

SUBSIDIARY LEGISLATION

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**THE SEEDS ACT,
(CAP.308)**

REGULATIONS

(Made under section 33)

THE SEEDS (AMENDMENT) REGULATIONS, 2017

Citation

G.N.No.37
of 2007

Amendment
of regulation 2

1. These Regulations shall be cited as the Seeds (Amendment) Regulations, 2017 and shall be read as one with the Seeds Regulations, 2007, hereinafter referred to as the “principal Regulations”.

2. The principal Regulations are amended in regulation 2 by-

(a) inserting in its alphabetical order the following new definitions-

“applicant” means a person or an organization registered under the Act;

“Director” means Director responsible for agricultural development within the Ministry;

“NSC” means the National Seed Committee;”

(b) deleting the definition of the terms “authorized field inspector”, “certificate of registration” and “Chief Seed Quality Controller” and substituting for them the following-

“certificate of registration” means a certificate issued by the Institute certifying that the holder of the said certificate is registered as a seeds dealer pursuant to section 16 of the Act;

“Field Inspector ” means a person authorized to undertake field inspection by the Tanzania Official Seed Certification Institute;”

Amendment
of regulation 3

3. The principal Regulations are amended in regulation 3 by deleting the word “Director” appearing in sub regulations (1) and (3) and substituting for it the word “Institute”.

Amendment
of regulation 4

4. The principal Regulations are amended by deleting regulation 4 and substituting for it the following-

“Registration
for variety
release

4.-(1) No variety shall be released in Tanzania unless it has passed DUS test, evaluated through the National Performance Trial and recommended for release by the National Seed Committee, except for vegetable variety which may be released after it has passed DUS test.

(2) Tanzania may accept DUS test result from a recognized authority or organization of any country which is in agreement with Tanzania on seed regulations and/or quality control.”

Amendment
of regulation 7

5. The principal Regulations are amended in regulation 7(2) by-

(a) adding immediately after paragraph (b) the following-

“(c) variety name;”

(b) renaming paragraphs (c) and (d) as paragraphs (d) and (e) respectively;

(c) deleting the open phrase of sub regulation (4) and substituting for it the following-

“(4) Except for an applicant from a country which is in agreement with Tanzania on

seed regulations and/or quality control, every application for NPT test shall be supported with the following-

Amendment
of regulation 8

6. The principal Regulations are amended in regulation 8 by deleting the word "Director" appearing in sub regulations (1) and (3) and substituting for it the word "Institute".

Amendment
of regulation 9

7. The principal Regulations are amended in regulation 9 by-

- (a) deleting the word "the Director" appearing in sub regulation (1) and substituting for it the word "The Institute";
- (b) adding immediately after sub regulation (2) the following-

"(3) Without prejudice to the provisions of these Regulations, variety deregistration shall be applied, subject the terms and conditions provided by a country which is in agreement with Tanzania on seed regulations and/or quality control."

Amendment
of regulation
11

8. The principal Regulations are amended in regulation 11 by deleting the words "longer or" appearing in sub regulation (4).

Amendment
of regulation
13

9. The principal Regulations are amended in regulation 13(4) by deleting the word "Minister" and substituting for it the words "the Chief Seed Certificate Officer".

Amendment
of regulation
14

10. The principal Regulations are amended in regulation 14(3) by deleting the words "or attached a conspicuous label" and substituting for them the words "with a warning signs and a conspicuous writing".

Amendment
of regulation
33

11. The principal Regulations are amended in regulation 33 by-

- (a) deleting the word "Director" appearing in sub

regulation (1) and substituting for it the word "Institute";

(b) deleting paragraphs (c) and (d) appearing in sub regulation (2) and substituting for them the following-

"(c) the class and quantity of seeds;"

(c) renaming paragraphs (e) and (f) as paragraphs (d) and (e) respectively.

(d) deleting the words "the cultivar" appearing in paragraph (e) as renumbered and substituting for them the word "variety".

(e) deleting the word "Director" appearing in sub regulation (3) and substituting for it the word "Institute";

Amendment
of regulation
34

12. The principal Regulations are amended in regulation 34 by deleting the word "Director" appearing in sub regulations (1) and (3) and substituting for it the word "Institute".

Amendment
of regulation
44

13. The principal Regulations are amended by deleting regulation 44 and substituting for it the following-

"Change of
variety's
name

44.-(1) The maintainer of a variety may apply to the Director for change of registered variety name.

(2) The provisions of regulation 8 shall apply *mutatis mutandis*, in respect of changing variety's name under this regulation.

(3) The Director shall change variety's name after approval of the Minister in terms of section 21 of the Act.

