

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

STD. No. B-8

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)
STANDARDS AND REQUIREMENTS REGARDING CONTROL OF THE
EXPORT OF ROOIBOS AND ROOIBOS MIXTURES

The Executive Officer: Agricultural Product Standards has stipulated under section 4(3)(a)(ii) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), the standards regarding the quality and the requirements regarding the packing, marking and labelling of rooibos and rooibos mixtures.

STD. No. B-8

STANDARDS AND REQUIREMENTS REGARDING CONTROL OF
THE EXPORT OF ROOIBOS AS STIPULATED BY
GOVERNMENT NOTICE No. R. 1983 OF 23 AUGUST 1991

Promulgation

Notice 1369 of 20 September 1996.

Amendments

Notice 2285 of 23 November 2001

Notice 568 of 2 July 2010

Notice 18 of 23 January 2015

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Definitions

1. In these standards and requirements any word or expression to which a meaning has been assigned in the Act, shall have that meaning and --

"batch" means a uniform production lot of a defined uniform quantity of tea;

"bulk containers" means a bulk bag or collapsible bin manufactured from any suitable material that is used to transport/store/handle rooibos and rooibos mixtures for the purpose of re-packing;

"chemical residues" means residues of agricultural remedies which in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), are permissible for the treatment of pests and diseases on rooibos and which do not exceed the prescribed maximum residue limit;

"consignment" means a quantity of rooibos or rooibos mixtures which is delivered at any one time under cover of the same delivery note or receipt note, or is delivered by the same vehicle, or if such a quantity is subdivided into different production groups, each quantity of each of the different production groups;

"container" means the immediate container in which rooibos or rooibos mixtures are packed excluding the tea bag in the case of rooibos or rooibos mixtures packed in tea bags or any other intermediate protective packaging;

"Food Business Operator (FBO)" means the person or persons responsible for ensuring that the prescribed requirements of these standards are met within the food business as well as the person with overall authority on site or in the specific establishment;

"foreign matter" means any matter not derived from rooibos plants: Provided that any permitted additive which may have been added to the rooibos shall not be regarded as foreign matter;

"green rooibos" means the product obtained from the needle-like leaves and fine stems of the plant *Aspalathus linearis* (also known as *A. contaminatus*) or *Borbonia pinifolia* after it has been cut, bruised, and dried or not, but which has not been fermented;

"inspector" means the Executive Officer or an officer under his or her control or an Assignee or an employee of an Assignee;

"letters" also means figures and symbols;

"milled rooibos" means the product obtained when dry rooibos is milled or granulated;

"moisture content" means a percentage of moisture as determined in terms of item 14;

"other tea" means all of the recognised tea suitable when blending with rooibos, including but not limited, to *Cyclopa* species and *Camelia sinensis*;

"outer container" means a suitable container which contains one or more containers of rooibos or rooibos mixtures;

"packer" means a person dealing in the course of trade with rooibos or rooibos mixtures by packing it for sale, and also a person on behalf of whom such product is packed for sale.

"permitted" means permitted in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

"red tea" means the type of rooibos referred to in item 4;

"representative sample" means the quantity of material obtained after a quantity of rooibos or rooibos mixture has been sampled as set out in item 11;

"retail packaging" means a suitable container with a capacity of not more than 1 kg in which loose rooibos or rooibos mixtures or tea bags with rooibos or rooibos mixtures are packed;

"rooibos" means the product obtained from the needle-like leaves and fine stems of the plant *Aspalathus linearis* (also known as *A. contaminatus* or *Borbonia pinifolia*) whether it has been cut, bruised, fermented and dried or not;

"rooibos mixtures" means rooibos blended with herbs or other tea and rooibos with permitted additives;

"sampling instrument" means any suitable instrument that is used to take samples from bulk containers, and include sampling pins;

"sampling pin" means a single or double-tubed pin of suitable length with multiple apertures on one side of the tube or on both tubes;

"standard operating procedure (SOP)" means a manual compiled in compliance with the Agricultural Product Standard Act, 1990, (Act No. 119 of 1990) which explains how sampling, microbiological analysis, inspection and certification of rooibos destined for export must be conducted;

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

"trade mark" means a trade mark as defined in section 2(1) of the Trade Marks Act, 1993 (Act No. 194 of 1993);

“validity period” means the period for which the analysis report of an approved batch will be valid as determined by the competent authority; and

"working sample" means the quantity of material which is obtained by dividing a representative sample with a multiple-slot divider as set out in item 11.

Scope

2. (1) These standards and requirements relate to rooibos or rooibos mixtures in respect of which an approval for the export thereof is required in terms of section 4 of the Act.

(2) Rooibos mixtures and green rooibos are excluded from the quality standards set out in item 5.

