draad, gaan.

Behandeling

2. Groente mag nie in die ontwateringsproses met ander gasse behandel word nie as gasse deur die Hoof van Kommoditeitsdienste goedgekeur.

Gradering

3. (1) Daar is drie grade ontwaterde groente, naamlik Keurgraad, Standaardgraad en Ondergraad.

(2) Die vereistes vir die verskillende grade ontwaterde groente is soos volg:

(a) *Keurgraad.*—(*i*) *Algemene vereistes*—Die ontwaterde groente—

(aa) wanneer gerekonstitueer volgens voorskrif van die vervaardiger, moet ooreenstem met vars groente van die betrokke soort, in voorkoms, kleur, smaak en tekstuur, en van 'n goeie eetbare kwaliteit wees;

(bb) mag nie tekens van bederf, ernstige verkleuring of skemmelgroei toon nie;

(cc) mag hoogstens 8 persent vog volgens gewig bevat; en

(dd) mag hoogstens 2,000 dele per miljoen swaweldioksied bevat.

(ii) *Addisionele vereistes—Kopkool* moet—

(aa) voorberei word van vars, gesonde behoorlik afgewerkte en ontkernde kopkool;

(bb) van 'n goeie kleur, vry van brand en bysmake wees; en

(cc) volgens gewig hoogstens 1 persent defekte en 7 persent fyndeeltjies bevat.

SCHEDULE

Definitions

1. In these regulations, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act, shall have a corresponding meaning, and—

"Chief of Commodity Services" means the Chief of the Division Commodity Services of the Department;

"code" means an identification mark approved by the Chief of Commodity Services;

"consignment" means a quantity of dehydrated vegetables of the same class delivered at any one time under cover of the same consignment note, delivery note or receipt note, or from the same vehicle, or if any such quantity of the same class is subdivided into different grades, each quantity of each of the different grades;

"defects" in relation to dehydrated vegetables, means deviations which detract noticeably from the general appearance of the vegetables, and includes residual peel, excessive core, excessive trimming, discoloration, mechanical injury or insect infestation;

"dehydrated vegetables" means fresh vegetables from which the natural moisture has been completely or partially removed;

"Department" means the Department of Agricultural Economics and Marketing;

"fines" means portions of dehydrated vegetables which pass through an 8 meshes per 25·4 mm sieve made of 1·25 mm to 0·9 mm wire, inclusive;

"inspector" means a person designated in terms of section 85 (1) of the Act;

"the Act" means the Marketing Act, 1968 (No. 59 of 1968);

"vegetables" means cabbage, cauliflower, carrots, green beans, onions, potatoes, peas, spinach and any other unspecified kinds of vegetables.

Treatment

2. Vegetables shall not be treated in the dehydration process with any gases other than gases approved by the Chief of Commodity Services.

Grading

3. (1) There shall be three grades of dehydrated vegetables namely Choice Grade, Standard Grade, and Under Grade.

(2) The requirements for the different grades of dehydrated vegetables shall be as follows:

(a) *Choice grade.*—(i) *General requirements.*—The dehydrated vegetables shall—

(aa) when reconstituted according to the manufacturer's prescription, resemble fresh vegetables of the kind concerned in appearance, colour, flavour and texture and be of a good culinary quality;

(bb) show no signs of spoilage, serious discoloration or mould growth;

(cc) contain not more than 8 per cent of moisture by weight; and

(dd) contain not more than 2000 parts per million of sulphur dioxide.

(ii) *Additional requirements.—Cabbage* shall—

(aa) be prepared from fresh, sound, properly trimmed and cored cabbage;

(bb) be of a good colour, free from scorch and off flavours; and

(cc) contain more than 1 per cent defects and 7 per cent fines by weight;

Blomkool moet—

(aa) voorberei word van vars, behoorlik afgewerkte, gesonde, wit blomkool waarvan die stingels verwyder is en wat nie saadskiet nie;

(bb) van 'n goeie kleur, vry van brand, muf- en ander bysmake wees; en

(cc) volgens gewig hoogstens 2 persent defekte en 8 persent fyndeeltjies bevat.

Geelwortels moet—

(aa) voorberei word van vars, gesonde, geskilde en afgewerkte geelwortels van 'n goeie tekstuur;

(bb) wanneer in blokkies gesny, netjies gekerf en min of meer kubusvormig wees;

(cc) vry van brand, muf- en ander bysmake wees;

(dd) volgens gewig hoogstens 2 persent defekte en 8 persent fyndeeltjies bevat.

