



# FEED THE FUTURE

The U.S. Government's Global Hunger & Food Security Initiative



*Photo credit: Michael Stulman*



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# FEED THE FUTURE GLOBAL SUPPORTING SEED SYSTEMS FOR DEVELOPMENT – S34D

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# Seed policy provisions and operational challenges in Ethiopia

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*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



# Inventory of seed policies, directives, and regulation

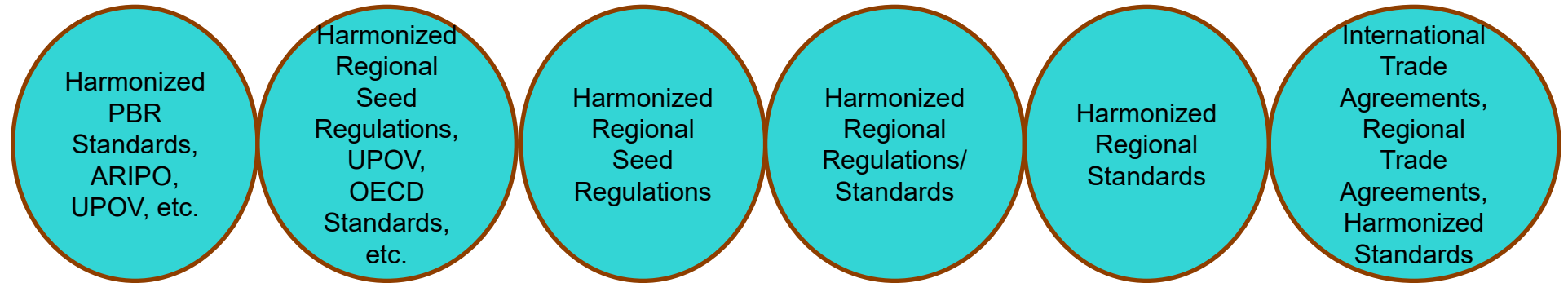
Type	Year enacted	Title	Identification
Policy	1992	Draft seed policy	MoA
	2000	National variety release policy and mechanism	MoA
	2020	National seed policy (in Amharic)	MoA
Strategy	2017	Seed System Development Strategy: Vision, systemic challenges, and priority interventions	MoA/ATA
	2019	Transforming the Ethiopian Seed Sector: Issues and Strategies	MoA
Law	2000	Seed proclamation	206/2000 -Repealed by 782/2013
	2006	Plant Breeders' Right proclamation	481/2006 -Repealed by 1068/2017
	2013	Seed proclamation	782/2013
	2017	Plant Breeders' Right proclamation	1068/2017

# Inventory of seed policies, directives, and regulation

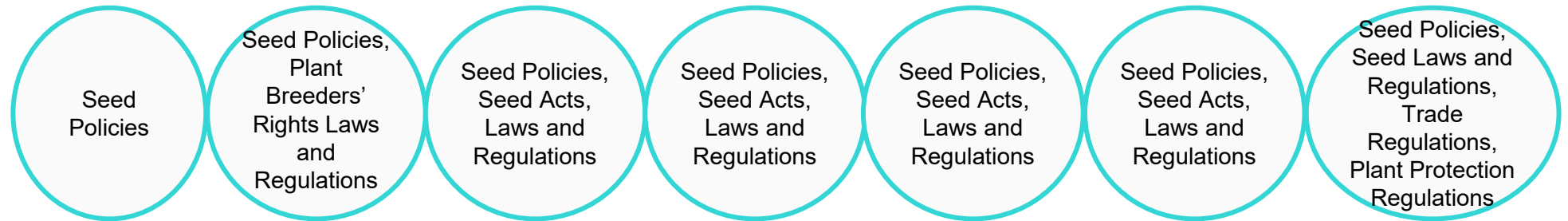
Type	Year enacted	Title	Identification
Regulations	1992	Plant Quarantine Regulation	4/1992
	1997	Ethiopian Seed Regulation	16/1997 -Repealed by proclamation 206/2000
	2015	Rate of fees for seed competency and related services	361/2015
	2016	Seed Regulation	375/2016
Directives	2015	DQS directive (in Amharic)	001/2007
	2017	Provision and management of Competence Certificate for seed business (in Amharic)	2/2010
	2018	Management of rejected seed (in Amharic)	3/2010
	2018	Seed marketing directive	001/782/2011
	2019	Provision and Management of Competence Certificate for Agricultural Input Marketing Centers (in Amharic)	002/782/2011
	2019	EGS administration for public varieties (in Amharic)	005/782/2012
	2021	Directive for import and multiplication of unregistered varieties exclusively for re-export	456/2021
	2021	Plant Breeder's Right Directive	769/2021

