

ՀՊՃ-ՓՏԸ ՔՊՀ/ԴՐՁԵ
ՔԺԺՎԴ ԱԾ ՀՊՃ

Հ.Դ.Ք.Ք.Ք ՈԱԴ ՌԹԱԾԻ ԽԼԱԾ ՔԴԱՐՔ ՈՆՉՄՍՑԵՇ
ՔԱՔ ԱՔ ԳՅԵՆԴ ԳԾԾՎԴ ԽԾԵՇ ՄԵՋ ՈՄՄՐՆ ՄՅԵՄ ԽՎԿ-
ՔԹՄ ԳԴ ԳԴԱՐՔ ԳԾԾՎԴ ԽԾԵՇ ՈՓԱԼ ՈՎՀԱՄԸՆԴ ՊՎ-
Դ ՀԱՄԱԿ ՈՄՄՐՆ ԳԴԱՐՔ ԽԾԵՇ ՈՓԱԼ ՈՎՀԱՄԸՆԴ ՊՎ-
Դ ՀԱՄԱԿ ՈՄՄՐՆ ԳԴԱՐՔ ԽԾԵՇ ՈՓԱԼ ՈՎՀԱՄԸՆԴ ՊՎ-

የዕዥዋት የጊርማን ለማሳደግ ከሚያስተኞል በእውቅ መከተላ
ዋናው እርሱ እኩራ ጥሩ፡ የጥበብቁ በርን በተለይም የተኩስሉ ላይ
ልዩ የጊርማ የዕዥዋት በይቶ እንዲጠቀም ለፈረምና እኩሷሁ በይቶ
በቀላሉ እና በተቀለበፏ መንገድ የሚያገኘበት ሁኔታ ለመታቸው
በመሆኑ፡

ԱՆԴՐԻՔՅՈՒ ՀԱՅՈՒԹՅՈՒՆՆԵՐԸ ՀՏԱԼԻ ԽԴ
ՄԵՂՄԻՐՄԱՆ ՀՆԴՔՅ ԿՇ (Ծ) ՄՊՄՀՆ ՔՄՀԻՆԴԱՎ ՀՄՎՑԱ:

፩፻፮ አንድ
መጀለ

6. **Report Card**

ԵՍ ՀՊԸ: “ՎՃԵՎԴ-ԱԿ ՀՊԸ: ՓԵՇ ՔՅՆ/ԻՐԵՒՑ” ԴԱԼ-
ԱՄՓՈ ԸՆԴՀԱ:

**PROCLAMATION NO. 206/2000
SEED PROCLAMATION**

WHEREAS, Ethiopia, within its territory of vast land mass, and a microcosm, is endowed with a variety of agro-ecological zones which made possible for a great diversity of crop species to originate, or, least, to grow and perform as nicely as they do in their home areas, and crop production has been and will certainly continue to be the backbone of the country's economy and the livelihood of the great majority of the Ethiopian population;

WHEREAS, one of the most effective means of achieving increased crop production is enabling farmers to use high quality seed particularly of improved crop varieties and making such seeds available as smoothly, effectively and quickly as possible;

WHEREAS, realizing the need for creating conducive conditions for the distribution to the farmers and the wide utilization of quality seed; and the need for creating a legal framework for the protection and control of the interests of users, originators, processors, wholesalers, and retailers of plant seeds:

WHEREAS, it has been necessary to designate governmental bodies which support, advise and control individuals/organizations engaged in production, processing, import, export, sale and distribution of quality seeds;

NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

PART ONE

General

1. *Short Title*

This Proclamation may be cited as the "Seed Proclamation No. 206/2000".

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2 Definitions

In this Proclamation, unless the context requires otherwise:

- 1) "Board" means the Board of the National Seed industry Agency;
 - 2) "Agency" means the National Seed Industry Agency;
 - 3) "Variety" means sub-division of any kind of plant species that can be clearly differentiated from other varieties of that kind by heritable characters; and that remain stable when reproduced sexually or asexually.
 - 4) "Seed" means true seed, bulbs, tubers, cuttings, nursery plants of field and garden crops or any other plant material used for the propagation of plants;
 - 5) "Prescribed Seed" means any seed to which the provisions of this Proclamation are applicable and which are designated as such by directives to be issued by the Agency;
 - 6) "Certified Seed" means a seed produced in Ethiopia or imported seed which has been certified, by the Agency or other body delegated by the Agency, for conforming to the standards established and which is intended for planting;
 - 7) "Release Committee" means the National Variety Release Committee;
 - 8) "Person" means any natural or juridical person;
 - 9) "Seed Data Base" means the Seed Data Base of the National Seed Industry Agency;
 - 10) "Ethiopian Seed Standards" means national seed standards issued by the Quality and Standards Authority of Ethiopia;
 - 11) "Quality" means the planting value of the prescribed seed;
 - 12) "Objectionable Weed Seeds" means seeds of a specific variety of weed species identified pursuant to the provisions of this Proclamation
 - 13) "Label" means any legend, symbol or design applied or attached to package of any seed or which goes with the seed and indicates the quality and quantity of seed;
 - 14) "Seed Processing Plant" means any premises which has adequate facilities for seed processing (drying, cleaning, grading, treating, bagging and labeling, as required) and storage.
 - 15) "Restricted Seed" means seed prohibited from being imported into Ethiopia or exported from Ethiopia or seed put under restriction;
 - 16) "Sub-Standard Seed" means any seed which does not conform to the quality requirements of the Ethiopian Seed Standards;
 - 17) "Seed Producer" means a person who produces seed;
 - 18) "Seed processor" means a person who dries, cleans, grades, treats, bags and labels seed as required by using seed processing machines;
 - 19) "Inspector" means a person authorized by the Agency to inspect seed for conformity to Ethiopian Seed Standards and requirements by visiting seed production, processing and storage premise as well seed as wholesale and retail shops.