Groenboontjies moet—

(aa) voorberei word van vars, afgewerkte groenboontjies van 'n nerflose cultivar;

(bb) van 'n donkergroen kleur, vry van brand, muf- en ander bysmake wees; en

(cc) volgens gewig hoogstens 2 persent defekte en 1 persent fyndeeltjies bevat.

Macedoine gemengde ontwaterde groente moet—

(aa) voorberei word van 'n mengsel van Keurgraad ontwaterde groente;

(bb) geelwortels, aartappels, ertjies en uie bevat; en

(cc) volgens gewig hoogstens 1 persent defekte en 8 persent fyndeeltjies bevat: Met dien verstande dat die gewig van enige besondere soort groente nie die totale gewig van die ander soorte groente in die mengsel mag oorskry nie.

Gemengde ontwaterde groente moet—

(aa) voorberei word van 'n mengsel van Keurgraad ontwaterde groente;

(bb) nie die volgende persentasies in enige houer oorskry nie, t.w.—

kopkool, 35 persent;
geelwortels, 20 persent;
groenboontjies, 20 persent;
aartappels en/of patats, 30 persent;
uie, 10 persent;
ander groente, 15 persent; en

(cc) minstens 120 milligram per 100 gram askorbiensuur bevat.

Uie moet—

(aa) voorberei word van gesonde afgewerkte uie wat vry van uitloopsels, wortels, wortelbasis en saadstele is;

(bb) van 'n goeie kleur en vry van 'n bittersmaak wees; en

(cc) volgens gewig hoogstens 2 persent defekte en 5 persent fyndeeltjies bevat.

Aartappels moet—

(aa) voorberei word van gesonde, geskilde, afgewerkte aartappels wat vry is van uintjies, inwendige bruinvlek, aartappelmot, glaserigheid of 'n groen kleur;

(bb) van 'n goeie ligte kleur, vry van brand, muf- of ander bysmake wees; en

(cc) volgens gewig hoogstens 4 persent per 50 g defekte en 2 persent fyndeeltjies bevat.

Cauliflower shall—

(aa) be prepared from fresh, properly trimmed, sound, white cauliflower of which the stems have been removed and which do not run to seed:

(bb) be of a good colour, free from scorch, musty and other off flavours; and

(cc) contain not more than 2 per cent defects and 8 per cent fines by weight;

Carrots shall—

(aa) be prepared from fresh, sound, peeled and trimmed carrots of a good texture;

(bb) in the case of diced carrots be neatly cut and and more or less cube-shaped;

(cc) be free from scorch, musty and other off flavours; and

(dd) contain not more than 2 per cent defects and 8 per cent fines by weight.

Green beans shall—

(aa) be prepared from fresh, trimmed green beans of a stringless cultivar;

(bb) be of a dark green colour, free from scorch, musty and other off flavours; and

(cc) contain not more than 2 per cent defects and 1 per cent fines by weight.

Macedoine mixed dehydrated vegetables shall—

(aa) be prepared from a mixture of Choice Grade dehydrated vegetables;

(bb) contain carrots, potatoes, peas and onions; and

(cc) contain not more than 1 per cent defects and 8 per cent fines by weight: Provided that the weight of any one kind of vegetables shall not exceed the total weight of the other kinds of vegetables in the mixture.

Mixed dehydrated vegetables shall—

(aa) be prepared from a mixture of Choice Grade dehydrated vegetables;

(bb) not exceed the following percentages by weight in any one container, viz—

cabbage, 35 per cent;
carrots, 20 per cent;
green beans, 20 per cent;
potatoes and/or,
sweetpotatoes, 30 per cent;
onions, 10 per cent;
other vegetables, 15 per cent; and

(cc) contain at least 120 milligramme per 100 gram ascorbic acid.

Onions shall—

(aa) be prepared from healthy, trimmed onions which are free from sprouts, roots, root basis and seed stems;

(bb) be of a good colour and free from bitterness; and

(cc) contain not more than 2 per cent defects and 5 per cent fines by weight.

Potatoes shall—

(aa) be prepared from healthy, pealed, trimmed potatoes which are free from nut grass, internal brown fleck, tubermoth, glassiness or a green colour;

(bb) be of a good light colour, free from scorch, musty or other off flavours; and

(cc) contain not more than 4 per cent defects per 50 gram and 2 per cent fines by weight.

