



**THE REPUBLIC OF KENYA**

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**THE SEEDS AND PLANT VARIETIES (SEEDS) REGULATIONS**

NO. 220 OF 2016

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Kenya

Seeds and Plant Varieties Act

## The Seeds and Plant Varieties (Seeds) Regulations

Legal Notice 220 of 2016

Legislation as at 31 December 2022

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## SEEDS AND PLANT VARIETIES ACT

### THE SEEDS AND PLANT VARIETIES (SEEDS) REGULATIONS LEGAL NOTICE 220 OF 2016

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#### 1. Citation.

These Regulations may be cited as the Seeds and Plant Varieties (Seeds) Regulations.

#### 2. Interpretation.

In these Regulations, unless the context otherwise requires—

"authorized person" means a competent private or public persons authorized by the Service in accordance with section 3B(1)(b) of the Act;

"basic seed" means progeny of breeder's seed or pre-basic seed;

"breeder seed" means progeny of parental stock;

"certified seed" means progeny of basic seed or seed of higher classes;

"compulsory certification" means mandatory certification for those varieties that have been tested in National Performance Trials, officially released and listed in the National Variety List;

"Managing Director" means the Managing Director of the Kenya Plant Health Inspectorate Service or the designated person;

"dressing" means a stage of seed processing where application of chemical substances on the surface of seeds is done as part of the seeds certification process;

"field inspection" means an examination of a crop seed field including checking for effective isolation distance, hectarage of the seed field, true-ness to type, off-types, foreign cultivars and diseased plants as part of the seed certification programme;

"isolation" means the required distance or time between two crops of the same species or between two crops of too closely related species to prevent contamination either mechanically or by pollination;

"labeling" means the process of affixing a tag or identification mark so as to ensure correct identification of any container of seed;

"licensed seed seller" means any person or institution licensed to sell tested and certified seed;

"noxious weeds" means a plant declared to be a noxious weed under section 24(1) of the Agriculture and Food Authority Act (Cap. 317);

"off-type plant" means a plant which does not exhibit the recognized and prescribed growth habits and characteristics of the variety being grown;

"official seed tester" means an officer designated to be an official seed tester by the Service;

"official seed sample" means a seed sample taken in accordance with these Regulations;

"parental material" means the propagating material from which the breeder's seed is raised;

"post control" means the growing of plants from seed lots which have been tested or certified to further determine and confirm varietal purity and freedom from disease infestation;

"pre-basic" means progeny of breeder's seed;

"Private seed sample" means any sample submitted to the seed testing laboratory other than the official seed sample;

"purity" means the percentage by weight of pure seeds as determined by purity analysis in the seed laboratory;

"pure germinating seed" means the proportion of pure seed in a seed lot capable of germinating into normal seedlings under optimal germination conditions;

"registered seed grower" means a person or institution registered by the Service to grow seed crops;

"registered seed merchant" means a person or firm or institution registered by the Service as suitable to produce, process or market seed;

"sealing" means a person or firm or institution registered by the Service as suitable to produce, process or market seed;

"seed analyst in-charge" means a suitably qualified person in charge of a seed testing laboratory;

"seed class" means a stage in a seed multiplication system well defined in respect of parental seed standards of cultivation and seed quality;

"seed health" means the level of freedom of either the seed or the seed crop from seed-borne diseases and pests;

"seed industry" means the entire chain linked stages that start with breeding and crop improvement through seed multiplication, processing, certification and ends with seed marketing;

"seed inspector" means a suitably qualified person appointed or authorized under section 3B of the Act;

"seed lot" means a specified quantity of seed which measures to prescribed maximum weight and which is represented by one sample in laboratory seed testing or in post control plots, and is homogeneous and physically identifiable by a unique reference number;

"seed processing" means all those treatments that the seed is subjected to between harvesting and sale but does not include seed testing;

"seed production" means all the operations leading up to and including final harvesting of the seed from the seed crop field;

"seed quality" means the set minimum standards (varietal purity, genetic and physical purity, germination capacity, and freedom from noxious weeds, seed borne diseases and pests) have been met;

"seed testing" means the examination of a sample of seed with a view to determining its quality;

"seed testing laboratory" means a laboratory for the testing of seed, declared by notice in the *Gazette* to be a seed testing laboratory;

"standard" means the level of quality achieved during inspection or a laboratory test as defined in these Regulations;

"standard seed" means seed that has met the minimum laboratory and post control standards for categories of crop as set by the Service;

"storage" means a stage of seed processing in which seed is maintained in a condition that minimizes deterioration of quality of seed lots.

"technical grounds for appeal" means grounds for appeal in cases of rejection in seed production where an inspector did not consider all the factors of the seed crop prior to rejecting the crop;

"test certificate" means a seed testing laboratory certificate made on official seed sample;

"test report" means a seed testing laboratory report made on a private seed sample;

"tested seed" means an official seed lot in respect of which there are valid laboratory test certificates;

"weed" means any plant of type or species different from a crop species growing in or near a registered seed crop so as to constitute a threat to the registered seed crop.

### 3. Prescribed seeds.

The seeds of the plant species set out in the First Schedule or such other seeds of plant species that the Cabinet Secretary may prescribe by order in the *Gazette*, shall be the prescribed seeds for the purposes of the Act.

### 4. Seed Testing Station.

The Service shall by notice in the *Gazette* publish Seed Testing Stations established under section 11 of the Act and such shall be the official seed testing stations.

### 5. Seed Regulation Committee.

- (1) There shall be a Committee to be known as the Seeds Regulation Committee, which shall consist of—
  - (a) the Head of the Directorate responsible for Crops at the State Department of Agriculture, who shall be the chairperson;
  - (b) the Director General, Kenya Agricultural and Livestock Research Organization;
  - (c) the Managing Director, Kenya Plant Health Inspectorate Service, who shall be the Secretary;
  - (d) the Director General, Agriculture, and Food Authority;
  - (e) a representative of the Governors' Council;
  - (f) two representatives of the Seed Trade Association of Kenya;
  - (g) the Chief Executive Officer of Kenya National Agricultural Farmers' Federation; and
  - (h) the chairperson of the Plant Breeders Association of Kenya or his representative.
- (2) The Seeds Regulation Committee may co-opt two other members to represent such interests as it may from time to time determine.
- (3) Co-opted members shall serve for a term not exceeding one year which shall be renewable for one further term.
- (4) The Seeds Regulation Committee shall—
  - (a) advise the Cabinet Secretary on matters related to seed policy, regulations and seed industry performance;
  - (b) modify, vary or alter certification standards;
  - (c) consider cases of gross malpractices and advise the Service on actions to be taken;
  - (d) hear and determine appeals by aggrieved persons;
  - (e) review and recommend appropriate seed certification fees; and,
  - (f) recommend and approve guidelines for authorization.
- (5) The Seeds Regulation Committee shall meet at least once in a year, or as need may arise.

- (6) The Committee may, for the purposes of carrying out its functions, form subcommittees to perform specified functions.

## **6. Registration of seed merchants.**

- (1) A person who intends by way of trade or business to produce, purchase or otherwise acquire, sell, expose, keep, store or advertise for sale any seeds purported to be tested and certified shall apply to the Service for registration as a seed merchant.
- (2) Application for registration as a seed merchant shall be in the prescribed Form SR1 set out in the Sixth Schedule and shall be accompanied by the prescribed fee.
- (3) The Service shall approve the registration of applicants if—
  - (a) their business involves the processing, production or marketing of seed;
  - (b) they have adequately trained and competent personnel, knowledgeable in seed related matters and are conversant with Kenya's seed industry;
  - (c) they have an established distribution system;
  - (d) they have capacity to produce and process seeds.
- (4) Successful applicants be entered into the register of seed merchants kept by the Managing Director and shall be issued with a certificate of registration as a seed merchant in Form SR2 set out in the Sixth Schedule.
- (5) The certificate issued under paragraph (4) shall specify such conditions as may be necessary with respect to the production, processing or marketing of the seed:  

Provided that the Service may revoke such licence where the conditions for issue have been breached or due to malpractices.
- (6) Every registered seed merchant shall—
  - (a) record the particulars of each seed lot tested and certified seed produced, purchased, sold or otherwise dealt with by him as may from time to time be prescribed;
  - (b) keep the records in safe custody for a period of not less than three years from the date of the transaction to which the records relate;
  - (c) produce the records to any inspector for inspection whenever required during normal working hours;
  - (d) be obliged to call an inspector to re-sample seed lots whose validity of certification has expired.
- (7) Any person who contravenes the provisions of paragraphs (1) and (6) commits an offence.

## **7. Registration growers.**

- (1) A person, institution or seed merchant who wishes to be registered as a seed grower shall apply to the Service in Form SR 3 set out in the Sixth Schedule and pay the prescribed.
- (2) The Service shall consider each application under paragraph( 1) and may reject such application on grounds that other varieties of the crop or closely related crops had been grown on the land during the preceding season.
- (3) Upon registration, the Service shall issue the applicant with a certificate of registration in Form SR 4 set out in the Sixth Schedule, and by virtue of such registration, the owner of the registered crop shall be the registered seed merchant but with respect only to the seed of the registered crop.
- (4) The Service shall keep a record of all registered seed growers.



- (5) Every registered seed grower shall keep a record of such parentage including certificates, labels and invoices as the Service may direct.
- (6) A registered crop shall not exceed the declared hectareage by more than five per cent of the total area.

## **8. Application of standards and procedures.**

The procedures and standards applicable in these Regulations shall be in accordance with internationally recognized standards and procedures prescribed by the Service.

## **9. Seed certification.**

- (1) All prescribed seeds set out in the First schedule shall be eligible for certification.
- (2) Seeds of crop set out in the Second schedule shall be under compulsory certification and shall be of crop varieties officially released in accordance with the relevant Regulations made under this Act.
- (3) Seeds shall be certified in the six classes as set out in the Third Schedule.
- (4) A seed crop, which contains noxious or invasive weeds, or seed-borne diseases shall not be eligible for certification.
- (5) Seed shall not be certified unless it has been produced, inspected, sampled, tested and it complies with the standards set out in the Fourth Schedule.
- (6) Breeders shall maintain the standards of pre-basic and higher classes of the varieties approved for certification under paragraph (1).

## **10. Authorization.**

The Service may authorize some or all aspects of seed certification to authorized persons, provided that authorization shall not cover certification of basic seed and higher classes as well as new varieties in their first and second season of certification.

## **11. Evaluation of applications.**

- (1) Where seed of a prescribed crop variety is not available but is important for food security or any other socio-economic value, or the non-availability is due to a natural disaster, the Cabinet Secretary may issue a maintenance and propagation order for the crop variety.
- (2) The order issued under paragraph (1) shall provide for—
  - (a) the roles of various parties in the maintenance, propagation and availing of the seed;
  - (b) ensuring that the certification requirements as provided in regulation 9 or exclusions from requirements granted under the Act are met;
  - (c) waiver of prescribed standards and seed classes in cases of natural disasters such as floods, drought or outbreaks of disease., and
  - (d) the resources and means for enforcing the order.