# Seed value chain and regulatory gateways

**International/Regional**



**National**



# 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

1	Policy/regulatory issues	Existing policy/regulatory measures	Intension of the measures	current implementation status	major gaps
	Variety release and registration	Seed policy (12) Seed law 782/2013 (article 4 and 5) Seed regulation 375/2016 ( article 3-13) Directive 456/2001 Regulation 361/2015	Seed law 782/2013 and the subsequent regulation (375/2016) stipulate: 1) Release of competent varieties and their registration 2) The law allows production of seed of crop varieties intended only for export purpose without undergoing a release process (Directive 456/2001 presents the implementation provision). 3) The regulation gives responsibility to MoA to undertake VCU and DUS test to release the varieties 4) The regulation 361/2015 lists required service payment for the tests 5) The roles of the NVRC, technical committee and the MoA are all clarified. 6) The regulation presents not only how varieties are registered but also when the registered variety will be delisted.	<ul style="list-style-type: none"> <li>Variety release and registration data back to the 1980s where the NCIC began to recommend varieties which led to the establishment of the NVRC.</li> <li>With the establishment of NSIA, variety release and registration is more structured and annually crop variety registry book is published.</li> <li>Currently, MoA does not undertake VCU and DUS test as stipulated in the regulation, rather depends on the report of researchers themselves so as to accept variety evaluation for release.</li> <li>Private companies have to arrange the trial with one of the research institutes or universities and they have to also negotiate on the cost of undertaking the trial as the existing regulation is not applicable to them.</li> <li>The role of MoA is limited to accepting application, allowing the verification trials to be done, organizing field visit by variety evaluation committee, organizing reports of the committee, organizing national variety release committee meeting and publishing variety registry annually.</li> <li>By 2020 there are 1413 crop varieties registered in Ethiopia.</li> </ul>	<ul style="list-style-type: none"> <li>The major challenges are with private companies who want to release varieties as they need to look for research institutes to undertake 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 activity on voluntary basis.</li> <li>Since MoA depends on data from the researchers to accept candidate varieties, how the data was generated is under question.</li> <li>There is potential of conflict of interest in the evaluation of public varieties given the composition of variety evaluation committee are all researchers from public research institutes, where there are reports of release of non competent varieties</li> </ul>
	Variety protection	Seed policy (13) PBR 1068/2017 Directive 769/2021	1) Seed policy recognize the importance of plant breeders right to ensure good varieties are registered in Ethiopia and farmers will have access to it. 2) PBR 1068/2017 describe how PBR will be implemented to incentivize breeders to register their varieties in Ethiopia so as to	Ethiopia has not yet started implementing PBR	
	EGS production coordination	Seed law 782/2013 article 6(3) Directive 005/782/2012	1) The seed law 782/2013 indicates that seed producers will have access to EGS of these varieties, without giving the details given the fact that most of the varieties for staple food crops released in Ethiopia are from public research institutes. 2) Directive 005/782/2012 indicated that seed producers will access	<ul style="list-style-type: none"> <li>Majority of the varieties used for production of seed are from public breeding programs.</li> <li>None of these varieties has been commercialized and production and distribution of EGS is done primarily by public research institutes and public seed enterprises.</li> <li>In recent years, signing contract between EGS producers and users is taking</li> </ul>	<ul style="list-style-type: none"> <li>Regardless of the contract signing process, still demand and supply is not well synchronized. This is mainly related to the less business orientation of the major suppliers and at the same times, both the producers and buyers sides are also not serious to abide by the contract.</li> </ul>
	Seed quality assurance	Seed policy (17) Seed law 782/2013 (article 10-16) Regulation 375/2016 (18-33) Directive 3/2010	1) The intension of the regulatory framework is to ensure seed (both produced and imported) that is used by farmers are to the prescribed standards, which also take into account international standards. 2) There is clear role difference between the federal and regional authorities with regards to quality assurance. 3) Quality of imported seed is certified by federal authorities. 4) Seeds produced in the country and used locally are certified by regional authorities. 5) The regulation clearly put the procedures of certification as well as what has to be done with non-confirming seed, which is also explained in directive 3/2010. 6) The regulatory framework also require internal seed quality control capacity of the producers to ensure supply of quality seed	<ul style="list-style-type: none"> <li>Except breeder seed, quality of all other seed classes is externally assured by the regional authorities</li> <li>Each seed producer applies for the service by providing production plan before the season starts, which will be approved by regulatory authority particularly related to farm in which the seed has to be produced.</li> <li>The regulatory authority monitors the production and finally make laboratory test to provide final certification.</li> <li>Ethiopia follow OECD seed certification scheme and ISTA laboratory procedure to certify seed. In addition some seed producers have internal seed quality control capacity while others are not.</li> </ul>	<ul style="list-style-type: none"> <li>Regardless of the process followed, there is always quality problem reported by users.</li> <li>Major challenges remain with the capacity and capability of the authorities to provide adequate service as well as internal seed quality control capacity of the producers.</li> <li>The regulation stipulates the existence of internal seed quality control capacity as a pre-requisite to be seed producer, but in reality only limited producers fulfil the requirements.</li> <li>Thus, neither the internal seed quality of most of the seed producers are strong nor the external quality assurance has the capacity and capability to provide efficient service resulting in supplying poor quality seed to farmers.</li> </ul>
			1) The recent seed policy working document indicates creating a	<ul style="list-style-type: none"> <li>With the introduction of the concept of DSM in 2011, about two-third of the seed is sold directly by the producers, while the remaining one-third still goes through distribution system.</li> <li>In case of distribution, government allocate seed to districts and the union in the district collect the seed and sell to farmers. In some cases, district offices of</li> </ul>	<ul style="list-style-type: none"> <li>There are still reservations in some region to include crops other than maize in DSM for assumed reasons of limited competition and capacity.</li> </ul>

## Step 2

## Prioritization

Each of the regulatory domains were prioritized using the following criteria

Criteria	Key statement	
Level of implementation gap	The directive has not been fully implements and there is wide implementation gap	Values of Likert scale  1=Strongly disagree, 2= Disagree, 3= Neither agree nor disagree, 4= Agree, and 5= Strongly agree.
Potential impact if changed	If the remaining gaps are implemented, there will be huge change on the availability of seed	
Existence of implementation structure	There is no any responsible implementation structure for the directive	
Investment requirement	The directive demands very high investment	
Complexity of the issue	The directive is complex	
Potential to have political will to implement	The directive has high potential for political will to be implemented	
Existence of supporting project	There are several initiatives that can collaborate in addressing the gap	

# Prioritized regulatory domains for deeper assessment

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

## 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

## I. 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 Assessment

# Evaluation of prioritized domains

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

Respondent category	QDS production		Packaging & labeling	Marketing		Total
	Importance	Certification		Complains resolution	& Fake seed	
Agents			10	10	10	10
MoA/BoA	9			11	11	11
Farmers			15	15		15
QDS producer		9	9			9
Formal Seed producers			12	12		12
Regulatory	9	9	9	9	9	9
Total	20	18	55	57	30	66