Requirements for approval

3. (1) An approval referred to in section 4 of the Act may be issued in respect of a consignment of rooibos or rooibos mixture if --

- (a) the consignment concerned consist of the type of rooibos set out in item 4;
- (b) the consignment concerned complies with the quality standards set out in item 5;
- (c) the consignment concerned complies with the food safety standards set out in item 6;
- (d) the containers in which the consignment concerned have been packed, comply with the requirements set out in item 7;
- (e) the containers in which the consignment concerned have been packed, are marked in accordance with the marking requirements set out in items 8 and 9;
- (f) sampling is done in a manner set out in items 10, 11 and 12;
- (g) the working samples are inspected according to the methods of inspection set out in items 13, 14, 15, 16, 17 and 18;
- (h) the consignment concerned has been presented for inspection in accordance with the Regulations regarding Control of the Export of Rooibos; and
- (i) an inspector has after an end product inspection in terms of the said regulations found that the provisions of these standards and requirements have been complied with in respect of the consignment concerned.

(2) If an inspector has, after an inspection in terms of the said regulations found that one or more of the provisions of these standards and requirements have not been complied with in respect of the consignment concerned, the consignment shall be rejected for export.

(3) The Executive Officer may grant written exemption, entirely or partially to any person on such condition as he or she may deem necessary, from the provisions of subitem (1).

(4) In the case of organic rooibos and rooibos mixtures the certifying organization must be accepted by the importing country's relevant authority.

QUALITY STANDARDS

Type of rooibos

4. There is one type of rooibos intended for export, namely red tea consisting of the Nortier type that is derived from selected and improved rooibos plants, cultivated in plantations and which produce rooibos with a red colour.

Quality standards for rooibos

5. All rooibos shall have the clean, characteristic taste and aroma and clear, distinctive colour of rooibos.

Food safety standards for rooibos and rooibos mixtures

6. All rooibos and rooibos mixtures --

- (a) may contain not more than 1% foreign matter;
- (b) may have a moisture content of not more than 10%;
- (c) shall be free from *Salmonella* organisms;
- (d) may have a total bacterial count of not more than 300 000 colony forming units per gram;
- (e) shall be free from *Escherichia coli* organisms;
- (f) shall be free from insects; and
- (g) shall contain no other chemical residues than those listed in Table 1 and shall not exceed the prescribed maximum residue limits set out in the same table: Provided that --
 - (i) if the prescribed maximum residue limits of an importing country is lower than is permissible in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), the prescribed maximum residue limit of the importing country shall be complied with; and
 - (ii) the Executive Officer may grant permission for rooibos and rooibos mixtures with a higher limit, to be exported to countries where such higher limit is permissible: Provided that the producer or exporter shall sign an affidavit in which it is declared that rooibos or rooibos mixtures with higher limits shall only be exported to a country where these higher limits are permissible.

REQUIREMENTS FOR CONTAINERS**General**

7. (1) The containers in which rooibos or rooibos mixtures are exported shall --
- (a) be manufactured from a material that --
 - (i) will protect the contents thereof from contamination; and
 - (ii) will not impart any undesirable flavour to the contents thereof;
 - (b) be so strong that it will not tear or break during normal storage, handling and transport practices;
 - (c) be intact, excluding holes made by a sampling pin which shall be duly closed;
 - (d) be new, clean and dry; and
 - (e) be closed properly in a manner permitted by the nature thereof.
- (2) If a container containing rooibos or rooibos mixtures is packed in outer containers, such containers shall be clean, neat and intact.

MARKING REQUIREMENTS

8. (1) A bulk container in which rooibos or rooibos mixtures are packed, or a label that has been securely tied or affixed to such a container, shall be marked in clearly legible and indelible letters with the following particulars:

- (a) A true description of the contents thereof: Provided that in the case of rooibos mixtures --
 - (i) the types of tea shall be declared in descending order of mass; and
 - (ii) where a permitted additive has been added to the rooibos in order to render a distinctive flavour thereto, the descriptive name for the distinctive flavour concerned shall appear on the container.
- (b) An indication of the net mass.
- (c) The date of processing or packing of the rooibos or rooibos mixture or the number of the production group concerned.
- (d) The country of origin: Provided that no abbreviations shall be used.
- (e) The Food Business Operator's code of the producer, factory or packer which is registered with the Executive Officer, as the case may be: Provided that if a producer has more than one farm, each farm shall be registered separately;

(2) Retail packaging containing rooibos or rooibos mixtures shall be marked in clearly legible and indelible letters with the following particulars:

- (a) The name or trade mark of the packer: Provided that if rooibos or rooibos mixtures has been packed on behalf of a person the name or trade name of the person on whose behalf the rooibos or rooibos mixtures has been packed shall appear on the container.
- (b) The physical address of the packer: Provided that if rooibos or rooibos mixtures has been packed on behalf of a person the physical address of the person on whose behalf the rooibos or rooibos mixtures has been packed shall appear on the container.

