Tanzania

Plant Health Act, 2020

# Plant Health Regulations, 2023

## Government Notice 284 of 2023

Legislation as at 21 April 2023

Note: There are **outstanding amendments** that have not yet been applied: Government Notice 344 of 2024.

There may have been updates since this file was created.

PDF created on 2 November 2024 at 00:16.

*Collection last checked for updates: 31 July 2002.*

View online

About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the TanzLII website and is presented in collaboration with the Laws.Africa Legislation Collection, a collection of African legislation that is digitised by Laws.Africa and made available for free.

www.tanzlii.org | info@tanzlii.org

www.laws.africa | info@laws.africa

FRBR URI: /akn/tz/act/gn/2023/284/eng@2023-04-21

Plant Health Regulations, 2023 (Government Notice 284 of 2023)
Contents

# Tanzania

## Plant Health Act, 2020

# Plant Health Regulations, 2023

## Government Notice 284 of 2023

Published in Gazette of the United Republic of Tanzania 14 on 21 April 2023

**Commenced on 21 April 2023**

*[This is the version of this document as it was from 21 April 2023 to 2 May 2024.]*

*[Note: The original publication document is not available and this content could not be verified.]*

*[CAP.133]*

(Made under section 64)

## Part I Preliminary provisions

**1. Citation**

These Regulations may be cited as the Plant Health Regulations, 2023.

**2. Interpretation**

In these Regulations, unless the context otherwise requires—

"**aerialpesticide application**" means the application of a prescribed plant protection product from an air craft;

"**agro-ecological zones**" means land resource, mapping unit defined in terms of climate, landform and soils, and/or land cover, and having specific range of potentials and constraints for land use;

"**commercial applicator**" means any pesticide dealer who engages in the business of applying pesticides to the land or property of another person;

"**concentration**" means the proportion of active ingredient in a pesticide;

"**cropping season**" means the season of the year when particular crop is grown, which indicates the distribution of crops in a year on the basis of climatic requirements that normally affect crops germination, growth, flowering, and final yield;

"**crop family**" means group of crops of one or more genera sharing similar attributes;

"**dossier**" means the part of the data set that is submitted in support of a request for registration of pesticide plant protection product which provides all necessary information to allow a reliable assessment of the efficacy of that product (also referred to as biological assessment dossier or efficacy dossier);

"**fumigant**" means a registered pesticide which, at a required temperature and pressure, exist in the gaseous state in sufficient concentration to be lethal to a given pest organism;

"**fumigation**" means a pest management treatment that involves the use of a fumigant in a gaseous form within a predetermined time, from the time of fumigant application;

"**fumigator**" means a person appointed by the fumigation company who trained by the authority and attained fumigation license;

"**fumigation ventilation work**" means removal of gas—proof sheets used to prevent fumigant escape, and opening of all doors and windows in the fumigated space after fumigation in order to allow fresh air into a fumigated space so that the poisonous gases are allowed to escape through either natural or mechanical means. It includes all the steps taken to prevent damage to cargoes from condensed moisture within the cargo holds and render the place safe for humans to enter (for discussion);

"**goods**"means all animals feed materials, combinable crops, finished products and processed materials for food or feed purposes;

"**high risk plant material**" means plants, plant material or plant product with higher likelihood of introducing quarantine pests; pests is so high;

"**low risk plant material**"means the plant products contain only active substances that are of low risk and do not require specific mitigation measures;

"**maximum residue levels**" means a trading standard set by national and international authorities for concentration of a pesticide residue (expressed as mg/kg) legally permitted in or on food commodities and animal feeds as a result of the use of pesticides based on label directions and Good Agricultural Practice (GAP) data for human health and safety;

"**National Plant Protection Organization**" means the Tanzania Plant Health and Pesticides Authority established in the Act to discharge the functions specified by the International Plant Protection Convention;

"**pest control operator**" means a person dealing with general house pest control, termite and other wood destroying organisms control, storage pests control, general public weed control or control of pests affecting public safety;

"**licensed pest control operator**" means a person who is licensed by the Authority and who owns, operates or manages a pest control operating company or business that is engaged in carrying out pest control operations on the property of another person for hire;

"**pest risk analysis**" has the same meaning ascribed to it under the Act;

"**pest surveillance**" "pest surveillance" means an official process which collects and records data on pest presence or absence by survey, monitoring or other procedures;

"**pesticide residues**" means any specified substances in or on food, agricultural and other types of commodities or animal feed as well as in environmental media including soil, air and water resulting from the use of a pesticide and the term includes any derivatives of a pesticide, such as conversion products, metabolites, breakdown products, reaction products and impurities considered to be of toxicological or eco—toxicological significance;

"**pesticide technical material**" means relatively pure active ingredients, used to prepare formulations;

"**phytotoxicity effects**"means damage such as burning, scorching, necrosis, chlorosis, leaf distortion and stunting growth due to application of pesticides to plants;

"**plant health**" means the protection of plants, as well as scientific and regulatory frameworks for controlling plant pests or pathogens, the ability of the plant to perform under stress with or without human interference;

"**restricted plant materials**" include any plant, propagative material of plant product which can be affected by or harbour a plant pest or disease;

"**toxicological**" refers to the description of the negative effects of biological or chemical substances on organic living beings; and

"**toxicological information**" is description of the various toxic health effects inherent to the product and the data used to determine the effects, including routes of exposure, potential health symptoms related to the product characteristics and delayed, immediate, chronic effects from exposures.

## Part II Registration of pesticide

### 3. Categories of pesticide registration

(1) There shall be three categories of pesticides to be considered for registration as follows:

(a) synthetic pesticide;

(b) bio–pesticide; and

(c) biological control agents.

(2) A person who intends to register pesticide shall apply to the Authority for the registration.

### 4. Pre-conditions for application of pesticide registration

(1) A person who intends to apply for registration of pesticide shall be required to submit to the Authority three copies of a dossier in hard copy or soft copy containing at least the following information:

(a) laboratory analytical method for chemical contents, active agents and physical tests;

(b) maximum residue limit;

(c) environmental fate information;

(d) label specimen in English and Swahili language;

(e) material safety data sheet or safety data sheet;

(f) information relating to suitability of use;

(g) a receipt of a non–refundable fees as may be prescribed; and

(h) any other relevant information that may be required for evaluation.

(2) Subject to subregulation (1), a person who intends to apply for registration of a part of pesticide formulation other than the active ingredient, shall indicate so in the dossier in the manner prescribed in the guidelines.

(3) Subject to subregulations (1) and (2), a letter of authorization from the manufacturer shall be provided for affirmation.

(4) The Authority shall, upon receival of applications made in pursuance to subregulation (1), assign a code number to such application.

(5) The Authority shall appoint a team of scientists to assist in evaluation of a dossier.

(6) The team referred under subregulation (5) shall comprise of—

(a) bio–efficacy evaluation personnel;

(b) toxicologist or eco–toxicologist;

(c) pesticide application technologist; and

(d) pesticide analyst.

(7) The Authority shall make decision after receiving recommendations made by the dossier evaluation team of scientists.

(8) The Authority shall, where the dossier meets the requirements provided for under subregulation (1), notify the person concern in writing to apply for registration of pesticide.

(9) Where the dossier does not meet the requirements provided for under subregulation (1), the Authority shall reject it and inform the person concern in writing the reason of the decision.

## 5. Confidential business information

(1) The Registrar shall keep the dossier in a confidential room to ensure that industrial confidential business information is secured.

(2) The applicant may, in submitting the registration dossier, mark the parts of the dossier which, in his opinion, represent or contain industrial or commercial secrets.

(3) Information provided by the applicant in accordance with the pesticide dossier in the United Republic shall not be used by another applicant, unless there is a written agreement between the parties.

(4) The provision of subregulation (3) shall not apply to the information relating to the—

(a) name or the concentration of the active ingredient or to the name of the commercial product;

(b) names of other substances considered as hazardous to man and the environment;

(c) physico–chemical data of the active ingredient, the degradation products or metabolites of (eco)toxicological importance;

(d) summary of the results of the trials intended to establish the efficacy of the product and its innocuousness for man, animals, plants and the environment;

(e) methods and precautions recommended to reduce risks during storage, transport or other handling methods;

(f) methods of analysis of the active ingredient and its residues after application, as well as the metabolites or other components considered important from (eco)toxicological context;

(g) methods of destruction of the product and its packaging;

(h) decontamination measures to be taken in the case of accidental application or leakage; and

(i) first aid and medical treatment in the case of accidental exposure or poisoning.

## 6. Application for registration of pesticide

(1) A person who intends to register a pesticide shall apply to the Authority for registration in a form set out in the First Schedule to these Regulations.

(2) An application under subregulation (1) shall be accompanied with—

(a) representative sample of the pesticide as prescribed in the guidelines for—

(i) laboratory quality analysis; and

(ii) bio–efficacy trials;

(b) certificate of analysis if already issued;

(c) formal notification whether or not the pesticide has been banned or restricted in the country of origin;

(d) International Standard Organization (ISO) certified reference material of the active ingredients with its corresponding certificate;

(e) a receipt of a non–refundable application fees and appropriate charges as specified in these Regulations for–

(i) laboratory analysis; and

(ii) bio–efficacy trials; and

(f) such other information or document as may be required by the Registrar for the purposes of registration.

(3) Documents to submitted under this regulation shall be certified as authentic document.

## 7. Analysis of samples

(1) The Authority shall, upon being satisfied that the application complies with the requirements under these Regulations, submit a representative sample and ISO certified reference material of the active ingredient to the laboratory for analysis and evaluation for purposes of assessing safety, quality and verify conformity of the content of active ingredient as claimed on the label to the current tolerance limits set by the relevant international agreement or treaty to which the United Republic is a party as specified in the guidelines.

(2) The Authority may, during the analysis and evaluation process of the sample, require the applicant to submit additional samples, documents, information, data or clarification.

(3) Where additional samples, documents, information, data or clarification are required, the process of analysis and evaluation shall not proceed until such time when the applicant makes the submission.

(4) The application shall, where the applicant fails to meet the requirements under subregulation (3) within the period of six months from the date of request, be rendered withdrawn.

(5) The Authority may, on request and upon reasonable cause by the applicant, extend the time specified under subregulation (4).

## 8. Time for conducting laboratory analysis

(1) The time for conducting laboratory formulation analysis and submission of the results shall, depending on the type and nature of the sample, be between one to seven working days.

(2) Upon completion of the analysis, the results shall be issued to the client in the manner provided for in the First Schedule.

## 9. Experimental use permit

(1) The Authority may issue experimental use permit of unregistered pesticide which is imported or produced locally.

(2) A person who intends to use unregistered pesticide for experimental purpose shall apply to the Authority in a manner prescribed in a Form set out in the First Schedule.

## 10. Bio-efficacy trial of pesticides

(1) Bio efficacy trial of a pesticide to be introduced into the market shall be carried out to ensure it is effective and safe.

(2) The time required for conducting field bio-efficacy trials for a new pesticide product shall not be less than three cropping seasons.

(3) Pursuant to sub regulation (2), the time required for label extension shall be one cropping season.

(4) Bio efficacy trials for new pesticide formulation for pest control in horticultural crops shall comprise of three field trials.

(5) Pursuant to sub regulation (4), bio efficacy trials for label extension for pesticides for control of pests in horticultural crops shall comprise of one field trial.

(6) The time required for bio-efficacy trials for a new pesticide product registered by a partner state within a region with similar agro-ecological characteristics shall be one cropping season in multiple locations.

(7) The bio efficacy trial of a new pesticide for registration in more than one partner state shall be as per the regional harmonized guidelines.

