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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 1612. 30 September 1970.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 60 van 1970: Wysigingswet op Misstowwe, Veevoedsel en Middels, 1970.

DEPARTMENT OF THE PRIME MINISTER.

No. 1612. 30th September, 1970.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 60 of 1970: Fertilizers, Farm Feeds and Remedies Amendment Act, 1970.

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Wet No. 60, 1970 WYSIGINGSWET OP MISSTOWWE, VEEVOEDSEL EN MIDDELS, 1970.

WET

Tot wysiging van die Wet op Misstowwe, Veevoedsel en Middels, 1947, met betrekking tot woordomskrywings, registrasie, misstowwe, veevoedsel, middels, inspekteurs, ontleders, oortredings, regulasies en opgawes.

(*Engelse teks deur die Staatspresident geteken.*)
(*Goedgekeur op* 21 *September* 1970.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 36 van 1947, soos gewysig deur artikel 32 van Wet 28 van 1961.

1. Artikel 1 van die Wet op Misstowwe, Veevoedsel en Middels, 1947 (hieronder die Hoofwet genoem), word hierby gewysig—

(*a*) deur na die omskrywing van „advertensie" die volgende omskrywing in te voeg:

„„landboumiddel' enige chemiese stof of biologiese middel of 'n mengsel of kombinasie van so 'n stof of middel wat bestem is of aangebied word om gebruik te word—

(*a*) vir die vernietiging, beheer, afwering of voorkoming van enige ongewenste virus, bakterie, alg, nematode, swam, insek, plant, gewerwelde dier, ongewerwelde dier of enige produk daarvan, maar met uitsluiting van enige chemiese stof, biologiese middel of ander middel vir sover dit beheer word ingevolge die Wet op Geneeshere, Tandartse en Aptekers, 1928 (Wet No. 13 van 1928), die Wet op Voedingsmiddels, Medisyne en Ontsmettingsmiddels, 1929 (Wet No. 13 van 1929), of die Wet op die Beheer van Medisyne, 1965 (Wet No. 101 van 1965), of enige preparaat wat deur 'n geneesheer of veearts vir 'n bepaalde pasiënt of groep pasiënte voorgeskryf is; of

(*b*) as plantgroeireguleerder, ontblaarder, uitdroogmiddel of peulplantentstof,

en enigiets anders wat die Minister by kennisgewing in die *Staatskoerant* tot landboumiddel vir die doeleindes van hierdie Wet verklaar het;";

(*b*) deur die omskrywing van „boerderybenodigdheid" deur die volgende omskrywing te vervang:

„„boerderybenodigdheid' 'n misstof, veevoedsel, landboumiddel of veemiddel, of 'n stof wat by die vervaardiging van 'n misstof, veevoedsel, landboumiddel of veemiddel gebruik word;";

(*c*) deur die omskrywing van „Minister" deur die volgende omskrywing te vervang:

„„Minister' die Minister van Landbou;";

(*d*) deur die omskrywing van „middel" te skrap;

(*e*) deur die omskrywing van „Sekretaris" deur die volgende omskrywing te vervang:

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FERTILIZERS, FARM FEEDS AND REMEDIES AMENDMENT ACT, 1970. **Act No. 60, 1970**

ACT

To amend the Fertilizers, Farm Feeds and Remedies Act, 1947, relating to definitions, registration, fertilizers, farm feeds, remedies, inspectors, analysts, offences, regulations and returns.

(*English text signed by the State President.*)
(*Assented to 21st September*, 1970.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 1 of the Fertilizers, Farm Feeds and Remedies Act, 1947 (hereinafter referred to as the principal Act), is hereby amended— Amendment of section 1 of Act 36 of 1947, as amended by section 32 of Act 28 of 1961.

