FEED THE FUTURE GLOBAL SUPPORTING SEED SYSTEMS FOR DEVELOPMENT – S34D

March 24, 2022
Seed policy provisions and operational challenges in Ethiopia

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Acknowledgement

This work has benefitted from the contribution of several Ethiopian seed sector stakeholders, and we appreciate their time, input, and collaborative efforts at all levels.

Special thanks goes to Dr. Amsalu Ayana, Dr. Dawit Tsegaye, Dr. Karta Kalsa, Mr. Tefera Zeray, Dr. Yitbarek Semane and Dr. Zewudie Bishaw for their contribution in identifying and prioritizing regulatory domains.

The study interviewed 10 seed marketing agents, 11 staff of MoA/BoA, 15 farmers, 9 QDS producers, 12 formal seed producers, and 9 staff from regulatory authorities in Amhara, Oromia, SNNPR and the Ministry of Agriculture. We greatly appreciate these respondents for their time and efforts to share valuable information, without which this study would not have been possible.
Introduction

- Ethiopia has witnessed many regulatory frameworks since 1997
  - Laws
  - Regulations
  - Directives

- Yet, poor operationalization of these regulatory provision has limited performance of the sector
  - Some were not implemented at scale
  - Others were replaced without being implemented
  - Some are fully implemented
Objective

• To assess the extent of operationalization of the Ethiopian seed regulatory provisions based on selected regulatory domains
• To identify gaps between regulations and implementation practice
• To suggest options as next steps

Approach

• Those provisions that would increase the supply of seed using both formal, informal and intermediary systems
• Those provisions that would impact both ex-ante and ex-post quality of the seed supplied in the market (Kuhlmann & Dey, 2021)
Assessment Approach

**Step 1: Inventory**
- Developing inventory of policies, laws, regulations, and directives
- Frame the inventoried articles using the regulatory gateway approach (Kuhlman & Dey 2021)
- Categorize each articles in the law, regulations and directive into regulatory domains

**Step 2: Prioritization**
- Identify experienced experts in the seed sector to help us in prioritizing
- Developed criteria and conducted a survey
- Organize stakeholder consultations
- Finalized the selection of priority domains for deeper assessment

**Step 3: Assessment**
- Design a survey instrument
- Identify respondent categories
- Generate data for each of the priority domains
- Analysis of data and writing of report
Step 1: Inventory

- Review policies, strategies, laws, regulations, and directives pertaining to the seed sector
- They were described along the seed value chain and regulatory gateways following Kuhlmann and Dey (2021) work
- Each of the regulatory provisions were grouped into domains
- Each domain was reviewed for:
  - Level of implementation
  - Operationalization gaps
  - Intended and potential impact on seed systems
<table>
<thead>
<tr>
<th>Type</th>
<th>Year enacted</th>
<th>Title</th>
<th>Identification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy</td>
<td>1992</td>
<td>Draft seed policy</td>
<td>MoA</td>
</tr>
<tr>
<td></td>
<td>2000</td>
<td>National variety release policy and mechanism</td>
<td>MoA</td>
</tr>
<tr>
<td></td>
<td>2020</td>
<td>National seed policy (in Amharic)</td>
<td>MoA</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>Transforming the Ethiopian Seed Sector: Issues and Strategies</td>
<td>MoA</td>
</tr>
<tr>
<td></td>
<td>2006</td>
<td>Plant Breeders’ Right proclamation</td>
<td>481/2006 -Repealed by 1068/2017</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>Seed proclamation</td>
<td>782/2013</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>Plant Breeders’ Right proclamation</td>
<td>1068/2017</td>
</tr>
</tbody>
</table>
## Inventory of seed policies, directives, and regulation

<table>
<thead>
<tr>
<th>Type</th>
<th>Year enacted</th>
<th>Title</th>
<th>Identification</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2015</td>
<td>Rate of fees for seed competency and related services</td>
<td>361/2015</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>Seed Regulation</td>
<td>375/2016</td>
</tr>
<tr>
<td>Directives</td>
<td>2015</td>
<td>DQS directive (in Amharic)</td>
<td>001/2007</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>Provision and management of Competence Certificate for seed business (in Amharic)</td>
<td>2/2010</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>Management of rejected seed (in Amharic)</td>
<td>3/2010</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>Seed marketing directive</td>
<td>001/782/2011</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>EGS administration for public varieties (in Amharic)</td>
<td>005/782/2012</td>
</tr>
<tr>
<td></td>
<td>2021</td>
<td>Directive for import and multiplication of unregistered varieties exclusively for re-export</td>
<td>456/2021</td>
</tr>
<tr>
<td></td>
<td>2021</td>
<td>Plant Breeder’s Right Directive</td>
<td>769/2021</td>
</tr>
</tbody>
</table>
Seed value chain and regulatory gateways

