

Organic Farming: the Way forward for Sustainable Agriculture in the  
Western Cape Province

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Assignment presented in partial fulfilment of the requirements for the degree  
of Masters of Developmental Planning at the University of Stellenbosch.



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December 2003

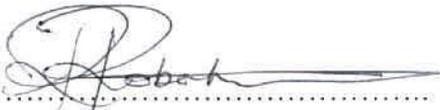
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## DECLARATION

I, the undersigned, hereby declare that the work contained in this assignment is my own original work and that I have not previously in its entire or in part submitted it at any university for a degree.

A handwritten signature in black ink, appearing to read 'R. N. Robertson', written over a dotted line.

Ms R. N. Robertson

26 November 2003

Date

## OPSOMMING

Die voorkoms van organiese landbou, gesien as die volhoubare landbou van die toekoms, is ondersoek in die Wes-Kaap Provinsie (WKP). Inligting oor die organiese plase in die WKP is verkry deur middel van die Internet, oor 'n periode van drie maande. Hierdie plase beslaan ongeveer 33% (771 122 ha) van die oppervlakte binne die WKP wat tans vir die verbouing van gewasse benut word. Die inligting wat verkry is ten opsigte van die tipe landbou en die ligging daarvan is verwerk en grafies voorgestel.

Verder is daar ondersoek ingestel na die benutting van grond in die WKP en die probleme wat ondervind word met die degradasie daarvan. Daar is ook ondersoek ingestel na die moontlikheid om munisipale gemeenskapsgronde beskikbaar te stel aan gemeenskappe en klein boere vir volhoubare landbou.

Met inageneming van bogenoemde veranderlikes (organiese plase, grond kwaliteit en munisipale gemeenskapsgrond), is "Go Organics at Spier" (GOAS) as 'n gevallestudie ondersoek. Voorstelle word dan gemaak oor die bevordering van organiese landbou in die WKP.

## SUMMARY

The incidence of organic agriculture, seen as the sustainable agriculture of the future, was investigated in the Western Cape Province (WCP). Information about organic farms in the WCP was obtained through the Internet, over a period of three months. These farms occupy about 33% (771 122 ha) of the area within the WCP which is presently being used for the cultivation of crops and horticulture. The information obtained with regard to the type of agriculture and the location thereof was processed and presented graphically.

Further, the utilisation of land in the WCP was researched, as well as the problems experienced with the degradation thereof. The possibility of making municipal commonage available to communities and small farmers for sustainable agriculture was also investigated.

Taking cognisance of the above variables (organic farms, soil quality and municipal commonage), "Go Organics at Spier" (GOAS) was investigated as a case study. Recommendation was then made on how organic agriculture in the WCP could be promoted.

## ACKNOWLEDGEMENTS

I would like to thank my Lord and Saviour for giving me the necessary strength and endeavour to complete this research.

Also, I would like to thank my fiancé for standing by my side and sacrificing our special times just to complete my thesis.

Lastly, to my colleague Joey and supervisors, thank you for always asking questions relating to the organic farming and making me to think twice.

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**List of Acronyms**

AFRICSO	Africa's Farms Certified Organic
CBO	Community Based Organisation
COPA	Cape Organic Producers Association
FAO	Food and Agriculture Association of United Nations
FGF	Food Garden Foundation
GEF	Global Economic Fund
GIS	Geographical Information System
GMO	Genetic Modified Organisms (means organisms or products produced through techniques in which the genetic material has been altered in a way that does not occur naturally by mating and or natural recombination (AFRISCO, 2001: Section 1).
IDP	Integrated Development Planning
IFOAM	International Federation of Organic Agriculture Movement
NBSAP	National Biodiversity Strategy and Action Plan
NGO	Non-Governmental Organisation
OAASA	Organic Agriculture Association of South Africa
OPAM	Organic Producers' Association of Manitoba Co- operative Ltd.
PAWC	Provincial Administration of the Western Cape
RSA	Republic of South Africa
SA Cert	Soil Association Certification Ltd.
SDF	Spatial Development Framework
SDP	Spatial Development Plan
UKAS	UK Accreditation Service
WCP	Western Cape Province
WESGRO	Western Cape Growth

## 1. Introduction

*There is an old saying: "...man with an empty belly has one problem, but man with a full belly has many problems" (Gelderblom, 2002: 3).*

The above saying depicts the South African problems, i.e. the two scenarios. One, feeding the hungry people through (conventional) agricultural practices. However, these practices have many negative implications, i.e. prominent among these are topsoil depletion, groundwater contamination, the decline of family farms, continuous neglect of the living and working conditions for farm labourers, increasing costs of production and the disintegration of economic and social conditions in rural communities. This is due to the many problems conventional farming creates, i.e. use of fertilisers that damage the soil, ploughing practices and chemicals in products that can have harmful effects on humans and the environments. Despite this problem, as experienced by many countries, in more and more developed countries small-scale farmers are converting to sustainable agricultural practices, which includes *inter alia* organic farming and permaculture. However, in South Africa, small-scale farmers are caught up in financial problems, which do not motivate them to convert to sustainable agriculture, i.e. organic farming. This ensures that conventional farming, which mainly supplies food, continues to be responsible for the degradation of the environment through conventional farming methods.

Added onto this, it should be noted that conventional agricultural practices focused on short-term productivity that requires external inputs and on establishing uniform systems (i.e. monocultures). The benefits of the specialisation are based on "economies of scale" where mechanisation, specialized expertise and marketing are involved, and on exploiting comparative advantages of the local production situation. The resulting simplification has a pronounced effect on field and farm-level diversity and environmental side effects, i.e. pollution and loss of environmental services. Environmental resources and indigenous knowledge have been disrupted and today, agriculture can hardly be defined as sustainable (Scialabba, 2000: 4).

Yet, the other scenario of organic farming ensures the agricultural practices the farmer applies, are sustainable. To this end, a growing movement has emerged during the last two decades to question the role of the agricultural establishment in promoting practises

that contribute to social and environmental problems. Today, this sustainable agriculture movement is garnering increasing support and acceptance by mainstream agriculture. Hence, not only does sustainable agriculture address many environmental and social concerns, but it also offers innovative and economically viable opportunities for growers, labourers, consumers, policy makers and many others in the entire food system (Scialabba, 2000: 4). Therefore, sustainable agriculture ensures a sustainable supply of food without damaging the environment. It requires farmers to satisfy the public's demand for improved environmental performance, by reducing pollution from agriculture, conserving the natural resource base and generating environmental benefits. Moreover, agriculture must achieve all of this in socially acceptable ways, by increasing farmers' education and skills, taking account of animal welfare concerns and ensuring that working the land can provide an acceptable level of income. To this extent, organic farming, one of the many schools of thought, is seen as the agriculture of the future (Lampton, 1999: 1). However, this is not always the scenario, especially in South Africa, struggling to adapt to the sustainable agriculture trend set by the First World and upcoming Third World countries.

Added to this struggle, the First World country motivations are introducing new innovations, one of them Geographical Information Systems (GIS)<sup>ii</sup> (Morton, 2003). The use of resources, the environmental impact, landscape aesthetics, bio-ethics and food safety, played a pivotal role in the expectations and standards which now apply to agriculture. However, it is almost impossible to stay ahead of the technologies. Moreover, now in the 21st century, the world is richer in terms of knowledge and communication. GIS is one of these developments in information systems and technology, which is not only used in the conservation of land, but also for the sustainable use of land, planning, business marketing, retailing, etc. Modern techniques such as aerial/satellite photography and GIS can enhance soil conservation and land use planning - and they can be used in the small-scale-farming sector, i.e. sustainable agriculture.

## **1.1 Problem Statement**

Studies estimate that nearly a quarter of the world's agricultural land, pasture and forests have been degraded in the last 50 years (Hoffman, 1997 & Schlomes, 2003). This is due to the topsoil depletion, rain run-off and infertile land. Soil quality, fertility and water

supplies need to be managed effectively, conserved through better husbandry of natural resources and through investments in land improvement. Effective soil, water and nutrient management requires action, not only at the farm level, but also at the community, regional and national levels. Furthermore, despite the policies and programmes that are in place, small-scale farmers, commercial farmers, scientists and the government, are nearing the resourcefulness of the environment: the soil is decreasing its carrying capacity, municipal commonage land is not effectively utilised and agricultural practices became questionable.

As global food production has expanded to meet growing demand, the soils of both marginal and fertile lands have suffered. The effects of degradation, which also bring problems of water quantity and quality, cannot always be compensated for, even partially, by application of fertilizers. Instead, natural soil fertility must be maintained and conserved. This demands that greater emphasis be placed on research into soil, water and nutrient management.

The Western Cape Province is regarded as an agricultural paradise, with more fertile soils compared to other provinces, good quality water (if managed properly) where organic farming should excel. However, this is not the case... Why is this, given the ideal circumstances?

## **1.2 Key words**

Sustainable agriculture, Organic Agriculture/Farming, Biodiversity, municipal commonage land, small-scale farming, conventional farming

## **1.3 Aims/Research Question**

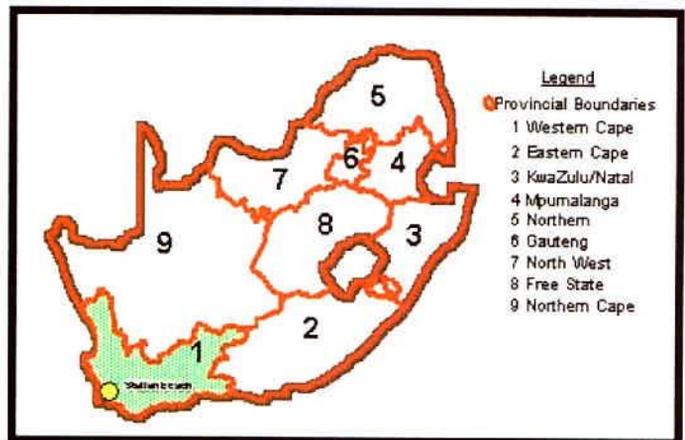
- Does organic farming lead to sustainable agriculture?
- Where in the Western Cape Province, does organic farming take place?
- What organic products are produced?
- What is the best location for organic farms?
- Can municipal commonage land be used for sustainable agriculture?

## 2. Research Methodology

The research methodology will be addressed under the following headings, i.e. study area, data collection, data analysis and conceptualisation.

### 2.1 Study Area

South Africa has a diverse agricultural sector. It was considered that a smaller, more homogenous area should be studied, especially if more accurate assumptions and comparisons are to be made. In this study, the Western Cape Province (WCP) is the study area. The subject to be investigated is organic farms within the WCP boundary. The WCP is defined in terms of the Municipal demarcation of the Local Government: Local Demarcation Act, No. 27 of 1998.



*Figure 1: The WCP, study area, in context of South Africa's provinces*

The WCP is one of the nine provinces of the Republic of South Africa (SA). It is located at the most southern part of the RSA (Refer to Figure 1). Furthermore, the WCP is 12 950 000 ha in size and stretches from Nuwerus in the north in a 100-150km belt along the Cape West Coast, over the Cape South Coast, to Natures Valley in the east (Department of Agriculture and Land Affairs, 2002).

### 2.2 Data Collection

A list of the organic farms, with information such as the location, area, production, etc. in the WCP, has been compiled. Sources such as Cape Organic Producers Association (COPA) and Organic Agriculture Association of South Africa (OASSA) were consulted to obtain this list. However, due to time constraints, a list of certified organic farms in the

WCP could not be obtained from COPA or OASSA, or other certifying organisations. Consequently, data pertaining to organic farms was obtained through secondary data sources, mainly the Internet, over a period of three months. It should be noted that this information is not exhaustive.

Three semi-structured interviews were conducted (Refer Annexure 3), i.e.:

- Dr. S Ferreira from Agro-Organics pertaining to the use of chemical fertilisers for organic farms as well as conventional farms.
- Mr. B Schlomes, from the Geography Department, pertaining to adequate soils for organic farming practices.
- Mr. H Germishuys from the Western Cape Provincial Department of Agriculture (Elsenburg), concerning legislation pertaining to WCP organic farming.

### **2.3 Data Analysis**

The list of organic farms was analysed according to the Cape Sector Fact Sheet (2000: 22). The organic farms can be divided into three major categories:

1. Field crops such as wheat, rye, haye and maize,
2. Horticulture produce such as grapes, wine, fruit and vegetables, and
3. Animal products such as meat, poultry, wool, eggs and diary products.

It should be noted that this research will only address two groups, i.e. field and horticultural crops. Furthermore, it should be noted that a drawback of this research is that the total area of organic farms, could not be obtained. Therefore, it should be noted that the polygons on the maps are not all area-relevant, but only give the location of the organic farms.

The data pertaining to the organic farms was captured on Excel, which then made it possible to do analysis, such as the percentage of organic farms relating to agriculture, types of organic farms and estimated location. This data was graphically displayed with GIS, which was used to analyse the estimated location of the organic farms relative to urban areas, per municipal district and the agricultural land in the WCP.

Two independent variables was investigated, i.e. soil type and location of municipal commonage land. Soil type was used to determine the most suitable locations for organic farms. This information was captured through GIS, after an in-depth interview to determine criteria for organic farms, with a Geology consultant. Municipal commonage land as a means to sustainable agriculture was also explored. To conclude the research, a case study, i.e. Go Organics at Spier, was investigated.

## 2.4 *Conceptualisation*

**Sustainable Development** refers to meeting the needs of the present generation without compromising the ability of future generations to meet their own needs (Brundtland Commission Report, 1987).

A system may be considered **sustainable** when all individual livelihoods are secured without compromising the ability of future generations to secure their needs from the same natural resource base (Scialabba, 2000).

**Sustainable agriculture** is a holistic production management system, which promotes and enhances agro-ecosystem health, including biodiversity, biological cycles and soil biological activity (IFAOM, 2000).

An **organic product** is that which is raised, grown, stored, and/or processed without the use of synthetically produced chemicals or fertilizers, herbicides, insecticides, fungicides, or any other pesticides, growth hormones or growth regulators (Environment Canada and Manitoba Agriculture, 1992).

For the purpose of this study, **organic farming** will refer to a form of sustainable agriculture whereby it will consider factors like soil, chemical fertilisers, municipal commonage land, etc. to ensure that agriculture is sustained for future generations. It is a type of agriculture that maintains its productivity over the long run. Lastly, organic farming practices will be confined to cultivars, i.e. no livestock in the Western Cape Province will be investigated.

According to Madeley (2002: 143), **soil** refers to a living system that develops the activities of beneficial organisms.

**Soil degradation** refers to soil that is already dry and overused by man. One of the main causes of land degradation is overgrazing – too many livestock, such as goats or cows, on the land, which strip the soil of its vegetation and exposes it to erosion by wind and water. Another cause is deforestation (Western Cape Province, 2000). Trees hold the soil together and help water the land by channeling rainwater into the soil. When they are chopped down, the soil is again eroded by the elements and is unable to hold water. Other causes include intensive arable farming, which eventually drains the soil of its nutrients, leaving it unable to produce crops and poor irrigation practices, which can lead to waterlogging and salinisation of the soil.

**Municipal commonage land** refers to Commonage or common pasture lands that are lands adjoining a town or village over which the inhabitants of such town or village either have a servitude of grazing for their stock and more rarely, the right to cultivate a certain portion of such lands, or in respect of which the inhabitants have conferred upon them by regulation certain grazing rights (Anderson & Pienaar, 2003: 7).

### 3. Moving from Conventional Agriculture to Organic Farming

The WCP is one of the most important food baskets of South Africa. The sheltered valleys between the mountains provide ideal conditions for a harvest of top-grade fruits, such as apples, table grapes, olives, peaches and oranges. In the eastern part of the Western Cape region, a great variety of vegetables are cultivated.

Important agricultural products from the WCP are wine ( $\pm 103\ 000$  ha under cultivation), deciduous fruit, wheat, vegetables, sheep and cut flowers (SSA, 1998). Five product clusters, namely fruit, poultry/eggs, winter grains, viticulture and vegetables account for 75% of the total input (Geach, 1999).

However, rapid growing industries within the WCP agricultural sector are table olives, rooibos tea, high-value vegetables, herbs and nuts (Wesgro, 2000).

