

SEEDS (CERTIFICATION AND STANDARDS) REGULATIONS, 2018

EPISODE 35

Import and Export

154. Importation and exportation of seeds

- 1) A person who intends to import seeds into the country shall, in accordance with section 39 of the Act, apply to the Minister for a permit to import the seeds before submitting samples of that seed to the certifying authority.
- 2) Without limiting the application of the Economic Community of West African States Seeds Regulations to external trade, the import and export of conventional seeds is subject to prior declaration to the certifying authority.
- 3) An importer or exporter shall provide the following information regarding the seed batch to the certifying authority:
 - a) The individual or corporate name;
 - b) The name and address of consignee or supplier;
 - c) The species or variety as registered in the West African Catalogue of Plant Species and Varieties;
 - d) The category and generation;
 - e) The batch number;
 - f) The declared batch weight;
 - g) The number of packages;
 - h) The unit weight of packages;
 - i) The number of labels specifying first and last figures; and
 - j) The chemical treatment with the name of active ingredients used.
- 4) The certifying authority shall
 - a) Provisionally impound an imported seed or yet to be exported seeds on suspicion of fraud or falsification; and
 - b) Take a sample of the imported seed or yet to be exported seeds to the National Laboratory for Seed Testing for investigation to fraud and falsification.
- 5) Where the results fail to match the specifications on the documents that accompany the seed, the certifying authority shall
 - a) Seize the seed batch;
 - b) Not utilize the seed batch; and
 - c) Withdraw and destroy the labels.
- 6) Seed that is rejected shall be destroyed or re-exported at the expense of the importer.
- 7) A person responsible for a seed batch that is in transit from territory of a Member State shall
 - a) Declare the seed batch to the certifying authority;
 - b) Provide personal information and information on the country of destination to the certifying authority and to the Plant Protection and Regulatory Services Directorate; and
 - c) Ensure that the seed batch is accompanied with a phytosanitary certificate that indicates the source and the destination of the seeds.
- 8) The seed batch referred to in sub regulation (7) is not subject to quality control in the transit country.

155. Phytosanitary certificate

- 1) A seed import and a seed export shall be accompanied by a phytosanitary certificate issued by the certifying authority or agency responsible for plant protection in the country of origin of the seed.

- 2) The certifying authority shall periodically conduct surveys and exchange information in order to draw up a comprehensive inventory of pests to update the list of quarantine and non-quarantine organisms.
- 3) The Plant Protection and Regulatory Services Directorate shall determine
 - a) The list of quarantine and non-quarantine organisms drawn up for the purpose of inter and intra-community trade; and
 - b) The modalities of seed phytosanitary control.

156. Scientific research

The exchange of plant material among Member States of the Economic Community of West African States for scientific research shall, not be affected by regulation 154 (2).

EPISODE 36

Weed seeds and noxious weed seeds

157. Prohibited noxious weeds

- 1) The certifying authority shall reject a field from which seed of a class specified under regulation 10 (1) is produced, if there is the presence of noxious weeds on that field.
- 2) For purposes of sub regulation (1), a weed is noxious if
 - a) It is a perennial plant which is reproduced by seeds and underground roots, stems or other reproductive parts;
 - b) The weed is highly destructive and difficult to control by good cultural methods when established on the field; or
 - c) It is a weed specified in the English Schedule.
- 3) The certifying authority shall reject a field from which a seed specified under these Regulations is produced, if the weed population and kind of common weeds present affect its appearance or makes it difficult to conduct adequate inspection.

158. Fees for services provided under these Regulations

The certifying authority shall charge fees as approved by the Minister responsible for Finance in accordance with the Fees and charges (Miscellaneous Provisions) Act, 2009 (Act 793).