

CHAPTER 326

THE SEEDS AND PLANT VARIETIES ACT

SUBSIDIARY LEGISLATION

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APPOINTMENT OF AUTHORIZED OFFICER

ARRANGEMENT OF SECTIONS

THE DIRECTOR OF AGRICULTURE

APPOINTMENT OF AUTHORIZED OFFICER

[Legal Notice 464 of 1991]

IN EXERCISE of the powers conferred by section 2 of the Seeds and Plant Varieties Act, the Minister for Agriculture authorizes—

THE DIRECTOR OF AGRICULTURE

to exercise the functions of the authorized officer under the Seed and Plant Varieties (Seeds) Regulations, (L.N. 287/1991).

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) REGULATIONS

ARRANGEMENT OF REGULATIONS

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SCHEDULES

SCHEDULE —

FORMS

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) REGULATIONS

[Legal Notice 482 of 1994, Legal Notice 150 of 1998]

1. Citation

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires—

"breeder" means a person who discovers or breeds a new plant variety and includes his successor in title;

"Committee" means the Plant Breeder's Rights Committee established by regulation 3;

"grant" means a grant of plant breeder's rights;

"grantee" means the holder of a grant, and in relation to a protected variety means the holder of a grant in respect of that variety;

"licensee" means a person licensed to exercise plant breeder's rights;

"plant" means a plant in the plant kingdom and includes flowering and non-flowering plant species;

"prescribed fee" means the fee prescribed by regulation 29;

"protective direction" means a direction by the authorized officer under the Third Schedule to the Act;

"reproductive material" means the reproductive part of a plant and includes seeds and other vegetative propagating material such as a whole plant or parts thereof;

"the Kenya Plant Health Inspectorate Service" means the Kenya Plant Health Inspectorate Service established under paragraph 3 of the Kenya Plant Health Inspectorate Service Order (L.N. 305/1996).

[L.N. 150/1998, r. 2.]

3. The Plant Breeder's Rights Committee

(1) There shall be a Committee to be known as the Plant Breeder's Rights Committee, which shall consist of—

- (a) the Director of Agriculture, who shall be the chairman;
- (b) the Director, Kenya Agriculture Research Institute;
- (c) the Director, Kenya Industrial Property Office;
- (d) the Managing Director Horticultural Crops Development Authority;
- (e) the Director, Kenya Forestry Research Institute;
- (f) the Director, National Seed Quality Control Service;
- (g) one representative of seed merchants; and
- (h) one representative of Plant Breeders Association of Kenya.

(2) The Committee may co-opt a number of members not exceeding three to represent such interests as it may from time to time determine.

[L.N. 150/1998, r. 2.]

4. Functions of the Committee

The functions of the Committee shall be—

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- (a) to develop plant breeder's rights policy;
- (b) with the approval of the Cabinet Secretary, to review plant breeder's rights regulations and standards as may from time to time be required;
- (c) to make recommendations on the registration of grantees;
- (d) to moderate cases of appeal by aggrieved persons;
- (e) to review and recommend appropriate plant breeder's rights;
- (f) to perform such other duties as may from time to time be assigned by the Cabinet Secretary.

5. Meetings of Committee

Subject to the directions of the Cabinet Secretary, the Committee shall meet at least once in every year.

6. Application for a grant

(1) An application for a grant shall be in Form I in the Schedule and shall be accompanied by the prescribed fee.

(2) Where the application is by a successor in title to the breeder, it shall be accompanied by—

- (a) the original or a certified copy of the deed of assignment; or
- (b) the original or a certified copy of the certificate of grant of letters of administration; or
- (c) such documentary evidence as is in the opinion of the authorized officer sufficient to establish the title of the application.

(3) A person who—

- (a) has a substantial interest in the plant variety in respect of which the application is made; or
- (b) is in a position to adduce evidence which is likely to be material to the consideration of the application,

may on application to the authorized officer, be afforded an opportunity of making representations concerning the application.

7. Forfeiture of right to grant

(1) A person entitled to a grant by virtue of paragraph 9 of the Fourth Schedule to the Act may forfeit such right if, on being served with notice by the authorized officer, he fails to make a valid application under regulation 4 within the period specified in the notice.

(2) A notice under paragraph (1) shall be for such period not exceeding thirty days, as the authorized officer may specify.

(3) A person aggrieved by an act or omission of the authorized officer under this regulation may appeal to the Tribunal within fourteen days.

8. Certificate of grant

A certificate of a grant shall be in Form II in the Schedule and shall be issued on payment of the prescribed fee.

9. Application for extension of the period of grant

(1) An application for extension of the period of a grant under section 19(5) of the Act shall be in Form III in the Schedule and shall be accompanied by the prescribed fee.

(2) Subject to paragraph (3), an application under this Regulation shall be made not more than eighteen but not less than nine months before the date of expiry of the grant.

(3) The authorized officer may accept a late application under this Regulation if satisfied that the applicant's failure to lodge it within the prescribed period was due to circumstances beyond his control:

Provided the application is lodged at least three months before the date of expiry of the grant.

(4) A person who—

- (a) is licensed to exercise any rights in the plant variety to which the application relates, or who otherwise has a substantial interest in the variety; or
- (b) is in a position to produce evidence which is likely to be material to the consideration of the application and any person or organization representing such licensee or person so interested,

may on application to the authorized officer, be afforded an opportunity to make representations concerning the application.

10. Application for compulsory licence

(1) An application for a compulsory licence shall be in Form IV in the Schedule and shall be accompanied by the prescribed fee.

(2) In addition to a person or organization entitled to make representations by virtue of section 23(7) of the Act, a person licensed to exercise any right in the plant variety to which the application relates may apply to the Cabinet Secretary for an opportunity to make representations concerning the application.

(3) An application for the revocation, extension, limitation or other variation of the terms of a compulsory licence shall be in writing addressed to the authorized officer.

11. Application for protective direction

(1) An application for a protective direction shall be in Form V in the Schedule and shall be accompanied by the prescribed fee.

(2) A certificate of a protective direction shall be in Form VI in the Schedule, and shall be issued on payment of the prescribed fee.

12. Withdrawal of protective direction

(1) If it is intended to withdraw a protective direction otherwise than on the request of the holder, the authorized officer shall give the holder thirty days' notice of the intention.

(2) A notice under paragraph (1) shall be in writing setting out the reasons for the intended withdrawal.

13. Application for surrender of grant

(1) An application for the surrender of a grant shall be in Form VII in the Schedule and shall be accompanied by the prescribed fee.

(2) A licensee of any right in the plant variety to which the application relates or a person who otherwise has a substantial interest in the variety may, on application to the authorized officer, be afforded an opportunity to make representations concerning the application.

14. Provision of information or evidence in support of application

(1) A person making an application under these Regulations shall provide the authorized officer with such information or evidence in support of the application as the authorized officer may require.

(2) In the case of an application for a grant, the applicant shall deliver to the authorized officer, or avail to him for examination, the reproductive or other plant material of the plant variety to which the application relates.

(3) In the case of any other application, the applicant shall deliver to the authorized officer the reproductive or other plant material as the authorized officer may require.

(4) The reproductive or other plant material delivered or availed by the applicant for examination by the authorized officer under this Regulation shall be of such quality and description as authorized officer shall specify.

[Subsidiary]

(5) If in the course of examination of any plant material delivered or availed to the authorized officer under this Regulation any part thereof is lost or damaged, or is found to be unhealthy or otherwise unsuitable, the authorized officer may require the applicant to supply a further quantity of the plant material.

(6) The applicant shall at all reasonable times avail to the authorized officer such facilities as may be necessary for the inspection of plants, plant material trial grounds or other premises to which the application relates.

(7) The authorized officer may require an applicant to undertake trials or tests in connection with the plant variety to which his application relates, at such times and in such manner as the authorized officer may determine.

15. Refusal of repeated application

(1) If an application under regulation 9, 10 or 13 is made within 12 months of a decision by the Cabinet Secretary or the authorized officer on the same matter, the Cabinet Secretary or the authorized officer may, if in his opinion the application lacks merit, refuse it.

(2) Before refusing an application under paragraph (1), the Cabinet Secretary or the authorized officer shall afford the applicant an opportunity to make representations thereon.

16. Notification of applications

(1) The Cabinet Secretary shall notify every application under regulations 6, 9, 10 and 13 in the *Gazette*.

(2) A notice under paragraph (1) shall specify—

- (a) the categories of the persons entitled to make representations concerning the application under the Act or these Regulations;
- (b) the period within which an application for an opportunity to make representations may be made; and
- (c) any matters on which the Cabinet Secretary or the authorized officer should be satisfied by a person or organization applying for an opportunity to make representations.

17. Application for opportunity to make representations

(1) A person or organization entitled by virtue of the provisions of the Act or these Regulations to make representations concerning any matter may apply in the prescribed form, to the Cabinet Secretary or the authorized officer, for an opportunity to make representations.

(2) An application under paragraph (1) shall be—

- (a) in Form VIII in the Schedule;
- (b) accompanied by the prescribed fee; and
- (c) lodged within the period specified in regulation 16.

(3) The Cabinet Secretary or the authorized officer shall, on receipt of an application under this Regulation, afford the applicant an opportunity of making representations to him in writing, or of being heard by him or by a person deputed by the Cabinet Secretary for that purpose.

18. Hearing of representations

(1) The Cabinet Secretary or the authorized officer shall appoint a date and place for the hearing of representations by any applicant under regulation 17.

(2) In appointing the date and place for hearing, the Cabinet Secretary or the authorized officer shall have regard to—

- (a) the convenience of the applicant and any witnesses;
- (b) the situation of any land or premises to be viewed in connection with the application; and
- (c) any other relevant circumstances.

(3) The Cabinet Secretary or the authorized officer shall give the applicant not less than 30 days' notice of the hearing.

(4) The applicant shall, at least 14 days before the date appointed for the hearing, deliver to the authorized officer two copies of any document intended to be relied on or tendered as evidence at the hearing.

(5) The applicant may appear in person at the hearing or be represented by a person of his own choice.

(6) At the hearing, the applicant or his representative may—

- (a) give evidence;
- (b) call witnesses;
- (c) subject to paragraph (7), produce any document; and
- (d) cross-examine any witnesses called.

(7) No document shall be relied on or produced in evidence under paragraph (6) unless copies thereof are delivered to the authorized officer in accordance with paragraph (4).

(8) The Cabinet Secretary or the authorized officer may require any witness called at the hearing to give evidence on oath, affirmation or otherwise and may for that purpose administer oaths or affirmations.

(9) subject to the directions of the Cabinet Secretary or the authorized officer in consultation with the applicant, the hearing shall be held in public.

(10) Before making his decision, the Cabinet Secretary or the authorized officer shall take into consideration any written representations made on the matter under regulation 17(3).

(11) The Cabinet Secretary or authorized officer shall give the applicant notice of his decision in writing, and shall specify therein the reasons for the decision.

(12) An applicant aggrieved by a a decision of the Cabinet Secretary or the authorized officer under this Regulation may appeal to the Tribunal within 14 days.

(13) subject to regulation 19, a decision of the Cabinet Secretary or the authorized officer shall take effect on such date as he directs.

19. Appeals to the Tribunal

(1) In appointing the time and place for hearing an appeal under section 29(1)(d), (e) or (f) of the Act, or under these Regulations, the Tribunal shall have regard to the matters specified in regulation 18(2).

(2) Subject to paragraph (3), the operation of any decision appealed from shall be suspended pending the final determination of the appeal.

(3) Notwithstanding any appeal, the operation of a decision to extend the duration of a grant shall not be suspended if the duration of the initial grant expires before the final determination of the appeal.

20. Cancellation of grant

(1) The Cabinet Secretary shall give the grantee thirty days' notice of intended cancellation of a grant under section 19(7) of the Act.

(2) A notice under paragraph (1) shall be in writing setting out the grounds for intended cancellation.

21. Proposal of name for plant variety

(1) The authorized officer may require an applicant for a grant to propose a name for the plant variety to which the application relates within such time as he may specify.

(2) The authorized officer may reject a name proposed under paragraph (1) if the name

- (a) is similar to that of a plant variety of the same class as the variety in respect of which the application is made being either—

Seeds and Plant Varieties

[Subsidiary]

- (i) a class consisting of the plant varieties of the species or groups prescribed by a scheme under Part V of the Act; or
- (ii) a class prescribed for the purposes of section 21 of the Act, or the name so nearly resembles the name of any plant variety as to be likely to deceive or cause confusion as to the identity of the variety; or
- (b) is likely to deceive or cause confusion as to the characteristics or value of the plant variety or as to the identity of the breeder; or
- (c) does not conform with international usage as regard the nomenclature of cultivated plants; or
- (d) is similar to or likely to be confused with—
 - (i) a registered trade mark; or
 - (ii) a trade name used in respect of the reproductive material of any kind; or
 - (iii) products of the plant variety in respect of which the application is made; or
 - (iv) products of a plant variety of the same class as the variety in respect of which the application is made, being a class specified under paragraph 2(a); or
- (e) is in the opinion of the authorized officer otherwise undesirable.

(3) If the authorized officer rejects a proposed name under paragraph (2), he shall so inform the applicant specifying the grounds for the rejection, and shall require him to propose another name within such time as he may specify.

(4) The Cabinet Secretary shall publish in the *Gazette*, or in such manner as he may deem appropriate notice of every proposed name that is not rejected by the authorized officer under paragraph (2).

(5) A person may, within 21 days of publication of a notice under paragraph (4), object to the approval of a proposed name on any of the grounds specified in paragraph (2).

(6) An objection under paragraph (5) shall be in writing addressed to the authorized officer.

(7) The authorized officer shall consider any objection lodged under paragraph (5) before approving the proposed name.

(8) The Cabinet Secretary shall notify in the *Gazette* every name approved by the authorized officer under this Regulation.

(9) If an applicant does not comply with a request of the authorized officer to propose a name within the period specified, the authorized officer may deem the application to be abandoned.

(10) An applicant for a grant, or a grantee may at any time propose to change the name approved under this Regulation.

(11) Upon a proposal under paragraph (9), the procedure for proposed names prescribed by this regulation shall apply.

22. Register of plant varieties

(1) The authorized officer shall maintain a register of plant varieties into which he shall enter the details relating to—

- (a) a plant variety in respect of which a grant has been made; or
- (b) a plant variety in respect of which an application for a grant is under consideration,

specified in this Regulation.

(2) As regards a plant variety in respect of which a grant has been made, the authorized officer shall enter in the register—

- (a) the name of the variety;
- (b) a description of its characteristics;
- (c) the reference number under which the variety is recorded in any reference collection of plant material maintained by the authorized officer;
- (d) the name and address of the grantee;
- (e) the date and duration of the grant;
- (f) such other particulars as are in the opinion of the authorized officer necessary.

(3) As regards a plant variety in respect of which an application for a grant is under consideration, the authorized officer shall enter in the register—

- (a) the proposed name of the variety;
- (b) a description of the characteristics of the variety as provided by the applicant;
- (c) the date of grant of any protective direction;
- (d) the name and address of the applicant;
- (e) such other particulars as are in the opinion of the authorized officer necessary.

23. Botanical description and test results of variety

The authorized officer shall keep a botanical description and the results of any tests or trials of a plant variety in respect of which an application for a grant is made.

24. Inspection of register and documents

Any person may, during working hours, inspect the register and any documents lodged with or kept by the authorized officer, and may on payment of the prescribed fee, obtain a copy of the register or other document.

25. Address of grantee or applicant

(1) A grantee or a person making any application under these Regulations shall give to the authorized officer an address for service of any documents required to be served upon him.

(2) A grantee or applicant who changes his name or address shall forthwith notify the authorized officer.

26. Extension of period for compliance

The Cabinet Secretary or authorized officer may, on application, extend the period set for compliance with any regulation if in the circumstances he deems it reasonable to do so.

27. Amendment of register records

(1) If the authorized officer receives notification of change of name or address of a grantee or applicant under regulation 26, he shall amend the register accordingly.

(2) Where—

- (a) the approved name of a variety is changed under regulation 22; or
- (b) the period of a grant expires or is extended; or
- (c) a grant is surrendered or cancelled,

the authorized officer shall amend the register accordingly.

(3) The authorized officer shall also make such other amendments as may be necessitated by any information supplied to him.

28. Translation of documents

Where a document required to be submitted to the Cabinet Secretary, or authorized officer in connection with any matter is in a language other than the English language, it shall, unless the Cabinet Secretary or the authorized officer otherwise directs, be accompanied by a translation thereof in the English language.

[Subsidiary]

29. Fees

The following fees shall be payable to the authorized officer for the purposes of the Act and these Regulations:

	<i>Local (KSh.)</i>	<i>Foreign US \$</i>
(a) application for a grant	10,000	200
(b) application for extension of the period of a grant	5,000	100
(c) application for a compulsory licence	3,500	70
(d) application for protective direction	2,000	40
(e) certificate for protective direction	6,000	120
(f) application for surrender of a grant	1,500	30
(g) application for opportunity to make representation	6,000	120
(h) inspection of register and documents	2,000	40
(i) for technical evaluation of variety	30,000	600
(j) for a certificate	12,000	240
(k) for a duplicate copy of the register or other document (per page)	20	0.05
(l) annual fees for grant	10,000	200
(m) purchase of a report from a testing authority in another country	16,000	320
(n) replacement of a lost or destroyed certificate	2,000	40
(o) claim of priority from a proceeding application outside Kenya	1,000	20
(p) for change of an approved denomination	4,000	80
(q) reinstatement of an abandoned application on petition	4,000	80

(r) surcharge for late payment	3,000	60
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[L.N. 150/1998, r. 2.]

30. Enforcement of regulation 29

The prescribed fees specified in regulation 29 shall be deemed to have come into force on 1st December, 1996.

[L.N. 150/1998, r. 2.]

SCHEDULE

FORMS

FORM I

(r. 6)

[L.N. 150/1998, r. 2.]

SEEDS AND PLANT VARIETIES ACT

(CAP. 326)

APPLICATION FOR A GRANT OF PLANT BREEDER'S RIGHTS**PART I***(Notes to be read before completing the form)*

1. This form should be completed by a person or organization applying for a grant of plant breeder's rights under rule 6 of the Seeds and Plant Varieties (Plant Breeder's Rights) Regulations, 1994. Sections A and B should be completed by all applicants while section C should be completed by applicants from outside Kenya.

2. Where the application is by the successor in title to the breeder, it shall be accompanied by—

- (a) the original or a certified copy of the deed of assignment; or
- (b) the original or a certified copy of the certificate of the grant of probate, letters of administration; or
- (c) such other documentary evidence as is in the opinion of the authorized officer sufficient to establish the title of the applicant.

3. (1) If the applicant is a partnership firm, the application must be signed by all partners or by one partner on behalf of the firm.

(2) If the applicant is a body corporate, a society or other similar organization, the application must be signed by the secretary or other principle officer or by its authorized agent.

4. The application shall be processed subject to—

- (a) provision of all necessary information, records and materials required by the authorized officer under the Seeds and Plant Varieties (Plant Breeder's Rights) Regulations, 1994; and
- (b) payment of the application fee prescribed in regulation 29 of the said Regulations.

5. An applicant who wishes to apply for a protective direction of the authorized officer under the Third Schedule to the Seeds and Plant Varieties Act shall also complete Form V.

PART II*(To be completed by the applicant)*

The Managing Director,
Kenya Plant Health Inspectorate Service,
Kabete,

Seeds and Plant Varieties

[Subsidiary]

P.O. Box 14733,
Nairobi.

A. I/
We
(Full names of Applicant)
of
(Address) (Telephone Number)
apply for a grant of plant breeder's rights in the plant
variety specified in section B.

B. (Details of plant variety)

1. Species or group of plant varieties to which plant variety belongs:
.....

2. Name or proposed name for variety (if any):
.....

3. Country in which the variety was bred or discovered:
.....

4. Name of breeder or discoverer:
.....

5. Have plants of the variety or any material forming Part of, or derived from them been
offered for sale locally or abroad?
..... (YES/NO)

6. If so, give the following particulars:

- (i) Country of sale
- (ii) Date of first sale or offer for sale
- (iii) Terms or conditions of sale
- (iv) Has the breeder or discoverer consented to sale? (YES/NO)

C. (To be completed by applicants from outside Kenya)

- (i) Country of origin
- (ii) Variety name or designation
- (iii) Has any application for similar rights been lodged in any other
country? (YES/NO)
- (iv) If so give details:
.....
- (v) Do you claim in priority respect of an application lodged in another country
within the last 12 months? (YES/NO)
- (vi) If so, give details of such applications:

DECLARATION

I/We declare that I/We have read and understood the conditions specified in Part I
and undertake to abide by them as required and confirm that the information given in this
application is correct to the best of my/our knowledge and belief.

.....
Signature of Applicant

FORM II

.....
(r. 8)

[L.N. 150/1998, r. 2.]

SEEDS AND PLANT VARIETIES ACT
CERTIFICATE OF GRANT OF PLANT BREEDER'S RIGHTS

I certify that

(Full names of Applicant)

of

(Address) (Telephone Number)

has been granted plant breeder's rights in respect

of

(Name/Designation of variety)

(Class) (Registration Number)

for a period of

years commencing on the, 20

Date issued

Fee paid

Director of Agriculture
Cabinet Secretary for Agriculture

FORM III (r. 9)

[L.N. 150/1998, r. 2.]

SEEDS AND PLANT VARIETIES ACT
APPLICATION FOR EXTENSION OF THE PERIOD OF A GRANT OF PLANT
BREEDER'S RIGHTS
PART I

(Notices to be read before completing the application form)

1. This application should be lodged not more than eighteen months but not less than nine months before the date of expiry of the grant.
2. A late application may, in accordance with regulation 9(3) of the Seeds and Plant Varieties (Plant Breeder's Rights) Regulations, 1994, be lodged at least three months before the date of expiry of the grant.
3. The application must be accompanied by the prescribed fee.

PART II

(To be completed by the applicant)

The Managing Director,
Kenya Plant Health Inspectorate Service,
Kabete,
P.O. Box 14733,
Nairobi.