(8) Data generated during bio efficacy trials described under sub regulation 4, shall be submitted to the other partner states to support the registration of a new pesticide formulation.

(9) Bio efficacy trials shall be monitored by the Authority through approved individual experts or research institute(s) as per the guidelines provided by the Registrar or using Regional harmonized guidelines.

(10) Bio-efficacy trial for label extension shall be carried out if—

(a) the extension applied for is from a different crop family or pest species; or

(b) Information on such pesticide field performance is not available from other harmonized regulations where Tanzania is a contracting party.

(11) Notwithstanding sub regulation (1) the Authority shall conduct bio efficacy trials of biological control agents in closed and open conditions based on the Guidelines developed by the Authority.

(12) Bio efficacy trials for new biological control agents in the closed and open fields shall be conducted for three seasons for new biological control agent and for one season in two different sites for label extension.

(13) Bio efficacy trials for part of a pesticide formulation other than the active ingredient shall be subjectto conditions prescribed in these regulations.

(14) Upon completion of bio-efficacy trial conducted by recognized institution or individual expert, such recognized institution or individual expert shall submit the report accompanied with all necessary information which facilitated the trial to the Authority in hard or soft copy, within thirty working days from the date of completion of the field trial.

## 11. Registration of pesticide

(1) The Authority shall, where it is satisfied that the pesticide complied with the requirement for registration, register the pesticide.

(2) The Authority may reject application for registration of pesticide if it has the reason to believe that the following has occurred—

(a) the information contained in the application is incomplete, false or misleading in a material particular;

(b) the pesticide is not effective or cause phytotoxicity effects on crops;

(c) the quality of the pesticide is unsatisfactory;

(d) the residue of the pesticide is, or the residues of the pesticide are, too persistent, or are toxic when metabolized;

(e) the pesticide is too hazardous to human, animal health or the environment to permit its use;

(f) other products are available which are equally or more effective, but are less hazardous;

(g) the risks outweigh the benefits under local socio–economic conditions; or

(h) any other conditions which the Authority may deem necessary; a

(3) The Authority shall, where the application does not meet registration requirements for the reasons set out in subregulation (2), notify the applicant in writing and require such applicant to submit additional information within a specified time.

(4) Subject to sub-regulation (3), where the applicant does not submit additional information within the time specified, the application shall be rejected.

## 12. Re-submission of rejected application

An applicant whose application for registration of a pesticide has been rejected may at any time, upon fulfilment of previous anomaly and payment of the prescribed fees, make another application for registration and such application shall be treated as a new application.

## 13. Forms of registration

(1) Pesticide shall be registered under the following forms—

(a) full registration;

(b) provisional registration; and

(c) restricted use registration.

(2) Without prejudice to the generality of subregulation (1), pesticide shall not be registered in more than one form.

## 14. Full registration

(1) The Authority shall grant full registration to pesticide which complies with the following registration requirements—

(a) the formulation of a pesticide;

(i) is sufficiently effective against the targeted organism;

(ii) is not phytotoxic under normal conditions of use in the areas of the country;

(iii) is not harmful to man or non-target fauna under normal conditions of use in the United Republic;

(iv) has no unacceptable effect on the environment of the United Republic;

(b) results of trials, conducted in the country, which show that the pesticide has an acceptable biological efficacy; and

(c) the active ingredient, impurities and the residues of the pesticide can be determined by officially recognized analytical methods.

(2) A full registration category shall be valid for a period of five years and may be renewed.

(3) The Authority shall issue certificate of registration of biological control agent as set out in the First Schedule to these Regulations under the following categories:

(a) full registration valid for five years and can be renewed where—

(i) is sufficiently effective against the targeted organism;

(ii) does not pose adverse effects to the biodiversity under normal conditions of use;

(iii) is not harmful to human or non-target fauna under normal conditions of use;

(iv) has no unacceptable risks on the environment;

(v) results of trials, conducted in the country, show that the biological control agent has an acceptable biological efficacy; and

(vi) the contaminant of the biological control agents can be determined by recognized evaluation methods;

(b) an experimental permit lasts for one year and may be renewed where biological control agent continues to be used for purposes of research.

## 15. Provisional registration

(1) The Authority may grant a provisional registration of a pesticide product where the applicant partially complies with requirements for full registration as provided for under regulation 14.

(2) Notwithstanding subregulation (1), further information may be considered necessary in order to comply with those conditions in a satisfactory manner and mainly concerns to data which—

(a) cannot be provided unless the pesticide has been applied on a larger scale and in a real condition of use in the United Republic;

(b) the use pattern for which the pesticide has been registered does not exist in the country, and requires further information concerning data, which cannot be provided unless the pesticide has been applied;

(c) it is impossible to satisfy the conditions and the restrictions related to the unregistered use of the pesticide; or

(d) the ecological conditions in the country are substantially different from those used in the evaluation of environmental risks by the Authority.

(3) Upon granting provisional registration, the Authority shall, by deferment notice in writing, notify the applicant.

(4) A provisional registration shall be valid for a period of two years.

## 16. Restricted use registration

(1) A person shall not engage in distributing, selling, or offering for sale restricted use pesticides without an authorization from the Authority.

(2) The Registrar shall publish in the *Gazette* the list of restricted use pesticides and prescribe their use in the permit as—

(a) is highly hazardous;

(b) is persistent in the environment;

(c) is biologically cumulative; or

(d) causes a poisoning of which no effective antidote is known and available.

(3) The official list of restricted use pesticides containing the names of pesticides with some or all of their uses and formulations is subject to periodic changes.

## 17. Issuance of certificate of registration

(1) The Registrar shall issue a certificate of registration upon the approval of registration in the manner prescribed in the First Schedule to these Regulations in respect of the pesticide approved to be registered.

(2) The Registrar shall, where a registration is amended, issue a registration certificate that bears the same registration number of the pesticide and the procedures for amendment of registration shall be specified in the guidelines.

(3) A registered pesticide shall be published in the *Gazette* specifying the—

(a) trade and common name;

(b) formulation type;

(c) type by target pest;

(d) the registration category;

(e) target pests and crops;

(f) name of registrant;

(g) registration number; and

(h) any other information as the Authority may deem necessary.

(4) Without prejudice to subregulation (3) the Registrar shall, in every year, cause to be published in the *Gazette* a list of registered pesticide.

## 18. Duty to provide information

A holder of registration certificate or an applicant shall be obliged to furnish the Authority with any new information relating to a registered pesticide or pesticide in respect of which registration is sought.

## 19. Renewal of pesticide registration

(1) Application for renewal of pesticide registration shall be accompanied by—

(a) label specimen in English and Kiswahili language;

(b) formal declaration whether or not the pesticide has been banned or restricted in the country of origin;

(c) representative sample of the pesticide laboratory quality analysis;

(d) previous certificate of analysis;

(e) ISO certified reference material of the active ingredients with its corresponding certificate; and

(f) a receipt of a prescribed fees.

(2) The documents submitted under subregulation (1) shall be certified as authentic document.

## 20. Changes of particulars of registered pesticide

(1) An applicant who intends to make changes to a pesticide which has been registered, shall apply to the Authority in a Form specified in the First Schedule to these Regulations, and such application shall be accompanied by the prescribed fee.

(2) Notwithstanding subregulation (1), an application for a change of trade name shall be considered as new application for registration.

(3) The Registrar may consider formulation change as either major or minor where—

(a) major formulation changes involve change in the chemical composition or content of co–formulants and the registrant shall be required to submit a new application for registration; and

(b) minor changes involve altering only the type of preservatives used and the registrant shall not be required to submit a new application for registration.

(4) Changes higher than absolute 10 %w/w of the original formulation may require new toxicological studies.

(5) Changes below absolute 10 %w/w shall be decided case-by-case whether studies using the new formulation have to be submitted.

(6) The registration of a pesticide with a change of application use like foliar to seed treatment shall be under label extension that requires one cropping season as set out in these Regulations.

## 21. Transfer of registration certificate

(1) A person who intends to transfer a certificate of registration of pesticide shall apply to the Authority in a Form set out in the First Schedule to these Regulations accompanied by a non-refundable fee.

(2). A certificate of registration shall not be transferred to another person without prior approval of the Authority.

## 22. Cancellation of certificate of registration

(1) The Authority may, at any time, cancel a registration certificate where it is satisfied that—

(a) the registration certificate was obtained contrary to the Act or these Regulations;

(b) the Authority has become aware of new facts or an unforeseen change that jeopardize efficacy, safety or any of the parameters approved as per the requirements for registration;

(c) certificate holder deliberately provided false or misleading information while applying for registration;

(d) it is for public interest; or

(e) any breach of condition by a registration certificate holder.

(2) The Authority shall, before exercising its powers under subregulation (1), require in writing a certificate holder to show cause within thirty days as to why registration should not be cancelled.

(3) The Authority shall, where the certificate holder fails to comply with the provision of subregulation (2) without good cause, proceed to cancel the certificate of registration.

(4) Where the certificate is cancelled, the Authority shall—

(a) require the applicant to surrender the certificate of registration within seven days;

(b) give written order directing the disposal of any stocks of the pesticide; (1); and

(c) issue a notice of the cancellation in the *Government Gazette*.

## 23. Application for registration, testing, evaluation and calibration of pesticides application equipment

(1) A person who intends to register an application equipment shall apply to the Authority in a Form set out in the First Schedule to these Regulations and such application shall be accompanied by—

(a) a sample of a pesticide application equipment with its specifications and other relevant information for testing, evaluation, and calibration;

(b) sample equipment manual written in English and Kiswahili language with specifications and other technical information;

(c) set of at least four nozzles in ISO10625 or ANSI/ASAE S.572.1 (ASABE) standard colour coding for knapsack and boom sprayers;

(d) declaration of availability of spare parts;

(e) receipt of any fee paid and other charges; and

(f) any other information or document as the Authority may require.

(2) The Authority shall, where the application is accepted and for the purpose of satisfying itself of its quality, efficiency and standard compliance both in the laboratory and field, submit the pesticide application equipment sample to the pesticide application technology laboratory for evaluation.

(3) The time for conducting laboratory and field tests and issuing of the results shall not exceed two months depending on the type of equipment, season and the nature of the test required.

(4) Procedure for testing, evaluation and calibration of pesticide application equipment shall be in accordance with the guidelines made under the Act.

(5) Details of each criterion mentioned in subregulation (1), for each application equipment category shall be carried out in accordance with the guidelines made under the Act.

## 24. Registration of pesticide application equipment

The Registrar shall register the product where he is satisfied that, the result of laboratory assessment and field test has been complied with the provisions of these Regulations and issue the registration certificate in the manner provided for in the First Schedule to these Regulations.

## 25. Rejection of registration of pesticide application equipment

The Authority shall, where the conditions set out in regulation 24 is not fulfilled, reject the application for registration of pesticide equipment and notify the applicant in writing within seven working days from the date of results submission.

## 26. Failure to register pesticide application equipment

A person who—

(a) imports;

(b) distributes; or

(c) sells,

pesticide application equipment without being registered in accordance with these Regulations commits an offence.

## 27. Post registration surveillance, monitoring and control

(1) The Authority shall carry out post registration surveillance with regards to field performance of pesticides, application equipment and emerging issues from global pesticide management instruments as a means of measuring the validity of predictions based on registration data, efficacy, quality, safety and environmental effects.

(2) Upon incidence of detrimental effect of pesticide use, the Authority shall carry out investigation or study to determine the impact and may suggest or deploy mitigation measures

(3) Post registration surveillance shall be carried out in accordance with the procedures set by the relevant international agreement or treaty to which the United Republic is a party as specified in the guidelines.

