

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

### DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 956

1 October 2021

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

#### REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF TABLE OLIVES INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA

The Minister of Agriculture, Land Reform and Rural Development has under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) --

- (a) made the regulations in this Schedule;
- (b) repealed the regulation published by Government Notice No. R. 589 of 27 May 2016 on the date of publication of the said regulations; and
- (c) determined that the said regulations shall come into operation on the date of publication thereof.

#### SCHEDULE

Contents	Regulation
<b>PART I: DEFINITIONS, SCOPE AND RESTRICTIONS</b>	
Definitions	1
Scope of regulations	2
Restrictions on the sale of table olives	3
<b>PART II: GRADES OF AND STANDARDS FOR TABLE OLIVES</b>	
Grades of table olives	4
General standards for table olives	5
Standards for grades of table olives	6
Types of table olives	7
Styles of table olives	8
Packing media	9
Minimum fill of containers	10
<b>PART III: PACKING AND CONTAINERS</b>	
Packing requirements	11
Requirements for containers and outer containers	12
<b>PART IV: MARKING REQUIREMENTS</b>	
Marking of containers and outer containers	13
Indicating the product name	14
Additions to the product name	15
Indicating the appropriate grade	16
Indicating the name and address	17
Indicating of the country of origin	18
Indicating the date marking or batch code or batch number	19
Restricted particulars on containers and outer containers	20
<b>PART V: SAMPLING AND INSPECTION</b>	
Sampling	21
Working sample size	22
Permissible deviations	23
Determination of drained mass	24
<b>PART VI: OFFENCES AND PENALTIES</b>	
Offences and penalties	25
<b>ANNEXURES:</b>	
ANNEXURE A - List of imported GI table olives protected under the EU SADC EPA	

**PART I  
DEFINITIONS, SCOPE AND RESTRICTIONS**

**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 –

**“abnormal colour”** means table olives of which the colour is distinctly different from the characteristic colour of the treatment in question and from the average of a representative sample of the batch;

**“abnormal texture”** means table olives which are excessively or abnormally flabby or tough in comparison with the treatment in question and with the average of a representative sample of the batch;

**“address”** means a physical address 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;

**“assignee”** means a person, undertaking, body, institution, association or board designated under section 2(3) of the Act;

**“blemished fruit”** means table olives with marks or stains on the skin that are more than 9 mm<sup>2</sup> in surface area and that may or may not penetrate through to the flesh which, either singly or combined, materially affect the appearance or eating quality of the table olives;

**“broken fruit”** means table olives damaged to such an extent as to affect their normal structure;

**“batch”** means a definite quantity of table olives produced essentially under the same conditions, and not exceeding a period of 24 hours;

**“best before date” or “best quality before date”** means the date which signifies the end of period under any stated storage conditions during which the unopened product will remain fully marketable and will retain any specific qualities for which implied or express claims have been made, however, beyond the date the food may still be acceptable for consumption;

**“close proximity”** means in the immediate vicinity of or nearest/ closest/ next to, and which shall not be interrupted or separated by for example any wording, symbols, figures, lines, depictions, etc.;

**“container”** means the immediate packaging in which table olives are presented for sale;

**“defective stuffing”** means that table olives presented as the style stuffed olives are totally or partly empty in comparison with the average of a representative sample of the batch;

**“drained mass”** means the mass, in grams, of the drained contents of a container of table olives, determined as prescribed in regulation 24;

**“excessively soft”** means table olives –

- (a) that appear to be spongy or watery;
- (b) that have the apparent shape of whole units, but appear to have disintegrated flesh and water texture; or
- (c) of which the pit can be felt when applying moderate pressure;

**“EU SADC EPA”** means the European Union and Southern African Development Community Economic Partnership Agreement signed on 10 June 2016 between the member states of the European Union and the Southern African Development Community region of which the Republic of South Africa forms part;