1. I/We

(Name of Applicant)

of

(Address) (Telephone Number)

apply for extension of my grant of plant breeder's rights

Seeds and Plant Varieties

[Subsidiary]

certificate of grant No.
..... issued
on, due to expire
on, for a further period
of

2. The reason for seeking this extension is

3. The following persons/organizations are by virtue of the provisions of the Seeds and Plant Varieties Act and the Seeds and Plant Varieties (Plant Breeder's Rights) Regulations, 1994, interested in this application:

- 1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

4. I enclose herewith KSh.
being the fee payable in respect of this application.

Date
Signature of Applicant

FORM IV (r. 10)

SEEDS AND PLANT VARIETIES ACT
APPLICATION FOR COMPULSORY LICENCE
(Notices to be read before completing the application form)
[L.N. 150/1998, r. 2.]
The Managing Director,
Kenya Plant Health Inspectorate Service,
Kabete,
P.O. Box 14733,
Nairobi.

1. I/
We
(Name of Applicant}
of
(Address)
.....
apply for a compulsory
(Telephone Number)

Seeds and Plant Varieties

[Subsidiary]

licence in respect of (Name/Designation of Variety) of the species/groups, in accordance this the provision of section 23 of the Seeds and Plant Varieties Act.

2. The above variety was bred/discovered by (Name of Breeder/Discoverer) and was released on 20

3. The following persons are, by virtue of the provision of the Seeds and Plant Varieties Act and the Seeds and Plant Varieties (Plant Breeder's Rights) Regulations, 1994 interested in this application- 1. 2. 3. 4.

4. Enclosed herewith is the fee of Ksh. Payable in respect of this application.

Date Signature of Applicant

FORM V (r. 11)

[L.N. 150/1998, r. 2.]

SEEDS AND PLANT VARIETIES ACT APPLICATION FOR A PROTECTIVE DIRECTION PART I

(Notes to be read before completing the application form)

1. This application should be completed by an applicant for a grant who is also applying for a protective direction of the authorized officer under the Third Schedule to the Seeds and Plant Varieties Act.

2. Every applicant must, pursuant to paragraph 1 of the said Schedule, give the undertaking set out in paragraph 2 of Part II.

3. The undertaking referred to in paragraph 2 is subject to paragraph 1(3) of the Third Schedule to the Seeds and Plant Varieties Act which provides:

“(3) An undertaking under this paragraph shall not prevent the applicant from making an offer for sale which in the period before the application would be permitted by subparagraphs (3) or (4) of paragraph 2 of Part II of the Fourth Schedule to this Act, or the exposure for sale of material where an offer for sale of that material would be so permitted”.

4. The authorized officer may, if he thinks fit, grant a protective direction if he is satisfied that the applicant has—

- (i) duly given the undertaking; and (ii) furnished him with all such information, facilities and materials as the officer may require from the applicant for the grant of plant breeder’s rights.

[Subsidiary]

PART II

(To be completed by the applicant)

The Managing Director,
Kenya Plant Health Inspectorate Service,
Kabete,
P.O. Box 14733,
Nairobi.

I/We

(Name of Applicant)

of

(Address)

having submitted my/our application for
grant of plant breeder's rights in respect
of

hereby apply for a protective direction in respect of the variety in accordance with the
Third Schedule to the Seeds and Plant Varieties Act.

I/We UNDERTAKE that subject to the exceptions in subparagraph 1(3) of the Third
Schedule, during the period between the date of my application for a grant and the time
when the application is finally determined (or, if this undertaking is discharged under the said
Schedule at an earlier date, until that date) no plants or the variety, and no material forming
part of, or derived from plants of that variety, shall be offered for sale or sold in Kenya by
me/us or with my/our consent.

Date

.....
Signature of Applicant

FORM VI

(r. 11)

[L.N. 150/1998, r. 2.]

SEEDS AND PLANT VARIETIES ACT

CERTIFICATE OF GRANT OF PROTECTIVE DIRECTION

I certify

that

(Name of Holder)

.....
(Address)

has pursuant to the provisions of the Third Schedule to the Seeds
and Plant Varieties Act, been granted a protective direction in respect
of

.....
of

(Name/Designation of variety)

the species/

class

with effect

from

Date of
issue

Fee
paid

.....

Director of Agriculture
Cabinet Secretary for
Agriculture

FORM VII

(r. 13)

[L.N. 150/1998, r. 2.]

SEEDS AND PLANT VARIETIES ACT
APPLICATION FOR SURRENDER OF GRANT OF PLANT BREEDER'S
RIGHTS

The Managing Director,
Kenya Plant Health Inspectorate Service,
Kabete,
P.O. Box 14733,
Nairobi.

1. I/

We

(Name of Applicant)

of

(Address)

being the grantee of plant breeder's rights in respect
of

.....
(Name/Designation of variety)

vide certificate of grant

No.

issued

on

due to expire

on

hereby apply to surrender the grant for the following reasons:

.....
.....

2.

The following persons/organizations are, by virtue
of the provisions of the Seeds and Plant Varieties
Act, and the Seeds and Plant Varieties (Plant
Breeder's Rights) Regulations, 1994, interested in
this application:

- 1.
- 2.
- 3.
- 4.

3.

Enclosed herewith is the fee of
KSh.
payable in respect of this application

Date

.....
Signature of Applicant

FORM VIII

(r. 71)

[L.N. 150/1998, r. 2.]

SEEDS AND PLANT VARIETIES ACT
APPLICATION FOR OPPORTUNITY TO MAKE REPRESENTATIONS

Seeds and Plant Varieties

[Subsidiary]

(Notes to be read before completing the form)

NOTES

- 1. This form should be completed by a person or organization applying for an opportunity to make representations concerning any matter virtue of the provisions of the Seeds and Plant Varieties Act or the Seeds and Plant Varieties (Plant Breeder’s Rights) Regulations, 1994
- 2. The application, should be lodged within the period specified under regulation 16 of the Seeds and Plant Varieties (Plant Breeder’s Rights) Regulations, 1994.
- 3. The application may be lodged with the Cabinet Secretary or the authorized officer, as the case may be
- 4. The application must be accompanied by the prescribed fee.

(To be completed by the Applicant)

The Managing Director,
Kenya Plant Health Inspectorate Service,
Kabete,
P.O. Box 14733,
Nairobi.

- 1. I/
We
(Name of Applicant)
of
(Address)
apply for an opportunity to make representations concerning the
.....
(Particulars of application or other matter)
notified in the Kenya Gazette vide Gazette Notice No. of,
20
- 2. I am a person/organization entitled to make representations concerning this matter by virtue of
(Specify relevant provisions of the Act or the Regulations)
being
(Specify nature of interest)
.....
- 3. Enclosed herewith is the fee of
KSh.
payable in respect of this application

Date Signature of Applicant

**THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS)
(FRUIT, NUT AND TREE CROPS SCHEME) REGULATIONS, 2001**

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation.
2. Interpretation.
3. Plant varieties to which Scheme applies.
4. Period for which rights are exercisable.
5. Classes of plant varieties.
6. Periods prescribed before compulsory licensing.
7. Offences.

SCHEDULES

FRUIT, NUTS AND TREE CROP SCHEME

**THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS)
(FRUIT, NUT AND TREE CROPS SCHEME) REGULATIONS, 2001**

[Legal Notice 70 of 2001]

1. Citation.

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Fruit, Nut and Tree Crops Scheme) Regulations.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“authorized officer” means the Managing Director of the Kenya Plant Health Inspectorate Service;

“plant variety” includes any clone, line, hybrid or genetic variant.

3. Plant varieties to which Scheme applies.

There is hereby made a scheme to be called the Fruit, Nut and Tree Crops Scheme, which shall apply to all plant varieties of fruit, nut and tree crops which conform with the characteristics of cultivated plant varieties of any of the genera or species specified in the first column of the Schedule hereto.

4. Period for which rights are exercisable.

The period for which plant breeder's rights shall be exercisable in respect of any of the plant varieties referred to in regulation 3 shall be the period of the years specified in the second column of the Schedule.

5. Classes of plant varieties.

In relation to any of the varieties referred to in regulation 3, the class of plant varieties prescribed for the purposes of section 21 of the Act shall consist of all plant varieties of the genus or species specified in the third column of the Schedule.

6. Periods prescribed before compulsory licensing.

In relation to any of the plant varieties referred to in regulation 3, the period prescribed for the purposes of section 23(4) of the Act shall be the period of years specified in the fourth column of the Schedule.

7. Offences.

A person who infringes the plant breeder's rights in the registered name of a variety of fruit, nut and tree crops covered by the Fruit, Nut and Tree Crops Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both.

SCHEDULE

[r. 3]

FRUIT, NUTS AND TREE CROP SCHEME

Species

Classes of plant varieties for the purpose of section 21 of the Act	Period of years for which right are exercisable	Period of years years prescribed before compulsory licensing

Seeds and Plant Varieties

[Subsidiary]

<i>Carica papaya</i> L.	Pawpaw	<i>Carica</i>	20	2
<i>Anacardium occidentale</i>	Cashew nuts	<i>Anacardium</i>	25	3
<i>Citrus limon</i> (L. Burm.f)	Lemon	<i>Citrus sp.</i>	20	3
<i>Citrus paradisi</i> Macfad	Grape fruit	<i>Citrus sp.</i>	20	3
<i>Citrus reticulata</i> Balanco	Mandarin	<i>Citrus sp.</i>	20	3
<i>Citrus reticulata</i> Balanco x C. Pararidi	Tangelo	<i>Citrus sp.</i>	20	3
<i>Citrus sinensis</i> L. pere	Orange	<i>Citrus sp.</i>	20	3
<i>Coffea arabica</i> and <i>Coffea robusta</i>	Coffee	<i>Coffea sp.</i>	20	3
<i>Cyphomanora betacea</i>	Tamarillo	<i>Cyphomanora</i>	20	2
<i>Eryobotrya</i> Lindl.	Loquat	<i>Eriobotrya</i>	25	3
<i>Fragaria</i> L.	Strawberry	<i>Fragaria sp.</i>	20	3
<i>Macadamia sp.</i>	Macadamia	<i>Macadamia</i>	20	3
<i>Malus mill</i>	Apple	<i>Mangnifera sp.</i>	20	3
<i>Maginifera indica</i> L.	Mango	<i>Mannifera sp.</i>	20	3
<i>Morus</i> L.	Mulberry	<i>Morus sp.</i>	20	3
<i>Musa</i> L.	Banana	<i>Musa sp.</i>	20	2
<i>Passiflora edulis sims</i>	Granadilla	<i>Passiflora sp.</i>	20	3
<i>Peasea americana mill</i>	Avacado	<i>Persea sp.</i>	25	3
<i>Prunus uvium</i> L.	Cherry	<i>Prunus sp.</i>	20	3
<i>Prunus</i> L.	Plum	<i>Prunus sp.</i>	20	2
<i>Prunus persica</i> L.	Peach	<i>Prunus sp.</i>	20	2
<i>Psidium guajava</i>	Guava	<i>Psidium sp.</i>	20	2
<i>Pyrus</i> L.	Pears	<i>Pyrus sp.</i>	20	3
<i>Ribes sp.</i>	Currants	<i>Ribes sp.</i>	20	2
<i>Ribes uva-Crispa</i> L.	Gooseberry	<i>Ribes sp.</i>	20	2
<i>Rubus ideas</i> L.	Raspberry	<i>Rubus sp.</i>	20	2
<i>Camelia sinensis</i> L.	Tea	<i>Thea sp.</i>	20	3
<i>Tilia</i> L.	Lime	<i>Tilia sp.</i>	20	3
<i>Vitis vinifera</i>	Grape vine	<i>Vitis sp.</i>	20	3

**THE SEEDS AND PLANT VARIETIES (PLANT
BREEDER'S RIGHTS) (MAIZE SCHEME) REGULATIONS**

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation
 2. Interpretation
 3. Plant varieties to which the Scheme applies
 4. Period for which rights are exercisable
 5. Class of plant varieties
 6. Prescribed period before compulsory licensing
 7. Offences
-

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (MAIZE SCHEME) REGULATIONS

[Legal Notice 74 of 2001]

1. Citation

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Maize Scheme) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires—

"authorized officer" means the Managing Director of the Kenya Plant Health Inspectorate Service.

3. Plant varieties to which the Scheme applies

There is hereby made a scheme to be called the Maize Scheme, which shall apply to all varieties of maize which conform with the characteristics of cultivated varieties of the species *zea mays*.

4. Period for which rights are exercisable

The period for which plant breeder's rights shall be exercisable in respect of the plant varieties referred to in regulation 3 shall be fifteen years.

5. Class of plant varieties

In relation to the plant varieties referred to in regulation 3, the class of plant varieties prescribed for the purposes of section 21 of the Act shall consist of all plant varieties of maize, sweetcorn and popcorn.

6. Prescribed period before compulsory licensing

For the purposes of section 23(4) of the Act, a compulsory licence granted by the authorized officer in respect of a plant variety specified in regulation 3 shall not have effect for a period of two years after the date of grant of rights in that variety.

7. Offences

A person who infringes the plant breeder's rights in the registered name of a variety of maize covered by the Maize Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both.

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (OIL AND FIBRE CROPS SCHEME) REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation
2. Interpretation
3. Plant varieties for which plant breeder's rights may be granted
4. Period for which rights are exercisable
5. Class of plant varieties
6. Periods prescribed before compulsory licensing
7. Offences

SCHEDULES

FIRST SCHEDULE —

PLANT VARIETIES INCLUDED IN THE OIL AND FIBRE CROPS SCHEME

SPECIES OF PLANT VARIETIES PRESCRIBED FOR THE PURPOSES OF SECTION 21 OF THE ACT

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (OIL AND FIBRE CROPS SCHEME) REGULATIONS

[Legal Notice 76 of 2001]

1. Citation

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Oil and Fibre Crops Scheme) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires—

“authorized officer” means the Managing Director of the Kenya Plant Health Inspectorate Service;

“plant variety” includes any clone, line, hybrid or genetic variant.

3. Plant varieties for which plant breeder's rights may be granted

There is hereby made a scheme to be called the Oil and Fibre Crops Scheme, which shall apply to all plant varieties of oil and fibre crops which conform with the characteristics of cultivated plant varieties of any of the species specified in the first column of the First Schedule hereto.

4. Period for which rights are exercisable

The period for which plant breeder's rights shall be exercisable in respect of the plant varieties referred to in regulation 3 shall be the period of the years specified in the second column of the First Schedule.

5. Class of plant varieties

The classes of plant varieties prescribed for the purposes of section 21 of the Act shall consist of—

- (a) in relation to plant varieties of sunflower; all plant varieties of the species specified in Part I of the Second Schedule;
- (b) in relation to plant varieties of the rapeseed and mustard; all plant varieties of the species specified in Part II of the Second Schedule;
- (c) in relation to plant varieties of sesame; all plant varieties of the species specified in Part III of the Second Schedule;
- (d) in relation to plant varieties of safflower; all plant varieties of the species specified in Part IV of the Second Schedule;
- (e) in relation to plant varieties of castor; all plant varieties of the species specified in Part V of the Second Schedule;
- (f) in relation to plant varieties of groundnut; all plant varieties species specified in Part VI of the First Schedule;
- (g) in relation to plant varieties of jojoba; all plant varieties of the species specified in Part VII of the Second Schedule;
- (h) in relation to plant varieties of soyabean; all plant varieties of the species specified in Part VIII of the Second Schedule;
- (i) in relation to plant varieties of linseed and flax; all plant varieties of the species specified in Part IX of the Second Schedule;
- (j) in relation to plant varieties of sisal; all plant varieties of the species specified in Part X of the Second Schedule;
- (k) in relation to plant varieties of cotton; all plant varieties of the species specified in Part XI of the Second Schedule;

Seeds and Plant Varieties

[Subsidiary]

- (l) in relation to plant varieties of kenaf; all plant varieties of the species specified in Part XII of the Second Schedule;
- (m) in relation to plant varieties of coconut; all plant varieties of the species specified in Part XIII of the Second Schedule.

6. Periods prescribed before compulsory licensing

For the purposes of section 23(4) of the Act, a compulsory licence granted by the authorized officer in respect of a plant variety or group specified in regulation 3 shall not have effect from the date of grant of rights in that variety, for the period of years specified in the third column of the First Schedule.

7. Offences

A person who infringes the plant breeder's rights in the registered name of a variety of oil or fibre crop covered by the Oil Fibre Crops Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both.

FIRST SCHEDULE

PLANT VARIETIES INCLUDED IN THE OIL AND FIBRE CROPS SCHEME

Species Name	Common name	Period of years for which rights are exercisable	Period of years prescribed before compulsory licensing
<i>Helianthus annus L.</i>	Sunflower		1
<i>Brassica napus L.</i>	Rapeseed	15	2
<i>Sesame indicum L.</i>	Sasame	15	2
<i>Carthamus tinctorius L.</i>	Safflower	15	2
<i>Ricinus communis L.</i>	Castor bean	15	2
<i>Arachis hypogea L.</i>	Groundnut	15	2
<i>Simmondsia chinensis</i>	Jojoba	20	3
<i>Glycine max (L.) merril</i>	Soyabean	15	1
<i>Linum usitatissimum L.</i>	Linseed and flax	15	2
<i>Agave sisallna</i>	Sisal	20	2
<i>Gossypium hirsutum</i>	Cotton	20	2
<i>Hibiscus cannabinus</i>	Kenaf	20	2
<i>Cocos nucifera L.</i>	Coconut	25	3

SECOND SCHEDULE

[s. 5]

SPECIES OF PLANT VARIETIES PRESCRIBED FOR
THE PURPOSES OF SECTION 21 OF THE ACT

PART I

SUNFLOWER

Name	Common Name
<i>Helianthus annuus</i>	Sunflower
PART II - RAPE/MUSTARD	
<i>Brassica napus</i> L. spp. <i>oleifera</i>	Oil seed rape
<i>Brassica rapa</i> L. (<i>partim</i>)	Turnip rape
<i>Brassica rapa</i> L. varr <i>rapa</i> (L) <i>Thell</i>	Turnip
<i>Brassica juncea</i> (L) <i>czcern coss in czern</i>	Brown mustard
<i>Brassica nigra</i> (L) <i>W Koch</i>	Brown mustard
<i>Sinapis alba</i> L.	White mustard
PART III - SESAME	
<i>Sesame indicum</i> L.	Sesame
PART IV - SAFFLOWER	
<i>Carthamus tinctorius</i> L.	Safflower
PART V – CASTOR	
<i>Ricinus communis</i> L.	Castor
PART VI – GROUNDNUT	
<i>Arachis hypogea</i> L.	Groundnut
PART VII – JOJOBA	
<i>Simmondsia chinensis</i>	Jojoba
PART VIII – SOYABEAN	
<i>Glycine max</i> (L) <i>Merril</i>	Soyabean
PART IX - LINSEED AND FLAX	
<i>Linum usitatissimum</i>	Linseed and flax
PART X - SISAL	
<i>Agave sisalina</i>	Sisal
PART XI - COTTON	
<i>Gossypium hirsutum</i>	Cotton
PART XII - KENAF	
<i>Hibiscus cannabinus</i>	Kenaf
PART XI - COCONUT	
<i>Cocos nucifera</i> L.	Coconut

**THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS)
(ORNAMENTAL AND HERBACEOUS PLANTS SCHEME) REGULATIONS**

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation.
2. Interpretation.
3. Plant varieties for which plant breeder's rights may be granted.
4. Period for which rights are exercisable.
5. Prescribed period before compulsory licensing.
6. Additional rights.
7. Offences.

SCHEDULES

SCHEDULE —

PLANTS TO BE INCLUDED ORNAMENTAL
AND HERBACEOUS PLANTS SCHEME

**THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS)
(ORNAMENTAL AND HERBACEOUS PLANTS SCHEME) REGULATIONS**

[Legal Notice 75 of 2001]

1. Citation.

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Ornamental and Herbaceous Plants Scheme) Regulations.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

"authorized officer" means the Managing Director of the Kenya Plant Health Inspectorate Service;

"plant variety" includes any clone, line, hybrid or genetic variant.

3. Plant varieties for which plant breeder's rights may be granted.

There is hereby made a scheme to be called the Ornamental and Herbaceous Plants Scheme, which shall apply to all plant varieties of ornamental and herbaceous perennial plants which conform with the characteristics of cultivated plant varieties of any of the species specified in the first column of the Schedule hereto.

4. Period for which rights are exercisable.

The period for which plant breeder's rights shall be exercisable in respect of any of the plant varieties referred to in regulation 3 shall be the period of the years specified in the second column of the Schedule.

5. Prescribed period before compulsory licensing.

In relation to plant varieties referred to in the first column of the Schedule, the periods prescribed for the purposes of section 23(4) of the Act shall be the period of years specified in the third column of the Schedule.

6. Additional rights.

Plant breeder's rights exercisable in respect of any of the plant varieties referred to in these Regulations shall, where the word "included" appears in the fourth column of the Schedule, include the exclusive right to propagate and to authorize others to propagate that plant variety for the purpose of selling cut blooms, foliage or stems thereof.

7. Offences.

A person who infringes the plant breeder's rights in the registered name of a variety of ornamental covered by the Ornamental and Herbaceous Plants Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both.

