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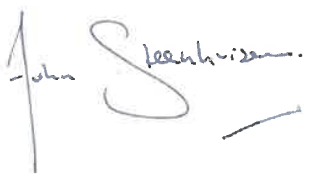
DEPARTMENT OF AGRICULTURE

NO. R. 7603 **19 June 2026**

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

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

The Minister of Agriculture, acting under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) made the regulations in the Schedule.



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MINISTER FOR AGRICULTURE

SCHEDULE

Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act, shall have that meaning and, unless the context otherwise indicates --

"bag" means a bag manufactured from --

(a) jute or phormium or a mixture of jute and phormium; or

(b) polypropylene that complies with SABS specification CKS632;

"bulk container" means any vehicle or container in which bulk canola is transported or stored;

"canola" means the whole seeds of the plant species *Brassica napus;*

"consignment" means --

(a) a quantity of canola of the same class, which belongs to the same owner, delivered at any one time under cover of the same consignment note, delivery note or receipt note, or delivered by the same vehicle or bulk container, or loaded from the same bin of a grain elevator or from a ship's hold; or

(b) in the case where a quantity referred to in paragraph (a), is subdivided into a grade, each such quantity of such grade;

"container" means a bag or a bulk container;

"damaged seed" means canola that is diseased, affected by field fungi, frost damaged, heat damaged, insect damaged, weather damaged and immature.

"distinctly green seed" means canola which, after being crushed, exhibits a predominantly green colour over more than 50 percent of the crushed seed;

"ergot sclerotia" means the sclerotia of the fungus *Claviceps purpurea*; and **"ergot"** has a corresponding meaning;

"foreign matter" means all matter other than glass, dung, coal, metal and canola that occur in the consignment concerned and includes pieces of canola and husks;

"heat-damaged seed" means canola which, after being crushed, exhibits a predominantly brown discolouration over more than 50 percent of the crushed seed;

"insect" means any live insect that is injurious to stored canola irrespective of the stage of development of the insect;

"mouldy seed" means canola that is visibly affected by mould, fermentation and any subsequent deterioration;

"poisonous seeds" means the seeds or bits of seeds of plant species that may in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972) represent a hazard to human or animal health when consumed, including seeds of *Argemone mexicana L., Convolvulus spp., Crotalaria spp., Datura spp., Ipomoea purpurea, Lolium temulentum, Ricinus communis or Xanthium spp.*;

"sclerotinia" means *Sclerotinia sclerotiorum* which is a fungus that produces hard masses of fungal tissue and is also known as sclerotinia. The sclerotinia varies in size and form and consists of a dark black exterior, a white interior and a rough surface texture;

"round-hole sieve" means a sieve

(a) with a flat metal sheet bottom of 1,0mm thickness perforated with round holes of 3,2mm in diameter that are arranged with the centres of the holes at the points of intersection of an equilateral triangular grid with a vertical pitch of 5 mm and a horizontal pitch of 5mm;

(b) of which the upper surface of the bottom is smooth;

(c) with a frame which is at least 35mm high;

(d) with the inner width of at least 200mm and the inner length of at least 350mm or a round sieve with an inner diameter of 300mm.

"sand" means a loose granular substance, typically pale yellowish brown, resulting from the erosion of siliceous and other rocks, and composed of finely divided mineral particles, ranging in size from 0,0625 to 2 millimetres, which is coarser than silt but finer than gravel; with the colour depending on the source of its original material;

"slotted sieve" means a sieve

(a) with a flat metal sheet bottom of 1,0mm thickness perforated with rectangular slots of 12mm in length and 0,9mm in width with rounded ends. The spacing between the slots in the same row must be 1,5mm wide and the spacing between the rows of slots must be 3,0mm wide. The slots must be alternately orientated, with a slot directly opposite the solid inner segment of the adjacent row of slots;

(b) of which the upper surface of the bottom is smooth;

(c) with a frame which is at least 35mm high;

(d) with the inner width of at least 200mm and the inner length of at least 350mm or a round sieve with an inner diameter of 300mm.

"snails" means whole snails or substantial portions thereof and includes bodies without shells

"sprouted" means canola that shows signs of swelling, splitting or the presence of a rootlet. A seed that gives any indication of the commencement of growth is to be classified as having sprouted.

"stones" means hard shale, hard earth pellets, other non-toxic materials of similar consistency, and gravel; and

"the Act" means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990).

Restrictions on sale of canola

2. (1) No person shall sell canola in the Republic of South Africa --

(a) unless the canola is sold according to the classes set out in regulation 3;

(b) unless the canola complies with the standards for the class concerned set out in regulation 4;

(c) unless the canola complies with the grades of canola and the standards for grades set out in regulations 5 and 6 respectively;

(d) unless the canola is packed in accordance with the packing requirements set out in regulation 7;

(e) unless the containers or sale documents, as the case may be, are marked in accordance with the marking requirements set out in regulation 8; and

(f) if canola contains a substance that renders it unfit for human or animal consumption or for use by animals, processing into or utilisation thereof as food or feed.

(2) The executive officer may grant a written exemption, entirely or partially, to any person on such conditions as he or she may deem necessary, from the provisions of sub-regulation (1).