(*a*) by the insertion after the definition of "advertisement" of the following definition:
"'agricultural remedy' means any chemical substance or biological remedy or any mixture or combination of any such substance or remedy intended or offered to be used—
(*a*) for the destruction, control, repelling or prevention of any undesired virus, bacterium, alga, nematode, fungus, insect, plant, vertebrate, invertebrate or any product thereof, but excluding any chemical substance, biological remedy or other remedy in so far as it is controlled under the Medical, Dental and Pharmacy Act, 1928 (Act No. 13 of 1928), the Food, Drugs and Disinfectants Act, 1929 (Act No. 13 of 1929), or the Drugs Control Act, 1965 (Act No. 101 of 1965), or any preparation prescribed by a medical practitioner or veterinarian for a particular patient or group of patients; or
(*b*) as plantgrowth regulator, defoliant, desiccant or legume inoculant,
and anything else which the Minister has by notice in the *Gazette* declared an agricultural remedy for the purposes of this Act;";

(*b*) by the substitution for the definition of "farming requisite" of the following definition:
"'farming requisite' means any fertilizer, farm feed, agricultural remedy or stock remedy, or any substance used in the manufacture of a fertilizer, farm feed, agricultural remedy or stock remedy;";

(*c*) by the substitution for the definition of "Minister" of the following definition:
"'Minister' means the Minister of Agriculture;";

(*d*) by the deletion of the definition of "remedy";

(*e*) by the substitution for the definition of "Secretary" of the following definition:

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Wet No. 60, 1970 WYSIGINGSWET OP MISSTOWWE, VEEVOEDSEL EN MIDDELS, 1970.

„'Sekretaris' die Sekretaris van Landbou-tegniese Dienste;";

(*f*) deur die omskrywing van „steriliseringsinstallasie" deur die volgende omskrywing te vervang:

„'steriliseringsinstallasie' 'n installasie wat gebruik word vir die steriliseer van bene of ander stowwe afkomstig van 'n bees, lid van die perdefamilie, skaap, bok, vark, pluimvee of volstruis, van enige ouderdom, of van enige gewerwelde of ongewerwelde dier wat die Minister van tyd tot tyd by kennisgewing in die *Staatskoerant* bepaal.";

(*g*) deur na die omskrywing van „steriliseringsinstallasie" die volgende omskrywing in te voeg:

„'veemiddel' 'n stof wat bestem is of aangebied word om gebruik te word in verband met huisdiere, lewende hawe, pluimvee of wilde diere (met inbegrip van wilde voëls), vir die voorkoming, behandeling of genesing van 'n siekte, besmetting of ander ongesonde toestand, of vir die instandhouding of verbetering van gesondheid, groei, produksie of werkvermoë, of vir die houvermoë van karkasse, maar met uitsluiting van 'n preparaat wat op voorskrif van 'n veearts vir 'n bepaalde pasiënt of groep pasiënte saamgestel is;".

Wysiging van artikel 2 van Wet 36 van 1947.

2. Artikel 2 van die Hoofwet word hierby gewysig deur die woord „middels" deur die woorde „landboumiddels, veemiddels," te vervang.

Vervanging van artikel 3 van Wet 36 van 1947.

3. Artikel 3 van die Hoofwet word hierby deur die volgende artikel vervang:

„Registrasie van misstowwe, veevoedsel, landboumiddels, veemiddels en steriliseringsinstallasies.

3. (1) Elke aansoek om registrasie van 'n misstof, veevoedsel, landboumiddel, veemiddel of steriliseringsinstallasie moet in die voorgeskrewe vorm en tesame met die voorgeskrewe registrasiegeld van hoogstens twintig rand aan die registrasiebeampte gestuur word.

(2) Indien daardie beampte na oorweging van so 'n aansoek oortuig is dat die betrokke misstof, veevoedsel, landboumiddel, veemiddel of steriliseringsinstallasie geskik en doeltreffend genoeg is vir die oogmerk waarvoor dit bestem is, en aan die voorgeskrewe vereistes voldoen, en dat dit nie strydig met die openbare belang is dat dit geregistreer word nie, moet hy daardie misstof, veevoedsel, landboumiddel, veemiddel of steriliseringsinstallasie registreer.