SCHEDULE

PLANTS TO BE INCLUDED ORNAMENTAL AND HERBACEOUS PLANTS SCHEME

Species or genus Name	Common name	Period of years for which rights are exer- cisable	Period of years prescribed before compulsory purposes of	Additional rights prescribed for the purposes of paragraph 1 of Schedules
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Seeds and Plant Varieties

[Subsidiary]

			licensing	
<i>Alstroemeria L.</i>	Alstroemeria	20	2	Included
<i>Adiantiformis</i>	Leathery leaf fern	20	3	Included
<i>Antirrhinum majus</i>	Antirrhinum	20	2	Included
<i>Agapanthus L.</i>	African Lily	20	2	—
<i>Ageratum houstonianum.</i>	Ageratum	20	2	Included
<i>Anthemis L.</i>	Chamomile	20	2	—
<i>Anemone coronaria</i>	Anemone	20	2	Included
<i>Anthurium sp.</i>	Anthurium	20	2	Included
<i>Amobium alatum</i>	Amobium	20	2	Included
<i>Astelia spp.</i>	Astelia	20	2	—
<i>Asclepias curassavica</i>	Asclepias	20	2	Included
<i>Aster L.</i>	Aster	20	2	Included
<i>Aquilegia vulgaris</i>	Aquilegia	20	2	Included
<i>Begonia spp.</i>	Eliator Begonia	20	2	—
<i>Bracteanthu bracteata</i>	Everlasting flower	20	2	Included
<i>Calistephus chinensis</i>	Calistephus	20	2	Included
<i>Caltha L.</i>	Marsh Marigold	20	2	—
<i>Calendula officinalis.</i>	Calendula	20	2	Included
<i>Campanula L.</i>	Bell flower	20	2	Included
<i>Camellia L.</i>	Camellia	20	2	Included
<i>Carthamus tinctorius</i>	Carthamus/ safflower	20	2	Included
<i>Centaurea L.</i>	Cornflower	20	2	—
<i>Cetananche L.</i>	Cupids dart	20	2	—
<i>Cirsium japonicum</i>	Cirsium	20	2	Included
<i>Chrysanthemum Spp.</i>	Chrysanthemum	20	2	Included
<i>Coccineum willd.</i>	Pyrethrum	20	2	Included
<i>Cymbidium Sw.</i>	Cymbidium	20	2	Included
<i>Dahlia</i>	Dahlia	20	2	Included
<i>Delphinium</i>	Perrenial Delphinium	20	2	Included
<i>Dendrohium</i>	Orchid dendrobium	20	2	Included
<i>Dianthus L.</i>	Carnations	20	2	Included
<i>Epiphyllopsis</i> including	Easter cactus	20	2	Included

Seeds and Plant Varieties

[Subsidiary]

<i>Rhipsalidopsis</i>				
and				
<i>Schlumbergera</i>				
<i>Eryngium L.</i>	Eryngium	20	2	Included
<i>Erysimum L.</i>	Mustard Treacle	20	2	—
<i>Euphorbia pulcherrima</i>	Poinsettia	20	2	Included
<i>Euphorbia spp.</i>	Euphorbia	20	2	—
<i>Eustoma sp.</i>	Eustoma	20		Included
<i>Fragaria L.</i>	Strawberry	20	2	—
<i>Freesia Klatt</i>	Freesia	20	2	Included
<i>Glatonia</i>	Glatonia	20	2	—
<i>Scardens (Bak.)</i>				
<i>Decne</i>				
<i>Gerbera cass</i>	Gerbera	20	2	Included
<i>Gysophila L.</i>	Gysophila	20	2	Included
<i>Halipterum</i>	Halipterum	20	2	Included
<i>Manglesii</i>				
<i>Heliopsis sp.</i>	Heliopsis	20	2	Included
<i>Heunchera L.</i>	Coral flower	20	2	Included
<i>Hypericum L.</i>	Hypericum	20	2	Included
<i>Impatiens spp.</i>	Impatiens	20	2	—
<i>Iperis umbellata</i>	Iperis	20	2	Included
<i>Iris L.</i>	Iris	20	2	Included
<i>Kalanchoe adans</i>	Kalanchoe	20	2	—
<i>Lavandula sp.</i>	Lavender	20	2	—
<i>Lilium</i>	Lilly	20	3	Included
<i>Limonium</i>	Statice	20	2	Included
<i>Lobelia L.</i>	Cardinal flower	20	2	Included
<i>Lupinus L.</i>	Lupin	20	2	—
<i>Narcissus L.</i>	Daffodil	20	2	Included
<i>Nerine sp.</i>	Nerine herb	20	2	—
<i>Nicotiana tabacum L.</i>	Tobacco	20	2	—
<i>Oenothera L.</i>	Evening primrose	20	2	—
<i>Origanum L.</i>	Sweet marjoram	20	2	—
<i>Ornithogalum sp.</i>	Arabicum and Ornithogalum	20	2	Included
<i>Orchidacea</i>	Orchid	20	2	Included
<i>Juss</i>				
<i>Osteospermum L.</i>	Osteospermum	20	2	—
<i>Oxypetalum caeruleum</i>	Oxypetalum	20	2	Included
<i>Pelargonium sp.</i>	Geranium	20	2	—
<i>Petunia L.</i>	Petunia	20	2	—

Seeds and Plant Varieties

[Subsidiary]

<i>Polianthes tuberosa</i>	Tuberose	20	2	Included
<i>Pharbitis nil chois</i>	Morning glory	20	2	—
<i>Platycodon grandiflorum</i>	Platycodon	20	2	Included
<i>Rhododendron L.</i>	Azealca	20	2	—
<i>Rosa L.</i>	Rose	20	2	Included
<i>Rumohra adiantiformis</i>	Leathery leaf fern	20	2	—
<i>Saccharum L.</i>	Sugar-cane	20	2	—
<i>Saintpaulia ionantha H. wendl</i>	African Violet	20	3	—
<i>Scaevola aemula</i>	Scaevola aemula	20	2	—
<i>Solidago L.</i>	Golden Rod	20	2	Included
<i>Solidaster Wehrh</i>	Solidaster	20	2	Included
<i>Stachys L.</i>	Woundwort	20	2	—
<i>Streptocarpus</i>	Cape primrose	20	2	—
<i>Tagetes sp.</i>	Marigold	20	2	—
<i>Trifolium arvense L.</i>	Rabbit foot	20	2	—
<i>Trachelium caeruleum</i>	Trachelium	20	2	Included
<i>Viola L.</i>	Violet	20	2	Included
<i>Zantedeschia spreng</i>	Calla lily	20	2	Included

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (OTHER CEREALS SCHEME) REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation
2. Interpretation
3. Plant varieties for which breeder's rights may be granted
4. Period for which rights are exercisable
5. Class of plant varieties
6. Prescribed period before compulsory licensing
7. Offences

SCHEDULES

FIRST SCHEDULE — OTHER CEREALS SCHEME
CLASSES OF PLANT VARIETIES

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (OTHER CEREALS SCHEME) REGULATIONS

[Legal Notice 77 of 2001]

1. Citation

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Other Cereals Scheme) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires—

“authorized officer” means the Managing Director of the Kenya Plant Health Inspectorate Service.

3. Plant varieties for which breeder's rights may be granted

There is hereby made a scheme to be called the Other Cereals Scheme, which shall apply to cereals other than maize which conform with the characteristics of cultivated varieties of any of the species specified in the first column of the First Schedule hereto.

4. Period for which rights are exercisable

The period for which plant breeder's rights shall be exercisable in respect of the plant varieties referred to in regulation 3 shall be the period of years specified in the second column of the First Schedule.

5. Class of plant varieties

For the purposes of section 21 of the Act, the classes of plant varieties prescribed shall consist of—

- (a) all the species specified in Part I of the Second Schedule;
- (b) in relation to plant varieties of rice, all the species specified in Part II of the Second Schedule;
- (c) of all the species in Part III of the Second Schedule.

6. Prescribed period before compulsory licensing

For the purposes of section 23(4) of the Act, a compulsory licence granted by the authorized officer in respect of a plant variety specified in regulation 3 shall not have effect from the date of grant of rights in that variety for the period of years specified in the third column of the First Schedule hereto.

7. Offences

A person who infringes the plant breeder's rights in the registered name of a variety of cereal covered by the Other Cereals Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both.

FIRST SCHEDULE

OTHER CEREALS SCHEME

Species	Name	Common name	Period of years for which rights are exercisable	Period of years prescribed for the purpose of Section 23(4)
	Avena sativa	Oats	15	2

Seeds and Plant Varieties

[Subsidiary]

Eleusine corocana (L.) gaertn.	Finger Millet	15	1
Hordeum vulgare	Barley	15	2
Oryza sativa	Rice	15	1
Pennisetum (L) R. Br.	Pearl Millet	15	1
Panicum milliagem	Proso Millet	15	1
Setaria italica	Foxtail Millet	15	1
Secale cereale L.	Rye	15	2
Sorghum bicolor (L.) Moench	Sorghum	15	1
Triticosecale Wittm.	Triticale	15	2
Triticum sp.	Wheat	15	1

SECOND SCHEDULE

[r. 5]

CLASSES OF PLANT VARIETIES

PART I

Species

Triticum sp.
Hordeum vulgare
Avena saliva
Secale cereale L.
Triticosecale Wittm.

Common names

Wheat
Barley
Oats
Rye
Triticale

PART II

Oryza saliva L.

Rice

PART III

Sorghum bicolor (L.) Moench
Eleusine coracana (L.) gaertn
Pennisetum glaucum (L.)
Panicum milliagem (L.)
Setaria italica (L.)

Sorghum
Finger Millet
Pearl Millet
Prosho Millet
Foxtail Millet

**THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS)
(PASTURE PLANTS AND GRASSES SCHEME) REGULATIONS**

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation
2. Interpretation
3. Plant varieties to which Scheme applies
4. Period for which rights are exercisable
5. Class of plant varieties
6. Periods prescribed before compulsory licensing
7. Offences

SCHEDULES

PLANTS TO BE INCLUDED IN THE PASTURE PLANTS AND GRASSES SCHEME

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (PASTURE PLANTS AND GRASSES SCHEME) REGULATIONS

[Legal Notice 79 of 2001]

1. Citation

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Pasture Plants and Grasses Scheme) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires—

“authorized officer” means the Managing Director of the Kenya Plant Health Inspectorate Service;

“plant variety” includes any clone, line, hybrid or genetic variant.

3. Plant varieties to which Scheme applies

There is hereby made a scheme to be called the Pasture Plants and Grasses Scheme, which shall apply to all plant varieties of pasture plants and grasses which conform with the characteristics of cultivated plant varieties of any of the genera or species specified in the first column of the Schedule hereto.

4. Period for which rights are exercisable

The prescribed period for which plant breeder's rights shall be exercisable in respect of any of the plant varieties referred to in regulation 3 shall be the period of years specified in the second column of the Schedule.

5. Class of plant varieties

In relation to the plant varieties referred to in regulation 3, the class of plant varieties prescribed for the purposes of section 21 of the Act shall consist of all plant varieties of the genus or species specified in the third column of the Schedule.

6. Periods prescribed before compulsory licensing

In relation to the plant varieties referred to in regulation 3, the period prescribed for the purposes of section 23(4) of the Act shall be the period of years specified in the fourth column of the Schedule.

7. Offences

A person who infringes the plant breeder's rights in the registered name of a variety of pasture plant or grass covered by the Pasture Plants and Grasses Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both.

SCHEDULE

[r. 3]

PLANTS TO BE INCLUDED IN THE PASTURE PLANTS AND GRASSES SCHEME

Species	Classes of plant varieties	Period of years for which rights are exercisable	Period of years prescribed to the purposes of section 23 (4) of the Act
Botanical Name	Common name	varieties prescribed for the purpose of section 21 of the Act	Period of years prescribed to the purposes of section 23 (4) of the Act

Seeds and Plant Varieties

[Subsidiary]

<i>Andropogon sp.</i>	Blue Stem grass	<i>Andropogon</i>	15	2
<i>Brachiaria ruziziensis</i>	Congo Signal grass	<i>Brachiaria</i>	15	2
<i>Calliandra sp.</i>	Calliandra	<i>Calliandra sp.</i>	20	3
<i>Cenchrus ciliaris L.</i>	Buffel grass	<i>Cenchrus</i>	15	2
<i>Chloris gayana</i>	Rhodes grass	<i>Chloris</i>	15	2
<i>Cynodon dactylon</i>	Bermuda grass	<i>Cynodon</i>	15	2
<i>Clitoria ternatea</i>	Butterfly pen	<i>Clitoria</i>	15	2
<i>Centrosema gubescens</i>	Centro	<i>Centrosema</i>	15	2
<i>Dactylis glomerata L.</i>	Cocksfootgrass	<i>Dactylis</i>	15	2
<i>Desmodium intortum</i>	Greenleaf	<i>Desmodium</i>	15	2
<i>Desmodium uncinatum</i>	Silver leaf	<i>Desmodium</i>	20	2
<i>Eragrotis sp.</i>	Love grass	<i>Eragrotis</i>	15	2
<i>Gliricidia</i>	Gliricidia	<i>Gliricidia</i>	15	3
<i>Lolium sp.</i>	Rye grass	<i>Lolium</i>	20	2
<i>Leucaena laucocephala</i>	Leucaena	<i>Leucaena</i>	15	3
<i>Lupinus sp.</i>	Lupins	<i>Lupinus</i>	15	3
<i>Medicago saliva L.</i>	Lucerne	<i>Medicago</i>	15	2
<i>Macroptilium atropurpureum</i>	Siratro	<i>Macroptilium</i>	15	2
<i>Pennisetum purpureum</i>	Napier grass	<i>Pennisetum</i>	15	2
<i>Poa annua L.</i>	Creeping blue grass	<i>Poa</i>	15	2
<i>Panicum coloratum</i>	Coloured guinea grass	<i>Panicum</i>	15	2
<i>Paspalum gayanus</i>	Paspalum grass	<i>Paspalum</i>	15	3
<i>Prosopis</i>	Prosopis	<i>Prosopis</i>	20	3
<i>Sesbania</i>	Sesbania	<i>Sesbania</i>	20	2
<i>Sorghum sudanense</i>	Sudan grass	<i>Sorghum</i>	15	2
<i>Sorghum alnum</i>	Colombus grass	<i>Sorghum</i>	15	2
<i>Setaria anceps</i>	Setaria grass	<i>Setaria</i>	15	2
<i>Stylosanthes guianensis</i>	Stylo	<i>Stylosanthes</i>	15	2
<i>Trifolium sp.</i>	Clover	<i>Trifolium</i>	15	2

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (PULSES SCHEME) REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation.
2. Interpretation.
3. Plant varieties for which plant breeder's rights may be granted.
4. Period for which rights are exercisable.
5. Class of plant varieties.
6. Prescribed period before compulsory licensing.
7. Offences.

SCHEDULES

FIRST SCHEDULE —

PLANT VARIETIES TO BE INCLUDED IN THE PULSES SCHEME

SECOND SCHEDULE —

PLANT VARIETIES PRESCRIBED FOR PURPOSES OF SECTION 21 OF THE ACT

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (PULSES SCHEME) REGULATIONS

[Legal Notice 78 of 2001]

1. Citation.

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Pulses Scheme) Regulations.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“authorized officer” means the Managing Director of the Kenya Plant Health Inspectorate Service;

“plant varieties” includes any clone, line, hybrid or genetic variant.

3. Plant varieties for which plant breeder's rights may be granted.

There is hereby made a scheme to be called the Pulses Scheme, which shall apply to all plant varieties of pulses which conform with the characteristics of cultivated varieties of any of the species specified in the first column of the First Schedule hereto.

4. Period for which rights are exercisable.

The prescribed period for which plant breeder's rights shall be exercisable in respect of the plant varieties referred to in regulation 3 shall be the period of the years specified in the second column of the First Schedule.

5. Class of plant varieties.

For the purposes of section 21 of the Act, the classes of plant varieties prescribed shall consist of—

- (a) in relation to plant varieties of beans, the species specified in Part I of the Second Schedule;
- (b) in relation to plant varieties of peas, the species specified in Part II of the Second Schedule.

6. Prescribed period before compulsory licensing.

For the purposes of section 23(4) of the Act, a compulsory licence granted by the authorized officer in respect of a plant variety of a species specified in regulation 3 shall not have effect for a period of two years from the date of grant of rights in that plant variety.

7. Offences.

A person who infringes the plant breeder's rights in the registered name of a variety of pulses covered by the Pulses Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both.

FIRST SCHEDULE

PLANT VARIETIES TO BE INCLUDED IN THE PULSES SCHEME

Genus or Species	Common name	Period of years for which rights are exercisable	Period of years prescribed for section 23 (4) of the Act
//Phaseolus vulgaris	Dry bean	15	2
Phaseolus vulgaris	French beans	15	2

Seeds and Plant Varieties

[Subsidiary]

Vicia faba L.	Broad beans	15	2
Cyamopsis	Beans/snapbeans	15	2
tetragonoloba	Cluster beans	15	2
Dolichos lablab	Peas	15	2
Pisum sativum L.	Pigeon peas	15	2
Cajanus cajan	Cow peas	15	2
Vigna unguiculata	Chick peas	15	2
Cicer arietinum L.	Mung beans	15	2
Vigna radiata L.			

SECOND SCHEDULE

PLANT VARIETIES PRESCRIBED FOR PURPOSES OF SECTION 21 OF THE ACT

Species	Common Name
PART I - BEANS	
<i>Phaseolus vulgaris</i>	Dry beans
<i>Phaseolus vulgaris</i>	French beans
<i>Vicia faba L.</i>	Broad beans
<i>Cyamopsis tetragonoloba</i>	Cluster beans
<i>Dolichos lablab</i>	Dolichos beans
<i>Vigna radiata L.</i>	Mung beans
PART II - PEAS	
<i>Pisum sativum L.</i>	Peas
<i>Cajanus cajan</i>	Pigeon peas
<i>Vigna unguiculata</i>	Cow peas
<i>Cicer arietinum L.</i>	Chick peas

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (ROOT AND TUBER CROPS SCHEME) REGULATION

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation.
2. Interpretation.
3. Plant varieties, for which plant breeder's rights may be granted.
4. Period for which rights are exercisable.
5. Period prescribed before compulsory licensing.
6. Offences.

SCHEDULES

ROOTS AND TUBER CROPS SCHEME

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (ROOT AND TUBER CROPS SCHEME) REGULATION

[Legal Notice 73 of 2001]

1. Citation.

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Root and Tuber Crops Scheme) Regulations, 2001.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

"authorized officer" means the Managing Director of the Kenya Plant Health Inspectorate Service;

"plant variety" includes any clone, line, hybrid or genetic variant.

3. Plant varieties, for which plant breeder's rights may be granted.

There is hereby made a scheme to be called the Root and Tuber Crops Scheme, which shall apply to root and tuber crops which conform with the characteristics of cultivated varieties of any of the species specified in the first column of the Schedule hereto.

4. Period for which rights are exercisable.

The prescribed period for which plant breeder's rights shall be exercisable in respect of the plant varieties referred to in regulation 3 shall be the period of the years specified in the second column of the Schedule.

5. Period prescribed before compulsory licensing.

For the purposes of section 23 (4) of the Act, a compulsory licence granted by the authorized officer in respect of a plant variety specified in regulation 3 shall not have effect from the date of grants of rights in that variety for the period of years specified in the third column of the Schedule.

6. Offences.

A person who infringes the plant breeder's rights in the registered name of a variety of root or tuber covered by the Root and Tuber Crops Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both.

SCHEDULE

[r. 3]

ROOTS AND TUBER CROPS SCHEME

Name	Common name	Period of years for which rights are exercisable	Period of years prescribed for purpose of section 23 (4)
<i>Beta vulgaris</i>	Beet	15	3
<i>Brassica raps L.</i>	Turnip	15	3
<i>Dioscorea L.</i>	Yams	15	2
<i>Ipomea batatas</i>	Sweet potato	15	2
<i>Manihot esculentum</i>	Cassava	15	2
<i>Solanum tuberosum</i>	Irish potato	15	2

**THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS)
(TREES AND WOODY CLIMBERS SCHEME) REGULATIONS**

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation.
2. interpretation.
3. Plant varieties for which scheme applies.
4. Period for which rights are exercisable.
5. Classes of plant varieties.
6. Periods prescribed before compulsory licensing.
7. Offences.

SCHEDULES

TREES AND WOODY CLIMBERS SCHEME

**THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS)
(TREES AND WOODY CLIMBERS SCHEME) REGULATIONS**

[Legal Notice 72 of 2001]

1. Citation.

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Trees and Woody Climbers Scheme) Regulations.

2. interpretation.

In these Regulations, unless the context otherwise requires—

"authorized officer" means the Managing Director of the Kenya Plant Health Inspectorate Service;

"plant variety" includes any clone, line, hybrid or genetic variant.

3. Plant varieties for which scheme applies.

There is hereby made a scheme to be called the Trees and Woody Climbers Scheme, which shall apply to all plant varieties of trees, and woody climbers which conform with the characteristics of cultivated plant varieties of any of the genera or species specified in the first column of the Schedule hereto.

4. Period for which rights are exercisable.

The period for which plant breeder's rights shall be exercisable in respect of any of the plant varieties referred to in regulation 3 shall be the period of the years specified in the second column of the Schedule.

5. Classes of plant varieties.

In relation to any of the varieties referred to in regulation 3, the class of plant varieties prescribed for the purposes of section 21 of the Act shall consist of all plant varieties of the genus or species specified in the third column of the Schedule.

6. Periods prescribed before compulsory licensing.

In relation to any of the plant varieties referred to in regulation 3, the period prescribed for the purposes of section 23 (4) of the Act shall be the period of years specified in the fourth column of the Schedule.

7. Offences.

A person who infringes the plant breeder's rights in the registered name of a variety of a tree or woody climber covered by the Trees and Woody Climbers Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both.

SCHEDULE

[r. 3]

TREES AND WOODY CLIMBERS SCHEME

<i>Genus and species</i>	<i>Common name</i>	<i>Classes of plant varieties for the purpose of section 21 of the Act</i>	<i>Period of year for which right are exercisable</i>	<i>Period of years prescribed for the purposes of section 23(4) of the Act</i>

Seeds and Plant Varieties

[Subsidiary]

<i>Cupressus lusitanica</i>	Cypress	<i>Cupressus</i>	25	5
<i>Pinus radiata</i>	Pine	<i>Pinus</i>	25	5
<i>Pinus patula</i>	Pine	<i>Pinus</i>	25	5
<i>Pinus caribea</i>	Pine	<i>Pinus</i>	25	5
<i>Gravillea robusta</i>	Silk oak	<i>Gravillea</i>	25	5
<i>Eucalyptus grandia</i>	Eucalyptus	<i>Eucalyptus</i>	25	5
<i>Calliandra calothyrsus</i>	Calliandra	<i>Calliandra</i>	20	3

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (VEGETABLES SCHEME) REGULATIONS

ARRANGEMENT OF SECTIONS

1. Citation
2. Interpretation
3. Plant varieties for which plant breeder's rights may be granted
4. Period for which rights are exercisable
5. Periods prescribed for the purposes of use of names
6. Periods prescribed before compulsory licensing
7. Offences

SCHEDULES

VEGETABLE SCHEME

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (VEGETABLES SCHEME) REGULATIONS

[Legal Notice 71 of 2001]

1. Citation

These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Vegetables Scheme) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires—

“authorized officer” means the Managing Director of the Kenya Plant Health Inspectorate Service;

“plant variety” includes any clone, line, hybrid or genetic variant.