- “**Executive Officer**” means the officer designated under section 2 (1) of the Act;
- “**food additive**” means a permitted substance as defined in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);
- “**foodstuff**” means a foodstuff as defined in the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);
- “**geographical indication**” (**GI**) means an indication (name) as defined in the regulations relating to the protection of geographical indications used on agricultural products intended for sale in the Republic of South Africa published under the Act;
- “**harmless extraneous material**” means any vegetable matter (e.g. leaves and separated stems) not detrimental to health, nor aesthetically undesirable, but excludes any added foodstuffs and food additives allowed for in terms of these regulations;
- “**herbs**” means the leafy green or flowering parts of a plant used for amongst others flavouring and culinary purposes and could be fresh, dried or the extract thereof;
- “**hermetically sealed containers**” means containers which are sealed to protect the contents against the entry of micro-organisms during and after heat processing;
- “**honey**” means the product as defined in the latest regulations relating to the grading, packing and marking of honey and mixtures of Bee products intended for sale in the Republic of South Africa published under the Act;
- “**inspector**” means an officer under the control of the Executive Officer, or an assignee or an employee of an assignee;
- “**label**” means any tag, brand, mark, pictorial, graphic or other descriptive matter, which is written, printed, stenciled, marked, embossed, impressed upon, or permanently attached to a container of table olives, and includes labelling for the purpose of promoting its sale or disposal;
- “**main panel**” means that part(s) of the container, outer container or label that bears the brand name or trade mark of the product in greatest prominence or any other part of the container or label that bears the brand name or trade mark in equal prominence;
- “**mutilated fruit**” means table olives damaged by tearing the epicarp affecting the flesh to such an extent that a portion of the mesocarp (flesh) becomes visible;
- “**outer container**” means a carton or any other suitable packaging in which more than one container of table olives is packed, irrespective whether it completely or partially encloses the containers;
- “**packed to capacity**” means that the container has been filled with the maximum quantity of table olives that can be sealed therein without breaking or crushing the contents;
- “**pit**” or “**pit fragments**” means whole pits or pit fragments measuring more than 2 mm along their longest axis, but excludes pits in the styles whole, cracked and split olives;
- “**salt**” means a substance as defined in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);
- “**shrivelled fruit**” means table olives that are so abnormally wrinkled as to affect their appearance: Provided that slight superficial wrinkles displayed by certain processed table olives (e.g. dried olives) shall not be considered a defect;
- “**soft**” means units lacking the firmness that is characteristic for a particular variety;
- “**spices**” means dried, pungent or aromatic substances of edible plant origin (i.e. from the fruit, root, stem, bulb, bark or seeds) primarily used for flavouring, colouring or preserving of foodstuffs;

“**stems**” means stems attached to the table olives and which measure more than 3 mm in length when measured from the shoulder of the olive: Provided that it shall not be considered a defect in the styles whole, cracked and split olives presented with stems attached;

“**sugar**” means the product as defined in the Codex Standard for Sugars (CODEX STAN 212-1999);

“**table olives**” means the product --

- (a) prepared from the sound fruits of varieties of the cultivated olive tree (*Olea europaea* L.) having reached appropriate degree of development for processing that are chosen for their production of table olives whose volume, shape, flesh-to-pit ratio, fine flesh, taste, firmness and ease of detachment from the pit make them particularly suitable for processing;
- (b) treated to remove its bitterness and preserved by natural fermentation, and/or by heat treatment, and/or by other means so as to prevent spoilage and to ensure product stability in appropriate storage conditions with or without the addition of preservatives; and
- (c) packed with or without a suitable liquid packing medium in accordance with regulation 9;

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

“**trade mark**” means a trade mark as defined in the Trade Marks Act, 1993 (Act No. 194 of 1993);

“**transparent**” in relation to containers and outer containers, means that an area of at least a 25 percent continuous portion of the main panel or back panel, or across any two adjacent panels, of a container or outer container is transparent;

“**use by date**” or “**expiration date**” means the date which signifies the end of the period under any stated storage conditions, after which the product should not be sold or consumed due to safety and quality reasons;

“**vinegar**” means the product as defined in the latest regulations relating to the classification, packing and marking of vinegar and imitation vinegar intended for sale in the Republic of South Africa published under the Act; and

“**water**” means potable water as described in the latest version of the SANS 241-1: 2015 Drinking Water Standard.

### **Scope of regulations**

2. These regulations shall apply to table olives intended for sale in the Republic of South Africa to which and under circumstances in which a prohibition in terms of section 3 of the Act regarding control over the sale of table olives apply.