- ፩. የጥጋጭነት መሰረት

፪. ይህ አዋጅ እናቸው በሚመለከው በማንኛውም የተደረገውን ስርዓት አይ ተፈጥሱት ይሞላዋል፡

፫. የዚህ አዋጅ ገዢ አንቀጽ (፬) እንዲተጠበቀ ሆኖ የዚህ አዋጅ ይዘንጋጀዋል፡ በእርስ አድራሻ በተመረጡ ዝርዝር አርስ አድራሻ ለሌላ አርስ አድራሻ በሚጠበቀው ዝርዝር ለሌላ ተፈጥሯል፡ እያወንዳንም ሆኖም ታን ለዚህ ተፈጥሮ ሁኔታ ላይ ለመመማሪት ዝርዝር በእሳት የሚመለከው በማንኛውም አምራቅ ወደምና አርስ አድራሻ፡ አነፃፃ፡ አነፃፃ የሚጠበቀው የአዋጅ ተፈጻሚነት የተጠበቀው ነው፡፡

፬. ለዚህ አንቀጽ የሚመለከው ክልሉን በስተቀር የዚህ አዋጅ ይዘንጋጀ ለሌላ ተቀም በሚመለከው የሰዕዱዎች በዚሁ ላይ ተፈጥሯል፡ እያወንዳንም

6. ԱՀԸՔՔՆԻ ՈԼՄՈՒՅՔԻ ՈԼՄՈՒՔԳՈՐԾ ՈԼՄՈՒՄՆԵՐԸ

የበሸ አዋጅ ይነጋግች እንደተመለከች ሆኖ፣ የሚገኘውም የ
ዕስዋት እና ስርጾ የሚያደርግው፣ የሚሰጥው እና የሚመዘ
ገበው አያዝ ነማት፣ ካወጣቸውና ክሚያወጣቸው ባርሃዊ
ሙሉዴች ይርሱ ተመዝግቦ ይች ነው።

հՀԱ Ս-ԱԴ

- ፩. የብቻት ማረጋገጫዎች የምስክር ወረቀት አሰራረንታት**

**ማንኛውም ስው በልዕዋጥ ይር ማግኘት፣ ማዘረጃቸው፣ ወደ ወርሃ
መለከት፣ ወደ እናር ወሰኖ ማጥበቅ፣ ማከናፈልናኝ መጽርቶች
ሁኔታ ላይ ለመመማርሱት ስነድንሰው የብቻት ማረጋገጫ
የምስክር ወረቀት ማማኑት ይኖርበታል።**

፪. በልዕዋጥ ይር ሰራሽ ለመመማርሱት የሚያስቀበ ሁኔታዎች

**፫. ማንኛውም ስው በልዕዋጥ ይር ማግኘት፣ ማዘረጃቸው፣ ወደ
እናር ወሰኖ ማጥበቅና ወደ ወርሃ መለከት፣ ማከናፈልናኝ
አና መጽርቶች ሰራሽ ላይ ለመመማርሱት አይደለም ስነድንሰው
የመጥቃቸውን መስፈርቶች አይፈልም ስነድንሰው
የብቻት ማረጋገጫዎች የምስክር ወረቀት ማማኑት ይኖር
በታላል።**

**፬. የዚህ አንቀጽ ገዢ እናቀጽ (፫) እንዲታወቁ ሆኖ
የብቻት ማረጋገጫዎች የምስክር ወረቀት የጠዋቅ ስው፡-**

**ሀ) የልዕዋጥ ይር የሚያመርሱት የዚህ እንዲሆነ ሚኒ
ማግኘት ሰራሽ ላይ በቀጥታ የሚመለከሩ የሙያ
ብቻትና ተሰጥቶ ያሉታው መሠትዎች፣ የእርዳ
መጠሪያዎች እና መሠት ያሉባለሁ፡ እንዲሆዎ
የወሰኑ ተረካት ቅጥጥር ለማከናፈልና የተዘረጋ
መሆኑ ይኖርበታል፡**

**ለ) የልዕዋጥ ይር አከራይ የዚህ እንዲሆነ ሚኒ
ማዘረጃቸው፣ ሰራሽ ላይ በቀጥታ የሚያመለከሩ የሙያ
ብቻትና ተሰጥቶ ያሉታው መሠትዎች እና፣ ማዘጋጀ
ይሸጋ ማያዘጋጀ መጠሪያዎች፣ እንዲሆዎች መከማች
መጠሪዎች ያሉት መሆኑ ይኖርበታል፡**