**International/Regional**
- Harmonized PBR Standards, ARIPO, UPOV, etc.
- Harmonized Regional Seed Regulations, UPOV, OECD Standards, etc.
- Harmonized Regional Seed Regulations
- Harmonized Regional Regulations/Standards
- Harmonized Regional Standards
- International Trade Agreements, Regional Trade Agreements, Harmonized Standards

**National**
- Seed Policies
- Seed Policies, Plant Breeders’ Rights Laws and Regulations
- Seed Policies, Seed Acts, Laws and Regulations
- Seed Policies, Seed Acts, Laws and Regulations
- Seed Policies, Seed Acts, Laws and Regulations
- Seed Policies, Seed Acts, Laws and Regulations
- Seed Policies, Seed Laws and Regulations, Trade Regulations, Plant Protection Regulations

**Steps in the Seed Value Chain**
- Variety Research and Development
- Plant Breeders’ Right
- Variety Release and Registration
- Production of Breeder, Pre-Basic and Basic seed
- Seed Certification, Production, Processing, and Storage
- Labeling Packaging, Marketing and Distribution
- Sale to Farmers
- Trade, SPS and Quarantine

Kuhlmann & Dey (2021)
Inventoried policies, laws, regulations and directives along the seed regulatory domains

1) Variety release
2) Variety registration
3) Unregistered varieties
4) EGS production and management
5) Seed marketing
6) Intermediate seed system
7) Quality assurance process
8) Packaging and labeling
## Seed Regulatory Domains

<table>
<thead>
<tr>
<th>Policy/regulatory issues</th>
<th>Existing policy/regulatory measures</th>
<th>Intensification of the measures</th>
<th>Current implementation status</th>
<th>Major gaps</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Variety release and registration</strong></td>
<td>Seed policy (12)</td>
<td>Seed (1983/90) and the subsequent regulation (1995/1996)</td>
<td>5. Release of competitive varieties and their registration</td>
<td>Varieties released and registration data back to the 1980s where the NDC began recommending varieties which led to the establishment of the VGRA. With the establishment of NDCs, variety release and registration is more structured and annually crop variety registration is published. Current regulation does not mandate VGRA and CGS test to release the varieties.</td>
</tr>
<tr>
<td></td>
<td>Seed (1983/90) (article 8)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Seed regulation 377/90 EC (article 5-14)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Directive 92/58 EC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulation 1062/95</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>The main challenges are with private companies who want to release varieties as they need to look for research institutes to undergo the evaluation trials and to negotiate on the cost of undertaking the trials. There is no fixed payment system in place and each research institute can decide the amount they want to charge individually, as they do the activities voluntarily.</td>
</tr>
<tr>
<td><strong>Variety protection</strong></td>
<td>Seed policy (12)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Directive 92/58 EC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulation 1062/95</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Since MMK depends on data from the research institute to accept candidate varieties, the data generated is under question.</td>
</tr>
<tr>
<td><strong>EGS production coordination</strong></td>
<td>Seed (1983/90) article (13)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Directive 92/58 EC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulation 1062/95</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>There is potential conflict of interest in the evaluation of public varieties when the composition of variety evaluation committees are not all researchers from public research institutions, where there are reports of release of more competitive varieties.</td>
</tr>
<tr>
<td><strong>Seed quality assurance</strong></td>
<td>Seed policy (12)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Seed (1983/90) (article 18-16)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulation 175/99 EC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Directive 92/58 EC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>The recent seed policy working document indicates creating a new law for variety and registration management.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Policies are reserving in some regions to include crops other than maize in GMH for assured reasons of limited competition and capacity.</td>
</tr>
</tbody>
</table>

### Notes
- **EGS** stands for Ethiopia Genetic Seed.
Each of the regulatory domains were prioritized using the following criteria