(4) Change of variety name shall come into effect on the date on which the Director enter the name into the National Variety Catalogue".

Amendment
of the First
Schedule

14. The principal Regulations are amended by-
(a) deleting Table 15 appearing in Part II of the First Schedule and substituting for it the following-

“TABLE 15
Applicable to:
Cassava - *Manihot esculentum*

Factor	Class			
	Pre-Basic	Basic	Certified 1	Certified 2
Land history				
Minimum rotation (years/seasons)	2	2	2	2
Minimum number of inspections	2	2	2	2
Minimum isolation (m)	300	200	100	100
Minimum distance between varieties (m)	3	3	3	3
Maximum permitted ratoons	2	2	2	2
Maximum shoots per ratoon	3	3	3	3
Off-types (%) (5x40 counts/ha)	0	1	1	1
Diseases				
Cassava mosaic disease – Max incidence (%)	1	2	3	3
Cassava bacterial blight – Max mean severity	2.5	2.5	2.5	2.5
Cassava brown streak disease – Max incidence (%)	2	4	7	7
Cassava brown streak disease – Lab testing (Max %)	4	-	-	-
CBSD–Lab testing–tissue culture plantlets (Max %)	0	0	-	-
Pests				
Cassava mealybug – Max incidence (%)	1	2	4	4
Cassava green mite – Max mean severity	2.5	3.0	3.5	3.5
Scale insects – Max incidence (%)	1	2	4	4
Postharvest seed standard				
Harvesting age – new crop	8-18mth	8-18mth	8-18mth	8-18mth
Harvesting age – ratoon crop	6-12mth	6-12mth	6-12mth	6-12mth
Minimum length of cutting	20cm	20cm	20cm	20cm
Minimum diameter of cutting	2cm	2cm	2cm	2cm
Minimum number of nodes/cutting	5	5	5	5
Maximum damaged nodes	20%	20%	20%	20%
Validity of certification	2	2	2	2

Factor

Class

TABLE 16
Applicable to:
 Irish potatoes - *Solanum tuberosum*

	<i>Pre basic TC</i>	<i>Pre- basic</i>	<i>Basic Class 1</i>	<i>Basic Class 2</i>	<i>Certified 1</i>	<i>Certified 2</i>
<i>Land history:</i>						
▪ Land seasons free from potato family (Solanaceae)	-	5	5	4	3	3
▪ Land seasons free from bacterial wilt	-	7	7	7	3	3
▪ Isolation distance (m)	-	10	10	10	5	5
▪ No. of inspections (min.)	1	3	3	3	3	3
▪ Off- type (number in 100 plants)	-	1	1	1	1	1
<i>Diseases (%):</i>						
▪ Bacterial wilt	0	0	0	0	0	0
▪ Bacterial wilt-Lab testing (Max %)	0	0	0	0	-	-
▪ Ring rot	0	0	0	0	0	0
▪ Blackleg	0	0	0.5	1	1.5	2
▪ Potato tuber spindle	0	0	0	0	0	0
▪ Potato cyst nematodes	0	0	0	0	0	0
▪ Mycoplasma (max.) plants	0	0	1:1000	1:1000	2:1000	3:1000
▪ Potato leaf roll virus (max.) plants	0	0	0	1:1000	2:1000	3:1000
▪ Spindle mottle virus (max.) plants	0	0	0	5:1000	13:1000	14:1000
▪ Other virus symptoms (max.) plants	0	1:1000	2:1000	8:1000	20:1000	60:1000
▪ Fusarium wilt (max.) plants	0	0	0	1:1000	2:1000	3:1000

▪ Verticilium wilt (max.) plants	0	0	0	1:1000	2:1000	3:1000
<i>Postharvest seed standards on tubers:</i>						
Pure seed % (min.)	-	100	99	99	99	99
Diseases:						
▪ Soft rot % by wt (max.) in 25kg	-	0	0	0	0.1	0.1
▪ Dry rot (Fusarium wilt) % by wt (max.) in 25kg	-	0	0.5	0.5	1	1
▪ Common scab % by wt (max.) in 25kg:	-	0	5	5	5	5
- Individual tuber surface cover %	-	0	5	5	5	5
▪ Black scurf (Rhizoctonia) % by wt (max.) in 25kg:	-					
- Individual tuber surface cover %	-	0	10	10	10	10
Severe tuber moth damage % by wt (max.) in 25kg bag	-	0	2	2	3	4
External defects % by wt (max.) in 25kg bag	-	0				
(shriveled, misshaped, excessively dehydrated)	-	0	1	1	1	1
Tuber size requirement (25kg)	-					
▪ 28 – 35 mm	-	-	5	5	5	5
▪ 36 -45 mm	-	-	15	15	10	10
▪ 46 – 60 mm	-	-	5	5	10	10