- (c) A true description of the contents thereof: Provided that in the case of rooibos mixtures –
 - (i) the types of tea shall be declared in descending order of mass; and
 - (ii) where a permitted additive has been added to the rooibos in order to render a distinctive flavour thereto, the descriptive name for the distinctive flavour concerned shall appear on the container.
 - (d) An indication of the net mass.
 - (e) The country of origin: Provided that no abbreviations shall be used.
 - (f) The date of processing, packing, expiry date and/or best before date of the rooibos or rooibos mixtures or the number of the production group concerned.
 - (g) The Food Business Operator's code of the producer, factory or packer which is registered with the Executive Officer, as the case may be: Provided that if a producer has more than one farm, each farm shall be registered separately.
- (3) If one or more containers containing rooibos or rooibos mixtures are packed in an outer container, such outer container shall be marked in clearly legible and indelible letters with the following particulars:
- (a) The number of containers packed therein.
 - (b) The size of each such container or the net mass of the contents thereof.
 - (c) The name or trade mark of the packer: Provided that if rooibos or rooibos mixtures has been packed on behalf of a person the name or trade name of the person on whose behalf the rooibos or rooibos mixtures has been packed shall appear on the container.
 - (d) The physical address of the packer: Provided that if rooibos or rooibos mixtures has been packed on behalf of a person the physical address of the person on whose behalf the rooibos or rooibos mixtures has been packed shall appear on the container.

- (e) A true description of the contents thereof: Provided that in the case of rooibos mixtures –
 - (i) the types of tea shall be declared in descending order of mass; and
 - (ii) where a permitted additive has been added to the rooibos in order to render a distinctive flavour thereto, the descriptive name for the distinctive flavour concerned shall appear on the container.
- (f) The country of origin: Provided that no abbreviations shall be used.
- (g) The Food Business Operator's code of the producer, factory or packer which is registered with the Executive Officer, as the case may be: Provided that if a producer has more than one farm, each farm shall be registered separately.

(4) In the case of transparent outer containers where the particulars on the containers are visible from the outside, the requirements of subitem (3) need not be complied with.

(5) Particulars shall be printed in English or both in English and any other official language.

(6) In the case of containers containing organic rooibos or rooibos mixtures, the certification logo or number or the name of the certifying organization shall appear on the container.

Restricted particulars

9. (1) No word, mark, illustration, depiction or any other method of expression that constitutes a misrepresentation or which directly or by implication creates or may create a misleading impression regarding the quality, nature or origin of that rooibos or rooibos mixture shall appear on a container or outer container.

SAMPLING

Obtaining a representative sample

10. (1) An inspector shall for the purpose of these standards and requirements abstract a random sample of rooibos in the following manner and shall satisfy himself or herself that the samples so abstracted are representative of the consignment concerned:

- (a) In the case of retail packaging packed in outer containers --
 - (i) select at random from the total number of outer containers in the consignment, specified in column 1 of Table 2, the applicable number of outer containers as specified in column 2 of the same table; and
 - (ii) sample each such outer container by hand to obtain at least 100g per outer container.
- (b) In the case of bulk containers --
 - (i) select at random from the total number of containers in the consignment, specified in column 1 of Table 3 in, the applicable number of containers as specified in column 2 of the same table; and
 - (ii) sample each such container by making use of a sterilised sampling pin or a sampling instrument to obtain at least 100g per bulk container.
- (c) In the case of continuous sampling, a sterile sample of a specific size shall be abstracted at regular intervals by means of a pneumatic sampler: Provided that the amount of samples taken per production group corresponds to the amount of samples that should be taken by means of a sampling pin or a sampling instrument.

(2) Sampling shall be done in such a manner to ensure that the samples for microbiological analysis are not contaminated.

(3) A sampling instrument shall be clean and dry and shall not impart any foreign odour to the sample.

(4) The collective sample obtained in subitem (1) (a) or (b) shall be thoroughly mixed before further examination: Provided that in the case of a sample withdrawn for microbiological analyses, the material from each bag shall be kept separately, placed directly into a sterile bag and sealed immediately.

(5) A sample that has been drawn in terms of these standards and requirements shall be deemed to be representative of the quantity from which it has been obtained.

(6) An inspector shall draw representative samples of each consignment intended for export: Provided that if a recognised Food Safety System is in place only samples of a uniform batch need to be drawn.

