

Ethiopian Seed Association (ESA)

*Summary of Proceedings on
Awareness Creation Workshop on Seed Law and
Regulation*

July, 29, 2014, Addis Ababa, Ethiopia



*Organizers
Melaku Admasu
Lemma Dessalegne
Brehanu G.Medhin
July, 2014*

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Introduction

The Ethiopian Seed Association (ESA) with the financial support of FAO organized awareness creation workshop on the national's seed law regulation and on the COMESA Seed Trade Harmonization Regulation. The main objectives of the forum was to aware and exposes the members and concerned companies what the law and regulation of the country is about and to reflects concerns to the regulatory body in case there are articles affecting the efficiency and effectiveness of seed companies in the production and timely supply of high quality seed to farmers. This also further encourage the existing and emerging companies in national and regional seed business All members of the association, research, regulatory body of Federal MoA and national regional states, cooperative unions, integrated seed system development program (ISSD) team including private sector coordinators from the four national regional states were invited. A total of 50 participants were invited and 33 attended Experts of Regulatory body of the Ministry of Agriculture presented in detail the revised seed law, plant breeders right (PBR), seed quality control and certification system and the COMESA seed trade harmonization and regulation following the released documents.

The participants thoroughly discussed and reflected concerns that affect the development of their business and the seed sector development at large. The area of seed marketing, issuing competences certificate, the need for involvement of the country in the regional seed trade and harmonization of regulation and implementation of the national regulation were given due consideration for further action. Finally the need for follow up forums and involvement of ESA in the regulatory processes including the development of standard guide line for all regions has been emphasized by the participants. High light of the work shop processes is summarized.

Welcome address: *Melaku Admasu, Chairman of the Board*

His Excellency Ato Fekrie Markos, MOA Representative

Dr. Batino Kabeto, FAO representative,

Dear Members of ESGPA and Invited guests

On behalf of Ethiopian Seed Association, I would like to welcome you all to the awareness creation forum on seed law and regulation. As you know very well, there are different value chain actors for the success of the seed industry in which the enabling environment is the critical one. The association is meant to support the interest of its members in the production and supply of high quality seed to small farmers in collaboration with different concerned national and international bodies. It has been instrumental in building the capacity of its member and seed sector in availing high quality seed to small farmers and contributing to the seed requirement of the country. It has under taken many annual conferences, training and visits to strengthen the capacity of its members in which this awareness forum is organized with the support of FAO are one of those.

As you all know the country has its own seed policy since 1992 although it requires revision that reflects recent developments in the seed system and there has been seed laws and different regulation developed to promote the development of the sector. The law and regulation is revised very recently. It regulates the production, sale, import, export of seeds and planting material. As most of you know, the contents and regulatory measures that are critical to the national seed development are not yet known by the seed companies. Understanding the enabling policy environment would encourage companies to take up seed production and supply high quality seed of different crop varieties to consumers. It also guides the companies and also protect from unethical acts that could affect the contribution of the companies and the ESA at large. In addition this forum will also help the companies to reflect their concern to the government in case there are articles affecting the performance of seed business.

The main objectives of the forum are;

- To aware the members and concerned companies on the revised seed law and regulation
- Give feed back to the regulatory body to support the production and timely supply of high quality seed to farmers and encourage the companies to involve in national and regional seed business.

The forum will cover;

- Presentation of seed law and regulation, issues relevant to the private seed sector development in release, registration, quality control, certification, import and exports
- Discussion on the different components in relation to the development of the different seed sector components and give feed back to the regulatory body to improve the seed sector development in the country.

For those of you who are new to the association, I like to note that this is a young association established to facilitate and support the seed industry for the supply of high quality seed. The association is geared to up-grade the knowledge and skills of its members who are engaged in seed production, processing and trade, provide forum for exchange of ideas and experiences and engage in promotion of seed industry and high standards business ethics, net working among the members and regional associations for the supply of high quality seed to all grain producers.