PART I

QUALITY STANDARDS

Classes of canola

3. There are two classes of canola, namely Class C and Class Other Canola.

Standards for classes of canola

4. (1) A consignment of canola shall --

(a) be free from a musty, sour, khaki bush or other undesired odour;

(b) be free from any substance that renders it unsuitable for human or animal consumption or for processing into or utilisation as food or feed;

(c) contain not more poisonous seeds or ergot sclerotia than permitted in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

(d) shall be free from glass, metal, coal or dung;

(e) with the exception of Class Other Canola, be free from insects and snails; and

(f) with the exception of Class Other Canola, have a moisture content of not more than 8 percent.

(2) A consignment of canola shall be classified as Class C if--

(a) the canola in the consignment consists of any cultivar of canola; and

(b) comply with the standards for the grade of Class C Canola as set out in regulation 6.

(3) A consignment of canola shall be classified as Class Other Canola if it does not comply with the standards for Class C Canola.

Grades for canola

5. (a) The grade for Class C Canola shall be Grade C1.

(b) No grades are determined for Class Other Canola.

Standards for grades of canola

6. A consignment of canola shall be graded as --

(a) Grade C1 if the nature of the deviation, specified in column 1 of Table 1 of the Annexure, in that consignment does not exceed the percentage specified in column 2 of the said table opposite the deviation concerned.

PART II

PACKING AND MARKING REQUIREMENTS

Packing requirements

7. Canola of different classes and grades shall be packed in different containers or stored separately.

Marking requirements

8. Every container or the accompanying sale documents of a consignment of canola shall be marked or endorsed with the class and grade of the canola.

PART III

SAMPLING

Obtaining sample

9. (1) A representative sample of a consignment of canola shall --

(a) in the case of canola delivered in bags and subject to regulation 10, be obtained by sampling at least ten (10) per cent of the bags, chosen from that consignment at random, with a bag probe: Provided that at least 25 bags in a consignment shall be sampled and where a consignment consists of less than 25 bags, all the bags in that consignment shall be sampled; and

(b) in the case of canola delivered in bulk and subject to regulation 10, be obtained by sampling that consignment throughout the whole depth of the layer, in at least six different places, chosen at random in that bulk quantity, with a bulk sampling apparatus.

(2) The sample obtained in sub regulation (1)(a) or (b) shall --

(a) have a total mass of at least 3kg; and

(b) be thoroughly mixed before further dividing.

(3) If it is suspected that the sample referred to in sub regulation (1)(a) is not representative of that consignment, an additional five per cent of the remaining bags, chosen from that consignment at random, shall be emptied into a suitable bulk container and sampled in the manner contemplated in sub regulation (1)(b).

(4) If it is suspected that the sample referred to in subregulation (1)(b) is not representative of that consignment, an additional representative sample shall be obtained by using an alternative sampling pattern, apparatus, or method.

(5) A sample taken in terms of these regulations shall be deemed to be representative of the consignment from which it was taken.

Sampling if contents differ

10. (1) If, after an examination of the canola taken from different bags in a consignment in terms of regulation 9(1), it appears that the contents of those bags differ substantially --

(a) the bags concerned shall be separated from each other;

(b) all the bags in the consignment concerned shall be sampled in order to do such separation; and

(c) each group of bags with a similar content in that consignment shall for the purposes of these regulations be deemed to be a separate consignment.

(2) If, after the discharge of a consignment of canola in bulk has commenced, it is suspected that the consignment could be of a class or grade other than that determined by means of the initial sampling, the discharge shall immediately be stopped and the part of the consignment remaining in the bulk container, as well as the canola that is already in the collecting tray, shall be sampled anew with a bulk sampling apparatus or by catching at least 20 samples at regular intervals throughout the whole off loading period with a suitable container from the stream of canola that is flowing in bulk.

Working sample

11. A working sample of canola shall be obtained by dividing the representative sample of the consignment according to the method as prescribed by the ICC 101/1 (Approved 1982) method.

PART IV

INSPECTION METHODS

Determination of undesired odour, harmful substances, poisonous seeds, glass, metal, coal, dung, snails and insect content

12. A consignment shall be assessed sensorially or a sample of a consignment shall be assessed sensorially or analysed to determine --

(a) whether it has a musty, sour, khaki bush or other undesired odour;

(b) whether it contains canola in or on which a substance occurs that renders it unsuitable for human or animal consumption or processing into or utilization thereof as food or feed;

(c) whether it contains poisonous seeds;

(d) whether it contains glass, metal, coal or dung;

(e) whether it contains any insects;

(f) whether it contains any snails.

Determination of moisture content

13. The moisture content of a consignment of canola may be determined according to any suitable method: Provided that the results thus obtained are in accordance with the maximum permissible deviation for a class 1 moisture meter as detailed in ISO 7700/2 based on results obtained by means of the 72-hour 103°C oven dried method (AACC Method 44-15A).

Determination of percentage heat damaged seed and distinctly green seed

14. The percentage heat-damaged seed and distinctly green seed in a consignment canola shall be determined as follows:

(a) Use a 100-seed ruler in which canola seed can fit.