## **12. Seed field inspection.**

- (1) A registered seed merchant or his agent shall, within Seed field inspection. one month after a seed crop has emerged, apply for the field inspection of a seed crop in Form SR 5 set out in the Sixth Schedule and pay the prescribed fee.
- (2) A seed field inspection for the purposes of certification shall be conducted by seed inspectors and shall be confined to registered seed growers' fields

- (3) A seed inspector shall have the power of entry into any field registered for field inspection or any other field suspected to be producing seed.
- (4) A seed inspector conducting a field inspection shall not certify any crop if he is satisfied that it does not meet the standards specified in the Fourth Schedule.
- (5) The results of each seed field inspection shall be issued in Form SR 6 set out in the Sixth Schedule to the registered seed grower or seed merchant, or their agents within twenty four hours.
- (6) Upon completion of a seed field inspection, a seed crop that meets the prescribed standards shall be accorded its appropriate class.
- (7) Where a registered Seed Merchant or his agent disagrees with the results of any field inspection, he may appeal in writing within two days to the Managing Director, for re-inspection.
- (8) A re-inspection shall be carried out by a team comprising —
  - (a) one senior seed inspector;
  - (b) one breeder of the specific crop in question;
  - (c) a representative of the aggrieved seed merchant; and
  - (d) a representative of the seed grower.
- (9) Where the field is approved upon a re-inspection, the aggrieved Merchant shall not pay re-inspection fee.
- (10) In hybrid seed production, no appeal shall be lodged on grounds of selling save on technical grounds only.

### **13. Transportation of harvested seed.**

- (1) A registered seed, merchant shall be responsible for the harvesting of approved seed fields as per their program and supervise transportation in sealed and marked containers or trucks and notify the Service in Form SR 7 on dispatch.
- (2) Seed harvested and transported under paragraph (1) may be offloaded at the merchant's premise upon notification of Service but the sealed and marked containers or trucks shall not be opened until verified by the Service.
- (3) A person who contravenes this regulation commits an offence.

### **14. Seed processing inspection.**

- (1) Seeds shall only be processed by registered seed merchant.
- (2) Registered seed merchants shall be allowed to have for processing only seeds from fields that have been approved, or seed permitted to be imported into Kenya in bulk.
- (3) Seed of crops from different fields of the same origin, species, class and varieties which have passed field inspection may be blended and bulked to constitute one seed lot.
- (4) Every seed merchant shall notify the Service before processing any seed lots by making a request for seed processing inspection in Form SR 8A set out in the Sixth Schedule and upon such notification, the Service shall clear seed for processing and confirm in Form SR 8B set out in the Sixth Schedule in adherence to processing standards set out in the Fourth Schedule.
- (5) The seed inspector may enter and inspect the premises of a registered seeds merchant processing seed.
- (6) A registered seeds merchant shall dispose rejected seed crops and lots under supervision of the Service.

- (7) The seed inspectors shall during processing, perform inspection and lot examination, and order reprocessing where processing is ineffective.
- (8) Any processed seed shall be properly marked and stored separately in identifiable lots.
- (9) A registered seed merchant shall pay the lot examination prescribed fees.
- (10) Where the processed seed meets the processing standards set out in the Fourth Schedule the results shall be entered in Form SR 8B set out in the Sixth Schedule.

### **15. Seed sampling.**

- (1) All seed delivered to processing plants which is Seed intended for sale shall be sampled for determination of varietal purity by seed inspector.
- (2) All processed lots shall be sampled and the sample shall be provided free of charge for purposes of laboratory seed testing and post control planting and examination.
- (3) The sampling of seed lots shall be conducted in accordance with the prevailing internationally recognized procedures.
- (4) The lots shall be created at the time of sampling and shall not exceed the maximum weights prescribed by the service.
- (5) Each official sample shall bear a unique seed lot reference number.
- (6) Where automatic samplers have not been installed, a registered seed merchant shall arrange the packages in such a way as to enable the seed inspector to reach all packages and draw samples.
- (7) A registered seed merchant shall provide reliable scales that meet the requirements of the department responsible for weights and measures and calibrated by a nationally recognized institution.
- (8) A registered seed merchant shall pay the prescribed fees for seed sampling.

### **16. Seed testing.**

- (1) Seed testing for the purposes of certification shall be conducted by an official seed tester or seed analyst in-charge in accordance with section 12 of the Act.
- (2) The samples to be tested shall be official samples drawn by a seed inspector or seed analyst and submitted to a seed testing laboratory together with a request for sampling or sealing or testing of seed for certification in Form SR 9 set out in the Sixth Schedule, or private seed samples submitted by farmers or private individuals to the seed testing laboratory.
- (3) The official seed tester or seed analyst in-charge shall—
  - (a) test seed in accordance with the current internationally accepted procedure for seed testing, upon payment of the prescribed fee by the merchant or private individual submitting the seed for testing;
  - (b) record the results of the seed test on the seed testing certificate in Form SR 10A set out in the Sixth Schedule in the case of official samples or Form SR 10B set out in the Sixth Schedule in the case of private seed samples;
  - (c) state whether the tested seeds have met the minimum standards of germination capacity, purity and health set out in the Fourth Schedule;
  - (d) furnish the results of the seed testing to the seed merchant in a test certificate or in the case of private seed sample as a test report;
  - (e) furnish a special report where the lot has been tested for unique seed health; and

- (f) store the remnant sample under optimal storage conditions for at least twelve months from the date the test results certificate is issued.

## 17. Packaging, labeling and sealing.

- (1) A person shall not label or seal seed lots before the official seed tester or seed analyst in-charge has released test results, save for the early movement of seed.
- (2) In case of early movement of seed, the seed merchant shall—
  - (a) prove that the seed lots passed all other tests;
  - (b) provide the purchaser with a written statement indicating that the seed lots is being marketed prior to the release of seed testing results; or
  - (c) upon receipt of an order to stop sale in Form SR 11 set out in the Sixth Schedule, withdraw all seed lots that have not reached the prescribed minimum laboratory standards and expeditiously compensate buyers for the loss they shall have incurred.
- (3) A seed merchant shall pack certified seed lots which have met the prescribed minimum standards in bags or containers, securely closed, sealed by a seed inspector and labeled with a certification label whose serial number shall be recorded.
- (4) For seed packages above five kilograms the certification label referred to in paragraph (1) shall specify the—
  - (a) seed class;
  - (b) species and variety of seed;
  - (c) lot number;
  - (d) date of sealing;
  - (e) weight of the packet, bag or container or number of seeds or kernels; and
  - (f) warning text in cases where the seed is dressed.
- (5) A registered seed merchant shall pay the prescribed fee for labeling and sealing.
- (6) A person, other than the ultimate user, shall not remove labels, seals or open sewn or closed packets of seed.
- (7) Where certified seed lots are returned for re-packing, the repacking shall be done under the supervision of the seed inspector.
- (8) A registered seed merchant who sells seed, whose quality has been declared under these Regulations and whose weight is five Kilograms or less shall affix a sticker label on each package of seed being offered for sale and print the following information on the packet —
  - (a) the species;
  - (b) variety;
  - (c) seed lot number;
  - (d) date of sealing;
  - (e) weight of the package; and
  - (f) warning text where the seed is dressed.
- (9) The seed merchant shall pay the prescribed fee for labels.
- (10) A person who contravenes paragraphs (4), (6) and (8) commits an offence.

**18. Validity of certification.**

- (1) The validity of certification for—
  - (a) cereals pulses, fibre crops and sunflower shall be twelve months from the date of testing;
  - (b) herbage grass, oil crops, pasture legumes, root crops, vegetables and stimulant crops shall be nine months from the date of testing, unless stated Otherwise by the Service; and
  - (c) all other kinds of species of seed shall be twelve months from date of sealing, unless earlier specified.
- (2) A registered seed merchant shall notify the Service to re-sample seed lots whose validity of certification has expired.
- (3) A registered merchant who contravenes the provisions of these regulations commits an offence.

**19. Seed sale.**

- (1) A person shall not offer seed for sale unless it has been certified or it has met minimum standards prescribed for the class and species.
- (2) A person shall not offer for sale seed of species set out in the Second Schedule unless it has been certified.
- (3) Every registered seed merchant shall establish an appropriate system and facilities to maintain the quality of the seed offered for sale.
- (4) Pursuant to the provisions of regulation 18(1), a registered seed merchant shall, be responsible for the quality of any seed the merchant sells or offers for sale.

**20. Seed sellers.**

- (1) Every registered seed merchant shall appoint a seed seller with knowledge, ability and appropriate facilities to maintain the quality and viability of the seed offered for sale.
- (2) An appointed person shall apply for a seed seller's licence in Form SR 12 set out in the Sixth Schedule.
- (3) The Service shall, upon receipt of an application under paragraph (2) and the payment of the prescribed fees, assess the application, consider the applicant's knowledge on agriculture, ability and appropriate facilities to maintain the quality and viability of the seed offered for sale and issue a seed seller's licence in Form SR 13 in the Sixth Schedule to an applicant who qualifies for the licence.
- (4) There shall be attached to the license issued under this Regulation conditions relating to the maintenance of seed to be exposed for sale, and such license shall be valid for one calendar year.
- (5) The Service may revoke such license where the attached conditions are breached.
- (6) The Service may deny a person who has been convicted of a seed related offence a seed seller's licence.
- (7) A person shall not sell seed unless he holds a valid license issued under this regulation.
- (8) A seed inspector may enter and inspect any premises where seed is stored for sale.
- (9) The Service shall establish and maintain a register of all seed sellers licensed under this regulation.
- (10) A seed inspector or seed analyst shall conduct regular monitoring of all seed stored for sale by licensed sellers and shall issue an order to stop sale in respect of seed lots whose quality is below the minimum prescribed standards.

- (11) Where an order to stop sale under paragraph (10) is issued, the merchant shall retrieve the affected seed lots from all seed sellers and dispose of such seed under the supervision of the Service within six months.
- (12) A seed merchant shall supply seed only to seed sellers licensed by the Service.
- (13) Every Seed merchant or their seed seller shall maintain a schedule of seed sold to other seed sellers.
- (14) Every seed seller shall issue the purchaser with an official receipt or such document to show that the seed was purchased from him/her.
- (15) Every seed seller shall issue the purchaser with an official receipt or such document to show that the seed was purchased from him/her.

## **21. Seizure and disposal of seed and seed processing facilities.**

- (1) An inspector who reasonably believes that the provisions of the Act or these Regulations have been breached, may seize and detain any seeds and seed processing facilities in respect of which the breach has been committed;
- (2) The disposal of seed and seed processing facilities seized shall be subject to the provisions of section 3D of the Act.
- (3) In this Regulation seizure means—
  - (a) holding in confinement to deprive access by owner;
  - (b) sealing of materials and equipment in transit; and
  - (c) impounding materials and equipment.
- (4) Any person whose materials and equipment have been seized under this Regulation shall comply with the requirements and instructions of seizure set out in Form SR 11 B set out in the Sixth Schedule.
- (5) A person who contravenes the provision of this regulation commits an offence.

## **22. Pre and post control plots.**

- (1) Seed lots officially sampled and tested under these Regulations shall be grown by the service in pre- or post-control plots and such plots shall be open to examination and assessment by all interested parties.
- (2) Upon completion of the examination and assessment of pre- or post-control plots, the Managing Director, or an officer authorized by him or his agent shall—
  - (a) write a report on the number of off-types, foreign cultivars, diseased plants and other diversions observed in the plots; and
  - (b) attempt to determine the sources of the diversions and possible remedies to eradicate such diversions in subsequent seasons.