Ertjies moet—

(aa) voorberei word van vars, gesonde, skoon ertjies;

(bb) donkergroen van kleur, vry van brand, muf- en ander bysmake wees; en

(cc) volgens gewig hoogstens 1 persent defekte en 1 persent fyndeeltjies bevat: Met dien verstande dat ertjies ontwater moet word binne 36 uur nadat dit ge-oes is.

Spinasie moet—

(aa) voorberei word van vars, gesonde, skoon en afgewerkte spinasie waarvan die oortollige blaarstingels verwyder is;

(bb) van donkergroen kleur, vry van brand, muf- en ander bysmake wees; en

(cc) volgens gewig hoogstens 2 persent defekte bevat.

Ongespesifiseerde ontwaterde groente moet—

(aa) voorberei word van gesonde, afgewerkte groente;

(bb) van 'n goeie kleur, vry van brand, muf- en ander bysmake wees; en

(cc) volgens gewig hoogstens 2 persent defekte en 6 persent fyndeeltjies bevat.

Fyndeeltjies moet bestaan uit fyndeeltjies verkry van groente wat voldoen aan die vereistes van hierdie subregulasie en kan gemeng of afsonderlik verpak word.

(b) *Standaardgraad*—Die ontwaterde groente—

(i) wanneer gerekonstitueer volgens voorskrif van die vervaardiger, moet ooreenstem met vars groente van die betrokke soort, in voorkoms, kleur, smaak en tekstuur, en van 'n goeie eetbare kwaliteit wees;

(ii) mag nie tekens van bederf, ernstige verkleuring of skimmelgroei toon nie;

(iii) mag hoogstens 8 persent vog volgens gewig bevat; en

(iv) mag hoogstens 2,000 dele per miljoen swaweldioksied bevat.

(c) *Ondergraad*—Ontwaterde groente wat nie aan die vereistes van Keurgraad of Standaardgraad voldoen nie.

Houers en Pakke

4. (1) Ontwaterde groente bedoel vir verkoop in die Republiek moet verpak word in houers wat—

(a) indien dit vervaardig is van blikplaat of aluminium òf plastiese materiaal òf 'n samestelling daarvan en van minder as 5 072 milliliter inhoud is, nie voorheen gebruik was nie;

(b) geskik, skoon, vry van roes en ernstige duike is; en

(c) die voginhoud van die inhoud op hoogstens die voorgeskrewe maksimum sal hou.

(2) Indien houers wat ontwaterde groente bevat, verpak word in pakke, moet sodanige pakke skoon, netjies en heel wees.

Merk van Houers en Pakke

5. (1) Die volgende besonderhede moet duidelik en leesbaar in drukskrif op 'n houer of op 'n etiket wat daaraan geheg is, gemerk wees:

(a) Die naam van die vervaardiger en die datum van vervaardiging daarvan, onuitwisbaar op die houer self in kode;

(b) die land van herkoms in letters van minstens 5 mm in hoogte;

Peas shall—

(aa) be prepared from fresh, sound, clean peas;

(bb) be of a dark green colour, free from scorch, musty and other off flavours; and

(cc) contain not more than 1 per cent defects and 1 per cent fines by weight: Provided that peas shall be dehydrated within 36 hours after they have been harvested.

Spinach shall—

(aa) be prepared from fresh, sound, clean, trimmed spinach from which excessive leaf stems have been removed;

(bb) be of a dark green colour, free from scorch, musty and other off flavours; and

(cc) contain not more than 2 per cent defects by weight.

Unspecified dehydrated vegetables shall—

(aa) be prepared from sound, trimmed vegetables;

(bb) be of a good colour, free from scorch, musty and other off flavours; and

(cc) contain not more than 2 per cent defects and 6 per cent fines by weight.

Fines shall consist of fines derived from vegetables which comply with the requirements of this subregulation and may be packed separately or mixed.

(b) *Standard Grade.*—The dehydrated vegetables shall—

(i) when reconstituted according to the manufacturer's prescription resemble fresh vegetables of the kind concerned in appearance, colour, flavour and texture and be of a good culinary quality;

(ii) show no signs of spoilage, serious discoloration or mould growth;

(iii) contain not more than 8 per cent of moisture by weight; and

(iv) contain not more than 2000 parts per million of sulphur dioxide.