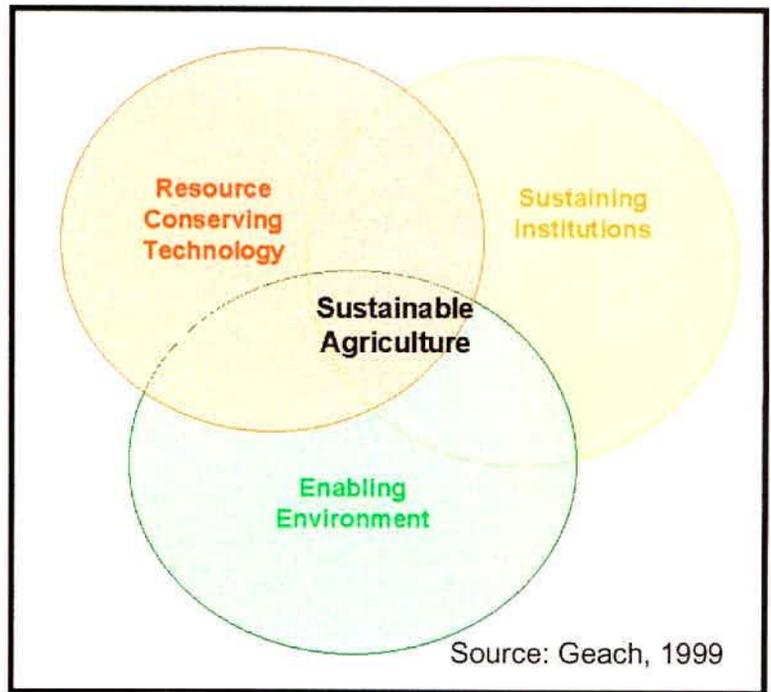
#### 3.1 Sustainable Agriculture

Sustainable agriculture is defined as "agriculture which meets today's livelihood needs without preventing the needs of neighbours or future generations from being met" (IFAOM, 2000). This definition implies a combination of dimensions (Refer to Figure 2):

- Ecological: productive capacity of the natural resources on which agriculture depends need to be considered even if it is changed;
- Economic: the farming system needs to remain financially viable, both for the farming household and the wider community;
- Social: both in terms of equity and in meeting the aspirations and the cultural traditions of communities.

These different dimensions mean that development programmes and policies need to include many disciplines and different levels of interventions. Therefore, sustainable agriculture should not be seen as a set of practices that are fixed in time and space. This implies the capacity to adapt and change as external and internal conditions change.

Added to this, the history of soil and water conservation, protected area management, irrigation development and modern crop dissemination shows a common pattern: technical prescriptions are derived from controlled and uniform conditions, supported by limited cases of success and then applied widely with little or no regard for diverse local needs and conditions. Differences in receiving environments and livelihoods then often make the



**Figure 2: Conditions for Sustainable Agriculture**

technologies unworkable and unacceptable. When they are rejected locally, policies shift to seeking success through the manipulation of social, economic and ecological environments and eventually through outright enforcement (Geach, 1999). Therefore, for sustainable agriculture to succeed, policy formulation must not repeat above-mentioned mistakes. Policies must arise in a new way. They must be enabling, creating the conditions for sustainable development based more on locally available resources and local skills and knowledge.

In this regard, there are more than enough good examples to suggest that agriculture, which is pro-sustainability and pro-people, is working and *vice-versa*. It is understood that the concept "sustainable" agriculture is not confined within the boundary, but has strong links (and ability to be a dynamic force within) a wider economy. Hence, "sustainable agriculture" does not only contribute to greater agricultural production, but also environmental regeneration and local economic development.

Therefore, by helping farmers to adopt practices that reduce chemical use and conserve scarce resources, sustainable agriculture research and education can play a key role in building public support for agricultural land preservation. Educating land-use planning and decision-makers about sustainable agriculture is an important priority.

## 3.2 *Alternative Farming Movements*

The concern for sustainable farming has given rise to a range of movements promoting specific brands of sustainable agriculture. According to Oettle *et al* (1998: 12), some of these are motivated and guided by a specific philosophy or approach. In principle, these different approaches are helpful as part of the broadening of experiences of sustainable agriculture.

Many terms are used to describe alternative approaches to agriculture, i.e. low input sustainable agriculture, biological agriculture, permaculture, ecological agriculture, regenerative agriculture, organic farming and alternative farming, to name a few.

### 3.2.1 Biological Agriculture

According to the Biological Agriculture school of thought, soil fertility should be sustained and improved as the natural processes and cycles enhance through the careful use of energy and resources. The management of pests and weeds should also be applied ecological and organically (Brockman, 1998: 32).

### 3.2.2 Permaculture

The Australian Bill Morrison carried out permaculture in the late 1970's and he described permaculture as the conscious design and maintenance of agriculturally productive ecosystems, which have the diversity, stability and resilience of natural ecosystems (Madeley, 2002: 43).

### 3.2.3 Ecological Agriculture

This agriculture aims at improving agricultural production and post-production while conserving the regenerative and reproductive capacity of the natural resource base and thus, avoiding the cycle of rectification of error. Hence, ecological agriculture is about maximising use of knowledge of natural processes (Scialabba, 2000).

These alternatives entail systems that differ from current (conventional) production practices of high-input and maximum-production-agriculture. This came into being as an antipode for the over-consumption of chemical insect- and pest control, fertilisers and high insecticides.

#### 3.2.4 Organic Farming

The phrase "organic farming" first appear in Lord Northbourne's book "Look to the Land" published in 1940. Yet, organic farming is the oldest form of agriculture. Before the end of World War II, farming without the use of petroleum-based chemicals (synthetic fertilisers and pesticides) was the only option available to farmers (Parnes, 2003). Technologies developed during the war were found useful for agricultural production. However, these days, farmers are switching to organic agriculture again, but now with an ecologically based systematic approach that includes long-term planning, detailed record keeping and major investment in equipment and supplies.

According to the FAO (as cited in AFRISCO, 2001: Section 2), there are many explanations and definitions for organic agriculture. One of them according to AFRISCO (2001: Section 2), is that organic production is an organic system which is an active management system, striving for long term sustainable management of natural resources and ongoing building of soil nutrients. Organic farming means a self-sufficient and sustainable agri-environmental system in balance. The system is based as far as possible on local, renewable resources. Furthermore, organic farming builds on an integrated ethos, which encompasses the environmental, economic and social aspects in agricultural production both from a local and global perspective. Thus, organic farming perceives nature as an entity, which has a value in its own right; human beings have a moral responsibility to steer the course of agriculture so that the cultivated landscape makes a positive contribution to the land.

However, all these definitions converge to the state that organic farming is a system that relies on ecosystem management rather than external agricultural inputs. It can be said that it is a system that begins to consider potential environmental and social impacts by eliminating the use of synthetic inputs, i.e. synthetic fertilisers and pesticides, veterinary

drugs, genetically modified seeds and breeds, preservations, additives and irradiation. These are replaced with site-specific management pesticides.

It should be noted that **organic farming/agriculture** includes all agricultural systems that promote the environmentally, socially and economically sound production of food and fibres. In addition to this, two strong arguments in favour of organic farming exists. One is the basic principle of organic farming: to give priority to the optimal use of inputs (including externalities) instead of the maximisation of outputs. This includes the concept of production in cycles and the use of renewable resources and it clearly aims at sustainable use of natural resources (soil, biodiversity, water, nutrients and energy). The other argument, which caused the success of organic farming, is the rules, which have to be respected. Conflicting to sustainable agriculture, it follows detailed standards on production and processing (IFOAM 2000). Furthermore, strict application of standards means that new ways of managing the agro-ecology have to be sought.

The first farm in the Western Cape region was only certified in 1996, with the total now at only 80 – by far the majority of them producing rooibos tea (Western Cape Province, 2000). Turnover in the Western Cape from organic farming is estimated at R2 million, while turnover for the entire country is in the region of R6-10 million annually, depending on the type of season and on world marketing conditions. In addition to this, according to Ferreira (Interview; 2003), approximately 400 farmers registered as organic farmers for the year 2002. Also, approximately 1 000 farmers registered as organic farmers for the year 2003 (doubled from the previous year) in South Africa. Furthermore, production for the local market includes a variety of vegetables and all those products that are not of export quality. Some 15% of produce are sold directly to the public, with 30% going to national retail chains and 15% to small retailers. The remaining 40% is used in processing.

### **3.3 Summary**

After investigating the theory behind sustainable agriculture, it became evident that organic farming is much older than anticipated. A link between sustainable agriculture and organic farming is also established.

In the next chapter, attention will be paid to legislation and organisations relating to sustainable agriculture and organic farming in the WCP.

## 4. Legislative Framework

South Africa is a signatory to a number of international agreements and conventions that require the matter of sustainable resource use and management to be addressed in a responsible way. However, only national and provincial legislation relating to sustainable agriculture and organic farming will be addressed.

### 4.1 *National Legislation*

A fundamental aim of the public policy is to prevent conflict between short-term interest of the individuals and the long-term interest of the community in general. According to Fri (1991: 1-3) and Brockman (1998: 194), the responsibility rest on the shoulders of the Government to ensure the following:

- The whole community are respected and treasured;
- Life quality being improved;
- The earth's vitality and diversity should be conserved;
- The exhaustion of non-renewable resources limited to the minimum;
- Personal attitudes and users change; and
- A national framework where the agglomeration of the development and conservation will be mobilised.

#### 4.1.1 Constitution of South Africa No. 108 of 1996

In terms of the Constitution of South Africa No. 108 of 1996 (RSA, 1996), agricultural support to farmers is vested in the provincial governments, which provide farmers with a range of services. The national government retains the overall regulatory and policy functions and agricultural trade and marketing.

#### 4.1.2 Soil Conservation Act No. 76 of 1946

The first soil conservation legislation was passed as the Soil Conservation Act No. 76 of 1946 and made provision for subsidies to farmers in order to protect soils (RSA, 1946). It allowed the Minister of Agriculture to expropriate land in cases where degradation was severe, or where public works needed to be constructed, to minimise soil loss or siltation.

In 1969, another piece of legislation was promulgated, Act 76 of 1969, which retained some of the functions of soil conservation committees but also established an Inspectorate to deal with contraventions of the previous Act. This legislation resulted in severe tensions between the farming community and the government as the latter was becoming increasingly less tolerant of the demands placed on it by farmers who were dictating soil conservation policy.

#### 4.1.3 Conservation of Agricultural Resources Act No. 43 of 1983

The Conservation of Agricultural Resources Act No. 43 of 1983, allows the National Department of Agriculture to exercise control over the utilisation of South Africa's national agricultural resources (RSA, 1983). Added to this, this legislation provides for the conservation of natural agricultural resources through maintaining the land's production potential, combating and preventing erosion, weakening or destruction of the weeds and invader plants.

Furthermore, this Act allowed the government to intervene before or after soil erosion occurred. Act 43 of 1983 retained the previous state initiated soil conservation schemes, committees and subsidy programmes, but at present soil conservation committees are only functional in parts of the Western and Eastern Cape, KwaZulu-Natal and Northern Province.

The future of these committees will be reviewed as the Conservation Act is scrutinised in the new agricultural policy process initiated by the present Minister of Agriculture. The issue is the incorporation of small-scale black farmers into these committees, as soil conservation committees were and are currently, only represented by white farmers. In

addition to this, the Act generally applies to all "agricultural" land in South Africa, except for the sections dealing with weeds that also apply to urban areas.

#### 4.1.4 Sustainable Utilisation of Agricultural Resource Bill, 2003

A spin-off of the Conservation of Agricultural Resources Act, No. 43 of 1983, is the Sustainable Utilisation of Agricultural Resource Draft Bill of 2003, which had been put on the table (RSA, 2003). In this regard, clause 7(2) of the Bill refers to the standards and control measures to regulate sustainable utilisation of natural agricultural resources, i.e. the cultivation, utilisation and conservation of natural agricultural resources of agricultural land including State owned land (Municipal commonage land) and the irrigation of agricultural land.

#### 4.1.5 National Environment Management: Biodiversity Bill, 2003

The biodiversity<sup>iii</sup> of South Africa is endangered. In this regard, the National Biodiversity Strategy and Action Plan (NBSAP) will build upon the firm policy foundation established by instruments such as the White Paper on the Conservation and Sustainable Use of South Africa's Biological Diversity, by translating biodiversity related policy goals and objectives into prioritised plans for integrated, coordinated and systematic action (RSA, 2003).

South Africa's NBSAP, will constitute a coherent common vision and long term plan for:

- the conservation of biodiversity,
- the sustainable use of its components, and
- the fair and equitable sharing of benefits arising from the use of genetic resources.

It is envisaged that the NBSAP may fulfill at least some of the requirements of Chapter 3 of the National Environmental Management: Biodiversity Bill of 2003, which calls for the preparation and adoption of a National Biodiversity Framework. Such a Framework will provide for an integrated, co-ordinated and uniform approach to biodiversity management, identify priority areas for conservation and may establish norms and standards to guide provincial and municipal environmental conservation plans.

The NBSAP will include core strategies for the conservation of biodiversity, sustainable use, equitable sharing of benefits derived from the use of genetic resources, conservation of agriculturally important biodiversity and bio-safety. Support strategies will also be developed for improving the institutional framework, human resource base and financial resources required to implement the core strategies. All levels of biodiversity will be taken into account, as will economic sectors that are dependent on, or impact upon biodiversity e.g. tourism, agriculture and fisheries.

## **4.2 Provincial Legislation**

### 4.2.1 Organic farming policy for South Africa & WCP Department of Agriculture

According to Germishuys (Interview, 2003), South Africa does not have an organic farming policy, but there is draft legislation in the pipeline. The National Department of Agriculture is busy with draft legislation (which should be ready next year), which will in effect ban the use of the word "organic" on products which do not conform to national standards. The South African legislation will be in line with international standards such as IFOAM's standards, along with those of the USA and European Union. The Western Cape Department of Agriculture initiated research into legislation in this regard, but has now put its weight behind proposed national agricultural organic farming legislation. It is not certain when this will be implemented (Kirby, 2001).

### 4.2.2 Western Cape Province's White Paper on Agriculture 1995

The vision for a "new agriculture" was stated as "a highly efficient and economically viable market-directed farming sector, characterised by a wide range of farm sizes, which will be regarded as the economic and social pivot of rural South Africa and which will influence the rest of the economy and society" (Western Cape Province: 1995, Preamble).

In terms of the White Paper on Agriculture, sustainable agriculture refers to "farming systems which are productive, economically viable and environmentally sound over time".

### **4.3 Organisations on Organic Farming in the WCP**

#### 4.3.1 IFOAM Standards

The International Federation of Organic Agriculture Movement (IFOAM) has member organisations in over 50 countries, South Africa included (IFOAM, 2000). The IFOAM Technical Committee is responsible for a Standard Document, which is used as a basis for national standards by member organisations throughout the world. Even so, the Soil Association's standards are based on this document.

According to IFOAM (2000), organic agriculture entails all agricultural systems that promote the environmentally, socially and economically sound production of food and fibres. These systems take local soil fertility as a key to successful production. By respecting the natural capacity of plants, animals and the landscape, it aims to optimize quality in all aspects of agriculture and the environment. Furthermore, organic agriculture dramatically reduces external inputs by refraining from the use of chemosynthetic fertilisers, pesticides and pharmaceuticals. Instead, it allows the powerful laws of nature to increase both agricultural yields and disease resistance. Therefore, organic agriculture adheres to globally accepted principles, which are implemented within local social-economic, geo-climatically and cultural settings (IFOAM, 2000). Lastly, organic farming presumes a prerequisite: the availability of organic material in sufficient quantity for recycling.

#### 4.3.2 Ecocert

Ecocert, as an inspection and certification body, verifies the conformity of organic products with the European organic regulations, national and international norms (Bain, 2000-2001). Furthermore, Ecocert is represented in France, Belgium, Italy, Portugal, Germany, Turkey and Madagascar. Ecocert International works in more than 50 countries with a wide global spread including Eastern Europe, Turkey, Asia, Africa (e.g. Morocco, Burkina Faso, South Africa) and Central and South America. Inspection and certification is their contribution to creating the confidence necessary for the evolution of the organic market and to assure the credibility in commercial exchanges.

#### 4.3.3 Africa's Farms Certified Organic

Africa's Farms Certified Organic (AFRISCO), the only African certification body is currently investigating international accreditation options. AFRISCO's certification provides a service to operators, which assists them to keep to international norms for organic production and to profit from the price premium that consumers are willing to pay. Similarly, it provides a service to consumers by its assurance that the certified product they purchase has genuinely been produced by organic means.

#### 4.3.4 Organic Agricultural Association of South Africa

South Africa has a non-profit body called OAASA (Organic Agricultural Association of South Africa), whose mission is "to promote and enhance organic agricultural practices, to increase the awareness of sustainable farming methods and to assist in the recognition of the natural relationship between soil, plant, animal and mankind." (OAASA, 2001: 4).

According to OAASA (2001: 4): "It is becoming more apparent each month that there is an increased interest in the organic movement in South Africa", i.e. the demand is increasing daily.

#### 4.3.5 The Soil Association

Soil Association Certification Ltd. (SA Cert) undertakes organic certification. It offers organic certification of the highest integrity to all sectors of the organic market. This organisation was established in 1973 and is a fully owned trading company of the Soil Association charity, which has been promoting organic food for over 50 years. It currently certifies over 4 000 producer and processor operations worldwide.

