

Seeds (Import and Export) Regulations 2022

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THE SEEDS ACT

**Regulations made by the Minister, after consultation with the
National Plant Varieties and Seeds Committee,
under section 33 of the Seeds Act**

1. Short title

These regulations may be cited as the **Seeds (Import and Export) Regulations 2022**.

2. Interpretation

In these regulations -

"Act" means the Seeds Act;

"applicant" means a seed dealer who applies to import or export a consignment of seed;

"expiry date" means the date printed on a label fixed to a container or printed on a small sealed packet of seeds that indicates the validity of the test carried out by the producer prior to packing of the seed;

"seed testing" means the procedures by which the quality attributes of a seed sample are assessed in a laboratory;

"seed lot" means a homogenous bulk of seeds which has a known origin and history and is identified by a single reference number;

"small packet" means a sealed and labeled packet of seeds that is intended for direct sale in that form;

"supplier" means a company, person or organisation in another country from which seed is imported into Mauritius.

3. Application of regulations

(1) These regulations shall apply to all seeds except those that are exempted by regulations made under the Act or are covered by the exemptions specified in paragraph (2).

(2) Special conditions shall apply to seeds that are imported for the purpose of research or for the testing of new varieties as specified in regulation 7.

4. General conditions for import of seed

(1) Seeds shall only be imported for commercial purposes by a registered seed dealer.

(2) A dealer who intends to import seeds shall submit an application, in the form set out in the First Schedule, to NPVSO in advance to obtain an import permit.

(3) (a) Where the application is approved, NPVSO shall issue an import permit in the form set out in the Second Schedule.

(b) Where an application is rejected, NPVSO shall inform the applicant of the reason for such rejection.

(4) (a) The dealer shall obtain a declaration from the supplier confirming the quantity, purity and germination of each lot in the consignment.

(b) A copy of this declaration shall accompany the consignment when it is imported.

(5) All seed that is imported shall be clearly labelled with the name of the crop and variety, a lot number or other reference, and the date when it was sealed or tested.

(6) All varieties that are imported shall be registered in the National Variety List or be the subject of an application for such registration.

(7) Seed that is imported in bulk for repacking shall indicate the weight of each individual package, or the number of seeds, as the case may be.

(8) It shall be the responsibility of the dealer to ensure that each consignment complies with the conditions specified in paragraphs, (5), (6) and (7).

5. Procedure for import of seed

(1) (a) At the port of entry, the consignment shall be inspected to confirm that it corresponds with the import permit that has been issued to the seed dealer.

(b) In case of any significant discrepancy, the dealer shall be notified and required to explain the discrepancy.

(2) The consignment shall be subject to inspection for phytosanitary purposes, and if considered necessary, a sample may be taken to confirm that the seed lot complies with the minimum quality standards.

(3) Where a consignment or an individual seed lot is rejected for any reason at the point of entry, the dealer shall respond to any instructions given by inspectors.

(4) After clearance at the port of entry, the consignment shall be removed to the premises of the dealer and shall be recorded in the stock register.

(5) It shall be the responsibility of the dealer to retain records of all imported consignments until one year after the seed has been sold.

(6) Where a dealer has reason to believe that an imported seed lot may not comply with the minimum quality standards as specified in regulations made under the Act, he shall request that a sample be taken for official testing or shall submit a sample for information testing at the Official Seed Testing Laboratory.

(7) (a) Where a seed lot is imported for the purpose of being exported to a third country, this shall be specified on the application for an import permit.

(b) The conditions specified in regulation 4(6) shall not apply.

(8) Where a seed lot has been imported for the purpose of export, it is forbidden to use any part of the seed lot for growing a crop within Mauritius.

6. Export of seed

(1) Where a phytosanitary certificate is required by the importing country, the exporter shall request the National Plant Protection Office to sample and examine the seed lot in order to obtain this certificate.

(2) Where the phytosanitary certificate stipulates that an inspection of the growing crop shall be carried out, the exporter shall inform NPPO of this requirement prior to the inspection is to be made.

(3) Where a seed lot has been imported for the purpose of being exported to a third country, the exporter shall provide NPPO with all documentation that accompanied the consignment when it was originally imported.

(4) The exporter shall be responsible for any fees or other charges that may be applied in connection with the issue of the phytosanitary certificate or any other documentation that is required by the importing country.

(5) Seeds shall only be exported for commercial purposes by a registered seed dealer.

(6) A dealer who intends to export seeds shall submit an application, in the form set out in the Third Schedule, to NPVSO, and be accompanied by the appropriate non-refundable fees specified in the Fourth Schedule.

(7) Where an application is approved, NPVSO shall issue an export certificate in the form set out in the Fifth Schedule.

7. Seed intended for experimental purposes

(1) Where seed is imported for the purpose of research or for the testing of a new variety, this shall be specified on the application form and on the import permit that is issued in respect of the lot or consignment.

(2) The consignment or seed lot shall be clearly labelled to show that it is intended for this purpose and shall not be marketed or used to produce a commercial crop.

(3) NPVSO shall determine the maximum quantity of seed, appropriate to each species, that may be imported for experimental purposes.