(4) Notwithstanding the provision of subregulation (1), sample of pesticide, environmental and biological samples from post registration surveillance shall also be submitted for analysis.

## Part III – Licensing of pesticide dealers

### 28. Application for license of pesticide dealers

(1) A person shall not carry out any dealer business relating to pesticides without a license from the Authority.

(2) A person who intends to carry out any dealer business relating to pesticides shall apply for license to the Authority in the manner set out in the First Schedule to these Regulations.

(3) The Authority, upon receipt of the application, shall validate the information and conduct an inspection of the premise to ensure compliance with these Regulations.

### 29. Requirement for licensing as pesticide dealer

A person shall not be licensed as a pesticide dealer unless —

(a) such person or supervisor and attendant is trained in pesticide safety;

(b) such person has relevant information or documents which enable to state the source of the pesticide on sale; and

(c) the pesticide dealer premise has adequate and appropriate pesticide storage, display and safety equipment facilities.

*[Please note: numbering as in original.]*

### 29. Issuance of pesticide dealers' license

(1) The Authority shall, within thirty days and upon being satisfied that the applicant has complied with the requirements for licensing, issue a licence as specified in the First Schedule to these Regulations.

(2) Where the Authority is not satisfied with the information submitted shall not issue the license and shall notify the applicant in writing.

(3) A pesticide and bio—pesticide dealer's license shall apply to the registered pesticide and bio—pesticide published in *Gazette*.

(5) The license shall be kept in the premise for which the licence is being issued and shall be produced for inspection when required by inspector or any other officer authorized by the Authority.

(6) The pesticide business premise shall be at an approved Geo–referenced location and shall not re–locate without an approval from the Authority.

### 30. Validity of license

Pesticide and bio–pesticide dealer's license shall expire on thirty first of December of every year, unless is sooner cancelled.

### 31. Pesticide licensed dealers

(1) The Authority may request in writing a pesticide dealer licensed as a wholesaler to submit within thirty days from the date of such request a list of persons who sell pesticide at retail supplied by him.

(2) Licensed dealers shall keep accurate and latest updated record of any distribution or sale of pesticide containing the following information—

(a) signature of purchaser and his agent in case of wholesaler and receipt indicating particulars of purchase in case of a retailer and stockist;

(b) type of the pesticide purchased;

(c) quantity purchased;

(d) date of purchase; and

(e) any other information as deemed necessary by the Authority.

(3) Notwithstanding the provisions of subregulation (1), requirements to obtain restricted use pesticide dealer's license shall include but not limited to—

(a) proof of training on restricted use pesticide and their proper handling;

(b) risk reduction and dealing with emergencies;

(c) use of the appropriate protective gear;

(d) proof of existence of equipment;

(e) proof of health monitoring of employees;

(f) maintenance and submission to the Authority records of all restricted use pesticide sales to authorized commercial applicators and fumigators and the intended areas of application for those pesticide; and

(g) keeping of copies of the records on file for two years and which shall be classified as Confidential Business information.

(4) The Authority shall, upon being satisfied that the application has complied with the requirements of these Regulations, process the application within five working days after payment of respective fees issue the licence in the manner set out in the First Schedule to these Regulations.

## 32. Application for pest control operator's licence

(1) An application for a pest control operator licence shall be made to the Authority in a Form set out in the First Schedule to these Regulations and shall be accompanied with the following:

(a) a certified copy of pesticide management training certificate; and

(b) evidence of payment of application fee set out in the First Schedule to these Regulations.

(2) The Authority shall determine the application under subregulation (1) and, upon being satisfied, issue a pest control operator licence as specified in the First Schedule to these Regulations.

(3) The Authority shall, where the application does not comply with the provision of subregulation (1), refuse to issue a pest control operator licence to the applicant and inform the applicant in writing of the reasons for the refusal.

(4) A licensed pest control operator shall hold a training certificate in pesticide management and principles of fumigation issued by the Authority.

(5) Notwithstanding subregulation (4), a licensed pest control operator shall, if he does not possess a certificate in pesticide management issued by the Authority, be required to employ a person who possesses a certificate in pesticide management.

(6) A licensed pest control operator shall ensure safety of the employees and clients by creating awareness on the inherent risks of indiscriminate use and misuse of pesticide.

(7) The office and branch of the pest control operator shall have the following minimum qualities—

(a) at least one operator trained by the Authority in safe application and use of pesticide;

(b) contract of services or operations that abides with purposes for which the pesticide is registered; and

(c) be equipped with necessary working and safety equipment.

## 33. Aerial pesticide application

(1) A person who intends to conduct aerial pesticide application in Tanzania shall apply for a license to conduct aerial pesticide application to the Authority in a Form set out in the first Schedule to these Regulations.

Provided that, this section shall not apply to international organizations to which Tanzania is a member in respect to pest management.

(2) An application under subregulation (1) shall be accompanied with the following:

(a) certificate of approval from the responsible authorities;

(b) business license;

(c) Tax Identification Number Certificate;

(d) certificate of incorporation; and

(e) certificate of approval of the aerial spray equipment from the Authority.

(3) The Authority shall assess the quality of the aerial spray equipment before issuing license to conduct aerial pesticide application and after being satisfied with the application, shall issue a license in a manner specified in the First Schedule to these Regulations.

## 34. Pesticide fumigation services

(1) A person who intends to offer fumigation services shall apply for a pesticide dealer's operator license from the Authority in a manner specified in the First Schedule to these Regulations.

(2) The procedures and requirements of application for a license shall be as provided under regulations 28 and 29.

(3) Only person registered as fumigator and employed by pesticide dealer dealing with fumigation services shall be permitted to carry out any fumigation or fumigation aeration work in a ship carrier, vessel, truck, railway truck, greenhouse, soil, aircraft, warehouse, silo or other places.

(4) Fumigation service offered under subregulation (3) shall be carried out under the supervision of an inspector upon payment of treatment supervision fee as prescribed in the First Schedule to these Regulations and a certificate of clearance shall be issued by the Inspector.

(5) Pesticide dealer providing fumigation services shall:

(a) issue a certificate of fumigation to the client containing information as prescribed in the First Schedule to these Regulations;

(b) keep and submit to the Authority records of fumigation as prescribed in the First Schedule to these Regulations;

(c) abide by the instructions and guidelines issued by the Authority;

(d) submit a compliance agreement to the Authority at the time of issuance of the certificate duly signed by the authorised signatory of the firm; and

(e) be ready for routine audits carried by the Authority to check for standards compliance.

### 35. Qualifications for registration of pest control operator

A person trained in pest management and principles of fumigation shall be issued with a certificate from the Authority as evidence that he has attained necessary qualification for registration as a pesticide dealer and shall be issued with a pest control operator's license specified in First Schedule to these Regulatios.

## Part IV – Import, export and transportation of pesticide and pesticide application equipment

### 36. Application for import or export permit of pesticide

(1) A person who intends to import or export pesticides shall apply to the Authority for a permit in a form set out in the First Schedule to these Regulations.

(2) The applicant who intends to import or export the pesticide under Regulation 38 shall pay fee for import, export and sample analysis to the Authority as prescribed in the Second Schedule to these Regulatios.

(3) An importer or exporter who paid the cess fee under this regulation may be refunded where it is shown to the satisfaction of the Authority that, the pesticide in respect of which such paid cess is not imported or exported for reasons not caused by the importer or exporter.

(4) Representative sample for laboratory analysis shall be collected by the analyst or inspector from each consignment imported or exported and be submitted for quality verification after which a certificate of analysis shall be issued.

(5) Sample collection shall be carried according to pesticide sample collection procedure specified under these Regulations and guidelines.

(6) Where the results of the sample are found to be responsive to the registered pesticide, the Authority shall issue the import permit in a form prescribed in the First Schedule to these Regulations or export permit in a Form prescribed in the First Schedule to these Regulations.

(7) Where the results of the sample for import are found to be unresponsive to the registered pesticide, the consignment shall be denied entry, or shall be re-shipped to country of origin, or disposed off as provided in the guidelines.

(8) Where the results of the sample for export are found to be unresponsive to the registered pesticide, the consignment shall be denied exit, or disposed of in the manner provided for in the guidelines.

(9) Where the registrant intends to change the manufacturer during importation of the registered pesticides, shall notify the Authority in writing of such intention in a Form prescribed in the First Schedule to these Regulations.

(10) Subject to subregulation (9), the pesticide from a new manufacturer shall undergo a one season bio efficacy trial.

(11) The importation from new manufacturer shall be authorized only when the field performance and environmental fate do not deviate from the previously registered pesticide

### 37. Experimental permit

(1) The Registrar may grant experimental permit for pesticide where—

(a) a unregistered pesticide product is undergoing testing as part of the registration process;

(b) the product is for use not previously approved in the registration of the pesticide according to these Regulations;

(c) the product contains new active or non-active ingredient; or

(d) the product is a registered pesticide being tested for an unregistered use.

(2) The registration under experimental category shall expire after one year and may be renewed.

(3) An applicant is not permitted to import bulk pesticides under experimental category.

### 38. Application for import and export of pesticides application equipment

(1) A person who intends to import pesticide application equipment shall apply to the Authority for a permit in a Form set out in the First Schedule to these Regulations.

(2) Any imported application equipment shall be accompanied with the registration certificate issued by a recognized authority of a country of origin.

(3) The importer shall submit a sample of application equipment to the Authority for certification of the imported application equipment consignment and pay fee or charges as may be prescribed by the Authority.

(4) The Authority shall, where the results of the sample are found to be responsive to the registered application equipment, issue the import permit to the importer in a form prescribed in the First Schedule to these Regulations or export permit in a Form set out in the First Schedule to these Regulations.

### 39. Conditions for import permit

(1) After being issued with import permit, the importer shall ensure compliance with all terms and conditions for import of pesticide, application equipment or unregistered pesticide as provided for in these Regulations or any other written laws.

(2) The importer of pesticide, application equipment or unregistered pesticide shall notify the Authority not less than twelve hours before the arrival of vessel, aircraft, train or vehicle carrying pesticide in Tanzania.

(3) Any pesticide imported under this regulation shall not be sold unless its quality has been analysed and approved by the Authority.

(4) A person who imports pesticide, application equipment or unregistered pesticide without import permit issued in accordance with this regulation commits an offence.

### 40. Review, refusal, revocation, suspension or amendment of import permit, certificate or licence

(1) The Authority may review, revoke, suspend or amend the permit, certificate or a licence of a pesticide application equipment where:

(a) it has been banned or restricted in Tanzania;

(b) no longer meets the quality, safety and effectiveness requirements;

(c) the marketing authorization has been suspended for a period of more than twelve months;

(d) importer deliberately provides false or misleading information on an application for importation;

(e) a pesticide dealer has been proved to be persistent offender under the provisions of the Act and these Regulations; or

(f) it is not in the public interest that it shall be made or continue to be made available,

(2) Before exercising its powers under subregulation (1), the Authority shall require the licence or permit holder in writing to show cause within seven days as to why permit should not be cancelled, revoked, refused, suspended or amended.

(3) The Authority shall, after revoking, suspending, refusing or amending the permit, certificate or licence of a pesticide or pesticide application equipment, issue a written notice to the holder stating the reasons for such decision within seven days from such decision.

(4) The holder of a permit or licence shall, upon receiving notice referred to under subregulation (3), surrender the permit or licence to the Authority within a period of seven days.

## 41. Transport of Pesticides

A person who intends to transport pesticides shall do so in a safe and efficient manner as prescribed in the guidelines.

## 42. Labelling of vehicle to transport pesticides

(1) A vehicle or other means of transport of pesticides in bulk shall be labelled at the back and on both sides with the warning statements in accordance with country and international requirements as prescribed in the guidelines.