I hope you will openly participate in the discussion and forward your views and suggestion to improve the contribution of the sector. Finally I would like to thank FAO for supporting the objectives of ESA and financing the forum. I hope you will enjoy the discussion and continue your support to the development of the industry

Thank you

Opening statement: *Fikre Markos, FAO National Consultant to the Ministry of Agriculture*

Dear Workshop Organizers, Distinguished workshop participants

Invited guests

Ladies and Gentlemen

It is a great pleasure and honor for me to be able to share my views on Ethiopian Seed Laws and Regulations. Indeed it is also an opportunity and a privilege for the organizers to host such a workshop of great significance not only to Ethiopia but also to our sub region at large. In this regard, on behalf of the Ministry of Agriculture and that of my own, allow me to extend my warm welcome to you all the participants and to thank the organizers and the sponsors of the event.

Distinguished workshop participants

Invited guests

Ladies and Gentlemen

The Ethiopian agriculture has remained low input low output system until the recent past, where modest improved seeds and fertilizers uses have gained prominence gradually. Currently, there is a great deal of interest to scale up such use to the majority of smallholder farmers and emerging commercial farmers of the country. Among the many things required to be done to enhance the use of improved seeds is to ensure the quality, the health, the productivity and other parameters of the seed. In connection with this the legal framework set up need to be established at different levels in the country with adequate focus on the international developments on the subject. To that end the Ethiopian government has put various laws in place related to seed. These include:

- The Seed law No. 782/2013
- The Plant Breeders Right law No. 481/ 2006 (Under amendments preparation)
- The Plant Quarantine Regulation No. 4/1992
- The Bio safety law and Regulations (which is currently under review)
- The Bio diversity laws and so on.

Although these efforts were made there are still many more legal instruments under preparation and some still not initiated. To mention some of the ongoing initiatives are the preparation of the Plant Breeder's Right Regulations and the Seed Regulations which are progressing very well regardless of many contentious issues arising at various fora. Limited capacity to implement national legislations and inadequate experience to comply with

international norms and practices, limited availability of facilities and equipment such as laboratory facilities and field plots coupled with fear of the unknown for change had significantly delayed the implementation of the laws and regulations.

Now however, there are some restructuring going on both at the federal and regional governments that is believed to assist and expedite the implementation of the laws and regulations set out by the government at different levels

Distinguished participants, Invited guests

Ladies and Gentlemen

This workshop will be a useful forum for the participants to interact amongst themselves and share experiences in the understanding of the existing laws and regulations and also to suggest any enhancement or modifications on the laws. It can also serve as a means of updating the recent developments and initiating collaborative future works in the area. During the workshop, current status of the laws will be reviewed and enhance understanding of the practices that can be used to improve the level of awareness among the participants. Finally I would once more like to thank those who collaborated to support the workshop and the organizers.

Lastly hoping that your deliberations will be fruitful, I now declare the workshop officially opened.

Thank you

Opening Remark: *Dr. Batino Kabeto, FAO Representative*

Invited guests, Workshop participants

Ladies and gentlemen

On behalf of FAO and that of mine, it is a great pleasure to welcome you all to the workshop entitled 'Awareness Creation on Seed Law, Regulation, Certification, and Quarantine Requirements'. As it has already been said, the workshop is organized by Ethiopian Seed Association (ESA) with the support from Food and Agriculture Organization of United Nations (UNFAO) and the Ministry of Agriculture (MoA) with objective of improving availability of quality seeds to farmers through improving awareness on Ethiopian seed law and regulation.

Agriculture dominates both the economy and livelihoods in Ethiopia. It makes up just half of GDP, employs 85 percent of the labor force, and is the main source of income for the majority of the poor. Poverty elimination thus depends heavily on raising agricultural productivity through new technology, improved access to markets, better prices and policies that promote agricultural growth.

FAO is closely working with national, international and region organizations and development partners to end hunger and poverty as it is mandated by member countries. Achieving this goal is a challenging and complex task; however, in an evolving and interdependent world, it is more important and urgent. The major challenges: rising food demand, persistent food insecurity and malnutrition, rural poverty, economic instability and climate change. Therefore, these challenges and delivering impacts on ground promotes major rethink of how we do business, with a broad and inclusive process. In this regard, FAO has launched in 2013 the following five strategic objectives.