3. Plant varieties for which plant breeder's rights may be granted

There is hereby made a scheme to be called the Vegetables Scheme, which shall apply to all plant varieties of vegetables which conform with the characteristics of cultivated plant varieties of any of the genera or species specified in the first column of the Schedule hereto.

4. Period for which rights are exercisable

The period for which plant breeder's rights shall be exercisable in respect of any of the plant varieties referred to in regulation 3 shall be the period of years specified in the third column of the Schedule.

5. Periods prescribed for the purposes of use of names

The class of plant varieties prescribed for the purposes of section 21 of the Act shall consist of all plant varieties of the genus or species specified in the third column of the Schedule

6. Periods prescribed before compulsory licensing

In relation to any of the plant varieties referred to in regulation 3, of this Scheme the period if any, prescribed for the purposes of section 23(4) of the Act shall be the period of years specified in the fourth column of the Schedule.

7. Offences

A person who infringes the plant breeder's rights in the registered name of a variety of vegetable covered by the Vegetables Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both.

SCHEDULE

[r. 3]

VEGETABLE SCHEME

Genus or species		Classes of plant varieties for the purpose of section 21 of the Act	Period of years for which right are exercisable	Period of years prescribed before compulsory licensing
Botanical name	Common name			
<i>Allium cepa</i> L.	Onion	<i>Allium</i> sp.	15	1

Seeds and Plant Varieties

[Subsidiary]

<i>Allium porrum</i>	Leek	<i>Allium sp.</i>	15	1
<i>Allium, Sativum</i> L.	Garlic	<i>Allium sp.</i>	15	1
<i>Amaranthus</i> <i>spp.</i>	Amaranth	<i>Amaranth sp.</i>	15	1
<i>Apium</i> <i>graveolens</i> L.	Celery	<i>Apium sp.</i>	15	2
<i>Arethrum</i> <i>graveolens</i> L.	Dill	<i>Arethrum sp.</i>	15	2
<i>Asparagus</i> <i>officinalis</i>	Asparagus	<i>Asparagus sp.</i>	15	1
<i>Beta vulgaris</i>	Swiss chard	<i>Beta vulgaris</i> <i>sp.</i>	15	1
<i>Brassica</i> <i>chinensis</i> L.	Chinese cabbage	<i>Brassica sp.</i>	15	1
<i>Brassica</i> <i>geracea</i> var. <i>Capitata</i> L.	Brussel sprouts	<i>Brassica sp.</i>	15	1
<i>Brassica</i> <i>napus</i> var. <i>Napobrassica</i> L.	Rutabaga	<i>Brassica sp.</i>	15	2
<i>Brassica</i> <i>oleracea</i> var. <i>Botryytis</i> L.	Broccoli/ Cauliflower	<i>Brassica sp.</i>	15	1
<i>Brassica</i> <i>oleracea</i> var. <i>ancephala</i> DC.	Collards/kale	<i>Brassica sp.</i>	15	1
<i>Brassica</i> <i>oleracea</i> var. <i>capitata</i> L.	Cabbage	<i>Brassica sp.</i>	15	1
<i>Brassica</i> <i>oleracea</i> var. <i>gongylodes</i>	Kohlrabi	<i>Brassica sp.</i>	15	2
<i>Brassica rapa</i> L.	Turnip	<i>Brassica sp.</i>	15	2
<i>Capsicum sp.</i>	Pepper	<i>Capsicum sp.</i>	15	1
<i>Chicorium</i> <i>endiva</i> L.	Endive	<i>Chicrium sp.</i>	15	2
<i>Cichorium</i> <i>intybus</i> L.	Chicory	<i>Cichorium sp.</i>	15	2
<i>Cichorium</i> <i>sativus</i> L.	Corriander	<i>Corriandum sp.</i>	15	1
<i>Cucumis melo</i>	Water Melon	<i>Cucumis sp.</i>	15	2
<i>Cucumis melo</i> L.	Catelupe/ muskmelon	<i>Cucumis sp.</i>	15	2
<i>Cucumis</i> <i>sativus</i> L.	Cucumber	<i>Cucumis sp.</i>	15	1
<i>Cucumis sp.</i>	Karella	<i>Cucumis sp.</i>	15	2
<i>Cucurbita</i> L.	Pumpkin/ Squash	<i>Cucurbita sp.</i>	15	1

Seeds and Plant Varieties

[Subsidiary]

<i>Curcubita pepo</i> L.	Courgette	<i>Curcubita sp.</i>	15	1
<i>Cynara scolymus</i> L.	Artichoke	<i>Cynara sp.</i>	15	2
<i>Daucus carota</i>	Carrot	<i>Daucus sp.</i>	15	1
<i>Hibiscus esculentus</i> L.	Okra	<i>Hibiscus sp.</i>	15	1
<i>Lactuca sativa</i>	Lettuce	<i>Lactuca sp.</i>	15	2
<i>Lespidium sativa</i> L.	Garden Cress	<i>Lespidium sp.</i>	15	2
<i>Lycopersicon esculentum</i> mill	Tomato	<i>Solanum sp.</i>	15	1
<i>Nasturtium officinale</i> Ribr	Water cress	<i>Nasturtium sp.</i>	15	2
<i>Pastinaca sativa</i> L.	Parsnip	<i>Pastinaca</i>	15	1
<i>Petroselinum crispum</i>	Parsley	<i>Petroselinum sp.</i>	15	2
<i>Rhaphanus sativus</i> L.	Radish	<i>Rheum sp.</i>	15	2
<i>Rheum rhaponticum</i>	L. Rhubarb	<i>Rheum sp.</i>	15	2
<i>Solanum melogena</i> L.	Eggplant	<i>Solanum sp.</i>	15	1
<i>Spinacea oleracea</i> L.	Spinach	<i>Spinacca sp.</i>	15	2
<i>Zingiber officinale</i> R.	Ginger	<i>Zingiber sp.</i>	15	2

**THE SEEDS AND PLANT VARIETIES (NATIONAL
INDEX OF PLANT VARIETIES) REGULATIONS**

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation
2. Interpretation
3. Plant species to which the Schedule applies
4. Applications for amending the index
5. Offences and penalties

SCHEDULES

ACRONYMS



THE SEEDS AND PLANT VARIETIES (NATIONAL INDEX OF PLANT VARIETIES) REGULATIONS

[Legal Notice 161 of 2006]

1. Citation

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

2. Interpretation

In these Regulations, unless the context otherwise requires—

“authorized officer” means the managing director of Kenya Plant Health Inspectorate Service;

“maintainer” means the owner or one who is a custodian of the genetic material of the plant variety on arrangement with the owner;

“owner” means the individual developer or institution of the plant variety;

“variety name” means the distinguishable commercial names of the seeds of the distinct plant variety;

“year of release” means the year when the National Variety Release Committee released the variety.

3. Plant species to which the Schedule applies

There is hereby made an Index of names known as the National Crop Variety Index, which shall apply to all the 25 varietal names which conform to the characteristics of the cultivated 25 plant varieties of any of the variety names specified in the first column of the Schedule hereto.

4. Applications for amending the index

(1) Applications by any person seeking additions, corrections and erasures to the Index after it comes into force, shall be made in writing and addressed to: The Managing Director, Kenya Plant Health Inspectorate Service, P.O. Box 49592-00100 Nairobi, Kenya.

(2) Applicants who dispute that two or more varieties appearing in the Index are not distinct shall supply information or descriptions together with 2 kilograms of seed material for purposes of tests and trials for variety verification by the authorized officer.

(3) All applications under paragraph (2) shall be accompanied by a fee of Kenya shillings ten thousand in banker’s cheque or cash to cover the cost of tests and trials.

5. Offences and penalties

Any person who infringes on these Regulations by trading in seed material in a variety name other than that given in the Index, commits an offence and shall be liable to a fine of Kenya shillings fifty thousand or to imprisonment for a term of six months or to such fine and imprisonment.

SCHEDULE

[r. 3]

ACRONYMS

AHP

African Highlands Produce Company

EABL

East African Breweries Limited.

[Subsidiary]

EAC	East African Community
GLS	Grey leaf spot.
GWK	George Williamson
ICIPE	Kenya International Centre for Insect Physiology and Ecology
KARI	Kenya Agricultural Research Institute.
KESREF	Kenya Sugar Research Foundation.
KSC	Kenya Seed Company.
Masl	Metres above sea level
MSV	Maize streak virus.
ND	Data not available
OCD	Oil Crop Development Company
PBK	Pyrethrum Board of Kenya
SASA	South African Sugar Authority.
SBI	Sugar Board of India.
TRFK	Tea Research Foundation of Kenya.

1. NATIONAL COFFEE VARIETY LIST

Species *Coffea arabica*

Variety name	Year of release	Owner(s)	Maintainer and seedling source	Optimal altitude (Masl)	Duration to maturity	Yield (kg tree ⁻¹ y ⁻¹)	Special attributes
1. CCLVIII SL 34	1930s	Coffee Research Foundation	Coffee Research Foundation	1300-1800	24	2-2.5 t/ha clean coffee	Fine liquor quality. Adaptable to medium to high altitude
2. CCLIX SL 28	1935	Coffee Research Foundation	Coffee Research Foundation	1300-1800	24	2-2.5 t/ha clean coffee	Fine liquor quality. Adaptable to medium to high altitude
3. CCLX K7	1936	Coffee Research Foundation	Coffee Research Foundation	1300-1600	24	2-2.5 t/ha clean coffee	Partial resistance to leaf rust. Adaptable to low to medium altitude

Seeds and Plant Varieties

[Subsidiary]

4. CCLXI Ruiru II	1985	Coffee Research Foundation	Coffee Research Foundation	1300-180018	2.5-4.6 t/ha clean coffee	Resistance to CBD and leaf rust. Compact growth
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2. NATIONAL MACADAMIA VARIETY LIST

Species: Macadamia sp.

Variety name	Year of release	Owner(s)	Maintainer and seedling source	Optimal production altitude (Masl)	Economic production life (years)	Fruit yield (kg tree ⁻¹ y ⁻¹)	Special attributes
1. MRG-20	1997	KARI	KARI-Thika	1400-1550	15-20	46-50	High fruit yield per cluster
2. EMB-1	1997	KARI	KARI-Thika	1500-1750	15-20	42-55	High first grade ratio
3. EMB-3	1997	KARI	KARI-Thika	1750-1900	15-20	42-60	High first grade ratio
4. KRG-15	1997	KARI	KARI-Thika	1500-1750	15-20	40-70	High kernel recovery

3. NATIONAL TEA VARIETY LIST

Species: Camellia sinensis L

Variety name	Year of release	Owner(s)	Maintainer and seedling source	Optimal production altitude (Masl)	Duration to maturity (years)	Green tea leaf yield (t ha ⁻¹ y ⁻¹)	Special attributes
1. AHP S15/10	1960	AHP Kericho	AHP Kericho	1100-2200	4	5-8.0	Orthodox manufacture
2. TRF 6/8	1964	TRFK	TRFK	1600-2300	3-4	3.5-6.6	Good quality and wide adaptation
3. TRF 7/14	1964	TRFK	TRFK	1600-2300	3-4	3.5-4.2	Good black tea quality
4. TRF 7/3	1964	TRFK	TRFK	1600-2300	3-4	3.0-4.4	Good black tea quality
5. TRF 11/4	1964	TRFK	TRFK	1600-2300	3-4	3.5-7.0	Resistant to mites and drought
6. TRF 12/12	1964	TRFK	TRFK	1600-2300	3-4	3.8-6.1	Rich in caffeine

Seeds and Plant Varieties

[Subsidiary]						
7. TRF 12/19	1964	TRFK	TRFK	1600-23003-4	3.9-7.4	Rich in polyphenols
8. TRF 31/8	1964	TRFK	TRFK	1600-23003-4	4.2-7.8	High yielding, drought tolerant
9. AHP PMC 61	1966	AHP Kericho	AHP Kericho	1100-22004	3-4	ND
10. AHP PMC 67	1966	AHP Kericho	AHP Kericho	1100-22004	2-3	ND
11. AHP CA 609	1966	AHP Kericho	AHP Kericho	1100-22004	2-3	ND
12. AHP PMC 2	1966	AHP Kericho	AHP Kericho	1100-22004	3-4	ND
13. AHP PMC 3	1966	AHP Kericho	AHP Kericho	1100-22004	3-4	ND
14. AHP PMC 45	1966	AHP Kericho	AHP Kericho	1100-22004	3-4	ND
15. AHP PMS 46	1966	AHP Kericho	AHP Kericho	1100-22004	3-4	ND
16. AHP PMC 51	1966	AHP Kericho	AHP Kericho	1100-22004	3-4	ND
17. AHP PMC 59	1966	AHP Kericho	AHP Kericho	1100-22004	3-4	ND
18. AHP CG 29E30	1967	AHP Kericho	AHP Kericho	1100-22004	3-4	ND
19. AHP KP 47/7	1967	AHP Kericho	AHP Kericho	1100-22004	3-4	ND
20. AHP MN11/96	1968	AHP Kericho	AHP Kericho	1100-22004	2-3	ND
21. AHP MN2 10/51	1968	AHP Kericho	AHP Kericho	1100-22004	2-3	ND
22. AHP CG 17/81	1968	AHP Kericho	AHP Kericho	1100-22004	2-3	ND
23. TRF 31/11	1969	TRFK	TRFK	1600-23003-4	3.2-6.7	ND
24. TRF 7/9	1969	TRFK	TRFK	1600-23003-4	3.6-7.1	Very susceptible to drought
25. TRF 108/82	1976	TRFK	TRFK	1600-23003-4	3.1-5.3	Good recovery from prune
26. TRF 100/5	1976	TRFK	TRFK	1600-23003-4	3.1-5.2	Resistant to drought and mites
27. AHP SC 12/28	1977	AHP Kericho	AHP Kericho	1100-22004	5-8	Tolerant to mites and cold

Seeds and Plant Varieties

						[Subsidiary]
28. AHP CHM 61/60	1981	AHP Kericho	AHP Kericho	1100-22004	5-8	Tolerant to mites and drought. Good rooter
29. AHP CG28U864	1982	AHP Kericho	AHP Kericho	1100-22004	4-6	Tolerant to mites and drought
30. AHP CG 28V929	1982	AHP Kericho	AHP Kericho	1100-22004	4-6	ND
31. AHP S 1/99	1984	AHP Kericho	AHP Kericho	1100-22004	2-4	ND
32. TRF 303/178	1986	TRFK	TRFK	1600-23003-4	3.6-5.7	ND
33. TRF 303/216	1986	TRFK	TRFK	1600-23003-4	3.9-5.3	ND
34. TRF 54/40	1986	TRFK	TRFK	1600-23003-4	3.1-4.8	ND
35. AHP SC 12/29	1987	AHP Kericho	AHP Kericho	1100-22004	5-7	Resistant to mites
36. TRF 303/259	1988	TRFK	TRFK	1600-23003-4	3.0-4.2	Drought tolerant
37. AHP SF 186	1988	AHP Kericho	AHP Kericho	1100-22004	5-8	Resistant to mites. Easy to pluck, high quality
38. TRF 303/259	1988	TRFK	TRFK	1600-23003-4	4.2	ND
39. TRF 56/89	1988	TRFK	TRFK	1600-23003-4	3.0-4.5	ND
40. TRF 303/577	1989	TRFK	TRFK	1600-23003-4	4.3-7.8	Good recovery from prune and easy to prune
41. TRF 303/999	1989	TRFK	TRFK	1600-23003-4	3.0-3.9	Tolerant to high soil pH. Drought tolerant
42. TRF 303/231	1989	TRFK	TRFK	1600-23003-4	3.6-3.4	Drought tolerant. Wide adaptation
43. TRF 303/1199	1989	TRFK	TRFK	1600-23003-4	3.4-5.1	Easy

Seeds and Plant Varieties

[Subsidiary]

44. AHP SC 20/13	1992	AHP Kericho	AHP Kericho	1100-22004	5-8	to pluck good quality Moderately drought tolerant. Easy to pluck
45. AHP SC 31/37	1992	AHP Kericho	AHP Kericho	1100-22004	5-8	High yielding. Tolerant to mites
46. TRF 303/178	1994	TRFK	TRFK	1600-23003-4	3.5-4.4	ND
47. TRF 303/152	1994	TRFK	TRFK	1600-23003-4	3.1-3.8	Sprawling branches
48. TRF 303/156	1994	TRFK	TRFK	1600-23003-4	3.3-4.5	Resistant to red crevice mites
49. TRF 303/179	1994	TRFK	TRFK	1600-23003-4	3.0-5.7	Drought and mite resistant
50. TRF 303/186	1994	TRFK	TRFK	1600-23003-4	3.0-4.0	Good recovery from prune
51. AHP SKM 30/52	1995	AHP Kericho	AHP Kericho	1100-22004	5-6	Drought tolerant and resistant to mites
52. TRF 337/138	1995	TRFK	TRFK	1600-23003-4	3.0-4.2	Moderately resistant to mites
53. TRF 337/3	1995	TRFK	TRFK	1600-23003-4	3.0-4.2	Moderate resistant to mites
54. TRF 338/13	1995	TRFK	TRFK	1600-23003-4	3.0-4.4	Drought tolerant, rapid field establishment
55. TRF 347/26	1995	TRFK	TRFK	1600-23003-4	3.0-4.5	Drought tolerant, good quality
56. TRF 347/314	1995	TRFK	TRFK	1600-23003-4	3.0-4.5	Drought tolerant, good quality

Seeds and Plant Varieties

[Subsidiary]

57. AHP SC 11/1	1997	AHP Kericho	AHP Kericho	1100-22004	5-7	Drought tolerant
58. AHP SC 11/9	1997	AHP Kericho	AHP Kericho	1100-22004	5-7	Drought tolerant
59. GW/ EJULU-L	2000	George Williamson Kenya	George Williamson Kenya	1600-20003-4	4.0-4.5	Very brisk thick bright liquor
60. TRF 301/4	2002	TRFK	TRFK	1600-23003-4	4.1-5.2	Drought tolerant, rich in caffeine
61. TRF 301/5	2002	TRFK	TRFK	1600-23003-4	4.0-5.9	Drought tolerant

4. NATIONAL SWEET POTATO VARIETY LIST

Species: Ipomea batatas

Variety name/ code	Year of release	Owner(s)	Maintainer and planting material source	Optimal production altitude range (Masl)	Duration to maturity (months)	Tuber yield (t ha ⁻¹ y ⁻¹)	Special attributes
1. Mtwapa 8	1998	KARI	KARI (Mtwapa)	1-1500	3.5	10-20	Low fibre, high beta carotene
2. Jayalo	1998	KARI	KARI	1-200	4	10-15	Good for piece- meal harvesting
3. 22/77	1998	KARI	KARI	1-800	3.5	10-20	Good for piece- meal harvesting
4. KSP 20 (Wanjugu)	2000	KARI	KARI (Katumani)	250-1750	3-4	20	High carotene levels. Red skinned
5. SPK 004	2001	KARI	KARI- Kakamega	1300-20003-4		13-20	High betacarotene
6. Kemb 10	2001	KARI	KARI- Kakamega	1300-20003-4		16-25	High yielding
7. SPK 013	2001	KARI	KARI- Kakamega	1200-14004-5		21-35	Low underground stability
8. Mugande	2001	KARI	KARI- Kakamega	1300-20004-5		15-25	Early maturing

5. NATIONAL SUGARCANE VARIETY LIST

Species: Saccharum officinarum

Seeds and Plant Varieties

[Subsidiary]

Variety name/ code	Year of release	Owner(s)	Maintainer and seedling source	Optimal production altitude range (Masl)	Duration to maturity (months)	Root yield ($t\ ha^{-1}\ y^{-1}$)	Special attributes
1. Kaleso	1969	KARI	KARI-Mtwapa	1-1500	12-18	25-30	Low cyanide
2. Guzo	1969	KARI	KARI-Mtwapa	1-700	12-15	20-40	Resistant to CMV
3. 5543/156	1969	KARI	KARI-Mtwapa	1-500	12-15	30-55	High cyanide
4. KME 1	2000	KARI	KARI-Katumani	250-1500	12-14	20	Low cyanide
5. KME 612000	2000	KARI	KARI-Katumani	250-1500	14	35	Low cyanide. Early maturity
6. MUCERICERI	2000	KARI	KARI-Katumani	250-1750	12-14	20	Low cyanide. Early maturity

6. NATIONAL POTATO VARIETY LIST

Species: Solanum tuberosum L

Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal production altitude range (Masl)	Duration to maturity (months)	Tuber yield ($t\ ha^{-1}$)	Special attributes
1. Dutch Robijn	1960's	KARI	KARI-Tigoni	1600-2600	4-5	35-40	Good storage and crisping quality
2. Kerr's Pink	1960's	KARI	KARI-Tigoni	1400-2700	2-3	25-30	Tolerant to drought. Good mashing and roasting quality
3. Anett	1972	KARI	KARI-Tigoni	1400-2400	2.5-3	30-35	Fairly tolerant to late blight
4. Desiree	1972	KARI	KARI-Tigoni	1800-2600	4-4.8	35-40	Good storage
5. Kenya Baraka	1973	KARI	KARI-Tigoni	1600-2700	2.6-4	30-35	Fairly tolerant to drought. Good