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Key statement</th>
<th>Values of Likert scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of implementation gap</td>
<td>The directive has not been fully implements and there is wide implementation gap</td>
<td></td>
</tr>
<tr>
<td>Potential impact if changed</td>
<td>If the remaining gaps are implemented, there will be huge change on the availability of seed</td>
<td></td>
</tr>
<tr>
<td>Existence of implementation structure</td>
<td>There is no any responsible implementation structure for the directive</td>
<td></td>
</tr>
<tr>
<td>Investment requirement</td>
<td>The directive demands very high investment</td>
<td></td>
</tr>
<tr>
<td>Complexity of the issue</td>
<td>The directive is complex</td>
<td></td>
</tr>
<tr>
<td>Potential to have political will to implement</td>
<td>The directive has high potential for political will to be implemented</td>
<td></td>
</tr>
<tr>
<td>Existence of supporting project</td>
<td>There are several initiatives that can collaborate in addressing the gap</td>
<td></td>
</tr>
</tbody>
</table>
## Prioritized regulatory domains for deeper assessment

<table>
<thead>
<tr>
<th>Regulatory domain</th>
<th>Criteria</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulatory provisions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Variety release and registration</td>
<td></td>
<td>4.0</td>
<td>3.2</td>
<td>2.3</td>
<td>1.8</td>
<td>1.5</td>
<td>2.3</td>
<td>3.8</td>
<td>2.71</td>
</tr>
<tr>
<td>Unregistered variety</td>
<td></td>
<td>4.0</td>
<td>2.4</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>3.8</td>
<td>3.0</td>
<td>2.74</td>
</tr>
<tr>
<td>EGS production &amp; management</td>
<td></td>
<td>4.0</td>
<td>4.33</td>
<td>2.3</td>
<td>2.7</td>
<td>1.7</td>
<td>3.3</td>
<td>3.8</td>
<td>3.17</td>
</tr>
<tr>
<td>Seed quality assurance process</td>
<td></td>
<td>3.5</td>
<td>4.2</td>
<td>2.5</td>
<td>3.5</td>
<td>2.0</td>
<td>3.2</td>
<td>3.5</td>
<td>3.19</td>
</tr>
<tr>
<td>Packaging and labeling</td>
<td></td>
<td>3.3</td>
<td>3.8</td>
<td>3.0</td>
<td>3.5</td>
<td>2.2</td>
<td>3.5</td>
<td>3.7</td>
<td>3.29</td>
</tr>
<tr>
<td>Procedure of follow up of rejected seed</td>
<td></td>
<td>4.0</td>
<td>3.8</td>
<td>2.3</td>
<td>3.2</td>
<td>2.2</td>
<td>3.3</td>
<td>3.5</td>
<td>3.19</td>
</tr>
<tr>
<td>Post certification control</td>
<td></td>
<td>3.8</td>
<td>4.0</td>
<td>2.0</td>
<td>3.2</td>
<td>2.2</td>
<td>3.3</td>
<td>3.3</td>
<td>3.12</td>
</tr>
<tr>
<td>Seed marketing /Dispute settlement</td>
<td></td>
<td>4.2</td>
<td>4.5</td>
<td>2.5</td>
<td>3.5</td>
<td>2.3</td>
<td>4.0</td>
<td>3.7</td>
<td>3.52</td>
</tr>
<tr>
<td>Intermediate seed system</td>
<td></td>
<td>4.2</td>
<td>4.0</td>
<td>2.3</td>
<td>2.7</td>
<td>2.8</td>
<td>3.3</td>
<td>3.3</td>
<td>3.24</td>
</tr>
</tbody>
</table>

### Criteria

1. Level of implementation gap
2. Potential impact if changed
3. Existence of implementation structure
4. Investment requirement
5. Complexity of the issue
6. Potential to have political will to implement
7. Existence of supporting project
### Priority regulatory domains

#### 1. Intermediate seed system
- Ethiopia recognizes intermediate seed systems
- There are regulatory provisions – QDS directive
- Some level of implementation of QDS
- There is considerable disparity of understanding across regions and experts about QDS

#### 2. Seed packaging and labeling
- Varying differences between regions wrt implementation
- It is an area where most stakeholders do not implement regulatory requirements
- If greater awareness about the benefits of packaging and labeling is created, then such branding would increase trust and loyalty between consumers and producers, leading to adoption of modern technologies