Eradicate hunger, food insecurity and malnutrition

FAO support governments and development partners to design the right policies, programmes and legal frameworks that promote food security and nutrition. Advocate for the implementation of these policies and programmes, encouraging sufficient financial resources to be made available, the right organizational structures to be in place, and importantly, ensuring adequate human capacities.

Make agriculture, forestry and fisheries more productive and sustainable

Feeding the growing global population – projected to reach 9 billion by 2050 – will require a significant increase in the productivity of the agricultural sectors (crops, livestock, forestry and fisheries), while conserving the world's natural resources. FAO support practices that increase

sustainable agricultural productivity; provide information to support the transition to sustainable agriculture; promote the transition to sustainable agriculture; and advocate the adoption of international policies and guidelines for highly productive and sustainable agriculture.

Reduce rural poverty

Fighting rural poverty remains the biggest challenge. More than three quarters of the world's extreme poor live in rural areas, affecting more than 900 million people in 2010. Therefore, by providing greater income security the rural poor will be stimulated to invest more into their future: into their farms, sustainable food security, and the education of their children.

Enable inclusive and efficient agriculture and food systems

Globalization and commercialization have brought revolutionary changes to agricultural and food systems. Global agricultural markets are also more integrated and more risky than ever before. Therefore, FAO helps building national capacity to collect and use information about food, agriculture and markets. FAO helps governments to support the sustainable development of food systems, to regulate plant and animal health, food quality and safety.

Increase the resilience of livelihoods from disasters

Feeding the world's growing population, without irreparably harming the environment is a huge challenge in a world beset by crisis and disaster. The approach, which requires action at local, national, regional and global levels, aims to ensure that families, communities and institutions anticipate, accommodate or recover and adapt from crises and disasters in a timely, efficient and sustainable manner.

Dear participants, Ladies and gentlemen;

FAO recognizes that seed performs many functions in improving agriculture and food security. It is not only a carrier of the genetic diversity that underpins food and agriculture; it is also a primary input in crop production and thus important for food security and rural development. Therefore, the Seeds and Plant Genetic Resources team of FAO's Plant Production and Protection Division assists member countries in developing effective policies and capacities for an integrated approach to conservation and sustainable use of plant genetic resources for food and agriculture including seed systems, for increasing crop production and achieving food security.

A major trend in the field of seed systems is an increased recognition of the value of different seed systems for different situations. Several countries have introduced integrated approaches

to seed system development that support informal farmers' seed systems as well as formal systems. Several initiatives have promoted both formal and informal seed systems. For example, the African Union now encourages member countries to take a more integrated approach to seed system development, including public, private and farmers' roles.

Dear participants, Ladies and gentlemen;

Improving access to good quality seed, adapted to local conditions at the right time and price is critical to smallholder farmers. Seed production provides a valuable enterprise opportunity as well as being critical to food security and will be an important part of adapting to climate change. Seed is a key area for all FAO programs and one in which the organization have a lot of experiences to share both from global and national seed programs.

Through FAO's assistance, the member countries have built institutional and human resources capacity of national seed systems. Ethiopia have also benefited from FAO's technical support for the formulation and implementation of policies, seed laws and regulation through different project /programs.

FAO also provides guidelines for seed relief operations. These stress that seed relief activities should be based on a solid understanding of the seed systems farmers use and should focus on maintaining the local seed system. A basic requirement is that seed interventions should facilitate access to crops and varieties that are adapted to environmental conditions and farmers' needs.

Dear participants, Ladies and gentlemen;

I feel that this consultation workshop is very timely because it provides opportunity to facilitate exchange of experiences and information on recently revised seed law and regulation. A seed law must create customer confidence in commercial seed supply through appropriate seed certification and quality control measures, while at the same time allowing farmers' seed systems to operate freely. In framing rules and standards for seed certification and quality, care should be taken to develop procedures that do not cost too much to implement.

I hope the workshop will discuss major challenges and opportunities of the sector and come up with realistic recommendations to improve the national seed system.

Finally, I would like to extend my appreciation and thanks to the organizers of this consultation workshop for bringing together all important stakeholders/partners.