(3) Registrasie kragtens hierdie artikel geskied op die voorwaardes wat die registrasiebeampte bepaal en is geldig vir sodanige tydperk as wat voorgeskryf mag word.".

Vervanging van artikel 4 van Wet 36 van 1947.

4. Artikel 4 van die Hoofwet word hierby deur die volgende artikel vervang:

„Intrekking van registrasie.

4. Indien die registrasiebeampte oortuig is—

(*a*) dat iemand versuim het om te voldoen aan 'n voorwaarde waarop 'n misstof, veevoedsel, landboumiddel, veemiddel of steriliseringsinstallasie geregistreer is; of

(*b*) dat 'n misstof, veevoedsel, landboumiddel, veemiddel of steriliseringsinstallasie wat kragtens hierdie Wet geregistreer is nie voldoen aan die vereistes wat voorgeskryf is nie; of

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"'Secretary' means the Secretary for Agricultural Technical Services;";

(*f*) by the substitution for the definition of "sterilizing plant" of the following definition:

"'sterilizing plant' means a plant used for sterilizing of bones or other substances derived from cattle, members of the horse family, sheep, goats, pigs, poultry or ostriches, of any age, or from any vertebrate or invertebrate specified by the Minister from time to time by notice in the *Gazette*;";

(*g*) by the insertion after the definition of "sterilizing plant" of the following definition:

"'stock remedy' means a substance intended or offered to be used in connection with domestic animals, livestock, poultry or wild animals (including wild birds), for the prevention, treatment or cure of any disease, infection or other unhealthy condition, or for the maintenance or improvement of health, growth, production or working capacity, or for the lasting capacity of carcasses, but excluding any preparation dispensed on the prescription of a veterinarian for a particular patient or group of patients;".

Amendment of section 2 of Act 36 of 1947.

2. Section 2 of the principal Act is hereby amended by the substitution for the word "remedies" of the words "agricultural remedies, stock remedies".

Substitution of section 3 of Act 36 of 1947.

3. The following section is hereby substituted for section 3 of the principal Act:

"Registration of fertilizers, farm feeds, agricultural remedies, stock remedies and sterilizing plants.

3. (1) Every application for the registration of a fertilizer, farm feed, agricultural remedy, stock remedy or sterilizing plant shall be submitted to the registering officer in the prescribed form and shall be accompanied by the prescribed registration fee which shall not exceed twenty rand.

(2) If after consideration of any such application such officer is satisfied that the fertilizer, farm feed, agricultural remedy, stock remedy or sterilizing plant in question is suitable and sufficiently effective for the purposes for which it is intended, and complies with such requirements as may be prescribed, and that it is not contrary to the public interest that it be registered, he shall register such fertilizer, farm feed, agricultural remedy, stock remedy or sterilizing plant.

(3) Any registration under this section may be made subject to such conditions as may be determined by the registering officer and shall be valid for such period as may be prescribed.".

Substitution of section 4 of Act 36 of 1947.

4. The following section is hereby substituted for section 4 of the principal Act:

"Cancellation of registration.

4. If the registering officer is satisfied—

(*a*) that any person has failed to comply with any condition subject to which any fertilizer, farm feed, agricultural remedy, stock remedy or sterilizing plant has been registered; or

(*b*) that any fertilizer, farm feed, agricultural remedy, stock remedy or sterilizing plant registered under this Act does not comply with any requirements that may be prescribed; or

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(*c*) dat 'n steriliseringsinstallasie wat kragtens hierdie Wet geregistreer is, die in die omskrywing van ‚steriliseringsinstallasie' beoogde stowwe nie doeltreffend steriliseer nie; of

(*d*) dat dit strydig met die openbare belang is dat 'n misstof, veevoedsel, landboumiddel, veemiddel of steriliseringsinstallasie geregistreer bly; of

(*e*) dat 'n onjuiste of misleidende advertensie in verband met 'n misstof, veevoedsel, landboumiddel of veemiddel opsetlik gebruik word,

kan hy die registrasie daarvan te eniger tyd intrek.".