**ሐ) የልዕዋጥ ይር ሰነ፡ አስመራ፡ አከናፈልና ቅጥጥር
የዚህ እንዲሆነ ሲልዕዋጥ ይር መሠረታዊ
እውቀትና ያሉታው በለመያወችና ሚኒ ማቆያ
ተስማማቅ መሠን ያለው መሆኑ ይኖርበታል፡**

ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ ՔԱՂԱՔԱԿԱՆ ԽՈՎՃԱԿԱՆ ՄԱՍԻՆ ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ ՊԵՏԱԿԱՆ ԽՈՎՃԱԿԱՆ ՄԱՍԻՆ

- ፩. በዚህ አዋጅ እንቀጽ ፫ መመሪት የሰጠቸው ማረጋገጫ
የምስክር መረጃዎች ለማግኘት ሰነዱ ተግባራውን
በርሃ በእጀትዎች በተዘጋጀዎች ቁጥር ተግባራውን ተፈጻሚ
ለእጀትዎች መቅረብ እስከተ;

፪. በዚህ እንቀጽ ፳ዕስ እንቀጽ (፩) የተደገኘበው እንዲታ
መከተል ሆኖ፣ የሰጠቸው ማረጋገጫና የምስክር መረጃዎች
ይመጣ;

3. Scope of Application

- 1) This Proclamation shall apply to any prescribed seed specified by the Agency.
 - 2) Without prejudice to Sub-Article (1) of this Article, the Provisions of this Proclamation shall not apply to a seed produced by a farmer, and sold directly to another farmer; However; this Proclamation shall apply on any producer or farmer, processor, distributor and retailor who advertised seed to engage in a sale of seeds.
 - 3) Unless the seed is used for planting purpose, the provisions of this Proclamation shall not apply to seeds of plants intended for other purposes.

4. Approval, Naming, and Registration of Varieties

- Without prejudice to the provisions of this Proclamation, a new variety of any plant species shall be approved, named and registered only when such a variety conforms to the terms and conditions prescribed and to be prescribed by the Release Committee.

PART TWO

Competence Assurance Certificate

5. The Necessity of Competence Assurance Certificate

Any person, shall in order to engage in seed production, processing, import, export, wholesale and retail operation possess a competence assurance certificate of the Agency.

6. Conditions Enabling to Engage in the Seed Business

- 1) Any person, in order to engage in seed production, processing, import, export wholesale and retail operation, shall obtain competence assurance certificate from the Agency by fulfilling the requirements issued by the Agency;
 - 2) Without prejudice to Sub-Article (1) of this Article a person who required competence assurance certificate shall have:
 - (a) qualified professional personnel who are directly engage in production, the necessary farm equipment, land and shall be able to carry out internal quality control, where he is a seed producer.
 - (b) qualified professional personnel, who are directly engaged in the seed processing, have the necessary equipment for cleaning, grading, treating, bagging the labeling, and appropriate stores for seed storage, where he is a seed processor.
 - (c) personnel who have basic knowledge of seed and an appropriate storage, where he is a seed exporter, importer, wholesaler or retailer.

7. Application for Competence Assurance Certificate

- 1) An application to obtain competence assurance certificate in accordance with Article 6 of this Proclamation shall be submitted to the Agency by duly filling and signing in the form prepared by the Agency for each field of activity.
 - 2) Without prejudice to Sub-Article (1) of this Article, a person who applies for competence assurance certificate, shall submit to the Agency by filling and signing in the form prepared for such purpose indicating;

- (a) the qualification and capacity of personnel who are directly engaged in seed production, and whether, a laboratory has been established or a contractual agreement has been made with seed quality control laboratory delegated by the Agency to conduct seed quality test, where he is a seed producer;

(b) the qualification and capacity of personnel, availability of suitable seed processing plant cleaning and bagging machine, and appropriate seed stores where he is a seed processor;

(c) the qualification and capacity of personnel and the availability of proper seed store where he is a seed exporter, importer, wholesaler or retailer;

3. For the purpose of appropriate decision on an application for issuance of the competence assurance certificate to a producer, processor, importer, exporter, wholesaler and retailer of a prescribed seed, the Agency or the body delegated by it shall inspect the production area, processing plant, store and wholesale and retail sales shops which the applicant proposes to use in and about his business.

8. *Conditions for Refusal of Certificate of Competence Assurance*

The Agency shall not grant competence assurance certificate to a person for the following reasons;

 - 1) where the previous certificate of competence assurance has been cancelled and the period between cancellation and request is less than one year;
 - 2) where, before the issuance of this proclamation, the applicant has been convicted of an offense under other laws concerned with seed production, processing, marketing and distribution, and has not served the penalty;
 - 3) where the applicant does not fulfill the provisions of Article (6) of this Proclamation; and
 - 4) where the applicant has been convicted and hasn't served the penalty of, an offense under this Proclamation and directives to be issued there under.

9. *Obtaining Replacement Certificate of Competence Assurance*

 - 1) Any person whose certificate of competence assurance is lost or destroyed may, upon an application to the Agency in writing, obtain replacement of such certificate.
 - 2) Any person, whose certificate of competence assurance is destroyed, should return the destroyed certificate to the Agency when applying for a replacement.
 - 3) The Agency shall issue a replacement certificate to a person whose certificate of competence assurance is lost, as provided for in Sub-Article /1/ of this Article, within one month after the request for replacement is publicized in a newspaper, by the Agency, at the applicant's expense and, provided that no objection arises and service charge is paid thereto.