Furthermore, Soil Association Certification Ltd (SA Cert) is the only UK certifier that is accredited by IFOAM. SA Cert is also the first UK certifier to receive UK Accreditation Service (UKAS) accreditation, to EN 45011, in the operation of organic standards. UKAS

accreditation means that SA Cert's systems are recognised as providing a robust, impartial and consistent service.

#### 4.3.6 Food Garden Foundation

The Food Gardens Foundation (FGF) was established in 1977 under the name of Food Gardens Unlimited, as a socio-economic project to teach people to help themselves by growing essential food according to organic principles. FGF is empowering people by teaching them Food Gardening, i.e. improving their health and quality of life, helping them to escape from the grip of poverty and helplessness through food-security, self-actualisation and even self-employment (OASSA, 2002: 13).

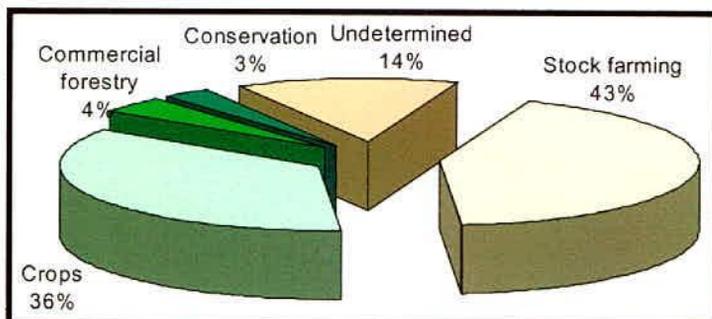
Trench gardening, according to a specific method (called "Food Gardening") optimises normal domestic and other organic waste to revitalize the soil and feed the vegetables. This method is low-cost, easy, environmentally friendly and appropriate - using the limited resources available. Food Gardening leads to the poor achieving a good level of food-security by supplying nutritional organically grown vegetables. The FGF method optimises limited space and scarce water resources and restores fertility to poor and arid land. Hence, their motto is "*Maximum nutrition in minimum space with limited resources and limited water*".

#### 4.4 Summary

Against the above background, i.e. with the legislation that is largely in place and many organisations existing for organic farming, an expectation is created that many organic farms would be found within the WCP. This expectation will be investigated in the next chapter.

## 5. Organic Farming in the Western Cape Province

The WCP is the most important agricultural region in South Africa. It constitutes 23% of the total monetary value of South Africa agriculture (Wesgro, 2000b). In the WCP 43% of all land is used for stock farming, which includes dairy cattle, sheep, ostriches and karakul sheep, etc. Crops account for a further 36% of land use, which includes wheat, citrus, deciduous fruit and indigenous crops like rooibos tea and wild flowers. Commercial forestry contributes 4% of land used for commercial forestry and only 3% is set aside for conservation (Wesgro, 2000b) (Refer to Figure 3). Against this background, an investigation was done to determine how much of the 36% used for crops, is being cultivated in terms of organic farming practices.



**Figure 3:** Agricultural distribution in the WCP  
Source: Wesgro, 2000b

### 5.1 Location and products of Organic Farms

The WCP is 12 950 000 ha in extent (Refer to Table 1). It should be noted that the WCP consists of 18.2% of agricultural land compared to the urban areas, which make up 0.2% (Refer to Figure 4). The organic farms covers 771 122 ha of the WCP, which is only 33% of the WCP's agriculture (crops and horticulture) (Refer to Table 1).

**Table 1:** Organic farms in relation to the agricultural composition of the WCP

	Area (ha)	Percentage
Agriculture (Crops, Horticulture)	2 360 389	18.2
Natural Veld (Stock farming)	10 568 923	81.6
Urban	20 688	0.2
<b>WCP</b>	<b>12 950 000</b>	<b>100</b>
Organic farming	771 122	33

(Source: Wesgro, 2000b)

According to Figure 5, it is evident that the organic farms are sporadically distributed in the WCP. Furthermore, most of the organic farms are located close to the urban areas. This is due to the local employment and the creation of a market for the product.

Another significance of Figure 5 is there are no crops and horticultural organic farms in the Central Karoo area, because the inland Karoo region around Beaufort West and the Bredasdorp district produce wool and mutton, as well as pedigree merino breeding stock. Other animal products include broiler chicken, eggs, dairy products, beef and pork, while racehorse breeding is another important industry of the Central Karoo district (Wesgro, 2000a).

According to Figure 6, most of the organic products are produced in the West Coast district with a share of 48%. In this area, herbs, potatoes, rooibos tea, etc. prevail. The second biggest contributor is the Boland area with 30%, which largely includes wine, grapes and raisins, as well as olives and citrus. The Overberg district adds 9% to the WCP organic farming production. This includes fruit, such as deciduous fruit and Cape May Oil. Lastly, Eden district and the CMA is in the minority with 9% and 1%, respectively. In the Eden district, products such as *aloe ferox* are produced organically (Refer to Figure 5). Also, in the CMA, vegetables such as tomatoes, cucumbers and peppers are produced.

The WCP's produced organic crops are mostly for export purposes, which includes grapes, rooibos and honeybush tea, wine, plums and clementines, as well as culinary and medicinal herbs.

#### 5.1.1 Wine, Grape and Raisin Farms

Deciduous fruit comprises of 53% of all the types of organic farming in the WCP and wine, grape and raisin farms comprise 36% of the organic fruit farming of the WCP. The rest of the farming practices entails herbs and medicine (20%), wheat (17%), vegetables (6%) and rooibos tea (2%) and olive (2%) (Refer to Figure 7).

Location: The wine, grape and raisin farms are found in the valleys of Stellenbosch, Paarl, Wellington, Lutzville, Worcester and Robertson Montague (Refer to Figure 5).

Weather: In these valleys, the Western Cape's Mediterranean climate - enjoying long, sun-drenched summers, winter rains and winter temperatures of 0-10°C and rainfall varies from 250-1500 mm annually - and mountain slopes, form an ideal habitat for growing wines. Furthermore, grapes are also used to make raisins as in the Franschhoek area.

Products: Wine and raisin productions are vertical diversification method, i.e. the farmer decides not to sell his crops (in this instance grapes) raw, but to treat it himself. This is one of the techniques to maximise his income, or to achieve a higher net profit.

### 5.1.2 Wheat

According to Figure 6, wheat production is the second most popular of the organic farming produce. It comprises 17% of all the organic farming activities of the WCP (Refer to Figure 7).

Location: Wheat farms are largely concentrated in the Overberg district (Malgas, Protem, Bredasdorp, Klipdale, Elim and Suurbraak), Malmesbury, Mooresburg and to a lesser extent around Klawer, in the West Coast District (Refer to Figure 5).

Products: In this category, wheat includes maize, grain and hay.

### 5.1.3 Deciduous Fruit

Deciduous fruit constitutes 5% of the organic farms in the WCP, which includes apples, pears, apricots and peaches (Refer to Figure 7).

Location: These farms can be found in the Boland District as well as along the West Coast (Refer to Table 2 and Figure 5).

Weather: It is prone to weather conditions such as warm summers and cool winters. The deciduous fruit industry is very sensitive to climatic conditions and the slightest deviations in the seasonal pattern of the weather can have major detrimental impacts on this category.

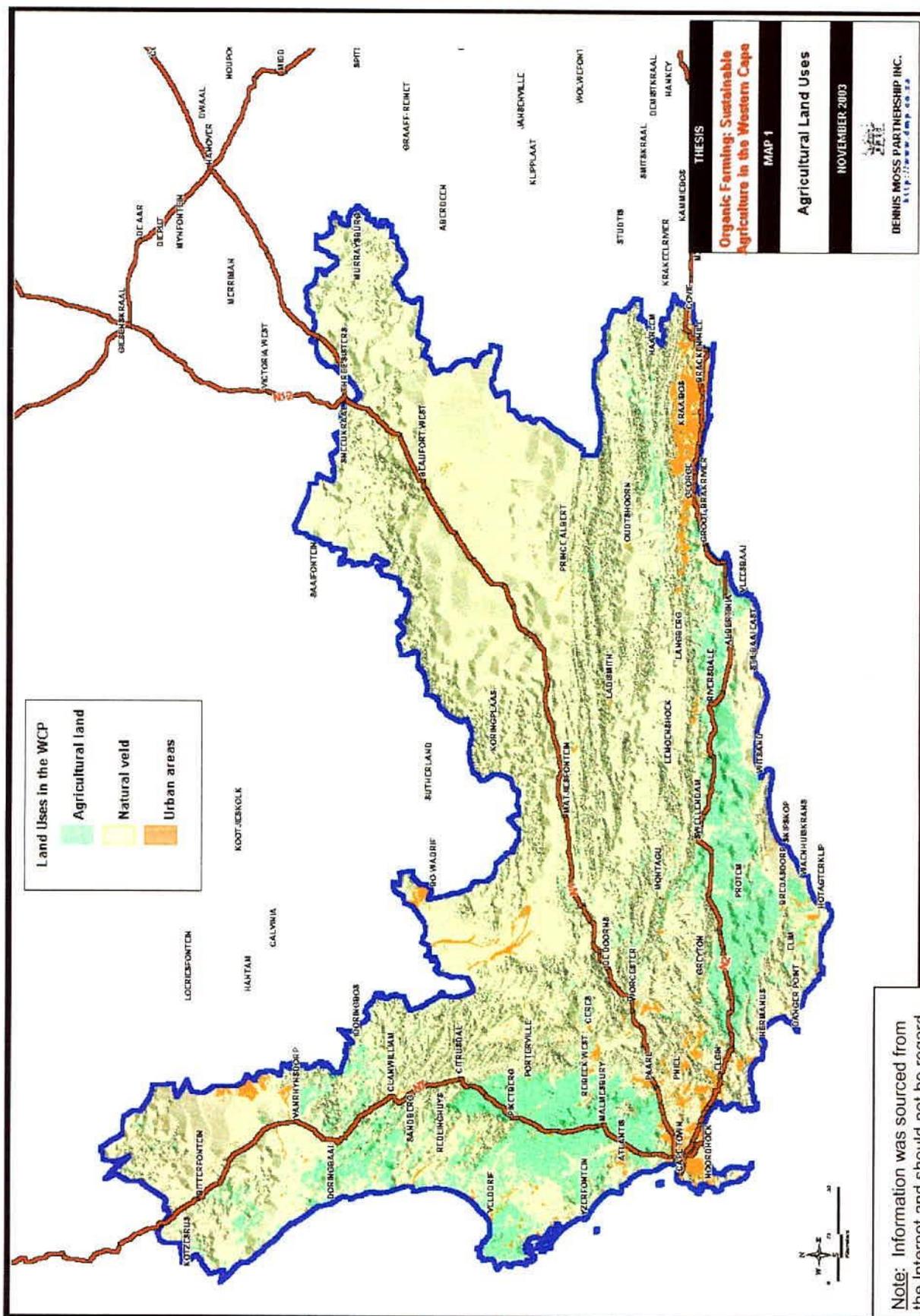
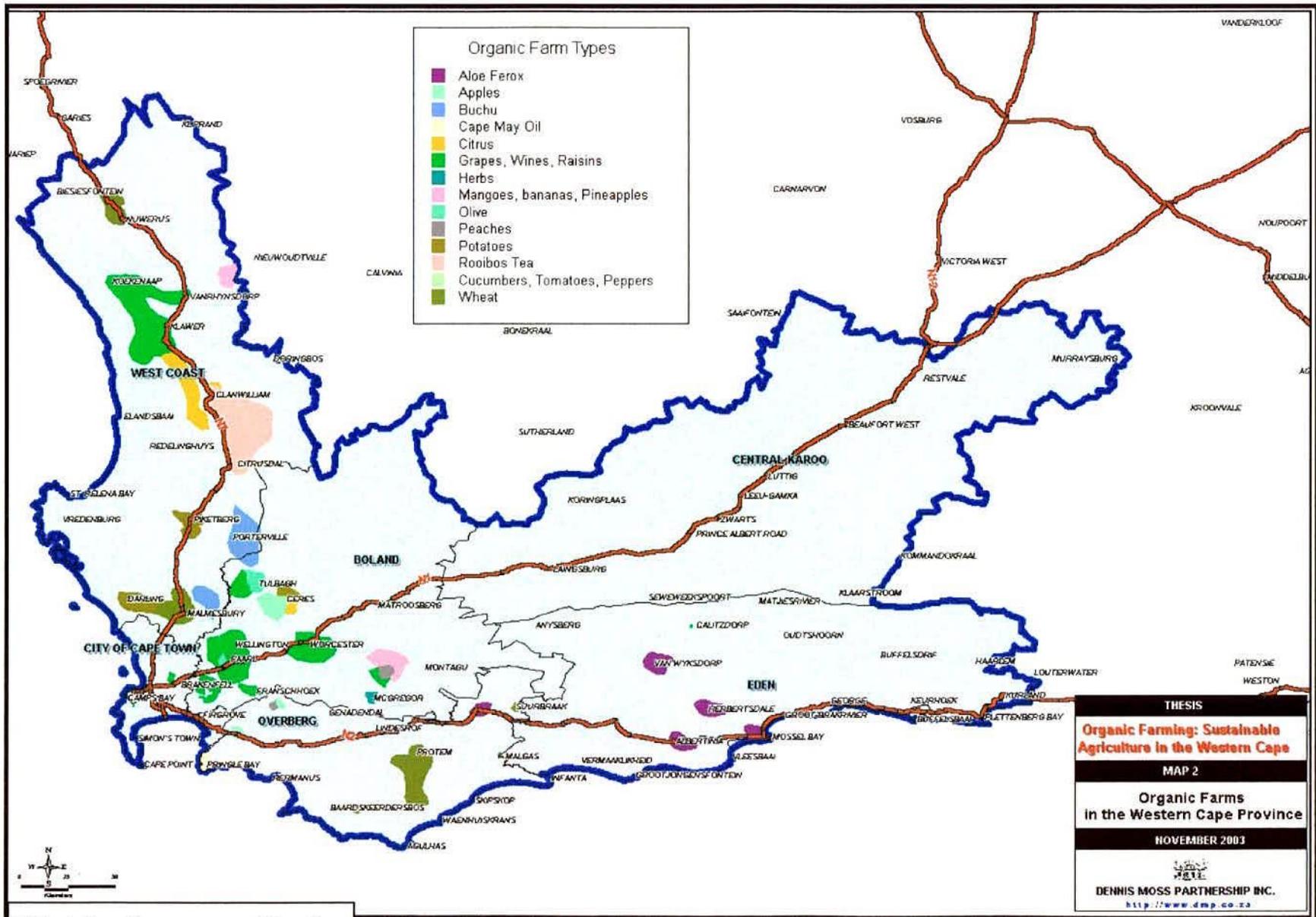
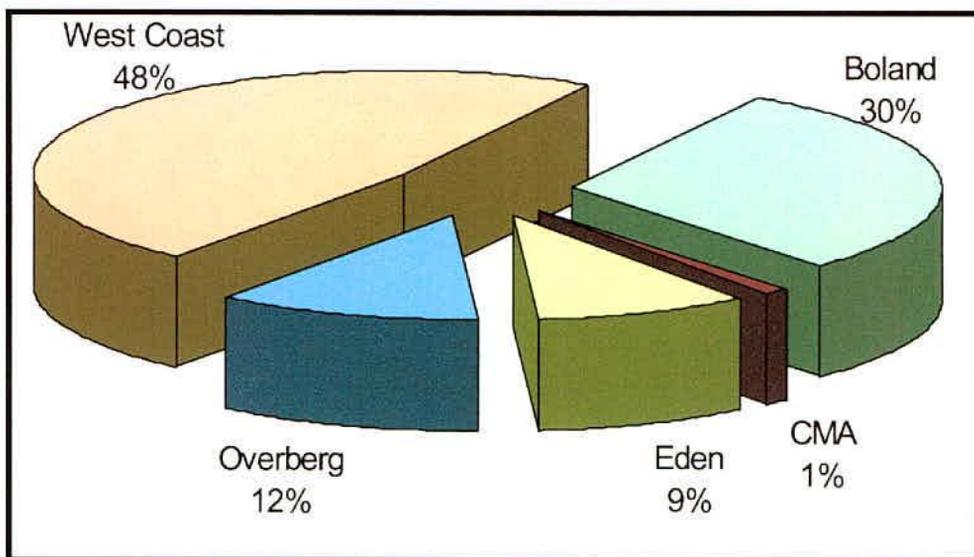