Vervanging van artikel 7 van Wet 36 van 1947.

5. Artikel 7 van die Hoofwet word hierby deur die volgende artikel vervang:

„Verkoop van misstowwe, veevoedsel, landboumiddels en veemiddels.

7. Niemand mag 'n misstof, veevoedsel, landboumiddel of veemiddel verkoop nie tensy—

(*a*) dit kragtens hierdie Wet geregistreer is;

(*b*) dit verpak is op sodanige wyse as wat voorgeskryf mag word;

(*c*) die houer waarin dit verkoop word, voldoen aan die voorgeskrewe vereistes en gekenmerk, geëtiketteer, gemerk of verseël is op so 'n wyse as wat voorgeskryf mag word of indien, in die geval van 'n misstof, veevoedsel of landboumiddel, dit nie in 'n houer verkoop word nie, die in artikel 9 bedoelde faktuur vergesel word van 'n etiket wat aan die voormelde voorgeskrewe voorskrifte vir etikettering voldoen; en

(*d*) dit so saamgestel is en so doeltreffend, fyn en suiwer is as wat in die aansoek om registrasie daarvan gespesifiseer is, alle ander eienskappe aldus gespesifiseer, besit en aan die voorgeskrewe vereistes voldoen.".

Vervanging van artikel *7bis* van Wet 36 van 1947.

6. Artikel *7bis* van die Hoofwet word hierby deur die volgende artikel vervang:

„Verbod op verkryging, vervreemding of gebruik van misstowwe of veevoedsel.

7bis. (1) Die Minister kan by kennisgewing in die *Staatskoerant*—

(*a*) die verkryging, vervreemding of gebruik van misstowwe of veevoedsel verbied; of

(*b*) sodanige verkryging vervreemding of gebruik verbied, behalwe ooreenkomstig die voorwaardes in die kennisgewing bepaal of behalwe uit hoofde van en ooreenkomstig die voorwaardes gestel in 'n permit wat, behoudens die voorskrifte van die Minister, deur die Sekretaris of 'n deur hom aangewese persoon uitgereik is, en kan so 'n kennisgewing op dergelike wyse herroep of wysig.

(2) 'n Verbod kragtens subartikel (1) uitgevaardig, kan van toepassing wees—

(*a*) dwarsdeur die Republiek of in een of meer vermelde gebiede;

(*b*) op enige persoon of op persone wat tot 'n vermelde klas of groep persone behoort of op persone wat nie tot so 'n klas of groep persone behoort nie; of

(*c*) ten opsigte van alle of een of meer klasse of soorte misstowwe of veevoedsel.

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(*c*) that any sterilizing plant registered under this Act does not sterilize substances contemplated in the definition of 'sterilizing plant' effectively; or

(*d*) that it is contrary to the public interest that any fertilizer, farm feed, agricultural remedy, stock remedy or sterilizing plant shall remain registered; or

(*e*) that any incorrect or misleading advertisment is used intentionally in connection with any fertilizer, farm feed, agricultural remedy or stock remedy,

he may cancel the registration thereof at any time.".

Substitution of section 7 of Act 36 of 1947.

5. The following section is hereby substituted for section 7 of the principal Act:

"Sale of fertilizers, farm feeds, agricultural remedies and stock remedies.

7. No person shall sell any fertilizer, farm feed, agricultural remedy or stock remedy unless—

(*a*) it is registered under this Act;

(*b*) it is packed in such manner as may be prescribed;

(*c*) the container in which it is sold, complies with the prescribed requirements and is branded, labelled, marked or sealed in such manner as may be prescribed or if, in the case of any fertilizer, farm feed or agricultural remedy, it is not sold in a container, the invoice referred to in section 9 is accompanied by a label complying with the prescribed directions for labelling aforesaid; and

(*d*) it is of the composition, efficacy, fineness and purity specified in the application for registration thereof, possesses all other properties so specified and complies with the prescribed requirements.".

Substitution of section 7*bis* of Act 36 of 1947.