With this I wish you fruitful deliberations.

Presentation of Seed law and Regulation

The seed law, regulation and harmonization were presented by the respective experts of MOA and ESA and through discussions were undertaken:

1. **Seed law and Plant Breeder Right:** *Mr. Danel Mekonnen, Plant Regulatory Directorate*

He presented the revised seed law of 2013. The different components including definition of terms, scope, variety releases and registration, seed production and distribution, quality control and assurance, certification of competence, planning, penalties, power of the regulatory body etc were presented considering the main differences from the old version of the law with practical example. He noted that the regulation and guide lines are not yet in place. The revised PBR was also presented and the participants raised comments, questions and the Director responded accordingly. It was noted that the office was reorganized very recently to undertake all responsibilities and is currently under organizing facilities and recruiting the required technical staff.

2. **Seed quality control and competence certification:** *Mr. Medemdamia, Neknike, Seed expert of the Plant Regulatory Directorate, MOA*

The expert presented with practical example of all the components including quality control, seed certification, and certificate of competences. In addition, the national standards and criteria's for certificate of Competence for all seed producers, processors, and distributors were presented. He noted that competence certificate requires knowledge and skill in seed production, trained human power, facilities, store, internal quality control, land for different types of varieties (5 ha for open pollinated, about 30 ha for cross pollinated/hybrids, 10-100 plants for fruits, and 1- 2 ha. vegetables. However, the regulation is not finalized and implementation guideline is not developed yet.

3. **COMESA Harmonization of Seed Trade Regulation:** *Mr. Melaku, Board chairman of ESA*

The chair person presented the COMESA Seed Trade Harmonization Regulation based on the final draft document. He addressed the objectives of the regulations that cover safe and efficient movement of seed within member countries, ensure that COMESA varieties traded among member states are of high and of known quality, increase access to existing varieties in the member states etc. He mentioned that the COMESA seed regulation focused on stream line variety evaluation, release and registration, seed certification and quality, phytosanitary regulation and Import and export seed that are acceptable to members state. The components of the final regulation including

administration and enforcement, certification and variety release system phytosanitary and seed documentation for import and export and movement of seeds within Member States were briefly stated. He emphasized that the areas of seed import and export requirements, the variety released and register in COMESA countries, capacity of companies to compete in the regional markets are main concerns. The participants had a lengthy discussion on the advantage and disadvantage in relation to the national seed development and agreed to give due consideration in the national seed regulation which is not finalized yet.

Issues raised for clarification and for further consideration

After the presentation of each section; seed law and PBR, seed certification and quality control, COMESA seed trade harmonization regulation, the participants raised issues for clarification and for further consideration;

- There is revised seed law and regulation that facilitates the development of the seed sector in the country but its implementation is very slow.
- The NVRC used to be dominated by researchers and the need to consider farmers, Agro Industries and others concerned in developing the guide lines have been reminded.
- The current seed demand determination which focuses on the knowledge and skill of development agents is not satisfactory especially the data and the procedures the information is synthesized. It is important to develop demand planning model considering the current experience of Hybrid maize seed. The regulation must support private companies to sale the products anywhere and the market support be balanced for public and private. Seed demand determination has been attempted by ATA consultants, however, it was not based on practical data and realistic enough to use the results and apply as a model. This must be looked through as noted in the last Annual General meetings.
- There was a concern that quality declared seed (QDS) that individuals may miss use the opportunity to distribute poor quality seed to farmers, this must be properly regulated.
- The advantage and disadvantage of direct seed marketing (DSM) analyses the need for private companies to develop their own marketing facilities have been noted. In addition companies have to consider different crops for creating better market option.

