



# KEEPING IT FRESH



**News from the FPEF – 16 August 2023**

## Dear FPEF Members,

As part of our service to you, we try and participate in events which are of importance to our industry. In most cases, we get invited to participate – which confirms that the FPEF is viewed as an important role player and a credible association. Some of the latest events were/are:

### BRICS

- **WESGRO and dtic:** 15 August: The FPEF CEO did a presentation on our industry and participated in a panel discussion.
- **BRICS SUMMIT** on 22 August in Sandton: The FPEF CEO will participate in the Work Group on Agriculture and will highlight the market access issues, tariffs and import duties and other trade restrictive matters in China, India, Russia.



### Competition Commission Workshop

Our COO, **Werner van Rooyen**, participated in a workshop on the Competition Commission’s view with regards to information sharing on 11 August. The workshop was arranged by NEDLAC and Agbiz to better understand the Commission's approach to the exchange of information.

Feedback from this session was:



**competition commission**  
south africa

An organization that supplies competitors with competitively sensitive information about their future behaviour, such as future pricing or its predictions of their future conduct, is anticompetitive since it may create or assist a collusive agreement among organizations. Such discussions may influence the firm's ability to make autonomous decisions about its market activity. The Commission is likely to view any communication of information among rivals about their future pricing as constituting an anticompetitive price-fixing agreement or coordinated activity in violation of section 4(1)(b) of

the Competition Act. The amount of aggregation is a crucial component in determining whether the sharing of previous competitively sensitive information may lead to anticompetitive conduct. A collusive agreement is less likely to develop from the sharing of aggregated data.



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The purpose of the Competition Commission’s guidelines is to assist trade associations and other interested parties in determining the competition law implications of the communication of competitively sensitive information between competitors.

The goal of the workshop was to educate and engage trade groups and others on the Competition Act's Section 79 Guidelines on the Exchange of Competitively Sensitive Information (89 of 1998, as amended).

The workshop clarified what constitutes permitted and unlawful information communication within the scope of section 4 of the Act, as well as the type of information exchange that might possibly undermine competition and the type of information that could improve efficiency. The workshop gave guidelines on how the Commission would determine whether the sharing of information between competing organizations constitutes a violation of section 4 of the Act.

### **CBS Stakeholders’ Forum meeting on 8 August**

The recent developments regarding Citrus Black Spot, necessitated a meeting of the CBS Stakeholders’ Forum where industry and various Government departments discuss the situation and formulate strategies. Follow-up meetings are to take place to ensure implementation of the strategies.

### **AGOA**

Various meetings on AGOA took place recently and we have presented the potential impact on our industry, should South Africa be excluded from AGOA.

**BFAP (Bureau for Agricultural Policy)’s** Baseline Study is being **launched today** and we are attending and will share feedback within the next few days.

## **LOGISTICS & OPERATIONS**



The Taxi strike prevented large portions of the workforce from reporting for duty, reducing port capacity at times to four gangs and resulted in slow truck turn times. Certain areas and by default the depots within the areas were not always accessible and one truck was set alight after leaving a depot. The container terminal reported that they are still recovering from the taxi strike making specific reference to maintenance work and three vessels at anchor some for more than 200 hours. There are three cranes under repairs limiting the port to six gangs, two per vessel, slowing the recovery further.

Durban unions UNTU and SATAWU jointly met with Pier 2 staff on Monday and Tuesday to discuss privatization and specific concerns raised were the lack of meaningful discussions between Transnet and Labour as well as possible job losses. Ahead of the union meetings at Pier 2, Terminal management on Monday released a statement to IOL, describing ICTSI as an equity partner, confirming that there will be no retrenchments and staff will retain the same terms and conditions. Interesting to note that Transnet’s policy is to replace equipment every 20 years whereas global companies replace equipment as early as 5 years up to 10 years. Trucks can expect faster turn times, something industry is looking forward to. The three rail lines into the terminal will be expanded to six in the next four years and will accommodate the volume growth rather than increased truck volumes which will alleviate congestion on Bayhead Road. ICTSI is expected to take operational control on 1 April 2024.

**Asia Fruit Logistica 2023**

Asia Fruit Logistica is scheduled for 6 to 8 September 2023 at the AsiaWorld Expo in Hong Kong. South Africa will have a dtic-funded National Pavilion. There will be tables available on a first-come, first-served basis. The dtic requests that all companies that make use of the South African pavilion for their business meetings, must provide an estimate Rand value of business conducted during the event. The FPEF will be responsible for the collection of this information after the event. Please note that your information will be treated as highly confidential.



You are invited to join us at the  
**SOUTH AFRICAN PAVILION**  
 at AsiaWorld Expo, Hong Kong  
**Hall 3 / Booth 3C02**



**the dtic**  
 Department:  
 Trade, Industry and Competition  
 REPUBLIC OF SOUTH AFRICA

**Website**

We would like to remind our members that they can access market access and value chain information under the *Members area* on the FPEF website. All members have received an email with their login and password information for the FPEF website – [www.fpef.co.za](http://www.fpef.co.za) to log in to the **Member's Only** area. Please note that each member company only receives one login and password. **The information on this page is for members only and not for any third parties / non-FPEF members.** Please use your login information responsibly. If you did not receive a login and password, please contact [claudia@fpef.co.za](mailto:claudia@fpef.co.za) for assistance.



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**FPEF Transformation Webinar**

**Tuesday 19 September 10:00 – 12:00**

Please RSVP to Johannes Brand, [johannes@fpef.co.za](mailto:johannes@fpef.co.za).

We invite executives, decision makers and senior managers to join us for the FPEF’s annual transformation webinar, where our aim is to inspire and equip you towards leading effective transformation in your business. This year’s speakers are Mr Athol Trollip and Mr Jonathan Goldberg.

Athol will share valuable perspectives on transformation from his long political career and extensive business exposure, while Jonathan will be unpacking the implications for businesses of the new **Employment Equity Amendment Bill**.



**Mr Athol Trollip**

Athol Trollip is a well-known politician, motivation speaker and ex-farmer. In his long political career spanning from 1995 to the present, he served amongst others as the Provincial Chairperson of the Democratic Party in the Eastern Cape, National Chairperson of the Democratic Alliance, served on the National Assembly and as Mayor of Nelson Mandela Bay Metropolitan Municipality. He is currently the Provincial chairperson of ActionSA in the Eastern Cape. He has represented his city, province and country abroad in official delegations to multiple countries across the globe. Athol has also recently worked extensively with SAFPRO assisting them with their transformation initiatives in the Eastern Cape.



**Mr Jonathan Goldberg**

Jonathan Goldberg is the Chairman of Global Business Solutions and has been a business leader in the changing labour law landscape over the past twenty years, heading negotiations at plant, industry and NEDLAC levels and assisting clients to navigate the dynamic regulatory environment.

Jonathan is a sought after advisor and speaker, leading from the front in social partner negotiations as well as in respect of business strategy. Several of the key roles he fulfils include being a Commissioner on the National Minimum Wage Commission, the Labour Market Convenor at NEDLAC for business as well as a representative on the Employment Services Board. He is a chartered director of the Institute of Directors South Africa.

Best regards  
**Anton Krugepr**

**PS: On behalf of the FPEF Team, we would like to wish our CEO and “boss”, Anton Kruger, a very HAPPY BIRTHDAY for today! Anton, we trust you had a lovely day and wish you all the best for the coming year!**



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