Seeds and Plant Varieties

[Subsidiary]

6. Roslin Eburu (B53)	1953	KARI	KARI-Tigoni	2000-28004-4.8	25-35	storage quality Very good storability
7. Roslin Tana	1974	KARI	KARI-Tigoni	1800-26002-3	35-45	Good chipping quality
8. Roslin Bvumbwe	1974	KARI	KARI-Tigoni	1800-26002-3	35-45	Good chipping quality
9. Kenya Dhamana	1988	KARI	KARI-Tigoni	1800-26002-3	30-40	Good mashing quality
10. Kenya Chaguo	1988	KARI	KARI-Tigoni	1800-26002-3	30-40	Good mashing quality
11. Tigoni	1998	KARI	KARI-Tigoni (Limuru)	1800-26003-4	35-45	Good chipping, boiling and mashing quality. Tolerant to late blight
12. Asante	1998	KARI	KARI-Tigoni	1800-26003-4	35-45	Good chipping, boiling and mashing quality. Fairly tolerant to late blight

7. NATIONAL MAIZE VARIETY LIST

Species: Zea mays L

Variety name/code	Year of release	Owner(s)	Maintained and seed source	Optimal altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
1. H632	1964	KARI/Kenya Seed	Co.KARI/Kenya Seed Co.	1200-1700	5-7	6-8	Large kernels dent
2. H622	1965	Kenya Seed Co./KARI	Kenya Seed Co./KARI.	1200-1700	5-7	6-8	Large kernels dent
3. H511	1967	Kenya Seed Co./KARI	Kenya Seed Co./KARI.	1000-1500	4-5	4-6	Medium maturity

Seeds and Plant Varieties

[Subsidiary]									
4. KAT CB1967		Keny Seed Co./ KARI	Kenya Seed Co./ KARI.	900-1350	3-4	3-5		Early maturing	
5. H512	1970	Kenya Seed Co./ KARI	Kenya Seed Co./ KARI.	1200-1600	4-5	5-7		Large kernels	
6. CCM	1974	Kenya Seed Co./ KARI	Kenya Seed Co./ Ltd	1-1200	4-5	5-7		Heat tolerant	
7. H625	1981	KARI/ Kenya Seed Co.	Kenya Seed Co./ KARI	1500-2100	6-8	8-10		Prolific. Good husk cover	
8. H614D	1986	Kenya Seed Co./ KARI	Kenya Seed Co./ KARI	1500-2100	6-9	7.8		Frost tolerant	
10. H611D	1986	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1700-2400	6-9	7.8		Frost tolerant	
11. H612D	1986	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1500-2100	6-8	7.8		Semi-flint	
12. H613D	1986	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1500-2100	6-8	8-10		Semi-flint	
13. H626	1989	Kenya Seed Co./ KARI	Kenya Seed Co./ KARI	1500-2100	6-8	8-10		Flint	
14. PH1 (Pwani Hybrid)	1989	Kenya Seed Co.	Kenya Seed Co.	1-1200	3-4	5-7		Tolerant to lodging/ strong stalks. Drought tolerant.	
15. DLC1	1989	Kenya Seed Co./ KARI	Kenya Seed Co./ KARI	800-1200	2-3	2-4		Flint very early.	
16. PAN 5195	1995	Pannar	Pannar Seeds (K)	1000-1800	4-5	5-6.3		Prolific. Tolerant to maize streak virus.	
17. H627	1995	KSC/KARI	KSC/KARI	1500-2100	6-8	9-12		Semi-flint.	
18. PH 4	1995	Kenya Seed Co.	Kenya Seed Co.	1-1200	3-5	6-8		Heat tolerant. Good standability. Partial MSV resistance.	

Seeds and Plant Varieties

						[Subsidiary]	
19. DH01	1995	Kenya Seed Co.	Kenya Seed Co.	900-1400	3-4	4-6	Early, stays green.
20. H513	1995	Kenya Seed Co.	Kenya Seed Co.	1200-1600	4-5	6-8	Good standability.
21. DH02	1995	Kenya Seed Co.	Kenya Seed Co.	900-1400	3-4	4-6	Early, stays green.
22. PHB 3253	1996	Pioneer Hybrid, Zimbabwe	Pioneer Hybrid, Zimbabwe	800-1800	4-5	7-9	Wide adaptation. Good standability.
23. H623	1999	Kenya Seed Co.	Kenya Seed Co.	1200-1700	5-7	7-9	Prolific, large dent kernels.
24. H628	1999	Kenya Seed Co.	Kenya Seed Co.	1500-2100	6-8	9-12	Flint.
25. KH600-11D	2000	KARI	KARI	1500-1800	6-9	7-8	Good standability. Stable performance.
26. KSTP 94	2000	KARI	KARI	1350-1800	4-4	4-6	Tolerant to Striga.
27. CG4141	2000	Monsanto	Monsanto (K)	900-1700	4-5	4-7	Earliness. Fast dry down.
28. H629	2000	Kenya Seed Co.	Kenya Seed Co.	1500-2100	6-8	9-11	Semi-dent.
29. DH03	2000	Kenya Seed Co.	Kenya Seed Co.	900-1500	3-4	5-6	Stays green. Good standability.
30. C5051	2000	Monsanto	Monsanto K. Ltd	1000-1800	4-5	5-8	Moderately tolerant to maize streak virus. Easy to shell.
31. PAN 5355	2000	Pannar Seed	Pannar Seed (K) Ltd	1000-1800	4-5	5-5.9	Moderate MSV resistance.
33. H515	2000	Kenya Seed Co.	Kenya Seed Co.	1200-1500	4-5	6-8	Lodge resistant.
34. H6211	2001	Kenya Seed Co.	Kenya Seed Co.	1500-2100	6-8	9-14	Early Short.

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[Subsidiary]

35. H62122001	Kenya Seed Co.	Kenya Seed Co.	1500-21006-8	10-15	Semi-flint. Short, semi-flint. Resistant to ear rot.
36. FS6502001	OCD (Faida Seeds)	OCD (Faida Seeds)	1500-22005-7	8-9	Tolerant to maize streak virus. Good yielder. Flint kernels.
37. 2001 KH634A	KARI	KARI-Kakamega	1400-18003-5	5-6	Resistant to blight. Grey leaf spot.
38. 2001 KH600-15A	KARI	KARI-Kitale	1800-25006-8	7-8	Good standability.
39. 2001 KH600-16A	KARI-Kitale	KARI-Kitale	1800-25006-8	7-8	Stable. Good standability.
40. PAN 2001 99	Pannar Seed Co.	Pannar Seed (K) Ltd	1000-20005-6	7-8	Grey leaf spot tolerant. Drought tolerant.
41. PAN 2001 5243	Pannar Seed Company Ltd (S.A.)	Pannar Seed (K) Company Ltd (S.A.)	800-1800 4-5	7-8	Tolerant to grey leaf spot and northern leaf blight. Prolific.
42. PAN 2001 67	Pannar Seed Company Ltd (S.A.)	Pannar Seed (K) Company Ltd (S.A.)	800-1600 4-5	5-6	Resistant to maize streak virus. Tolerant to low soil nitrogen.
43. H516 2001	Kenya Seed Co.	Kenya Seed Co.	1200-15004-5	7-9	Resistant to blight, rust and lodging.
44. DH04 2001	Kenya Seed Co.	Kenya Seed Co.	900-1500 3-4	5-6	Short stature.
45. DH05 2001	Kenya Seed Co.	Kenya Seed Co.	900-1500 3-4	5-7	High yielding

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						[Subsidiary]
46. PAN 691	2001	Pannar Seed (K) Ltd	Pannar Seed (K) Ltd	1700-24006-9	7-8	and early maturing. Grey leaf spot tolerant. Good standability. Low ear placement.
47. Maseno Double Cobber	2002	Lagrotech Seed Co.	Lagrotech Seed Co.	1000-16003-4	4-6.8	Prolific (frequency of 30-80%) Flint kernels.
48. PHB30H83	2002	Pioneer Hybrid, Zimbabwe	Pioneer Hybrid, Zimbabwe	1000-20005-6	8-11	Grey leaf spot tolerant. Ear rot resistance.
49. H62132002		Kenya Seed Co.	Kenya Seed Co.	1600-22006-8	10-15	High yield. Drought tolerant.
50. WH 699	2002	Western Seed Company	Western Seed Company	1700-22006-8	7-9	Tolerant to smut.
51. WH 904	2002	Western Seed Company	Western Seed Company	1000-17005-6	6-9	Tolerant to streak virus.
52. WS 909	2002	Western Seed Company	Western Seed Company	0-1500	4-5 6-9	Tolerant to Striga.
53. PAN 683	2003	Pannar Seed Company	Pannar Seed Company	2000	6-7 6.9	Late maturity. Excellent standability. Excellent tip cover. Resistant to grey leaf spot.
54. PAN 33	2003	Pannar Seed Company	Pannar Seed Company	800-1800	5-6 5.3	High yielding.
55. WH501	2003	Western Seed Company	Western Seed Company	1300-17005-6	7-9	Suitable for low input production. Tolerant to grey

Seeds and Plant Varieties

[Subsidiary]

							leafspot, maize streak virus and northern leafblight.
56. WH 502	2003	Western Seed Company	Western Seed Company	1000-17004-5		6-9	Very tolerant to maize streak virus. Tolerant to grey leaf spot, northern leaf light, Striga, drought and low soil nitrogen tolerance.
57. WH 504	2003	Western Seed Company	Western Seed Company	1000-20004.5-5.5		6-9	Tolerant to maize streak virus, grey leaf spot and northern leaf blight. Green stems at harvest suitable for animal fodder. Tolerant to drought and low soil nitrogen.
58. WH 505	2003	Western Seed Company	Western Seed Company	500-2100	4.5-5.5	6-9	Tolerant to maize streak virus, grey leaf spot and northern leaf blight. Green

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							[Subsidiary]
59. WH 509	2003	Western Seed Company	Western Seed Company	1000-17005-6		6-9	stems at harvest suitable for animal fodder. Tolerant to low soil nitrogen. Tolerant to maize streak virus, grey leaf spot and northern leaf blight. Tolerant to drought.
60. WH 403	2003	Western Seed Company	Western Seed Company	1000-15004.5		5-8	Tolerant to leaf diseases. Green stems at harvest, suitable for animal fodder.
61. WS 102	2003	Western Seed Company	Western Seed Company	0-1200	3-3.8	2-3	Tolerant to maize streak virus, drought and low soil nitrogen.
62. WS 103	2003	Western Seed Company	Western Seed Company	0-1500	3-4	3-4	Tolerant to maize streak virus, grey leaf spot, northern blight, drought and low soil nitrogen.
63. H62132002		Kenya Seed Co.	Kenya Seed Co.	1600-22006-8		9-14.5	Semi-flint.
65. H518	2002	Kenya Seed Co.	Kenya Seed Co.	1400-17004-5		7-9	Resistant to GLS,

Seeds and Plant Varieties

[Subsidiary]

66. KH 600-17A	2002	KARI	KARI	1600-23005-6	7-11	rust, blight. Good standability.
67. KH 600-18A	2002	KARI	KARI	1600-23005-6	8-12	Good disease tolerance.
68. H519	2003	Kenya Seed Co.	Kenya Seed Co.	1200-17004-5	6.5	Prolific, Resistant to ear rots, rust, grey leaf spot, northern leaf blight, stem and root lodging compared to H513; semi-dent.
69. H520	2003	Kenya Seed Co.	Kenya Seed Co.	1400-17004-5	4.5	Better resistance to northern blight, rust, ear rot, stem and root lodging. Semi- flint. Good husk cover.
70. H521	2003	Kenya Seed Co.	Kenya Seed Co.	1000-16004-5.3	4.5	More tolerant to grey leafspot, leafblight, root and stalk lodging than H513; semi-dent.
71. H522	2003	Kenya Seed Co.	Kenya Seed Co.	1200-16004-5	6.3	Tolerant to grey leaf spot. Resistant to ear rot, root

Seeds and Plant Varieties

						[Subsidiary]
72. H523	2003	Kenya Seed Co.	Kenya Seed Co.	1200-16004-5	6.6	and stalk lodging, semi-dent. Better yielding than H623. Tolerant to grey leaf spot. Resistant to root and stalk lodging. Semi-dent.
73. DH 8	2003	Kenya Seed Co.	Kenya Seed Co.	900-1500 3-4	4.9	Good performance in low yielding environments. Resistant to stalk lodging, root lodging and ear rots. Semi-dent.
74. KSH6214	2004	Kenya Seed Co.	Kenya Seed Co.	1600-21006-7	9-12	Tolerance to GLS, leaf blight. Lodging resistant. Early maturing.
75. KSH624	2004	Kenya Seed Co.	Kenya Seed Co.	1500-18005-6	8-11	Tolerance to GLS, leaf blight, rust. High yielding.
76. DH 10	2004	Kenya Seed Co.	Kenya Seed Co.	800-1400 3-4	5-6	Resistant to rust, ear rot and lodging, good husk cover,

Seeds and Plant Varieties

[Subsidiary]

77. DH 09 2004		Kenya Seed Co.	Kenya Seed Co.	1000-15003-4	3-5	3-5	short stature. Resistant to root and stalk lodging, good husk cover, high yielding.
78. PAN 2004 15		Pannar Seed Company	Pannar Seed Company	800-1800	4-5	4-6	Resistant to blight, rust, MSV, GLS. Good husk cover and standability.
79. SC 2004 Duma 43		Agri-Seedco International	Agri-Seedco International	800-1800	4-5	6-7	Resistant to ear rot, rust, MSV, mottle virus, drought. Early maturity.
80. SC 2004 Duma 43		Agri-Seedco International	Agri-Seedco International	800-1800	4-5	6-7	Resistant to ear rot, rust, MSV, drought. Early maturity.
81. FICA4 2004		FICA seeds	FICA seeds	800-1800	4-5	6-7	Resistant to rust, MSV, GLS, blight, good husk cover, drought. Striga tolerant.
82. DKC 2004 80-53		Monsanto (K) Ltd	Monsanto (K) Ltd	900-1700	4-5	5-8	Tolerance to GLS, MSV. Good standability, wide adaptability, prolific.

Seeds and Plant Varieties

						[Subsidiary]
83. DKC 80-73	2004	Monsanto (K) Ltd	Monsanto (K) Ltd	1500-17005-6	7-10	Tolerance to GLS, MSV, diplodia. Good husk cover.
84. DKC 80-33	2004	Monsanto (K) Ltd	Monsanto (K) Ltd	900-1700 5-6	6-8	Resistant to GLS, good standability.
85. WS202	2004	Western Seed Company	Western Seed Company	0-1500 3-4	3-5	Resistant to MSV, drought, low soil nitrogen.
86. KH500-21A	2004	KARI	KARI	1600-20005-6	7-8	Good standability, husk cover. Resistant to MSV, head smut. Early maturing.
87. KH500-31A	2004	KARI	KARI	1800-21006-7	6-7	Resistant to rust, MSV, blight. Stays green (for fodder).
88. KH500-32A	2004	KARI	KARI	1300-18005-6	6-8	Resistant to blight, rust, MSV.
89. KH500-33A	2004	KARI	KARI	1400-18005-6	7	Resistant to blight.
90. KH500-34A	2004	KARI	KARI	1300-18005-6	6-8	Early maturing, Resistant to rust, MSV, blight.
91. KK SYN-1	2004	KARI	KARI	1500-18003-4	4-5	Wide adaptability. Responsive to low input environment.

Seeds and Plant Varieties

[Subsidiary]

92. KK SYN-2	2004	KARI	KARI	1500-18003-4	5-6	Resistant to MSV. Wide adaptability. Responsive to low input environment.
93. KH 631Q	2004	KARI	KARI	1000-15004-5	5-7	Resistant to MSV. Quality protein maize, good husk cover, resistant to GLS, ear rot, rust, blight.
93. EMB 204	2004	KARI	KARI	1000-15005-6	7-8	Quality protein maize, good husk cover, resistant to GLS, ear rot, rust, blight.
95. PHB 30 G97	2003	Pioneer Hybrid Zimbabwe	Pioneer Hybrid Zimbabwe	1200-20004-5	6-9	Resistant to grey leaf spot. Resistant to ear rots. Tolerant to maize streak virus. Good grain quality. Best for mid-altitudes.
96. LAGROTECH EARLY	2003	Lagrotech Seed Company	Lagrotech Seed Company	Below 1500	2.7-3.5 2.3	Good ear cover. Early maturing. Striga

Seeds and Plant Varieties

[Subsidiary]

97. SIMBA 61	2003	SEEDCO	SEEDCO	1800	4.5	7-10	tolerant. Drought escaping. Tolerant to MSV and GLS.
98. DK 8071	2003	Monsanto	Monsanto	1500-17005		6-9	Flint grain.
99. DK 8031	2003	Monsanto	Monsanto	900-1700	4 - 4.7	6-8	GLS tolerant.

8. NATIONAL PYRETHRUM VARIETY LIST

Species: Chrysanthemum cinerariaefolium

Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal production altitude range (Masl)	Duration to peak production (months)	Flower yield (t ha ⁻¹ y ⁻¹)	Special attributes
1. 4743	1968	KARI	PBK	<2100	9-10	–	High pyrethrins content.
2. 3092	1968	KARI/PBK	PBK	1900	9-10	–	High pyrethrins content.
3. Ma/62/428	1968	KARI/PBK	PBK	2200	9-10	–	High pyrethrins content.
4. P4	1970	KARI/PBK	PBK	2100	9-10	0.6-0.8	High pyrethrins content.
5. Sb/66/107	1976	KARI/PBK	PBK	2200	9-10	0.9-1	High pyrethrins content.
6. Ks/71/96	1977	KARI/PBK	PBK	1700	9-10	–	High pyrethrins content.
7. Sb/65/58	1977	KARI/PBK	PBK	1900	9-10	–	High pyrethrins content.
8. Mo/70/845	1977	KARI/PBK	PBK	2200	9-10	–	High pyrethrins content.
9. Mo/70/1124	1979	KARI/PBK	PBK	2200	9-10	0.9-1	High pyrethrins content.
10. Ma/71/423	1979	KARI/PBK	PBK	2200	9-10	1-1.1	High pyrethrins content.
11. Ma/75/4	1979	KARI/PBK	PBK	2200	9-10	0.9-1	High pyrethrins content.

Seeds and Plant Varieties

[Subsidiary]						
12.	1982	KARI/PBKPBK	1700	9-10	0.9-1	High pyrethrins content.
Mo/74/122						
13.	1979	KARI/PBKPBK	1700	9-10	0.9-1	High pyrethrins content.
Ks/71/6						
14.	1979	KARI/PBKPBK	1700	9-10	1.1-1.2	High pyrethrins content.
Ks/75/313						
15.	1979	KARI/PBKPBK	1700	9-10	1-1.2	High pyrethrins content.
KS/70/64						
16.	1979	KARI/PBKPBK	2200	9-10	1.1-1.2	High pyrethrins content.
Ma/70/1013						
17.	1980	KARI/PBKPBK	2200	9-10	1.1-1.2	High pyrethrins content.
L/75/487						
18.	1980	KARI/PBKPBK	1700	9-10	1.1-1.2	High pyrethrins content.
Ks/75/336						
19.	1980	KARI/PBKPBK	2200	9-10	1-1.1	High pyrethrins content.
L/75/477						
20.	1980	KARI/PBKPBK	1700	9-10	0.9-1	High pyrethrins content.
Ks/72/43						
21.	1982	KARI/PBKPBK	2200	9-10	0.9-1	High pyrethrins content.
Ma/74/223						
22.	1982	KARI/PBKPBK	1700-2200	9-10	1-1.1	High pyrethrins content.
Mo/74/443						
23. K218	1988	KARI/PBKPBK	1700	9-10	0.9-1.1	High pyrethrins content.
24. K235	1988	KARI/PBKPBK	1700	9-10	0.6-1.1	High pyrethrins content.

9. NATIONAL SUNFLOWER VARIETY LIST

Species: *Helianthus annus L*

Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal production altitude range (Masl)	Duration to maturity (days)	Seed yield (t ha ⁻¹)	Special attributes
1. H067	1974	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1500-2400	130-140	2-3	High oil content.

Seeds and Plant Varieties

						[Subsidiary]
2. Kenya White	1957	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1500-2300160-170	2-3	Average oil content.
3. Kenya Fedha	1981	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1000-2300130-135	3-4	High oil content.
4. Kenya Shaba	1981	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1000-2300130-135	3-4	Average oil content.
5. H.894	1988	Kenya Seed Co.	Kenya Seed Co.	1500-2400125-135	2-3	Combines high yield with high oil content.
6. H893	1988	Kenya Seed Co.	Kenya Seed Co.	1500-2400130-135	2-3	High oil content.
7. H001	1989	Kenya Seed Co.	Kenya Seed Co.	1500-2400120-125	2-3	Early.
8. H.898	1989	Kenya Seed Co.	Kenya Seed Co.	1500-2200130-135	2-3	High oil content.
9. H8998	1992	Kenya Seed Co.	Kenya Seed Co.	900-2200 120-125	3-4	Early, High oil content.
10. PAN 7352	1994	Pannar Seed Company Ltd	Pannar Seed (K) Company Ltd	1000-2200120-150	1.9-2.5	High oil content Black seeds.
11. PAN 7369	1994	Pannar Seed Company Ltd	Pannar Seed (K) Company Ltd	1000-2200120-150	1.2-2	Black seeds 44% oil content. Tolerant to bird attacks.

10. NATIONAL COTTON VARIETY LIST

Species: *Gossypium hirsutum*

Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal production altitude range (Masl)	Duration to maturity (months)	Lint yield (t ha ⁻¹)	Special attributes
1. KSA 81 M	1998	KARI	KARI, Kibos	0-1300	4-5	2-5	Fine fibre lint.