## **23. Seed importation and exportation.**

- (1) A person shall not import seed for sale unless—
  - (a) he is a registered seed merchant;
  - (b) the seed complies with the minimum standards set out in the Fourth Schedule, and, for crops listed in the Second Schedule, has been officially released in Kenya; and

- (c) he has submitted a notice to import such seed in Form SR 14 set out in the Sixth Schedule, and has, with the approval of the Service, been issued with a seed import permit in Form SR 15 set out in the Sixth Schedule.
- (2) The provisions of paragraph 1(a) and (b) shall not apply to importation of materials intended for germplasm collections and research materials.
  - (3) The notice under subparagraph 1(c) shall specify the quantity, the species and the variety of the intended import.
  - (4) A person shall not sell seed imported under these Regulations unless its quality has been examined, tested and the importer has been given a unique seed lot number for the consignment and in case of early movement regulation 17(2) shall apply.
  - (5) The marketing of imported seed shall be subject to the provisions of regulations 16, 18 and 19.
  - (6) All imported seed shall be accompanied by a phytosanitary certificate and an internationally accepted seed testing certificate and shall meet Kenyan quarantine requirements as set out in the Plant Protection Act (Cap. 324).
  - (7) Notwithstanding paragraph (6) imported seed for germplasm collections and research shall only be accompanied by a phytosanitary certificate.
  - (8) The Service may regulate the certification of imported seed lots or restrict the importation of any crop species and variety of seeds in accordance with the certification scheme in Kenya.
  - (9) In case of unanticipated seed shortages as advised by the Service, the Cabinet Secretary may make an order to regulate export of seeds for a specified period not exceeding twelve months for food security reasons.
  - (10) All seed for export shall meet the minimum standards set out in the Fourth Schedule.
  - (11) Quantities of seed imported for germplasm collections and research shall be limited to a maximum quantity approved by the Service on a case by case basis taking into account the seed rate and purpose of importation.

#### **24. Disclosure of confidential information.**

In the disclosure of confidential information, the provision of Section 3(e) of the Act shall apply.

#### **25. Appeals.**

- (1) person aggrieved by a decision of an inspector or analyst may appeal to the Managing Director.
- (2) A person aggrieved by Service may appeal to the Seeds Regulations Committee.
- (3) A person aggrieved by a decision of the Seed Regulation Committee may appeal to the Seeds and Plant Tribunal.

#### **26. Offence.**

A person who contravenes any of the requirements of these Regulations, commits an offence.

#### **27. Protection from liability.**

- (1) No legal proceedings shall lie against any officer for anything done *bona fide* and without negligence, in the exercise of their powers or the performance of their functions or duties under these Regulations.
- (2) For the purpose of this Regulation, the term "officer" includes any employee of the Kenya Government or officers gazetted under these regulations.

**28. Fees.**

The fees set out in the Fifth Schedule, shall be payable in respect of the matters set out therein.

**29. Revocation L.N. 287/1991.**

The Seeds and Plant Varieties (Seeds) Regulations are revoked.

**FIRST SCHEDULE [rr. 3 & 9(1)]****PRESCRIBED SEEDS*****Cereals***

Barley .....	<i>Hordeum vulgare L.</i>
Finger Millet .....	<i>Eleusine coracana (L.) Gaertn</i>
Maize .....	<i>Zea mays S.</i>
Oats .....	<i>Avena Sativa L.</i>
Pearl Millet .....	<i>Pennisetum glaucum(L.) R.Br.</i>
Rice .....	<i>Oryza Sativa L.</i>
Rye .....	<i>Secale cereale L.</i>
Sorghum .....	<i>Sorghum bicolor (L.) Moench.</i>
Triticale .....	<i>Tricosecale Wittm</i>
Wheat .....	<i>Triticum spp</i>

***Sugar crops***

Sugar cane .....	<i>Saccharum spp.</i>
Stevia .....	<i>Stevia spp</i>

***Pulses***

Beans .....	<i>Phaseolus vulgaris L.</i>
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**Cereals**

Broad bean .....	<i>Vicia faba L.</i>
Chick pea .....	<i>Cicer arietinum L.</i>
Cluster bean .....	<i>Cyamopsis tetragonoloba</i>
Cowpea .....	<i>Vigna unguiculata (L.) Waip</i>
Dolichos bean .....	<i>Dolichos lablab L</i>
Pea .....	<i>Pisum sativum L.</i>
Pigeon pea .....	<i>Cajanus cajan.</i>
Green gram .....	<i>Vigna radiata L.</i>
Common Vetch .....	<i>Vicia sativa L.</i>
Any other related species	

**Oil Crops**

Castor bean .....	<i>Ricinus communis L.</i>
Coconut .....	<i>Cocos nucifera</i>
Ground nut .....	<i>Arachishypogaea L</i>
Jjoba .....	<i>Simmondsia chinensis</i>
Linseed .....	<i>Linum usitatissimum L.</i>
Oil seed rape .....	<i>Brassica napus L.</i>
Oil-palm .....	<i>Elaeis quineensis</i>
Safflower .....	<i>Carthamus tinctorius L.</i>
Sesame .....	<i>Sesamum indicum L.</i>

**Cereals**

Sunflower .....	<i>Helianthus annuus L</i>
Soya bean .....	<i>Glycine max (L.) Merr.</i>
Any other related species	
<i>Fibre Crops</i>	
Cotton .....	<i>Gossypium spp</i>
Flax .....	<i>Linum usitatissimum L.</i>
Kenaf .....	<i>Hibiscus cannabinus L.</i>
Any other related species	
<i>Root and Tuber Crops</i>	
Beet .....	<i>Beta vulgaris L.</i>
Cassava .....	<i>Manihot esculenta.</i>
Irish potato .....	<i>Solanum tuberosum</i>
Sweet potato .....	<i>Ipomea batatas</i>
Turnip .....	<i>Brassica rapa L.</i>
Any other related species	
<i>Fruit Trees</i>	
Apple .....	<i>Pyrus malus L.</i>
Pear .....	<i>Pyrus communis L.</i>
Peach .....	<i>Prunus persica L</i>
Nectarine .....	<i>Prunus sp. L</i>
Quince .....	<i>Cydonia oblonga</i>

**Cereals**

Plum .....	//Prunus salicina L
Plum .....	Prunus domestica L//
Apricot .....	
Citrus .....	<i>All citrus species</i>
Avocado pear .....	<i>Persea Americana Persea American</i>
Pawpaw (mountain) .....	<i>Carica papaya</i>
Guava .....	<i>Psidium guajava</i>
Mango .....	<i>Mangifera indica</i>
Loquat .....	<i>Eriobotrya japonica</i>
White Sapote .....	<i>casimiroa edulis</i>
Litchi .....	<i>Litchi chinensis</i>
Litchi .....	<i>Nephelium litch</i>
<i>Other Fruits</i>	
Passion fruit .....	<i>Passiflora edulis</i>
Bananas and plantains .....	<i>Musa spp.</i>
Strawberries .....	<i>Fragaria vesca, Fragaria chiloensis</i>
Cape gooseberry .....	<i>Physalis peruviana</i>
Mulberries .....	<i>Ananus comosus</i>
Berries .....	<i>Rubus sp</i>
Date palm .....	<i>Phoenix dactylifera</i>
Custard apple .....	<i>Annona sp.</i>
Melons .....	<i>Cucumis spp and Citrullus spp</i>

**Cereals**

Grapes .....	<i>Vitis sp</i>
Any other fruits of economic value	
<i>Nut crops</i>	
Cashew nut .....	<i>Anacardium occidentale</i>
Macadamia nuts .....	<i>Macadamia sp</i>
Pistachio nut .....	<i>Pistachio vera</i>
Oyster nut .....	<i>Tefairia pedata</i>
All others except scheduled oil crops.	
<i>Beverage crops</i>	
Cocoa .....	<i>Theobroma cacao</i>
Coffee .....	<i>Coffea spp</i>
Mate .....	<i>Ilex paraquariensis</i>
Tea .....	<i>Camellia sinensis</i>
<i>Medicinal and Aromatic Plants</i>	
Geranium .....	<i>Pelagonium sp.</i>
Pyrethrum .....	<i>Tanacetum cinerarifolium</i>
<i>Stimulants</i>	
Tobacco .....	<i>Nicotiana tabacum</i>
<i>Flowers</i>	
Chrysanthemums .....	<i>Chrysanthemum spp</i>
Several other species .....	<i>Mostly Liliaceae</i>

**Cereals**

Any other related species

*Herbage Grasses*

Blue stem grass	<i>Andropogon spp</i>
Buffel grass	<i>Cenchrus ciliaris</i>
Cock's foot	<i>Dactylis glomerata</i>
Coloured guinea grass	<i>Panicum coloratum</i>
Columbus grass	<i>Sorghum almum</i>
Congo signal	<i>Brachiaria ruziziensis</i>
Kikuyu grass	<i>Pennisetum clandestinum</i>
Napier grass	<i>Pennisetum purpureum K. Schum</i>
Papsalum grass	<i>Papsalum spp</i>
Rhodes grass	<i>Chloris gayana</i>
Rye grass	<i>Lolium spp</i>
Seteri	<i>Seteria anceps</i>
Sudan	<i>Sorghum sudanense</i>
Love grass	<i>Eragrostis spp</i>

Any other related species

*Lawn Grass*

Barmuda grass	<i>Cynodon dactylon</i>
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Any other related species

*Pasture Legumes*

**Cereals**

Butterfly pen	<i>Clitoria ternatea</i>
Centro	<i>Centrosema pubescens Benth</i>
Clover	<i>Trifolium spp</i>
Greenleaf	<i>Desmodium intortum (Miller)</i>
Leucaena	<i>leucaena leucocephala</i>
Lucerne	<i>Medicago sativa</i>
Lupin	<i>Lupinus spp.</i>
Silverleaf	<i>Desmodium uncinatum</i>
Siratro (Purple Bush Bean)...	<i>macroptilium atropurpureurn</i>
Stylo	<i>Stylosanthes guianensis</i>
Any other related species	
<i>Vegetables</i>	
Amaranth	<i>Amaranthus spp</i>
Artichok	<i>Cynara scolymus</i>
Asparagus	<i>Asparagus officinalis</i>
Bean	<i>Phaseolus vulgaris</i>
Beet	<i>Beta vulgaris L.</i>
Broccoli	<i>Brassica oleracea var. botrtvtis L</i>
Brussels sprouts	<i>Brassica oleracea var. gemmijfera</i>
Cabbage	<i>Brassica oleracea var. capitata L.</i>
Canteoupe/muskmelon	<i>cucunismelo L.</i>

**Cereals**

Carrot	<i>Daucus carota L</i>
Celery/Celeriac	<i>Apium graveolens L.</i>
Chicory	<i>Cichorium intybus L.</i>
Chinese cabbage	<i>Brassica chinensis</i>
Chervil	<i>Anthriscus cerefolium</i>
Collards/ Kales	<i>Brassica oleracea var. ancephala DC</i>
Corriander	<i>Coriandrum sativum</i>
Cucumber	<i>Cucumis sativus L</i>
Dill	<i>Arethum graveolens L..</i>
Eggplants	<i>Solanum melongena L</i>
Endive	<i>Cichorium endivia L.</i>
Garden cress	<i>Lepidium sativum L..</i>
Karella	<i>Momordica charantia</i>
Kohl rabi	<i>Brassica oleracea var. Gongylodes</i>
Leek	<i>Allium porrum L.</i>
Lettuce	<i>Lactuca sativa</i>
Okra	<i>Abelmoschus esculentus L.</i>
Onion	<i>Allium cepa L.</i>
Parsley	<i>Petroselinum crispum (Mill) Nym.</i>
Parsnip	<i>Pastinaca sativa L</i>