#### 3. Seed marketing
- Marketing is a wider domain
- Emphasis on special aspects such as:
  - Farmers’ complaint management
  - Disputes between seed companies and agents
  - Fake seed
- If addressed, it would empower farmers and enhance seed quality
Step 3

Evaluation of prioritized domains

- Design survey instruments for each of the priority regulatory domain
- Determine respondent categories and identify key informants for each category

<table>
<thead>
<tr>
<th>Respondent category</th>
<th>QDS production</th>
<th>Packaging &amp; labeling</th>
<th>Marketing</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Importance</td>
<td>Certification</td>
<td>Complains resolution</td>
<td>Fake seed</td>
</tr>
<tr>
<td>Agents</td>
<td></td>
<td></td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>MoA/BoA</td>
<td>9</td>
<td></td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Farmers</td>
<td></td>
<td>15</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>QDS producer</td>
<td>9</td>
<td>9</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Formal Seed producers</td>
<td></td>
<td>12</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>Regulatory</td>
<td>9</td>
<td>9</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Total</td>
<td>20</td>
<td>18</td>
<td>55</td>
<td>57</td>
</tr>
</tbody>
</table>

- Data generation
- Method of analysis – Qualitative thematic analysis
Results of the assessment
I. Intermediary seed system / QDS

Seed law 782/2013

QDS is “seed produced by organized and registered smallholder farmers or registered smallholder farmers, in conformity with the required quality standards”

Directive 001/2007 EC:
• QDS covers unaddressed geographical areas
• Less stringent compared to formal system
• Standards developed for 33 crops
## QDS regulatory provisions and implementation

<table>
<thead>
<tr>
<th>Themes</th>
<th>Regulatory provisions</th>
<th>Implementation status</th>
</tr>
</thead>
</table>
| Crop and variety coverage | • Standards for 33 crops developed  
• Varieties registered through QDS system (4.1) | • Mainly potato across regions  
• Fruit seedling in Amhara  
• Ginger in SNNPR  
• All are public varieties – No QDS registered variety is used |
| CoC | • Public and private companies are not eligible (4.3)  
• Farmers’ group or farmers’ cooperatives who have:  
  • access to land sufficient for the production of different crops,  
  • farm equipment,  
  • storage,  
  • hired professional or assigned by woreda office of agriculture, and  
  • has its own or has access to internal seed quality control system | • 6 out of 9 QDS producers were PLC  
• Public seed enterprise also produced QDS  
• QDS production is linked to unavailability of EGS  
• Practically CoC is given as per the requirement of the crop  
  • None of the producers have mini lab or have access to  
  • Experts are assigned by Woreda in some regions  
  • In other regions expert assignment is not more than writing a letter |

*Actual implementation is flexible as it allows public varieties as opposed to the regulatory document that limit to varieties released through QDS system*
## QDS regulatory provisions and implementation

<table>
<thead>
<tr>
<th>Themes</th>
<th>Regulatory provisions</th>
<th>Implementation status</th>
</tr>
</thead>
</table>
| Certification           | • Regulatory inspect 10% of the field and take sample and test from only 10% of the produced seed  
                          | • Packaged and labelled - label contains 14 parameters (12.2.1)                           | • Producer has to apply  
                          |                                                                                         | • Full field inspection  
                          |                                                                                         |   • Accountability  
                          |                                                                                         |   • Size of the field  
                          |                                                                                         |   • Certification fee is not uniform  
                          |                                                                                         |   • No labelling except name of variety to avoid mixing  
                          |                                                                                         |   • Possibility of selling ware potato as seed |
| QDS marketing           | • QDS is sold within pre-determined location by BoA (3.4; 13.4)                         | • Formally limited within the region  
                          |                                                                                         |   • Informally throughout the country |
QDS Labelling

30. Certificates of Seed Quality

1. The owner of a seed granted with a certificate of seed quality by regional authority upon meeting the requirements specified under Article 13 (1) of the Proclamation shall attach the following certification tag to each seed lot of certified seed or quality declared seed:

a) name and address of the organization;
b) certificate number;
c) crop type and variety name;
d) seed class;
e) reference number;
f) net weight of seed;
g) year of production;
h) date of sealing;
i) expiry date; and
j) warning text if treated with drugs.