### **Restrictions on the sale of table olives**

3. (1) No person shall sell table olives in the Republic of South Africa --
  - (a) unless such products are sold according to the grades referred to in regulation 4;
  - (b) unless such products comply with the general standards and quality standards for such grades referred to in regulations 5 and 6;
  - (c) unless such products are classified according to the types referred to in regulation 7;
  - (d) unless such products are presented as one of the styles referred to in regulation 8;

- (e) unless the minimum fill of containers requirement referred to in regulation 10 has been complied with;
- (f) unless such products comply with the packing requirements referred to in regulation 11;
- (g) unless the containers and outer containers in which such products are packed, comply with the requirements referred to in regulation 12;
- (h) unless the containers and outer containers in which such products are packed, are marked with the particulars and in the manner prescribed in regulations 13 to 19; and
- (i) if such products are marked with any restricted particulars or in a manner which are prohibited in terms of regulation 20.

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

## **PART II GRADES OF AND STANDARDS FOR TABLE OLIVES**

### ***Grades of table olives***

4. There shall be three grades of table olives, namely Extra Choice Grade, Choice Grade and Standard Grade.

### ***General standards for table olives***

5. (1) All grades of table olives shall --
- (a) be prepared from sound, fresh, clean and washed fruit;
  - (b) have a uniform size for the style concerned, except when mixed sizes are packed in the same container;
  - (c) have a normal colour, flavour, odour and texture characteristic of the finished product;
  - (d) be free of any microbiological deterioration and extraneous taste and smell caused by anomalous fermentation;
  - (e) subject to the provisions of sub-regulation (2) below, be free from any substance which does not normally form part of table olives, excluding extraneous vegetable matter; and
  - (f) comply with the applicable quality standards as specified in regulation 6.
- (2) Table olives may contain food additives and/ or the following ingredients:
- (a) Water.
  - (b) Salt.
  - (c) Vinegar.
  - (d) Olive oil or other edible vegetable oils.
  - (e) Sugars and/or other foodstuffs with sweetening properties such as honey.

- (f) Any single or combination of edible material used as an accompaniment or stuffing (e.g. pimiento, onion, almond, celery, anchovy, capers, etc.), or pastes thereof.
  - (g) Spices and aromatic herbs or natural extracts thereof.
- (3) Imported table olives which have been registered as a Geographical Indication (GI), and which originate from --
- (a) a member country within the European Union shall comply with the standards registered for the GI named table olive in the member country concerned; and
  - (b) a member country of the World Trade Organisation (WTO), excluding those countries that are members of the European Union, shall comply with the standards registered for the GI named table olive in the country of origin concerned.

#### **Standards for grades of table olives**

6. (1) Subject to the provisions of regulation 5, table olives shall comply with the quality standards for each grade as set out below:

- (a) **Extra Choice Grade:**
  - (i) The high quality table olives endowed to the maximum extent with the characteristics specific to the variety and treatment: Provided that the table olives may have very slight colour, shape, flesh-firmness or skin defects: Provided further that this does not affect the overall favourable aspect or organoleptic characteristics of each fruit.
  - (ii) The styles whole, split, pitted and stuffed olives of appropriate varieties may be graded as Extra Choice Grade.
- (b) **Choice Grade:**
  - (i) The table olives shall be of a good quality with a suitable degree of ripeness and endowed with the characteristics specific to the variety and treatment: Provided that the table olives may have a slight colour, shape, flesh-firmness or skin defects: Provided further that this does not affect the overall favourable aspect or organoleptic characteristics of each fruit.
  - (ii) All the types and styles of table olives, except for chopped or broken olives, may be graded as Choice Grade.
- (c) **Standard Grade:**
  - (i) Although the table olives do not comply with the quality standards for Extra Choice Grade or Choice Grade, they shall still be of a good quality which complies with the general quality standards set out in regulation 5.

(2) The grades of table olives may, depending on the style concerned, deviate from the specified quality standards to the extent as set out in Table 1 or Table 2 of regulation 23.

#### **Types of table olives**

7. Table olives shall be classified as one of the following types according to the degree of ripeness of the fresh fruits:

- (a) **Green olives:** Means fruits harvested during the ripening period, prior to colouring and when they have reached normal size.