(2) Notwithstanding subregulation (1), the label shall include—

(a) the word “WARNING!” and “CAUTION”;

(b) the word “DANGER” “keep away from unauthorized person”

(c) the word “POISON” marked indelibly in red or white background; and

(d) a pictogram of skull and crossbones.

## 43. Re-export of pesticides

(1) An importer may import into Tanzania a consignment of pesticides for the purpose of re-exporting such consignment or a part thereof to another country, provided that the importer may combine such consignment with former imported consignments or locally made consignments for the purpose of such re-export.

(2) Subject to subregulation (1) the exporter shall—

(a) apply to the Authority for a re-export permit in the Form Prescribed in First Schedule to these Regulations;

(b) provide all documentation as may be required;

(c) pay any applicable fee as shall be prescribed; and

(d) make the consignment available for inspection.

(3) The Authority shall verify the documents presented and inspect the product to determine category of pesticide.

(4) An exporter shall re-export the pesticide consignment in compliance with instructions of the Authority.

(5) All original documentation and certificates from the country of origin shall accompany the consignment to be re-exported.

(6) The permit for re-export of transit pesticides shall be in the form prescribed in the First Schedule to these Regulations.

## Part V – Pesticide safety

### 44. Packaging and re-packaging of pesticide

(1) Packaging or re-packaging of pesticide shall be carried out on registered premises that comply with standards upon the Authority being satisfied that—

(a) staff are adequately protected against toxic hazards;

(b) there are adequate measures to avoid environmental contamination;

(c) resulting products are properly packaged and labelled.

(2) Pesticide shall be packaged or re-packaged in a container which—

(a) is safe for storage, handling and use and does not present unnecessary danger to human health or the environment;

(b) the outer surface of the container is constructed of, or coated with materials capable of resisting corrosion or other deterioration;

(c) shall not degrade under normal conditions of storage in the country and normal conditions of use for a specified time period including being adversely affected by changes in ambient conditions such as pressure, temperature and humidity;

(d) shall not resemble common packaging for consumable goods;

(e) prominently displays the approved label with clear directions for use and risk reduction measures;

(f) has a safety mechanism that prevents children from inadvertently opening the container; and

(g) is designed to make it difficult to be re-used.

(3) On first registration or on changing of the formulation, sample containers and labels shall be submitted to the Authority for approval.

### 45. Labelling of pesticide

(1) A container of a registered pesticide distributed, sold, offered or exposed for sale shall be labelled in English and Kiswahili languages indicating the following particulars—

(a) a trade name and a common name;

(b) a description of its active ingredients in relation to its net weight or volume;

(c) a list of crops and target pests to be applied to it;

(d) a description of precautions to be taken on its use;

(e) hazard information, first aid, antidote and note to physician;

(f) instructions on disposal of unwanted pesticides and empty containers;

(g) warning symbols or pictograms and colour codes;

(h) the registration number;

(i) the name and address of the holder of the registration certificate or of the provisional clearance;

(j) the formulation, manufacture and expiry date;

(k) batch number;

(l) name of the registration authority; and

(m) the warning “SUMU” and “POISON” written in bold red letters appearing at the top-centre of the label;

(n) restricted use pesticide shall clearly be marked with the words “RESTRICTED USE PESTICIDE”

(o) experimental use pesticide shall clearly be marked with the words “EXPERIMENTAL USE PESTICIDE”;

(p) directions for use;

(q) approved by the Tanzania Plant Health and Pesticides Authority;

(r) pre-harvest interval (PHI); and

(s) dose rate.

(2) Minimum font size for all texts shall be eight point and packaging on which it is impossible to have readable text of font size eight or above, a leaflet shall be affixed on a container.

(3) The information on the label shall be accurate and free from any statements which cannot be substantiated or falsely inform a purchaser or user and the label shall not describe a product by such terms as “harmless”, “non-toxic”, “the best”, “superior” or “most effective”, or "environmentally friendly", or "compatible with IPM".

(4) Label submitted by the applicant to the Authority shall be reviewed by the team of experts using guidelines developed by the Authority.

(5) Without prejudice to the provisions of this regulation, all pesticide registered by the Authority shall follow the labelling system based on the international standards of labelling systems approved by the Authority.

(6) A person who distributes, promote, sell, offer for sale or use expired pesticides commits an offence

## 46. Sample collection for laboratory verification

(1) Procedure for sample collection, transportation and analysis intended for laboratory verification of a liquid, solid product or living forms shall be prescribed in the guidelines and laboratory Standard Operating Procedures.

(2) Where sample is required to be used as evidence in court for an enforcement action, it shall conform to acceptable sampling standards regarding admissibility of evidence to support the enforcement that a violation has occurred.

## 47. Identification, handling and transportation of sample

(1) Sample shall be taken from original, previously unopened package where:

(a) more than one batch or lot number is present;

(b) it is taken from the predominant batch; and;

(c) it is necessary to sample more than one batch or lot; or

(d) every sample batch shall be filled in separate sampling form.

(2) Sample container shall be initiated after collection and sealed and shall have the following information written in the inspector’s own handwriting—

(a) unique reference number; and

(b) sampling date.

(3) The sampling form provided under the First Schedule to these Regulations together with the chain-of-custody record the First Schedule shall be completed by the inspector and signed.

(4) For the purpose of subregulation (3), the sampling report shall be signed by the inspector and counter-signed by the owner or representative of the product and the chain of custody record shall be signed by inspector and all persons responsible for handling, receiving, transferring, analysing and storage

(5) The inspector shall transport all the samples taken and kept in the designated store of the Authority.

## 48. Analysis of sample

(1) Without prejudice to the provision of regulation 49, the sample collected by the inspector shall be subdivided into three sub-samples prior to analysis as follows:

(a) the first subsample shall be sealed by the Authority and shall be given to the party from whom the sample has been taken to enable him to send it to an accredited laboratory for analysis in case he doubts the outcome of the test;

(b) the inspector shall submit the second subsample immediately to the Authority for analysis; and

(c) the third subsample shall be kept by the Authority for use as a back—up sample in case a dispute arises regarding the results of analysis of the first two subsamples.

(2) The Authority shall, where re-analysis is required, witness the process and the cost of such re-analysis shall be borne by the client.

(3) The analyst shall be given a timeframe to complete the analysis according to the validated method and agreed customer contract.

(4) The client who intends to fast track shall pay analysis fee to the Authority as prescribed in the First Schedule to these Regulations.

(5) The fast-track analysis shall be carried within forty eight hours from the date of submission of samples.

## 49. Procedure for evaluation of pesticide residues

(1) The Authority shall evaluate pesticide residues in plants, plant products and regulated articles in order to ensure compliance to maximum residual limit (MRLs) for local consumption and export.

(2) Sampling and sub-sampling for pesticide residue evaluation shall be carried out using procedures specified in the guidelines.

(3) The time for conducting pesticide residues analysis and submission of the results shall be between one to thirty working days depending on the type and nature of the sample.

(4) The costs of residue analysis shall be stipulated in the First Schedule. to these Regulations.

(5) The Authority shall design and establish a system for and monitoring pesticide use to contribute to traceability of crop for pesticide residues data visibility in order to increase crop quality in the value-chain.

### 50. Pesticide Advertising

(1) A person shall not advertise pesticide in any media unless—

(a) all statements used in advertising are technically justified and do not contain any statement or visual presentation which, directly or by implication, omission, ambiguity or exaggerated claim, is likely to mislead the buyer, in particular with regard to the safety of the product, its nature, composition or suitability for use, official recognition or approval;

(b) such advertisement does not encourage uses other than those specified on the approved label;

(c) promotional material does not include recommendations which are inconsistence with directives issued by the Authority;

(d) claims as to safety, including statements such as "safe", "non-poisonous", "harmless", "non-toxic", "environmentally friendly" or "compatible with IPM," with or without a qualifying phrase such as "when used as directed" are not included;

(e) advertisements do not contain any visual representation of potentially dangerous practices, such as mixing or application without sufficient protective equipment, use near food or use by or in the vicinity of children;

(f) advertising or promotional material draws attention to the appropriate warning phrases and symbols are as laid down by the relevant international agreement or treaty to which the United Republic is a party; or

(g) advertisements and promotional activities do not include inappropriate incentives or gifts to encourage the purchase of pesticide.

(2) In any case where a pesticide is legally restricted to be used by trained or registered operators it shall only be publicly advertised through journals catering for such operators.

(3) A person who advertises pesticides contrary to the provision of this regulation commits an offence.

### 51. Storage of pesticide

(1) Pesticide premises shall be constructed and maintained in a manner that the risk of exposure and environmental contamination and poisoning is avoided and shall comply with the following requirements—

(a) the foundation and floor contain spills of pesticide concentrate within the boundaries of the storage site;

(b) Material Safety Data Sheets be available for all pesticide stored and accessible at the storage facility; and

(c) that pesticide is protected from rain, wind, direct sunlight, temperature and other weather hazards.

(2) Notwithstanding subregulation (1), dimension of constructed structure shall be in a minimum size of 3 metres by 4 metres for pesticide stored in retail shops and 5 metres by 4 metres for bulk storage areas with enhanced ventilation, and in both cases, temperature shall not be higher than 55 degrees Celsius at all time.

(3) Pesticide premises shall be marked with warning danger signs and pesticide be stored in their original containers.

(4) The pesticide storage premises shall be kept locked up to avoid unauthorized access and provided with fire-fighting equipment.

(5) The premises which do not meet the requirements of these regulation shall continue to operate for a period not exceeding six months from the effective date of these regulations

## 52. Inspection of pesticide storage facilities

(1) The Authority shall inspect pesticide premises in order to determine if there issubstandard, counterfeit, fake, adulterated pesticide and analysis shall be conducted to consider the probability of such anomaly.

(2) In the course of inspection where there are reasonable grounds to believe that, the pesticide dealer has contravened any provision of the Act or these Regulations, the inspector shall issue closure or seizure notice in the form set out in the First Schedule to these Regulations.

(3) Where a pesticides business premise has been closed, the owner or operator of the facility shall not operate it unless he has met all the required standards specified in the closure notice.

## 53. On-site inspection

(1) In the course of inspection, the inspector may, where it is necessary, conduct inspection in collaboration with other relevant government authorities.

(2) The inspector shall, for the purpose of compliance and quality assurance, conduct inspection on local pesticides manufacturing and formulating premises.

(3) Subject to subregulation (2), the manufacturer and formulator shall, before distribution, sale and use of pesticide, notify the Authority of every new batch for compliance and quality verification.

## 54. Disposal of obsolete pesticide and pesticide empty containers

The disposal of obsolete pesticide and pesticide empty containers shall be made in accordance with the Environmental Management Act.

*[Cap. 191]*

## 55. Pesticide poisoning node

(1) The Authority shall establish and maintain a pesticide poisoning information node equipped with facilities for communication, pesticides analysis and diagnosis.

(2) The node shall provide information and advice concerning pesticide related toxicity covering diagnosis, treatment, prognosis and prevention, and exchange information with national poisoning information centre as prescribed in the guidelines made under these Regulations.

(3) The poisoning information node shall—

(a) save as a source of information on pesticide poisoning cases;

(b) save as a centre for training and awareness building to the public about toxicology and pesticides poisoning;

(c) collaborate with public health agencies, health care providers and provider groups, government agencies, and academic institutions on the effects of pesticides to public health and environment; and

(d) respond to calls from the public regarding human exposures to pesticides at work place or in the homes.