6. The following section is hereby substituted for section 7*bis* of the principal Act:

"Prohibition on acquisition, disposal or use of fertilizers or farm feeds.

7bis. (1) The Minister may, by notice in the *Gazette*—

(*a*) prohibit the acquisition, disposal or use of fertilizers or farm feeds; or

(*b*) prohibit such acquisition, disposal or use, except in accordance with such conditions as may be specified in the notice or except under the authority of and in accordance with such conditions as may be specified in a permit issued subject to the directions of the Minister by the Secretary or any person designated by him, and may in like manner repeal or amend any such notice.

(2) Any prohibition issued under subsection (1) may apply—

(*a*) throughout the Republic or in one or more specified areas;

(*b*) to any person or to persons belonging to any specified class or group of persons or to persons other than persons belonging to any such class or group of persons; or

(*c*) in respect of all or one or more classes or kinds of fertilizers or farm feeds.

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(3) 'n Voorwaarde in subartikel (1) bedoel, is aan geen beperkings van watter aard ook al onderworpe nie, en sodanige voorwaardes kan ten opsigte van verskillende gebiede, persone of klasse of groepe persone verskil.".

Vervanging van artikel 9 van Wet 36 van 1947.

7. Artikel 9 van die Hoofwet word hierby deur die volgende artikel vervang:

„Fakture nodig in die geval van verkoop van misstowwe, veevoedsel en landboumiddels.

9. Iemand wat 'n misstof, veevoedsel of landboumiddel verkoop, moet 'n faktuur met sodanige besonderhede ten opsigte van so 'n misstof, veevoedsel of landboumiddel as wat voorgeskryf mag wees, ten tyde van aflewering aan die koper oorhandig, of ten tyde van versending aan hom stuur.".

Vervanging van artikel 13 van Wet 36 van 1947.

8. Artikel 13 van die Hoofwet word hierby deur die volgende artikel vervang:

„Uitsluiting van misstof, veevoedsel, landboumiddel of veemiddel van toepassing van Wet.

13. Onderworpe aan sodanige voorwaardes as wat hy mag bepaal, kan die Minister by kennisgewing in die *Staatskoerant* 'n misstof, veevoedsel, landboumiddel of veemiddel uitsluit van die toepassing van enigeen, of van al die bepalings van hierdie Wet.".

Vervanging van artikel 14 van Wet 36 van 1947, soos gewysig deur artikel 35 van Wet 28 van 1961.

9. Artikel 14 van die Hoofwet word hierby deur die volgende artikel vervang:

„Aanstelling van inspekteurs en ontleders.

14. Die Minister kan van tyd tot tyd vir die doeleindes van hierdie Wet inspekteurs en ontleders van misstowwe, veevoedsel, landboumiddels of veemiddels aanstel, wat beamptes in die Staatsdiens kan wees.".

Wysiging van artikel 15 van Wet 36 van 1947, soos gewysig deur artikel 36 van Wet 28 van 1961.

10. Artikel 15 van die Hoofwet word hierby gewysig deur paragraaf (*a*) van subartikel (1) deur die volgende paragraaf te vervang:

„(*a*) 'n perseel, plek, voertuig of vaartuig betree waarin of waarop daar enige boerderybenodigdheid, of steriliseringsinstallasie is, of op redelike gronde vermoed word te wees of waar enige landboumiddel of veemiddel toegedien is of op redelike gronde vermoed word toegedien te wees.".

Wysiging van artikel 18 van Wet 36 van 1947, soos gewysig deur artikel 2 van Wet 48 van 1950 en artikel 38 van Wet 28 van 1961.