Figure 4: Agricultural Areas in the WCP

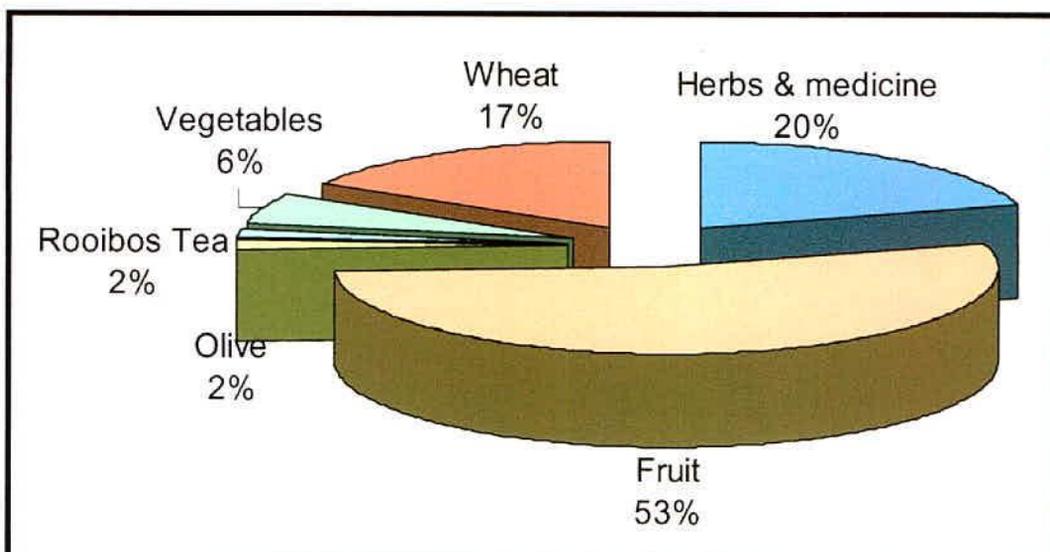


**Note:** Information was sourced from the Internet and should not be regarded as all-inclusive (Refer paragraph 2.2)

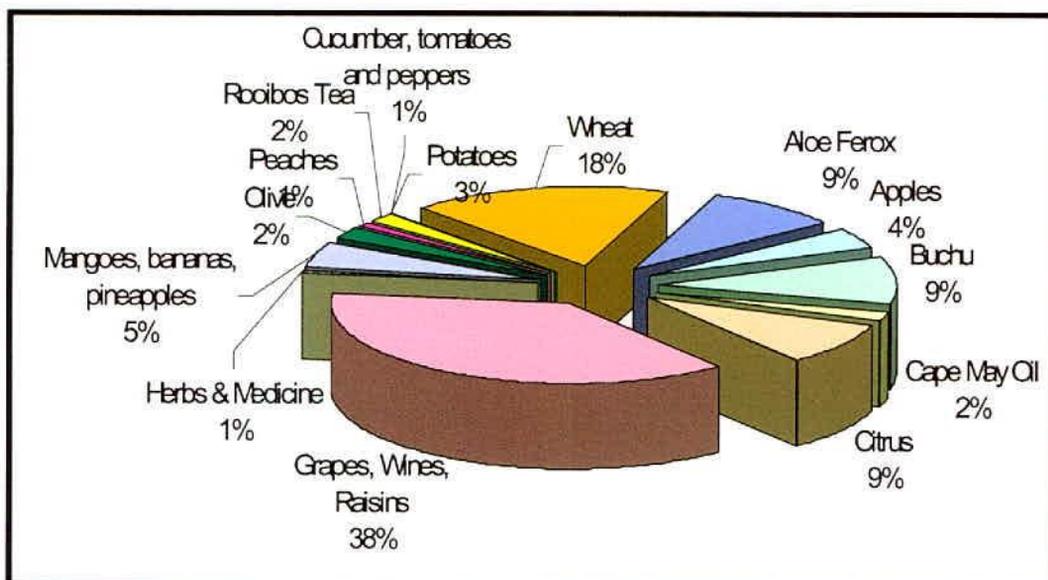
**Figure 5:** Location and types of Organic Farms in the Western Cape Province



**Figure 6:** Location of the Organic Farms according to the District Municipalities



**Figure 7:** Breakdown of the types of Organic Farms in the WCP



**Figure 8:** Types of Organic Farms in the WCP

**Table 2:** Organic deciduous fruit in the WCP

Deciduous fruit	Location to be found
Apples	Ceres, Piketberg, Langkloof, Villiersdorp, Somerset West, Hex Valley, Tulbach/Wolseley, Berg River, Stellenbosch and Franschhoek, Grabouw
Pears	Valleys of Ceres, Tulbach/Wolseley, Somerset West, Piketberg, Stellenbosch and Franschhoek
Apricots	Berg River, Franschhoek, Piketberg, Somerset West, Tulbach/Wolseley and Stellenbosch
Peaches	Tulbach/Wolseley, Ceres, Piketberg, Wolseley/Tulbach, Villiersdorp, Franschhoek and Stellenbosch

#### 5.1.4 Vegetables

Vegetables constitute 6% of the WCP organic farms (Refer to Figure 7).

The vegetables produced in the WCP include potatoes, cucumbers, tomatoes and olives.

##### (a) Potatoes

According to the research, potatoes make up 3% of the organic production of the WCP (Refer to Figure 8).

Location: **Potatoes** can be found in Ceres, Darling, Piketberg, Malmesbury, i.e. the Sandveld area, where sandy soil conditions prevail (Refer to Figure 5 & 8).

Conditions: The white sandy soil produces a naturally clean and attractive product.

Production: The Sandveld is the largest area for the production of potatoes in the Western Cape. It is also the biggest producer of seed potatoes in South Africa. Approximately 38% of the total seed crop is produced in the white sandy soil, which gives a naturally clean and attractive product. In the last 5 years, the Sandveld grew to one of the macro production areas in South Africa (Potatoes South Africa, 2002).

## **(b) Cucumbers, tomatoes and peppers**

These products constitute 1% of the organic vegetable production in the WCP. The reason why these products are farmed together is for crop improvement.

Location: Cucumbers, tomatoes and peppers are mostly found in the Cape Town area (Refer to Figure 5).

These products are sold at the local and international markets as fresh vegetables and exports.

Conditions: These vegetables are sensitive to heat and rain, due to the soft skin of the tomatoes and cucumbers.

## **(c) Olives**

Many olive cultivars have been imported into South Africa, but only a few have proven successful under local conditions. In the WCP, these include Mission, Manzanilla, Kalamata, Barouni and Frantonio. However, olives are primarily produced for the upmarket clientele and the export market. It constitutes 2% of the WCP production (Refer to Figure 8).

Location: In Tulbach and Paarl many traditional fruit orchards have made way for this Biblical fruit. Another important area is Worcester with its olive farming and the production of olive oil.

Use: There is a burgeoning local demand as South African consumers becomes aware of the benefits of a Mediterranean diet and in particular the benefits of the olive oil in helping to reduce the risk of heart disease, strokes and cancer (Wesgrö, 2000: 1).

On many farms, olives compliment wine farming, providing jobs for seasonal labourers during the winter season.

### 5.1.5 Herbs and Medicine

Herbs and medicine made up 20% (the second most) of the organic farms of the Western Cape. This includes products such as *buchu*, *aloe ferox*, *Cape May oil* and *Cape Snowbush*.

#### (a) Aloe Ferox

Location: *Aloe ferox* (*Aloe Lateritea*, *Aloe Rabaiensis*, *Aloe Secilidifolia*), grows wild in the WCP. *Aloe ferox* organic farms are distributed from Swellendam through to the Eastern Cape, Southern Lesotho into Southern KwaZulu/Natal - an *aloe ferox* belt (Refer to Figure 5). The highest bitters content (20-28% mass/volume) is derived from aloes in the districts surrounding the mountainous areas of Vanwyksdorp, Albertina and Mosselbay.

Weather conditions: Aloes are sensitive to frost, waterlogged conditions and low winter temperatures. They prefer well drained, loam to coarse sandy loam soils with pH 8.5. Aloes grow wild but can also be (and are) easily propagated.

Use: Currently harvested from the wild rather than cultivated, the plants are not subjected to pesticides, fungicides or fertilisers. The bitter fraction is extracted and used for medicinal purposes. Approximately 80% of all harvested *Aloe Ferox* is exported. The gel is used for its anti-inflammatory and tissue regeneration effect.

#### (b) Buchu

It is an odoriferous shrub with white, pink, lilac or even mauve flowers. In its natural environment, *buchu* prevails on southerly slopes in sandy to sandy-loam soils with low pH levels.

Location: *Buchu* (*Diosma*, *Barosma* & *Agathosa*) is close to extinction. It can be found in mountain areas, from Paarl northwestwards to Citrusdal (Refer to Figure 5).

Use: Currently, most of the *buchu* is distilled and sold as an essential oil that is used primarily in cosmetics and medicines, although an important emerging market is as a

fixative for flavouring agents in the food industry. Furthermore, it is also used as a garden plant and conventional medicine as a cure for rheumatism, stomach disorders, bladder and kidney complaints and gout. When it is powdered, dried leaves are mixed with sheep fat to produce an ointment that gives the skin a healthy sheen and is antibiotic.

Limiting factors: Includes the availability of suitable soils with irrigation water and shortage of suitable propagation material. Critical success factors include identifying the best species for the most acceptable *buchu* to facilitate marketing, identifying and verifying chemical components linked to health aspects and ensuring uniform quality.

### (c) Cape May oil

Cape May oil constitutes 2% of the organic farming practices of the WCP.

Location: Cape May oil (*Coleonema Album*) prevails along the Southern coast of the WCP (Refer to Figure 5). In general appearance, the plant resembles the European May plant. During the flowering season, the small white petals cover the ground like confetti after a wedding, hence the colloquial name -'confetti bush'. *C. album* is a medium to large woody shrub with small ericoid (heath-like) leaves. *C. album* is closely related to the *rutaceae* family. Cape May oil is clear in colour with a fresh herby fragrance and an interesting pepper note. The fragrance is reminiscent of the Cape fynbos.

Weather: In spring and summer the bush is a mass of small, white, star-like flowers, giving an impressive show.

Use: Includes conventional uses and aromatherapy.

**Traditional Uses:** There are many confirmed reports of the leaves being used as an insect repellent. Campers rub their bedding with the twigs to repel mosquitoes and ants. A wash made from the leaves is used as a deodorant and fishermen traditionally rub their hands on the leaves to remove the fishy smell of bait. The leaves add fragrance to pot pourris. There is also anecdotal evidence that leaves added to bath water aids in relaxation.

**Aromatherapy:** Due to the reputed relaxing effects of the leaves used in teas and when added to bathwater, it could add a new dimension to aromatherapy products. The oil can also be added to candles, soaps and oil burners as an insect repellent.

#### (d) Cape Snowbush

Cape Snowbush constitutes 4% of the organic farms in the WCP.

Location: Cape Snowbush can be found in the Gouda area, due to the specific locations of the WCP and Karoo. *Eriocephalus africanus* is a common, fragrant woody shrub that occurs in specific localities in the Western Cape. The leaves are similar to those of rosemary (*Rosmarinus officinalis*), but are greyer in colour. In spring the plant is covered in small white flowers, giving the impression that the plant is covered in snow - therefore the name snowbush. The seeds are covered with a wool - *kapok*.

When Schveyver visited the Cape (circ.1677) he distilled a plant called 'roosmaryn' growing in the Company's garden. This is most likely to be *E. africanus*. In his records he penned "das köstliche Rosemarienöhl" (the precious rosemary oil). This is the earliest record of an essential oil extract from a South African plant (Grassroots natural Products, 2003).

Use: Snowbush has different uses, i.e. flavours, fragrances, traditional uses and aromatherapy.

**Flavours:** Snowbush oil is suited to fruit flavours. It has been used traditionally to enhance the flavour of meat and legumes.

**Fragrances:** With the unique combination of bitter, spiced, artemisia and aromatic notes, it could have exciting potential for new fragrances.

**Traditional uses:** There is little information on the traditional use of *E. africanus*. It is used as a diuretic and has been used to treat oedema and stomach ache.

**Aromatherapy:** Colds, coughs, colic, diarrhoea, dysentery, flatulence, hair tonic, influenza, insomnia, menstruation, muscular pain.

**Other general uses:** It is useful in the treatment of depression. Furthermore, this oil is useful in the treatment of addictive personalities and for those who have no time to allow themselves healing. In addition, it is useful in the treatments of colds and flu, i.e. it eases coughing and helps the body to expel mucus. Finally, it aids digestion, calms intestinal cramps, relieves flatulence and colic and is useful in the treatment of diarrhoea and dysentery.

#### 5.1.6 Rooibos Tea

Rooibos tea constitutes 2% of the organic farms in the WCP (Refer to Figure 7 & 8).

Two kinds of Rooibos tea are found in the Cederberg Mountain environment, i.e. Rooibos tea itself as well as Honeybush tea.

##### (a) Rooibos Tea

Location: Rooibos tea (*Aspalthus Linearis*) is indigenous to the Cederberg area, including places like Wupperthal and ClainWilliam (Refer to Figure 5). The plant is a shrub-like bush with a central smooth bark main stem, which near the soil surface, is already subdivided into various equally strong off-shoots followed by thin, flimsy side branches bearing the thin, sharp, soft, needle-like leaves of approximately 10mm in length, singly or in bunches. According to Wesgro (2000: 14), approximately 25 farmers produce rooibos tea organically. According to Wesgro, this rooibos tea is an emerging market and will be able to flourish in the future.

Use: It has many health properties in beverages and is used in food flavourants, organics, nutraceuticals, traditional medicine and cosmetics. Furthermore, it forms part of the West Coast's Agro-tourism industry.

Case study: The Wupperthal Tea Co-operative is an empowerment project consisting of 50 to 60 small-scale Rooibos farmers, producing  $\pm 300$  tons of wet tea annually (Wesgro, 2000a: 14). In addition, known for their spirit of entrepreneurship, the rural community of Wupperthal offers a special investment and business development opportunity. Apart from

their potential to become a larger supplier of high-quality mountain Rooibos, Wupperthal could also play a meaningful role in the region's eco-and agri-tourism industry. With its historical buildings, national monuments, hiking trail, four wheel drive route and organic farming practices, the picturesque town is a true gem. By enlarging their tea court and storage facilities, annual production could easily be doubled and several more jobs created.

## **(b) Honeybush tea**

Location: Honeybush tea is also of a familiar product, found within this area and part of the rooibos tea culture. The plant grows in the mountains of Clanwilliam (Refer to Figure 5).

Use: It is used for those with weak digestion, a treatment for colic in babies and it helps to relieve insomnia.

The South African Honeybush Tea Producers' Association was formed to enable the Western Cape producers of this beverage to formalise their industry in response to the growing demand for their product.

### 5.1.7 Citrus

Citrus constitutes 8% of the organic farms in the WCP.

Location: Oranges are mostly found in the areas of the Olifants River Valley and Citrusdal (Refer to Figure 5). Furthermore, lemons and oranges can be found on the Schaap River Plaas, located in Ceres (Refer to Figure 5).

Use: Limes, oranges, mandarins, lemons, grapefruit and kumquats are a rich source of Vitamin C juice and are easy to grow.

Weather: These products tolerate only mild frosts and temperatures above -2°C.

South Africa is actually very far behind when it comes to organic food development, although the OAASA states that there has been a 300% to 600% increase in the number of organic producers in the country in 2002 (Health24, 2003).

## 5.2 *Conversion organic farming*

By using AFRISCO's Standards, farmers and operators will be able to move towards accredited organic farming. However, this cannot happen overnight. If land has been farmed with conventional agricultural methods, there may be residues of the chemicals that have been applied (Ferreira Interview, 2003). Farmers also need time to prove in practice that they understand the basis of organic soil nutrition. For these reasons, farmers need to pass through a conversion period.

### 5.2.1 Advantages of organic farming

According to Ponting (1999), from a farmer's point of view, the following are the advantages associated with organic farming:

- It does not pollute the soil and rivers with nitrates from fertilisers;
- It does not introduce harmful toxins into natural systems for the control of insects;
- It encourages the practice of crop rotation, which ensures that different layers of the soil are exploited and none over-exploited. Crop rotation also adds to the soil by the use of 'green manure' - crops grown to be ploughed in;
- It produces more nutritious food;
- It improves soil structure with organic wastes;
- By rotating crops and growing many different types of crop together, it provides smaller niches for insect pests;
- It requires less capital and lowers farmers' debt; and
- It uses less energy.

In addition to this, consumers are motivated by a variety of factors. Some "buy organic" for idealistic reasons based on concern for animals and the environment, while others do for "egotistic" reasons - primarily because organic products have a better taste and/or

quality. However, organic farming in the WCP is highly active (OASSA, 2002: 16) and is seen as the solution to many challenges facing the country, including land reform, household food security, health, environment and waste management.

### 5.2.2 Disadvantages of organic farming

According to Ponting (1999), the following are disadvantages associated with organic farming:

- Lower revenue (but also lower cost),
- Lower yields (but of higher quality),
- Organic farms are often situated among non-organic farms and must endure pests etc. which spill over from them, and
- It is more labour-intensive (but less capital intensive).