- Data generation
- Method of analysis – Qualitative thematic analysis

# Results of the assessment

# I. Intermediary seed system / QDS

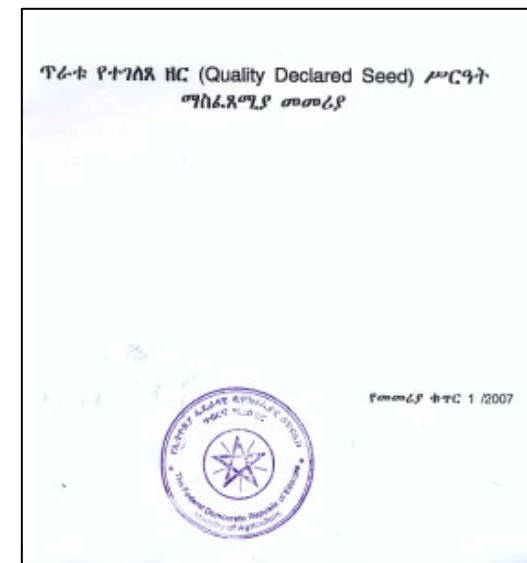
## Seed law 782/2013

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

8/ "pre-basic seed" means seed that has been produced from breeder seed;
9/ "basic seed" means seed that has been produced from pre-basic seed;
10/ "certified seed" means a direct seed from basic seed or a seed found in first, second and third generation of basic seed;
11/ "modified organism" means any biological entity which has been artificially synthesized, or in which the genetic material or the expression of any of its traits has been changed by the introduction of any foreign gene or any other chemical whether taken from another organism, from a fossil organism or artificially synthesized;
12/ "quality control" means the process of evaluating the quality of a seed for compliance with Ethiopian seed standards;
13/ "quality declared seed" means seed produced by organized and registered smallholder farmers or registered smallholder farmers, in conformity with the required quality standards;
14/ "restricted seed" means seed prohibited from being marketed in, imported into, or exported from, Ethiopia by directive of the Ministry;
15/ "variety" means plant grouping within a single botanical taxon of the lowest



# QDS regulatory provisions and implementation

Themes	Regulatory provisions	Implementation status
Crop and variety coverage	<ul style="list-style-type: none"> <li>Standards for 33 crops developed</li> <li>Varieties registered through QDS system (4.1)</li> </ul>	<ul style="list-style-type: none"> <li>Mainly potato across regions</li> <li>Fruit seedling in Amhara</li> <li>Ginger in SNNPR</li> <li>All are public varieties – No QDS registered variety is used</li> </ul>
<p><b><i>Actual implementation is flexible as it allows public varieties as opposed to the regulatory document that limit to varieties released through QDS system</i></b></p>		
CoC	<ul style="list-style-type: none"> <li>Public and private companies are not eligible (4.3)</li> <li>Farmers' group or farmers' cooperatives who have:               <ul style="list-style-type: none"> <li>access to land sufficient for the production of different crops,</li> <li>farm equipment,</li> <li>storage,</li> <li>hired professional or assigned by woreda office of agriculture, and</li> <li>has its own or has access to internal seed quality control system</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>6 out of 9 QDS producers were PLC</li> <li>Public seed enterprise also produced QDS</li> <li>QDS production is linked to unavailability of EGS</li> <li>Practically CoC is given as per the requirement of the crop               <ul style="list-style-type: none"> <li>None of the producers have mini lab or have access to</li> <li>Experts are assigned by Woreda in some regions</li> <li>In other regions expert assignment is not more than writing a letter</li> </ul> </li> </ul>

# QDS regulatory provisions and implementation

Themes	Regulatory provisions	Implementation status
Certification	<ul style="list-style-type: none"><li>• Regulatory inspect 10% of the field and take sample and test from only 10% of the produced seed</li><li>• Packaged and labelled - label contains 14 parameters (12.2.1)</li></ul>	<ul style="list-style-type: none"><li>• Producer has to apply</li><li>• Full field inspection<ul style="list-style-type: none"><li>• Accountability</li><li>• Size of the field</li></ul></li><li>• Certification fee is not uniform</li><li>• No labelling except name of variety to avoid mixing</li><li>• Possibility of selling ware potato as seed</li></ul>
QDS marketing	<ul style="list-style-type: none"><li>• QDS is sold within pre-determined location by BoA (3.4; 13.4)</li></ul>	<ul style="list-style-type: none"><li>• Formally limited within the region</li><li>• Informally throughout the country</li></ul>

# 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 drug.

ሐ) ከረጠቱ የጥራት ደረጃውን የጠበቀና የድርጅቱን መለያ ዓርማ ያካተተ መሆን አለበት፡፡

### 11.2 መለያ ምልክት

11.2.1 መለያው የሚከተሉትን መረጃዎች ማካተት ይኖርበታል፡-

- ሀ) የአምራቹ ሥምና አድራሻ፤
- ለ) የሰብል ዓይነትና ዝርያ፤
- ሐ) ጥራቱ የተገለጸ ዘር የሚል ጽሁፍ፤
- መ) የብቃት ማረጋገጫ ሠርትፊኬት ቁጥር፤
- ሠ) የዘር ደረጃ፤
- ረ) የብቅለት መጠን በመቶኛ፤
- ሰ) የዘር ንጽህና በመቶኛ፤
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- ቸ) የቆይታው ጊዜ፤
- ነ) የሎት መለያ ቁጥር፤
- ኘ) በኬሚካል የታሸ መሆኑን የሚገልጽ ጽሁፍ፤

11.2.2 የመለያ ምልክቶች አንዴ ጥቅም ላይ ከዋሉ በኋላ እንደገና ጥቅም ላይ እንዳይውሉ ሆነው መዘጋጀት አለባቸው፡፡

# 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

ለ) በዚህ አዋጅ አንቀጽ ፲፭ መሠረት በዘሩ ላይ የድህረ ቁጥጥር መከራ ተካሂዶ ወይም እንደገና የጥራት ፍተሻ ተከናውኖ የኢትዮጵያን የዘር ደረጃዎች አሟልቶ ካልተገኘ፤

