

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
AGRICULTURAL PRODUCT
STANDARDS AMENDMENT
BILL**

[B 24B—98]

*(As agreed to by the Portfolio Committee on Agriculture, Water Affairs and Forestry
(National Assembly))*

[B 24C—98]

REPUBLIEK VAN SUID-AFRIKA

**PORTEFEULJEKOMITEE-AMENDEMENTE
OP
WYSIGINGSWETSONTWERP
OP LANDBOUPRODUK-
STANDAARDE**

[W 24B—98]

*(Soos goedgekeur deur die Portefeuljekomitee oor Landbou, Waterwese en Bosbou
(Nasionale Vergadering))*

[W 24C—98]

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AMENDMENTS AGREED TO

AGRICULTURAL PRODUCT STANDARDS AMENDMENT BILL [B 24B—98]

NEW CLAUSE

1. That the following be a new Clause to follow Clause 7:

Insertion of section 6A in Act 119 of 1990

- 8.** The following section is hereby inserted in the principal Act after section 6:

“Prohibition and exemption on use of names”

6A. (1) The Minister may, notwithstanding any other agricultural laws relating to a specific product and taking into account the Republic’s international obligations, by notice in the *Gazette*, prohibit the use of specified geographical or other names, or terms in connection with the sale or export of a specified product, on such conditions as may be specified in such notice.

(2) A prohibition issued under subsection (1) shall also apply where the geographical name in question—

- (a) is used in connection with an indication of the true origin of the product in question;
- (b) is used in translation; or
- (c) is used together with words such as “kind”, “type”, “style”, “imitation” or similar words or expressions.

(3) The Minister may in such notice authorise the executive officer to exempt a person from the prohibition under such circumstances as may be specified in such notice.”.

CLAUSE 12

1. On page 16, in line 12, after “6” to insert “, 6A”.

CLAUSE 14

1. On page 18, from line 23, to omit paragraph (b) and to substitute:
 - (b) by the insertion in subsection (1) after paragraph (f) of the following paragraphs, the existing paragraph (g) becoming paragraph (i):
“(g) inspection fees that have been determined by the assignee;
(h) a prohibition or exemption under section 6A; or”; and

LONG TITLE

1. On page 2, in the sixth line, after “marks;” to insert:
to provide for the use of geographical or other names;