### 5.2.3 Converting to Organic Farming

The promotion of a decentralised system for agriculture would allow massive cuts in expenditure on transport infrastructure. In return, people will be able to eat fresher, healthier food, free from all preservatives and other processing agents (Norberg-Hodge, 2001: 53). However, before this can happen, farmers experience some loss in yields after discarding synthetic inputs and converting their operations to organic production. Before restoration of full biological activity (e.g. growth in beneficial insect populations, nitrogen fixation for legumes), pest suppression and fertility problems are common. It could take years to restore the ecosystem to the point where organic production is possible. In these cases, other sustainable approaches that allow judicious use of synthetic chemicals may be more suitable start up options. One strategy involves converting farms to organic production "instalments", so that the entire operation is not part of the risk.

However, to do this successfully, soil analysis needs to be completed. Soils are an integral part of any tree and crop problem (Bioscape, 2003). Very often soil chemistry is overlooked and may hold the critical evidence to a particular tree and or crop decline. Extensive knowledge and experience in examining and dissecting soils and the chemistry behind them is a requirement. Therefore, we not only can examine the soil's particular

physical structure, but it's chemical structure as well. Soil conditions can ultimately affect the long-term health of any ornamental, fruit or other type of tree and or plant in general.

During the conversion period, operators will be certified as "in conversion" and then use AFRISCO's "organic on conversion<sup>iv</sup>" logo<sup>v</sup>. Therefore, farmers and agri-businesses who seek to sell their products in developed countries, must hire an organic certification agency (i.e. COPA and OAASA for the WCP<sup>vi</sup>) to annually inspect and confirm that they adhere to the standards established by various trading partners.

### **5.3 Summary**

After exploring the different kinds of organic farming practices in the WCP, it is noted that most of the organic farms are sporadically distributed within the WCP. This study also indicated that there are clusters of organic farms, for example Paarl, Stellenbosch and Clanwilliam. There seems to be a trend that it only takes one farmer within a region to convert to organic farming before the others will follow.

Therefore, the assumption can be made that conventional farms can safely convert to organic farms, although it will have to go through a process to be classified as an organic farm. In addition to this, it is necessary to consider to which extent municipal commonage land can be used for sustainable agriculture, i.e. organic farming.

## 6. Municipal Commonage Land for Sustainable Agriculture

Municipal commonage land provides opportunities for land reform, primarily because it is public land, which does not need to be acquired and because residents have certain rights in law to this land (Anderson, 1996: 1).

The term “commonage”<sup>vii</sup> is traditionally applied to land surrounding a town and owned by the municipality or local authority. It is usually acquired through state grants or from the church. It differs from other municipal-owned land in that residents acquired servitudes of grazing on the land or in that the land was granted expressly to serve the interests and needs of the inhabitants of the town. The commonage land as referred to in this document does not include communally-owned land held in trust by the state, i.e. land occupied and administered by tribal authorities. Furthermore, the term did not generally apply to land which fell within the former “homelands”, “coloured rural reserves”, or mission settlements.

Community projects that have begun on commonage land are indicative of the potential opportunities provided by such land for local development projects. These projects have been predominantly grazing projects, but have also included vegetable gardens, small business initiatives and tourism. These experiences also point to a number of constraints that need to be addressed in order for commonage to be successfully utilised for land reform. The culture of the dominant group within *apartheid* towns is etched into the landscape of the commonage - commercial agriculture, golf courses, shooting ranges for use by local commandos and sport- and show-grounds (Anderson, 1996: 1).

On the contrary, protecting soils and enhancing their fertility (land stewardship) implies ensuring productive capacity for future generations. However, in the search to improve soil quality for the future (probably the single most important factor to determine whether farmers are interested in the issue), is whether they will benefit from change. Security of land tenure is, therefore, an extremely important factor in this respect (Schialabba, 2000:16). If land security is not guaranteed, there is little reason for farmers to invest in a method that will bring them income in the future rather than immediate rewards.

## **6.1 *Local Municipality's role in Converting Commonage land to Sustainable Agriculture***

Based on the research done by Anderson (1996: 2), commonage projects seem to cater predominantly for grazing purposes and interviews with NGO's officials indicated that grazing projects across the commonage programme tend to involve men. Newly acquired commonage lands are frequently situated some distance from towns. Given the extremely limited access afforded to "traditional"<sup>viii</sup> commonage, it is a fair conclusion to make that the dual effect of distance and lack of resources to purchase and maintain stock effectively, rules out any participation by the poor and notably women.

However, to convert this municipal commonage land into (sustainable) agriculture, consumes time and money. One way of acquiring this is through a Trust (Refer to Annexure 5 for an example of a Trust deed document for establishing such a Trust).

## **6.2 *Legislation affecting Communal Property Associations and Land Trusts***

Acquisition of land by beneficiaries of the land reform programme, is mostly done on a communal basis - given the financial limitations associated with such individuals and the size of the farm units available for sale. Of primary importance to group land ownership arrangements is the setting up of legal entities, which can own and manage land (Pienaar Interview, 2003 & Kara Interview, 2003). Options include Section 21 Companies, Associations of Persons, Companies and Closed Corporations, Trusts and Community Property Associations (CPAs<sup>ix</sup>). For rural communities who wish to own land as groups, the choice is essentially between the Trust and CPA options.

The Communal Property Association Act No. 28 of 1996 (RSA, 1996), was established to provide a framework for community land management institutions, i.e. in effect to provide an institutional vehicle for rural communities wishing to acquire land. This Act gives the Minister, at his discretion, the right to waive provisions of the Subdivision of Agricultural Land Act of 1970 in terms of land belonging to a CPA, thus enabling a more flexible approach to the land rights of the members.

A problem both Trusts and CPAs share is ensuring that these legal arrangements are effective in the longer term. Long term sustainability requires investments in facilitation and institutional linkages - both of which have time and costs implications. In short, land reform policy does not address critical micro-institutional issues, as the focus is on the acquisition of rights rather than on what is needed to sustain them. It is therefore vital to develop a common purpose between the Department of Land Affairs and the Department of Agriculture to maximise the opportunities for synergy (Anderson, 1996: 5). If this does not take place, the current situation of "buck passing" for projects, which are not using their agricultural resources sustainably will continue to get worse.

### **6.3 Summary**

Municipal commonage land is one possibility to ensure that sustainable agriculture is well managed. However, some challenges do exist. On the one hand, land tenure security should be guaranteed, otherwise there is very little reason for the farmers to invest in organic farming. On the other hand, soils and the fertility have to adhere to municipal supervision.

Against the above background, it should be noted that the correlation between the success of municipal commonage land and sustainable agriculture should be investigated separately. After exploring the different kinds of organic farms and the link with municipal farms, the WCP's soil and the related degradation will be investigated.

## 7. WCP 's Soil and Land Degradation

Shortly after the First World War, South Africa experienced severe drought and its own 'dust-bowl' phenomenon. At that time, there was no regulatory system in place to address soil conservation.

The impetus to tackle soil erosion on a national scale arose after a Senate Select Committee report on Droughts, Rainfall and Soil Erosion in 1914. This was due to the erosion that has always been a problem in South Africa and there is evidence of traditional approaches to soil conservation. Generally, South Africa's soils are fragile and easily eroded by wind or water.

The Committee recommended the establishment of a single centralised administrative system that would engage in public awareness and implement conservative land management practises (Western Cape Province, 2000: 2). It recognised the problem to be caused by human and therefore recommended measures that were protectionist in nature, i.e. to keep humans out of problematic areas.

### 7.1 *Soils and Land Degradation*

According to Oettle, *et al.* (1998: 8), soil conservation is an example of the need for reform of Government programmes, just like land. Legislation and policy require revision in order to enable a process in which:

- underlying causes of soil erosion are addressed,
- ethnical and social issues are combined,
- Farmers are empowered to choose and adopt technologies and approaches appropriate to their local circumstances, and
- Schemes in communal areas are negotiated - so that stakeholders understand and participate in the management plan and have a vested interest in making it work.

### 7.1.1 Current status of the WCP Soil

The estimated loss of topsoil in South Africa is approximately 400 million tons per annum (Gelderblom, 2002: 11-12). The WCP is not excluded from this degradation, which is a result of the incorrect utilisation of the plant, water and soil resources. The WCP has the second lowest provincial soil degradation index in South Africa (Western Cape Province, 2000: 1). According to Hoffman (1997: 508), areas of steep slopes, low annual rainfall and high temperatures are particularly susceptible to high levels of degradation.

Soil degradation is insignificant in most agricultural lands, but affects some commercial areas in the Little Karoo and the Vanrhynsdorp (Western Cape Province, 2000: 1). In general, the northeastern districts are well managed. The most degraded areas are Hermanus on the south coast and Montagu, Oudshoorn and Calitzdorp in the Little Karoo (Refer to Figure 9).

### 7.1.2 Addressing the soil problem

As mentioned earlier, organic farmers are concerned with the "bigger picture", namely, the health of the soil and the ecosystems on their farms. This is why organic farming is touted as sustainable and conventional farming has been labelled unsustainable (Health24, 2003). In this regard, it should be noted that natural, untouched soil is teeming with microbiotic organisms. These organisms live amongst the natural plant life and the inorganic minerals that make up the soil's substrate. Pesticides and inorganic fertilisers destroy these microbiotic organisms and the soil becomes merely an anchor for plants.

Soil building practices, i.e. crop rotations, intercropping, symbiotic associations, cover crops, organic fertilisers and minimum tillage are central to organic practices (Ferreira, 2003). These practices encourage soil flora and fauna, improving soil formation and structure and creating more stable systems. In turn, nutrient and energy cycling is increased and the retentive abilities of the soil for nutrients and water are enhanced, compensating for the non-use of mineral fertilisers. Such management techniques also play an important role in soil erosion (land degradation) control. The length of time that the soil is exposed to erosion forces is decreased, nutrient losses are reduced, helping to

maintain and enhance soil productivity. Crop expectation of nutrients is usually compensated by farm-derived renewable resource, but it is sometimes necessary to supplement organic soils with potassium, phosphate, calcium, magnesium and trace elements from external sources (Ferreira, 2003).

Added to the above, organic farmers employ natural pest controls, e.g. biological control, plants with pest control properties - rather than synthetic pesticides, which, when misused are known to kill beneficial organisms, cause pest resistance and often pollute water and land (Agriculture21, 2003).

In this regard, Agro-Organics put some (organic) fertilisers on the market, especially for organic farmers but conventional farmers also use it to combat bad soil (Ferreira, 2003). The intention is to address organic measurements, i.e. sicknesses and pests with the safest, least toxic products. In this regards, products like *Seagrow*, *Biogrow*, *Marinure-DS*, etc. adds to the plant feeding, which contains seaweed, natural organic manure, fish emulsion and natural growth hormones and consequently leads to the following (Ferreira, 2003) (Refer Annexure 4):

- ensure a higher production,
- make soil more fertile, and
- keep organic organisms in the ground.

### 7.1.3 Technology and Soil Degradation

Modern techniques such as aerial/satellite photography and GIS can enhance soil conservation and land use planning - and they can be used in the small-scale farming sector (Oettle et al. 1998: 27). However, since their application is usually driven by top-down technocratic approaches, there is danger that local participation, knowledge and social issues are not given adequate weight.

## 7.2 *What makes soil good "enough" for Organic Farming?*

The ultimate soil for organic farming is to have a fertile soil, which is mainly maintained by the use of leguminous crops, livestock manure, naturally occurring minerals and organic weeds (Norberg-Hodge, 2001: 65). However, this option is not always possible, therefore other possibilities should be investigated as described in the following paragraph.

Firstly, according to Schlomes (Interview 2003), it is virgin land, i.e. it has never been cultivated. This will include Fynbos and Renosterveld<sup>x</sup>. Secondly, it will be sandy soil, found in high rainfall areas, with no or little pollution, which is due to the high degree of alkaline. Furthermore, there will be a low cation-exchange capacity, as found within clay soils and where soil is organically treated (with fertilisers), which is dystrophic<sup>xi</sup> soils (Refer to Figure 4). Thirdly, where extensive agriculture is practised. This will include natural grazing as well as dry land for grain and related products. Lastly, added to this that the soil should have a biodiversity itself. With reference to Figure 9 below, it is evident that this type of soil is found in the belt along the Western Cape coast.

## 7.3 *Summary*

Despite the sensitive areas along the West Coast of the WCP and the soil-degraded areas along the coastal belt of the WCP, it can be understood that the current soil condition is not a serious problem for the WCP. This is due to the most fertile soil, i.e. dystrophic soils, found along the WCP's coasts. In addition to this, it should be noted that organic farming should not be considered in the sensitive, soil degraded areas but rather be applied in the dystrophic soils, ensuring sustainable agricultural practices.

A possibility for ensuring this is through using municipal commonage land, which has been investigated in the next chapter.

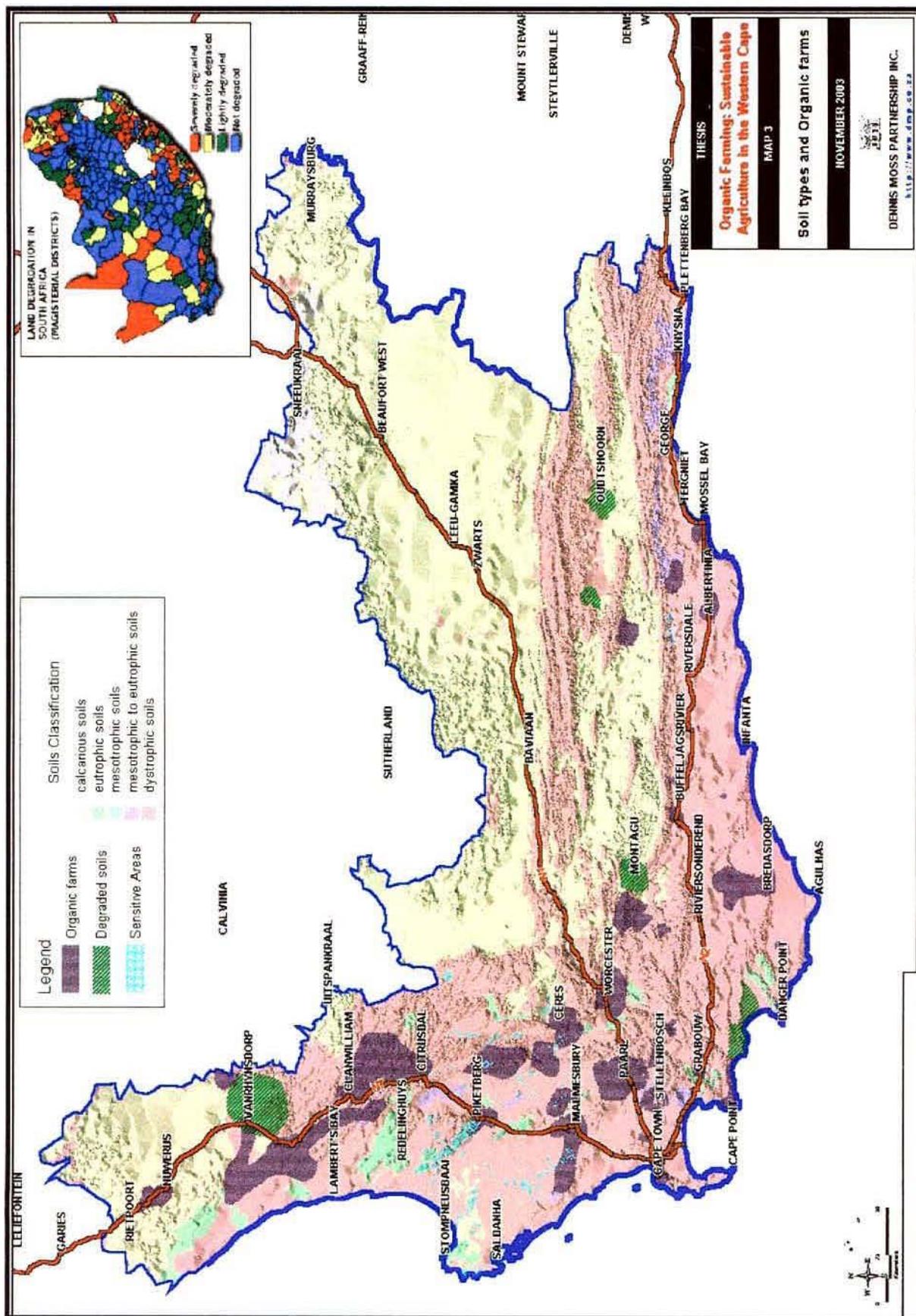


Figure 9: Soil potential of the WP and the Location of the Organic Farms

Note: Information was sourced from the Internet and should not be regarded as all-inclusive (Refer paragraph 2.2)

## 8. Case study – Go Organic at Spier

The researcher decided to do a case study of an organic farm that adhere to the following criteria:

- \* Municipal commonage land has been used;
- \* Organic farming is being practiced;
- \* Soil are endangered; and
- \* Small-scale farmers are involved.