ይሰረዛል።

፭/ ሚኒስቴሩ ወይም የክልል ባለሥልጣን የዘር ጥራት ምስክር ወረቀት ከመሰረዙ በፊት ለባለቤቱ በማሳወቅ ቅሬታው የሚደመጥበትን እድል ይሰጠዋል።

**፲፬. መለያ ምልክት ስለማድረግ**

ማንኛውም ዘር በሚኒስቴሩ መመሪያ መሠረት መለያ ምልክት ሳይደረግበት ለአገር ውስጥ ወይም ለውጭ ገበያ ሊቀርብ አይችልም።

**፲፭. ድህረ ቁጥጥር**

ማንኛውም ዘር የዘር ጥራት የምስክር ወረቀት ተሰጥቶት ለገበያ የቀረበ ቢሆንም የጥራት

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...

<p>ሃዘር ዘምጥጥ ዘር በፌዴራል ንጋሪት በገጠማዊ ለና ለጤና የተደገገጉትን መስፈርቶች አሟልቶ ሲገኝ ይሆናል።</p> <p><b>፴፩. የጸደቀ ዘር ማሸግና መለያ ምልክት ማድረግ</b></p> <p>አ/ የጸደቀ ዘር የኢትዮጵያ ደረጃዎችን ለደንሳ ባወጣው መስፈርትና የአለም አቀፍ ደረጃዎችን መሰረት በማድረግ መታሸግና መለያ ምልክት ሊፍረድ ይገባል።</p> <p>ዘ/ የክልል ባለስልጣን የዘር ፍተሻ አድርጎ የጥራት ማረጋገጫ ጡጤት ከመስጠቱ በፊት መጠን የታወቀ የዘር ክምችት ዘር መታሸግና መሰፈጫት የለበትም።</p>	<p>health.</p> <p><b>31. Packaging and Labeling of Approved Seeds</b></p> <p>1/ Approved seed shall be packaged and labeled in accordance with the requirements set by the Ethiopian Standard Agency and international standards.</p> <p>2/ Seed lot shall not be packaged and distributed before the regional authority seed tester has released a test result certificate.</p>
<p>ዘ/ ከመጨረሻው ተጠቃሚ በስተቀር ማንም ሰው የዘር መለያ ምልክቱን ማንሳት ወይም የተሰፋውን ወይም የታሸገውን የዘር ክፈጠራ መክፈት የለበትም።</p> <p>ሰ/ ጥራቱ የተረጋገጠ ለና የዘር መጠን የታወቀ የዘር ክምችት በድጋሚ ሊታሸግ የሚችለው በክልል ባለስልጣን ወይም ሚኒስቴር ሲወሰንና በነሱ ቁጥጥር የተደረገው ብቻ ሲሆን በድጋሚ የታሸገው ዘር ከሞናው ጋር ተመሳሳይ መሆን አለበት።</p> <p>፪/ ለገበያ የሚቀርብ ዘር በዚህ ደንብ አንቀጽ ፴ (አ) የተመለከተውን መረጃ የያዘ በመደበኛ አጠቃቀም ላይ የሚጣበት ወይም የሚሰጠው መለያ ምልክት ሊፍረድ ይገባል።</p>	<p>3/ No person shall, except the ultimate user, remove labels, seals or open mechanically sewn or closed packets of seed.</p> <p>4/ Quality approved seed shall only be re-packaged by the decision of the regional authority or the Ministry under their supervision and the re-packaged seed shall be similar with that of the original one.</p> <p>5/ Seed to be supplied for market shall have a label affixed or glued on the package with the information specified under 30 (1) of this Regulation which cannot be removed easily under normal use.</p>

# Packaging and labeling - regulatory provisions

<p>ፍተሻ መደረግ አለበት።</p> <p>፪/ የዘር ናሙናዎች ፍተሻው ጠቅላላ ስርዓት ለማጠናቀቅ በጋላ ከጅ አስከጃ ጽጌ ቀናት ውስጥ መመዘኛ ለማድረግ አለበት።</p>	<p>2/ The sample test results shall be recorded and reported within 7 to 21 days after testing.</p>
<p>፱. የዘር ጥራት ማረጋገጫ የምስክር ወረቀት</p> <p>፩/ በአዋጁ አንቀጽ ፲፫ (አ) የተጠቀሱት መስፈርቶች መሟላታቸው በክልል ባለስልጣን ተረጋግጦ የምስክር ወረቀት የተሰጠው ዘር ባለቤት ለተመሰከረ ዘር ወይም ጥራቱ ለተገለጸ ዘር ለአያንዳንዱ መጠኑ የታወቀ የዘር ክምችት የሚከተሉትን መግለጫዎች የያዘ የዘር መለያ ካርድ ማጥፋት አለበት።</p> <p>ሀ) የድርጅቱ ስምና አድራሻ፤</p> <p>ለ) የሠርተፊኬት ቁጥር፤</p> <p>ሐ) የሰብላሳ ዓይነትና የዘርያ ስም፤</p> <p>መ) የዘር ደረጃ፤</p> <p>ሠ) የመለያ ቁጥር፤</p> <p>ረ) የተጣራ ዘር ክብደት፤</p> <p>ሰ) የተመረተበት ዓመት፤</p> <p>ሸ) የታሸጠበት ቀን፤</p> <p>ቀ) የቆይታው ጊዜ፤ እና</p> <p>በ) በመድኃኒት የታሰመ ከሆነ የማስጠንቀቂያ ምክልከት።</p>	<p>30. Certificates of Seed Quality</p> <p>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:</p> <p>a) name and address of the organization;</p> <p>b) certificate number;</p> <p>c) crop type and variety name;</p> <p>d) seed class;</p> <p>e) reference number;</p> <p>f) net weight of seed;</p> <p>g) year of production;</p> <p>h) date of sealing;</p> <p>i) expiry date; and</p> <p>j) warning text if treated with drug.</p>
<p>፺/ የጥራት ማረጋገጫ ምስክር ወረቀት ጸንቶ የሚቆይበት ጊዜ ሚኒስቴሩ በሚያደግው መመሪያ የሚወሰን ይሆናል።</p> <p>፻/ ማንኛውም የጥራት ማረጋገጫ ምስክር ወረቀት ጸንቶ የሚቆይበት ጊዜ ሊራዘም የሚችለው በድጋሚ ፍተሻ ወቅት የዘር መጠኑ የታወቀ የዘር ክምችት ዘር ለፈላጊነት ገደብ፤ ለላቅላት</p>	<p>2/ The validity period of certificate of quality shall be determined by directive to be issued by the Ministry.</p> <p>3/ The validity period of any certificate of quality may be extended upon re-testing, if the seed lot is found to conform to the prescribed standards for physical purity, germination and health.</p>