**Cereals**

Pea	<i>Pisum sativum L. Sensulato</i>
Pepper	<i>Capsicum spp</i>
Pumpkin/Squash/Courgette	<i>Cucurbita spp.</i>
Radish	<i>Raphanus sativus L.</i>
Rhubarb	<i>Rheum rhaponticum L.</i>
Rutabaga	<i>Brassica napus var. Napobrassica L.</i>
Spinach	<i>Spinacea oleracea L.</i>
Spider plant	<i>Cleome gynandra</i>
Swiss chard	<i>Beta vulgaris</i>
Tomato	<i>Solanum lycopersicum L.</i>
Turnip	<i>Brassica rapa L.</i>
Water cress	<i>Nasturtium officinale R.br.</i>
Water melon	<i>Citrullus lanatus</i>
Any other related species	

**SECOND SCHEDULE [r. 9(2)]****SEED UNDER COMPULSORY CERTIFICATION**

<b>Cereals</b>	<b>Grasses</b>
Maize	Setaria
Wheat	Rhodes grass
Barley	Sudan grass



Sorghum	Congo signal
Millet	Panicum spp.
Pearl millet	Buffel grass
Rice	Columbus grass
Oats	<b>Pasture legumes</b>
Triticale	Centro
<b>Pulses</b>	Stylo
Bean (dry)	Desmodium
Bean (Green podded)	Clover
Pea	Lucerne
Green gram	Siratro
Cow pea	Lupins
Pigeon pea	
<b>Oil crops</b>	<b>Root crops</b>
Sunflower	Irish potato
Oil-seed rape	Sweet potato
Linseed	Cassava
Soyabean	
Groundnut	<b>Fibre crops</b>
Sesame	Cotton

**THIRD SCHEDULE [r. 9(3)]****SEED CLASSES**

<i>Code</i>	<i>Classes</i>	<i>Seed Parents</i>	<i>Colour of Labels</i>
Br.	Breeder	Progeny of parental stock	White with a violet strip
Pb	Pre-basic	Progeny of parental stock or breeders seed	White with a violet strip
B.	Basic	Progeny breeders seed or pre-basic seed	White
C.1	Cert. 1 <sup>st</sup> gen.	Progeny of pre-basic seed or basic seed	Blue
C.2	Cert. 2 <sup>nd</sup> gen.	Progeny of basic seed or certified 1 <sup>st</sup> generation seed	Red
Std	Standard Seed	Progeny of certified 2 <sup>nd</sup> generation or certified standard seed or by declaration by the Cabinet Secretary.	Yellow

## NOTE:

- (i) Potatoes – Stock seed (SS/minute tubers, Pre-basic, basic, C1, C2)
- (ii) Hybrid Maize – Breeders seed, Pre-basic, basic, C1

(All cases of hybrids)

**FOURTH SCHEDULE [rr. 9(5), 12(4)]****FIELD AND LABORATORY STANDARDS****A. FIELD STANDARDS**

<b>Species</b>	<b>Isolation, metres (minimum)</b>					<b>Off-types of other cultivars</b>				
	BR	PB	B	C1	C2	BR	PB	B	C1	C2
<b>Cereals</b>						Maximum number per 100 plants (Heads)				

*Maize	400	400	400	200	200	0	0	0	0.5	2
*Sorghum	400	400	400	200	200	0	0	0	1	2
						Maximum number per 100 square metres				
Wheat	10	10	10	4	4	1	1	1	5	6
Barley	10	10	10	4	4	1	1	1	5	6
Triticale	50	50	50	20	20	1	1	1	5	6
Oats	10	10	10	4	4	1	1	1	5	6
Finger Millet	10	10	10	4	4	1	1	1	5	6
*Rice	10	10	10	4	4	1	1	1	5	6
†Hybrid rice	30	30	30	12	12	1 <sup>m</sup> 1 <sup>f</sup>	1 <sup>m</sup> 1 <sup>f</sup>	1 <sup>m</sup> 1 <sup>f</sup>	5 <sup>m</sup> 5 <sup>f</sup>	6 6 <sup>f</sup>
<b>Pulses</b>						Maximum number per 100 plants				
Bean	50	50	50	25	25	0	0	0	1	2
*Broad Bean	200	200	200	100	100	0	0	0	1	2
Soya Bean	10	10	10	4	4	0	0	0	1	2
Cowpea	50	50	50	25	25	0	0	0	0	0
Pea	50	50	50	25	25	0	0	0	1	2
Green gram	50	50	50	25	25	0	0	0	1	2
Chickpea	50	50	50	25	25	0	0	0	1	2
Pea	50	50	50	25	25	0	0	0	1	2

<b>Oil Crops</b>						Maximum number per 100 plants				
†Sunflower	4000	4000	4000	1000	1000	2 <sup>m</sup>	2 <sup>m</sup>	2 <sup>m</sup>	2 <sup>m</sup>	2 <sup>m</sup>
						5 <sup>f</sup>	5 <sup>f</sup>	5 <sup>f</sup>	5 <sup>f</sup>	5 <sup>f</sup>
Safflower	400	400	400	200	200	0	0	0	2	3
Rape seed	400	400	400	200	200	0	0	0	2	3
Groundnut	3	3	3	3	3	1	1	1	2	2
<b>Herbage Grasses</b>						Maximum number per 100 sq metres plants				
*Rhode grass	200	200	100	100	100	4	4	4	10	12
*Setaria grass	200	200	100	100	100	4	4	4	10	12
Buffel grass	50	50	25	25	25	4	4	4	10	12
Congo signal	50	50	25	25	25	4	4	4	10	12
Guinea grass	50	50	25	25	25	4	4	4	10	12
*Sudan grass	400	400	400	200	200	0	0	0	1	2
Columbus grass	400	400	400	200	200	0	0	0	1	2
<b>Pasture Legumes</b>										
Stylo	200	200	200	100	100	0	0	0	1	2
Desmondium	200	200	200	100	100	0	0	0	1	2
Siratro	200	200	200	100	100	0	0	0	1	2

Clover	800	800	800	400	400	0	0	0	1	2
Lucerne	800	800	400	400	400	0	0	0	1	2
<b><i>Sugar Crops</i></b>						Maximum number per 100 plants				
Sugarcane	5	5	5	5	5	0	0	0	0	0
<b><i>Vegetables</i></b>						Maximum number per 100 plants				
Tomato	100	100	100	50	50	0	0	0	5	6
Lettuce	100	100	100	50	50	0	0	0	2	3
Egg plant	100	100	100	50	50	0	0	0	5	6
Amaranthus	400	400	400	200	200	0	0	0	2	3
Pepper	100	100	100	50	50	0	0	0	5	6
<b><i>Root and Tuber Crops</i></b>						Maximum Number Per 100 Plants				
Irish potato (Isolation from ware crops)	100	100	100	50	50	0	1	2	2	3
Irish potato (Isolation from seed crops)	5	5	5	2	2					
Cassava	10	10	10	10	10	0	0	0	0	0
Sweet potato	10	10	10	5	5	0	0	0	5	5
<b><i>Fiber Crops</i></b>										

Cotton-CMS hybrids	-	-	-	800	800	1	1	1	5	5
<i>Gossypium barbadense</i> - Non hybrid and non CMS hybrids	200	200	200	150	150	1	1	1	5	5
<i>Gossypium hirsutum</i> - Non hybrid and non CMS hybrids	100	100	100	30	30	1	1	1	5	5
† <i>Gossypium barbadense</i> x <i>Gossypium hirsutum</i>	200	200	200	150	150	1 <sup>m</sup> 1 <sup>f</sup>	1 <sup>m</sup> 1 <sup>f</sup>	1 <sup>m</sup> 1 <sup>f</sup>	5 <sup>m</sup> 5 <sup>f</sup>	5 <sup>m</sup> 5 <sup>f</sup>

\* Open pollinated

†<sup>m</sup>: off-types in male parents

†<sup>f</sup>: off-types in female parents

KEY: BR=Breeder's seed; PB=pre-basic Seed; B=Basic seed; C<sub>1</sub>, C<sub>2</sub> = Certified generation 1, 2

Note: Standard seed will be inspected for genetic and physical purity

#### FIELD STANDARDS

1. The seed inspector may reject a crop should it be excessively weedy or severely lodged
2. Inspection shall be done for the following diseases,

	<b>Disease</b>	<b>Tolerance</b>
(a) Maize	Head smut ( <i>Sphacelotheca reiliana</i> (Kuhn) G.P. Clinton)	Zero at final inspection
	Common smut ( <i>Ustilago maydis</i> (DC) Corda)	Zero at final inspection

	<p>Maize Lethal Necrosis (MLN) Disease causing viruses (eg. <i>Sugarcane mosaic virus</i> and <i>Maize chlorotic mottle virus</i>)</p> <p>Downy mildews (<i>Sclerophthora spp</i>, <i>Peronosclerospora spp</i>)</p>	1% at every inspection
(b) Wheat Oat, Barley, Triticale	<p>Bunt (<i>Tilletia spp</i> Waiir. Liro)</p> <p>Loose smut (<i>Ustilago spp.</i>)</p> <p>Covered smut (<i>Ustilago hordei</i> (pers) Lagerh)</p>	<p>Zero</p> <p>1 head per 100 sq.m</p> <p>1 head per 100 sq.m</p>
Rice	<p>Rice Blast (<i>Magnaporthe grisea</i> Herbert) <i>Pyricularia oryzae</i>)</p> <p>Kernel Bunt (<i>Tilletia 2930 orrid.</i>)</p> <p>Basal node rot (<i>Fusarium oxysporum.</i>)</p> <p>Bacterial leaf blight (<i>Xanthomonas oryzae pv. oryzae</i>)</p> <p>Brown spot (<i>Drechslera oryzae</i>) Narrow brown leaf spot (<i>Cercospora oryzae</i>)</p> <p>White tip nematode (<i>Aphelenchoides besseyi</i>)</p>	<p>0.1% basic and 0.5% for certified</p> <p>None during final inspection</p> <p>1 per 100 sq. m</p> <p>None during final inspection</p> <p>1 per 100 sq. m</p> <p>1 per 100 sq. m</p> <p>Zero</p>
Finger Millet	<p>Ergot (<i>Claviceps fusiformis</i>)</p> <p>Seed rot/seedling blight/head blight (<i>Drechslera spp</i>)</p> <p>Green ear (<i>Sclerospora graminicola</i>)</p> <p>Head smut (<i>Sphacelotheca destruens</i>)</p>	<p>zero at final inspection</p> <p>1 head per 100 sq. m</p> <p>1 head per 100 sq.m</p> <p>None during final inspection</p>
(c) Sorghum	<p>Bunt (<i>Tilletia spp</i>) Mildrew (<i>Peronoscleropora soughi</i>)</p> <p>Covered kernel smut (<i>Sporisorium sorghi</i> (synonym: <i>Sphacelotheca sorghi</i>);</p> <p>loose smut (<i>Sphacelotheca cruenta</i> (Kuhn) Pattouillard),</p> <p>long smuts (<i>Tolposporium entrenbargii</i> (Kuhn))</p> <p>Ergot (<i>Sphacelia sorghi</i> (<i>Claviceps sorghi</i>))</p>	<p>1 plant per 1,000 plants</p> <p>1 plant per 1,000 for Basic and 2 per 1000 for Certified</p> <p>Zero at final inspection</p> <p>Zero at final inspection</p> <p>Zero at final inspection</p>