11.2 መስት የቀለት

11.2.1  የቀለት የታስፋልት መረጃ በመጠው በሚገኝ የሚበርሮች መጠቀማች እና መጠቀም ነውን ያሉችን እንደሚሳስት

11.2.2 የቀለት የታስፋልት መጠቀም እና የቀለት የተቋረጋቹ የቀለት የተስፋልት የሆኔ ከሚያስፋል ከሚገኝ ያነበሩ
Key takeaways

• QDS producers do not add any information on the label except names of varieties, and this occurs when there is more than one variety.

• There is less difference between QDS and certified seed with regards to certification process implying fewer degrees of flexibility and implementation (example: inspection, CoC and labeling requirements)

• Absent labels, QDS seeds is undervalued by actors potentially leading to lesser adoption and thus scaling-up
Way forward - QDS provision

• Awareness creation at different levels:
  – institutionalize the intermediate seed system
  – develop strategic direction to enhance its use
  – provide economic standards to value and appreciate the quality of seeds under QDS

• Introduction of tagging system
  – Absence of label affected the value of QDS as perceived by the markets

• Regulatory flexibility
  – Private company involvement in QDS – EGS
  – Varieties to be used, labeling
  – Some of the current provisions are not in line with the very purpose of QDS
    • CoC requirement in some case is stringent given the intended type of producer
    • Lab and field facility requirement
2. Packaging and labeling - regulatory provisions

b) the seed is found not to meet the applicable Ethiopian seed standards following a post-control conducted under Article 15 of this Proclamation or any re-testing of seed quality.

5/ Prior to revoking a certificate of seed quality, the Ministry or regional authority shall notify the holder of the certificate and give him the opportunity to be heard.

14. Labeling

No seed may be supplied to domestic or foreign market unless labeled in accordance with directive of the Ministry.

15. Post-Control

Irrespective of the fact that a seed is supplied to market upon obtaining a certificate of seed quality, such seed shall be retained in the warehouse of the Ministry of Agriculture or its designated agent for a period of two (2) years, and may be re-tested at any time if suspected of being inferior in quality.
### Packaging and labeling - regulatory provisions

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Certificate of Seed Quality</td>
<td>A certificate of seed quality by a recognized laboratory.</td>
</tr>
<tr>
<td>2. Seed</td>
<td>Seed shall be packaged and labeled in accordance with the requirements set by the Ethiopian Standards Agency and international standards.</td>
</tr>
<tr>
<td>3. Seed lot</td>
<td>Seed lot shall not be packaged and distributed before the regional authority seed testing has released a test result certificate.</td>
</tr>
<tr>
<td>4. Quality</td>
<td>Quality approved shall only be re-packaged by the designated regional authority or the Ministry under the supervision of the re-packaged seed shall be similar with that of the original one.</td>
</tr>
<tr>
<td>5. Seed to be supplied for market</td>
<td>Seed to be supplied for market shall have a label affixed on the package with the information specified under 3 (i) of this Regulation which cannot be removed easily under normal use.</td>
</tr>
<tr>
<td>6. Quality approved shall only be re-packaged by the designated regional authority or the Ministry under their supervision and the re-packaged seed shall be similar with that of the original one.</td>
<td></td>
</tr>
</tbody>
</table>

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**Certificate of Seed Quality**

- **Certificate Number:** Certificate number should be visible on the package.
- **Variety:** Name of the variety should be mentioned.
- **Seed Class:** Seed class should be indicated.
- **Net Weight:** Net weight of the seed should be specified.
- **Year of Production:** Year of production should be mentioned.
- **Date of Selling:** Date of selling should be indicated.
- **Empty Date:** Empty date should be noted if applicable.
- **Warning Text:** Warning text if included with the seed.

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**Seed Lot**

- Seed lots shall not be packaged and distributed before the regional authority seed testing has released a test result certificate.
- Each seed lot shall have a unique identification number.
- Seed lots shall be stored and handled in a manner that ensures quality.

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**Quality Approved**

- Quality approved seed shall be re-packaged under the supervision of the regional authority or the Ministry.
- Seed re-packaged shall be similar to the original one in terms of quality.
- Information on the package shall be matched with the certificate of seed quality.