<p>የዘር ክምችት ዘር ለፈላጊነት ገደብ፤ ለላቅላት እና ለጠና የተደገገውን መስፈርቶች አሟልቶ ሊገኝ ይሆናል።</p> <p>፳፩. የጸደቀ ዘር ማሸግ መለያ ያልከት ግድረግ</p> <p>፩/ የጸደቀ ዘር የኢትዮጵያ ደረጃዎች አድጋሚ ባወጣው መስፈርትና የአለም አቀፍ ደረጃዎችን መሰረት በማድረግ መታሸግና መለያ ምልክት ሊገኘው ይገባል።</p> <p>፪/ የክልል ባለስልጣን የዘር ፍተሻ አድርጎ የጥራት ማረጋገጫ ውጤት ከመሰጠቱ በፊት መጠኑ የታወቀ የዘር ክምችት ዘር መታሸግና መለፋጨት የለበትም።</p>	<p>health.</p> <p>31. Packaging and Labeling of Approved Seeds</p> <p>1/ Approved seed shall be packaged and labeled in accordance with the requirements set by the Ethiopian Standard Agency and international standards.</p> <p>2/ Seed lot shall not be packaged and distributed before the regional authority seed tester has released a test result certificate.</p>
<p>፻/ ከመጨረሻው ተጠቃሚ በስተቀር ማንም ሰው የዘር መለያ ምልክቱን ማጎሳት ወይም የተሰፋውን ወይም የታሸገውን የዘር ክፍለ-ጠቅላላ የለበትም።</p> <p>፱/ ጥራቱ የተረጋገጠ እና የዘር መጠኑ የታወቀ የዘር ክምችት በድጋሚ ሊታሸግ የሚችለው በክልል ባለስልጣን ወይም ሚኒስቴር ሲወሰንና በሌላ ቁጥጥር የተደረገበት ብቻ ሊሆን በድጋሚ የታሸገው ዘር ከሆነው ጋር ተመሳሳይ መሆን አለበት።</p> <p>፺/ ለጠያ የሚተርጎሙ ዘር በዚህ ደንብ አንቀጽ ፱ (አ) የተመለከተውን መረጃ የያዘ በመደበኛ አጠቃቀም ላይ የሚጠቀሙ ወይም የሚሰጡ መለያ ምልክት ሊኖረው ይገባል።</p>	<p>3/ No person shall, except the ultimate user, remove labels, seals or open mechanically sewn or closed packets of seed.</p> <p>4/ Quality approved seed shall only be re-packaged by the decision of the regional authority or the Ministry under their supervision and the re-packaged seed shall be similar with that of the original one.</p> <p>5/ Seed to be supplied for market shall have a label affixed or glued on the package with the information specified under 30 (1) of this Regulation which cannot be removed easily under normal use.</p>

<p>ፍተሻ መደረግ አለበት።</p> <p>፪/ የዘር ናሙናዎች ፍተሻው ጠቅላላ ስርዓት ለማጠናቀቅ በጋላ ከጅ አስከጃ ጽጌ ቀናት ውስጥ መመዘኛ ለማድረግ አለበት።</p>	<p>2/ The sample test results shall be recorded and reported within 7 to 21 days after testing.</p>
<p>፱. የዘር ጥራት ማረጋገጫ የምስክር ወረቀት</p> <p>፩/ በአዋጁ አንቀጽ ፲፫ (አ) የተጠቀሱት መስፈርቶች መሟላታቸው በክልል ባለስልጣን ተረጋግጦ የምስክር ወረቀት የተሰጠው ዘር ባለቤት ለተመሰከረ ዘር ወይም ጥራቱ ለተገለጸ ዘር ለአያንዳንዱ መጠኑ የታወቀ የዘር ክምችት የሚከተሉትን መግለጫዎች የያዘ የዘር መለያ ካርድ ማጥፋት አለበት።</p> <p>ሀ) የድርጅቱ ስምና አድራሻ፤</p> <p>ለ) የሠርተፊኬት ቁጥር፤</p> <p>ሐ) የሰብላሳ ዓይነትና የዘርያ ስም፤</p> <p>መ) የዘር ደረጃ፤</p> <p>ሠ) የመለያ ቁጥር፤</p> <p>ረ) የተጣራ ዘር ክብደት፤</p> <p>ሰ) የተመረተበት ዓመት፤</p> <p>ሸ) የታሸጠበት ቀን፤</p> <p>ቀ) የቆይታው ጊዜ፤ እና</p> <p>በ) በመድኃኒት የታሰመ ከሆነ የማስጠንቀቂያ ምክልከት።</p> <p>፺/ የጥራት ማረጋገጫ ምስክር ወረቀት ጸንቶ የሚቆይበት ጊዜ ሚኒስቴሩ በሚያደግው መመሪያ የሚወሰን ይሆናል።</p> <p>፻/ ማንኛውም የጥራት ማረጋገጫ ምስክር ወረቀት ጸንቶ የሚቆይበት ጊዜ ሊራዘም የሚችለው በድጋሚ ፍተሻ ወቅት የዘር መጠኑ የታወቀ የዘር ክምችት ዘር ለፈላጊነት ገደብ፤ ለላቅላት</p>	<p>30. Certificates of Seed Quality</p> <p>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:</p> <p>a) name and address of the organization;</p> <p>b) certificate number;</p> <p>c) crop type and variety name;</p> <p>d) seed class;</p> <p>e) reference number;</p> <p>f) net weight of seed;</p> <p>g) year of production;</p> <p>h) date of sealing;</p> <p>i) expiry date; and</p> <p>j) warning text if treated with drug.</p>
<p>፺/ የጥራት ማረጋገጫ ምስክር ወረቀት ጸንቶ የሚቆይበት ጊዜ ሚኒስቴሩ በሚያደግው መመሪያ የሚወሰን ይሆናል።</p> <p>፻/ ማንኛውም የጥራት ማረጋገጫ ምስክር ወረቀት ጸንቶ የሚቆይበት ጊዜ ሊራዘም የሚችለው በድጋሚ ፍተሻ ወቅት የዘር መጠኑ የታወቀ የዘር ክምችት ዘር ለፈላጊነት ገደብ፤ ለላቅላት</p>	<p>2/ The validity period of certificate of quality shall be determined by directive to be issued by the Ministry.</p> <p>3/ The validity period of any certificate of quality may be extended upon re-testing, if the seed lot is found to conform to the prescribed standards for physical purity, germination and health.</p>