11. NATIONAL FINGER MILLET VARIETY LIST

Species: *Eleusine corocana* L. Gaertn

Seeds and Plant Varieties

[Subsidiary]

Variety name/code	Year of release	Owner(s)	Maintainer and seed source	Optimal altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
1. P224	1981	KARI	KARI, Katumani	1150-1750	3-4	2-5	Tolerant to lodging and blast.
2. Nakuru/FMI	1996	KARI – Lanet BRC	KARI, Kakamega	1750-2300	5-7	2.0	Tolerant to cold and drought.
3. Kat/FMI	2000	KARI	KARI, Katumani	250-1150	3	1.0	Drought tolerant.

12. NATIONAL PEARL MILLET VARIETY LIST

Species: Pennisetum glaucum L. Gaertn

Variety name/code	Year of release	Owner(s)	Maintainer and seed source	Optimal altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
1. Kat/PM 1	2000	KARI	KARI, Katumani	250-1150	2-3	2.7	80% bristled; tolerant to bird damage.
2. Kat/PM 2	2000	KARI	KARI, Katumani	250-1150	2	2.3	Grain used at drought stage.
3. Kat/PM-3	2001	KARI	KARI, Katumani	250-1150	2	1.8	Bold grains.

13. NATIONAL FOXTAIL MILLET VARIETY LIST

Species: Setaria italica L

Variety name/code	Year of release	Owner(s)	Maintainer and seed source	Optimal altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
1. Kat/Fox-1	1981	KARI	KARI, Katumani	250-1500	3-4	1.8	Cream grain colour.

14. NATIONAL SORGHUM VARIETY LIST

Species: Sorghum bicolor

Variety name/code	Year of release	Owner(s)	Maintainer and seed source	Optimal altitude range (Masl)	Duration to maturity (months)	Grain (G) and/or Forage (F) yield (t ha ⁻¹)	Special attributes
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Seeds and Plant Varieties

[Subsidiary]

				altitude range (Masl)		yield (t ha ⁻¹)	
1. BJ28	1978	KARI	KARI- Lanet	1750-23007		2.5-3.0 (G)	Dual purpose.
2. 2K x 17	1981	KARI/KSCKARI	KARI/KSC	250-1500	3	2.5 (G)	Hard endosperm. Dehulled to make a rice-like product.
3. IS76	1981	KARI/KSCKARI	KARI/KSC	250-1500	3	2-3 (G)	Semi-hard endosperm.
4. IS8595	1982	KARI	KARI- Katumani	250-1800	3	2.7 (G)	Grain covered by glum. Low bird damage.
5. Gadam	1994	KARI	KARI	0-1500	3	2-2.5 (G)	Specially adapted to coastal and semi- arid lowlands.
6. Ikinyaluka	1996	KARI	KARI	1750-23007		8 (F)	High quality forage.
7. IS 8193	1996	KARI	KARI	500-1600	4	2.5 (G)	Resistant to bird damage.
8. Kat/ PRO I	1998	KARI/KSCKARI	KARI/KSC	1000-1700		–	
9. Seredo	1970s	KARI/KSCKARI	KARI/KSC	250-1750	4	2.7 (G)	Wide adaptability.
10. Serena	1970s	KARI/KSCKARI	KARI/KSC	250-1750	3	2.7 (G)	Wide adoptability.
11. KARI Mtama-1	2000	KARI	KARI- Katumani	250-1800	3-3.5	3.4 (G)	Tolerant to stem borer.
12. E1291	2000	KARI	KARI- LANET	1750-23007		2.7 (G) 2.7 (F)	Dual purpose. Good beverage quality.
13. E 6518	2000	KARI	KARI- LANET	1750-23008		3.4 (G) 7.2 (F)	High quality.

15. NATIONAL BARLEY VARIETY LIST

Species: Hordeum vulgare

Seeds and Plant Varieties

[Subsidiary]

Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
1. Tumaini	1978	EABL/ KARI	East African Breweries Ltd and KARI	2100-2400	4.5	4.3	Malting.
2. Bima	1984	EABL/ KARI	East African Breweries Ltd and KARI	1800-2400	4.5	3.0	Malting. Resistant to leaf rust (<i>Puccinia hordei</i>).
3. Ahadi	1989	EABL/ KARI	Kenya Breweries Ltd	Above 2400	4.5	4.6	Malting. Resistant to scald.
4. Sabini	1993	EABL	Kenya Breweries Ltd	Above 2100	4.5	3.81	Moderately resistant to scald and leaf rust.
5. Ngao	1993	KBL	Kenya Breweries Ltd	1500-1800	3-3.5	2-9	Malting. Early maturity.
6. Bahati	1997	EABL/ KARI	Kenya Breweries Ltd	1500-1800	4.5	5.1	Moderate/good resistance to scald and leaf rust. Has strong straw, malting.
7. Karne	2001	EABL	Kenya Breweries Ltd	1800-2100	4-5	4.0	Good resistance to BYDV and scald, malting.

16. NATIONAL RICE VARIETY LIST

Species: *Oryza sativa* L

Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
1. Basmati		KARI	KARI-Kibos	ND	ND	ND	ND

Seeds and Plant Varieties

[Subsidiary]

2.	KARI	KARI- Kibos	ND	ND	ND	ND
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17. NATIONAL WHEAT VARIETY LIST

Species: Triticum aestivum L.

Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal production altitude range (Masl)	Duration to maturity (days)	Grain yield (t ha ⁻¹)	Special attributes
1. Kenya Tembo	1975	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1800-2100	120-140	1.3-1.8	Lodging resistance.
2. Kenya Kongoni	1975	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1800-2700	120-140	1.3-1.6	Acid soil tolerant.
3. Kenya Fahari	1977	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1800-2400	110-130	1.1-1.6	Resistant to Russian wheat aphid.
4. Kenya Nyumbu	1982	KARI/ Kenya Seed Co.	KARI	1800-2100	125-145	1.3-1.8	Resistant to stem rust.
5. Kenya Mbuni	1987	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1800-2400	120-140	2.8-6.0	High yielding.
6. Kenya Kwale	1987	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	2100-2400	130	2.8-6.7	High yielding. Tolerant to sprout.
7. Kenya Pasa	1989	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1800-2400	120-140	2.3-6.7	High yield. Resistant to lodging.
8. Kenya Chiriku	1989	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1800-2400	120-140	2.6-6.0	Resistant to rust.
9. Kenya Duma	1998	KARI	KARI- Njoro	<1800	75-90	2.0-3.4	Drought tolerant and early maturity.
10. Kenya Mbega	1998	KARI	KARI	1800-2100	135	3.0-6.8	High yielding. Resistant to leaf rust.
11. Ngamia	1998	KARI	KARI	1800-2400	90-100	1.8-3.6	Drought tolerant.
12. Kenya Chozi	1999	KARI	KARI	1500-1800	130-135	2.3-5.6	Drought tolerant.
13. Kenya Heroe	1999	KARI	KARI	2100-2400	135	3.5-7.2	High yielding.

Seeds and Plant Varieties

[Subsidiary]

14. Kenya 1999 Yombi	KARI	KARI	1800-2100110-120	3.3-7.0	High yielding.
16. KS 2001 Mwamba	Kenya Seed Co.	Kenya Seed Co.	1500-2400120-130	2.0-5.6	Wide adaptation. High yield.
17. Njoro 2001 BW1	KARI	KARI	1800-240090-100	2.2-4.7	Drought tolerant. High protein content.
18. Njoro 2001 BW2	KARI	KARI Njoro	1800-2400110-120	3.7-8.0	Tolerant to acid soil. Resistant to lodging.

18. NATIONAL COMMON BEAN VARIETY LIST)

Species: Phaseolus vulgaris L

Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal production altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
1. Mwitmania (GLP 92)	1982	KARI/KSCKARI/KSC	900-1600	2-3	2-3	1.2-1.5	Drought tolerant.
2. Rosecoco (GLP 2)	1982	KARI/KSCKARI/KSC	1500-2000	2-3	2-3	1.8-2	High yield. Wide adaptation. Attractive seed colour. Good taste.
3. Mwezi Moja (GLP 1004)	1982	KARI/KSCKARI/KSC	1200-1600	2-3	2-3	1.2-1.5	Good performance in dry areas. Early maturity. Tolerant to drought and bean fly.
4. Canadian Wonder (GLP- 24)	1982	KARI/KSCKARI/KSC	1200-1800	3-3.5	3-3.5	1.3-1.8	Moderately resistant to angular leaf spot.
5. GLP-92 Pinto bean	1982	KARI/KSCKARI/KSC	100-1500	3-3.5	3-3.5	1.7	Wide adaptation Resistant

Seeds and Plant Varieties

						[Subsidiary]
6.	1982	KARI	KARI	1500-20002.5-3	1-1.5	to halo blight. Suitable for high rainfall areas. Resistant to bean common mosaic virus.
GLP-585 Red haricot						
7.	1982	KARI/KSCKARI/KSC	KARI/KSC	1000-15002.5-3	1-1.5	Wide adaptation. Resistant to bean common mosaic virus. Tolerant to rust.
GLP-X 1127 New Mwezi Moja						
8.	1987	KARI	KARI-	1200-18002-3	1-1.2	Tolerant to shading.
Kat/ Bean 2			Katumani			
9.	1994	KARI	KARI-	900-1600 2-3	1.5-1.8	High yielding.
Kat x 16			Katumani			
10.	1995	KARI	KARI-	900-1800 2.5-3	1.5-1.8	High yielding.
Kat x 56 (Katex 56)			Katumani			
11.	1995	KARI	KARI-	1200-18002-3	1.5-1.8	High yielding.
Kat x 69			Katumani			
12.	1996	KARI	KARI-	1500-18002.5-3	1.8-2	Tolerant to root rot.
KK 22 (RWR 719)			Kakamega			
13.	1987	KARI	KARI-	1000-18002.5	1.2-1.5	Early maturity.
Kat/ Bean 1 (Katheka)			Katumani			
14.	1997	KARI	KARI-	1500-18002.5-3	1.8-2	Tolerant to root rot.
KK 8(SCAM-80/15)			Kakamega			
12.	1997	KARI	KARI-	1500-18002.5-3	1.8-2	Tolerant to root rot.
KK 15(MLB 49/879)			Kakamega			
16.	1998	KARI	KARI-	900-1600 2.5-3	1-1.8	Tolerant to heat.
Kat- Bean 9			Katumani			
17.	1998	Kenya Seed Co.	Simlaw Seeds	500-1800 2.6-2.8	1.0-2.0	ND
Wairimu Dwarf						

19. NATIONAL SNAP BEAN AND CLIMBING BEAN VARIETY LISTS

Seeds and Plant Varieties

[Subsidiary]

Crop	Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal production altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
FRENCH BEANS	Kutulesse (12) Phaseolus vulgaris	2000	KARI	KARI-Thika	1000-1800	5-2	5-7.5	Resistant to rust. Good snupapability. Extra fine green pods.
CLIMBING BEANS	Flora	1996	KARI	KARI-Kakamega	1500-2200	4-5	2-2.5	Light pink pods.
	Phaseolus vulgaris Mvunikingi	1996	KARI	KARI-Kakamega	1500-2200	4-5	2-2.5	Red pod.
	3. Umubano	1996	KARI	KARI-Kakamega	1500-2200	4-5	2-2.5	Dark red pods.

20. NATIONAL PIGEON PEA VARIETY LIST

Species: *Cajanus Cajan L. Mills p.*

Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal production altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
1. Kat 777	1981	KARI	KARI-Katumani	600-1500	5-6	1.5-2.2	Tolerant to fusarium wilt.
2. Kat 81/3/3	1981	KARI	KARI-Katumani	900-1800	5.5-6	2.0-2.5	Tolerant to fusarium wilt.
3. ICEAP000 40 (Kat/Mbaazi 2)	1995	KARI	ND	900-1800	4-6	2.0-2.5	Tolerant to insect pest and wilt and medium maturity.
4. Mbaazi-1	1998	KARI	KARI-Katumani	600-900	3-4	1.8-2.2	Short duration (single season).
5. Katumani 60/8	1998	KARI	KARI-Katumani	10-1800	4-5	2.0-2.5	Short duration. Ratoons well.
6. Kat/Mbaazi 3	ND	KARI	KARI-Katumani	10-1500	3-3.5	1.5-2.0	Extra early. Short duration.

Seeds and Plant Varieties

[Subsidiary]

7. ICEA ND KARI KARI- 10-1500 4-6 2-2.5 Medium
P00068 Katumani maturity.

21. NATIONAL COWPEA VARIETY LIST

Species: *Vigna Ungulculata L. Walps*

Variety name/code	Year of release	Owner(s)	Maintainer and seed source	Optimal production to altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
1. HB 48/10E	1987	KARI	KARI Katumani	0-1200	2-2.5	1.2-1.4	Tolerant to viral diseases
2. 27-1	1989	KARI	KARI Katumani	600-1200	2.5-3	1.5-1.8	Dual purpose.
3. ICV11	1992	ICIPE	ND	1-1500	2.5	2.2	Pest tolerant.
4. MTW 63	1998	IITA	KARI	1-1000	2	2.5	Pest tolerant.
5. MTW 610	1998	IITA	KARI	1-1000	2	2.5	Large seeds.
6. Machakos 66 (M66)	1998	KARI	KARI Katumani	1200-1500	2.5-3	1.5-1.8	Dual purpose. Deep green mid- ribs.
7. K 80	2000	KARI	KARI Katumani	1200-1800	2.5-3	1.8-2.0	Dual purpose. Tolerant to thrips. Silvery mid-ribs.
8. KVVU-419 (Kunde 419)	2000	KARI	KARI Katumani	0-1200	2-2.5	1.2-1.5	Drought tolerant. Extra early.
9. KCP 022	2000	KARI	KARI Katumani	0-1200	2-2.5	1.2-1.5	Super early.
10. Kunde 1	ND	Western Seed Co.	Western Seed Co.	Below 2000	2.5-3	1.2-2.5	Dual purpose.

22. NATIONAL MUNG BEAN AND DOLICHOS BEAN VARIETY LISTS

Crop	Variety name/code	Year of release	Owner(s)	Maintainer and seed source	Optimal production to altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
MUNG BEANS	1. Kat. Dengu 22	1998	KARI	KARI- Katumani	10-1600	2.5-3	1.0-1.3	Yellow seed. No stoniness.

Seeds and Plant Varieties

[Subsidiary]

2. Kat. Dengu 26	1998	KARI	KARI- Katumani	10-1600	2.5-3	1.3-1.5	Green bold seeds. No stoniness.
DOLICHOS BEAN DL-1 <i>Dolichos pupureus</i>	1978	KARI	KARI- Katumani	10-2000	3-3.5	3.0-4.0	Determinate. Black seeds.
2. KAT/ DL-2	1987	KARI	KARI- Katumani	10-2000	3.5-4	2.5-3.3	Determinate. Cream seeds.
3. KAT/ DL-3	1995	KARI	KARI- Kari	10-2000	3.5-4.0	2.8-3.0	Indeterminate. Dual purpose.

23. NATIONAL RHODES GRASS VARIETY LIST

Species: Chloris guyana

Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal production to altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
1. Mbarara Rhodes	1960	KARI/ Kenya Seed Co.	Kenya Seed Co.	1000-2500	4-6 Months	19-21	Drought tolerant. Good forage.
2. Boma Rhodes	1975	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co	1000-2500	90-105 days	7-19	High seed and forage yield. Wide adaptation. Easy to manage.
3. Elmba Rhodes	1976	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1000-2500	90-105 days	7-19	Good seed yield. Good palatability.

24. NATIONAL SETARIA AND PANNICUM GRASSES VARIETY LIST

Crop	Variety name/ code	Year of release	Owner(s)	Maintainer and seed source	Optimal production to altitude range (Masl)	Duration to maturity (months)	Grain yield (t ha ⁻¹)	Special attributes
SETARIA GRASS (Setaria sphacelata)	1. Nandi seteria	1956	KARI/ Kenya Seed Co.	KARI/ Kenya Seed Co.	1000-2500	70-80 days	6.6-16.4	Drought tolerant. Good forage. Good persistence

Seeds and Plant Varieties

						[Subsidiary]	
2.	ND	KARI/ Kenya Seed Co.	Kenya Seed Co.	1000-2500	5-90	6.5-17.4	(under grazing). Good persistence (under grazing). Drought tolerant. Good forage.
PANNICUM GRASS Coloured (<i>Panicum</i> Guinea <i>spp</i>)	1955	KARI/ Kenya Seed Co.	Kenya Seed Co.	50-2000	50-60	4.8-12.8	Good seed yield.

**THE SEEDS AND PLANT VARIETIES (VARIETY
EVALUATION AND RELEASE) REGULATIONS**

ARRANGEMENT OF REGULATIONS

Regulation

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SCHEDULES

PRESCRIBED SEEDS

SEED UNDER COMPULSORY CERTIFICATION

THIRD SCHEDULE —

FORMS

THE SEEDS AND PLANT VARIETIES (VARIETY EVALUATION AND RELEASE) REGULATIONS

[Legal Notice 215 of 2016]

1. Citation

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

2. Interpretation

In these Regulations, unless the context otherwise requires—

"application" means an application to submit a plant variety for national performance trials and Distinctness, Uniformity and Stability (DUS) tests under section 9 (2) or 9 (3) of the Act for the purpose of variety evaluation and release;

"check variety" means plant variety under commercialization used to compare the candidate varieties in the national performance trial;

"commercialization" means the distribution, sale or offering a crop variety for sale to the public in any manner, including undertaking seed multiplication, conducting market research or seeking pre-market approval for a released crop variety;

"Distinctness, Uniformity and Stability (DUS) test" means an evaluation to determine whether a new plant variety is distinct from any known plant variety in respect of specified characteristics, uniform in morphological, physiological or other accepted characteristics; and stable in its description after repeated reproduction or propagation;

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

"National Performance Trials Committee" means the National Performance Trials Committee, established under regulation 3;

"National Variety List" means the list of all plant varieties which are for the time being have been tested, officially released and published in the Kenya *Gazette*;

"official variety list" means a list of plant varieties published and maintained by a designated authority other than the Service and includes any list of plant varieties published by authorities established by the regional economic blocks within which Kenya has harmonized variety evaluation and release laws and regulations;

"plant variety" means a plant grouping within a single botanical taxon of the lowest known rank, defined by the expression of the characteristics resulting from a given genotype or combination of genotypes distinguished from any other plant grouping by the expression of at least one of the said characteristics and considered as a unit in relation to its suitability for being propagated unchanged;

"performance trials" means National Performance Trials specified under section 9 of the Act;

"registration" means the inclusion of a released variety in the National Variety List;

"plant variety release" means a process whereby a plant variety has satisfactorily undergone trials for yield or other special attributes; and distinctness, uniformity and stability tests and is approved for release by the National Variety Release Committee;

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

"reproductive material" means the reproductive part of a plant including seeds and other vegetative propagation material;

[Subsidiary]

3. Establishment of National Performance Trials Committee

There is established a National Performance Trials Committee which shall consist of—

- (a) the Managing Director who shall be the chairperson and provide the Committee Secretariat;
- (b) one representative from the State Department responsible for Agriculture;
- (c) the Chairperson of the Seed Trade Association of Kenya or his or her representative;
- (d) the Chairperson of the Plant Breeders Association of Kenya;
- (e) the Secretary of the Plant Breeders Association of Kenya; and
- (f) not more than six crop specialists from the public and private sector co-opted into the committee as and when necessary.

4. Functions of the National Performance Trials Committee

The National Performance Trial Committee shall—

- (a) review applications for performance trials and exemptions;
- (b) oversee the conduct of performance trials;
- (c) review performance trials protocols and guidelines including identification of sites;
- (d) evaluate the performance trials and distinctness, uniformity and stability test reports and make recommendations to the National Variety Release Committee;
- (e) provide feedback to the applicants on performance of their entries in the performance trials; and
- (f) any other function necessary for the proper conduct of the performance trials.

5. Conduct of Business of the national Performance Trials Committee

(1) The National Performance Trials Committee—

- (a) shall meet at least twice a year; and
- (b) shall develop rules for the conduct of its meetings.

(2) The chairperson shall give at least fourteen days' notice, in writing—

- (a) to every member of the Committee for every meeting of the Committee; and
- (b) requesting the attendance of the applicants with candidate varieties under consideration in a particular meeting.

6. National Performance trials

(1) The varieties of all the crops listed in the First schedule shall be eligible for entry into National Performance Trials.

(2) Subject to regulations 8 and 12, the crop varieties listed in the Second Schedule shall undergo performance trials before commercialization in accordance with these Regulations.

7. Authorization to undertake National Performance Trials

(1) The Service may, upon application, authorize competent private or public persons or institutions to undertake specific National Performance Trials.

(2) The application for authorization under paragraph (1) shall be made subject to such conditions as the Service may set from time to time.

(3) The Service shall give authorization in writing and shall specify the scope and aspects of authorized activities.

(4) The Service shall keep an updated register of all authorized persons and institutions and such register shall contain scope, aspects of authorized activities and other relevant information.

(5) The Service shall publish the names of authorized persons and those whose authorization has been withdrawn in the *Gazette* at least once in every year.

8. Application for variety evaluation

(1) A person who intends to commercialize any crop variety shall ensure that the variety has undergone variety evaluation in accordance with these Regulations.

(2) An application for a variety evaluation shall be made to the Managing Director in Form NPT 1 set out in the Third Schedule and shall be accompanied by such other information relating to the variety as the Service may prescribe.

(3) An application under paragraph (2), shall be submitted—

- (a) between the 1st December and the 15th February for testing in the long rain seasons;
- (b) between the 15th July and the 31st August for testing in the short rain seasons; and
- (c) at least thirty days before the planting date, for varieties for testing under irrigation.

(4) An application under paragraph (2) shall be accompanied with a reference sample to the Service which shall also be submitted to at least two authorities of Member States of the regional body releasing the variety, where such variety is intended for release in the region:

Provided that the sample—

- (a) satisfies the minimum requirements for germination, species and analytical purity, health, and moisture content specified by the Authority;
- (b) be visibly healthy;
- (c) have vigour;
- (d) free from quarantine pest or disease, and
- (e) has not undergone any treatment that would affect the expression of the characteristics of the variety but where the Authority allows or requests such treatment, details of the treatment shall be supplied.