- (b) **Olives turning colour:** Means fruits harvested before the stage of complete ripeness is attained, at colour change.
- (c) **Black olives:** Means fruits harvested when fully ripe, or slightly before full ripeness is reached.

#### **Styles of table olives**

8. (1) Table olives shall be presented as one of the following styles:
- (a) **Olives:**
    - (i) **Whole olives:** Shall consist of whole table olives, with or without their stems, which have their natural shape and from which the pit has not been removed.
    - (ii) **Cracked olives:** Shall consist of whole table olives subjected to a process whereby the flesh is opened without breaking the pit which remains whole and intact inside the fruit.
    - (iii) **Split olives:** Shall consist of whole table olives that are split lengthwise by cutting into the skin and part of the flesh, without removing the pit.
  - (b) **Pitted olives:**
    - (i) **Pitted olives:** Shall consist of table olives from which the pit has been removed and which basically retain their natural shape.
    - (ii) **Halved olives:** Shall consist of pitted or stuffed table olives sliced into two approximately equal parts, perpendicularly to the longitudinal axis of the fruit.
    - (iii) **Sliced olives:** Shall consist of pitted or stuffed table olives sliced into segments of fairly uniform thickness.
    - (iv) **Chopped or minced olives:** Shall consist of small pieces of pitted table olives of no definite shape and practically devoid (no more than 5 per 100 of such units by weight) of identifiable stem-insertion units as well as of slice fragments.
    - (v) **Broken olives:** Shall consist of table olives that are broken while being pitted or stuffed: Provided that they may contain pieces of the stuffing material.
  - (c) **Stuffed olives:** Shall consist of pitted table olives stuffed either with one or more suitable products (e.g. pimiento, onion, almond, celery, anchovy, olive, orange or lemon peel, hazelnut and capers) or with edible pastes.
- (2) Any other presentation of the product shall be permitted, provided that the product --
- (a) is sufficiently distinctive from other forms of presentation laid down in this regulation;
  - (b) meets all relevant requirements of this regulation, including requirements relating to limitations on defects, drained mass, and any other requirements which are applicable to that style which most closely resembles the style or styles intended to be provided for under this provision; and
  - (c) is adequately described on the container or label to avoid confusing or misleading the consumer.

**Packing media**

9. Table olives may be packed in brine (i.e. a solution of salts dissolved in potable water), with or without the addition of all or some of the ingredients listed under regulation 5(2): Provided that the brine shall be clean, free from foreign matter and have a characteristic colour, flavour and odour.

**Minimum fill of containers**

10. (1) Each container containing table olives shall –
- (a) either be packed to capacity; or
  - (b) at least comply with the following minimum drained mass requirement, calculated as a percentage of the declared net mass:
    - (i) **Whole, cracked and split olives:** Minimum drained mass of 50%.
    - (ii) **Pitted and stuffed olives:** Minimum drained mass of 40%.
- (2) The declared drained mass shall not exceed the percentages allowed for in Table 3 of regulation 23: Provided that the average drained mass of the representative sample taken shall be equal to, or in excess of, the declared drained mass.
- (3) The methods stipulated in Table 4 of regulation 24 shall be used when determining the drained mass.

**PART III  
PACKING AND CONTAINERS**

**Packing requirements**

11. Table olives of different grades shall not be packed together in the same container or outer container.

**Requirements for containers and outer containers**

12. (1) A container in which table olives are packed, shall --
- (a) be made 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 taste or 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) in the case of a container that is re-used, be thoroughly cleaned and sterilized before table olives are packed therein;
  - (d) be intact and clean; and
  - (e) be closed properly in a manner permitted by the nature thereof.
- (2) If containers containing table olives 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 IV MARKING REQUIREMENTS

##### *Marking of containers and outer containers*

13. (1) Except where specifically prescribed, all other marking requirements as specified by these regulations shall be clearly legible and be indicated at least in English, in detached letters or figures of at least 1 mm in size for lower case vowels.