(4) Without prejudice to subregulation (1), the Authority shall maintain and manage analytical toxicology laboratory, which shall —

(a) provide emergency qualitative and quantitative assays for pesticide poisoning;

(b) investigate pesticide toxicokinetic; and

(c) establish human and animal pesticide toxicological and eco-toxicological database of pesticide poisoning cases and feed to the National Poisoning Information Centre.

(5) Subject to subregulation (4), the Authority shall conduct mandatory analysis of the biological monitoring of population occupationally or environmentally exposed to pesticide at a prescribed fee.

## Part VI – Import of plants, plant products or regulated articles

### 56. Application for plant import permit

(1) A person shall not import plants, plant products or regulated articles without a permit issued by the Authority.

(2) A person who intends to import plant, plant products or regulated articles shall apply to the Authority in the manner set out in the First Schedule to these Regulations.

(3) The authority shall, where it is satisfied with application submitted under regulation (2), issue permit to the applicant to import such items on such terms and conditions as the Authority may specify.

### 57. Pest risk analysis

(1) For the purpose of preparing phytosanitary import requirements, the Authority shall conduct pest risk analysis in case of any of the following circumstances—

(a) international trade of plants, plant products or any regulated articles is created;

(b) new commodity has been introduced that may cause the introduction and spread of quarantine pest;

(c) importation of new varieties of plants for scientific research purposes or any other use;

(d) a pathway other than commodity imported is identified which may include but not limited to natural spread, mail, used vehicles, used farm machineries, garbage or passenger's baggage;

(e) a policy decision is taken to establish or revise phytosanitary measures or requirements concerning specific commodities;

(f) a new treatment, system or process or new information impacts on an earlier decision; or

(g) the identification of a pest that may qualify as a quarantine pest.

(2) The procedures for undertaking pest risk analysis shall be provided for in the guidelines.

(3) A person intending to import plants, plant products or other regulated articles where no phytosanitary import requirements for that commodity, the Authority shall request from the exporting country the technical dossier for conducting Pest Risk Analysis.

(4) Based on the pest risk analysis results, plants, plant products or regulated articles shall be categorised as—

(a) low risk where it may be imported subject to general requirements;

(b) high risk where it shall be imported subject to specific restrictions; and

(c) prohibited and shall not be allowed to be imported.

(5) The Authority shall maintain the record of such phytosanitary import requirements in a plant import order book which may be updated from time to time.

(6) The Authority may, upon being satisfied by the result of the pest risk analysis, issue import permit in a form prescribed in the First Schedule to these Regulations.

## 58. Conditions for Importation of categorized plants, plant products or regulated articles

(1) The conditions for application to the Authority for importation permit of specified plants shall be as follows—

(a) for high-risk plants, plant products or any regulated articles

(i) high risk plant materials shall not be allowed to be imported to Tanzania until a full pest risk analysis has been carried out;

(ii) for pest risk analysis to be conducted, a technical dossier containing data on the commodities to be introduced shall be submitted to the Authority by the National Plant Protection Organization of the exporting country as prescribed in the First Schedule to these Regulations;

(iii) the Authority shall, upon receipt of the technical dossier in sub regulation (ii), examine whether it contains the required information and may ask, where necessary, for additional information or clarifications so that it is ensured that the application contains all the required and appropriate elements for the pest risk analysis;

(iv) the Authority shall complete the pest risk analysis within a reasonable period and may grant the permit to import the commodity subject to prescribed import conditions or post entry quarantine arrangement;

(v) high risk plant material shall be imported through specified point of entry to be prescribed in import permit;

(vi) packing, transportation, storage, handling, and examination of high-risk plant materials subject to post entry quarantine procedures shall be provided in the guidelines;

(vii) plant import permit shall not be issued for importation of high-risk vegetative propagating material of plant species that can equally be grown from true seed or plantlets;

(viii) where the imported plant material is high risky vegetatively propagated, the material shall be under quarantine conditions; and

(ix) plant material that may be permitted under open quarantine arrangement shall be propagated in an area approved by the Authority as prescribed under these Regulations.

(b) for low-risk plant, plant products or any regulated articles:

(i) the consignment shall be accompanied by a copy of the plant import permit, original phytosanitary certificate or phytosanitary certificate for re-export issued by an authorized officer in the country of origin or re-export;

(ii) plants, plant products, or regulated articles must be free from soil or any organic materials;

(iii) the consignment shall be clearly identified, labelled, and packed in a clean new package and the following materials shall not be used: hay, straw, rice husks, peat, chaff, or other substance likely to harbour, or support harmful organisms.

(2) Genetically modified plants and plant products shall be subjected to phytosanitary requirements upon fulfilment of biosafety requirements as determined by the responsible Ministry.

(3) The plant import permit may be amended or revoked where there is an interception of a new pest in an imported agricultural commodities or report of occurrence of a new pest in a country of origin or change of policy that may affect phytosanitary regulations.

(4) The Authority shall, before revocation or amendment of the plant import permit issued under subregulation (3), notify the holder of the permit in writing.

(5) Any prohibited imported plants, plant products or any regulated articles shall be seized and destroyed or return to sender and the importer shall bear the expenses thereof.

## 59. Destruction of non-compliant consignment

(1) A person shall not import a consignment which contravenes the provisions of the Act, or these Regulations

(2) Where the Authority finds out any consignment which contravenes the provision of the Act or these Regulations, it shall seize such consignment and serve a notice to its importer or his agent to make representations as to why such consignment should not be destroyed

(3) Where the notice referred to under subregulation (2) have not been responded within the time specified in the notice or the owner of the consignment cannot be found or has absconded, the Authority shall destroy the consignment in accordance with the laws relating to environment.

(4) An importer shall bear all the costs relating to storage and of destruction of the consignment referred to under subregulation (2).

(5) An importer who fails to comply with this regulation commits an offence.

## 60. Establishment of closed and open quarantine sites

(1) A site for screening imported high risk plant materials under closed quarantine shall:

(a) have a signage declaring it to be an open quarantine site, bearing the name of the Authority and important agronomic information;

(b) have physical structures separating the internal from external environment by preventing escape of pests, plants, and plant materials;

(c) be reproductively isolated to prevent gene flow and physical contact;

(d) have disinfestation and changing room facility;

(e) have built-in treatment facility that allow irrigation water to be of good quality and appropriately treated to render pest free; and

(f) be approved by the Authority.

(2) A site for screening imported high risk plant materials under open quarantine shall—

(a) be geo-referenced;

(b) be approved by the Authority;

(c) have a signage declaring it to be an open quarantine site, bearing the name of the Authority and important agronomic information;

(d) be isolated from the sexually compatible plants of similar species or wild relatives and possibility of mechanical admixtures using guard rows and or buffer zone as specified under recognised biological documents;

(e) be physically confined and protected from trespassing by a contiguous uninterrupted mechanical boundary; and

(f) not be grown with the same crop or plant species in the previous season.

### 61. Conditions for importation of fresh horticultural plants and plant products

A person importing any fresh horticultural plants and plant products imported into Tanzania shall ensure that such product is—

(a) clearly identified, labelled, and packed in clean and preferably new package; and

(b) accompanied by—

(i) a phytosanitary certificate or its equivalent, detailing any treatment carried out prior to shipment; and

(ii) additional declaration with regard to the pests of quarantine importance in accordance to plant import order book.

### 62. Conditions for importation of micro-propagated plant materials

A person importing, tissue cultured, invitro or micro-propagated plants into Tanzania shall ensure that such product is—

(a) accompanied with phytosanitary certificate or its equivalent, detailing any treatment carried out prior to shipment;

(b) propagated and transported in transparent and sterile glass or plastic containers that allow physical examination;

(c) propagated and transported in soil-free sterile medium;

(d) aseptic and accommodated with measures that aims at inhibiting microbial growth; and

(e) free from regulated pests.

### 63. Conditions for importation of cereals and legumes

(1) The Authority shall not permit consignment of cereals or legumes to be imported with contamination of quarantine weeds, which are listed in plant import order book unless the said consignment has been devitalized in the exporting country and the treatment has been endorsed in the phytosanitary certificate issued by the exporting country.

(2) Every vessel carrying bulk shipment of cereals or legumes shall be inspected on board by an inspector before being offloaded at the notified port of entry.

3) On inspection at point of entry, where the consignment of cereals or legumes is found to be infested with quarantine pests or contaminated with quarantine weed species, an inspector shall order treatment of the consignment on board or immediately upon unloading at the point of entry, as the case may be, before such permission is granted for movement outside the point of entry and subject to such conditions as imposed thereon.

### 64. Conditions for importation and disposal of soil

(1) A person shall not import soil unless such soil is—

(a) shipped in a secure, closed, water-tight or leak proof primary container which shall be enclosed in a secondary container meeting the same conditions; and

(b) dry heated at $121^0$C for at least two hours or steam-heated at $121^0$C for thirty minutes or other treatments including destructive analysis, autoclaving, acid washing and incineration prior to importation.

(2) Disposition of soil after the intended use shall be done under the supervision of an inspector.

### 65. Conditions for importation soilless growing media

Growing media shall not be imported unless it has fulfilled the following conditions—

(a) having original and valid plant import permit accompanied by a phytosanitary certificate from exporting country;

(b) all pathogens and insects have been killed before dispatch by appropriate treatment and details to be stated on the phytosanitary certificate; and

(c) the medium is free from soil and contaminants.

### 66. Notification on arrival of vessels, aircraft, train or vehicles

The importer of plants, plant product or regulated articles shall—

(a) not less than twelve hours before the vessel's estimated time of arrival in any port in Tanzania, give notice of its estimated time of arrival to the Authority;

(b) give notice to the Authority relating to flight or train schedule not less than twenty-four hours before arrival of the aircraft or train;

(c) immediately, declare plants, plant products or regulated articles for phytosanitary inspections for any other means of conveyance before they are allowed to enter in Tanzania; and

(d) where plant, plant products or any other regulated articles are intercepted while being imported into Tanzania and it is confirmed or suspected to contravene the provisions of the Act or these Regulations, the consignment shall be dealt with as specified under regulation 60.

### 67. Verification of consignment

(1) The Authority shall inspect high risk plants, plant products or regulated articles at designated entry points or post entry plant quarantine station.

(2) Low risk plants, plant products or regulated articles shall be inspected at the point of entry.

(3) The importer shall submit accompanying documents to the authorized inspector for verification.

### 68. Quarantine precautions by master of vessel

The master of any vessel arriving in Tanzania shall—

(a) immediately acquaint himself with the precautions specified in the First Schedule to these Regulations and shall ensure that all its requirements are complied with; and

(b) ensure that the announcement in the First Schedule is made to any disembarking passenger on at least two occasions.

### 69. Declaration of vessel, aircraft, train or vehicle on arrival

A person in charge of any vessel, train, truck, or other conveyance arriving in or at the border of Tanzania shall provide to an inspector at the point of entry—

(a) cargo manifest, consignment note, crew or passenger list or other relevant documentation concerning the contents of the conveyance which the inspector may request; and

(b) a declaration prescribed in the First Schedule to these Regulations in respect of any cargo container on board of the conveyance.

### 70. Inspection of conveyances

(1) An inspector shall, in collaboration with relevant competent authorities at the point of entry, enter a vessel, aircrafts, yachts, dows, truck, container or passenger vehicle, without warrant and inspect, search and examine such conveyance for phytosanitary risks.

(2) Where phytosanitary contamination is detected, the inspector may, in writing, order, direct or require the treatment of the carrier, vessel, aircrafts, yachts, dows, truck, container or passenger vehicle through treatment method as shall be prescribed by the Service.

### 71. System audit and Pre-clearance inspection

The Authority may, for the purpose of enhancing level of phytosanitary protection of the country, carry out pre-clearance inspection and audit of procedures in the exporting country for some imports where necessary.