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**Seed Supply for Market**

- Seed to be supplied for market shall have a label affixed on the package with the information specified under 3 (i) of this regulation which cannot be removed easily under normal use.
### Packaging and labeling – Implementation status

<table>
<thead>
<tr>
<th>Regulatory provision</th>
<th>Implementation status</th>
</tr>
</thead>
<tbody>
<tr>
<td>• All approved seed should be packed and labelled before it is supplied to the market</td>
<td>• Two tags are affixed (company and regulatory) to the seed bag</td>
</tr>
<tr>
<td>and this has to be done after the regulatory authority releases the test result</td>
<td>• Time of affixing varies</td>
</tr>
<tr>
<td>• Label should not be removed before the seed reaches the final user</td>
<td>• Amhara and SNNPR (Company tag is attached at the end of processing; Regulatory tag is attached after test result is ready)</td>
</tr>
<tr>
<td></td>
<td>• Oromia – both tags are attached at the end of processing before the test result is issued</td>
</tr>
<tr>
<td></td>
<td>• Challenges remain as to how to make the system simple and adhere to the regulation</td>
</tr>
</tbody>
</table>
Seed labeling

Copy information from company tag

No information at all

Only indicate that it is certified
### Packaging and labeling – Implementation status

<table>
<thead>
<tr>
<th>Themes</th>
<th>Regulatory provision</th>
<th>Implementation status</th>
</tr>
</thead>
</table>
| Re-bagging| • Quality approved seed shall only be re-packaged by the decision of the regional authority or the ministry under their supervision and re-packaged seed shall be similar with that of the original one  

  - The validity period of any certificate of quality may be extended upon re-testing, if the seed lot is found to confirm to the prescribed standards for physical purity, germination and health | • Unsold seed is report to the regulatory authority  

  - Regulatory is also informed to the end use (as grain or seed)  

  - The decision to re-clean varies  

    - Re-clean if bag is damaged  

    - Re-clean in any case  

  - Testing and re-labelling  

  - Re-cleaning of treated seed is the most challenging |
Key takeaways

• There are many provisions for packaging and labeling in Ethiopia.

• However, these provisions likely did not consider the volume of seeds to be regulated, and the timing of issuance of labeling leading to unnecessary logistical and management expenses (time and money) on part of seed producers.

• Regions implement the labeling requirements in different ways to overcome the above challenge.
Packaging and labelling – Way forward

• Regulatory is not using its power – literally certifying company result
  – There are flexibilities in Oromia – but with risk
  – It is critical that the result of the regulatory is indicated
  – Combine use of technology with change in system of operation

• Tagging process is not uniform across regional state
  – Seed is sold across the country
  – Uniform procedure is applied in certifying and tagging seed across the country

• Clarify the decision to re-clean seed
  – Introduce clarity in the regulation to re-clean seed – when the regulatory decide to re-clean
3. Seed marketing: Dispute settlement

24. Federal and Regional Governments Cooperation
The regional authorities shall collaborate with the Ministry and among themselves to ensure uniform application of this Proclamation and regulations and directives issued heretofore.

25. Grievance Procedure
1/ Any person aggrieved by decision made in accordance with the provision of this Proclamation may apply to the Ministry or regional authority within 30 days of knowing such decision.

2/ Any person who is unsatisfied by the decision of the Ministry or the regional authority may appeal to the concerned justice organ within 30 days.

26. Offences and Penalties
1/ Any person who:
   a) supplies to the domestic market any seed not registered and quality controlled in accordance with this Proclamation, or which does not meet the applicable Ethiopian seed standards; or
   b) gives anything of value to cause the commission of fraudulent act in the course of production, processing, marketing or quality control of seeds;
   shall be guilty of an offence and be punishable with rigorous imprisonment from five to ten years and with a fine from Birr 100,000 to Birr 100,000.

2/ Any person who:
   a) presents wrong seed sample for testing;
   b) tampers with any sample taken under this Proclamation;

2/ Any person who:
   a) presents wrong seed sample for testing;
   b) tampers with any sample taken under this Proclamation;

3/ Any person who:
   a) presents wrong seed sample for testing;
   b) tampers with any sample taken under this Proclamation;
3.1 Fake seed

- Fake seed is still prevalent for some hybrid maize varieties
- Limited reports also on vegetable seed
- Seed also remains with farmer – source of fake seed
- Limited geographical reach of regulatory authorities
- Yet there are some legal measures taken
  - Impressment
  - Suspension of CoC
3.2 Dispute settlement between seed producers and agents

Provision:
• Negotiation and mediation by third party indicated in the contract,
• If not, it should be through court.