(4) Seed that is imported for experimental purposes shall comply with phytosanitary regulations but does not have to comply with the requirements of regulation 4(4), (5) or (6).

8. Offence

Any person who contravenes these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.

9. Commencement

These regulations shall come into operation on 1 September 2022.

Made by the Minister, after consultation with the National Plant Varieties and Seeds Committee, on 4 July 2022.

FIRST SCHEDULE

[Regulation 4(2)]

APPLICATION FOR A PERMIT TO IMPORT SEEDS



REPUBLIC OF MAURITIUS

MINISTRY OF AGRO-INDUSTRY AND FOOD SECURITY (NATIONAL PLANT VARIETIES AND SEEDS OFFICE)

I, the undersigned, hereby make an application for a permit to import the seeds specified hereunder.

Name of seed dealer.....

National Identity Card no./BRN.....

Address

Telephone no.

Mobile no.....

Fax no.....

Email address

Means of importation

Air freight/Post/courier/Accompanied/
Sea Freight*

Name and address of supplier

Exporting country

Purpose of importation

Commercial sale/Research/Variety testing/
Multiplication/Private use/Re-export/Other*

Description of the seeds to be imported

Common name	Botanical name	Variety	Quantity §	Remarks*

Number of variety of seeds

Weight of seeds.....

Number of packets

Weight of seeds in each packet

Genetically modified/Not genetically modified*

.....
Signature of applicant

.....
Date

.....
Office stamp

**Delete as appropriate*

SECOND SCHEDULE

[Regulation 4(3)]

PERMIT TO IMPORT SEEDS



REPUBLIC OF MAURITIUS

MINISTRY OF AGRO-INDUSTRY AND FOOD SECURITY (NATIONAL PLANT VARIETIES AND SEEDS OFFICE)

In accordance with the Seeds Act and the Seeds (Import and Export) Regulations 2022, permission is hereby granted to the dealer named hereunder to import one consignment of seeds as listed below

Description of the seeds

Common name	Botanical name	Variety	Quantity §	Remarks*

This permit shall remain valid for a period of three months from the date of issue.

Name of seed dealer

National Identity Card no./BRN.....

Address

Telephone no. Mobile no.

Fax no. Email address

Name of exporter.....

Address

Telephone no..... Mobile no.

Fax no.....

Email address.....

Remarks.....

.....

Name of responsible officer

.....

Signature of the responsible
Officer

.....

Date

.....

Office stamp

Terms and Conditions

- 1. It shall be the responsibility of the dealer to whom this permit is issued to ensure that all imported seeds comply with the terms of the Seeds (Import and Export) Regulations 2022 and with the Seeds (Marketing) Regulations 2022 before they are offered for sale.
- 2. On arrival in Mauritius, the consignment of seeds shall be inspected to ensure that it conforms with the information contained in the application made by the dealer.
- 3. If seeds are imported in luggage, the passenger shall present the documents relating to the consignment to the plant quarantine office at the airport.

THIRD SCHEDULE

[Regulation 6(6)]

APPLICATION FOR A PERMIT TO EXPORT SEEDS



REPUBLIC OF MAURITIUS

MINISTRY OF AGRO-INDUSTRY AND FOOD SECURITY (NATIONAL PLANT VARIETIES AND SEEDS OFFICE)

I, the undersigned, hereby apply for a permit to export the seeds specified hereunder.

Name of seed dealer.....

National Identity Card no./BRN.....

Address

Telephone no. Mobile no.

Fax no. Email address

Means of importation Air freight/Post/courier/Accompanied/
Sea freight*

Name and address of importer.....

Country of destination.....

Purpose of importation Commercial sale/Research/Variety testing/
Multiplication/Private use/Re-export/Other*

Description of the seeds to be exported

Common name	Botanical name	Variety	Quantity §	Remarks*

Number of variety of seeds

Weight of seeds

Number of packets

Weight of seeds in each packet.....

Genetically modified/Not genetically modified*

.....

.....

Signature of applicant

Date

.....

Office stamp

* *Delete as appropriate*

FOURTH SCHEDULE

[Regulation 6(6)]

F E E S

(Rs)

Export fee

50

FIFTH SCHEDULE

[Regulation 6(7)]

PERMIT TO EXPORT SEEDS



REPUBLIC OF MAURITIUS

**MINISTRY OF AGRO-INDUSTRY AND FOOD SECURITY
(NATIONAL PLANT VARIETIES AND SEEDS OFFICE)**

In accordance with the Seeds Act and the Seeds (Import and Export) Regulations 2022, permission is hereby granted to the dealer hereunder named to export one consignment of seeds as specified hereunder.

Description of the seeds

Common name	Botanical name	Variety	Quantity §	Remarks*

This permit shall remain valid for a period of 3 months from the date of issue.

Name of seed dealer

National Identity Card no./BRN.....

Address

Telephone no. Mobile no.

Fax no. Email address

Name of importer.....

Address

Telephone no.

Mobile no.

Fax no.

Email address

Remarks

.....

Name of responsible officer

.....

Signature of the responsible
officer

.....

Date

.....

Office stamp

Terms and Conditions

It shall be the responsibility of the dealer to whom this permit is issued to ensure that all exported seeds comply with requirement of importing country.