### 72. Postal and courier documentation

Any plants, plant products or regulated articles introduced by post or courier into Tanzania shall—

(a) be clearly labelled in English, Kiswahili or both as to its contents;

(b) have the documentation required securely attached to the outside of the package; and

(c) be opened at the discretion of the inspector, for cross—checking phytosanitary identity and integrity of the content.

### 73. Prohibition of removal without permission

(1) A person shall not remove from the point of entry any—

(a) plants, plant products, pesticide, or regulated articles;

(b) package in which pesticide, plants, plant products or any regulated articles are contained, from any wharf and landing—place; or any other place; or

(c) wood packaging materials, without a release order by the inspector.

(2) The release order shall be in a form prescribed in the First Schedule to these Regulations.

### 74. Declaration on arrival by passengers

(1) A passenger carrying plants, plant products or regulated articles imported into Tanzania shall make a declaration to an inspector in a manner provided for in the First Schedule to these Regulations.

(2) Plants, plant products or regulated articles imported contrary to this regulation shall be seized by an inspector, and, at the importer's expense, be treated, destroyed or otherwise dealt with as the inspector thinks fit, or may be taken to a post—entry quarantine station for such further inspection, treatment and disposal as may be required and a parcel disposition notice shall be issued in a manner set out in the First Schedule to these Regulations.

### 75. Movement of timber and timber-based products

(1) A person who imports timber, cut branches, round wood, logs, sawn wood, woodchips, barks and wood-based panels into the country shall comply to import requirements.

(2) Pursuant to subregulation (1), importation of timber and timber-based products shall be subject to pre-shipment inspections, treatments, post-entry quarantine or pest—specific surveys.

(3) Timber and timber-based products to be imported shall be debarked and treated through heat, fumigation, irradiation or any other treatment method as deemed fit after consultation with the Authority.

## 76. Conditions for wood packaging material

(1) A person who intends to import in or transiting through Tanzania the commodity packed in wood packaging material shall be required to treat and mark it with an approved logo certifying to have been properly treated.

(2) For the purpose of subregulation (1), wood packaging materials shall include crates, boxes, packing cases, dunnage, pallets, cable drums and spools or reels which can be used as packing materials in any imported consignment, including consignment that is not subjected to phytosanitary inspection.

(3) The provision of subregulation (2) shall not apply to—

(a) wood packaging material made entirely from six mm or less in thickness;

(b) wood packaging made wholly of processed wood material, such as plywood, particle board, oriented strand board or veneer that has been created using glue, heat or pressure, or a combination thereof;

(c) barrels for wine and spirit that have been heated during manufacture;

(d) gift boxes for wine, cigars and other commodities made from wood that has been processed or manufactured in a way that renders it free of pests;

(e) sawdust, wood shavings and wood wool; and

(f) wood components permanently attached to freight, vehicles and containers.

(4) The Authority shall accept and authorise entry of wood packaging materials without further specific requirement upon confirming that the material have been debarked and treated by heat or dielectric heated or fumigated with recommended fumigant.

(5) The Authority may accept treatment other than the measures referred to under subregulation (4) depending on bilateral arrangement whereby the official mark may not be used.

## 77. Treatment providers of wood packaging material

(1) A person who intends to provide treatment services of wood packaging materials shall apply for registration to the Authority in a Form set out in the First Schedule to these Regulations.

(2) The Authority shall after receiving an application under subregulation (1), assess the application subject to fulfilment of the following conditions that the applicant has—

(a) undergone specialized training in treatment service of wood packaging materials and have at least two trained fumigators or heat treatment operators; and

(b) premises, facilities, and equipment to support the provision of treatment services of wood packaging materials.

(3) Where the Authority acceptss and approve the applicant to be registered, the Authority shall issue certificate of registration as prescribed in the First Schedule to these Regulations upon payment of registration fee.

(4) The Authority shall, within fourteen days after receiving the application—

(a) register the applicant; or

(b) reject the application and notify the applicant in writing giving reasons for such rejection.

(5) The Authority shall provide a unique registration code to a registered service provider to be used as official mark to treated wood packaging materials.

(6) The official mark shall consist of a symbol of International Plant Protection Convention, a country code, treatment provider code and treatment abbreviation code in a format as prescribed in the First Schedule to these Regulations.

### 78. Use of official mark

(1) Wood packaging material subjected to approved measures shall be identified by an application of an official mark depicting the symbol, country code, treatment provider code and treatment code.

(2) The official mark shall be legible, durable, and not transferable and placed in a location that is visible preferably on at least two opposite sides of the wood packaging unit.

(3) The size of the mark shall be—

(a) legible enough to be visible by spectators without the aid of visual aids; and

(b) rectangular or square in shape;

(c) have a border line separating the symbol from the code components.

(4) In case the wood packaging material—

(a) has been treated, marked and has not been repaired, manufactured or otherwise altered, such wood packaging material shall not require re—treatment or re—application throughout the service life of the unit; and

(b) is repaired and one third of its component is replaced, the wood used for repair shall be treated and marked individually.

### 79 In transit wood packaging material

(1) Where a consignment in transit has wood packaging material which has not been treated, the Authority shall take measures to ensure the wood packaging material does not pose unacceptable risks.

(2) Subject to subregulation (1), where a non-compliant wood packaging material is intercepted, the Authority shall apply the following measures to secure its disposal—

(a) incinerate the material;

(b) bury the material, at least two meters deep, in sites approved by the Authority;

(c) chipping wherever applicable;

(d) return the consignment to exporting country, where appropriate; and

(e) other methods of treating the packaging material as the Authority may determine.

### 80. Interception notification

Where the consignment of plants, plant products or other regulated articles—

(a) fails to comply with Tanzania import requirements;

(b) lacks relevant documentation;

(c) is prohibited from entry into the territory of Tanzania,

the Authority shall notify the competent authority of the exporting country in the manner provided for in the First Schedule to these Regulations.

## Part VII – Export of plants, plant products orregulated articles

### 81. Application for phytosanitary certificate

(1) A person who intends to export plants, plant products or regulated articles shall apply to the Authority for a phytosanitary certificate in a form prescribed in the First Schedule to these Regulations.

(2) The application referred to under subregulation (1) shall be accompanied by —

(a) import permit from importing country;

(b) invoice;

(c) customs assessment report;

(d) certificate of proof of treatment where applicable; and

(e) any other relevant document as the Authority may require.

(3) Upon receipt of the application and fulfilment of the requirements under subregulation (2), the consignment shall be inspected and may further be subjected to laboratory examination or treatment.

(4) The applicant shall be responsible for providing the facilities and conducive environment necessary for proper conduct of the inspection, examination and treatment as referred to in subregulation (3).

### 82. Export certification

(1) The Authority shall, for the purpose of ensuring the safety of plants, plant products and regulated articles intended for export, verify whether the exported consignment has complied with phytosanitary requirements set by the importing country.

(2) Upon notification of non-compliance by the importing country, the Authority shall notify the exporter in writing within forty eight hours and may temporarily restrict further exports.

(4) The Authority shall evaluate the cause of non-compliance and recommend corrective actions to the exporter at the exporter's cost.

*[Please note: numbering as in original]*

(5) The exports shall be reinstated upon compliance of recommended corrective actions.

### 83. Issuance of phytosanitary certificate

(1) The Authority may, after being satisfied and subject to subregulation (2), issue a phytosanitary certificate to the successful applicants.

(2) The authorised inspector after examining all documentation, consignment or a representative sample of any plant, plant products or regulated articles intended for export and satisfied that—

(a) it is practically free of pests; and

(b) it conforms with the current phytosanitary requirements of the importing country, may issue a phytosanitary certificate in a format set out in the First Schedule to these Regulations.

(3) The validity of phytosanitary certificate prior to export shall be seven days for perishable consignment and twenty—eight days for non—perishable consignment.

(4) A person who exports or re—exports plants, plant products or regulated articles without a phytosanitary certificate issued by the Authority commits an offence.

### 84. Re-export

(1) Any exporter who intends to re-export a consignment shall apply to the Authority for a re-export phytosanitary certificate in a form prescribed in the First Schedule to these Regulations.

(2) Before issuing re-export phytosanitary certificate, the Authority shall conduct inspection and make sure that the application is accompanied with the following documents—

(a) valid business licence;

(b) phytosanitary certificate from the country of origin

(c) import permit of the country of destination; and

(d) any other relevant document as may be required by the Authority.

(3) Where an inspection reveals that a consignment has—

(a) either been exposed to infestation or contamination by pests;

(b) lost its phytosanitary integrity; or

(c) been subject to processing to change its nature.

the Authority shall ascertain the compliance of phytosanitary requirements of the importing country and issue phytosanitary certificate for re-export.

(4) When an imported consignment is split up, combined with other consignment, or repackaged, the Authority shall issue a phytosanitary certificate for re-export in the form prescribed in the First Schedule to these Regulations.

### 85. Procedure for inspection, sampling and laboratory testing at point of exit

(1) The exporter shall—

(a) present the consignment at the point of exit or arrange for inspection at his premises; or

(b) present the container at any other approved place on scheduled date and time for inspection; and

(c) provide necessary transport, labour and other facilities for opening, sampling, repacking, and sealing.

(2) Sampling of consignment shall be in accordance with established methodologies for sampling of consignment as provided in the standard operating procedures.

### 86. Procedures for treatment of consignment

The exporter shall—

(a) arrange for treatment of consignment or container at his premises or any other appropriate place;

(b) be responsible for provision of necessary labour, and any other facilities for the carrying out of treatment; and

(c) submit a duly signed commitment form as prescribed in the First Schedule and pay for treatment supervision fee.

### 87. Consignment in transit

(1) The Authority shall establish phytosanitary measures for consignment in transit based on pest risk analysis.

(2) Subject to subregulation (1), the Authority may apply the following measures—

(a) inspect and certify consignment in transit that poses a significant risk to Tanzania;

(b) implement an emergency action as prescribed in the guidelines; and

(c) prohibit the transit of the shipment that has no available risk management or does not comply with the phytosanitary requirements for import.

(2) Any importer or exporter who intends to transport consignment in transit through Tanzania shall make application in a prescribed form specified in the First Schedule to the Authority before importing or exporting the consignment.

(3) The inspector at the entry checkpoint shall inspect the phytosanitary certificate, vehicle, and consignment to verify its compliance with phytosanitary requirements.

(4) Where transit consignment complies with the phytosanitary requirements of Tanzania, the consignment shall be immediately be allowed entry for transit.

(5) Where the consignment does not comply with phytosanitary requirements, such consignment shall be denied transit through Tanzania and the consignee be notified in writing within seven days the reasons for denial.

## 88. Pest identification

(1) The pest identification shall be conducted in a designated plant health laboratory or post entry quarantine station.

(a) the Authority shall develop disease diagnostic protocols and pest identification manual describing procedure and method of diagnostic and identification of regulated pest, such protocol and identification manual shall provide at least the minimum requirement for reliable diagnostic and identification of regulated pests;

(b) importers of restricted and high risky plants, plant products or regulated articles shall notify the Authority of arrival of such materials for laboratory analysis;

(c) authority shall run relevant tests for identifying potential pests and diseases in the samples and produce a laboratory test report to be communicated back to client;

(d) where there is a need to send the sample of the pest to foreign laboratory for identification, such laboratory shall be approved by the National Plant Protection Organization of such country and be officially recognized by the Authority; and

(e) the Authority shall establish official laboratory to diagnose, identify, collect, and preserve specimens of pest to support the development of a national pest list.

(2) The procedures for laboratory management information system shall be prescribed in the guidelines.