(2) Each container in which table olives are packed shall be marked with the following particulars at least in English:

- (a) **The product name** and, where applicable, **the additions to the product name**, as specified in regulations 14 and 15 respectively, in detached letters of the same type, size, colour and font, prominently on at least one main panel in a letter size of at least 2 mm for lower case vowels: Provided that the name of the stuffing used in the case of the style stuffed olives may be indicated in one different colour when used in the additions to the product name.
- (b) **The appropriate grade declaration**, as specified in regulation 16, in detached letters of the same type, size, colour and font on at least one main panel in a letter size of at least 2 mm for lower case vowels.
- (c) **The name and address**, as specified in regulation 17.
- (d) **The country of origin**, as specified in regulation 18.
- (e) **The date marking** (i.e. “**best before**” or “**best quality before**” or “**use by**” or “**expiration date**) or **batch code** or **batch number** for the purpose of traceability, as specified in regulation 19.
- (3) (a) The particulars referred to in sub-regulation (2) above shall be marked on an outer container in which more than one container of table olives is packed.
- (b) The marking requirements prescribed in paragraph (a) above need not to be complied with if --
- (i) a transparent outer container is used and the particulars on the containers packed therein are visible from the outside; or
- (ii) the same label which is affixed to the containers is also affixed to the outer container.
- (4) Self-adhesive stickers indicating the particulars referred to in sub-regulation (2) above in the prescribed letter sizes may be used to cover any incorrect and/ or supplement any lacking marking requirements identified during inspection, instead of relabelling the container or repacking the table olives.
- (5) The label used on each container of table olives shall --
- (a) be clean and neat;
- (b) be pasted securely; and
- (c) not be pasted over existing labels affixed to the container; and
- (c) be affixed to such container only by or on behalf of the manufacturer or packer.

**Indicating the product name**

14. The product name, namely “olives” or “table olives”, shall be indicated on each container: Provided that in the case of table olives enjoying protection as Geographical Indications (GIs), the product name shall be as follows:

- (a) The registered GI name listed in Annexure A for the particular table olives concerned in the case of table olives forming part of the EU SADC EPA.
- (b) The GI name registered for the table olives concerned in the country of origin in the case of imported table olives originating from a World Trade Organization (WTO) member country, excluding those countries that are members of the European Union.
- (c) The GI name registered for the table olives concerned in the Republic of South Africa in the case of locally produced and processed table olives.

**Additions to the product name**

15. (1) The following information shall be indicated as part of the product name, or in close proximity thereto:

- (a) The style as set out in regulation 8: Provided that –
  - (i) the style may be omitted if it is easily distinguishable in the case of table olives packed in transparent containers; and
  - (ii) if the table olives are presented in accordance with the provisions on other styles as set out in regulation 8(2), additional words or phrases that will ensure that the consumer is not misled or confused shall be used.
- (b) The type of stuffing used in the case of stuffed olives.
- (c) The name of the added foodstuff (if a foodstuff other than the stuffing used in the case of the style stuffed olives has been added), herb and/ or spice: Provided that where a mixture of two or more kinds of herbs and/or spices have been added, the expression “mixed herbs”, “mixed spices” or “mixed herbs and spices”, as the case may be, may instead be used.

(2) When a flavouring has been added to table olives in order to render a distinctive specific flavour thereto, the product name shall be preceded by the descriptive name for the distinctive flavour concerned and the expression “X Flavoured”, or followed by the expression “with X Flavour” or “with X Flavouring”, where “X” indicates the name(s) of the flavouring(s) used, unless the flavourant concerned has been added with the intention to enhance the flavour of the stuffing or any other added foodstuff, herb and/ or spice concerned.

(3) The descriptor “Calamata style” or “Calamata type” may be indicated as part of the product name, or in close proximity thereto, in the case of table olives processed according to this particular method.

(4) The name of the variety and/or origin of the table olives may be indicated as part of the product name, or in close proximity thereto: Provided that it is true.

**Indicating the appropriate grade declaration**

16. The appropriate grade declaration shall be indicated on each container of table olives: Provided that --

- (a) the expression Extra Choice Grade may be substituted by the expression “Fancy Grade” or “A Grade”;
- (b) the expression Choice Grade may be substituted by the expression “First Grade”, “Select

Grade” or “B Grade”; and

- (c) the expression Standard Grade may be substituted by the expression “Second Grade” or “C grade”.

***Indicating the name and address***

17. The name and address of the manufacturer, packer, importer, seller or entity on whose behalf the table olives have been packed shall be indicated on every container: Provided that in the case where --

- (a) it is not possible to indicate the physical address, a postal address with a telephone number may be used instead; and
- (b) imported table olives indicate the address of the foreign manufacturer or packer only, a South African address for the importer, seller or entity on whose behalf the table olives have been packed shall in addition be indicated on each container.