9. Application for exemption

(1) A person may apply for exemption from performance trials and distinctness, uniformity and stability tests under section 9(3) of the Act on the following grounds—

- (a) food security;
- (b) national interest; or
- (c) the variety has been released in two countries within the regional economic blocks to which Kenya is a member and has harmonized regional plant variety release regulations and procedures.

(2) An application for exemption from performance trials under section 9(3) of the Act shall be made in Form NPT 2 set out in the Third Schedule.

(3) An application made under paragraph (2) shall be tabled for consideration and recommendation before the National Performance Trials Committee and National Variety Release Committee.

(4) An application made under paragraph (2) shall be tabled before National Variety Release Committee for release subject to the verification of evidence of release as submitted with Form NPT 2.

(5) Where a recommendation for exemption has been made by both Committees, the recommendation shall be forwarded to the Cabinet Secretary for grant of exemption.

10. Additional information etc

(1) An applicant shall, within fourteen days of a request in writing or such longer period as the Service may specify, deliver to the Director such additional information, documents, records, materials or illustrations in support of an application made under these Regulations.

[Subsidiary]

(2) If an applicant fails to deliver the additional information requested under paragraph (1), the application shall be deemed incomplete and rejected.

(3) Where it appears to the Service that it would not be practicable to undertake trials for the plant varieties submitted, in that season, the Service may defer the commencement of the performance trials to the next season and communicate the deferment to the applicant, in writing.

11. Evaluation of applications

The Service shall evaluate the applications and submit a report to the National performance Trials Committee.

12. Periods of Trials and Testing Plant Varieties

(1) All varieties submitted and approved for performance trials shall undergo testing for at least two seasons under rain-fed conditions or two cropping cycles under irrigated conditions.

(2) A plant variety which has been officially released in any country within the regional economic blocks to which Kenya is a member shall undergo performance trial for at least one season in similar agro ecological zones:

Provided that:

- (a) the country referred to in paragraph (2) has harmonized its variety release regulations and procedures with the harmonized regional variety release regulations and procedures; and
- (b) the applicant shall provide the data leading to release of the plant variety in that other country to the Service.

(3) A plant variety that has been officially released in at least two countries within the regional economic blocks to which Kenya is a member shall be exempted from performance trial if the conditions in the proviso to paragraph (2) are met.

(4) All varieties shall meet other release criteria prescribed in these Regulations.

13. Functions of Release Committee

(1) The Service shall—

- (a) ensure appropriate site selection, timely planting and proper management of the performance trials in accordance with the protocols and manuals on each crop including records of the various activities;
- (b) upon giving adequate notice, organize a visit for applicants to the performance trials sites to evaluate the conduct of the trials and the performance of the varieties;
- (c) ensure proper data collection and analysis from all performance trials sites and compilation of the final report;
- (d) send the draft report to the members of the National Performance Trials Committee and the applicants entering the candidate varieties at least fourteen days before the National Performance Trials Committee meeting;
- (e) convene a National Performance Trials Committee meeting which shall evaluate and make a summary report to the National Variety Release Committee;
- (f) prepare a summary report to the National Variety Release Committee which shall include results of distinctness, uniformity and stability testing and recommendations of the National Performance Trials Committee; and
- (g) ensure confidentiality of all materials and information provided by the applicant under these Regulations.

(2) If at any time after the commencement of a performance trial and before the completion thereof, an applicant informs the Director, in writing, that he intends to withdraw

his application, the application shall be deemed withdrawn without prejudice to the ongoing performance trial.

14. Establishment of the National Variety Release Committee

There is established a National Variety Release Committee comprising of—

- (a) the Head of the Directorate in charge of crops in the state department responsible for Agriculture who shall be the chairperson;
- (b) the Managing Director, Kenya Plant Health Inspectorate, who shall be the secretary;
- (c) the Head of Division, responsible for Agricultural Advisory Services in the state department responsible for Agriculture;
- (d) a representative of the Governors' Council;
- (e) the Chairperson of the Seed Trade Association of Kenya or his or her representative;
- (f) the Chief Executive Officer of Kenya National Agricultural Farmers' Federation (KENAFF);
- (g) the Chairman of the Plant Breeders Association of Kenya or his or her representative; and
- (h) representative of an academic institution of higher learning offering training in agriculture or seed related sciences nominated by the National Variety Release Committee during its first sitting.

15. Functions of National Variety Release Committee

The National Variety Release Committee shall—

- (a) consider the report of the National Performance Trials Committee and its recommendations;
- (b) consider the Distinctness Uniformity and Stability report;
- (c) approve and release qualifying varieties;
- (d) determine fees for any application under these Regulations;
- (e) hear and determine on any disputes relating to these Regulations;
- (f) advice on policies and procedures on performance trials;
- (g) prepare a list of approved and released plant varieties and forward the same to the Managing Director for publication in the *Gazette* and recommend exemptions to the Cabinet Secretary for approval and publication in the *Gazette*;
- (h) review, status of released varieties and advise the Service accordingly; and
- (i) review and approve the nomenclature to be applied to new varieties.

16. Conduct of Business of the Release Committee

(1) The National Variety Release Committee shall be convened by the chairperson and shall meet at least once in every year.

(2) The chairperson shall give at least fourteen days' notice, in writing, to every member of the National Variety Release Committee, for every meeting of the Committee.

(3) The National Variety Release Committee shall invite applicants of successful candidate plant varieties to attend variety release meetings.

(4) Subject to these Regulations, the National Variety Release Committee shall regulate its own procedure.

17. Denomination of varieties

(1) A breeder of a variety which has successfully undergone variety evaluation in accordance with these Regulations shall propose a denomination for the variety as per nomenclature approved in regulation 15 (i) to the National Variety Release Committee.

[Subsidiary]

(2) The National Variety Release Committee shall consider and may approve the proposed denomination if the denomination does not mislead or cause confusion in relation to the characteristics, value or identity of the variety of the breeder.

18. Performance Trials register

(1) The Service shall compile and maintain a performance trials register in respect of every plant variety for which either an application has been made or undergone trials which shall contain the following particulars—

- (a) names of the applicants, dates of applications and particulars of the plant variety entered for performance trials;
- (b) names of the applicants, dates of applications and particulars of plant variety for exemption from performance trials;
- (c) decisions of the National Performance Trials and National Variety Release Committees on all applications;
- (d) directions given by the Cabinet Secretary under Section 9 of the Act;
- (e) the date with effect from which an application for a performance trial is deemed to be withdrawn;
- (f) performance trials reports; and
- (g) the fee paid by the applicant.

(2) Any interested person may obtain from the Managing Director, a copy of any entry in the register or a copy of the report on the result of a performance trial of a plant variety upon payment of a fee as may be prescribed by the Service from time to time.

19. Publication of released varieties

(1) The Director shall cause the names of the released varieties to be published in the *Gazette* within twenty one days of the National Variety Release Committee meeting.

(2) The effective date for the purposes of commercialization of the released plant varieties shall be the date of release of the varieties by the National Variety Release Committee.

20. Withdrawal from the National Variety List

(1) The Service shall withdraw a variety from the National Variety List where—

- (a) a variety no longer conforms to its original characteristics;
- (b) the maintainer cannot provide the original material;
- (c) the applicant requests for its withdrawal with prior notice;
- (d) it is determined that the information on the variety is incorrect; or
- (e) advised by the National Variety Release Committee.

(2) Prior to withdrawal under regulation (1) (a) (b) and (e) the Service shall provide sufficient notice to variety owner to take remedial measures.

21. Prohibition of Access to a Market

(1) The Service may prohibit the use of a variety in Kenya based on technical issues, including, among others, unsuitability for cultivation, or risk to other seed varieties, human health, animal health and the environment.

(2) The Service shall notify the relevant institution mandated with the management of variety release under the regional economic block of the technical issues that led to the prohibition of the use of that variety in Kenya.

22. Delivery of notices and documents

(1) All notices and documents shall be delivered to the physical address of the applicant within Kenya specified in the application.

(2) Where the applicant is not resident in Kenya, the applicant shall give to the Director, in writing, an address within Kenya which shall be the address at which any notice or other document may be delivered to or served.

23. Translation

(1) All documents provided to the Managing Director shall be in the English.

(2) If the document required to be provided to the Managing Director is not in English—

- (a) an English translation of the document shall be provided along with the copy of the document;
- (b) the translation shall be certified to be an accurate translation by a competent authority; and
- (c) certified copy of the translation shall be provided for every copy of the document required if more than one copy of a document is required.

(3) The Managing Director may reject a translation that he reasonably believes that is not accurate, and the copy of the document shall be deemed not to have been provided until the required translation and required copies thereof are provided.

24. Fees

All application under these Regulations shall be subject to the payment of prescribed fees.

25. Protection from personal liability

No legal proceedings shall lie against the officers of the Service or any duly authorized agent of the Service for anything done in good faith and without negligence, in the exercise of their powers, or the performance of their functions or duties under these Regulations.

26. Appeals

(1) A person aggrieved by the decision of the Service or the National Performance Trials Committee on any matter relating to these Regulations, appeal, in writing, to the National Variety Release Committee for moderation.

(2) A person aggrieved by any decision of the National Variety Release Committee under paragraph (1) may appeal to the Seeds and Plants Tribunal.

27. Offences and penalties

Any person who—

- (a) with intent to defraud, gives false information to the Service;
- (b) knowingly produces or displays any document required to be produced or displayed under these Regulations which is false in any material particular; or
- (c) contravenes any provision of these Regulations,

commits an offence and shall be liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding six months or both.

28. Revocation. L.N. 25/2009

The Seeds and Plant Varieties (National Performance Trials) Regulations, 2009 are revoked.

FIRST SCHEDULE

[r. 6(1)]

PRESCRIBED SEEDS

Cereals

Barley

Hordeum vulgare L.

[Subsidiary]

Finger Millet	<i>Eleusinecoracana</i> (L.) Gaertn
Maize	<i>Zea mays</i> S.
Oats	<i>Avena Sativa</i> L.
Pearl Millet	<i>Pennisetumglaucum</i> (L.) R.Br.
Rice	<i>Oryza Sativa</i> L.
Rye	<i>Secale cereale</i> L.
Sorghum	<i>Sorghum bicoor</i> (L.) Moench.
Triticale	<i>Tricosecale</i> Wittm
Wheat	<i>Triticum</i> spp
Sugar crops	
Sugar cane	<i>Saccharum</i> spp.
Stevia	<i>Stevia</i> spp
Pulses	
Beans	<i>Phaseolus vulgaris</i> L.
Broad bean.....	<i>Viciafaba</i> L.
Chick pea.....	<i>Cicer arietinum</i> L.
Cluster bean	<i>Cyamopsistetragonoloba</i>
Cowpea	<i>Vignaunguiculata</i> (L.) Waip
Dolichos bean	<i>Dolichos lablab</i> L.
Pea	<i>Pisum sativum</i> L.
Pigeon pea	<i>Cajanuscajan</i> .
Green gram	<i>Vignaradiata</i> L.
Common Vetch	<i>Vicia sativa</i> L.
Any other related species	
Oil Crops	
Castor bean	<i>Ricinuscommunis</i> L.
Coconut.....	<i>Cocos nucifera</i>
Ground nut	<i>Arachishypogaea</i> L.
Jajoba	<i>Simmondsiachinensis</i>
Linseed	<i>Linumusatissimum</i> L.
Oil seed rape	<i>Brassica napus</i> L.
Oil-palm.....	<i>Elaeisquineensis</i>
Safflower	<i>Carthamustinctorius</i> L.
Sesame	<i>Sesamumindicum</i> L.
Sunflower	<i>Helianthus annuus</i> L.
Soya bean	<i>Glycine max</i> (L.) Merr.
Any other related species	
Fibre Crops	
Cotton	<i>Gossypium</i> spp
Flax	<i>Linumusatissimum</i> L.
Kenaf	<i>Hibiscus cannabinus</i> L.
Any other related species	
Root and Tuber Crops	
Beet	<i>Beta vulgaris</i> L.
Cassava	<i>Manihotesculenta</i>
Irish potato	<i>Solanum tuberosum</i>
Sweet potato	<i>ipomea batatas</i>

Turnip	<i>Brassica rapa</i> L.
Any other related specie	
Fruit Trees	
Apple	<i>Pyrus malus</i> L.
Pear	<i>Pyrus communis</i> L.
Peach	<i>Prunus persica</i> L.
Nectarine	<i>Prunus</i> sp. L
Quince	<i>cydonia oblonga</i>
Plum	<i>Prunus salicina</i> L
Plum	<i>Prunus domestica</i> L
Apricot	
Citrus	<i>All citrus species</i>
Avacado pear	<i>Persea Americana Persea Americana</i>
Pawpaw (mountian)	<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>
Other Fruits	
Passion fruit	<i>Passiflora edulis</i>
Bananas and plantains	<i>Musa</i> spp.
Straw berries	<i>Fragaria vesca</i>
	<i>Fragaria chilensis</i>
Cape gooseberry	<i>Physalis peruviana</i>
Mulberries	<i>Ananus comosus</i>
Berries	<i>Rubus</i> sp.
Date palm	<i>Phoenix peruviana</i>
Custard apple	<i>Annona</i> sp.
Melons	<i>Cucumis melo Citrullus vulgaris</i>
Grapes	<i>Vitis</i> sp.
Any other fruits of economic value	
Nut crops	
Cashew nut.....	<i>Anacardium occidentale</i>
Macadamia nuts	<i>Macadamia</i> sp.
Pistachio nut	<i>Pistachio vera</i>
Oyster nut	<i>Tefairia pedata</i>
All others except scheduled oil crops.	
Beverage crops	
Cocoa	<i>Theobroma cacao</i>
Coffee	<i>Coffea</i> spp.
Mate	<i>Ilex paraquariensis</i>
Tea	<i>Camellia sinensis</i>
Medicinal and Aromatic Plants	
Geranium	<i>Pelagonium</i> sp.
Pyrethrum	<i>Tanacetum cinerarifolium</i>
Stimulants	
Tobacco.....	<i>Nicotiana tabacum</i>

[Subsidiary]

Flowers

Chrysanthemums *Chrysanthemum spp*
 Several other species *Mostly Liliaceae*
 Any other related species

Herbage Grasses

Blue stem grass *Andropogon spp*
 Buffel grass *Cenchrusciliaris*
 Cock's foot *Dactylis glomerata*
 Coloured guinea grass *Panicum coloratum*
 Columbus grass *Sorghum alnum*
 Congo signal *Brachiaria ruziziensis*
 Kikuyu grass *Pennisetum clandestinum*
 Napier grass..... *Pennisetum purpureum K. Schum*

 Papsalum grass *Papsalum spp*
 Rhodes grass *Chloris gayana*
 Rye grass *Lolium spp*
 Seteria *Seteria anceps*
 Sudan *Sorghum sudanense*
 Love grass *Eragrostisspp*
 Any other related species

Lawn Grass

Barmuda grass *Cynodondactylon*
 Any other related species

Pasture Legumes

Butterfly pen *Clitoriaternatea*
 Centro *Centrosemapubescens*

 Clover *Benth*
 Greenleaf *Trifolium spp*

 Leucaena *Desmodium intortum*
 Lucerne *(Miller)*
 Lupin *leucaena leucocephala*
 Silverleaf *Medicago sativa*
 Siratro (Purple Bush Bean) *Lupinus spp.*

 Stylo *Desmodium uncinatum*
 Any other related species *macroptilium atropurpureurn*
 *Stylosanthes guianensis*

Vegetables

Amaranth *Amaranthus spp*
 Artichoke *Cynara scolymus*
 Asparagus *Asparagus officinalis*
 Bean *Phascolus vulgaris*
 Beet *Beta vulgaris L.*
 Broccoli *Brassica aleracea var. botrtvtis L*

 Brussels sprouts *Brassica oleracea var. gemmifera*

 Cabbage *Brassica oleracea var. capitata L.*

Seeds and Plant Varieties

[Subsidiary]

Canteoupe/muskmelon	<i>cucunismelo</i> L.
Carrot	<i>Daucus carota</i> L.
Celery/Celeriac	<i>Apiumgraveolens</i> L.
Chicory	<i>Cichoriumintybus</i> L.
Chinese cabbage	<i>Brassica chinensis</i>
Chirvil	<i>Anthriscuscerefolium</i>
Collards/ Kales	<i>Brassica oleracea</i> var. <i>ancephala</i> DC
Corriander	<i>Coriandrum sativum</i>
Cucumber	<i>Cucumis sativus</i> L.
Dill	<i>Arethumgraveolens</i> L.
Egglants	<i>Solanum melongena</i> L.
Endive	<i>Cichorium endivia</i> L.
Garden cress	<i>Lepidiumsativum</i> L.
Karella	<i>Cucumis</i> spp.
Kohl rabi	<i>Brassica oleracea</i> var. <i>Gongylodes</i>
Leek	<i>Allium porrum</i> L.
Lettuce	<i>Lactuca sativa</i>
Okra	<i>Hibiscus esculentus</i> L.
Onion	<i>Allium cepa</i> L.
Parsley	<i>Petroselinum crispum</i> (Mill) Nym.
Parsnip	<i>Pastinaca sativa</i> L.
Pea	<i>Pisum sativum</i> L. <i>Sensulato</i>
Pepper.....	<i>Capsicum</i> spp
Pumpkin/Squash/Courgette	<i>Cucurbita pepo</i> L
Radish	<i>Raphanussativus</i> L.
Rhubarb	<i>Rheum rhaponticum</i> L.
Rutabaga	<i>Brassica napus</i> var. <i>Napobrassica</i> L.
Spinach	<i>Spinaceaoleracea</i> L.
Spider plant	<i>Cleome gynandra</i>
Swiss chard	<i>Beta vulgaris</i>
Tomato	<i>Lycopersicon esculentum</i> <i>P. Mill</i>
Turnip	<i>Brassica rapa</i> L.
Water cress	<i>Nasturtium officinale</i> R.br.
Water melon	<i>Citrulluslanatus</i>
Any other related species	

SECOND SCHEDULE

[r. 6(2)]

SEED UNDER COMPULSORY CERTIFICATION

Cereals

Maize
Wheat
Barley
Sorghum

Grasses

Setaria
Rhodes grass
Sudan grass
Congo signal

Seeds and Plant Varieties

[Subsidiary]

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

THIRD SCHEDULE

FORMS

FORM NPT 1 (r. 8(2))
SEEDS AND PLANT VARIETIES ACT

To: The Managing Director
Kenya Plant Health Inspectorate Service
P. O. Box 49592-00100
NAIROBI, KENYA

APPLICATION FOR NATIONAL PERFORMANCE TRIALS (Each entry will require a separate form)

1. Name and address of the applicant(s)
2. Name and address of the agent (if any)
3. Name and address of breeder or discoverer and developer:
4. Name or other designation of the plant variety:
5. Type of Variety (e.g Hybrid/OPV).....
6. Nature of Propagation (true seed, vegetative etc).....
7. Kit/Agro-ecological /maturity Group
8. Special attributes to be tested (NOT yield).....
9. Other relevant information.....
10. Are you the holder of rights for the plant variety? YES/NO
 - (i) If yes, attach certified copy of certificate of grant
 - (ii) If not, attach the owner's consent to make this application
11. Name of the country in which the plant variety was bred or discovered and developed.....

- (i) If yes,
- (a) Name of the country
- (b) Title of the official variety list:.....
- (c) Date of inclusion in the official variety list:

13. Document(s) in support of the application which should include:

- (a) Trials Data:
- (b) Variety Description:

14. Quantity of seed submitted

15. The technical report of DUS is attached (where applicable):

Dated atDay of 20

Signature of the applicant/agent (indicate as appropriate)

FORM NPT 2 (r. 9(2))
SEEDS AND PLANT VARIETIES ACT

To: Managing Director
 Kenya Plant Health Inspectorate Service
 P. O. Box 49592–00100
 NAIROBI, KENYA

**APPLICATION FOR EXEMPTION FROM NATIONAL PERFORMANCE
 TRIALS UNDER SECTIONS 3(3)(j) AND 9(3) OF THE ACT**

1. Name and address of the applicant(s)
2. Name and address of the agent (if any):
3. Name and address of breeder or discoverer and developer
4. Species
5. Name or other designation of the plant variety
6. Type of Variety (e.g Hybrid/OPV).....
7. Nature of Propagation (true seed, vegetative etc).....
8. Kit/Agro-ecological /maturity Group.....
9. Special attributes to be tested (NOT yield).....
10. Other relevant information.....
11. Are you the holder of rights for the plant variety? YES/NO
 - (i) If yes, attach certified copy of certificate of grant
 - (ii) If not, attach the owner's consent to make this application.
12. Has the variety been released in any country/countries? YES/NO.
 - (1) If yes,
 - (a) Country of first release
 - (i) Name of country and date
 - (ii) Title of the official variety list and date of inclusion in the register.....
 -
 - (iii) Documents in support of the applicatioin.....
 - (b) Country of subsequent release(s)

Seeds and Plant Varieties

[Subsidiary]

- (i) Name(s) of country/countries and date(s)
 - (ii) Title(s) of the official variety list(s) and date(s) of inclusion.....
 - (iii) Documents in support of the application
- (2) If no, give reasons for seeking exemptions.....
-

THE SEEDS AND PLANT VARIETIES (SEEDS) REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation.
2. Interpretation.
3. Prescribed seeds.
4. Seed Testing Station.
5. Seed Regulation Committee.
6. Registration of seed merchants.
7. Registration growers.
8. Application of standards and procedures.
9. Seed certification.
10. Authorization.
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12. Seed field inspection.
13. Transportation of harvested seed.
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15. Seed sampling.
16. Seed testing.
17. Packaging, labeling and sealing.
18. Validity of certification.
19. Seed sale.
20. Seed sellers.
21. Seizure and disposal of seed and seed processing facilities.
22. Pre and post control plots.
23. Seed importation and exportation.
24. Disclosure of confidential information.
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27. Protection from liability.
28. Fees.
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SCHEDULES

PRESCRIBED SEEDS

SEED UNDER COMPULSORY CERTIFICATION

SEED CLASSES

FIELD AND LABORATORY STANDARDS

FIELD INSPECTION FEES

SIXTH SCHEDULE —

FORMS

THE SEEDS AND PLANT VARIETIES (SEEDS) REGULATIONS

[Legal Notice 220 of 2016]

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;

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"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.