(d) Bean	<p>Halo blight (<i>Pseudomonas syringae</i> pv. <i>phaseolicola</i>)</p> <p>Bacterial canker (<i>Pseudomonas syringae</i> pv. <i>Syringae</i>)</p> <p>Anthracnose (<i>Collectotricum lindemuthianum</i>)</p> <p>Bean Common Mosaic Virus</p> <p>Common blight (<i>Xanthomonas campestris</i> pv. <i>phaseoli</i>)</p> <p>Angular leaf spot (<i>Phaeoisariopsis griseola</i>)</p>	<p>Zero at final inspection</p> <p>Zero at final inspection</p> <p>Zero at final inspection</p> <p>Zero at final inspection</p> <p>0.02% for Basic and 0.05% for certified</p> <p>0.02%. for Basic and 0.05% for Certified</p>
(e) Pea & Cowpea	<p>Leaf spots (<i>Ascochyta</i> spp)</p> <p>Pod spots (<i>Mycosphaerella pinodes</i>)</p> <p>Bacterial blight //(Xanthomonas vignicola)//</p>	<p>Zero at final inspection</p> <p>Zero at final inspection</p> <p>Zero at final inspection</p>
Chickpea	<p>Ascochyta (<i>Ascochyta rabiei</i>)</p> <p>Fusarium wilt (<i>Fusarium oxysporum</i> f. sp. <i>ciceris</i> (Padwick) Matuo &amp; K. Sato)</p>	<p>Zero at final inspection</p> <p>Zero at final inspection</p>
Green gram	<p>Halo blight (<i>Pseudomonas phaseolicola</i>)</p> <p>Common blight (<i>Xanthomonas axonopodis</i> pv. <i>phaseoli</i>)</p>	<p>Zero at final inspection</p> <p>Zero at final inspection</p> <p>Zero at final inspection</p>
(f) Soya bean ‡	<p>Bacterial blight (<i>Pseudomonas savastanoi</i>)</p> <p>Bacterial pustule (<i>Xanthomonas axonopodis</i>)</p> <p>Soya bean mosaic virus (SMV) (%)</p> <p>Purple stain (<i>Cercospora kikuchii</i>) (%)</p>	<p>Zero at final inspection</p> <p>Zero at final inspection</p> <p>0% for Basic and 0.2% for certified 2.5%</p>
(g) Sunflower §	<p>Sclerotinia wilt and Head rot (<i>Scerotinia sclerotiorum</i>) <i>Verticillium</i> wilt (<i>Verticillium dahliae</i>)</p> <p>Botrytis head rot or grey mould (<i>Botrytis cinerea</i>)</p> <p>Downy mildew (<i>Plasmopara halstedii</i>)</p> <p>Alternaria leaf spots (<i>Alternaria helianthi</i>)</p>	<p>Zero at final inspection</p> <p>Zero at final inspection</p> <p>0.5% for basic and 1% for certified</p> <p>0% for basic and 0.2% for certified</p> <p>0% for basic and 0.2% for certified</p>



Cassava	<i>Cassava mosaic virus</i>	Zero at final inspection
	<i>Cassava brown streak virus</i>	Zero at final inspection
	Cassava bacterial blight	Zero at final inspection

		Br, PB, B	Certified
Sweet Potato	Fusarium Wilt	0	5 per count
	(Fusarium oxysporum f.sp. <i>batatas</i> )	0	0
	Sweet potato wilt Soil rot ( <i>Actinomycesipomea</i> )	70 plants/acre	14
	Sweet potato weevil	0	0 plants/acre
	Mosaic disease, <i>Sweet potato feathery mottle virus</i>	0	0
		0	5 per count
		0	0
Ground nut	Alternaria leaf spot ( <i>Alternaria arachiolis</i> Kulk)Groundnut rosette virusRolstonia solanacearum	0.5%	1%
		0.1%0	0.5%
			0
Cotton	Bacterial blight	0	0
	Fusarium wilt Leaf curl	0	0
	Cotton strainers,	0	1%
	cotton aphids,	2%	5%
	Cotton Jassid, African bollworm		
Potato diseases	Tolerance (plants per thousand)		

	Breeder/ Minituber	PB	Basic seed	Certified seed 1	Certified seed 2
*Blackleg ( <i>Pectobac terium</i> spp. and Dickeya spp.)	0	0	0	0	0
<sup>a</sup> Severe virus disease e.g. leaf roll, Y group of viruses, severe mosaic	0	1	4	8	10
<sup>b</sup> Mild mosaic visible in the field (e.g. pvx, pvs)	0	0.3	0.3	2	5
* <i>Fusarium</i> wilt	0	0	0	2	5
<i>Verticillium</i> wilt	0	0	0	0.5	1
Bacterial wilt or Brown rot ( <i>Ralstonia solanacearum</i> )	0	0	0	0	0
Wart disease ( <i>Synchtrium endobioticum</i> )	0	0	0	0	0
*Nematodes ( <i>Meloidogyne</i> spp. <i>Ditylenchus</i> spp.)	0	0	2	3	4
Golden nematode*** ( <i>Globodera rostochienisis</i> and <i>Globodera pallida</i> )	0	0	0	0	0

Ring rot ( <i>Clavibacter michiganensis</i> <i>sp sepedonicum</i> )	0	0	0	0	0	0
Potato spindle tuber viroid	0	0	0	0	0	0
Phytoplasma diseases eg. Potato stolbar and potato purple top	0	0	0	0		
Sugar cane diseases	tolerances {Br, PB, B (%)}			tolerances {Certified (%)}		
	1 <sup>st</sup> Insp	2 <sup>nd</sup> Insp	3 <sup>rd</sup> Insp	1 <sup>st</sup> Insp	2 <sup>nd</sup> Insp	3 <sup>rd</sup> Insp
Red rot ( <i>Glomerella tucuma</i> <i>nensis</i> )	0	0	0	0	0	0
Smut – Major ( <i>Ustilago</i> <i>scitaminea</i> )	0.02*	0.01*	0	0.1*	0.1*	0
Grassy shoot ( <i>Myco plasma</i> like)	-	0.05*	0.01*	-	0.5*	
Sugar cane wilt ( <i>Cephalo</i> <i>sporium sacgaru</i> )	-	-	0.01*	-	-	0.01*
Leaf scald ( <i>Xantho monas</i> <i>albilineans</i> )	-	0.01*	0	-	0.05*	0
Top borer ( <i>Scirpo pophaga</i> <i>excerptalis</i> )	-	5	5	-	5	5

Internode borers ( <i>Chilosac chari phagusindicu</i> )	- s)	-	10* 00**	-	-	10*0**
Stalk borers ( <i>Chilo auricilius</i> )	-	-	20* 0**	-	-	20*0**
White scale insects and mealy bug ( <i>Melanaspis glomerata</i> and <i>Sacch ariphagus saccharia</i> )	-	-	5 0**	-	-	50**

\* Subject to immediate rouging of the whole plant

\*\* In area where the presence of the pest has not been recorded

\*\*\* Soil testing to be carried out before planting

a. Hybrid Seed production

(1) Maize:

Detasselling of female plants shall be inspected at least 3 times during tasseling period.

- (i) If 1% or more of the female plants possess receptive silks and more than 1 per 100 of them are shedding pollen at any one inspection, visit or more than 2 per 100 cumulatively during 3 days of inspection (3 inspection visits) then the crop shall be rejected.
- (ii) The neighbouring seed crop adjacent to a rejected seeds shall also be rejected if:
  - (a) The female plants shedding pollen in the rejected field exceeds either 2 per 100 on any one inspection or 4 per 100 on a combination of 3 visits,
  - (b) The failed crop shall have more than 2 per 1,000 off-type plants in its pollen parent.
  - (c) The rejected neighbouring crop has more than 4 smutted plants per hectare.
- (iii) The neighbouring seed crop adjacent to a rejected seed crops shall not be rejected if isolation is in accordance with these regulations.
- (iv) All seed fields have eight guard rows round the seed field.
- (d) In case of harvesting by means of a machine, the seed merchant/grower concerned shall notify the Service for machine harvesting inspection at least five days before the date and after pre-harvest inspection:

Upon inspection, use of machine shall only be approved if the following field standards have been met—

- (i) Less than 0.1% offtype ears or 2% doubtful ears
- (ii) Less than 1.5% ears have insect damaged kernel

- (iii) Less than 2% ears have less than 0.5% discoloured kernels in white.
- (iv) Seed is between 18%-22% or less M.C on wet basis
- (v) Less than 5% pathogen infested ears.

The merchant shall pay the prescribed field inspection fees.

(2) Sunflower:

When 2% (basic and above) and 5% (certified) of the female plants have pollen receptive flowers, there should not be more than the number of off-type plant stated in the schedule and also not more than 5 plants per 1,000 female pollen shedders (basic and above) or 10 plants per 1,000 females pollen shredders (certified)

### B. PROCESSING STANDARDS

<b>Crop</b>	<b>Screens (bottom sleeve)(mm)</b>	<b>Screening allowed</b>	<b>Grades</b>
Hybrid Maize	6.8	5	LF (11.1mm), LR (11.1x23.3mm), MF (9.5mm), MR (9.5x23.3mm), SF (7.9mm), SR (7.9x23.3mm), HP (6.8mm)
Open pollinated maize	6.8	5	LF, LR, MF, MR, SF, SR, HP
Wheat	2.2	5	-
Barley	2.3	5	-
Oats	2.0	5	-
Triticale	2.0	-	-

Irish Potato	15.0-27.0 (Mini-tuber Only)		(5 tubers per 50Kg bag) allowed
	28.0-35.0		
	36.0-45.0		
	46.0-55.0		

\*The requirement can be varied depending on variety and general crop performance as may be agreed by the Seed Regulation Committee.

NOTE

1. *Maize*

A seed lot shall not be allowed to contain more than 2.5% of cracked, diseased and shriveled seeds.

2. *Wheat, Barley, Oat, Rice and Triticale*

- (a) Maximum of 1 seed per litre will be allowed in basic seed lots and 2 seeds per litre for certified seed lots.
- (b) *Weed seeds* - A maximum of 2 seeds per litre will be allowed in basic seed lots and 4 seeds per litre for certified lots. No seed of wild oats, thorn apple or other noxious weeds shall be allowed.
- (c) *Damaged seeds*
  - (i) In basic seed lots a maximum of 10 % of naked seeds and 10 % of cracked seeds in barley and oats shall be allowed, while for certified seed the maximum will be 5%.
  - (ii) In basic seeds lots a maximum of 10% of all discoloured seeds, e.g. blue pointed sees (germ end) and 10% of insect damaged seeds allowed, while for certified seed the maximum will be 5%.
- (d) *Sprouted seeds* - In basic seeds lots a maximum of 10% short sprouts and 5% long sprouts will be allowed while a maximum of 5% short sprouts and 2% long sprouts will be allowed in certified seed lots.
- (e) The combination of the factors mentioned in (c) and (d) above shall not exceed 10% for basic seed and 5% for certified seed.