11. Artikel 18 van die Hoofwet word hierby gewysig—

(*a*) deur paragraaf (*c*)*bis* van subartikel (1) deur die volgende paragraaf te vervang:

„(*c*)*bis* in stryd met 'n kragtens artikel 7*bis* uitgevaardigde verbod, misstowwe of veevoedsel verkry, vervreem of gebruik; of";

(*b*) deur paragraaf (*f*) van subartikel (1) deur die volgende paragraaf te vervang:

„(*f*) in verband met 'n misstof, veevoedsel, landboumiddel of veemiddel gebruik maak van 'n sertifikaat, faktuur of ander dokument wat in verband met 'n ander misstof, veevoedsel, landboumiddel of veemiddel uitgereik is of wat nie meer geldig is nie; of";

(*c*) deur paragraaf (*g*) van subartikel (1) deur die volgende paragraaf te vervang:

„(*g*) in verband met 'n misstof, veevoedsel, landboumiddel of veemiddel 'n valse of misleidende verklaring maak—

(i) in 'n aansoek om registrasie daarvan; of

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(3) Any condition referred to in subsection (1) shall not be subject to any limitations of whatever nature, and such conditions may differ in respect of different areas, persons or classes or groups of persons.".

Substitution of section 9 of Act 36 of 1947.

7. The following section is hereby substituted for section 9 of the principal Act:

"Invoices required in case of sale of fertilizers, farm feeds and agricultural remedies.

9. Any person who sells any fertilizer, farm feed or agricultural remedy shall give to the purchaser at the time of delivery or send to him at the time of despatch an invoice setting forth such particulars in respect of such fertilizer, farm feed or agricultural remedy as may be prescribed.".

Substitution of section 13 of Act 36 of 1947.

8. The following section is hereby substituted for section 13 of the principal Act:

"Exclusion of any fertilizer, farm feed, agricultural remedy or stock remedy from operation of Act.

13. The Minister may by notice in the *Gazette* exclude, subject to such conditions as he may determine, any fertilizer, farm feed, agricultural remedy or stock remedy from the operation of any or all of the provisions of this Act.".

Substitution of section 14 of Act 36 of 1947, as amended by section 35 of Act 28 of 1961.

9. The following section is hereby substituted for section 14 of the principal Act:

"Appointment of inspectors and analysts.

14. For the purpose of this Act, the Minister may from time to time appoint inspectors and analysts of fertilizers, farm feeds, agricultural remedies or stock remedies who may be officers in the public service.".

Amendment of section 15 of Act 36 of 1947, as amended by section 36 of Act 28 of 1961.

10. Section 15 of the principal Act is hereby amended by the substitution for paragraph (*a*) of subsection (1) of the following paragraph:

"(*a*) enter upon any premises, place, vehicle or vessel at or in which there is or is on reasonable grounds suspected to be any farming requisite or any sterilizing plant or where any agricultural remedy or stock remedy has been applied or is on reasonable grounds suspected to have been applied.".

Amendment of section 18 of Act 36 of 1947, as amended by section 2 of Act 48 of 1950 and section 38 of Act 28 of 1961.

11. Section 18 of the principal Act is hereby amended—

(*a*) by the substitution for paragraph (*c*)*bis* of subsection (1) of the following paragraph:

"(*c*)*bis* acquires, disposes of or uses fertilizers or farm feeds contrary to a prohibition issued under section 7*bis*; or";

(*b*) by the substitution for paragraph (*f*) of subsection (1) of the following paragraph:

"(*f*) makes use, in connection with any fertilizer, farm feed, agricultural remedy or stock remedy of any certificate, invoice or other document issued in respect of any other fertilizer, farm feed, agricultural remedy or stock remedy or which is no longer valid; or";

(*c*) by the substitution for paragraph (*g*) of subsection (1) of the following paragraph:

"(*g*) makes any false or misleading statement in connection with any fertilizer, farm feed, agricultural remedy or stock remedy—

(i) in an application for the registration thereof; or

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(ii) in 'n faktuur ingevolge artikel 9 uitgereik; of
(iii) in 'n advertensie daarvan; of
(iv) by die verkoop daarvan; of
(v) in 'n aansoek om 'n in artikel 7*bis* (1) (*b*) bedoelde permit; of";

(*d*) paragraaf (*h*) van subartikel (1) deur die volgende paragraaf te vervang:

„(*h*) 'n misstof, veevoedsel, landboumiddel of veemiddel op die houer waarvan 'n valse of misleidende bewering in verband met die inhoud daarvan gedruk of geskryf is, verkoop; of";

