

# **AMENDMENT OF FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT No. 36 OF 1947)**

**FERTASA 61<sup>ST</sup> ANNUAL CONGRESS**

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**Via Zoom Communication**

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**REGISTRAR: ACT 36 OF 1947**



**agriculture,  
forestry & fisheries**

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

# PURPOSE

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- The presentation will outline the proposed direction of the fertilizer new regulatory framework in South Africa, and also seeks further inputs on the proposal.
  
- Outline
  - Background on the current framework
  - Challenges with the current framework
  - Proposal in addressing the challenges
  - Opportunities the new regulatory framework provide
  - Next Step



# BACKGROUND - CURRENT FRAMEWORK

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- The Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, (Act No. 36 of 1947) and its regulations prescribe the requirements for composition, registration, standards and labelling for all fertilizer products that are manufactured, imported and sold in South Africa.
- Within the scope of the current registration framework, all fertilizer products and/or alterations requires pre-market assessment and registration on the basis of quality, safety and efficacy.



## BACKGROUND – REVIEW OF ACT 36 OF 1947

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- In early 2000's, the Department initiated a review of its regulatory framework for fertilizers, pesticides, animal feeds and veterinary medicine. Through this review, the department intends to update its regulatory framework to:
  - Reduce redundancy
  - increasing responsiveness to industry changes,
  - address gaps and weaknesses
  - Provide flexibility to assist regulated parties
- The review of the fertilizers regulatory framework concluded that it is outdated and do not reflect modern science, advances in manufacturing practices, industry trends and international norms.



## OVERVIEW OF THE MAIN ISSUES

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- **Outdated regulatory framework.** The current fertilizer product regulatory framework do not reflect modern science, advances in manufacturing practices and, industry growing trends. The noticeable example, growing trends is farmers requiring custom mix/prescription mixture product. Maintaining a final product-based framework in regulation is not line with the reality.
- **Registration process.** The current products-based registration framework is slow, cumbersome and unpredictable. This impose an additional burden on regulated parties. Resulting in delays in getting fertilizer product to market and farmers.



# PROPOSED AMENDMENTS : FERTILIZER BILL

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- Main amendments
  - Exemption of registration of fertilizer formulation for products with well-established history of safe use.
  - Focus on the identification and control of quality and risk, both in the raw material used to produce fertilizer and in the manufacturing environment itself
  - Introduce the concept of involvement of the 3<sup>rd</sup> party both the level of the Council and auditing.



# OPPORTUNITIES

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## ▪ Fertilizer industry

- Facilitates market access by reducing burden on low-risk, well-established products
- Administrative cost savings for exemption from product registration
- Opportunity for flexibility which will allow industry to market products timeously
- Encourage companies to invest in innovative products
- Supports innovation
- Development of industry quality/safety program with an appropriate government oversight.



# OPPORTUNITIES

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## ▪ **Farmers**

- Timely access to quality and safe products

## ▪ **Government**

- By exempting registration of final product, will have efficient use of the limited resources
- Redirect the resources to other new products (e.g. bio fertilizers/group 3
- Improves the existing service delivery standards for registration applications



# CONSULTATIONS

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- The proposed amendments (the Bill) was developed in consultation with the stakeholder community, namely the FERTESA.
- We had preliminary stakeholder meetings followed by workshops.
- Furthermore we had provincial consultations on the Bill
- At the workshops, the regulatory proposal was discussed in detail, and areas where consensus had not been reached were noted for further consultations.



## NEXT STEP

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- The proposed amendments boil down to reducing the regulatory burden for low-risk fertilizers, while keeping the registration process in place for high-risk products or those with unknown risk.
- Furthermore, it also provide an opportunity for involvement of the 3<sup>rd</sup> parties in particular on certification of manufacturing facilities.
- As there still areas of concerns that the department still need agree with its partners on the proposed framework, platform for further engagement is need. Agbiz has offered to bring all the industry captains to engage further on the proposed framework.



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# THANK YOU



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