3. *Sunflower*

- (i) Mixture with other varieties - maximum of 2 seed per litre allowed
- (ii) Seeds with cracked seeds coats - Maximum of 5 % allowed
- (iii) Noxious weed seed e.g. *Datura* - None will be allowed.

4. *Bean, Pea, Ground nut, chickpea, green gram and cowpea*

- (a) Mixture with other crop seeds - None allowed in basic seed while a maximum of 1 seed per 1,000 of clearly distinguishable other beans seeds will be allowed for certified seeds but seeds of other species will not be allowed.
- (b) *Weed seeds* - Free from all weed seeds.
- (c) *Other Factors*.
  - (i) Spotted beans and heat damaged beans - maximum 0.5% allowed.
  - (ii) Rejects (insect - damaged beans, off— coloured seeds, beans with cracked skin, broken beans, too small seeds, etc. Maximum 3 % allowed.

5. *Rape*

Weed seeds - A maximum of one seed per litre of wild radish (*Raphanu raphanistrum*) shall be allowed. No seed of darnel (*Lolium temulentum*) thorn apple or wild oats shall be allowed in a seed lot.

6. *Sorghum*

- (a) *Mixtures with other crop seeds*—A maximum of 1 seed per litre will be allowed in a basic seed lots and 2 seeds per litre on certified seed lots.
- (b) *Weeds seeds*. -A maximum of 2 seeds per litre will be allowed in basic seed lot and 4 seeds per litre for certified seed. No seed of wild oat or thorn apple, striga and orobanche shall be allowed.

7. *Irish Potato*

The Following diseases/abnormalities will be permitted up to the stated tolerances:

Disease Abnormality	Tolerance (Tuber per 50 Kg bag)	
	Basic	Certified
Scab ( <i>Streptomyces spp</i> , <i>Spongospora subterranea</i> ) No more than 50% tuber covered	25	50
Rhizoctonia ( <i>Rhizoctonia solani</i> )	10	30
Pink rot ( <i>Phytophthora erythroseptica soft rot</i> ) ( <i>Erwiniasp</i> )	0	1
Severe tuber month	2	5
Mis-shapen and damaged tubers	0	5

8. *Cotton*

Factor	Tolerance	
	Br, PB, B	Certified
Fuzzy, broken, damaged	<2%	<2%

Other crop seed	None	None
-----------------	------	------

## 9. Sugar cane

Moisture of seed cane: &gt;=65%

## 10. Cassava

<i>Stem quality standard</i>	<i>Size</i>
Minimum length	20cm
Minimum number of live nodes	10
Minimum diameter	1.5cm
Maximum % skin injury/scar/damage	20
Minimum moisture content %	60

## C. LABORATORY STANDARDS

[r. 12(4)(c)]

## 1. Quality requirements with respect to analysis figures concerning purity, germination capacity, other crop seed, weed seeds and moisture content.

<i>Species</i>	<i>Minimum purity % by weight</i>	<i>Maximum other crops seed % by number</i>	<i>Minimum Germination Capacity %</i>	<i>Maximum Moisture content %</i>
<i>Cereals</i>				
Maize	99	Trace	90	13
Wheat	99	Trace	85	13
Barley	99	Trace	90	13
Sorghum	95	1	80	11



Millet	95	1	80	11
Oats	99	Trace	85	13
Triticale	99	1	80	13
Rye	99	Trace	85	13
Rice	99	1	80	11
PULSES				
Beans	99	Trace	80	15
Broad beans	99	Trace	80	15
Chickpea	99	0.1	75	15
Cluster beans	98	0.1	75	15
Cowpeas	98	0.1	80	12
Dolichos bean	99	Trace	80	15
Pea (Garden)	98	0.1	80	12
Pigeon pea	98	0.1	80	12
Common vetch	98	Trace	70	14
French beans	99	Trace	80	15
Sugar peas	98	0.1	75	12
OIL CROPS				
Sunflower	99	trace	85	10.00
Oil seed rape	99	trace	85	10.00
Safflower	99	trace	85	10.00

Soya beans	98	trace	75	14.00
Groundnuts	97	trace	80	14.00
Castor beans	98	trace	75	14.00
FIBRE CROPS				
Cotton	98	-	75	10.00
Flax	98	-	80	10.00
Kenaf	98	-	75	10.00
ROOT AND TUBER CROPS				
Beet	97	0.3	75	11.00
Irish Potato	99	—		—
Turnip	98	0.5	75	10.00
Flowers				
Pyrethrum other species	30	-	40	
VEGETABLES				
Amaranth	98	0.1	75	9.0
Artichoke	98	0.1	75	9.0
Asparagus	96	0.5	70	9.0
Broccoli	97	1.0	75	10.0
Brussels Sprout	97	1.0	75	10.0
Cabbage	97	1.0	75	10.0

Canteloupe/ melon	98	0.1	75	9.0
Carrot	95	1.0	65	9.0
Cauliflower	97	1.0	70	10.0
Celeric/celery	97	1.0	70	10.0
Chicory	95	1.5	65	10.0
Chinene cabbage	97	1.0	75	10.0
Collard/Kale	97	1.0	75	10.0
Cucumber	98	0.1	80	9.0
Dill	98	0.3	65	10.0
Eggplant	96	0.5	65	10.0
Endive	95	1.0	65	11.0
Garden cress	98	0.1	80	9.0
Gourdsss (several spice)	97	0.1	60	9.0
Kohl rabi	97	1.0	75	10.0
Leek	97	0.5	65	11.0
Lettuce	95	0.5	75	8.0
Okra	98	0.1	75	11.0
Onion	97	0.5	70	11.0
Parsely	97	1.0	65	10.0

Parsnip	98	0.1	60	10.0
Pepper	97	0.5	65	9.0
Pumpkin/squash/ cougette	98	0.1	75	9.0
Radish	97	1.0	60	8.0
Rhubarb	95	1.0	60	6.0
Rutabaga	98	0.5	75	10.0
Spinach/swiss chard	97	0.5	70	11.0
Tomato	97	0.5	75	9.0
Turnip	98	0.5	75	10.0
Water melon	98	0.1	75	9.0
Other vegetables Seeds	95	1.0	50	9.0

<i>Grasses</i>	<i>Purity %</i>	<i>Germination %</i>	<i>PGS %</i>
Blue stem grass	40	50	20

Buffel grass	}			
	}			
Cock's foot	}			
	}			
Paspalum	}			
	}			
Rye grass	}			
	}			
Seteria	}			
	}			
Rhodes	}			
	}			
Sudan grass	}			
	}			
Congo signal	}			
	}			
Columbus	]			
	]			
Loves grass	]			
	]			
<i>Lawn Grass</i>				
Bermuda grass				

<i>Pasture legumes</i>				
Centro	98	55		
Stylo	97	65		
Desmodium	95	70		
Clover	98	75		
Lucern	98	75		

Siratro	98	80	
Glycine	97	70	

**FIFTH SCHEDULE [r. 28]****FIELD INSPECTION FEES**

<i>Crop under Certification</i>	<i>Inspection per Hectare</i>	<i>Minimum per Field</i>	<i>Re-inspection on appeal at owner's request</i>	
			<i>Per Hectare</i>	<i>Min. per Field</i>
Inbred maize	600	2100	710	2470
Hybrid maize	600	2100	710	2470
Open pollinated maize	280	1290	710	2470
Wheat (certified)	280	1290	710	2470
Wheat (standard)	280	1290	710	2470
Barley (certified)	280	1290	710	2470
Barley (standard)	280	1290	710	2470
Oats	280	1290	710	2470
Grasses (certified)	280	1290	710	2470
Grasses (standard)	280	1290	710	2470
Sorghum (certified)	280	1290	710	2470

Sorghum (standard)	280	1290	710	2470
Potatoes (certified)	430	1290	710	2470
Potatoes (standard)	430	1290	710	2470
Hybrid sunflower	430	1290	710	2470
Open pollinated sunflower	280	1290	710	2470
Safflower	280	1290	710	2470
Beans (standard)	280	1290	710	2470
Peas	280	1290	710	2470
Rape seed	280	1290	710	2470
Vegetable (certified)	840	1290	880	2470
Vegetable (standard)	840	1290	880	2470
Sudan and Columbus grass	430	1290	710	2470
Other crops	280	1290	710	2470

NB: Mileage: all inspections include mileage at Automobile Association (AA) Approved rates per kilometer

#### **SAMPLING AND SEALING FEES (KSh)**

<i>Crop under Certification</i>	<i>Sampling &amp; lot examination per 100kg</i>	<i>Labeling &amp; sealing and other Services (CSH, LS, PCS, PC) per packet &gt;=5kg</i>	<i>Labeling &amp; sealing and other Services (CSH, LS, PCS, PC) per packet &lt;5kg</i>	<i>Resampling per 100kg</i>	<i>Min. per Lot</i>
Inbred maize	30	10	2	15	990
Hybrid maize	30	10	2	15	990
Open Pollinated maize	30	10	2	15	990
Wheat (certified)	30	10	2	15	990
Wheat (standard)	73	10	2	15	990
Barley (certified)	30	10	2	15	990
Barley (standard)	73	10	2	15	990
Oats	30	10	2	15	990
Grasses (certified)	150	10	2	15	990
Grasses (standard)	150	10	2	15	990
Sorghum (certified)	30	10	2	15	990
Sorghum (standard)	73	10	2	15	990



Potatoes (standard)	30	10	2	15	990
Potatoes (standard)	73	10	2	15	990
Hybrid sunflower	30	10	2	15	990
Open pollinated sunflower	30	10	2	15	990
Safflower	30	10	2	15	990
Beans (certified)	30	10	2	15	990
Beans (standard)	73	10	2	15	990
Peas	73	10	2	15	990
Vegetables (certified)	198	10	2	15	990
Vegetables (standard)	198	10	2	15	990
Other crops	140	10	2	15	990

NB: Mileage all inspections include mileage at current approval Automobile Association (AA) rates per kilometer  
 SAMPLING AND PRE-CONTROL OF IMPORTED SEED FEES (KSH)

<i>Crop under certification</i>	<i>Minimum fees 500 (kgs)</i>	<i>Fees Per (100Kg)</i>	<i>Fee per (1,000Kg.)</i>
Inbred maize	600	130	730
Hybrid maize	600	130	730
Open pollinated maize	600	130	730

Wheat (Certified)	600	130	730
Wheat (Standard)	600	130	730
Barley (Certified)	600	130	730
Barley (Standard)	600	130	730
Triticale (Certified)	600	130	730
Triticale (Standard)	600	130	730
Oats	600	130	730
Grasses (Certified)	600	130	730
Grasses (Standard)	600	130	730
Sorghum (Certified)	600	130	730
Potatoes (Certified)	600	130	730
Hybrid Sunflower	600	75	730
Open pollinated sunflower	600	130	730
Rape seed	600	130	730
Sunflower	600	130	730
Beans (certified)	600	130	730
Beans (standard)	600	130	730
Peas	600	130	730
Vegetables (certified)	600	130	730
Vegetables (standard)	600	130	730
Rye Grass	600	130	730

Other Crops	600	130	730
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NB: Mileage: all inspections include mileage at current approved Automobile Association (AA) rates

Foot note – Regulatory imposed crops are marked.