(c) *Under Grade.*—Dehydrated vegetables which do not comply with the requirements for Choice Grade or Standard Grade.

Containers and Packages

4. (1) Dehydrated vegetables intended for sale in the Republic shall be packed in containers—

(a) which, if made of tinplate or aluminium or plastic material or a composition thereof and of less than 5072 millilitre capacity, shall not have been used previously;

(b) which are suitable, clean and free from rust and serious dents; and

(c) which will maintain the moisture content of the contents at not more than the prescribed maximum.

(2) If containers containing dehydrated vegetables are packed in packages, such packages shall be clean, neat and unbroken.

Marking of Containers and Packages

5. (1) The following information shall clearly and legibly be marked in printed letters on any container containing dehydrated vegetables or on a label affixed thereto:

(a) The name of the manufacturer and the date of manufacture thereof, expressed indelibly in code on the container itself;

(b) the name of the country of origin in letters of at least 5 mm in height;

(c) 'n juiste beskrywing van die inhoud in letters van minstens 5 mm in hoogte;

(d) die graad in letters van minstens 10 mm in hoogte; en

(e) die netto gewig van die inhoud in letters van minstens 5 mm in hoogte.

(2) Die volgende besonderhede moet duidelik en leesbaar in drukskrif op 'n pak wat houers met ontwaterde groente bevat, of op 'n etiket wat daaraan geheg is, gemerk wees:

(a) Die inligting voorgeskryf in subregulasie (1) (b) tot en met (e);

(b) die hoeveelheid houers daarin verpak;

(c) òf die grootte van elke houer òf die netto gewig van elke sodanige houer;

(d) die naam of geregistreerde handelsmerk van die vervaardiger.

(3) Etikette wat aan houers of pakke vasgeheg is, moet skoon, netjies en stewig vasgeplak wees en mag nie bo-oor ander etikette geplak wees nie.

(4) Behalwe die naam, merk of geregistreerde handelsmerk van die vervaardiger of verpakker van die ontwaterde groente, die naam en adres van die geadresseerde en behoudens die bepalings van enige ander wet, mag die merktekens op 'n houer of pak of op etiket wat daaraan geheg is, nie enige feit of voorstelling weergee nie anders as waarvoor in hierdie regulasies voorsiening gemaak is.

Inspeksie

6. (1) Ontwaterde groente is onderhewig aan inspeksie deur 'n inspekteur wat in 'n besending soveel houers mag oopmaak en die inhoud daarvan inspekteer en ondersoek en monsters van sodanige inhoud neem vir die doel van verdere ondersoek of ontleding, as wat hy mag nodig ag.

(2) Enige metode deur die Hoof van Kommoditeitsdienste goedgekeur om die vog-, swaweldioksied- en askorbinesuurinhoud te bepaal, mag deur 'n inspekteur gevolg word.

Appèl

7. (1) Iemand wat hom deur 'n beslissing of optrede van 'n inspekteur veronreg ag, kan appèl aanteken teen sodanige beslissing of optrede deur binne twaalf uur nadat hy van daardie beslissing of optrede in kennis gestel is, 'n kennisgewing van appèl by sodanige inspekteur in te dien, en binne genoemde tydperk by die inspekteur, of by enige kantoor van die Afdeling Kommoditeitsdienste van die Departement 'n deposito van R10 te deponeer: Met dien verstande dat 'n afsonderlike deposito gestort moet word ten opsigte van elke afsonderlike besending en met dien verstande verder dat indien die kennisgewing van appèl en deposito nie binne die voorgeskrewe tydperk van twaalf uur ingehandig en gedeponeer word nie, die appellant sy reg van appèl ingevolge hierdie regulasie verbeur.

(2) 'n Inspekteur kan aan ontwaterde groente ten opsigte waarvan 'n appèl aangeteken is, of aan die houers of pakke daarvan enige merk aanbring wat hy vir uitkenningsdoeleindes mag nodig ag, en sodanige ontwaterde groente mag nie sonder sy toestemming van die plek waar dit geïnspekteer is of waar dit opgeberg is, verwyder word nie.