***Indicating the country of origin***

18. (1) The country of origin shall be indicated as follows on each container of table olives:

- (a) "Product of (name of country)" if all the main ingredients, processing and labour used to make the product are from one specific country; or
- (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 (name(s) of country(ies))" separated by the expression 'and/or', shall be declared on the container or 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 referred to in sub-regulation (1) above.

(3) The name(s) of the country(ies) indicated in terms of sub-regulations (1) and (2) above may not be abbreviated.

***Indicating the date marking or batch code or batch number***

19. (1) Each container of table olives shall be clearly marked with the date marking or batch code or batch number in such a way that the specific batch is easily identifiable and traceable.

- (2) (a) When a date marking appears on a container --
- (i) it shall be preceded by appropriate wording “best before” or “best quality before” and/or “use by”, and/or “expiration date”, depending on the nature of the table olives concerned;
- (ii) abbreviations of the preceding wording shall not be allowed, except in the case of “best before” where the abbreviation “BB” may be used;
- (iii) the date sequence shall be “day-month-year” (i.e. “dd/mm/yyyy”) when numbers only are used: Provided that in the case of imported products where an altered date sequence is used, the month shall be indicated in

letters, either written out in full or abbreviated, and the year shall be written out in full; and

- (iv) it shall not be removed or altered by any person.
- (b) When table olives are packed in an outer container, which will during normal usage be discarded by the consumer, the date marking shall, if indicated, appear on each individual container that will be retained by the consumer until consumption.

***Restricted particulars on containers and outer containers***

20. (1) (a) Only the applicable grade shall be marked on a container or outer container.
- (b) No word or expression which so nearly resembles the grade and/ or type of table olive that it could be misleading with regard to the quality of that product shall be marked on the container or outer container.
- (2) 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, grade, origin or composition of table olives shall be marked on a container or outer container.
- (3) No claim regarding the absence of any substance that does not normally occur in table olives shall be marked on the container or outer container thereof, except in cases where it is allowed for in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).
- (4) No claim which compares the total fat, saturated fat, cholesterol, sugar, sodium or salt, or energy value of two or more similar table olive products by using words such as "reduced", "less than", "fewer", "light" and "lite", or words having a similar meaning, shall be made on the container or outer container thereof, unless the following conditions are complied with:
- (a) The table olive product shall be compared with a different version of the same or similar product.
  - (b) The table olive product being compared shall be clearly marked on the container with the following information:
    - (i) A statement of the amount of difference in the energy value or relevant nutrient content, expressed as a percentage.
    - (ii) The identity of the table olive product to which it is being compared in close proximity to or as part of the comparative claim.
  - (c) The comparison shall be based on a relative difference of at least 25% in the energy value or nutrient content of an equivalent mass or volume.
  - (d) The table olive product shall be marked with the prescribed nutritional information declaration required in terms of the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).
- (5) Any depictions, illustrations, words or wording which emphasise the presence of an added foodstuff in table olives shall only be allowed on a container or outer container if the requirements of Quantitative Ingredient Declarations (QUID), as specified in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), have been complied with.
- (6) The provisions of this regulation shall also apply to --
- (a) particulars that are marked on a notice board displayed at or in the immediate vicinity of table olives that are kept or displayed for sale; and

- (b) all advertisements for table olives.

**PART V  
SAMPLING AND INSPECTION**

***Sampling***

21. For the purpose of an inspection, grading and sampling for quality control, an inspector shall take such samples of a product, material, substance or other article in question as he or she may deem necessary.

***Working sample size***

22. (1) The minimum working sample size taken at random from each container sampled in accordance with regulation 21 shall consist of --

- (a) 200 table olives for the styles whole, cracked, pitted or stuffed when determining the maximum permissible deviations set out in regulation 23; and
- (b) 300 g of table olives for the styles broken, chopped, minced and sliced, as well as other segmented styles, when determining the maximum permissible deviations set out in regulation 23.

(2) In the case of smaller containers where the minimum working sample size stipulated in sub-regulation (1) above cannot be attained, the minimum working sample shall consist of the drained contents of each container.