LABORATORY SEED TESTING FEES (KSH) PER SAMPLE

**Part C - LABORATORY SEED TESTING FEES (KSh.) PER SAMPLE**

<i>Crop under certification</i>	<i>Purity Germination Test</i>	<i>Moisture</i>	<i>Seed Health</i>	<i>Tetrazo-Lium Test</i>	<i>1000 Seed Count</i>	<i>Vigour Test</i>	<i>ISTA Certification</i>	<i>Retesting for purity germination</i>
Inbred Maize	1500	500	1000	1000	1000	1000	1000	1000
Inbred Maize	1500	500	1000	1000	1000	1000	1000	1000
Open Pollinated Maize	1500	500	1000	1000	1000	1000	1000	1000
Wheat (certified)	1500	500	1000	1000	1000	1000	1000	1000
Wheat (standard)	1500	500	1000	1000	1000	1000	1000	1000
Barley (certified)	1500	500	1000	1000	1000	1000	1000	1000
Barley (standard)	1500	500	1000	1000	1000	1000	1000	1000
Oats	1500	500	1000	1000	1000	1000	1000	1000
Grasses (certified)	1500	500	1000	1000	1000	1000	1000	1000

Grasses (standard)	1500	500	1000	1000	v	1000	1000	1000
Sorghum (certified)	1500	500	1000	1000	1000	1000	1000	1000
Sorghum (standard)	1500	500	1000	1000	1000	1000	1000	1000
Potatoes (certified)	1500	500	1000	1000	1000	1000	1000	1000
Potatoes (standard)	1500	500	1000	1000	1000	1000	1000	1000
Hybrid sunflower	1500	500	1000	1000	1000	1000	1000	1000
Open pollinated sunflower	1500	500	1000	1000	1000	1000	1000	1000
Safflower	1500	500	1000	1000	1000	1000	1000	1000
Beans (certified)	1500	500	1000	1000	1000	1000	1000	1000
Beans (standard)	1000	1000	1000	1000	1000	1000	1000	1000
Peas	1500	500	1000	1000	1000	1000	1000	1000
Vegetable (certified)	1s500	500	1000	1000	1000	1000	1000	1000
Vegetable (standard)	1s500	500	1000	1000	1000	1000	1000	1000
Rye grass	1500	500	1000	1000	1000	1000	1000	1000

Flower	1500	500	1000	1000	1000	1000	1000	1000
Other crops	1500	500	1000	1000	1000	1000	1000	1000

## REGISTRATION FEES (KSH)

	Application fees	Annual fees
1. Seed Merchant	75,000.00	10,000.00
2. Seed Grower	55.00	300.00
Seed Sellers-Agents	30,000.00	8,000.00
3. Seed sellers-Sub-agents	10,000.00	5,000.00
4. Seed sellers-Stockists	1,500.00	1,000.00

All payments must be made in crossed cheque in the name of the Managing Director KEPHIS

**SIXTH SCHEDULE****FORMS****FORM SR 1**

(r. 6(2))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE  
APPLICATION FOR REGISTRATION AS A SEED MERCHANT

The Managing Director

Kenya Plant Health Inspectorate Service

P. O. Box 49592-00100 NAIROBI, KENYA

I/We hereby to be registered as a seed merchant under the Name .....

Postal Address .....

E-mail Address .....

Telephone Number .....

Location of the premises .....

I/We wish to deal in:

- (i) Production
- (ii) Processing
- (iii) Marketing

*(Please tick where applicable)*

(1) Merchant

Do you have adequate and knowledge personnel who are conversant with seed matters? .....

Yes/No

(2) Production

(i) Do you have adequate land and equipment to handle basic seed?

Yes/No

(ii) Do you have contractual agreement with growers you have recruited? .....

Yes/No

(iii) Do you have adequate field officers to supervise and advise growers on all operations of seed production?

Yes/No

(3) Processing

(i) Do you have all equipment and machinery necessary to process seed?

(ii) Do you have adequate storage space? .....

Yes/No

(iii) Do you have a capacity to print and label packets/containers as required by the regulations? .....

Yes/No

(4) Marketing

(i) Do you have an appropriate distribution system? .....

Yes/No

(ii) Do you have registered seed seller/stockist

Yes/No

(iii) Does your seed seller/stockist have an agreement with you for distributing seed on your behalf .....

Yes/No

(v) Do they have adequate understanding and knowledge of seed?

Yes/No

(vi) Do they have adequate storage facilities .....

Yes/No

(vii) Do they understand that seed is living and should not be mixed with dangerous chemicals, kept in high humidity in moist floors, and excessive temperatures?

Yes/No

(viii) Do they make sales returns to you?

Yes/No

(ix) Do they know that packets/containers should not be opened, i.e. sell seed in the whole units as packed by you?

Yes/No

The seed will be kept in a store where adequate provisions are available to separate the various seed lots and where no other articles will be kept which could have an adverse effect on the quality of the seeds. At anytime during official working hours, even without previous appointment, I/we will allow the inspector (s) entry to the seed store (s) and thereby provide them/him/her with the facilities necessary to carry out the inspection work as laid down in Seed Regulations. In addition, I/we will send a stock list of all seed lots in our stores on 15th May and 15th November or at such a date as can be mutually agreed upon between the Service and ourselves.

I/we enclose the sum of seventy five thousand Kenya shillings (KSh.75, 000.00) only in payment for this registration in form of a cheque payable to the Managing Director, KEPHIS.

Declaration:

In signing this application, I/we also declare that I/we are conversant with and shall observe the various clauses and conditions of the Seed Regulations.

Date ..... Signature .....

Note. (I) The Managing Director, shall inform the unsuccessful applicants and shall send back their cheque to them.

FORM SR 2

(r. 6(4))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

**CERTIFICATE OF REGISTRATION AS A SEED MERCHANT**

S/No. ....

For the year 20 .....

Company .....

Postal Address .....

Tel. No .....

Location of premises .....

For the category of

(i) Agricultural crops

(ii) Horticultural crops

(iii) Others (specify)

Registration No. ....

Registration is subject to the following conditions.

A registered seed merchant shall ensure that:-

1. It meets minimum registration requirements as specified in the regulation
2. At any time will allow the inspector (s) entry to the merchants' premise (s) and/or seed store (s) and thereby provide him/them with the facilities/conditions necessary to carry out the inspection work
3. The seed will be kept in a store where adequate provisions are available to separate the various seed lots and where no other articles will be kept which could have an adverse effect on the quality of the seeds.

Note: - If your renewal is not done for two consecutive years, you shall lose your status and apply anew.

Signature ..... Date .....

Managing Director

\_\_\_\_\_

**FORM SR 3**

(r. 7(1))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)

**APPLICATION FOR REGISTRATION AS A SEED GROWER**

To: The Managing Director

KEPHIS

P. O. Box 49592-00100

NAIROBI, KENYA

I ..... (full name)

being the owner/lessee of ..... hectares of L.R. No ..... situated in the ..... Division of .....

District do hereby apply to be registered as a Seed Grower for ..... crop, I have/have not been a seed grower in the past and I have adequate storage facilities to handle the resultant seed.

- The field where I intend to grow the seed crop was previously under .....
- Do you have adequate isolation?
- Yes/No
- Do you have enough labour to detassel, rogue, grade, etc.?
- Yes/No
- If you are a contracted grower, have you been made aware that only seed that has met the minimum standards shall be accepted by the merchant?



Yes/No

\* Delete the inapplicable

If this is successful you will be required to furnish the details of the crop in Form SR 5.

I enclose a non-refundable fee of five hundred shillings (Kshs. 500) paid to the Service in a prescript way of this registration

Date ..... Signature .....

RECOMMENDATION BY SEED MERCHANT

We the ..... appoint ..... (full name), as our seed grower for ..... (variety/varieties) in the season ..... in an area covering .....Ha

(company stamp)

FOR OFFICIAL USE ONLY

Application Received .....

Decision: Approved/Rejected ..... Reg. No. ....

Note.-Secretary seed growers allocation panel shall notify both the unsuccessful and successful applicants.

FORM SR 4

(r. 7(4))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

CERTIFICATE OF REGISTRATION AS SEED GROWER

Registration No. ....

To ..... (Name)

of ..... (Address)

You are hereby registered as a Seed Grower to grow ..... Hectares

of ..... (species) on your farm at .....

For ..... Seed Company

This registration is valid from ....., 20 ..... To ....., 20....

Name ..... Signature .....

Date .....

For Managing Director

Kenya Plant Health Inspectorate Service

FORM SR 5

(r. 12(1))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

Grower No. .... No. ....

To: The Managing Director

KEPHIS

P. O. Box 49592-00100

NAIROBI, KENYA

APPLICATION FOR FIELD INSPECTION OF A SEED CROP

1. Full name of grower .....  
Postal Address..... Tel. No. ....
2. Farm on which the seed crop is being grown .....  
L/R. No. ....
3. Details of crop (Every crop regardless of size must be mentioned separately. a crop is field planted within 5 days).

Crop

<i>Field crop No.</i>	<i>Species</i>	<i>Variety</i>	<i>Lot No. of seeds used</i>	<i>Class of seed used</i>	<i>Ha</i>	<i>Date planted</i>	<i>Approx' date of harvest</i>	<i>Previous cropping history (Last 3 seasons)</i>		


4. Seed rate per hectare ..... kg
5. Registered seed merchant to whom the entire seed stock will be sold
6. I have enclosed a cheque of the sum of shillings .....in payment of this inspection and .....number of labels from packets /containers of the seed for this crop(s); as proof of origin.
7. The person who will daily be in charge of his seed crop is .....

**FARM MAP AND LOCATION**

"important" - indicate the situation of different crops, stores, access from the nearest road and number each crop as 1,2,3, etc. if space is not adequate use additional plain paper and attach it to this application form.

9. Declaration:

In signing this application, I also declare that I am conversant with and shall observe the various clauses and conditions of Seed Regulations. In case this application is for seed maize, I also declare I have no knowledge of maize head smut (*Sphacelotheca reiliana*) on this land for the previous three seasons. In case this application is for seed potatoes, I also declare that I have no knowledge of bacterial wilt (*Raistonia solanacearum*) on this farm for previous six years.

Date ..... Signature of applicant .....

Stamp of seed Merchant.....

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FORM SR 6

(r. 12(5))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

Date .....

G/No .....

FIELD INSPECTION RESULTS

Growers Name ..... Species .....

Variety ..... Field No.(s) Name .....

Crop No.(s) ..... Hectares ..... Class .....

1st

2nd

3rd ..... Inspection

(tick)

ITEMS:

1. Is the crop true to type?  Yes  No  Doubtful

Remarks.....

2. Isolation in distance/time  Yes  No  Doubtful

Remarks.....

3. Off-type(s) (describe).....

Remarks.....

4. Noxious Weeds (Specify) .....

Remarks.....