(3) Die Sekretaris van die Departement of 'n beampte van die Departement deur hom benoem, wys 'n persoon of persone aan deur wie oor so 'n appèl beslis moet word, en sodanige persoon of persone moet daaroor beslis binne twee-en-sewentig uur (uitgesonderd Sondae en publieke vakansiedae) na indiening daarvan, en die beslissing van die aldus aangewese persoon of persone is afdoende.

(c) a true description of the contents in letters of at least 5 mm in height;

(d) the grade in letters of at least 10 mm in height; and

(e) the net weight of the contents in letters of at least 5 mm in height.

(2) The following information shall clearly and legibly be marked in printed letters on any package containing containers of dehydrated vegetables or on a label affixed thereto:

(a) The information prescribed in subregulation (1) (b) to (e), inclusive;

(b) the number of containers packed therein;

(c) either the size of each such container or the net weight of each such container; and

(d) the name or registered trade mark of the manufacturer.

(3) Labels affixed to containers or packages shall be clean, neat and securely affixed and shall not be superimposed on other lables.

(4) Save for the name, brand or registered trade mark of the manufacturer or packer of the dehydrated vegetables, the name and address of the consignee and subject to the provisions of any other law, the markings on a container or package, or on a label affixed thereto, shall not reflect any fact or representation other than that provided for in these regulations.

Inspection

6. (1) Dehydrated vegetables are subject to inspection by an inspector who may open and inspect and examine the contents of as many containers in a consignment and take samples for the purpose of further examination or analysis, as he deems necessary.

(2) Any method approved by the Chief of Commodity Services to determine the moisture, sulphur dioxide and ascorbic acid content may be employed by an inspector.

Appeal

7. (1) Any person who feels aggrieved as a result of any decision or action taken by an inspector may appeal against such decision or action by submitting a notice of appeal to the inspector within 12 hours after he has been notified of that decision or action and depositing within the said period at such inspector or at any office of the Division of Commodity Services of the Department, a deposit of R10: Provided that a separate deposit shall be lodged in respect of each separate consignment and provided further that if the notice of appeal and deposit are not submitted and deposited within the prescribed period of 12 hours, the appellant shall lose his right of appeal in terms of this regulation.

(2) An inspector may apply to dehydrated vegetables in respect of which an appeal has been lodged, or to the containers or packages thereof any mark which he may consider necessary for identification purposes and such dehydrated vegetables shall not without his consent, be removed from the place where they were inspected or where they are stored.

(3) The Secretary of the Department or an officer of the Department nominated by him, shall designate a person or persons who shall decide such an appeal, and such person or persons shall decide such appeal within 72 hours (excluding Sundays and public holidays) after it was lodged, and the decision of the person or persons so designated shall be final.

(4) Die aldus aangewese persoon of persone moet die apellant of sy agent minstens twee uur kennis gee van tyd en plek bepaal vir die verhoor van die appèl, en moet, nadat die betrokke ontwaterde groente vertoon en uitgeken is en alle belanghebbendes aangehoor is, alle persone (met inbegrip van die appellant en sy agent en die inspekteur) gelas om die plek waar die appèl oorweeg word, te verlaat.

(5) (a) Indien 'n appèl gehandhaaf word, word die bedrag wat ten opsigte daarvan gedeponeer is aan die appellant terugbetaal.

(b) Indien 'n appèl van die hand gewys word of as die ontwaterde groente waarop dit betrekking het nie vertoon word nie op die tyd en plek bepaal deur die persoon of persone wat aangewys is om oor die appèl te beslis, word die bedrag wat ten opsigte daarvan gedeponeer is, verbeur.

Strafbepalings

8. Iemand wat enige bepaling van hierdie regulasies oortree of versuim om daaraan te voldoen, is skuldig aan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens R200.

(4) The person or persons so designated shall give the appellant or his agent at least two hours' notice of the time and place determined for the hearing of the appeal, and shall after the dehydrated vegetables have been produced and identified and all the interested parties have been heard, instruct all persons (including the appellant and his agent and the inspector), to leave the place where the appeal is being considered.

(5) (a) If an appeal is upheld the amount deposited in respect thereof shall be refunded to the appellant.

(b) If an appeal is dismissed or if the dehydrated vegetables to which it relates are not produced at the time and place determined by the person or persons designated to decide the appeal, the amount deposited in respect thereof shall be forfeited.

Penalty

8. Any person who contravenes or fails to comply with any provision of these regulations shall be guilty of an offence and liable on conviction to a fine not exceeding R200.