

Seeds (Marketing) Regulations 2022

GN No. 230 of 2022

Government Gazette of Mauritius No. 117 of 27 August 2022

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 (Marketing) Regulations 2022**.

2. Interpretation

In these regulations –

"Act" means the Seeds Act;

"marketing" means to sell or offer for sale;

"seed analysis certificate" means the certificate issued under the Seeds (Sampling and Testing) Regulations 2022;

"seed dealer" means a person registered as such under the Seeds (Registration of Seed Dealer and Seed Producer) Regulations 2022;

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

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

3. Application of regulations

These regulations shall apply to the species specified in the Schedule.

4. General conditions for marketing

(1) (a) Subject to subparagraph (b), no person, other than a registered seed dealer, shall sell any seed.

- (b) Where the sale of seeds extends only to small packets intended for domestic use, NPVSO may authorise a company or person to sell seeds provided that the company or person duly authorised complies with these regulations.
- (2) Any variety which is offered for sale shall be registered in the National Variety List under the Seeds (Registration of Variety) Regulations 2022.
- (3) Any seed which is offered for sale shall be in accordance with the minimum quality standards for that particular crop as specified in the Schedule.
- (4) All seed shall be marketed in closed and labelled containers appropriate to the quantity of seed that they contain.
- (5) It shall be the responsibility of the seller to ensure that the seed he sells complies with the conditions under these regulations.

5. Labelling

- (1) Each seed container shall be clearly labelled, in English or French, with the following information –
- (a) the brand name or the name of the producer or seller;
 - (b) the name of the species and the common name of the crop;
 - (c) the name of the variety;
 - (d) the date of sealing or the expiry date in case of hermetically-sealed packets;
 - (e) the weight of seed, or number of seed;
 - (f) a reference number which identifies the seed lot;
 - (g) whether the seed has been treated with a named chemical.
- (2) The information referred to in paragraph (1) may be printed on a label securely attached to the container or printed directly on the container.
- (3) The validity of a label shall be of a maximum of one year from the date of sealing, except in the case of hermetically sealed packets in which case the expiry date declared on the packet shall apply.

6. Imported seed

- (1) Where any seed is imported in packets, or other sealed container that are intended for direct sale, it shall be the responsibility of the importer to obtain a certificate or other document from the exporter confirming the quality of the seed.
- (2) The importer shall retain the certificate or document for as long as the seed lot is being offered for sale and shall make it available for inspection when requested to do so.
- (3) Where any seed is imported in bulk and is repacked prior to sale, the seed dealer shall, for as long as the seed lot is being offered for sale, keep a record of the repacking that has been carried out and shall make this available for inspection when requested to do so.

7. Enforcement

- (1) Where a purchaser of seeds has reason to believe that seed sold to him does not comply with the standards specified in the Schedule, he shall, in the first instance, make a complaint to the seller.
- (2) Where the purchaser does not obtain suitable redress from the seller with regard to his complaint, he may refer this matter to NPVSO which shall investigate into the matter.
- (3) Any seed lot that is found to be below the minimum standards as specified in the schedule shall be immediately removed from sale.
- (4) Where the complaint relates to the identity or genetic purity of a seed lot, NPVSO shall notify the seller that it intends to conduct a grow-out test at the earliest opportunity.

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.

SCHEDULE

[Regulation 4(3)]

MINIMUM QUALITY STANDARDS FOR SEED WHICH IS OFFERED FOR SALE

Botanical name	Crop name	Minimum germination %	Minimum physical purity %	Maximum moisture content %
<i>Legumes</i>				
<i>Phaseolus vulgaris</i>	French/ haricot bean	75	98	10
Horticultural crops				
<i>Allium cepa</i>	Onion	70	98	8
<i>Cucumis sativus</i>	Cucumber	75	98	7
<i>Cucurbita pepo</i>	Squash	70	98	7
<i>Cucurbita maxima</i>	Pumpkin	70	98	7
<i>Solanum lycopersicum</i>	Tomato	70	98	8
Tubers and vegetatively propagated crops				
<i>Solanum tuberosum</i>	Potato	**	**	**

* * *Vegetatively planted crops for which seed specification are not relevant*