Key finding:
There is no serious issue between producers and agents that could not be resolved using negotiation and third-party mediation.
3.3 Farmers complaint settlement

- Farmers complain to agent and woreda office of agriculture
- Woreda sort out the cause in 5 days
- If problem is not solved it will be reported to the regional regulatory authority

Woreda

- Woreda report to regional regulatory authority
- Region organize committee including the company in 2 days and make decision within 21 days

Region

- If the farmer is not satisfied by the decision they can take to court within 30 days

Court

Finding:

Often problems are solved through negotiation
Dispute settlement cases – Examples

• Sub-standard seedling supply
  – Provide evidence of certification
  – Regulatory certified 6,000 seedling
  – The company supplied 8,000 seedling

• Planted chickpea seed didn’t perform
  – Farmers took woreda office of agriculture to court
  – Transferred the case to seed supplier
  – Present evidence of certification
  – Remaining sample were tested by third party – no problem
  – It was identified that the woreda advised farmers to plant chickpea at wrong time in wrong place
  – Decision - the woreda to compensate the farmers
Key takeaways

• Most of the complaints are not formally reported by farmers

• Farmers are not fully informed that they have the right to be compensated if there is a problem with the seed
Dispute settlement – Way forward

• Awareness creation about complaint management and farmers’ right
  – The need to attach information about dispute settlement with the seed sold

• Increase the surveillance of fake seed in hotspot areas
  – Expand limited experience in Oromia to other areas

• Increase the supply of those demanded varieties
  – Ensure enough EGS is produced and supplied
  – Support producers to increase seed production
Concluding remarks

• Regulatory domains examined in this assessment reveal that practical convenience of implementation such as logistical and management expenses are not always taken into consideration in the development of the frameworks and directives.

• The “big picture” of why a certain regulation is required and the flexibility that it is ought to bring often gets lost in the process

• If the market (and economy) is liberalized, then it is important to establish and identify branding, because brand-loyalty and customer trust-building go together

• Different regions implement standards in varying ways – these differentiated approach provide an opportunity to learn and take that evidence and learning to national and regional governments. However, to do that we need to have near real-time data and information collected through sustainable feedback mechanisms that engage private and public entities, as well as community seed producers.

• Lack of awareness and capacity building are common challenges, but having a strong evidence-base of practical examples could contribute to learning by doing
Brainstorming!

- Private and public entities selling QDS, and QDS being sold outside of designated territories. Thoughts?
- Can we have producer assured labelling? Maybe assess the economics of differentiated labelling practices?
- Developing feed-back mechanisms
- Should farmers be empowered to file and follow-up on their complaints? How?
Speaker Bios

Dr. Bhramar Dey (Senior Technical Advisor, S34D CRS) brings a unique blend of project design, management, and analytical skills focusing on country-led interventions in data, policy, monitoring and evaluation, and agricultural input systems. She has over 18 years of experience in data and regulatory reform analyses, and designing, managing large client and stakeholder-oriented projects. Prior to joining CRS, Dr. Dey worked at the Bill and Melinda Gates Foundation (BMGF) - Agriculture initiative. Born and raised in India, Bhramar holds a Ph.D. in Applied Economics from Clark University.

Dr. Dawit Alemu serves as Country Representative of the Stitching Wageningen Research (SWR), Ethiopia Office. He is also the chairman of the National Seed Advisory Group, MoA. He has served as the Director of the Agricultural Economics, Extension and Gender Research Directorate of the Ethiopian Institute of Agricultural Research. Dr. Alemu has over 100 publications as journal articles, books and book chapters, conference papers. Dr. Alemu currently serving as member of the Ethiopian Academy Press Editorial Board.

Dr. Mohammed Hassena is currently managing Ethiopian Netherlands Seed Partnership project under Stitching Wageningen Research (SWR), Ethiopia Office. He has over 30 years of work experience as a researcher and development practitioner. Dr. Hassena worked in agricultural marketing, agricultural production analysis, agricultural system analysis, agricultural policy analysis, and agricultural value chain analysis. He published different journal articles, book chapters and conference papers. Dr. Hassena is currently member of National Seed Advisory Group.
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