# Packaging and labeling – Implementation status

Regulatory provision	Implementation status
<ul style="list-style-type: none"><li>• All approved seed should be packed and labelled before it is supplied to the market and this has to be done after the regulatory authority releases the test result</li><li>• Label should not be removed before the seed reaches the final user</li></ul>	<ul style="list-style-type: none"><li>• Two tags are affixed (company and regulatory) to the seed bag</li><li>• Time of affixing varies<ul style="list-style-type: none"><li>• Amhara and SNNPR (Company tag is attached at the end of processing; Regulatory tag is attached after test result is ready)</li><li>• Oromia – both tags are attached at the end of processing before the test result is issued</li></ul></li><li>• Challenges remain as to how to make the system simple and adhere to the regulation</li></ul>

# Seed labeling

## 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 drug.

2/ The validity period of certificate of quality shall be determined by directive to be issued by the Ministry.

3/ The validity period of any certificate of quality may be extended upon re-testing, if the seed lot is found to conform to the prescribed standards for physical purity, germination and health.

## Copy information from company tag



Only indicate that it is certified



No information at all



# Packaging and labeling – Implementation status

<b>Themes</b>	<b>Regulatory provision</b>	<b>Implementation status</b>
Re-bagging	<ul style="list-style-type: none"><li>• 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</li><li>• 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</li></ul>	<ul style="list-style-type: none"><li>• Unsold seed is report to the regulatory authority</li><li>• Regulatory is also informed to the end use (as grain or seed)</li><li>• The decision to re-clean varies<ul style="list-style-type: none"><li>• Re-clean if bag is damaged</li><li>• Re-clean in any case</li></ul></li><li>• Testing and re-labelling</li><li>• Re-cleaning of treated seed is the most challenging</li></ul>

## 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

ገጽ ፳፯፻፳፱ ፌዴራል ነጋሪት ጋዜጣ ቁጥር ፳፮ የካቲት ፳ ቀን ፳፻፲፭ ዓ.ም Federal Negarit Gazette No. 2715<sup>th</sup> February 2013...page 6823

**፳፱. የፌዴራልና የክልል መንግስታት ትብብር**

ይህን አዋጅና በአዋጁ መሠረት የሚወጡ ደንቦችንና መመሪያዎችን ወጥነት ባለው መልኩ ለመተግበር እንዲቻል የክልል ባለስልጣናት ከግብርና ሚኒስቴርና እርስ በርሳቸው በትብብር ይሰራሉ።

**፳፳. ስለቅሬታ አቀራረብ**

፩/ አዋጁን መሠረት ተደርጎ በተሰጠ ውሣኔ ቅር የተሰኘ ሰው ውሣኔውን ካወቀበት ቀን ጀምሮ በ፴ ቀናት ውስጥ ቅሬታውን ለሚኒስቴሩ ወይም ለክልሉ ባለስልጣን ማቅረብ ይችላል።

፪/ ማንኛውም ሰው በሚኒስቴሩ ወይም በክልል ባለስልጣን የተሰጠው ውሳኔ ካላረከው ቅሬታውን ለሚመለከተው የፍትህ አካል በ፴ ቀናት ውስጥ ማቅረብ ይችላል።

**፳፮. ወንጀሎችና ቅጣቶች**

፩/ ማንኛውም ሰው፡-

ሀ) በዚህ አዋጅ መሰረት ያልተመዘገበና የጥራት ቁጥጥር ያልተደረገበት ወይም የኢትዮጵያን የዘር ደረጃ መስፈርቶችን የማያሟላ ዘር ለአገር ውስጥ ገበያ ያቀረበ፣ ወይም

ለ) በዘር ማምረት፣ ማዘጋጀት፣ ግብይት ወይም የጥራት ቁጥጥር ሂደት የማይቀርበር ድርጊት እንዲፈፀም መደለያ የሰጠ፣

እንደሆነ በወንጀል ጥፋተኛ ሆኖ ከአምስት እስከ አሥር ዓመት በሚደርስ ጽኑ እስራት እና ከ ብር ፶፬ እስከ ብር ፳፻፬ በሚደርስ መቀጮ ይቀጣል።