- The issues of renewal of competence certificate every year was not accepted by seed producers, suggested that it need to be revised at least every 3-5 years since the one year is not practical for seed production unlike other business commodities. MOA must check against the licensing regulation of MOTI and come up with a better option.
- The standard set for the construction of store was noted to be stringent; companies may not have the technical knowhow to fulfill the requirement at this stage.
- Participants were concerned on importation of cultivars exclusively for re-export with the directives of government without any performance test. This might introduce problem to the production system and need to be addressed carefully.
- There is a problem of availing parental lines of local varieties like BH 660, in different regional states; that need to be considered in seed regulation or guide line to sustain its supply in all regions and all producers.
- Lots of concerns were raised in harmonization of seed regulation for the regional seed business. Ethiopia is not yet ready to involve in harmonization on seed regulation, there not much done on the ground even in the in implementation of the national laws and regulatory especially in the area of seed marketing that encourages and facilitates companies to participation in the regional seed business and is also the focus of the seed trade regulation.
- In addition to the advantages and disadvantages of the COMESA harmonization of seed regulation in relation to the development of the national seed industry have been emphasized. The country has been involved in ESCOM (East African Seed Committee) and has most of the regional harmonization requirements in place and need to work in line to the agreement to be competitive in the regional seed business that has implication in globalization of world trade. The advantages and the need to consider in the national seed regulation and cope up with the growing international seed business have been emphasized.

General discussions and the way forwards

The participants finally discussed on priority regulatory issues and suggested for further action of ESA and the regulatory body;

- Revisiting the duration of **validity of certificate of competence** to be at least for 3-5 years to secure seed companies in their business. MOA, MOTI and ESA have to discuss and take possible action
- **Harmonization of seed trade regulation:** the current seed sector operation especially implementation of the national law and regulation in the country is not strong enough towards standardizing the regulation and involve in the regional seed business. The seed marketing is not open as in many neighboring countries. There are many issues we are not open as other neighboring counties in the seed business. In addition there is also a lot of concern from the regulatory body. It is agreed that all concerned actor have to give clear information and convince the government and get it considered in seed regulation.
- **Seed marketing:** This is a critical area for seed business in the country. The experiences of direct marketing have been realized but need the support of the government to further consider it in seed regulation. It was agreed that every seed company has to promote its products, ESA have to join Government, ATA, FAO and other donors to study the system especially using the experience of hybrid maize and develop model applicable to different regions and commodities.
- The need for having such **continuous discussion forums** on implementation of regulatory and guide line issues to continue to make aware actor and mutually exchange view as well help continuously introducing useful issues in the seed system and help us cope up with the growing demand of seed business in the country and in the region at large.
- Need for strengthening the capacity of the **private seed companies** to involve in regulatory and implementation has been suggested.

Closing remarks: *Dr. Taffesse Gebru ESE, General Manger*

I would like to take this opportunity to thank you all for your concern and active participation in discussion and reflecting your concern in such critical area for the development of seed business. I also appreciated the presenters and participants for interactive action and sharing you experiences and elaborating the concerns for the benefit of all of us.

As all of you are aware the policy, laws and regulation including specific implementation guide lines are important to the many player and various supporters of the sector. The issues discussed today have given as a good picture on how the enabling environment is important and how it supports the development of different seed component.

As it has been mentioned by presenters and participants, this is a complex issues and its implementation depends on the socio economic development of the country. As most of us have travelled and visited different seed system and regulatory support like India, Netherland USA, Kenya and Uganda, the private and public seed companies, seed trade associations and international companies have key role and involvement in the implementation of the law and regulation to effect the development of the sector.

With the fast growing seed industry, it is important to establish a strong human power and facilities at different level so that all of us could be benefited and the seed sector could also grow to contribute not only to the countries demand but also to the neighboring countries.

Finally, I like to thank FAO for supporting the awareness forum, the annual conferences and for producing and publishing the Hybrid Maize Seed Production Manual, thank all participants and Ethiopian Seed Association (ESA) board members for organizing training and such forums. I hope the association will continue to build capacity of its members and strengthen the seed sector with collaboration of all concerned national bodies

Thank you all

**Workshop participants: Awareness' Creation Workshop on Seed Law and Regulation;
Dreamliner Hotel, 29 July 2014, Addis Ababa**