(*e*) deur subparagrawe (i) en (ii) van subartikel (1) deur die volgende subparagrawe te vervang:

„(i) in die geval van 'n oortreding ingevolge paragraaf (*a*) of (*b*) met 'n boete van hoogstens tweehonderd rand of gevangenisstraf vir 'n tydperk van hoogstens ses maande, of met sowel daardie boete as daardie gevangenisstraf, en

(ii) in die geval van 'n oortreding ingevolge paragraaf (*c*), (*c*)*bis*, (*d*), (*e*), (*f*), (*g*), (*h*) of (*i*) met 'n boete van hoogstens vyfhonderd rand of gevangenisstraf vir 'n tydperk van hoogstens twaalf maande, of met sowel daardie boete as daardie gevangenisstraf.";

(*f*) deur in subartikel (2) die woord „Kroon" deur die woord „Staat" te vervang.

Wysiging van artikel 21 van Wet 36 van 1947, soos gewysig deur artikel 40 van Wet 28 van 1961.

12. Artikel 21 van die Hoofwet word hierby gewysig deur die woorde „of middel", oral waar daardie woorde voorkom, deur die woorde „landboumiddel of veemiddel" te vervang.

Wysiging van artikel 23 van Wet 36 van 1947, soos gewysig deur artikel 42 van Wet 28 van 1961.

13. (1) Artikel 23 van die Hoofwet word hierby gewysig—

(*a*) deur die woord „Goewerneur-generaal", oral waar dit voorkom, deur die woord „Minister" te vervang;

(*b*) deur in subartikel (1) (*a*) die woord „middels" deur die woorde „landboumiddels, veemiddels" te vervang;

(*c*) deur die woorde „of middel", oral waar daardie woorde in subartikel (1) voorkom, deur die woorde „landboumiddel of veemiddel" te vervang;

(*d*) deur die woorde „of middels", oral waar daardie woorde in subartikel (1) voorkom, deur die woorde „landboumiddels of veemiddels" te vervang;

(*e*) deur in subartikel (1) die volgende paragraaf na paragraaf (*l*) in te voeg:

„(*l*A) wat die verkoop van in die regulasies vermelde veemiddels wat na die oordeel van die Minister moontlik nadelige medisyne is, verbied, behalwe uit hoofde van en ooreenkomstig die voorwaardes vervat in 'n permit deur die registrasiebeampte of 'n deur hom aangewese persoon uitgereik of behalwe op voorskrif van 'n veearts;";

(*f*) deur in subartikel (2) die woorde „en middels" deur die woorde „landboumiddels en veemiddels" te vervang;

(*g*) deur die volgende subartikel by te voeg:

„(5) 'n Regulasie waarby finansiële aangeleenthede betrokke is, word in oorleg met die Minister van Finansies uitgevaardig.".

(2) 'n Regulasie wat kragtens die bepalings van artikel 23 van die Hoofwet voor die inwerkingtreding van hierdie Wet uitgevaardig is, word geag kragtens daardie bepalings soos by hierdie Wet gewysig, uitgevaardig te wees.

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(ii) in any invoice issued in terms of section 9; or
(iii) in any advertisement thereof; or
(iv) in the course of the sale thereof; or
(v) in an application for a permit referred to in section 7*bis* (1) (*b*); or";

(*d*) by the substitution for paragraph (*h*) of subsection (1) of the following paragraph:
"(*h*) sells any fertilizer, farm feed, agricultural remedy or stock remedy upon the container of which a false or misleading statement in connection with such contents is printed or written; or";

(*e*) by the substitution of subparagraphs (i) and (ii) of section (1) of the following subparagraphs:
"(i) in the case of a contravention under paragraph (*a*) or (*b*) to a fine not exceeding two hundred rand or imprisonment for a period not exceeding six months, or to both such fine and such imprisonment; and
(ii) in the case of a contravention under paragraph (*c*), (*c*)*bis*, (*d*), (*e*), (*f*), (*g*), (*h*) or (*i*) to a fine not exceeding five hundred rand or imprisonment for a period not exceeding twleve months, or to both such fine and such imprisonment;";

(*f*) by the substitution in subsection (2) for the word "Crown" of the word "State".

