

Introduction to Seed Legislation; Aspects of National Legislation in Production, Processing & Marketing

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PROCESSES

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Introduction

- ▶ Appropriate seed legislation at the national or regional levels are essential to create an enabling environment for the development of the seed sector
- ▶ For the facilitation of safe trade in seed
- ▶ Enabling release & registration of Varieties and seeds that can be traded internationally
- ▶ Enables production of seed consignments that meet international requirements

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Basis of Regulatory framework

- ▶ Agriculture and trade policies
- ▶ national laws
- ▶ Regional laws
- ▶ International conventions / treaties
- ▶ Scientific guidelines
- ▶ Criterias
- ▶ Norms
- ▶ Standard practice

Framework specific objectives

- ▶ standard and uniform variety testing procedures
- ▶ provide the regulations needed for varietal release and listing
- ▶ Provide procedures for seed production,
- ▶ Comprehensive and flexible certification guidelines
- ▶ Relevant and simpler seed export and import requirements

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Aspects of seed legislation

- ▶ Establishment of national seed committee
- ▶ Designating a Seed certifying agency
- ▶ Specify role/powers of seed inspectors/analysts
- ▶ Establishment of national/state seed testing laboratory
- ▶ Pant variety testing and release
- ▶ Listing of released plant varieties
- ▶ Seed certification system
- ▶ Powers to set minimum standards for seed production, processing, testing and marking or labelling requirements
- ▶ Prohibition of the sale or supply of seed of any listed variety unless it fulfils the requirements of the act;
- ▶ Import and export procedures of seed
- ▶ The creation of Appeal Authorities to rule on decisions by a certification agency that are disputed.

Provisions in Kenyan seed law

The act Empowers the Minister:-

- ❖ Regulate transactions in seeds, including provision for the testing and certification of seeds (sec. 1)
- ❖ For the establishment of National Plant Variety list (sec.7)
- ❖ To empower the imposition of restriction on the sale of seeds of unlisted plant varieties (sec. 8)
- ❖ Establishment of seed testing stations (sec.11)
- ❖ To control the importation of seeds (sec. 15)

Provision cont'd

- ❖ To authorize measures to prevent injurious cross-pollination (sec. 16)
- ❖ Procedure on grant of plant breeder's rights. (sec. 17)
- ❖ Conditions for grant of rights. (sec. 18)
- ❖ Period for which rights are exercisable. (sec. 19)
- ❖ Nature of rights (sec. 20)

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Provisions cont'd

- ❖ Protected plant varieties (sec. 21)
- ❖ Maintenance of reproductive material (sec. 22)
- ❖ Licenses (sec. 23)
- ❖ To establish a Tribunal to hear appeals and other proceedings and for connected purposes. (sec. 28)
- ❖ Offences and general penalty (sec. 32)

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New provision (Amendments)

- ▶ Authorization of services to other competent bodies(S.3B.1 b)
- ▶ Regulation & certification of forest seeds & wild plants.(S.3.1 h)
- ▶ Maintenance & certification of high value crops(non attractive to private) (S.3.1 i)
- ▶ Integration & harmonisation of seed industry (S.31j)
- ▶ Emerging technologies protocol devt and application to seed prodn(S.16.2a &b)
- ▶ Compensation arising from seed pdn and sale
- ▶ Establishment of Plant genetic resource centre
- ▶ EDVs
- ▶ Plant protection aspects

Seed pdn aspects

- ▶ Registrations & verification of documents
- ▶ Seed certification scheme
- ▶ Seed production requirements
- ▶ Field inspection standards
 - Isolations
 - varietal purity
 - Disease tolerances
 - Pests tolerances
 - Weeds tolerances
 - Any other factor

Seed processing aspects

- ▶ Handling requirements of raw seed
- ▶ Moisture content
- ▶ Processing standards
 - seed physical purity
 - Degree of broken seed
 - Degree of rotten seed
 - Degree of discoloured
 - Other seed materials
 - weed seeds
 - Any other quality factor

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Seed processing cont'd

- grading standards
- seed treatments
- seed packaging stds

Seed sampling
sealing and labelling

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Seed testing

- Verification of the received samples (requirements)
- Purity analysis requirements
- Viability tests (through germination and the tetrazolium tests requirements).
- Moisture tests content requirements.
- Pathological test (fungal, bacterial and viral tests).
- Determination of seed marketability.

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Seed marketing

- ▶ Seed seller registration
- ▶ Seed distribution channels
- ▶ Seed seller conditions
- ▶ Seed storage
- ▶ Stop sale orders
- ▶ Validity of certification
- ▶ Seed resampling
- ▶ Import and export requirements.

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Thank you

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