፪/ ማንኛውም ሰው፡-

**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 hereunder.

**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 50,000 to Birr 100,000.
- 2/ Any person who:
  - a) presents wrong seed sample for

ገጽ ፳፯፻፳፱ ፌዴራል ነጋሪት ጋዜጣ ቁጥር ፳፮ የካቲት ፳ ቀን ፳፻፲፭ ዓ.ም Federal Negarit Gazette No. 2715<sup>th</sup> February 2013...page 6824

፪/ ማንኛውም ሰው፡-

ሀ) የተሳሳተ የዘር ናሙና ለምርመራ ያቀረበ፣

ለ) በዚህ አዋጅ መሠረት የተወሰደ ማንኛውንም ናሙና የቀየረ፣

2/ Any person who:

- a) presents wrong seed sample for testing;
- b) tampers with any sample taken under this Proclamation;
- c) gives false information in making any application under this Proclamation;
- d) fails to observe the labeling provisions under Article 14 of this Proclamation; or
- e) alters, defaces, or removes any register, certificate, label, or other official record created or issued under this Proclamation; shall be guilty of an offence and be punishable with rigorous imprisonment from three to five years and with a fine from Birr 30,000 to Birr 50,000.

3/ Any person who:

ሐ) በዚህ አዋጅ መሠረት ማንኛውንም ማመልከቻ ሲያቀርብ የተሳሳተ መረጃ የሰጠ፣

መ) የመለያ ምልክት አደራረግን አስመልክቶ በዚህ አዋጅ አንቀጽ ፲፬ የተደነገገውን ያሳከበረ፣ ወይም

ሠ) በዚህ አዋጅ መሠረት የተዘጋጀን ወይም የተሰጠን መዝገብ፣ የምስክር ወረቀት፣ የመለያ ምልክት ወይም ሌላ ሕጋዊ ሰነድ የለወጠ፣ የደለዘ ወይም ያጠፋ፣

እንደሆነ በወንጀል ጥፋተኛ ሆኖ ከሦስት እስከ አምስት ዓመት በሚደርስ ፅኑ እስራት እና ከብር ፵፮ እስከ ብር ፶፬ በሚደርስ መቀጮ ይቀጣል።

፫/ ማንኛውም ሰው፡-



## 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

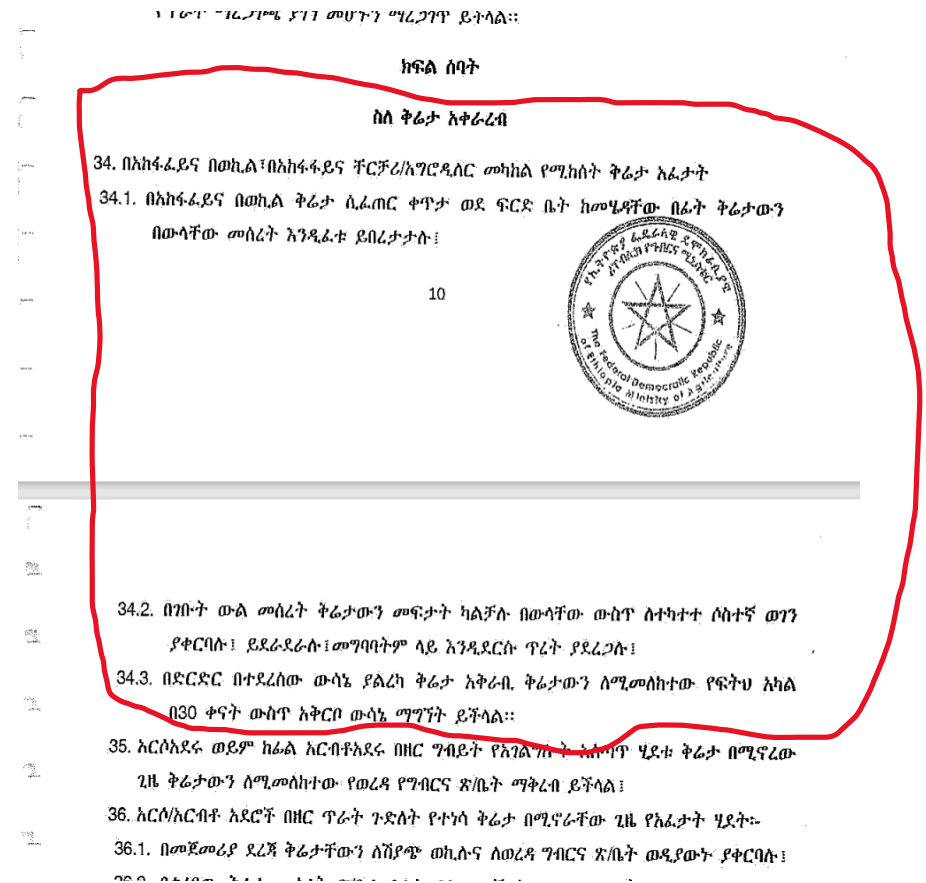
## 3.2 Dispute settlement between seed producers and agents