10. *Period of Validity of Competence Assurance Certificate*

A certificate of competence assurance issued under this Proclamation shall be valid for a period of three years.

- 11. Renewal of Competence Assurance Certificate**
 - 1) Every holder of a certificate of competence assurance, desiring to renew the certificate, shall make an application to the Agency in accordance with the form designed for this purpose, within one month before the date of expiry of the said certificate.
 - 2) On receipt of an application for renewal the Agency shall, evaluate the performance of the applicant and other relevant circumstances, and by charging service fee renew the certificate of competence assurance within 15 days period.
 - 12. Cancellation and Suspension of Certificate of Competence Assurance**
 - 1) The Agency may cancel a certificate of competence assurance on any of the following grounds;
 - (a) where the certificate has been obtained by fraud, false documents or misrepresentation as to material particulars;
 - (b) where the certificate has been transferred to any other person without prior permission of the Agency;
 - (c) where the certificate has not been renewed pursuant to the provisions of Article 11 of this Proclamation;
 - (d) where the holder of the certificate of competence assurance has been found selling sub-standard seed;
 - (e) where the license for seed business has been cancelled;
 - 2) The Agency may suspend or cancel the certificate if the owner of the certificate has been found using it for other purposes than the terms and conditions it has been issued for.
 - 3) The Agency after having cancelled the certificate of competence assurances shall notify, same in writing to the licensing Authority to cancel his/her seed business license;
 - 13. Keeping and making Available Records**

Any owner of Competence Assurance Certificate as producer, processor, importer, exporter, distributor and retailer shall:

 - 1) record and keep particulars of each field, seed produced, seed processed, seed imported and exported, and seed distributed and retailed;
 - 2) keep records and seed samples on which analysis have been made keeping. The period for keeping seed samples on which analysis have been made should be one year; keeping samples may also be for more years, as the case may require.
 - 3) transmit to the Agency such records kept as provided under Sub-Articles (1) and (2) hereof and submit same for inspection where requested by the Inspector.

PART THREE

Production Processing, Marketing and Quality Control

14. *Seed Production, Processing and Marketing*
Any seed produced and processed locally, or imported or to be exported, or to be sold and distributed in the country shall be a variety registered by the Agency and shall conform to the requirements and seed standards of Ethiopia.

12. ԱՃՎՃԻ ՓՐՄԸ

- ፩. የግዢዎች የተደረገውን ሲሆንበት ያላውን የአ.ጥ.የአ.ክ.የድ
የዘር ደረሰኝ መሰራርቸት ማማለት ይኖርበታል፡ የዘርም
ተግባራዋነት በእጀትልው በከተል ደረሰንበል፡

፪. በዚህ እንቀጽ ጉዢ-ብ-እንቀጽ (፩) መሠረት እንስተናተና
ቦማጥቶውም ማያጻረታ፡ ማዘጋጀ፡ ማካመጃ፡ ማከናዳሪና
መከተቻረም ለሚፈጸም በ-ለ በመገኘት ማጥቶውም
የተደረገውን ሲሆንበኑው የአ.ጥ.የአ.ክ.የድ የዘር ደረሰኝ ይህ
መጠማመን ይችሞበራል፡ እንደለሁፈረግናትም ማጥቶ
ያዙም፡ (ማስተካከለምም)፡ እንደደረገው በለቤትን
ይመከራል፡ በለቤትም ቃሚነት ተቀብሎ እስፈላጊውን
ማጥቶም፡ (ማስተካከለም)፡ ማፍረግ ይኖርበታል፡

፫. በዚህ እንቀጽ ጉዢ-ብ-እንቀጽ (፪) መሠረት ማጥቶውም
የተደረገውን ሲሆንበኑው ወይም ከተሰተካከለ በዚህ
በሌላ-ብ የዘር ፍጠ-ፍ ለተጨማሪ የሚመራ ወይ
የሚመራው ማከናዳ እንዲልብ እንስተናተና
ለመቻቻው ይችሞበራል፡ የዘር መጠማረውም በኋላ ላይ
የጋብት የሚመራ የሚፈልግ ካልሆነ በስተቀር የተደረ
ገበው ሲሆንበኑው የአ.ጥ.የአ.ክ.የድ የዘር ደረሰኝ ይህ
መጠማመን ለማግረጋጥ የዘር ፍጠ-ፍውን ለይጠኗ
የሚመራ በሙሉ የሚመራ ማከናዳ ከይደረሰበት ቤት
ቅጹው በኋላ ቤት ገዢ ወ-ሰጥ ወ-ሰ-ቤት ለዘሩ በሌላ-ብ
መማለያ ይኖርበታል፡ የዘር በሌላ-ብም እስከነው ገዢ
ይሰራ የተደረገውን ሲሆን ለዘሩ አገልግሎት መሞት
እይቻልም፡