(3) The Authority may offer plant health diagnostic service subject to payment of prescribed fees on areas such as—

(a) plants, plant products and regulated articles disease diagnostics;

(b) insect and mite identification;

(c) soil-borne pathogen monitoring;

(d) germplasm associated pathogen testing;

(e) target-pathogen freedom for export-destined plant product;

(f) target-pathogen area freedom certification;

(g) flora identification; and

(h) any other related services.

### 89. Refusal to issue phytosanitary certificate or re-export phytosanitary certificate.

The Authority may refuse to issue a phytosanitary certificate or re-export phytosanitary certificate to the applicant if the applicant fails to meet the requirements under regulation 86 and 89.

## Part VIII – Movement of biological control agents

### 90. Biological control agents

(1) For the purposes of managing risk related to the export, import and release of biological control agent, the Authority shall—

(a) carry out pest risk analysis of biological control agents prior to import or release;

(b) ensure phytosanitary import requirements of importing country are complied;

(c) obtain, provide, and assess documentation, including the dossier, as appropriate to the export, shipment, import or release of biological control agents;

(d) ensure that biological control agents and other beneficial organisms are taken either directly to designated quarantine stations or mass—rearing facilities or, where appropriate, passed directly for release into the environment;

(e) monitor release of biological control agents to assess impact on target and non-target organisms.

(2) This provision shall apply to all kinds of biological control agents including those intended for research under quarantine stations.

(3) The provision of subregulation (2) shall also include importation of biological control agents for research in quarantine stations.

(3) The Authority may reject application of importation of biological control agent where:

(a) it is proved scientifically that the biological control agent is not effective in controlling the target pest feasibly;

(b) it has been published in a refereed journal and other credible scientific publications that the biological agent is not adequately effective in controlling the target pest;

(c) there is enough scientific evidence that the local field conditions might render it less effective; or

(d) the economic and ecological costs of releasing the biological control agent to the environment outweighs the accrued socio—economic benefits to farmers.

### 91. Application for registration of biological control agents

(1) An Applicant who wishes to apply for registration of native and non-native biological control agents for commercial or research purposes, shall, upon payment of the specified application fee, apply to the Authority in the manner prescribed in the First Schedule to these Regulations.

(2) The applicant shall submit to the Authority a dossier, protocol and a draft label based on the requirements for registration of biological control agents as prescribed in guidelines.

(3) The Authority shall establish a team of scientists to evaluate the submitted dossier based on the requirements under subregulation (2) as prescribed in the guideline

(4) The team of scientists shall submit its findings to the Authority for the purpose of making a determination in respect of an application submitted under subregulation (3)

(5) The Authority after receiving the findings from the team of scientists, shall order the conduct of bio-efficacy trial in accordance with guidelines.

### 92. Bio efficacy trial of biological control agents

(1) Where the Registrar has granted approval for bio efficacy trial to be conducted, and upon paying the prescribed fee, such trial shall be undertaken by the Authority.

(2) The applicant shall apply to the Authority for import permit of biological control agent for the purpose of bio-efficacy trial in the manner prescribed in the First Schedule to these Regulations.

(3) The Authority may engage recognized institution or individual expert to conduct bio-efficacy trial and such trials shall be supervised by the Authority.

(4) The conduct of bio-efficacy trial shall be provided in the guidelines.

(5) The Authority shall, upon completion of the trials, evaluate the findings and decide whether to approve or defer registration.

(6) Where the Authority is satisfied with the findings of bio-efficacy Authority shall grant registration of such biological control agent in the manner prescribed in the First Schedule to these Regulations.

(7) Where the Registrar has refused to grant approval for bio-efficacy trial, the Authority shall inform the applicant in writing within 7 days giving reasons for such decision.

### 93. Export of biological control agents

(1) The application for an export permit of registered biological control agents shall be made to Authority as prescribed in the First Schedule to these Regulations.

(2) The Authority shall, for purposes of regulating the export of biological control agents, ensure that—

(a) phytosanitary requirements of the importing country are complied with;

(b) consignment is accompanied by appropriate documentation,

(c) the biological control agents were produced in a strictly controlled environment.

(d) packaging is secure in order to prevent escape of the contents; and

(e) fees associated with exportation of biological control agent are paid as prescribed in the First Schedule to these Regulations.

### 94. Maintenance of biological control agents for controlling pests

For the purposes of maintenance of biological control agent, the Authority shall ensure that rearing of biological control agents is conducted in accordance with procedures prescribed in the guideline.

### 95. Import of biological control agents

(1) Where an application for an import permit of registered biological control agents is for commercial or research purposes, the application shall be made to Authority as prescribed in Fifty-first Schedule, along with application fee.

(2) Where an application for a permit under subregulation (1) requires assessment, the phytosanitary requirements for an importation of biological control agent shall be prescribed in the report of pest risk analysis.

(3) the provision of subregulation (2) shall also include import for research in quarantine stations.

(4) The application for an import permit shall specify—

(a) the name of the biological control agent to be imported;

(b) intended use of the biological control agent to be imported;

(c) the country of origin of the biological control agent to be imported;

(d) the quantity of the biological control agent to be imported; and

(e) proof of payment of the prescribed fees.

(5) An application to import of biological control agents shall be accompanied by—

(a) a statement of bio safety levels and arrangement;

(b) a monitoring plan for the imported biological control agents; and

(c) proof of trained staff to manage the imported biological control agents.

(6) The importer of biological control agents shall ensure that—

(a) all conditions specified in the regulations are complied with;

(b) consignment is accompanied by an appropriate documentation and voucher specimen; and

(c) packaging is secure in order to prevent escape of the contents;

(7) A consignment of biological control agents shall only be imported to Tanzania Mainland through a permissible entry point with a specified plant quarantine station or designated containment facility.

(8) Where an application for an import permit under subregulation (1), is in respect of a biological control agent that has previously undergone assessment, the Authority shall consider the application and communicate decision to the applicant within fourteen working days.

## 96. Permit to import or export biological control agents

(1) The registrar shall, where satisfied that—

(a) biological control agents have no unacceptable risks to human health, biodiversity and the environment;

(b) the applicant meets the requirements of importation or exportation of a Biological control Agent;

(c) issue an import or export permit as prescribed in Fifty second Schedule.

(2) The import or export permit may be subject to such terms and conditions as the Authority may consider appropriate.

(3) Notwithstanding the generality of subregulation (2), the terms and conditions may include—

(a) a requirement for a phytosanitary certificate;

(b) a requirement for additional declarations;

(c) a specific designated point of entry for the imports;

(d) applying to consignment specified in the import permit only;

(e) the nature of the packaging;

(f) the nature of the treatment of the consignment of the biological control agents;

(g) the validity of the import or export permit; and

(h) presentation of a biological control agent for inspection at the point of entry.

(2) The terms and conditions specified in the import or export permit shall not be changed or modified without the approval of the Authority.

*[Please note: numbering as in original]*

(3) A person who imports or export any biological control agent without a permit issued under these Regulations commits an offence.

### 97. Validity of import or export permit

(1) An import or export permit shall be valid for three months from the date of issue and shall only be used for the prescribed entry point and specified package of biological control agents.

(2) Notwithstanding subregulation (1), the Authority may, on application, extend the validity of an import or export permit for a further period of three months upon payment of a fee prescribed in Fiftyseventh Schedule.

(3) The application under subregulation (2) shall be made to the registrar in writing, at least one month before the expiration of the current permit, stating the reasons for the extension.

### 98. Refusal to issue import permit

(1) The Authority may refuse to issue an import permit of biological control agent based on the findings of pest risk analysis.

(2) Where the Authority refuses to grant an import permit under these Regulations, it shall give reasons for the refusal in writing within seven days from the date of the refusal.

## Part IX – Control of pests

### 99. Declaration of regulated pests

(1) For the purpose of declaring the list of regulated pests in the *Gazette*, the Authority shall conduct pest surveillance and pest risk analysis to establish a list of quarantine pests, regulated non—quarantine pests and pests of national concern.

(2) The Authority shall, upon declaration of the list of regulated pests in the *Gazette*, notify other National Plant Protection Organizations.

### 100. Duty of notification

(1) Pursuant to the Act, presence or suspicion of presence of quarantine pest shall be notified to the Authority.

(2) Upon receipt of the report of presence or suspicion of presence of quarantine pest, the Authority shall take immediate response.

(3) Following confirmation of the presence of a regulated pest the Authority shall respond to the phytosanitary emergency according to phytosanitary emergency response plan as provided under regulation 104.

### 101. Duty of owner or occupier of land

(1) Upon confirmation, every owner, occupier or person having the charge or management of land infested by a quarantine pest shall immediately destroy the pest.

(2) In default of the action prescribed under subregulation (1), the inspector may take necessary measures, or order such measures to be carried out in his presence. and the cost of materials and labour shall be borne by the owner or occupier.

### 102. Publication of new pest

(1) No person shall be allowed to publish in print, electronic or declare in broadcast media presence of a new pest in Tanzania previously not reported.

(2) A person who discovers, identifies, detects presence of a new pest in Tanzania, shall notify the Authority and provide a report accompanied with the laboratory diagnostic confirmatory report and the actual specimen of the pest where applicable.

(3) The Authority shall, upon receipt of the new pest report—

(a) acknowledge the receipt of the notification within seven working days;

(b) confirm the identity of the pest and within a period of two months;

(c) evaluate the status and may approve the pest report for publication; and

(d) seek further information for evaluation where the confirmation of pest identity and status is not conclusively determined.

(4) The Authority may, upon the approval by the Minister in line with international obligations, report occurrence of new pest in the country.

### 103. Declaration of pest outbreak quarantine area

(1) The Authority shall, where the outbreak occurs within a place, site or area of production, declare an area as pest outbreak quarantine area.

(2) A declaration made under subregulation (1) shall specify—

(a) information on the species and other biological information regarding the regulated pest as well as the impact;

(b) the geographical boundaries of the pest outbreak quarantine area and buffer zone;

(c) duties of an occupier or owner of any land or premises or Authority to participate in protection and control of outbreak of quarantine pest;

(d) the phytosanitary measures to be appliedas prescribed in these regulations; and

(e) the conditions for subsequent renewals of the declaration.

(3) The Authority shall continuously monitor and review the declaration to verify the status of the outbreak quarantine area and buffer zone and make proposals for revisions as necessary.

(4) The Authority may, subject to subregulation (3), cancel the declaration when the regulated pest is no longer present, or the risk of regulated pest is relatively low.

(5) The Authority shall, in collaboration with relevant Ministries and other stakeholders, prepare emergency response plan based on:

(a) status of the quarantine pest;

(b) pest control strategies available; and

(c) other factors related to the control of pests.

(6) An emergency response plan shall address at least the following:

(a) identification and mobilisation of technical expertise required;

(b) information regarding the target regulated pest;

(c) the administrative and technical logistic organization required;

(d) measures needed to address risks to plant health;

(e) address a robust detection measure for strategic pests; and

(f) the budget needed.

### 104. Phytosanitary measures during outbreak of quarantine pest

The Authority shall apply phytosanitary control measures to any area that is infected, infested or suspected of being infected or infested by a regulated pest, as well as to any quarantine area, buffer zones, pest-free area, area of low pest prevalence, pest-free place of production, pest-free-production site as the case may be as follows—

(a) treatment or disposal of plants, plant products and other regulated articles, including vehicles that may spread pests, in order to limit the spread of a quarantine pest, and to keep the area free from a specific pest or to keep the level of a pest low;

(b) control of a pest;

(c) restriction or prohibition of the movement of plants, plant products and other regulated articles from the quarantine area including buffer zone;

(d) imposing domestic quarantine in case of local detection or outbreak;

(e) prohibition of planting or replanting specific plants in a specified location; or

(f) any other phytosanitary action which the Authority deems necessary.

