



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

PROCEDURE FOR REPORTING ILLIGAL- IMPORTATION, SALE, USAGE AND ADVERTISING OF AGRICULTURAL REMEDIES, ANIMAL FEEDS/FARM FEEDS, FERTILIZERS, STOCK REMEDIES & PEST CONTROL OPERATORS – ACT NO. 36 OF 1947

Introduction

The General Public, Farming Industry, Agricultural Inputs Manufacturing Industry, Provinces, Local government, and Act 36 of 1947 inspection services under the Department of Agriculture Forestry and Fisheries need to join forces and fight illegal imports, sale, usage and advertisement of Fertilizers, Animal feeds, Agricultural remedies, Stock remedies & Pest Control Operator's without licenses.. There is a need for all parties to ensure there is an effective and accountable society that could work together with the Department, particularly the Registrar's office of Act No 36 of 1947 to curb these problems.

The inspection services of Act 36 of 1947 do not have permanent officials in other districts in Provinces to ensure proper monitoring of these Act, It is on those grounds that industry and the communities need to be involved, not only in complaining, but also in identifying and preventing the illegal imports, sale, usage and advertisement of agricultural remedies, animal feeds/farm feeds, fertilizers, stock remedies & pest control operator's.

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Purpose

To involve or bring together the role players by means of an integrated approach, to increase co-operation, improve interaction, and lastly to reduce the number of transgressors.

Complaints

- All the complaints should be reported to the Registrar of Act No.36 of 1947 for attention senior admin officer- Inspection Services.
- What is required when complaining about agricultural remedies, animal feeds/farm feeds, fertilizers, stock remedies & pest control operators?
- Send a written complaint by fax at 012-3196867 or email to IrisM@daff.gov.za and cc SindileM@daff.gov.za

The complaint should entail the following information:

- Name of the complainant

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- Contact details, including a postal address.
- Description of the complaint or alleged contravention,
- The name of the alleged offender, postal and physical address of the offender (physical address is very important) and a telephone number of the alleged accused if possible.
- In the absence of the items listed in the first bullet, one can call the Inspection administrations on the following numbers: 012 3197174/7310 to lodge a complaint.
- The complaint form will be provided on the website to lodge a complaint.
- All the complaints regarding the illegal use of the products must have the following:
 - Alleged registration number
 - Batch number
 - Trade name or trade mark
 - Invoice or Receipt, if available
 - Retail name of where the items were purchased.
- All the complaints regarding unregistered agricultural remedies, animal feeds/farm feeds, fertilizers, stock remedies & pest control operator's must have the following:
 - Trade name or trade mark.
 - Invoice or Receipt, if available
 - Retail name of where the items are sold, or were purchased.

- All the complaints regarding illegal importation of agricultural remedies, animal feeds/farm feeds, fertilizers, stock remedies & pest control operator's must have the following:

Importers Name

Trade name or trade mark.

Port of Entry/ if available

- All the complaints regarding illegal advert of agricultural remedies, animal feeds/farm feeds, fertilizers, stock remedies & pest control operator's must have the following:

Trade name or trade mark.

Invoice or Receipt, if available

Retail name where the items were purchased

Magazine, Newspaper, Broadcaster. Etc. where the product was advertised.

Acknowledgements of Complaints

- All the complaints will be acknowledged within 3 working days and each complaint will have a reference number that a complainant will use for to inquire after 30 working days.

- The complainant may contact responsible regional manager whom his or her contact will be included on the acknowledgement letter to enquire about the development of the complaints after 30days.
- A complainant using telephone will be questioned on some aspects that would lead to inspection and investigation. A reference number would be allocated to such a complaint.

Time frames of Complaints

- All the complaint will be assessed to determine the risks by regional managers once they receive them from Admin officials
- Those with less risk and are not complex may be completed within a month
- Those that are of medium risks and complex may take up to 3moths to be completed
- Those that are of high risks and are more complex may be completed in 6moths.
- It is the intention of Inspection Services to finalize the case within the set time frames, but that depend on the complexity of the complaint and other state agencies involved

Finalization of Complaints

- All the regional managers will communicate with the complainants once the matter is been finalized by Inspectors of Act 36 and is referred to NPA for decision if it had to.

- In case the matter does need to be referred to NPA or SAPS then the complainants will be informed of the findings and finalization of the matter by Act 36 Inspection Services.
- In case the complainant is not satisfied on the finalization of the matter by Act 36 Regional Inspector then he may write the letter of dispute to the Head of Inspection Services at the following email giftm@daff.gov.za and provide reasons for such dispute
- The Head of Inspection will respond to the complainant whether the matter will be reviewed or make final ruling on the closure of the complaint and provide reasons why the matter cannot be investigated further and will advise the complainant where possible what to do as the next step.

Conclusion

Together we can make change to improve compliance for the benefit of our country