

LEGAL NOTICE NO. 49

THE SEEDS AND PLANT VARIETIES ACT

(Cap. 326)

IN EXERCISE of the powers conferred by Section 3 (h) of the Seeds and Plant Varieties Act, the Minister for Agriculture makes the following Regulations:—

THE SEEDS AND PLANT VARIETIES (SEEDS) (AMENDMENT) REGULATIONS, 2009

1. These Regulations may be cited as the Seeds and Plant Varieties (Seeds) (Amendment) Regulations, 2009.

2. The Seeds and Plant Varieties (Seeds) Regulations are amended by deleting the Fifth Schedule and substituting therefor the following new Schedule.

FIFTH SCHEDULE

PART A—FIELD INSPECTION FEES (KSh.)

(r. 11 (1))

Crop under certification	Inspection per hectare	Minimum per field	Re-inspection on appeal at owner's request	
			Per hectare	Min. per field
Inbred maize	600	2100	710	2470
Hybrid maize	600	2100	280	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	1935	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

Crop under certification	Inspection per hectare	Minimum per field	Re-inspection on appeal at owner's request	
			Per hectare	Min. per field
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	495	2470
Other crops	280	1290	710	2470

PART B—SAMPLING AND SEALING FEES IN (KSh.)

(r. 13 (9))

Crop under Certification	Sampling and lot examination	Sampling and lot examination	Resampling seed lots		Resampling per 100 kg.
			Min. per lot	Per 100 kg.	
Inbred Maize	30	30	990	15	15
Hybrid Maize	30	30	990	15	15
Open Pollinated Maize	30	30	990	15	15
Wheat (Certified)	30	30	990	15	15
Wheat (Standard)	73	73	990	15	15
Barley (Certified)	30	30	990	15	15
Barley (Standard)	73	73	990	15	15
Oats	30	30	990	15	15
Grasses (Certified)	150	150	990	15	15
Grasses (Standard)	150	150	990	15	15
Sorghum (Certified)	30	30	990	15	15
Sorghum (Standard)	73	73	990	15	15
Potatoes (Certified)	30	30	990	15	15
Potatoes (Standard)	73	73	990	15	15
Hybrid Sunflower	30	30	990	15	15
Open Pollinated Sunflower	30	30	990	15	15
Safflower	30	30	990	15	15

Crop under Certification	Sampling and lot examination	Sampling and lot examination	Resampling seed lots		Resampling per 100 kg.
			Min per lot	Per 100 kg.	
Beans (Certified)	30	30	990	15	15
Beans (Standard)	73	73	990	15	15
Peas	73	73	990	15	15
Vegetables (Certified)	198	198	990	15	15
Vegetables (Standard)	198	198	990	15	15
Other crops	140	140	990	15	15

PART C— LABORATORY SEED TESTING FEES (KSh.) PER SAMPLE (r. 14(3) (a))

Crop under certification	Purity/ Germination	Moisture Test	Seed Health	Tetrazolium test	1000 seed count	Vigour test	ISTA Certification	Retesting for purity/ germination
Inbred maize	1500	500	1000	1000	200	1000	1000	1000
Hybrid maize	1500	500	1000	1000	200	1000	1000	1000
Open pollinated maize	1500	500	1000	1000	200	1000	1000	1000
Wheat (certified)	1500	500	1000	1000	200	1000	1000	1000
Wheat (standard)	1500	500	1000	1000	200	1000	1000	1000
Barley (certified)	1500	500	1000	1000	200	1000	1000	1000
Barley (standard)	1500	500	1000	1000	200	1000	1000	1000
Oats	1500	500	1000	1000	200	1000	1000	1000
Grasses (certified)	1500	500	1000	1000	200	1000	1000	1000
Grasses (standard)	1500	500	1000	1000	200	1000	1000	1000
Sorghum (certified)	1500	500	1000	1000	200	1000	1000	1000
Sorghum (standard)	1500	500	1000	1000	200	1000	1000	1000
Potatoes	1500	50	1000	1000	200	1000	1000	1000

Crop under certification	Purity/ Germination	Moisture Test	Seed Health	Tetrazolium test	1000 seed count	Vigour test	ISTA Certification	Retesting for purity/ germination
(certified)								
Potatoes (standard)	73	73	1000	1000	200	1000	1000	1000
Hybrid Sunflower	30	30	1000	1000	200	1000	1000	1000
Open pollinated sunflower	30	30	1000	1000	200	1000	1000	1000
Safflower	30	30	1000	1000	200	1000	1000	1000
Beans (certified)	30	30	1000	1000	200	1000	1000	1000
Beans (standard)	73	73	1000	1000	200	1000	1000	1000
Peas	73	73	1000	1000	200	1000	1000	1000
Vegetables (certified)	198	198	1000	1000	200	1000	1000	1000
Vegetables (standard)	198	198	1000	1000	200	1000	1000	1000
Rye grass	1500	500	1000	1000	200	1000	1000	1000
Flowers	1500	500	1000	1000	200	1000	1000	1000
Other crops	140	140	1000	1000	200	1000	1000	1000

PART D—SAMPLING AND PRE-CONTROLLING OF IMPORTED SEEDS FEES (KSh.) (r. 20)

Crop Under Certification	Minimum fees (500 (kg.)	Fee per (100 kg)	Fee per (1,000kg)
Inbred Maize	600	130	730
* Grasses (Certified)	600	130	730
* Grasses (Standard)	600	130	730
Sorghum (Certified)	600	130	730
Potatoes Certified)	600	130	730
Potatoes (Standard)	600	130	730
* Hybrid Sunflower	600	75	730
* Open Pollinated Sunflower	600	130	730

<i>Crop Under Certification</i>	<i>Minimum fees (500 kg.)</i>	<i>Fee per (100 kg)</i>	<i>Fee per (1,000kg)</i>
* Rape Seed	600	130	730
* Safflower	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
Others crops	600	130	730

Note—Regulatory imposed crops are marked- *

MILEAGE

All inspections to include mileage charges at KSh. 35 per km.

PART E- REGISTRATION FEES (KSh.) (r. 7(2)) (r. 9(2)) (r. 8 (1)) (r. 18 (3))

<i>Item</i>	<i>Application fees</i>	<i>Annual fees</i>
1. Seed merchant	75,000	10,000
2. Seed grower	500	300
3. Seed sellers		
(a) Agent	30,000	5,000
(b) Sub agent	5,000	3,000
(c) Stockist	1000	500

Made on the 2nd March, 2009.

WILLIAM RUTO,
Minister for Agriculture.