5. Other Crop Species (specify).....

- 6. Health (Diseases) .....
- 7. Crop Stand  Yes  No  Doubtful  
Remarks.....
- 8. Estimated yield at final inspection .....
- No of counts made ..... Average count .....
- No of plants counted .... tassels/selfing plant found.....%
- CROP RESULT  Pending  Approved
- rejected because of.....
- If to be re-inspected within .....days
- Further remarks .....
- .....Bags/ha
- Crop to:
- Seed Inspector(s) Name ..... Signature .....

For MANAGING DIRECTOR

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**FORM SR 7**

(r. 13(1))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

**SEEDS TRANSPORT NOTICE**

M/s. ....

Farm .....

Transport for processing ..... bags of your seed crop  
from ..... to ..... on ....., 20.....

Species .....

Variety.....

Crop Nos.....

Which have been clearly identified with .....

(state type of identification)

(state type of identification)

Seed Company Representative and Stamp ..... Signature ..... Date .....

COPY sent to KEPHIS

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**FORM SR 8A**

(r. 14(4))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

The Managing Director

.....

Date .....

*Request for Seed Processing Inspection*

Merchant .....

Crop Season .....

Grower(s) .....

Grower/blend No .....

Species .....

Variety .....

Class .....

Lot Weight .....

Cleaning Loss .....

Provisional Germination .....

Signature ..... Date .....

Stamp of the Merchant

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**FORM SR 8B**

(r. 14(4))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

**Processing and Inspection result form**

The following lot has been cleared and inspected for lot examination, packaging, labeling and sealing.

Merchant .....

Grower No. .... and Name .....

Date of Issue .....

Species ..... Variety .....

Generation ..... Weight of lot before processing ..... kg.

Quantity ..... Lot number .....

Seed Lot examination results .....

<i>No. of Labels</i>	<i>Serial Nos. of Label issue</i>	<i>No. of unused labels</i>	<i>Date of sealing</i>	<i>No. of seals used</i>	<i>Containers</i>	<i>Sample No.</i>

Remarks if any .....

.....

The Inspector .....

.....

(Name)

(signature)

Place .....

Date: .....

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FORM SR 9

(r. 16(2))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

REQUEST FOR SAMPLING/SEALING/TESTING OF SEED FOR CERTIFICATION

The Managing Director,

.....

Date .....

(A) DETAILS OF SAMPLE (To be provided by the seed merchant)

- 1. Name and Address of the Merchant .....
- 2. Name of Producer ..... Imported from ..... Country of origin .....
- 3. Species .....
- 4. Variety .....
- 5. Class .....
- 6. Seed lot number .....
- 7. Ref No. ....
- 8. Seed Import Permit No ..... (in case of import)
- 9. Weight of the lot .....
- 10. Seed dressed with ..... chemical
- 11. Date on which the seed is ready for sampling .....
- 12. Further remarks (e.g. noxious weeds, seed borne disease observed in the field, seed blends e.t.c.) .....
- 13. Tests required: Purity/Germination/TZ/Moisture content/Noxious weeds/Disease/ Pest/post control plots (if other specify) ..
- 14. Premises where the seeds are stored .....
- 15. Number of samples required .....
- 16. Number of copies required .....
- The cost of tests to be paid by ..... P. O. Box .....
- 17. Date and signature of the merchant
- Signature .....
- Date .....
- (B) SAMPLE (to be done by the seed inspector)
- 18. Date of sampling .....



19. Sample bag Number.

I certify that this sample was drawn by me in the prescribed manner.

(C) Signature.....

Date.....

20. Remarks of the sample reception officer in the Seed Testing Laboratory

.....

Signature .....

Date .....

Copies to:

1. Seed testing laboratory
2. Technical Administration
3. Inspection office, seed processing plant
4. Sample book

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FORM SR IOA

(r. 16(3)(b))

REPUBLIC OF KENYA  
KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)  
OFFICIAL SEED TESTING STATION  
SEED TESTING CERTIFICATE

Date of Sampling														
Date received														
Lot Number				Ref:				Weight of lot:						
Crop species, Variety		As stated by inspector:												
Country of Origin		Weight of lot:												
<i>RESULT OF ANALYSIS</i>														
<i>Purity</i>			<i>Germination</i>								<i>Moisture</i>			
Pure Seed (P)	Inert matter	Other Crop seed	First count	Germ (G)	(Final count) Days	Germ (G)	Hard	Fresh Ungerm	Dead	Pure Germinating seed	Moisture %	Test No.		
%	%	%	Days	%		%	%	%	%	$\left[ \frac{\text{PxG}}{100} (\%) \right]$		Any inquiries concerning this test MUST quote this number		
Abnormal %			Broken Germs %											
(1)														
(2)														
(3)														
Special Tests														
Seed dressing:												Official Seed Tester		
												Date: _____		
Paid	Copies to:												Seed Testing Laboratory	
Unpaid													National Seed Quality Control Service	
Govt														

FORM SR IOB

(r. 16(3)(b))

REPUBLIC OF KENYA  
KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)  
OFFICIAL SEED TESTING STATION  
TEST REPORT

PRIVATE SAMPLE	SEED	<i>(This report is for the use of the sender and only represents the sample submitted for analysis)</i>												
Date received														
Lot Number				Ref:				Weight of lot:						
Crop species, Variety	As stated by sender													
Country of Origin														
<b>RESULT OF ANALYSIS</b>														
<i>Purity</i>			<i>Germination</i>								<i>Moisture</i>			
Pure Seed (P)	Inert matter	Other Crop seed	First count	Germ (G)	(Final count)	Germ (G)	Hard	Fresh Ungerm	Dead	Pure Germinating seed	Moisture %	Test No.		
%	%	%	Days	%	Days	%	%	%	%	$\left[ \frac{PxG}{100} (\%) \right]$		Any inquiries concerning this test MUST quote this number		
Abnormal %			Broken Germs %											
(1)														
(2)														
(3)														
Special Tests														
Seed dressing:											Official Seed Tester			
											Date:			
Paid			Copies to:								Seed Testing Laboratory			
Unpaid											National Seed Quality Control Service			
Govt														

**FORM SR 11**

(r. 17(2)(c))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

**STOP SALE ORDER**

Merchant/Seed Seller .....

Address .....

The following lots of seeds are found to be in violation of seed regulations:

<i>Species</i>	<i>Variety</i>	<i>Lot No</i>	<i>No of containers</i>	<i>Quantity</i>	<i>Kind of violation</i>	<i>Sampled</i>	
						YES	NO

By this notice you are ordered to hold these lo/lots of seed intact at

.....

..... Until compliance with the law has been achieved and the seed has been released from this order and advised accordingly.

Other instructions .....

Signed ..... Seed Inspector .....

For, Managing Director, KEPHIS

Date .....

Acknowledgement of receipt ..... Name .....

Signature .....

Merchants' Stamp .....

**FORM SR 11B**

(r. 21(4))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)

**SEIZURE FORM**

TO

Name .....

Address .....

The following items in use and the 'seed' have been found to be in violation of seed regulations:

<i>Item</i>	<i>Description</i>	<i>Other marks</i>	<i>No of items</i>	<i>Quantity as applicable</i>	<i>Kind of violation</i>	<i>Consignment</i>	
						Holding on site	

By this notice your items are seized and you are requested to abide by the order until compliance of the law has been achieved and advised accordingly

Other remarks .....

Inspector ..... Sign ..... Date .....

Respondent ..... Sign ..... Date .....

Other instructions/Disposal .....

Signed ..... Seed Inspector .....

Respondent ..... Sign ..... Date .....

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**FORM SR 12**

(r. 20(2))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

APPLICATION FOR A SEED SELLER'S LICENCE

Applicant (Business Name .....

Address ..... TEL NO ..... E-mail .....

Proprietor/Owner .....

I hereby apply for the seed seller's licence as a (an agent/sub-agent/stockist.

County ..... District ..... Division ..... Location

..... Sub-location .....

Town/Market/Street ..... Plot No. ....

Seeds to be sold: .....

Sources of seeds to be sold .....

Storage Facilities and Locations .....

Date ..... Signature .....

N.B.: The application to be accompanied with CAC approval letter, Seed Merchant's letter and appropriate fee.

CAC=county agricultural committee

FOR OFFICIAL USE ONLY

Application received on .....

Premises inspected by: .....

Decision Approved  Approved  Rejected

Remarks: .....

Licence No.....

Signature .....

For: MANAGING DIRECTOR

KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)

**Seed Sellers Licence**

Licence No. ....

A seed seller's licence as an agent/stockist is hereby granted to (Name)

.....

(Address) .....

for trading of seeds at (Name of premises) Year.....

This licence is subject to the following conditions:

1. The seed must at all times meet minimum germination standards.
2. You shall offer for sale only certified seeds accompanied by test certificate.
3. You shall source seed from registered seed merchants only.
4. Sealed containers shall not be tampered with.
5. Seed will always remain in a cool and dry atmosphere with no direct sunlight.
6. Seed will be kept away from chemicals and such other substances as can be injurious to the seed.
7. Upon licensing the licensee shall:
  - (a) Pay appropriate fee.
  - (b) Renew the licence upon expiry.
  - (c) Display seed seller' license at the premises at all times
  - (d) Allow seed inspectors/analyst access to your premises and seed stores at all times

Date .....

.....

Managing Director, KEPHIS

**FORM SR 14**

(r. 23(1)(c))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICE

**NOTICE TO IMPORT**

To: The Managing Director

Kenya Plant Health Inspectorate Service

P.O. Box 49592- 00100

NAIROBI, KENYA

I/we hereby apply to import the seeds as described below in accordance with the terms laid down in the Seeds and Plant Varieties Act, and the seeds regulations made therein.

1. Full name of applicant .....
2. Postal address .....  
Tel. No. ....
3. K.E.P.H.I.S Registration Number .....
4. Location of the stores where seeds will be kept after arrival .....
5. Quantities on seeds of the same variety stock .....
6. Name and address of the supplier .....
7. Particulars of the seeds import

<i>Crop species</i>	<i>Variety</i>	<i>Category</i>	Weight in kg.
.	.	.	
.	.	.	

8. Declaration from individual merchants:

In signing this application, I also declare that seeds above will, under no circumstances, be distributed for commercial purposes.

9. The seed consignment shall be accompanied by:

- (a) Phytosanitary certificate
- (b) Internationally accepted seed testing certificate

Date ..... Signature .....

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**FORM SR 15**

(r. 23(1)(c))

REPUBLIC OF KENYA

KENYA PLANT HEALTH INSPECTORATE SERVICES

**SEED IMPORT PERMIT**

S/No. ....



Permit No. ....

Date .....

Permission is hereby granted to .....

of ..... with KEPHIS, Registration

No ..... to import from ..... the following seeds:

subject to the following conditions:

1. The consignment of seed shall be accompanied by—
  - (1) Phytosanitary and certificate.
  - (2) Internationally accepted seed testing certificate.
2. The consignment shall be subjected to Kenya Plant Quarantine Regulations and on arrival in your stores shall be inspected by plant inspectors.
3. The seeds shall not be distributed prior to the outcome of the results of sample unless with express permission of authorized officer or his agent.
4. Payment of sampling and testing fees as stipulated in Schedules 5 to the seed Regulations shall be honoured.
5. Fulfillment of commerce/customs requirements and adherence to regulations pertaining to importation of seeds.
6. Additional conditions .....

Signature .....

Managing Director, KEPHIS.