፬. በዚህ እንቀጽ ጉዢ-ብ-እንቀጽ (፫) መሠረት ለሚደረገው
ተያያዥም የዘር የሚመራ በሌላ-ብ ለእያንዳንዱ ለማግ
ገበው የሚመራ የተቀበሉበት ከተይ ይከተላል፡
እናገድ-ሰው በማጥናውም ገዢ በመዝገበና በስተቀ
መያጻረፈ ሲሆ ለማይሆም የተዘጋጀ በይቶና ፍጠ-ፍ
በመውሰድ፡ የዘር ደረሰው ሲሆን ጥራ-ት መማለፈው
መሠረት መማኑን ቅጥር ይኖርበል፡ ወጠቀም
መማለፈው ሲሆ ከተመለከተው እንሰ ስ.ገኘ ከጋዊ
እርምጃ ይወካናል፡

፩፭. መሰሪያ የሚለውን ስለማግኘት

- ի) ԱՐՁԵ ԶԴՅԱՆԹԻ ՀՀՅԱԴԱՐԱՔ ՄՆԽ ՈՒՂԳԻ ԱՇ
ՄՊԱՀՆ ՔԻՄՀԱՄՀ ՄԿԴՎԹՄ ՔԴՅԱՆԻ ԱԾ ԲԸՆԴՐԱ
ՈՒՂԳԻ ԱՇ ԱՅ ՔԻՄԱՀԱԴԻ ՄՆՔԹԻ ԲԸՆԴՐԱ
ՄԿԴՎԹՄ ՔԻՄՀԱՄՀ ԲԻԿ ԴՄԴ ԱՌԴ ՔԻՄԱՀԱԴԻ
ՔԻՄԱՀԱԴԻ ԲՄՃԱՐԱ ՊՀԱՅԻ ՀԱՅԻ:

ս) ՀԱՅՄՃԻ ԸՆԿ ՀԿՄԿ
լ) ՀՀՅԱԴԱՐԱՔ ԱԿ ՔՄԿ Փ.ԸԴ
մ) ՔԻՄՀԱԴԻ ԱԿ ՔՄՀԱԴԻ ԿՄԿ ՔՄՀԱԴԻ ՖԱ
ա) ՔԻՄՀԱԴԻ ԱԿ ՔՄՀԱԴԻ ԿՄԿ ՔՄՀԱԴԻ ՖԱ
ամ) ՔԻՄՀԱԴԻ ԿՄԿ ՔՄՀԱԴԻ ՖԱ
ամ) ԱԼՄԴ ԲԻԿ ԴՄԴ ԱՌԴ ԱԿ ԱԿ ԱԿ ԱԿ ԱԿ

VI. ՏԱՐԱԾՈՒՅԹՆԵՐԻ ՀԱՅԱԳՈՐԾՈՒՅԹ

- ፩. ማኅጂው-ም ስው በስተዋዴት ማረጋገጫው የሚሰነር ወረቀት
ለይ በተዘጋጀበት በኢትዮጵት መሠረት የዘመን ጥቃቄ
የበዋዴት ማረጋገጫው የሚሰነር ወረቀት ከሳለው በስተዋዴ
ማሪያም-ሙያው ው-ቤትና ዘመኑ ሰው ተስተዋጥ እና ተልጽግኝ

15. *Quality Control*

- 1) Any prescribed seed shall conform to the requirements of the appropriate Ethiopian Seed Standards and such conformity shall be ascertained by the Agency.
 - 2) The inspector shall, pursuant to Sub-Article (1) of this Article, appear at production, processing, storage, wholesale and retail sites of a prescribed seed and inspect conformity to the designated Ethiopian Standards. He shall also advise the owner of a seed, as may be necessary, to take corrective measures towards improving his seed's standards. The owner of the seed must, pursuant to the advice, make the necessary improvement.
 - 3) Where any prescribed seed has been improved pursuant to Sub-Article (2) of this Article, the owner may request the seed-inspector to send his seed sample to a seed-testing center for further test. The seed inspector shall notify the owner of the seed, within 15 days starting from the date of receipt of the sample by the seed testing center, the conformity of the prescribed seed to the Ethiopian Seed Standard provided the seed does not require special test. Until such time, the owner cannot offer the prescribed seed for sale.
 - 4) Where repeated testing of such a seed as prescribed in Sub-Article (3) of this Article is made, the owner shall pay such fees as may be prescribed for each test.
 - 5) The Agency may, at any time, take seed samples from stores, wholesale and retail shops and conduct laboratory tests to check whether the sample conforms to the particulars indicated on labels and take legal measures whenever lower test results are observed.

16. *Labeling*

Without prejudice to the provisions of this Proclamation, any registered seed seller who sells any prescribed seed which has been tested in accordance with Article 15 and found complying with the provisions of Article 17 has the obligation to cause the printing or stamping with an indelible ink upon such container or upon a specified label attached thereto and enclosed therein the following particulars in accordance with the directives;

- (a) the name of the producer and its emblem;
 - (b) the words "Certified Seed Local" or "Certified Seed Imported" as the case may be;
 - (c) year of production and the date on and year within which the prescribed seed was tested;
 - (d) type of crop and name of the variety; and
 - (e) other particulars specifying the seed quality.

17. Control of Sale of Seed

1. No person shall sell any prescribed seed unless he has a seed seller's competence assurance certificate issued in accordance with the terms and conditions specified in the competence assurance certificate.