***Permissible deviations***

23. (1) The maximum permissible quality deviations allowed for each grade are as follows, depending on the style concerned:

**TABLE 1**  
**PERMISSIBLE DEVIATIONS FOR THE STYLES WHOLE, CRACKED, SPLIT, PITTED OR STUFFED TABLE OLIVES**

Grade	Extra choice grade			Choice grade			Standard grade		
	Green Olives	Olives darkened by oxidation	Olives turning colour and black olives.	Green Olives	Olives darkened by oxidation	Olives turning colour and black olives.	Green Olives	Olives darkened by oxidation	Olives turning colour and black olives
<b>(i) Whole, cracked, split, pitted or stuffed table olives</b>									
<b>Quality factor</b>	<b>Maximum tolerance allowed as a percentage (%) of fruit</b>								
Blemished fruit	4*	4	6	6	6	8	10	6	12
Mutilated fruit	2	2	3	4	4	6	8	8	10
Shrivelled fruit	2	2	4	3	3	6	6	6	10
Abnormal texture	4	4	6	6	6	8	10	10	12
Abnormal colour	4	4	6	6	6	8	10	10	12
Stems	3	3	3	5	5	5	6	6	6
<b>Cumulative maximum tolerances allowed for the above defects</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>17</b>	<b>17</b>	<b>17</b>	<b>22</b>	<b>22</b>	<b>22</b>
<b>Maximum tolerance allowed as units per kg or fraction thereof</b>									
Harmless extraneous material	1	1	1	1	1	1	1	1	1
<b>(ii) Pitted or stuffed olives only</b>									
<b>Quality factor</b>	<b>Maximum tolerance allowed as a percentage (%) of fruit</b>								
Pits or pit fragments (average unit)	1	1	2	1	1	2	1	1	2
Broken fruit	3	3	3	5	5	5	7	7	7
Defective stuffing when: - Place packed (i.e. table olives of the same style are placed in the container either in	1	1	1	2	2	2	5	5	5

Grade	Extra choice grade			Choice grade			Standard grade		
orderly symmetrical fashion, or in geometrical shapes) - Random (thrown) packed (i.e. table olives of the same style are not placed in an orderly fashion in the container)	3	3	3	5	5	5	7	7	7

\* In addition, at least 30% of the fruits shall be free from any blemishes

**TABLE 2  
PERMISSIBLE DEVIATIONS FOR THE STYLES BROKEN, CHOPPED, MINCED, AND SLICED TABLE OLIVES, AS WELL AS OTHER SEGMENTED STYLES OF TABLE OLIVES**

Quality factor	Green olives			Maximum tolerance allowed		
	Types of table olives	Olives darkened by oxidation	Olives turning colour and black olives			
Harmless extraneous material (units)	2	2	2			
Stems (units)	4	6	5			
Blemishes and wrinkles (%)	25	25	25			
Pits or pit fragments (average unit)	1	1	1			
Soft and excessive soft (%)	10/5	10/5	12/6			
Broken pieces among segmented/sliced olives (%)	50	50	50			

- (2) The maximum permissible deviations allowed for the declared drained mass are as follows:

**TABLE 3**  
**PERMISSIBLE DEVIATIONS FOR DRAINED MASS**  
**[REGULATION 10]**

Containers with a drained mass of:	Maximum drained mass deviation
<200g	10 %
≥200g <500g	10 %
≥500g <1 500g	10 %
≥1 500g	5 %

**Determination of drained mass**

24. The drained mass of table olives shall be determined using the following methods or any other international recognised and acceptable reference methods and procedures:

**TABLE 4**  
**METHODS FOR DETERMINING DRAINED MASS**

Provision	Method	Principle	Type
Drained mass	AOAC 968.30 (Codex general method for processed fruits and vegetables)	Sieving Gravimetry	I
	SABS SANS 458: 2011 (the latest version)		-

- Not specified

**PART VI**  
**OFFENCES AND PENALTIES**

**Offences and penalties**

25. 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 to imprisonment in accordance with section 11 of the Act.

**ANNEXURE A**

**LIST OF IMPORTED GI TABLE OLIVES PROTECTED UNDER THE EU SADC EPA**

Country	GI name
Greece	Elia Kalamatas
	Konservolia Amfissis