(b) Place the ruler in the clean sample and ensure that 100 seeds are placed in holes.

(c) Place masking tape over seeds and apply pressure to ensure that seeds attach to the masking tape.

(d) Remove masking tape and place on a flat surface with seeds facing upwards.

(e) With a roller, crush the canola, and count the number of heat-damaged seed and distinctly green seeds separately.

(f) Repeat the procedure from (a) to (e) three times. The procedure is repeated an additional seven times to obtain test results on 1000 seeds if any heat-damaged seeds are present in the first three x100 tests.

(g) Determine the average number of heat-damaged seed and distinctly green seeds respectively.

(h) Express the numbers thus determined separately as a percentage of 100 seeds.

(i) Such percentages represent the percentage heat-damaged seed and distinctly green seeds respectively in the consignment concerned.

Determination of percentage foreign matter

15. The percentage foreign matter in a consignment of canola shall be determined as follows:

(a) Obtain a working sample of at least 500g from a representative sample of the consignment.

(b) Place the sample on the round-hole sieve that fits on top of the slotted sieve and sieve the sample by moving the sieve 10 strokes back and forth, alternately away from and back towards the handler of the sieve. With each stroke, move the sieve which rests on a table or other smooth surface, 250mm to 460mm away from and back toward the handler. The prescribed 10 strokes must be completed within 10 to 15 seconds.

(c) Weigh the material remaining on the round-hole sieve and express it as a percentage.

(d) inspect the sample under the round-hole sieve for any sand, weed seeds, or any other material other than whole and broken canola seeds/hulls. If any of the above items are observed in the sample under the round-hole sieve, the slotted `sieve is used for further grading as described in (e) otherwise, proceed directly to point (g).

(e) if sand, weed seeds, or any other material besides whole and broken canola seeds/hulls are found in the sample under the round-hole sieve, the remaining portion of the sample is sieved using the slotted sieve by moving the sieve 40 stokes back and forth, alternatively away from and back toward the handler of the sieve. With each stroke, move the sieve, which rests on a table or other smooth surface, 250mm to 460mm away from and back toward the handler. The prescribed 40 strokes must be completed within 40 to 50 seconds.

(f) Determine the mass of all the material that passes through the slotted sieve and express the mass as a percentage of the working sample.

(g) The total foreign material is calculated by adding the percentages determined in (c) and (f).

Determination of percentage sclerotinia

16. The percentage sclerotinia in a consignment of canola shall be determined as follows:

(a) Obtain a working sample of at least 100g from a representative sample of the consignment.

(b) Remove all sclerotinia by hand from the working sample and determine the mass thereof.

(c) Express the mass thus determined as a percentage of the working sample.

(d) Such a percentage represents the percentage of sclerotinia in the consignment concerned.

Determination of percentage sprouted seed

17. The percentage of sprouted seed in a consignment of canola shall be determined as follows:

(a) Use a 100-seed ruler in which canola seed can fit.

(b) Place the ruler in the clean sample and ensure that 100 seeds are placed in the holes.

(c) Place masking tape over seeds and apply pressure to ensure that seeds attach to the masking tape.

(d) Remove masking tape and place on a flat surface with seeds facing upwards.

(e) Count the number of sprouted seeds.

(f) Repeat the procedure from (a) to (e) at least three times.

(g) Determine the average number of sprouted seeds respectively.

(h) Express the numbers thus determined as a percentage of 100 seeds.

(i) Such a percentage represents the percentage of sprouted seeds in the consignment concerned.

Determination of percentage ergot sclerotia

18. The percentage of ergot sclerotia in a consignment of canola shall be determined as follows:

(a) Obtain a working sample of at least 100g from a representative sample of the consignment.

(b) Remove all ergot sclerotia by hand from the working sample and determine the mass thereof.

(c) Express the mass thus determined as a percentage of the working sample.

(d) Such a percentage represents the percentage of ergot sclerotia in the consignment concerned.

PART V

Offences and penalties

19. Any person who contravenes or fails to comply with any provision of these regulations shall be guilty of an offence and upon conviction be liable to a fine or imprisonment in terms of section 11 of the Act.

Commencement date

20. The regulations shall come into operation six months after the date of publication.

Repeal

21. Regulations published by Government Gazette No. R. 622 of 5 June 2009 are hereby repealed from the date of commencement of these regulations

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ANNEXURE

TABLE 1

STANDARDS FOR GRADE C1 CANOLA

NATURE OF DEVIATION		Maximum percentage permissible deviation (m/m)
		Grade C1
1		2
(a)	Moisture	8%
(b)	Heat-damaged seed	0,1%
(c)	Distinctly green seed	4%
(d)	Sprouted seed	0,5%
(e)	Mouldy seed	0%
(f)	Sclerotinia	4%
(g)	Ergot	0%
*(h)	Foreign matter (i) Other grain (ii) Stones (iii) Sand and material under slotted sieve	2,5% 0,5% 0,5% 0,5%
*Foreign matter, including stones, sand and other grain: Provided that such deviations are individually within the limits specified in items (i), (ii) and (iii).		