With these criteria, the researcher decided on "Go Organic at Spier" (GOAS), at the Spier complex, which is based near Stellenbosch in the Boland District Municipality.

### 8.1 *Background*

GOAS was part of a number of companies clustered under Spier Holdings (Pty) Ltd. The agricultural components of Spier do not make up a large component of the total business but are an important part of their social responsibility programmes. They have a philosophy governing its operations – the "triple bottom line" involving "an integration of economic viability, social equity and environmental integrity" (Mayson, 2003: 4).

In 2000, Spier developed an organic vegetable farm, the GOAS project, on 20 hectares of commonage land leased from Stellenbosch municipality on a 45-year lease. Using a loan obtained from the Khula Land Reform Credit Facility, a joint venture was set up which included small-scale farmers owning 27,5% of the venture and Spier owning 72,5%. Five farmers were drawn into the project (Mayson, 2003: 4).

### 8.2 *The management at GOAS*

The farming took place as a collective with five farmers. The organically produced vegetables were packed and marketed by the Dewcrisp Company for supermarkets. Spier's Sustainability Institute provided mentoring support while a local NGO, the Stellenbosch Business and Learning Centre, provided support to the farmers.

According to Mayson (2003: 4), this venture did not succeed, due to a number of reasons:

- The overheads and debt burden were too high for the size of venture;
- Organic inputs are much higher, but the yields are lower, making it more expensive;
- The single channel marketing meant that the buyers could set low prices; and,
- The lack of education of consumers in that they only want a top-quality *looking* product, which is difficult with organic products.

Spier management then decided to stop the project in that form. In early 2002, the company and the farmers concluded that organic farming was not viable with Spier soils in the form and at the scale that GOAS was undertaking it. Furthermore, Spier management felt that the model of farming, which had been used, was not sustainable at that scale.

### **8.3 Stellenbosch Municipality's role towards GOAS**

Although local government should be the primary lever of sustainable, integrated planning and development in a people-centred, demand-driven developmental approach, this tier of government is far from fully operational in respect of financial, technical, staffing and infrastructural capacities. This is a huge constraint, with regard to supporting sustainable agriculture, for the following reasons:

- It is the tier of government, which is closer to grassroots and farmers organisations;
- It is also the tier of government, which has been entrusted with the responsibility to design and manage the implementation of an integrated local economic development plan; and

### **8.4 Establishing a Trust**

After a business planning session, Spier took responsibility for the loan from Khula and changed the model. Under the new venture, the total 100 hectare of commonage land leased by Spier was made available for up to 20 small-scale farmers. The land has a guaranteed supply of water, being linked up to the Theewaterskloof irrigation system. An annual rent for the land and water is payable to Spier.

The seventeen current farmers are organised in a Trust called "Organic Land Holdings" and a linked financial co-operative, the "Wineland and Employees Savings and Credit Co-operative", has been established. There are no clear criteria for membership, but "determined farmers" are wanted as members and it is expected that there will be a "natural selection" process – those farmers that do not succeed will fall out.

The Trust will hold the lease and some tasks will be done co-operatively. Each individual farmer, however, will have access to and responsibility for up to 5 hectares. Farmers will be encouraged to do organic farming, but it will not be the only form of production, and they will not rely on the single channel markets. Using the farmers' current marketing channels and jointly developing alternative channels through the Trust is key amongst the plans for the farmers.

### **8.5 *The Role of Spier***

The role of Spier has changed substantially in the revised model. It has no share in the proceeds from the current venture but it is involved in a number of aspects:

- The provision of the land for the project is the basis of the relationship;
- The provision of certain equipment, most importantly irrigation equipment;
- The provision of machinery and other equipment on a low rental basis;
- Mentoring in key areas of farming, organic farming and marketing; and
- Links to Spier will probably mean easier access to credit.

### **8.6 *Production of the Farm***

GOAS is the largest black-owned and managed commercial farming operation in the WCP (Mayson, 2003: 4).

Only five hectares are currently under cultivation, but each hectare is producing R10 000 a month and plans are under way to cultivate 100 adjoining hectares to meet growing demand (Farlam, 2000).

## 8.7 Summary

It became evident that the original model for GOAS was not a successful organic farm as aspired to, although it adhered to the researcher's criteria stated earlier in paragraph 8. A possible reason could be that it was not profitable for the farmers. However, this case study can be a learning experience for any farmer, whether conventional, a converting farm, or an organic farm.

## 9. Conclusion and Recommendations

Although organic farming is often separated from sustainable agriculture, the research turned out to be an expedition; exploring the South African and more specific the WCP's organic farming. Organic agriculture is not widely practised in the WCP, because the demand for organically grown products is still very small and standards for monitoring such production are not well developed. In this regard, it will be worth to examine whether the aims of the study were reached.

### 9.1 *Aims reached*

#### 9.1.1 Sustainable Agriculture

Although organic farming is one of the schools of thought of sustainable agriculture, organic farming is practiced by farmers to ensure better and sustainable yields, higher income and lower costs. In this regard, it became evident that organic farming does lead to sustainable agriculture. This is due to the soil and environmental conservation considerations, which forms part of the organic certification requirements.

#### 9.1.2 Location of organic farms

The organic farms are sporadically distributed in the WCP. With the diversity of products, many of the products are exported to overseas countries.

#### 9.1.3 Best locations for organic farming

The best locations for organic farming are the virgin land as well as the dystrophic soils found in a belt along the WCP coastline.

#### 9.1.4 The utilisation of municipal commonage land

Lastly, municipal commonage land can be used for organic farming and sustainable agricultural practices. However, to be successful, the necessary measures such as the functioning of the Trust, should be in place and be sustained.

### 9.2 *Converting to organic farming*

Only 33% of agriculture (horticulture and crops) in the WCP is used as organic farms. The question can be asked why this is, since the WCP can offer the following positive aspects, *inter alia*:

- \* dystrophic soils,
- \* municipal commonage land that has and can still be turned over to communities and farmers,
- \* relatively abundant water,
- \* suitable climate,
- \* organisations supporting organic farms that are functioning within the WCP and
- \* first province initiating an organic farming bill and biodiversity bill.

Despite all the above, there seems to be a national trend that organic farming is not as successful as aspired to. The question that can be asked: should the organic farming practices be stopped, leading to unsustainable agricultural practices and degraded soils or should the WCP continue pursuing the trend established by themselves? In this regard, the following paragraph will raise possible recommendations for the WCP's Department of Agriculture.

### 9.3 *Recommendations for Provincial Administration: Department of Agriculture*

#### **Objective for the organic farming policy**

- \* Convince conventional farmers to convert to organic farming.

## Principles

- \* Strive towards sustainable agriculture for the WCP.
- \* Give priority to small-scale farmers and municipal commonage land.
- \* Local municipality work together with province and the small-scale farmers.
- \* Always consider the biodiversity of the WCP.
- \* Integrate organic farms, and sustainable agriculture as part of the Integrated Development Planning (IDP), Sectoral plans, Spatial Development Frameworks (SDF) & Spatial Development Plans (SDP), of the municipal area.
- \* Availability of resources such as water and soil should always be considered.

## Strategies

- \* Financing arrangements: Funds, subsidies and incentives should be made available. International funds such as Global Economic Fund (GEF) should be considered. Public-private partnerships should be promoted.
- \* Ensure that institutions and frameworks are in place before organic farming is practiced. This will ensure successful programmes as an outflow.
- \* Sensitive areas, such as coastal areas, as well as degraded areas, should be off-limits for agricultural practices.
- \* Rezoning of agricultural land should be managed and regulated by the municipality, and ensure that industrial agriculture takes place in accordance with the policy.
- \* Involve farmers, the farm workers and the community as an initiative for job creation and recreation.
- \* A compatible GIS should be established by the local municipality to keep track of organic farms and the delivery of municipal commonage land, which are updated on a regular basis.
- \* Establish and sustain an effective institutional framework, which will ensure a safe and sustainable environment for all the farmers of the Western Cape.
- \* Strong partnerships will be required not only between government agencies, but between NGOs, CBOs, women's groupings, holders of traditional knowledge, the private sector, the scientific community, and private individuals.

## **Programmes**

- \* Create market places in close vicinity of the small-scale farmer and the communities to sell their products to the local community. Provide these places with the necessary facilities, which will fit into the landscape, and are accessible with the required parking.
- \* Training courses should be made available to conventional farmers and those aspiring to convert. Regular workshops, with reference to production, soil and fertilisers, and liscencing, should be held for the farmers as well as the farm workers. This training material should be made available on the Internet and libraries.
- \* Assign scientists and the Provincial Administration to do regular research on organic farming, keeping the databases maintained.

### **9.4 *Limitations of the research***

If more time could be allocated to this research, more substantial information could have been gathered and more case studies could have been utilised for comparative purposes.

The study is also limited due to the limited information, suggesting that the Internet should not be used as the only source for gathering information.

With this research, the researcher concentrated on the hard, empirical side of research on the topic. However, attention should also be paid to the human side, i.e. opinion and thoughts of people: stretching from farmers and farm workers who work on the farm with the products. More interviews would therefore also have contributed to the study.

### **9.5 *Future research topics***

1. This research only addressed the general aspect of organic farming, which is often viewed as an agricultural practice so expensive that only rich people can afford it. What about the poor people? With the GMO's and the Green Revolution in the background, what can we do to ensure that we help the poor in one of our basic needs?

Persisting world hunger has demonstrated that agriculture alone (be it conventional or not) cannot alone lead to food security. Still, many questions are asked with regards to the ability of organic agriculture to provide food on large scale and many more speculations are made, without any comprehensive data basis. No global evaluation of the contribution of organic agriculture to food security exists, essentially due to the small place it occupies within the agriculture sector as a whole.

2. Agri-tourism is also an unique opportunity where, instead of taking the product to the customer, the customer is brought to the product (Gelderblom, 2002). In this regard, organic farming practices can be used as an adventure for tourists to experience farm life, picking and packing the fruits, visit organic compost sites, etc.

## Endnotes

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- <sup>i</sup> Conventional: means any material, production or processing practice that is not verified "organic" or organic in conversion" (AFRISCO, 2001: Section 1).
- <sup>ii</sup> GIS links information about physical locations with tabular information and statistics about locations for analysis and mapping of data. GIS allows the visualisation of patterns, relationships and trends by providing a new tool to explore a complex world. GIS is being used worldwide, i.e. public agencies are utilizing GIS for zoning, parcel mapping, Health and Human Services, transportation, law enforcement, emergency management, natural resource management, etc. (<http://www.region7erdc.org/page6.html>).
- <sup>iii</sup> Biodiversity (Biological diversity) "means the diversity of animals, plants and other organisms, including the diversity of animals, plants or other organisms found within and between ecosystems; habitats; the ecological complexes of which these systems and habitats are part; and species (National Environmental Management: Biodiversity Bill of 2003).
- <sup>iv</sup> "Organic in Conversion": According to AFRISCO (2001, Section 2), this refers to a productive system which has adhered to the organic standards for at least one year and has been certified as such, but does not qualify as fully organic.
- <sup>v</sup> Certification logo: is a mark or symbol that has been registered by the Executive Officer, indicating that compliance with these standards has been verified.
- <sup>vi</sup> Individual producers cannot use IFOAM Standards, because IFOAM does not operate an inspection or regulatory procedure. They must use the standards operated by a national organisation in the country in which they farm.
- <sup>vii</sup> Commonage land or commonage pasture lands are lands adjoining a town or village over which the inhabitants of such town or village either have a servitude of grazing for their stock and more rarely, the right to cultivate a certain portion of such lands or in respect of which the inhabitants have conferred upon them by regulation certain grazing rights (Donges & Van Winsent, 1953: 303).
- <sup>viii</sup> "Traditional" commonage land refers to land set aside by the state at the establishment of a town, compared to "new" commonage land, which refers to land purchased from private owners after 1994 with public funds for land reform purposes, which is then transferred in ownership to a municipality.
- <sup>ix</sup> CPA is a "juridictic person (i.e. it may sue, and be sued) and may acquire and dispose of immovable property.
- <sup>x</sup> The Fynbos Biome comprises two broad veld types, namely Fynbos and Renosterveld. Fynbos vegetation types are characterised by the presence of a restioid component, belonging to the Cape Reed Family, an ericoid or heath component, and a proteoid component, which presents the dominant over-storey in this vegetation type. Renosterveld is characterised by the dominance of members of the Daisy Family (*Asteraceae*), specifically one species, namely Renosterbos (*Elytropappus rhinocerotis*), from which the vegetation type gets its name.
- <sup>xi</sup> Dystrophic soils are markedly leached soil, which has lost calcium levels and are more clayey soils. It is sandstone- and dolerite-derived lithosols with yellow-brown or red apedal topsoil. It is mostly found in the western Northern Cape and Western Cape Provinces of Southern Africa.

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## 11. Interviews

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2. Germishuys, H. 12 June 2003 **Interview: Legislation effective on Organic Farming and Sustainable Agriculture in the Western Cape Province.** (Chief Director at Provincial Administration: Department of Agriculture and Fisheries)
3. Kara, M 15 June 2003 **Interview: Municipal commonage land for sustainable and organic farming.** (Manager at Go Organics At Spier)
4. Pienaar, K. 23 June 2003 **Interview: The Commonage land change for sustainable agriculture, i.e. organic farming, in the Western Cape Province.** (Lawyer at Legal Resources Centre)
5. Schlomes, B. 13 June 2003 **Interview on Best Practices for Organic Farming in the Western Cape Province.** (Lecturer at the Department of Geography and Environmental Studies, University of Stellenbosch)

## Annexure 1: Statistical Analysis

**List of Organic Farms in the WCP**

<b>Product</b>	<b>Category B Municipality</b>	<b>Area (in Ha)</b>	<b>Percentage</b>
Aloe Ferox	Eden	16570	2.15
Aloe Ferox	Eden	14150	1.83
Aloe Ferox	Eden	10690	1.39
Aloe Ferox	Eden	16647	2.16
Aloe Ferox	Overberg	8203	1.06
Apples	Boland	21250	2.76
Apples	Overberg	2204	0.29
Apples	Overberg	5019	0.65
Apples	West Coast	3364	0.44
Buchu	West Coast	20220	2.62
Buchu	West Coast	48620	6.31
Cape May Oil	Overberg	15690	2.03
Citrus	Boland	14640	1.90
Citrus	West Coast	1443	0.19
Citrus	West Coast	46640	6.05
Grapes, Wines, Raisins	Boland	4	0.00
Grapes, Wines, Raisins	Boland	6588	0.85
Grapes, Wines, Raisins	Boland	41790	5.42
Grapes, Wines, Raisins	Boland	15440	2.00
Grapes, Wines, Raisins	Boland	59550	7.72
Grapes, Wines, Raisins	Boland	14110	1.83
Grapes, Wines, Raisins	Boland	5683	0.74
Grapes, Wines, Raisins	CMA	2279	0.30
Grapes, Wines, Raisins	CMA	171	0.02
Grapes, Wines, Raisins	Eden	295	0.04
Grapes, Wines, Raisins	West Coast	128900	16.72
Herbs (Cape Snowbush)	Boland	4613	0.60
Mangoes, bananas, pineapples	Boland	24920	3.23
Mangoes, bananas, pineapples	West Coast	12470	1.62
Olive	Boland	3854	0.50
Olive	Boland	11960	1.55
Peaches	Boland	6613	0.86
Peaches	Overberg	2452	0.32
Potatoes	West Coast	8919	1.16
Potatoes	West Coast	7176	0.93
Potatoes	West Coast	7304	0.95
Rooibos Tea	West Coast	12400	1.61
Vegetables	CMA	6013	0.78
Vegetables	Eden	6685	0.87
Vegetables	Eden	6738	0.87
Wheat	Eden	511	0.07
Wheat	Overberg	1998	0.26
Wheat	Overberg	52760	6.84
Wheat	Overberg	815	0.11
Wheat	Overberg	2321	0.30
Wheat	West Coast	21830	2.83
Wheat	West Coast	48610	6.30
<b>Total</b>		<b>771122</b>	<b>100.00</b>

**Classification of Land Use in the WCP\***

	<b>Area (ha)</b>	<b>Percentage</b>
Agriculture (Crops, Horticulture)	2 360 389	18.2
Natural Veld (Stock farming)	10 568 923	81.6
Urban	20 688	0.2
<b>WCP</b>	<b>12 950 000</b>	<b>100</b>
Organic farming	771 122	33