[Subsidiary]

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 hectarage 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;

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- (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;

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- (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

[Subsidiary]

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

Sugar crops

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

Pulses

Beans	<i>Phaseolus vulgaris L.</i>
Broad	<i>Vicia faba L.</i>
bean	
Chick	<i>Cicer arietinum L.</i>
pea	
Cluster	<i>Cyamopsis tetragonoloba</i>
bean	
Cowpea	<i>Vigna unguiculata (L.)</i>
	<i>Waip</i>
Dolichos bean	<i>Dolichos lablab L</i>
Pea	<i>Pisum sativum L.</i>
Pigeon	<i>Cajanus cajan.</i>
pea	

[Subsidiary]

Green gram	<i>Vigna radiata</i> L.
Common Vetch	<i>Vicia sativa</i> L.
Any other related species	
Oil Crops	
Castor bean	<i>Ricinus communis</i> L.
Coconut	<i>Cocos nucifera</i>
Ground nut	<i>Arachishypogaea</i> L
Joboba	<i>Simmondsia chinensis</i>
Linseed	<i>Linum usitatissimum</i> L.
Oil seed rape	<i>Brassica napus</i> L.
Oil-palm	<i>Elaeis quineensis</i>
Safflower	<i>Carthamus tinctorius</i> L.
Sesame	<i>Sesamum indicum</i> L.
Sunflower	<i>Helianthus annuus</i> L
Soya bean	<i>Glycine max</i> (L.) Merr.
Any other related species	
Fibre Crops	
Cotton	<i>Gossypium spp</i>
Flax	<i>Linum usitatissimum</i> L.
Kenaf	<i>Hibiscus cannabinus</i> L.
Any other related species	
Root and Tuber Crops	
Beet	<i>Beta vulgaris</i> L.
Cassava	<i>Manihot esculenta</i> .
Irish potato	<i>Solanum tuberosum</i>
Sweet potato	<i>Ipomea batatas</i>
Turnip	<i>Brassica rapa</i> L.
Any other related species	
Fruit Trees	
Apple	<i>Pyrus malus</i> L.
Pear	<i>Pyrus communis</i> L.
Peach	<i>Prunus persica</i> L
Nectarine	<i>Prunus sp.</i> L
Quince	<i>Cydonia oblonga</i>
Plum	// <i>Prunus salicina</i> L
Plum	<i>Prunus domestica</i> 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> <i>Mangifera indica</i>

Mango	
Loquat	<i>Eriobotrya japonica</i>
White	<i>casimiroa edulis</i>
Sapote	
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</i>
	<i>chiloensis</i>
	<i>Physalis peruviana</i>
Cape	
gooseberry	
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</i>
	<i>spp</i>
	<i>Vitis sp</i>
Grapes	
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</i>	
<i>Plants</i>	
Geranium	<i>Pelagonium sp.</i>
Pyrethrum	<i>Tanacetum cinerarifolium</i>
<i>Stimulants</i>	<i>Nicotiana tabacum</i>
Tobacco	
<i>Flowers</i>	
Chrysanthemums	<i>Chrysanthemum spp</i>

[Subsidiary]

Several other species	Mostly <i>Liliaceae</i>
Any other related species	
<i>Herbage Grasses</i>	
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 alnum</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	
<i>Lawn Grass</i>	
Barmuda grass	<i>Cynodon dactylon</i>
Any other related species	
<i>Pasture Legumes</i>	
Butterfly pen	<i>Clitoria ternatea</i>
Centro	<i>Centrosema pubescens</i>
	<i>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 atropurpureum</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. gemmjfera</i>
Cabbage	<i>Brassica oleracea var. capitata L.</i>
Canteoupe/muskmelon	<i>cucunismelo L.</i>

Seeds and Plant Varieties

[Subsidiary]

Carrot	<i>Daucus carota</i> L
Celery/Celeriac	<i>Apium graveolens</i> L.
Chicory	<i>Cichorium intybus</i> L.
Chinese cabbage	<i>Brassica chinensis</i>
Chervil	<i>Anthriscus cerefolium</i>
Collards/ Kales	<i>Brassica oleracea</i> var. <i>ancephala</i> DC
Corriander	<i>Coriandrum sativum</i>
Cucumber	<i>Cucumis sativus</i> L
Dill	<i>Arethum graveolens</i> L..
Eggplants	<i>Solanum melongena</i> L
Endive	<i>Cichorium endivia</i> L.
Garden cress	<i>Lepidium sativum</i> L..
Karella	<i>Momordica charantia</i>
Kohl rabi	<i>Brassica oleracea</i> var. <i>Gongylodes</i>
Leek	<i>Allium porrum</i> L.
Lettuce	<i>Lactuca sativa</i>
Okra	<i>Abelmoschus esculentus</i> L.
Onion	<i>Allium cepa</i> L.
Parsley	<i>Petroselinum crispum</i> (Mill) Nym.
Parsnip	<i>Pastinaca sativa</i> L
Pea	<i>Pisum sativum</i> L. <i>Sensulato</i>
Pepper	<i>Capsicum</i> spp
Pumpkin/Squash/ Courgette	<i>Cucurbita</i> spp.
Radish	<i>Raphanus sativus</i> L.
Rhubarb	<i>Rheum rhaponticum</i> L.
Rutabaga	<i>Brassica napus</i> var. <i>Napobrassica</i> L.
Spinach	<i>Spinacea oleracea</i> L.
Spider plant	<i>Cleome gynandra</i>
Swiss chard	<i>Beta vulgaris</i>
Tomato	<i>Solanum lycopersicum</i> L.
Turnip	<i>Brassica rapa</i> L.
Water cress	<i>Nasturtium officinale</i> R.br.
Water melon	<i>Citrullus lanatus</i>
Any other related species	

SECOND SCHEDULE

[r. 9(2)]

SEED UNDER COMPULSORY CERTIFICATION

Cereals

Maize
Wheat
Barley
Sorghum

Grasses

Setaria
Rhodes grass
Sudan grass
Congo signal

Seeds and Plant Varieties

[Subsidiary]

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

THIRD SCHEDULE

[r. 9(3)]

SEED CLASSES

Code	Classes	Seed Parents	Colour of Labels
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 st gen.	Progeny of pre-basic seed or basic seed	Blue
C.2	Cert. 2 nd gen.	Progeny of basic seed or certified 1 st generation seed	Red
Std	Standard Seed	Progeny of certified 2 nd 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

Species	Isolation, metres (minimum)					Off-types of other cultivars				
	BR	PB	B	C1	C2	BR	PB	B	C1	C2
Cereals						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 ^m 1 ^f	1 ^m 1 ^f	1 ^m 1 ^f	5 ^m 5 ^f	6 6 ^f
Pulses						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
Oil Crops						Maximum number per 100 plants				
†Sunflower seed	4000	4000	4000	1000	1000	2 ^m 5 ^f	2 ^m 5 ^f	2 ^m 5 ^f	2 ^m 5 ^f	2 ^m 5 ^f
Safflower seed	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
Herbage Grasses						Maximum number per 100 sq metres plants				
*Rhodes grass	200	200	100	100	100	4	4	4	10	12
*Setaria grass	200	200	100	100	100	4	4	4	10	12

Seeds and Plant Varieties

[Subsidiary]										
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
Columbia grass	400	400	400	200	200	0	0	0	1	2
Pasture										
Legumes										
Stylo	200	200	200	100	100	0	0	0	1	2
Desmodium	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
Sugar Crops										
Sugarcane	5	5	5	5	5	0	0	0	0	0
Vegetables										
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
Amaranth	400	400	400	200	200	0	0	0	2	3
Pepper	100	100	100	50	50	0	0	0	5	6
Root and Tuber Crops										
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
Fiber Crops										
Cotton-CMS hybrids	-	-	-	800	800	1	1	1	5	5

Seeds and Plant Varieties

[Subsidiary]

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

* Open pollinated

†^m: off-types in male parents†^f: off-types in female parents

KEY: BR=Breeder's seed; PB=pre-basic Seed; B=Basic seed; C₁, C₂ = Certified generation 1, 2

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

FIELD STANDARDS

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

	Disease	Tolerance
(a) Maize	Head smut (<i>Sphacelotheca</i> <i>reiliana</i> (Kuhn) G.P. Clinton	Zero at final inspection
	Common smut (<i>Ustilago</i> <i>maydis</i> (DC) Corda	Zero at final inspection
	Maize Lethal Necrosis (MLN) Disease causing viruses (eg. <i>Sugarcane</i> <i>mosaic virus</i> and <i>Maize</i> <i>chlorotic mottle virus</i>)	1% at every inspection
	Downy mildews (<i>Sclerophthora</i> spp, <i>Peronosclerospora</i> spp)	
	Bunt (<i>Tilletia</i> spp Waiir. Liro)	Zero
(b) Wheat		
Oat,		1 head per 100 sq.m
Barley,		1 head per 100 sq.m

Seeds and Plant Varieties

[Subsidiary]

Triticale	Loose smut (<i>Ustilago</i> spp.)	
	Covered smut (<i>Ustilago hordei</i> (pers) Lagerh)	
Rice	Rice Blast (<i>Magnaporthe grisea</i> Herbert)	0.1% basic and 0.5% for certified
	<i>Pyricularia oryzae</i>	None during final inspection
	Kernel Bunt (<i>Tilletia 2930 orrid.</i>)	1 per 100 sq. m
	Basal node rot (<i>Fusarium oxysporum.</i>)	None during final inspection
	Bacterial leaf blight (<i>Xanthomonas oryzae pv. oryzae</i>)	1 per 100 sq. m 1 per 100 sq. m Zero
	Brown spot(<i>Drechslera oryzae</i>)	
	Narrow brown leaf spot (<i>Cercospora oryzae</i>)	
	White tip nematode (<i>Aphelenchoides besseyi</i>)	
Finger Millet	Ergot (<i>Claviceps fusiformis</i>)	zero at final inspection 1 head per 100 sq. m
	Seed rot/seedling blight/ head	1 head per 100 sq.m None during final inspection
	blight (<i>Drechslera</i> spp)	
	Green ear (<i>Sclerospora graminicola</i>)	
	Head smut (<i>Sphacelotheca destruens</i>)	
(c) Sorghum	Bunt (<i>Tilletia spp</i>)	Mildrew 1 plant per 1,000 plants
	(<i>Peronoscleropora soughi</i>)	1 plant per 1,000 for
	Covered kernel smut (<i>Sporisorium sorghi</i> (synanonym: <i>Sphacelotheca sorghi</i>); loose smut (<i>Sphacelotheca cruenta</i> (Kuhn) Pattouillard), long smuts (<i>Tolposporium entrenbargii</i> (Kuhn))	Basic and 2 per 1000 for Certified Zero at final inspection Zero at final inspection Zero at final inspection
	Ergot (<i>Sphacelia sorghi</i> (<i>Claviceps sorghi</i>))	
(d) Bean	Halo blight (<i>Pseudomonas syringae</i> pv. <i>phaseolicola</i>)	Zero at final inspection Zero at final inspection
	Bacterial canker (<i>Pseudomonas syringae</i> pv. <i>Syringae</i>)	Zero at final inspection 0.02% for Basic and
	Anthraxnose (<i>Collectotricum lindemuthianum</i>)	0.05% for certified 0.02%. for Basic and 0.05% for Certified

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

Seeds and Plant Varieties

[Subsidiary]

Sweet	Fusarium	0			5 per count
Potato	Wilt	0			0
	(Fusarium	70			14
	oxysporum	plants/acre			0 plants/acre
	f.sp.	0			0
	<i>batatas</i>)	0			5 per count
	Sweet	0			0
	potato wilt				
	Soil rot				
	(<i>Actinomycesipomea</i>)				
	Sweet				
	potato				
	weevil				
	Mosaic				
	disease,				
	<i>Sweet</i>				
	<i>potato</i>				
	<i>feathery</i>				
	<i>mottle virus</i>				
Ground nut	Alternaria	0.5%			1%
	leaf spot	0.1%0			0.5%
	(<i>Alternaria</i>				0
	<i>arachiolis</i>				
	Kulk) <i>Groundnut</i>				
	<i>rossette</i>				
	<i>virusRolstonia</i>				
	<i>solanacearum</i>				
Cotton	Bacterial	0			0
	blight	0			0
	Fusarium	0			1%
	wilt Leaf	2%			5%
	curlCotton				
	strainers,				
	cotton				
	aphids,				
	Cotton				
	Jassid,				
	African				
	bollworm				
Potato	Tolerance (plants per thousand)				
diseases	Breeder/ Minituber	PB	Basic seed	Certified seed 1	Certified seed 2
*Blackleg	0	0	0	0	0
(<i>Pectobac</i>					
<i>terium</i> spp.					
and <i>Dickeya</i>					
spp.)					
^a Severe	0	1	4	8	10
virus					
disease e.g.					

Seeds and Plant Varieties

[Subsidiary]

leaf roll, Y					
group of					
viruses,					
severe					
mosaic					
^b Mild	0	0.3	0.3	2	5
mosaic					
visible in the					
field (e.g.					
pvx, pvs)					
* <i>Fusarium</i>	0	0	0	2	5
wilt					
<i>Verticillium</i>	0	0	0	0.5	1
wilt					
Bacterial wilt	0	0	0	0	0
or					
Brown rot					
(<i>Ralstonia</i>					
<i>solanacearum</i>)					
Wart	0	0	0	0	0
disease					
(<i>Synchytrium</i>					
<i>endobioticum</i>)					
*Nematodes	0	0	2	3	4
(<i>Meloidogyne</i>					
<i>spp.</i>					
<i>Ditylenchus</i>					
<i>spp.</i>)					
Golden	0	0	0	0	0
nematode***					
(<i>Globodera</i>					
<i>rostochienensis</i>					
and					
<i>Globodera</i>					
<i>pallida</i>)					
Ring rot	0	0	0	0	0
((<i>Clavibacter</i>					
<i>michiganensis</i>					
<i>sp</i>					
<i>sepedonicum</i>)					
Potato	0	0	0	0	0
spindle tuber					
viroid					
Phytoplasma	0	0	0	0	0
diseases eg.					
Potato					
stolbar					
and potato					
purple top					
Sugar tolerances {Br, PB, B (%)}					
cane					
				tolerances	
				{Certified (%)}	

Seeds and Plant Varieties

[Subsidiary]

diseases	1 st Insp	2 nd Insp	3 rd Insp	1 st Insp	2 nd Insp	3 rd Insp
Red rot (<i>Glomerella tucumanaensis</i>)	0	0	0	0	0	0
Smut	0.02*	0.01*	0	0.1*	0.1*	0
Major (<i>Ustilago scitaminea</i>)						
Grassy shoot (<i>Myco plasma</i> like)		0.05*	0.01*	-	0.5*	
Sugar - cane wilt (<i>Cephalo sporium sacgaru</i>)		-	0.01*	-	-	0.01*
Leaf - scald (<i>Xantho monas albilineans</i>)		0.01*	0	-	0.05*	0
Top - borer (<i>Sccirpo pophaga excerptalis</i>)		5	5	-	5	5
Internode borers (<i>Chilosacchari phagusindicu</i>)		-	10* 00**	-	-	10*0**
Stalk - borers (<i>Chilo auricilius</i>)		-	20* 0**	-	-	20*0**
White - scale insects and mealy bug (<i>Melanaspis</i>)		-	5 0**	-	-	50**

glomerata
and
Sacch
ariphagus
saccharia)

* 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% off-type 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

Crop	Screens (bottom sleeve)(mm)	Screening allowed Grades
Hybrid Maize	6.8	5 LF (11.1mm), LR (11.1x23.3mm), MF (9.5mm), MR (9.5x23.3mm),

Seeds and Plant Varieties

[Subsidiary]

Open pollinated maize	6.8	5	SF (7.9mm), SR (7.9x23.3mm), HP (6.8mm) 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) 28.0-35.0 36.0-45.0 46.0-55.0		(5 tubers per 50Kg bag) allowed

*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: >=65%

10. Cassava

Stem quality standard	Size
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 [(r. 12(4)(c))]
STANDARDS

Seeds and Plant Varieties

[Subsidiary]

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
<i>PULSES</i>				
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
<i>OIL CROPS</i>				
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
<i>FIBRE CROPS</i>				
Cotton	98	-	75	10.00
Flax	98	-	80	10.00
Kenaf	98	-	75	10.00
<i>ROOT AND TUBER CROPS</i>				
Beet	97	0.3	75	11.00
Irish Potato	99	—	—	—
Turnip	98	0.5	75	10.00
<i>Flowers</i>				
Pyrethrum other30 species		-	40	
<i>VEGETABLES</i>				
Amaranth	98	0.1	75	9.0
Artichoke	98	0.1	75	9.0
Asparagus	96	0.5	70	9.0

Seeds and Plant Varieties

[Subsidiary]

Broccoli	97	1.0	75	10.0	
Brussels Sprout	97	1.0	75	10.0	
Cabbage	97	1.0	75	10.0	
Cantaloupe/ melon	98	0.1	75	9.0	
Carrot	95	1.0	65	9.0	
Cauliflower	97	1.0	70	10.0	
Celeriac/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	95	1.0	50	9.0	
Seeds					
Grasses	Purity %		Germination %	PGS %	
Blue stem	40		50	20	
grass					
Buffel	}				
grass	}				
Cock's	}				
foot	}				
Paspalum	}				

Seeds and Plant Varieties

[Subsidiary]

Rye grass	}	
Setaria	}	
Rhodes	}	
Sudan	}	
grass	}	
Congo	} Same	
signal	for all	
Columbus grasses		
Loves	}	
grass	}	
Lawn	}	
Grass	}	
Bermuda]	
grass]	
]	
<i>Pasture</i>		
<i>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	280	1290	710	2470

Seeds and Plant Varieties

[Subsidiary]

(certified)				
Sorghum	280	1290	710	2470
(standard)				
Potatoes	430	1290	710	2470
(certified)				
Potatoes	430	1290	710	2470
(standard)				
Hybrid	430	1290	710	2470
sunflower				
Open pollinated	280	1290	710	2470
sunflower				
Safflower	280	1290	710	2470
Beans	280	1290	710	2470
(standard)				
Peas	280	1290	710	2470
Rape seed	280	1290	710	2470
Vegetable	840	1290	880	2470
(certified)				
Vegetable	840	1290	880	2470
(standard)				
Sudan and	430	1290	710	2470
Columbus				
grass				
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 & lot examination per 100kg</i>	<i>Labeling & sealing and other Services (CSH, LS, PCS, PC) per packet >=5kg</i>	<i>Labeling & sealing and other Services (CSH, LS, PCS, PC) per packet <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	30	10	2	15	990
Pollinated					
maize					
Wheat	30	10	2	15	990
(certified)					
Wheat	73	10	2	15	990
(standard)					
Barley	30	10	2	15	990
(certified)					
Barley	73	10	2	15	990
(standard)					
Oats	30	10	2	15	990
Grasses	150	10	2	15	990
(certified)					

Seeds and Plant Varieties

[Subsidiary]					
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

Seeds and Plant Varieties

[Subsidiary]

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

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

Crop under certification	Purity Germination Test	Moisture Test	Seed Health	Tetrazo-1000 Lium Test	1000 Seed Count	Vigour Test	ISTA Certification	Retesting for purity germination
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

Seeds and Plant Varieties

[Subsidiary]

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
Vegetables (certified)	1500	500	1000	1000	1000	1000	1000	1000
Vegetables (standard)	1500	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

[Subsidiary]

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 coveringHa

(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

Seeds and Plant Varieties

[Subsidiary]

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

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 shillingsin payment of this inspection andnumber 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.

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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.....

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).....

Seeds and Plant Varieties

[Subsidiary]

- 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 withindays
 - Further remarks
 -Bags/ha
 - Crop to:
Seed Inspector(s) Name Signature
- For MANAGING DIRECTOR

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

FORM SR 8A (r. 14(4))
 REPUBLIC OF KENYA
 KENYA PLANT HEALTH INSPECTORATE SERVICE

The Managing Director

Date

Request for Seed Processing Inspection

Merchant

Seeds and Plant Varieties

[Subsidiary]

Crop Season

Grower(s)

Grower/blend No

Species

Variety

Class

Lot Weight

Cleaning Loss

Provisional Germination

Signature Date

Stamp of the Merchant

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 Sample No.</i>

Remarks if any

The Inspector

(Name) (signature)

Place Date:

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,

Seeds and Plant Varieties

[Subsidiary]

.....

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

Seeds and Plant Varieties

[Subsidiary]

4. Sample book

FORM SR 10A

(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>		Test No.
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 %		
%	%	%	Days	%		%	%	%	%	$\left[\frac{Pg}{100} (\%) \right]$		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													

Seeds and Plant Varieties

[Subsidiary]

FORM SR 10B

(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 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												
<i>RESULT OF ANALYSIS</i>												
<i>Purity</i>			<i>Germination</i>							<i>Moisture</i>		
Pure Seed (P) %	Inert matter %	Other Crop seed %	First count (G) Days	Germ (G) %	(Final count) Days	Germ (G) %	Hard %	Fresh Ungermin %	Dead %	Pure Germinating seed (P _g G) (%)	Moisture %	Test No.
												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:

Species	Variety	Lot No	No of containers	Quantity	Kind of violation	Sampled	
						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

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

Seeds and Plant Varieties

[Subsidiary]

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

FORM SR 13

(r. 20(3))

REPUBLIC OF KENYA

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>	<i>Weight in kg.</i>
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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

FORM SR 15 _____ (r. 23(1)(c))

REPUBLIC OF KENYA
KENYA PLANT HEALTH INSPECTORATE SERVICES
SEED IMPORT PERMIT

S/No.

Permit No.

Date

Seeds and Plant Varieties

[Subsidiary]

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.