- g) ማግኘትውም ስው ማግኘትውም የተደረገበት ዝርዝር ሰር ለመስቀል :

ለሽያጭ ሌማቅዬውጥ ሌክያጭ ሌማቅራቢ በዚህም ለመሰማዱ ለመሰማዱ ለመሰማዱ ለመሰማዱ ለመሰማዱ

v) የተፈላው ዝርዝር እና ዝርዝር መሆኑን ሲፈጸማች

h) ለዘንድ አዋጅ በተወስኑው መሆኑን የተወስኑው የዘንድ ፍጤት በታወቂው የዘንድ ፍጤቱን ሲፈጸማች

i) መሆኑው በእኔዎች ተቋ በተደረገጥ኏ው መሆኑን የዘንድ ፍጤቱን በእኔዎች በተወስኑው መሆኑን መሆኑን የዘንድ ፍጤቱን ሲፈጸማች

m) የሚሰጠው የተደረገበት ዝርዝር ሰር ለማግኘት መሆኑን ሰጥቶ

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- የዕለ አዋጅ ይጤናውን እንደተመዘገበ ሆኖም;
 እ፡ በኢትዮጵያ ወ-ሰጥ የ-ተመረጡ ጊዜ ካሱን የ-ተመስከራከር
 የዕለ ወ-ሰጥ ጊዜ መሆኑ፣ ወይም
 ይ፡ የ-ተመስከራከር ጊዜ የዕለ መሆኑ;
 በኢትዮጵያ ወይም ይህን ሁኔታ ለመመራት በኢትዮ
 ገዢ በ-ተመዘገበ በላይ አብል መረጃዎች ለለበት

10. Առաքը ՄԴԸ ՔԻԸ ԽԵԶՉԵՔ ՔԸՆՔԻ ՀԱՄՓԻ ԱՆՁՆ

- ԱԱԱ ՀՊԸ ՀՀՀՀՀՄ Ա.ԱԱ ԽԵՇԱ.Մ Թ.ՕԲ ՄԿ
Ա-ՆՔՓՄ ՄԳՎԻ-Թ-Գ ՔԱ.ԴՐԿ-ԳՄ ԲԿ Ք.ՀԵՄ-Դ-Գ ՄՈԱ.
Ը-Բ ՔՄ.Յ-Ա.Ա Ա.Վ-Դ Ա.Մ.Յ-Հ.Վ-Մ Ա.Վ-Դ Ա.Վ-Ա
ՄԿ Ա.Հ.Հ.Յ-Բ Բ.Կ-Գ-Գ Հ-Դ-Գ Ա.Վ-Դ Յ-Լ-Ա:

Հ. Քաղաքացիական պարտը

2. Any person may sell, keep for sale, offer for sale, exchange in kind or supply through other means a prescribed seed only where:
 - (a) such seed is identifiable to its kind and variety;
 - (b) a sample of the seed drawn pursuant to the provisions of this proclamation has been tested at an official seed testing station and found to be in conformity with the Ethiopian Seed Standards;
 - (c) its content is clearly indicated on the label as prescribed under Article 16; and
 - (d) the prescribed seed offered for sale is in a sealed container.

18. Seed Certification

Without prejudice to the provisions of this Proclamation, seed shall be certified by the Agency or other delegated body:

1. in the case of seed produced in Ethiopia, that it is a Certified Seed Local; or
 2. in the case of foreign seed, that it is a Certified Seed Imported.

19. Recognition of Certification Agencies of Foreign Countries

The Agency may, for the implementation of this proclamation, recognize any competent certification agencies established in any foreign country to certify seed in conformity with the requirements of the Ethiopian Seed Standards.

20 Issuance of Certificate

- 1) A person who produces, sells, keeps for sale, offers for sale, exchanges in kind or supplies through other means any prescribed seed, shall:
 - (a) apply to the Agency for the issuance of a certificate if he is producing a crop/crops registered under compulsory certification.
 - (b) present the prescribed fee together with his application to be submitted in accordance with Sub-Article (1) (a) of this Article.
 - 2) Issuance of certificate shall be carried out in the following manner:
 - (a) Regarding the prescribed seed produced in Ethiopia, an applicant shall show to the Agency that his seed:
 - 1) is of a registered variety in the current Variety Register;
 - 2) is of a known certification class;
 - 3) has been produced by a holder of Competence Assurance Certificate;
 - 4) has been produced in accordance with the standard seed production procedures;
 - 5) has been inspected during production process, and
 - 6) has been tested in accordance with the provisions of this Proclamation and found to be in conformity with the Ethiopian prescribed Seed Standards.
 - (b) Regarding the prescribed seed imported into Ethiopia, an applicant shall show to the Agency that his seed:
 - 1) is imported into Ethiopia by a holder of Competence Assurance Certificate of a seed importer;
 - 2) is tested in accordance with the provisions of Articles 14, 15 and 16 of this Proclamation;

- 3) Pursuant to Sub Article (1) of this Article;

 - A person who seeks the testing of a sample of prescribed seed outside his own testing center, shall pay the prescribed fee to the center performing the test.
 - Upon receipt of any sample drawn at the seed testing center the official seed analyst shall analyze the sample in prescribed procedure and provide the person who sought the test with the report thereof, the findings therein and such other particulars as may appear necessary for or relevant to the report.