Amendment of section 21 of Act 36 of 1947, as amended by section 40 of Act 28 of 1961.

12. Section 21 of the principal Act is hereby amended by the substitution for the words "or remedy", wherever they occur, of the words "agricultural remedy or stock remedy".

Amendment of section 23 of Act 36 of 1947, as amended by section 42 of Act 28 of 1961.

13. (1) Section 23 of the principal Act is hereby amended—

(*a*) by the substitution for the word "Governor-General", wherever it occurs, of the word "Minister";

(*b*) by the substitution in subsection (1) (*a*) for the word "remedies" of the words "agricultural remedies, stock remedies";

(*c*) by the substitution in subsection (1) for the words "or remedy", wherever they occur, of the words "agricultural remedy or stock remedy";

(*d*) by the substitution in subsection (1) for the words "or remedies", wherever they occur, of the words "agricultural remedies or stock remedies";

(*e*) by the insertion in subsection (1) of the following paragraph after paragraph (*l*):
"(*l*A) prohibiting the sale of stock remedies specified in the regulations and which in the opinion of the Minister are potentially harmful drugs, except under the authority of and in accordance with such conditions as may be stated in a permit issued by the registering officer or a person designated by him or except on the prescription of a veterinarian;";

(*f*) by the substitution in subsection (2) for the words "and remedies" of the words "agricultural remedies and stock remedies";

(*g*) by the addition of the following subsection:
"(5) Any regulation involving financial matters shall be made in consultation with the Minister of Finance.".

(2) Any regulation made under the provisions of section 23 of the principal Act prior to the commencement of this Act, shall be deemed to have been made under those provisions, as amended by this Act.

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Wet No. 60, 1970 WYSIGINGSWET OP MISSTOWWE, VEEVOEDSEL EN MIDDELS, 1970.

Herroeping van artikel 24 van Wet 36 van 1947.

14. Artikel 24 van die Hoofwet word hierby herroep.

Vervanging van artikel 26 van Wet 36 van 1947.

15. Artikel 26 van die Hoofwet word hierby deur die volgende artikel vervang:

„Kort titel. **26.** Hierdie Wet heet die Wet op Misstowwe, Veevoedsel, Landboumiddels en Veemiddels, 1947.".

Vervanging van lang titel van Wet 36 van 1947.

16. Die lang titel van die Hoofwet word hierby deur die volgende lang titel vervang:

„Wet om voorsiening te maak vir die registrasie van misstowwe, veevoedsel, landboumiddels, veemiddels en steriliseringsinstallasies; om die invoer, verkoop, verkryging, vervreemding of gebruik van misstowwe, veevoedsel, landboumiddels en veemiddels te reël of te verbied; en om vir daarmee in verband staande aangeleenthede voorsiening te maak.".

Kort titel.

17. Hierdie Wet heet die Wysigingswet op Misstowwe, Veevoedsel en Middels, 1970, en tree in werking op 'n datum, deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

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Repeal of section 24 of Act 36 of 1947.

14. Section 24 of the principal Act is hereby repealed.

Substitution of section 26 of Act 36 of 1947.

15. The following section is hereby substituted for section 26 of the principal Act:

"Short title.

26. This Act shall be called the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947.".

Substitution of long title of Act 36 of 1947.

16. The following long title is hereby substituted for the long title of the principal Act:

"Act to provide for the registration of fertilizers, farm feeds, agricultural remedies, stock remedies and sterilizing plants; to regulate or prohibit the importation, sale, acquisition, disposal or use of fertilizers, farm feeds, agricultural remedies and stock remedies; and to provide for matters incidental thereto.".

Short title.

17. This Act shall be called the Fertilizers, Farm Feeds and Remedies Amendment Act, 1970, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

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