### Provision:

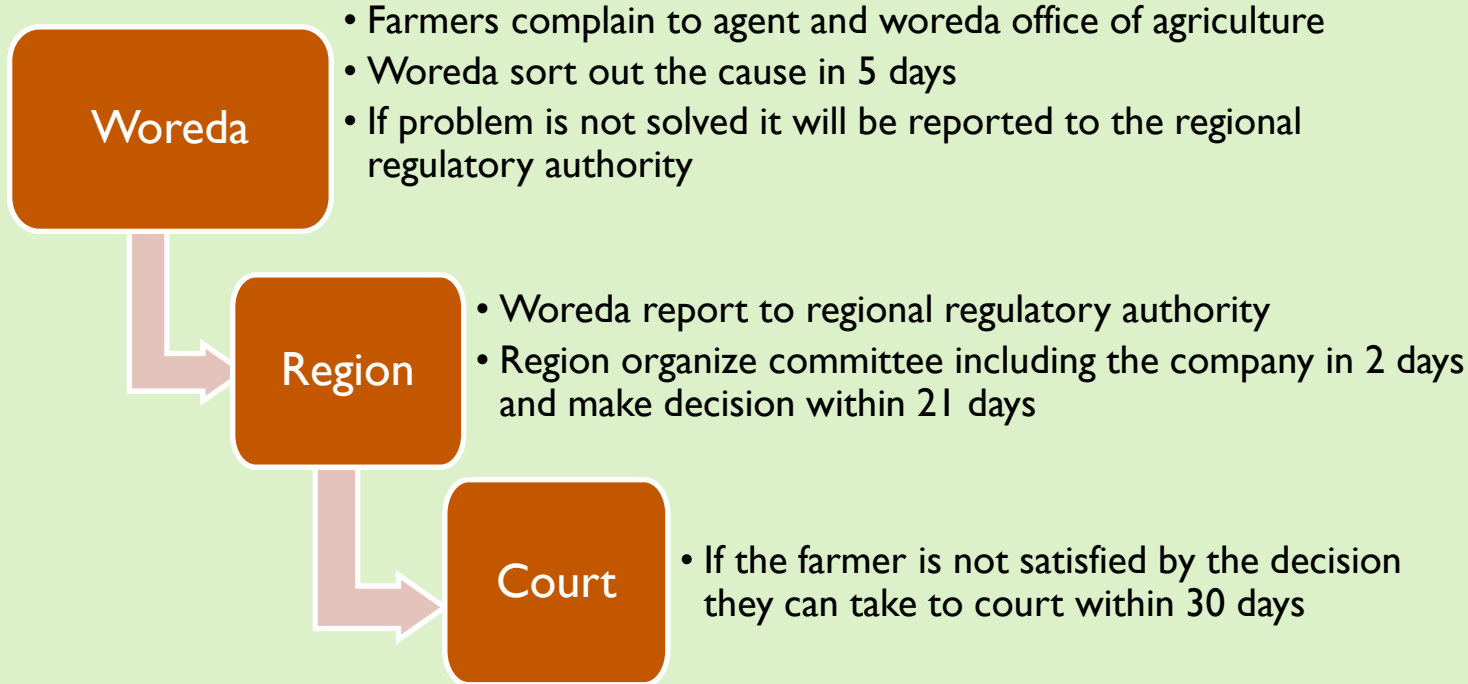
- Negotiation and mediation by third party indicated in the contract,
- If not, it should be through court.

### 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



35. አርሳኦሪና ወይም ከሌል አርብቶአደሩ በዘር ግብይት የአገልግሎት አሰጣጥ ሂደቱ ቅሬታ በሚኖረው ጊዜ ቅሬታውን ለሚመለከተው የወረዳ የግብርና ጽ/ቤት ማቅረብ ይችላል፤

36. አርሳኦሪብቶ አደሮች በዘር ጥራት ጉድለት የተነሳ ቅሬታ በሚኖራቸው ጊዜ የአፈታት ሂደት፡-

36.1. በመጀመሪያ ደረጃ ቅሬታቸውን ለሽያጭ ወኪሉና ለወረዳ ግብርና ጽ/ቤት ወዲያውኑ ያቀርባሉ፤

36.2. በተረጎሙ ቅሬታ መሰረት ጽ/ቤቱ በራሱ ባለሙያዎች ቅሬታው በአምስት ቀን ውስጥ አንዲጣራ ያደረጋል፤

36.3. የጥራት ጉድለቱ መንስኤ በወረዳ ደረጃ የማይፈታ ከሆነ ጽ/ቤቱ የባለሙያዎቹ ሪፖርት በደረሰው በ3 ቀን ጊዜ ውስጥ አግባብ ላለው የክልል የዘር ጥራት ተቆጣጣሪ አካል ያቀርባል፤

36.4. የክልል አግባብ ያለው ዘር ጥራት ተቆጣጣሪ ባለስልጣን ሪፖርቱ ከወረዳ እንደተረጎመው አጣሪ አካል ከአምራቹ ተወካይ ጋር በማቀናጀት በሁለት ቀናት ውስጥ ቅሬታ ወደቀረበት ወረዳ ይልካል፤

36.5. በወረዳ ደረጃ የተነሳው ቅሬታ እንዲፈታ የተላከው የክልል አግባብ ያለው ዘር ጥራት ተቆጣጣሪ ባለስልጣን ቡድን፡-

ሀ/ ቅሬታው ያለ ዘር ናሙና ፍተሻ ሊፈታ የሚችል ከሆነ በአምስት ቀናት ውስጥ ለቀረበው ቅሬታ በወረዳ ደረጃ መፍትሄ ይሰጣል፤

ለ/ ቅሬታው ተጨማሪ የላቦራቶሪ የዘር ጥራት ፍተሻ የሚጠይቅ ከሆነ ላቦራቶሪዎች ናሙና ወስደው አንዲፈትሹ እና አንደ የሰብሉ የብቅለት ጊዜ ከ7 እስከ 21 ባሉት ቀናት ውስጥ ውሳኔ አንዲሰጥ ይደረጋል፤

ሐ/ አርሳኦሪብቶ አደሮች አግባብ ባለው ባለስልጣን የተሰጠው ውሳኔ ካለገባቸው ስለ ዕጽዋት ዘር በወጣ አዋጅ ቁጥር 782/2005 መሠረት ቅሬታቸውን በ 30 ቀናት ውስጥ ለሚመለከተው ፍትሕ አካል ማቅረብ ይችላሉ፡፡

ክፍል ስምንት

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# 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 performed
  - Farmers took woreda office of agriculture to court
  - Transferred the case to seed supplier
  - Presented 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

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## 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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