(7) If a recognised Food Safety System is in place, an inspector may grant, with each approved batch a maximum validity period of:

- (a) 12 months in the case of tea in retail packaging; and
- (b) 8 months in the case of tea in bulk containers:

Provided that re-evaluation may be done at any one time, if he or she has any reason to believe that the quality of the batch has deteriorated or that the batch does not comply with these standards and requirements.

Obtaining a working sample

11. A working sample shall be obtained by dividing the representative sample taken in accordance with item 10, with a multiple-slot divider.

Deviating sample

12. If an inspector should notice during the process of drawing the random samples or during the inspection that any of the quantities of rooibos or rooibos mixture taken from any container are obviously inferior to or differ from the samples abstracted from the remainder of the containers, he or she shall base the inspection result only on the samples abstracted from the containers of the deviating portion and further samples required for inspection shall be drawn from the deviating portion.

METHODS OF INSPECTION

Determination of foreign matter

13. The percentage of foreign matter in a quantity of rooibos or rooibos mixture shall be determined as follows:

- (a) Prepare a working sample by measuring off at least 10 g of the representative sample.
- (b) Remove all foreign matter and determine the mass thereof.
- (c) Express the mass thus determined as a percentage of the working sample.
- (d) Such percentage shall represent the foreign matter in the quantity concerned.

Determination of moisture content

14. The moisture content of a quantity of rooibos or rooibos mixture may be determined according to any suitable method: Provided that the results thus obtained are in accordance (0,3 per cent permissible deviation) with the results, obtained by the AOAC Official Methods 925.19.

Determination of the colour, aroma and taste of rooibos

15. The colour, aroma and taste of rooibos shall be determined as follows:

- (a) Prepare a working sample by measuring off at least 5,8 g of the representative sample.
- (b) Thereafter prepare an extract thereof by drawing it, without stirring, for 5 minutes in \pm 300 ml of freshly boiled water with a neutral pH value of 7.
- (c) Evaluate the extract sensorically with regard to colour, aroma and taste.
- (d) Such colour, aroma and taste shall represent the colour, aroma and taste of the quantity concerned.

Repetition of determinations

16. (1) A determination in terms of these standards and requirements may be repeated at any time with a further sample of the same quantity of rooibos or rooibos mixture.

(2) If the result of such repetition differs substantially from the result of the original determinations, the determination concerned shall be repeated on a third working sample of the quantity concerned, whereafter the average of the results of the two determinations with the smallest difference shall be deemed to be the result of the determination concerned.

Verification of compliance: Levels of biological and chemical contamination

17. An inspector shall verify compliance to the prescribed levels of biological and chemical contamination by sampling and submitting samples for analysis to prescribed laboratories of only certain consignments according to a risk based plan.

Verification of compliance: Chemical treatment

18. An inspector shall verify compliance to the prescribed maximum residue limits for agrochemicals by sampling and submitting samples for analysis to prescribed laboratories of only certain consignments according to a risk based plan.

Frequency of sampling in the case of retail packaging

19. Frequency of sampling of rooibos for retail packaging will be done according to the Standard Operating Procedure (SOP).

Frequency of sampling in the case of bulk containers

20. Frequency of sampling of rooibos in bulk containers will be done according to the Standard Operating Procedure (SOP).

ANNEXURE/AANHANGSEL

TABLE 1/TABEL 1

MAXIMUM RESIDUE LIMITS FOR PERMISSIBLE CHEMICALS/
MAKSIMUM RESIDUPERKE VIR TOELAATBARE CHEMIKALIEË

Chemical/Chemikalie	Maximum residue limit (mg/kg)/ Maksimum residuperk (mg/kg)
Cyanazine	1
Cypermethrin (<u>sum of isomers</u>) - green rooibos	0,5
Cypermethrin (<u>sum of isomers</u>) - dry rooibos	2
Demeton-S-methyl (<u>sum of demeton-S-methyl, its sulphone and sulphoxide, expressed as demeton-S-methyl</u>)	0,1
Oxydemeton-methyl (<u>sum of oxydemeton-methyl and its sulphone, expressed as oxydemeton-methyl</u>)	0,1

TABLE 2

FREQUENCY OF SAMPLING IN THE CASE OF RETAIL PACKAGING

Net mass total of outer containers containing identical retail packaging (kg)	Number of outer containers to be sampled
1	2
1 – 200	3
201 - 800	5
801 – 2 400	7
2 401 – 4 000	10
4 001 – 8 000	15
8 001 – 24 000	20
24 001 and more	25

TABLE 3

FREQUENCY OF SAMPLING IN THE CASE OF BULK PACKAGING

Total number of containers in a consignment	Number of containers to be sampled
1	2
1 – 25	3
26 – 100	5
101 – 300	7
301 – 500	10
501 – 1000	15
1001 – 3000	20
3001 and more	25