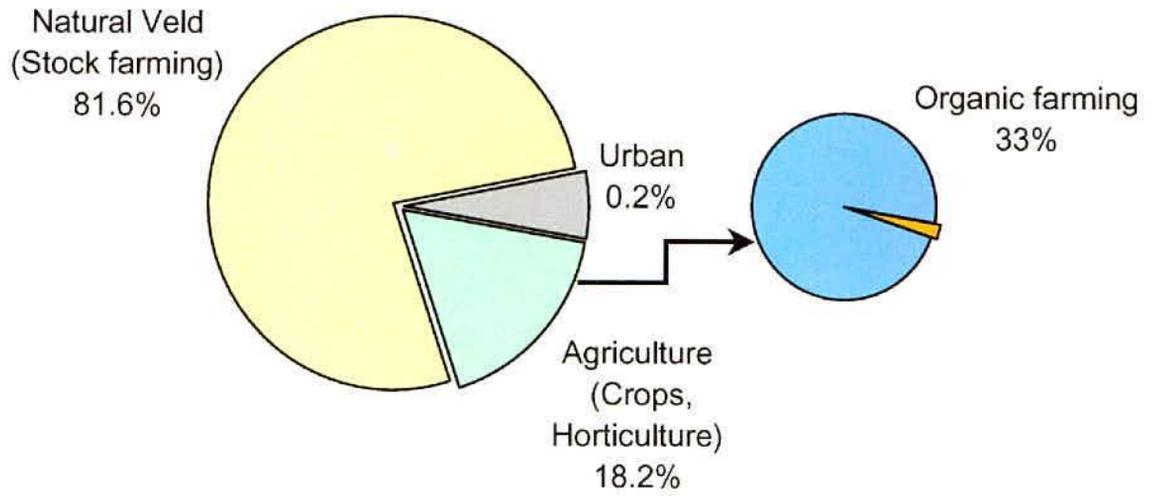
\* *Research Intervention*

**Land Use of the WCP\***

<b>Land Use</b>	<b>Percentage</b>
Stock farming	43
Crops	36
Commercial forestry	4
Conservation	3
Undetermined	14
<b>Total</b>	<b>100</b>

\* *Read with paragraph 5*

**Chart 1: Organic Farming, part of the WCP Agriculture**



<b>Municipalpty</b>	<b>Area (in Ha)</b>
Boland	231 015
CMA	8 463
Eden	72 286
Overberg	91 462
West Coast	367 896
<b>Total</b>	<b>771 122</b>

## **Annexure 2: Organic Farming products in the WCP**

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Product	Scientific Name	Uses	Location <sup>1</sup>	Remarks	Websites	%
<b>Drinks (Rooibos Tea)</b>						2%
Rooibos Tea	<i>Aspalathus Linearis</i>	Health properties in beverages, food flavourants, organics, nutraceuticals, traditional medicine, cosmetics. Agro-tourism	150 km radius from Clanwilliam (±23 000 ha)	±25 farmers produce Rooibos organically	<a href="http://www.rooiboste.co.za/natural-teas-farming.html">http://www.rooiboste.co.za/natural-teas-farming.html</a>	
Honeybush Tea		For weak digestion can easily enjoy this tea. It has been a treatment for colic in babies. It also helps to relieve insomnia.	150 km radius from Clanwilliam		<a href="http://www.rooiboste.co.za/natural-teas-farming.html">http://www.rooiboste.co.za/natural-teas-farming.html</a>	
<b>Fruit</b>						53%
Citrus	Oranges, Lemon	Raw fruit, Export to overseas countries	Ceres (Hex River Valley and Schaap Rivier Plaas), Olifants River Valley (5300 ha).	Women part of these industries. Become smallholders especially those on the Schaap Rivier Plaas, Ceres.	<a href="http://www.citrusSA">www.citrusSA</a>	8%
Deciduous (Soft) Fruit	Apples, Pears		Elgin, Grabouw			6%
Grapes, Wine, Raisins			Stellenbosch, Paarl (11ha), Robertson, Worcester, Swartland, Tulbach, Overberg, Calitzdorp and Cape Point Breede, Hex (almost exclusively table grapes), Olifants and Orange Rivers	Farm workers development: get small portion of farm		35%
Mangoes, bananas, peaches, plums, pineapples		Fruit eaten raw, exported to market	Nieuwoudtville and Robertson			5%
<b>Herbs &amp; Medicine</b>						20%
Aloe Ferox	<i>Aloe Lateritea</i> , <i>Aloe Rabaiensis</i> , <i>Aloe Secilidifolia</i> .	Refined into gels and powders for cosmetic purposes.	Albertina, Swellendam, Mosselbay, Buysplaas, Herbertsdale, Van Wyksdorp			9%
Buchu	<i>Diosma</i> , <i>Barosma</i> & <i>Agathosa</i>	Garden plant, traditional medicine (cure rheumatism, stomach disorders, bladder and kidney complaints, gout). Relieve stomach complaints. Powdered dried leaves are also mixed with sheep fat to	Endemic to Mountain areas of Paarl to ClaimWilliam	Conserve, because protected flora	<a href="http://www.ecdc.net.cn/events/innovative07/innov07_013.htm">http://www.ecdc.net.cn/events/innovative07/innov07_013.htm</a>	9%

		produce an ointment that gives the skin a healthy sheen and is antibiotic.				
Cape May Oil	<i>Coleonema Album</i>	Insect repellent and deodorise, fragrant potpourri, relaxation.	Southern coast of WC			2%
Cape Snowbusch	<i>Eriocephalus Africanus</i>	Enhance flavours of meat and legumes, treatment of stress related ailments, improve sleep patterns.	Specific locations in WC, especially Gouda area			2%
<b>Vegetables</b>						<b>6%</b>
Potatoes	Cultivars: Aviva, Baroc, Calibra, Caren, Charlie, Darius, Dawn, Devlin, Hoëvelder, Mnandi, Ronn, Ropedi and Rotharo		Sandveld Region, i.e. Darling, Piketberg, Ceres			3%
Cucumbers, tomatoes, pepers			Cape Town (3 550m)		Organic vegetables are a growth sector at present ( <a href="http://www.defra.gov.uk/exports/country_pages/sa.htm">http://www.defra.gov.uk/exports/country_pages/sa.htm</a> ).	1%
Olives			Paarl (300ha) and Tulbagh	Produce 750 tons of olives a year		2%
<b>Grain/Cereal</b>						<b>17%</b>
Maize, Corn, Wheat			Plettenberg Bay (Overberg Area), Klaver, Malmesbury and Moorreesburg			17%

<sup>1</sup> Note: The location referred to is given according to the place, but does not mean the whole area as indicated on the maps.

## Annexure 3: Semi-Structured Interview Questions

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### 1. (Provincial) Dept of Agriculture: Mr H Germishuys

Has any organic farming policy been written? How far is this policy then?

What does his policy address?

On what principles are it based?

### 2. Agro-Organics concerning fertilisers for organic farms: Dr Strauss Ferreira

What products do your company produce to enhance the soil fertility?

The products you have on the market are mainly chemicals. What other products do you have available that are more environmental friendly?

According to you, is organic farming the way forward for sustainable agriculture?

### 3. Mr. Schlomes (Geography Dept)

What is the best location of organic farms?

What characteristics does good soil have?

### 4. Mr. Moegamat Kara (Go Organics at Spier)

Can land provided by the Municipality, i.e. commonage land, be utilised for sustainable agriculture?

What factors play a role when land is provided to the small holder farmer?

What is the soil status of the commonage land provided?

Is the trust a good option for steering the land? What other options is available?

**Annexure 4: List of Products produced by Agro-Organics**

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various food crops.

**Application:** Apply by spraying at a concentration of 500mL/100L water.

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#### \*SHIELD-AZ

A broad spectrum contact insecticide for the control of **whitefly, red spider mites, leaf miners, aphids, bollworm and thrips**. Contains natural plant extracts from **Nicotiana sp** and other substances. The concentrate is harmful if taken in. **When sprayed in a confined area a mask and protective clothing must be worn.**

**Application:** Apply preventative - 1 to 2L Shield-AZ in 100L water. Short withholding period of 3 days

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#### \*CITRO-CURE WETTER STICKER

A Wetter Sticker containing extracts of citrus oils.

**Application:** Apply at a rate of 250mL per 100L of water

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#### XTERMINATOR

A wide spectrum contact insecticide containing **Pyrethrum** and essential oils as active ingredients. For controlling **white flies, ants, red spider, worms** and **thrips** on various plants such as fruit, vegetables, shrubs and trees.

**Application:** Apply at a rate of 250mL/100L of water.

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#### \*EXPELLAR

A wide spectrum contact insecticide containing **Rotenone** and essential oils as active ingredients. Control various insects such as **whiteflies, leafhoppers, leaf miner flies, red spider, woolly aphids, worms and ants** on fruit, vegetables, and trees

**Application:** Apply at a rate of 500mL/100L of water

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#### \*BIO-WORM (biological product)

Bio-Worm is a bio-insecticide (*Bacillus thuringiensis var. kurstaki*) for the control of *Lepidoptera* larvae on various crops such as apples, cabbage, citrus, pine trees, proteas, tomatoes, potatoes, peas etc. The product is totally environmental friendly and organically compatible.

**Application:** 200g/100L Water - spray thoroughly when larvae appears

FUNGICIDES

**Application:** Dissolve 400g Bio-Tricho in 100L water (pH 6.0 – 7.3) and spray on crops to runoff.

Can also be used to pre-treat potato seedlings and other seeds before planting. Soil application: Mix the content of 2x400g sachets in a standard bag containing the seedlings/seeds before planting. Also for treatment of soilborne diseases.

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### \*BIO-TRICHO - (Pruning)

A combination of different strains of *Trichoderma harzianum* – to protect pruning wounds against wood rotting fungi. The product is totally environmental friendly and organically compatible.

**Application:** Apply at a rate of 400g per 100L of water (pH 6.0 – 7.3).

Use a hand held spray gun when applying on pruning wounds- add an appropriate wetter-sticker.

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## SOAPS AND STERILISERS

### \*BIO-STERILISER (natural product)

Bio-Steriliser is an environmentally friendly steriliser for sterilising surfaces and utensils. Bio-Steriliser oxidises **fungal spores** and kills vegetative bacterial, fungal and virus cells on contact. Can be used in combination with Bio-Build to control Downy and Powdery Mildew. Being an acidic oxidising agent Bio-Steriliser must be handled with care and skin contact must be avoided. Corrosive to ferrous metals.

**Application:** Spray Bio-Steriliser at a concentration of 1L/100L water. Allow a contact time of 5 min

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### BIO-WASH

An organic and environmentally friendly sanitizer and cleaner consisting of natural plant extracts and compounds for cleaning crops contaminated with harmful micro organisms, carcinogenic compounds and chemical residues.

**Application:** Apply at a rate of 200mL per 100L of water.

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**BIO-CLEAN** (natural product)

Bio-Clean is an environmentally friendly sanitizer and cleaner consisting of natural plant extracts and compounds for cleaning crops contaminated with harmful micro organisms, carcinogenic compounds and chemical residues.

**Application:** Apply at a rate of 100mL per 100L of water.

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**BIO-REPELLAR** (plant extract)

Natural plant extracts from **Capsicum sp.** and other compounds. Causes an irritating, burning sensation when animals feed on treated plants.

Can be used on all kinds of plants against **buck, hare, mice, rats** and other animals. Causes no permanent damage to animals.

**Application:** Apply at a concentration of 500 to 1000ml/ha or 1L/100L of water.

Application can be made from seedling stage till edible parts start to form. Applications to lettuce and cabbage must be done early in the morning or late afternoon. Apply at a high volume. It can be applied to border rows only.

If damage still occurs, the dosage can be doubled. Repeat if feeding damage re-occurs. **Handle carefully Prevent skin contact.** When skin contact does occur, wash of immediately with water.

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**\*APPROVED FOR USE IN ORGANIC FOOD PRODUCTION.  
THE OTHER PRODUCTS ARE REGARDED AS  
ENVIRONMENTALLY SAFE ALTERNATIVES.**

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For any further technical information contact **Dr. Strauss Ferreira** at 082-3385561 or **Dr. Jan Jacobs** at 083- 7156160 or see our web site at [www.agro-organics.co.za](http://www.agro-organics.co.za)

## **Annexure 5: Establishment of a Trust for Municipal Commonage land**

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**(Source: Piennar interview, 2003)**

Drafted for Legal Resources Centre

## CONTENTS

<b>Clause Heading</b>	<b>Page</b>
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3. Definitions & Interpretation	2.
4. Object of the Trust	3.
5. Non Profit Distributing Character	3.
6. Legal Status	4.
7. Trust Fund	4.
8. Trustee Powers	5.
9. Board of Trustees	5.
10. Initial Trustees	5.
11. Appointment of Trustees	6.
12. Trustees Vacating Office	6.
13. Security	7.
14. Procedure at Trust meetings	7.
15. Annual General Meetings	8.
16. Notices	8.
17. Bank Account	8.
18. Signatures	9.
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21. Annual Narrative & Financial Reports	9.
22. Amendments, Name Change & Dissolution	9.
23. Indemnity	10.
24. Trustees Discretion	10.

Schedule A: Requirements of the Commissioner for South African Revenue Services.

Schedule B: General Administrative and Investment Powers.

## 1. ESTABLISHMENT OF THE TRUST

A Trust is hereby established for the Object and subject to the terms and conditions set out in this Trust Deed.

## 2. NAME OF TRUST

The name of the Trust is:

**SMALL FARM HOLDINGS TRUST**  
(hereinafter referred to as “the Trust”)

## 3. DEFINITIONS AND INTERPRETATIONS

3.1 In this Trust Deed, unless the context clearly indicates otherwise, the following terms shall have the following meanings assigned to them:

3.1.1 "The Initial Donor"

3.1.2 "The Trust"

The Trust constituted in terms of this Trust Deed.

3.1.3 "The Trustees"

The persons, nominated and appointed as the Initial Trustees and the persons, subsequently appointed as Trustees in terms of this Trust Deed from time to time.

3.1.4 "The Trust Fund"

The capital and accumulated income from time to time under the administration of the Trustees.

3.1.5 "The Beneficiaries"

Small farmers from historically disadvantaged communities within the Stellenbosch area, who are seeking to farm sustainably using organic methods and whose tenure is legally insecure as a result of past racially discriminatory laws and practices, as identified by the Trustees from time to time.

3.1.6 The masculine shall include the feminine, and the singular shall include

the plural, and terms referring to persons shall include juristic persons, and vice versa in all cases.

#### **4. OBJECT OF THE TRUST**

- 4.1 The Trust is a non-profit organisation of a public character, established for the sole Object of promoting, supporting and facilitating access to land and use of land on an equitable basis for the benefit of the Beneficiaries.
- 4.2 The sole Object shall be promoted by means of programmes and activities which are directed to achieving the Object of the Trust, including but not limited to:
- 4.2.1 Supporting the Beneficiaries in obtaining tenure which is legally secure,
  - 4.2.2 Facilitating the conclusion of appropriate land holding and management arrangements in terms of which land may be available to the Beneficiaries,
  - 4.2.3 Assisting the Beneficiaries to co-operate in the acquisition and use of shared or common equipment and services, and
  - 4.2.4 Promoting mutuality of interest among the Beneficiaries, in particular in regard to knowledge of appropriate farming methods and relevant resources.

#### **5. NON-PROFIT DISTRIBUTING CHARACTER**

- 5.1 The income and property of the Trust shall be used solely for the promotion of its sole Object. No portion of such income or property of the Trust shall be paid or distributed directly or indirectly to any person otherwise than for the purpose of promoting the public benefit activities of the Trust; provided that nothing contained in this clause shall prevent the payment in good faith to any person (including a Trustee) of:
- 5.1.1 reasonable compensation for services actually rendered to the Trust;
  - 5.1.2 reimbursement of actual costs or expenses reasonably incurred on behalf and with the authority of the Trust.
- 5.2 Upon the dissolution of the Trust, after all debts and commitments have been paid, any remaining assets shall not be paid to or distributed amongst the Trustees, but shall be transferred to one or more other non-profit organisations of a public character which the Trustees (failing which, any division of the High Court) may consider appropriate, and

which have the same or similar objectives to those of the Trust and should the Trust become an approved public benefit organisation:

5.2.2 is a similar public benefit organisation which has been approved in terms of section 30 of the Income Tax Act, or

5.2.3 any institution, board or body which is exempt from tax under the provisions of section 10(1)(cA), which has as its sole or principal object the carrying on of any public benefit activity, or

5.2.4 any department of state or administration in the national or provincial or local sphere of government of the Republic contemplated in section 10(1) (a) or (b).

5.3 The Trust intends to apply to the Commissioner for South African Revenue Service for exemption from income tax, and from other taxes and duties as may be appropriate. In compliance with the Income Tax Act, the provisions set out in the attached **Schedule A** shall bind the Trust and qualify this Deed, and insofar as may be necessary, override any contrary provision in this Deed.