24. *Seed Inspection and Duties and Responsibilities of Inspectors*

 - The Agency shall appoint a Seed Inspector for the implementation of this Proclamation.
 - The Agency shall issue to each seed inspector a certificate which shows his authority to inspect.
 - A seed inspector shall produce his certificate of authority given to him pursuant to Sub-Article (2) of this Article, upon request of the person affected by the inspector in the course of exercising any of his powers given to him by the Agency.
 - A Seed Inspector may take samples of any seed or plant for any of the following purposes:
 - to determine whether the seed is a prescribed seed;
 - to test a seed in order to determine that the prescribed seed conforms to the quality standards prescribed under this Proclamation;
 - for such other purposes as he may deem necessary in relation to the powers given to him by the Agency.
 - A seed Inspector may, for the implementation of this Proclamation, at any reasonable time any field, store, vehicle which carries seed and seed processing plant which he has reasonable cause to believe that it is being used in the business of prescribed seed in violation of this Proclamation and when he confirms that the Proclamation has been violated, may suspend the operation of such business.
 - The inspector shall, pursuant to powers given to him under sub-Article (5) of this Article:
 - give a written evidence to the person whose business is suspended.
 - report to the Agency the details of suspension to enable the Agency to take appropriate measures within 15 days;

25. *Import and Export of Seeds*

 - No person shall import into or export from Ethiopia for sale any prescribed seed unless he is a holder of competence assurance certificate and has obtained seed import or export permit from the Agency.
 - any seed importer or exporter shall import into Ethiopia or export from Ethiopia any prescribed seed where:
 - such seed is not a restricted Seed;
 - such seed conforms to the Ethiopian Seed Standards and requirements;

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PART FOUR

The Role of the Agency

29. *Duties and Responsibilities of the Release Committee*
Without prejudice to the provisions of this Proclamation, new variety of any plant is evaluated and released by the National Variety Release Committee (NVRC), composed of members assigned from appropriate bodies.

30. *Duties and Responsibilities of the Agency*
Without prejudice to the powers and duties vested on it under its establishment Proclamation, the Agency:

 - 1) shall decide the type of varieties to be improved or locally produced;
 - 2) shall prepare and issue the annual variety register, follow up and make sure that the register is received by users;
 - 3) shall issue, renew, suspend, and cancel competence assurance certificate in matters related to production, processing, import and export, wholesale and retail of seed;
 - 4) may establish seed testing centers for conducting tests on prescribed seed and may delegate those established or to be established centers;
 - 5) shall perform seed testing by itself in accordance with the provisions of this Proclamation and appoint seed analysts;
 - 6) may take at any time sample for analysis from any place of seed production, processing and from seeds ready for sale;
 - 7) shall by establishing a team for inspection assign inspectors; establish, organize and administer laboratories, and carry out seed quality testing and control activities to enforce this Proclamation;
 - 8) shall issue a certificate of authority to each assigned seed inspector that ascertain he is an inspector of the agency;
 - 9) shall issue a seed quality assurance certificate to any person who, possesses a competence assurance certificate, is engaged in seed business and who desires to have certificate for the said seed and applies for it after assuring that such seed fulfills the Agency's prescribed criteria;
 - 10) shall revoke the certificate issued under Sub-Article (9) of this Article, if the certificate issued has been obtained by misrepresentation as to the essential conditions or if the holder of the certificate has failed to comply with conditions under which the certificate has been issued or has violated any of the directives issued in accordance with this Proclamation;
 - 11) may recognize any seed certification agencies established in any foreign country;
 - 12) may delegate its power and decide the conditions upon which the delegation to be exercised for the implementation of this Proclamation;
 - 13) shall give import or export permits for seeds to be imported or exported for research and production purposes.

31. *Duties and Responsibilities of the Inspector*
The inspector shall be assigned by the Agency and shall have the duties and responsibilities specified under Article 24 of this Proclamation.

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PART FIVE

Miscellaneous Provisions

32. *Duty to co-operate*
Any concerned person, if so required by the inspector, shall be bound to afford all necessary support in order to enable him to exercise his duties under this Proclamation.

33. *Appeal*
1) Any person aggrieved by measures taken pursuant to this Proclamation may appeal to an appropriate regular court within 30 days after he is notified of the decision.
2) Any decision made by a regular court shall be final.

34. *Penalties*
1) Any person who:
(a) intentionally offers for sale or sells below standard or unregistered seed shall be punished with imprisonment of not less than 10 years and not more than 15 years and with a fine of not less than Birr 50 thousands and not more than Birr 100 thousands.
(b) offers for sale or sells seed in violation of Article 17 of this Proclamation shall be punished with imprisonment of not less than 8 years and not more than 10 years and with a fine of not less than Birr 50 thousands and not more than 100 thousands.
(c) gives or offers a gift or any other benefit to cause the commission of fraudulent act on seed production, processing, export, import, distribution, retail sell and quality control process shall be punished with rigorous imprisonment of not less than eight years and not more than ten years and with a fine of not less than Birr 50,000 and not more than 100 thousands.
(d) knowingly offers for sale or sells seed in bags which do not comply with the standard shall be punished with imprisonment of not less than 3 years and not more than 5 years and with a fine of not less than Birr 15 thousands and not more than 25 thousands.
(e) intentionally alters the sample drawn or delivered for test and thus resulting in an incorrect representation of the produce, shall be punished with imprisonment of not less than 2 years and not more than 5 years and with a fine of not less than Birr 20 thousands and not more than 30 thousands.
(f) offers for sale or sells seeds in bags whose labeling and packaging do not comply with the standard and the weight of the seed in the bags is less than the amount paid for it, shall be punished with imprisonment of not less than 2 years and not more than 5 years and with a fine of not less than Birr 10 thousands and not more than 20 thousands.