TABLE 17
Applicable to:
 Sweetpotato – *Ipomea batatas*

Factor	Class			
	Pre- basic	Basic	Certified 1	Certified 2
<i>Land history:</i>				
Field rotation/ Tissue culture number of cycles	-	6 seasons	4 seasons	4 seasons
Isolation distance (m)	-	50	20	20
Maximum permitted ratoons	3	2	1	1
Off- type (number in 100 plants)	0	0	1	1
Number of inspections (minimum per season)	1	2	2	2
<i>Diseases (%):</i>				
SPVD, SPCSV, SPFMV, SPMMV, SPLCV	1	-	-	-
(Laboratory testing) (Maximum %)	-	-	-	-
<i>Virus symptoms:</i>				
Mosaic and stunting (%)	-	0	2	3
Leaf curl (%)	-	0	2	5
Other (purpling, chlorosis and vein clearing) (%)	-	0	2	5
Alternaria blight (%)	-	-	2	5
Black rot (Maximum %)	0	0	0.5	0.5
Wilt (bacterial) (Maximum %)	0	0	0.5	0.5
Scurf (Maximum %)	0	0	0.1	0.5
SSR-Pox (Maximum %)	-	0	10	10
<i>Insects:</i>				
Sweetpotato weevil (<i>Cylas puncticollis</i>) (Maximum %)	-	5	5	5
Wire worm (Maximum %)	-	5	10	10
Root knot nematodes (Maximum %)	-	1	2	2
Mites/Thrips (Maximum %)	5	5	5	5
Caterpillars (Maximum %)	5	10	10	10
Aphids and whiteflies (Maximum %)	0	5	5	5
Sweet potato butterfly (Maximum %)	-	2	5	5
<i>Postharvest seed standards:</i>				
Harvesting age – new crop	6 weeks	Max 3 mths	Max 3 mths	Max 3 mths
Harvesting age – ratoon crop	-	Max 2 mths	10 weeks	10 weeks
Minimum length of cutting	15 cm	20 cm	25 cm	25 cm
Minimum number of nodes/cutting	2	2	3	3"

15. The Fifth Schedule to principal Regulations are amended as follows-

(a) in Form SR I by-

(i) deleting the words "MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES" appearing in the Title and substituting for them the words "MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES" ;

(ii) deleting the address:

"To: Director for Crop Development,

Ministry of Agriculture, Food Security and Cooperatives

P.O. Box 9192,

DAR ES SALAAM." and substituting for it the following-

"To: Tanzania Official Seed Certification Institute."

(iii) adding immediately after item (vi) appearing in the eighth line the following new item "(vii) Seed Testing Laboratory."

;

(iv) adding immediately after "PART E" the following new PART-

"PART F: TO BE FILLED BY APPLICANTS WHO WISH TO OPERATE SEED TESTING LABORATORY"

1. Do you have adequate equipments/apparatus for testing Seed?
Yes /No

If " YES" provide the list and capacity of each equipment/apparatus :.....

.....

2. Are equipment/apparatus own or hired?.....

.....

3. Do you have adequate and knowledgeable personnel who are conversant with Seeds testing if "YES", provide number and qualification of the said personnel
.....

- (b) in Form SR II by deleting the words "Director of Crop Development" appearing at the end of that Form and substituting for them the words "the Chief Seeds Certification Officer";
- (c) in Forms SR IIIA, SR IIIB, SR IV, SR V, SR VI, SR VII, SR VIIIA, SR VIIIB, SR IX, by deleting the words "MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES" appearing in the Title and substituting for them the words "MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES" ;
- (d) in Form SR X, by-
 - (i) deleting the words "MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES" appearing in the Title and substituting for them the words "MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES"; and
 - (ii) deleting the words "Cc: Chief Seed Certification Officer" appearing at the end of that Form;
- (e) in Form SR XI, by deleting the words "MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES" appearing in the Title and substituting for them the words "MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES";
- (f) in Form SR XII, by-
 - (i) deleting the words "MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES" appearing in the Title and substituting for them the words "MINISTRY OF

AGRICULTURE, LIVESTOCK AND FISHERIES”;

- (ii) deleting the address:
“To: Director for Crop Development,
Ministry of Agriculture, Food Security and Cooperatives,
P.O. Box 9192,
DAR ES SALAAM.” and substituting for it the following-
“To: Tanzania Official Seed Certification Institute.”