No	Name	Organization	Address City/Town
1	Tesfaye Kumssa (Dr.)	Anno Agro Industry	EastWolega Zone
2	Lemlem T/Medhin	South Seed Enterprise	Hawassa
3	Tewelde K/Mariam	Meki Batu Union	Oromia, Meki
4	Tadesse Genna	Tadesse Genna Farm	Addis Ababa
5	Tafesse gebre	Ethiopian Seed Enterprise	Addis Ababa
6	Genet Kassa	Tsehay and Genet Farm	SNNPR, Alaba
7	Melaku Admassu	Pioneer Hibred Seed Ethiopia PLC	Addis Ababa
8	Assefa Senbeta	Homa Seed PLC	E. Wollega/Nekemt
9	Tilahun Damena	Nono Farm PLC	West Oromia
10	Gadissa Gobena	G.G.C.F Products PLC	Oromia, Ambo
11	Jaffer Mohammed	Mohammed Awol Farm	Wolkite
12	Adane W/yohannes	Ethio Agri. CEFT PLC	Addis Ababa
13	Hunde Dubre	OSE	Addis Ababa
14	Berhanu Urgessa	ISSD – OSE	Addis Ababa
15	Abebe Tilahun	SNNPR Bureau of Agriculture	Hawassa
16	Ayenew Arega	Pioneer Hibred Seed Ethiopia PLC	Addis Ababa
17	Abebe Atilaw (Dr.)	Ethiopian Institute of Agriculture Research	Addis Ababa
18	Alemnew Abay	ISSD	Amhara, Bahir Dar
19	Fikre Markos	Ministry of Agriculture	Addis Ababa
20	Berhanu Lodamo	Ethiopian Horticultural producers and exporters Association(EHPEA)	Addis Ababa
21	Bateno Kabeto (Dr.)	FAO	Addis Ababa
22	Tefera Zeray	Agriculture Transformation Agency (ATA)	Addis Ababa
23	Teshome Lakew	Ministry of Agriculture, Input	Addis Ababa
24	Daniel Mekonnen	Ministry of Agriculture, Regulatory	Addis Ababa
25	Medemdemiyaw Neknike	Ministry of Agriculture ,Regulatory	Addis Ababa
26	Amare Gizaw (Dr.)	Tufts AKDLP	Addis Ababa
27	Mohammed Hassena	Integrated Seed System Development (ISSD)	Addis Ababa
28	Shimelis Altaye	Integrated Seed System Development (ISSD)	Hawassa
29	Temkesgen Wogene	Integrated Seed System Development (ISSD)	Addis Ababa
30	Yohannes Tesfaye	Integrated Seed System Development (ISSD)	Addis Ababa
31	Delessa Argassa	EIB	Addis Ababa
32	Lemma Dessalegne (Dr.)	ESA	Addis Ababa
33	Berhanu Gebremedhin	ESA	Addis Ababa

Workshop schedule: Awareness' Creation Workshop on Seed Law and Regulation, July 29, 2014, Dreamliner Hotel, Addis Ababa

Time	Activities	Responsibility
	Session 1	
8:30-9:00 am	Registration	ESA office
9:00-9:10 am	Welcome remarks	Ato Melaku Admassu, Board Chairperson
9:10 – 9:20	Official Opening Statement	Ato Fikre Markos, MoA
9:20 am - 9:30 am	Opening Remark	Dr. Bateno Kabeto, FAO
	Session 2	Ato Fikre Markos, MOA
9:30 – 10;30 am	Seed Law, Regulation, Release, PBR and Registration in Ethiopia	Ato Daniel Mekonnen
10:30 am – 11:00 am	Coffee Break	ESA/ Hotel Mgmt
11:00 am - 12:00 am	Seed quality control and Competence Certification	Ato Medemdemyaw
12:00 am- 1:00 pm	Phytosanitary requirements for seed import and export	Ato Meles Haile
1:00 pm – 2:00 pm	Lunch	ESA/ Hotel Mgmt
	Session 3	Dr.Tesfaye Kumsa
2:00 pm - 3:00 0m	COMESA Seed Trade Harmonization Regulation	Ato Melaku Admassu
3:00 pm – 4:00 pm	General Discussion and the way forward	Dr.Lemma Dessalegne
4:00 pm – 4:15 pm	Closing Remark	Dr.Tafese Gebru,ESE Manager
4:15 pm – 5:00 pm	Coffee Break	ESA/ Hotel Mgmt