## 6. **LEGAL STATUS**

6.1 The Trust shall register as a non-profit organisation in terms of the Nonprofit Organisations Act 71 of 1997 as amended.

6.2 On such registration, the Trust shall be a body corporate with its own legal identity that is separate from that of the Trustees, and the Trust shall continue to exist even if the Trustees change.

6.3 Accordingly, the Trust may own property, enter into contracts, and sue or be sued in its own name.

## 7. **TRUST FUND**

7.1 The initial capital constituting the Trust Fund shall comprise an amount of: One Hundred Rand (R100.00) which the Initial Donor hereby undertakes to pay to the Trust, forthwith upon execution of this Trust Deed.

7.2 The Trust Fund initially constituted as aforesaid, may be increased, from time to time, by accruals of income and/or capital, and by further amounts or assets which may, from time to time, be contributed to the Trust, by the Initial Donor or any other party, by means of donation, or in any other lawful manner.

- 7.3 No further Trust Deed shall be required to vest the Trustees with such further increments to the Trust Fund. The payment, transfer or cession of such increments to the Trustees, and their acceptance thereof, shall be sufficient to vest same in the Trust, for the sole Object, and subject to the provisions set out in this Trust Deed.

## **8. TRUSTEE POWERS**

For the purpose of promoting the sole Object of the Trust and subject to the provisions of this Trust Deed, including the provisions set out in clause 5.3 above, the Trustees shall have:

- 8.1 a complete and unfettered discretion as to the manner in which they use and apply the entire Trust Fund as it is constituted from time to time;
- 8.2 all such powers and authorities as they may require, which shall include, but not be limited to, the General Investment and Administrative Powers set out in the attached **Schedule B**.

## **9. BOARD OF TRUSTEES**

The Trustees of the Trust shall be constituted into a Board of Trustees ("the Board") which shall be responsible for promoting the Object of the Trust and implementing the provisions of this Trust Deed.

## **10. INITIAL TRUSTEES**

The initial Trustees shall be:

10.1

10.2

10.3

## **11. APPOINTMENT OF TRUSTEES**

- 11.1 At all times there shall be a minimum of five [5] Trustees.
- 11.2 The Board may from time to time, and in their sole discretion appoint any person as Trustee who they believe will assist in achieving the sole Object of the Trust.
- 11.4 Should the number of Trustees, at any time or for any reason, fall below the minimum number of five [5], then the remaining Trustees shall immediately appoint a suitably qualified person/s to fill the relevant vacancy/ies. For so long as there are fewer Trustees in office than the required minimum number, the remaining Trustees shall act only to preserve the assets and interest of the Trust, and to increase the number of Trustees to the required minimum.
- 11.5 The office of any Trustee may be terminated by resolution adopted by a two-thirds (2/3) majority of Trustees present at a duly convened and quorate meeting of the Board, provided that prior to the adoption of any such resolution, the Trustee/s facing possible termination shall be afforded an opportunity to address the Board, verbally or in writing and personally or through a representative, with reference to the reasons for the proposed termination.
- 11.6 The Board, from time to time and in their sole discretion, may co-opt any person for any period as they deem fit, as non-voting Trustee, if they believe such person will assist the Board in achieving the sole Object of the Trust.

## **12. TRUSTEES VACATING OFFICE**

The office of a Trustee shall be vacated if s/he:

- 12.1 Dies, or tenders his/her resignation in writing; or
- 12.2 Becomes of unsound mind, or otherwise unfit and incapable of acting in this capacity; or
- 12.3 Is declared insolvent or assigns his/her Estate for the benefit of, or compounds with his/her creditors; or
- 12.4 Becomes for any other reason, legally disqualified from acting as a Director of a Company, or Trustee of a Trust; or
- 12.5 Is removed in terms of a resolution duly passed in accordance with the provisions of clause 11.5 above.

### **13. SECURITY**

No Trustee, whether acting jointly or singularly, shall be required to furnish security for the proper performance of her or his functions as required in terms of section 6 (2) (a) of the Trust Property Control Act, No. 57 of 1988.

### **14. PROCEDURE AT TRUST MEETINGS**

- 14.1 The business of the Trust shall be administered by the Board, which shall conduct its meetings and regulate its proceedings as it finds convenient subject to the provisions set out in clauses 14.2 – 9 below:
- 14.2 The Trust must appoint a Chairperson and may elect from their number a:
- 14.2.1 Secretary; and
  - 14.2.2 Treasurer
- 14.3 The Chairperson may at any time convene such a meeting of the Board; and shall be obliged upon the requisition of any two Trustees to convene such meeting.
- 14.4 The quorum necessary for the transaction of any business by the Board shall be one half (1/2) of the Trustees.
- 14.5 Resolutions put to the vote shall be decided by means of a show of hands or by ballot. A vote shall be held only if demanded by the Chairperson or not less than one third (1/3) of those present at the Meeting and entitled to vote. The result of the vote shall be the resolution of the meeting.
- 14.6 At meetings of the Board, each Trustee present or represented shall have one (1) vote.
- 14.7 Questions arising shall be decided by a majority of votes. In the event of an equality of votes, the Chairperson shall have a second or casting vote.
- 14.8 Proper minutes shall be kept of the proceedings of the Board, and a record of the Trustees present at each meeting. Such minutes shall be signed by the Chairperson, or her/his deputy, and shall be available at all times for inspection or copying by any Trustee on reasonable notice to the Secretary.
- 14.9 Save for amending the Trust Deed or the name of the Trust or dissolving the Trust (in respect of which matter, a meeting must be held) as provided for in clause 22, a resolution signed by all the Trustees for the time being present in the Republic, and being not less than sufficient

to form a quorum, shall be as valid as if it had been passed at a duly convened meeting of the Board.

- 14.10 The Board may delegate any of its powers to a Trustee, or special purpose Committee. The Trustee or Committee to whom such delegation is made, shall in the exercise of its functions, conform to any regulations and procedures that may be stipulated by the Board from time to time.

## **15. ANNUAL GENERAL MEETINGS**

- 15.1 The first Annual General Meeting of the Trust shall be held within eighteen (18) months of the date upon which this Trust is registered with the Master of the High Court. Subsequent Annual General Meetings shall be held within three (3) months of the end of each financial year. The business of each Annual General Meeting shall include the following:

15.1.1 The presentation and adoption of the Annual Narrative and Financial Report;

15.1.2 The (re-) appointment of Auditors; and

15.1.3 Such other matters as may be considered appropriate by the meeting.

- 15.2 Annual General Meetings of the Trust shall be conducted and regulated in accordance with the procedures provided for in terms of clauses 14.3 – 9 above.

## **16. NOTICES**

- 16.1 Notice of all meetings provided for in this Deed, shall be delivered personally, or sent by prepaid post or addressed by e-mail transmission, to the last address notified by each Trustee, or in any other manner as the Board of Trustees may decide from time to time.

- 16.2 The accidental omission to address notice/s to any person shall not invalidate the proceedings of any meeting.

- 16.3 If posted, notices shall be deemed to have been received seven (7) days after posting.

## **17. BANK ACCOUNT**

The Board shall open an account in the name of the Trust with a registered Bank. The Board shall ensure that all monies received by the Trust are deposited in the abovementioned bank account as soon as possible after receipt.

**18. SIGNATURES**

All cheques, promissory notes and other documents requiring signature on behalf of the Trust shall be signed in such manner as the Board resolves from time to time provided they are signed by at least two (2) signatories authorised by the Board.

**19. FINANCIAL YEAR END**

The Trust's financial year-end shall be the last day of February.

**20. BOOKS OF ACCOUNT**

The Board shall ensure that the Trust keeps proper records and books of account which fairly reflect the affairs of the Trust.

**21. ANNUAL NARRATIVE AND FINANCIAL REPORTS**

- 21.1 The Board shall ensure that the Trust prepares an Annual Narrative Report describing the Trust's activities and an Annual Financial Statement for each financial year. The Annual Financial Statements shall conform to generally accepted accounting principles and shall include a statement of income and expenditure and a balance sheet of assets and liabilities.
- 21.2 Within two (2) months after drawing up the Annual Financial Statements, the Board shall ensure that the books of account and financial statements are audited and certified in the customary manner by an independent practising chartered accountant.
- 21.3 A copy of the Annual Financial Statements and Annual Narrative Report shall be made available to all the Board as soon as possible after the close of the financial year.

**22. AMENDMENTS, NAME CHANGE AND DISSOLUTION**

This Trust Deed may be amended, the name of the Trust may be changed and the Trust may be dissolved by a resolution passed at a meeting convened for that purpose supported by two-thirds (2/3) of the Trustees in office at the relevant time, being not less than the minimum number stipulated in clause 11.1 above; provided that, at least twenty-eight (28) days prior to the meeting, proper notice of the meeting is given and such notice states the nature of the resolution to be proposed.

**23. INDEMNITY**

- 23.1 Subject to the provisions of any relevant statute, the Trustees and other office bearers of the Trust shall be indemnified by the Trust for all acts done by them in good faith on its behalf. It shall be the duty of the Trust to pay all costs and expenses which any such person incurs or becomes liable for as a result of any authorised contract entered into, or act done by him or her, in his or her said capacity, in the discharge, in good faith, of his or her duties on behalf of the Trust.
- 23.2 Subject to the provisions of any relevant statute, no Trustee or other office bearer of the Trust shall be liable for the acts, receipts, neglects or defaults of any other Trustee or office bearer, or for any loss, damage or expense suffered by the Trust, which occurs in the execution of the duties of his or her office, unless it arises as a result of his or her dishonesty, or failure to exercise the degree of care, diligence and skill required by law.

**24. TRUSTEES DISCRETION**

In this Trust Deed, discretions vested in the Board in terms of this Trust Deed, shall be complete and absolute, and any decision made by them pursuant to their discretionary powers shall not be challengeable by any affected person: provided that the Trustees shall at all times be obliged to conform to the stated Object of the Trust, and to comply with the provisions of this Trust Deed.

## SCHEDULE A

As contemplated by clause 5.3 of this Trust Deed, the Trust intends to apply to the Commissioner for South African Revenue Service for income tax exemption, donor deductible status and exemption from other appropriate taxes and duties. In compliance with the requirements of the Income Tax Act, the Trust shall:

1. Carry on its at least 85 per cent of its public benefit activities, measured as either the cost related to the activities or the time expended in respect thereof for the benefit of persons in the Republic.
2. Carry on its public benefit activities in a non-profit manner.
3. Comply with such conditions, if any, as the Minister of Finance may prescribe by way of regulation to ensure that the activities and resources of the Trust are directed in the furtherance of its Object.
4. Submit to the Commissioner a copy of this trust deed.
5. Be required to have at least three persons, who are not connected persons in relation to each other, to accept the fiduciary responsibility of the Trust, and no other single person directly or indirectly controls the decision making powers relating to that organisation.
6. In the event of the Trust investing funds, invest such funds:
  - 6.1 with a financial institution as defined in section 1 of the Financial Services Board Act, 1990 (Act No. 97 of 1990); and/or
  - 6.2 in securities listed on a stock exchange as defined in section 1 of the Stock Exchanges Control Act, 1985 (Act No. 1 of 1985); and/or
  - 6.3 in such other prudent investments in financial instruments and assets as the Commissioner may determine after consultation with the Executive Officer of the Financial Services Board and the Director of Non-Profit Organisations;

provided that the provisions of this sub-clause do not prohibit the Trust from retaining any investment (other than any investment in the form of a business undertaking or trading activity or asset which is used in such business undertaking or trading activity) in the form that it was acquired by way of donation, bequest or inheritance.
7. Be prohibited from carrying on any business undertaking or trading activity, otherwise than to the extent that:

- 7.1 the gross income derived from such business undertaking or trading activity does not exceed the greater of:
  - 7.1.1 fifteen percent (15%) of the gross receipts of the Trust; or
  - 7.1.2 twenty five thousand rand (R25 000,00);
- 7.2 the undertaking or activity is:
  - 7.2.1 integral and directly related to the sole object of the Trust; and
  - 7.2.2 carried out or conducted on a basis substantially the whole of which is directed towards the recovery of cost, and which would not result in unfair competition in relation to taxable entities;
- 7.3 the undertaking or activity, if not integral and directly related to the sole object of the Trust as contemplated in clause 7.2.1, is of an occasional nature and undertaken substantially with assistance on a voluntary basis without compensation; or
- 7.4 the undertaking or activity is approved by the Minister of Finance by notice in the Gazette, having regard to:
  - 7.4.1 the scope and benevolent nature of the undertaking or activity;
  - 7.4.2 the direct connection and interrelationship of the undertaking or activity with the sole purpose of the public benefit organisation;
  - 7.4.3 the profitability of the undertaking or activity; and
  - 7.4.4 the level of economic distortion that may be caused by the tax-exempt status of the public benefit organisation carrying out the undertaking or activity.
- 8. Be prohibited from accepting any donation which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in terms of section 18A; provided that a donor (other than a donor which is an approved public benefit organisation or an institution, board or body which is exempt from tax in terms of section 10(1)(cA)(i), which has as its sole or principal object the carrying on or any public benefit activity) may not impose conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation.

9. Ensure that it is not knowingly a party to, and does not knowingly permit itself to be used as part of any transaction, operation or scheme of which the sole or main purpose is or was the reduction, postponement or avoidance of liability for any tax, duty or levy, which, but for such transaction, operation or scheme, would have been or would have become payable by any person under the Income Tax Act 58 of 1962, as amended, or any other Act administered by the Commissioner.
10. Has not and will not pay any remuneration as defined in the Fourth Schedule, to any employee, office bearer, member or other person, which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered and has not and will not economically benefit any person in a manner which is not consistent with its objects.
11. Comply with such reporting requirements as may be determined by the Commissioner.
12. Take reasonable steps to ensure that the funds which it may provide to any association of persons as contemplated in section 30(b)(iii) of the Income Tax Act 58 of 1962, as amended, are utilised for the purpose for which they are provided.
13. Become registered in terms of section 13(5) of the Non-Profit Organisations Act 71 of 1997, as amended, within such period as the Commissioner may determine, and comply with any other requirements imposed in terms of that Act, unless the Commissioner in consultation with the Director or Nonprofit Organisations designated in terms of section 8 of the Nonprofit Organisations Act, 1997, on good cause shown, otherwise directs.
14. Has not and will not use its resources directly or indirectly to support, advance or oppose any political party.
15. Ensure that any books of account, records or other documents relating to its affairs are:
  - 15.1 where kept in book form, retained and carefully preserved by any person in control of the Trust, for a period of at least four years after the date of the last entry in any such book; or
  - 15.2 where not kept in book form, are retained and carefully preserved by any person in control of the Trust, for a period of four years after the completion of the transaction, act or operation to which they relate.

## SCHEDULE B

As contemplated by clause 8.2 of the Trust Deed, the *General Administrative and Investment Powers* of the Trust include the following:

1. To invest Trust Funds as they see fit in their sole and absolute discretion on condition that any investments made by the Trust shall be with Financial Institutions as defined in Schedule A clause 6 above.
2. To accept and take over investments and assets forming the subject matter of donations made to the Trust and retain them in the form in which they are received, or sell them and re-invest the proceeds.
3. To institute or defend any legal or arbitration proceedings and to settle any claims made by or against the Trust.
4. To open and operate accounts with registered banks and building societies.
5. To employ staff and hire professional and other services.
6. With regard to movable and immovable property and tangible and intangible assets of whatsoever nature:
  - 6.1 to purchase or acquire property and assets;
  - 6.2 to maintain, manage, develop, exchange, lease, sell, or in any way deal with the property and assets of the Trust;
  - 6.3 to donate and transfer the property and assets of the Trust to organisations with the same or similar objectives to those of the Trust and which carry on one or more “public benefit activities” as defined in section 30 of the Income Tax Act 58 of 1962 as amended.
7. To borrow and to use the property or assets of the Trust as security for borrowing.
8. To grant loans on such terms and conditions and with or without security as the Trustees in their sole discretion may decide.
9. To guarantee the performance of contracts or obligations of any person on condition that any such person is primarily engaged in activities which further the Object of the Trust.
10. To execute any act or deed in any deeds registry, mining titles or other public office.

DATED at Cape Town this    day.....2003.

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As Initial Donor & Trustee

**AS WITNESSES**

1. \_\_\_\_\_

2. \_\_\_\_\_

DATED at Cape Town this    day.....2003.

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As Initial Trustee

**AS WITNESSES**

1. \_\_\_\_\_

2. \_\_\_\_\_

DATED at Cape Town this 26<sup>th</sup> day August 2002.

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As Initial Trustee

**AS WITNESSES**

1. \_\_\_\_\_

2. \_\_\_\_\_