- (iii) deleting the word “Director” appearing at the end of that Form and substituting for it the words “Chief Seed Certification Officer”;

(g) in Form SR XIII, by-

- (i) deleting the words “MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES” appearing in the Title and substituting for them the words “MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES”;
- (ii) deleting the word “Director” appearing at the end of that Form and substituting for it the words “Chief Seed Certification Officer”;
- (iii) deleting the words “Cc: Chief See Certification Officer”;

(h) in Form SR XIV by-

- (i) deleting the words “MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES” appearing in the Title and substituting for them the words “MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES”;
- (ii) deleting the address:
“To: Director for Crop Development,

Ministry of Agriculture, Food
Security and Cooperatives,
P.O. Box 9192,
DAR ES SALAAM.” and
substituting for it the
following-

“To: Tanzania Official Seed
Certification Institute.”

- (iii) deleting the word “Director” appearing at the end of that Form and substituting for it the words “Chief Seed Certification Officer”;
- (i) in Form SR XV by-
 - (i) deleting the words “MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES” appearing in the Title and substituting for them the words “MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES”;
 - (ii) deleting the words “Cc: Chief Seed Certification Officer”;
 - (iii) deleting the word “Director” appearing at the end of that Form and substituting for it the words “Chief Seed Certification Officer”;
- (j) in Form SR XVI by deleting the words “MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES” appearing in the Title and substituting for them the words “MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES”;
- (k) in Form SR XVII by deleting the words “MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES” appearing in the Title and substituting for them the words “MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES”;
- (l) in Form SR XVIII by deleting the words “MINISTRY OF AGRICULTURE, FOOD SECURITY AND COOPERATIVES” appearing in

the Title and substituting for them the words
 “MINISTRY OF AGRICULTURE, LIVESTOCK
 AND FISHERIES”;

(m) in Form SR XIX by-

- (i) deleting the words “MINISTRY OF AGRICULTURE AND FOOD SECURITY” appearing in the Title and substituting for them the words “MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES”;
- (ii) deleting the words “Cc: Chief See Certification Office”;

16. The principal Regulations are amended by repealing the Sixth Schedule and replace it with for it the following-

Repeal and replacement of the Sixth Schedule

SIXTH SCHEDULE

FEEES FOR SERVICES

(Made under Regulation 40 (1))

1. Charges based on the services rendered for each operation

S/N	Categories for services rendered by TOSCI	TSHS	USD
A: Seed Field Inspection			
1	Field crops		
	0 - 10 ha	100,000	50
	11 - 100 ha	300,000	140
	Above 100 ha	400,000	190
2	Vegetables and pastures		
	0-1 ha	100,000	50
	Each additional ha	50,000	25
B: Seed Inspection and Sampling (per seed lot)			
1	Field crops	100,000	50
2	Vegetables and pastures	50,000	25
3	Root and tuber crops	100,000	50
C: Seed Testing for germination, purity and moisture content (per seed sample representing a seed lot)			
1	Field crops	400,000	190
2	Vegetables and pastures	100,000	50
D: Seed Health Testing (per sample)			

		852,750	400
1	Root and tuber crops	75,000	35
2	Other crops		
	E: Certificates and Tags	100,000	50
1	Registration of seed Dealer	50,000	25
2	Variety Registration Certificate	5,000	2
3	Certificate of Seed Testing	20,000	10
4	Certificate of Seed Import or Export	200	0.1
5	Labels	500	0.25
6	Seals	5,000	2
7	DUS test certificate		
	F. Non-refundable fees for various application forms		
1	Registration as a seed Dealer	2500	1
2	DUS test	2500	1
3	NPT	2500	1
4	Seed field inspection	3500	1.5
5	Seed testing (per seed lot)	2000	1
6	Seed transport order	2500	1
7	Notice to import/export Seed	2500	1
	G: Other Charges (full test)		
1	Conducting DUS test	1,200,000	560
2	Conducting NPT	1,400,000	650
	Authorization or licensing of seed sampler and analyst	100,000	50
3			
	H: Re-testing fees (per seed sample representing a seed lot)		
	a Germination		
i	Field crops	100,000	50
ii	Vegetables and pastures	50,000	25
	b Moisture content		
i	Field crops	50,000	25
ii	Vegetables and pastures	20,000	10
	c Seed health		
i	Root and tubers	852,750	400
ii	Other crops	75,000	35
iii	Vegetables and pastures	100,000	50
	Certified copy of a certificate	2500	1”

Dar es Salaam,
23rd December, 2016

CHARLES JOHN TIZEBA
Minister for Agriculture , Livestock and Fisheries