- (g) intentionally opens a store sealed by inspector shall be punished with imprisonment of upto 2 years and with a fine of not less than Birr 10 thousands and not more than 20 thousands.

(h) refuses to cooperate and provide information/ data when requested by the Agency's Inspector who is exercising his powers and duties pursuant to this Proclamation shall be punished with imprisonment of not more than 1 year and with a fine of not less than Birr 5 thousands and not more than 10 thousands.

(i) violates Sub-Articles (1), (a),(b),(d) and (f) of this Article will be confiscated.

2) Any official or Personnel of the Agency who:

(a) by, directly or indirectly, receiving a bribe or any other benefit or on grounds of relation, intentionally or negligently supplies or causes the supply of a certificate or verification with regard to seed production, processing, export, import, distribution, retail sell and quality control process based on a false or deceitful document or;

(b) with the intent to receive a bribe or any other benefit or to injure other person, holds or delays the decision or action on request or a case that is brought before him in his official capacity;

shall be punished with imprisonment of not less than 10 years and not more than 15 years and a fine of not less than Birr 50 thousands and not more than 100 thousands.

3) Any person or organization delegated or authorized by the Agency to implement seed quality control activities and who:

(a) by, directly or indirectly, receiving a bribe or any other benefit gain or on grounds of relation, intentionally or negligently issued or causes the issuance of a certificate or verification with regard to seed production, processing, export, import, distribution, retail sell and quality control process based on a false or deceitful document, or

(b) with the intent to receive a bribe or any other benefit or to injure other person, holds or delays the decision or action on request or a case that is brought before him in his official capacity;

shall be punished with imprisonment of not less than 10 years and not more than 15 years and a fine of not less than Birr 50 thousands and not more than 100 thousands. The delegation or authorization shall also be cancelled.

4) Any person who misrepresented himself to be an inspector of the Agency or hinders or obstructs an inspector in the exercise of his powers and duties shall be punished with imprisonment of not less than 1 year and of not exceeding three years and a fine of not less than Birr 5 thousands and not exceeding Birr 15 thousands.

- ፩፪.** ፳፻፲፭ ዓ.ም መመሪያዎች የሚውጭት ሥልጣን
- ፩. የሚረዳትኝች የዚህ በታ ይህን አዋጅ ለማስፈጸም
እንዲ ለመመሪያ ይችላል::
- ፪. አቶናለው ይህን አዋጅ ተማሪዎች ለማድረግ የሚረዳ
መመሪያዎች ለመመሪያ ይችላል::
- ፪፫.** የተክፍና ትራጋሚነት ያሳያው አገልግሎት
- ፩. የኢትዮጵያ ሪፖርት ስር የሚረዳትኝች የዚህ በታ
እንዲ ቁጥር ፯፬/ጥን በዚህ አዋጅ ግኝኗል::
- ፪. የኢትዮጵያውያን አገልግሎት የሚደረግ ስሜናን
አዋጅ ለሌሎች ስር ለማድረግ በተመማሪው ስው ለይ
አንድ አማካይ ተረጋግጧ ይመል::
- ፫. ማንኛውም ሌላ ሆኖ ወጪዎች የተሰጠው አውራር ክፍል
አዋጅ የዚህ የሚፈጸም ሆኖ ክልተኛነት በስተቀር በዚህ
አዋጅ በተመለከተ ተያያዙ ላይ ትራጋሚነት
ይኖርዋል::
- ፪፬.** አዋጅ የሚያጠበቅ ሰነድ
- ይህ አዋጅ ከፃጠት ይበት ቀን ቀን በ፲፻፲፭ ዓ.ም. ይጠበቅ የዚህ
ፊርማል::

- ፩፭.** *Power to Issue Regulations and Directives*
- 1) The Council of Ministers may issue regulations necessary for the implementation of this Proclamation.
 - 2) The Agency may issue directives necessary for the implementation of this Proclamation.
- ፩፮.** *Repealed Laws and Applicable Laws*
- 1) The Ethiopian Seed Council of Ministers Regulations, No. 16/1997 is hereby repealed.
 - 2) The Investment and Commercial Licensing and Registrations Proclamations shall be applicable to a person engaged in seed business, as the case may be.
 - 3) Other laws or customary practices shall have effect with respect to matters covered by this Proclamation unless they are inconsistent with this Proclamation.

፩፯. *Effective Date*

This Proclamation shall enter into force as of the 6th day of June, 2000.

Done at Addis Ababa, this 6th day of June, 2000.

NEGASO GIDADA (DR.)
PRESIDENT OF THE FEDERAL DEMOCRATIC
REPUBLIC OF ETHIOPIA

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የኢትዮጵያ ፈዴራልኩ የሚከራከሩበት
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