### 105. Pest surveillance

(1) The Authority shall collect and record data on pest presence or absence by survey, monitoring or other procedures in order to—

(a) facilitate early detection of new pest;

(b) delimit a pest population in an area;

(c) establish a national official pest list;

(d) fulfil the national pest reporting obligation to other countries;

(e) establish, designate, maintain and declare pest free areas and areas of low pest prevalence;

(f) conduct pest risk analysis;

(g) determine pest status in an area;

(h) facilitate market access; and

(i) assess changes in the characteristics of a pest population dynamics.

(2) An inspector may, during undertaking of pest surveillance activities, enter any premises or land to inspect or collect samples for testing of plants, plant products or other regulated articles that may be capable of harbouring pests.

(3) The Authority shall establish, maintain and update facilities for diagnostic or appropriate access to ensure that the pests are properly identified.

(4) A person who detects or suspects presence of unidentified pest or occurrence of new pest to an area shall be obliged to report to the Authority.

### 106. Establishing, declaring and maintaining pest free area

(1) The Authority shall, before establishing, declaring and maintaining pest free area and area of low pest prevalence —

(a) conduct general surveillance and specific surveys;

(b) establish a system for monitoring, collecting, archiving, and transmitting data on prevalence of target pest;

(c) introduce restriction of movement of certain products within the intended areas and establish buffer zone;

(d) specify import requirements into designated area; and

(e) provide extension support to producers through its capacity building technical arm.

(2) The Authority shall, after establishing, declaring and maintaining pest free area and area of low pest prevalence, prepare a report detailing proposed commodity to be exported, geographical information of the proposed area, size of an area, natural barrier, buffer zone including mapping of pest distribution, phytosanitary measures, climatic data, growing seasons and production system for approval by the Minister.

(3) Upon approval by the Minister, the pest free area and area of low pest prevalence shall be published in the *Gazette* and the Authority shall inform the competent authority of the importing country for consideration.

### 107. Obligation of occupier or owner of land or premises

An occupier or owner of land or premises, within the designated pest free area or area of low pest prevalence, shall be obliged to adhere to the provisions of this Part.

### 108. Migratory pests

The Authority shall put in place mechanisms for early warning systems for migratory pests that shall include—

(a) monitoring and rapid detection of pest outbreaks;

(b) data recording and transmission systems;

(c) capacity building in data collection for pest forecasting; and

(d) development of tools for stakeholders to establish systems to respond to emergencies.

### 109. Reporting of migratory pests

(1) An occupier or owner of land whose land has been infested with any developmental stage of migratory pests shall report the occurrence of the migratory pest to the Authority stating the locality of the land where the migratory pest has been sighted.

(2) Upon receipt of the information, the Authority shall analyse the pest information provided, conduct field visit to verify the pest report and determine the pest identity.

(3) The Authority shall upon confirmation of the pest identity as a migratory pest, shall undertake measures for the control or elimination of the pests.

(4) An occupier or owner of infested land shall carry out such instructions or adopt such measures as may be recommended by the Authority.

## Part X – General provisions

### 110. Delegation and criteria for eligibility

(1) The Authority may delegate some of its functions to an entity that meets the following criteria—

(a) can legally operate in Tanzania and has the ability to enter into an agreement with the Authority;

(b) it has financial capability, infrastructure, equipment, human resource and documentation demonstrating the process required to consistently undertake the specific delegated functions;

(c) has a clear statement of liability for the delegated functions; and

(d) has a process in place for efficient and effective conflicts resolution with clients.

(2) Procedure for audit and monitoring of the delegated entity shall be set out in the guideline.

### 111. Process of delegation

(1) The Authority shall, where it intends to delegate its functions to an entity, carry out an audit of the entity's documented procedures and the entire system to implement the delegated functions.

(2) Where the Authority is satisfied that the requirements for delegation of entities have been met by the entity, the Authority shall delegate such particular power.

(3) The Authority shall carry out audit of the delegated entity from time to time as it deems fit.

### 112. Non-conformity

(1) In a circumstance where the entity does not meet the requirements specified by the Authority as set out in the authorization agreement, the authority shall consider this as nonconformity and a non-compliance notification to require corrective actions shall be issued to the entity.

(2) Where nonconformity impacts the integrity of the entity and requires a rapid corrective action to be identified and implemented, it shall be categorised as critical nonconformity.

(3) The Authority may consider nonconformities to be critical in situations such as:

(a) when there is evidence of failing to properly perform delegated functions.

(b) when a corrective action is not implemented to the satisfaction of the Authority.

(c) when there is a failure to timely implement corrective actions to remedy the shortcomings identified.

(d) when the integrity, confidentiality or impartiality of the entity is shown to have been compromised.

(e) when there is evidence of fraud.

(4) In a circumstance where the entity no longer meets the requirements specified by the Authority, the Authority may suspend or revoke the delegation.

### 113 Qualifications of analyst and inspector

(1) A person shall not be appointed an analyst or inspector unless that person has the minimum qualification for a person to be appointed as such and shall include but not limited to the following —

(a) In the case of an inspector,

(i) at least a diploma or its equivalent in relevant science subjects;

(ii) have successfully completed an inspectors' course in relevant aspects of plant health and pesticide;

(b) In the case of an analyst,

(i) at least a diploma or its equivalent in relevant science subjects;

(ii) have successfully completed certified analyst course in relevant aspects of plant health or pesticide formulation or residues analysis;

(2) The inspector shall, upon appointment, be given an identification which he shall carry and produce whenever necessary during all times of executing of his duties.

### 114. Disqualification of Inspectors and Analyst

An inspector or analyst shall cease to be an inspector or analyst in accordance with the Act and any other provision in these Regulations in case of—

(a) a state of prolonged ill health;

(b) retirement from such services;

(c) misconduct which results to breaching of inspection or analytical tsprinciples; or

(d) any reason the Minister believes that the inspector or analyst cannot properly execute his duties.

### 115. Fees

(1) The fees set out in the Second Schedule to these Regulations shall be payable in respect to all services.

(2) The fees payable under subregulation (1), shall be paid in the United States Dollar or in equivalent to Tanzanian shillings corresponding to United State Dollar exchange rate provided by the Bank of Tanzania of that date.

(3) The fees for services under this regulation shall be paid at the time of submitting the application.

### 116. Offences

A person who, by himself, his agent or servant, either directly or indirectly contravenes any provision of these Regulations commits an offence and. On on conviction shall be liable to the penalty provided under the Act.

### 117. Appeals

(1) A person aggrieved by a decision of the Authority may, within thirty days, appeal in writing to the Minister.

(2) Notwithstanding the provision of subregulation (1), the Minister may, on application in writing and upon giving reasonable cause, extend the time of appeal prescribed under subregulation (1).

(3) In determining an appeal under this regulation, the Minister may form an expert committee to advise him on the subject matter of an appeal.

(4) Without prejudice to subregulation (3), the expert committee shall order defence from the Authority and any other relevant information, if available, from the Appellant.

(5) The Authority may, after hearing an appeal under this regulation—

(a) allow or dismiss the appeal;

(b) quash any refusal, revocation or suspension or;

(c) order a person to make a fresh application.

(5) Notwithstanding the provision of subregulations (1), (2) and (3, an appeal against pesticide analysis shall be initiated based on prescribed customer complaints procedures.

### 118. Revocation

*[G.N. No. 297 of 1985, G.N. No. 383 of 1987, and G.N. No.401 of 1999]*

The Pesticides Research Rules of 1985, the Tropical Pesticides Research Institute (Amendment of First Schedule) Order of 1987 and the Plant Protection Regulations of 1999 are hereby revoked.

## First Schedule (Made under regulations 6(1), 8 (2), 9(2) 14(3) 17(1), 20(1) 21(1) 23(1), 24, 28(2), 29(1), 31(4), 32(1) and (2), 33(1) and (3), 34(1) and (5), 35, 36(1) (2),(7) and (10), 38 (1) and (2) and (5), 43 (2) and (6), 47(3), 52(2), 56(2), 58(1)(a), 68(a) and (b), 73(2), 74(1) and (2) & 77(1),(3) and (6), 80. 81(1), 83(2), 84(1) and (4), 86, 87(2), 91(1), 92 and (6) and 96(1)

Information to applicants

1. The applicant is the natural or legal person that deals with pesticides business in Tanzania Mainland. After approval of the registration, the applicant will become the registration holder of the product.

2. The applicant shall be a legal entity in Tanzania Mainland or be represented by a local agent who is a permanent resident in Tanzania Mainland and duly recognized by the registration authority.

3. Every application must be accompanied by:

(a) proof of payment of the application fee as prescribed in the Fifty-sixth Schedule;

(b) three (3) copies of the draft label and or extra leaflet in both Kiswahili and English languages.

(c) three (3) copies of the technical dossier as per registration data requirements

4. The applicant shall be required to submit:

(a) Registration authorization letter: In case the applicant is not the owner of the Technical Grade Active Ingredient (TGAI) and product, provide a letter in which the owner of the TGAI and product authorizes the applicant to apply for registration;

(b) Sample of the pesticide product, for bio-efficacy trial purposes;

(c) A sample of the pesticide product for residue trial purposes;

(d) A sample of the technical grade of its active ingredient(s);

(e) an analytical standard of its active ingredient(s);

(f) any other sample as may be required by the Authority;

(g) Analytical methods reprints, photocopies or authenticated texts for quantitative determination of the purity of active ingredient in technical grade material and active ingredient concentrations in the formulations and in contaminated biological materials

## Forms

*[Editorial note: The forms have not been reproduced.]*

## Schedule Second

## Fees to be charged for services on plants, plant products, regulated articles and pesticides

## A – Pesticides

| S/N | Services | Fee (USD) |
|---|---|---|
| 1. | Pesticide import fee | |
| | Cess fee | 1.5% FOB |
| 2. | Pesticide export fee | |
| | Export and re—export | 0.75% FOB |
| 3. | Analytical fee per sample | |
| | (a) Formulation analysis charge (arriving/local consignment and revalidation of on market products) | 200 |
| | (b) Formulation analysis charge for complaints and dispute samples | 200 |
| | (c) Analysis charge for registration purpose | 200 |
| | (d) Residue analysis charge in agricultural produce and other commodities | 200 |
| | (e) Residue analysis charge in soil and sediments | 200 |
| | (f) Residue analysis charge in fish, animal tissue and serum | 200 |
| | (g) Residue analysis charge in water | 200 |

| S/N | Services | | Fee (USD) |
|---|---|---|---|
| | (h) Fast track analysis for pesticide samples upon request | | 300 |
| 4. | Application equipment fees | | |
| | (a) Import Permit | | |
| | (i) | Less fee | 1.5% of FOB |
| | (ii) | Laboratory assessment, Calibration and field evaluation per model | 500 |
| | (b) Registration fee (per registration period) | | 500 |
| 5. | Pesticide and biological control agents registration fees per registration period | | |
| | (a) Application for registration of pesticide | | 100 |
| | (b) Experimental permit | | 1500 |
| | (c) Provisional registration | | 2000 |
| | (d) Full registration | | 1500 |
| | (e) Restricted use registration | | 2500 |
| | (f) Registration of Biological control agents | | 1500 |
| 6. | For pesticides registered in a Partner State in the EAC undergoing bio efficacy trials in one cropping season, the fees shall be as stipulated below (per registration period) | | |
| | (a) Application for registration of pesticide | | 150 |
| | (b) Experimental permit | | 1500 |
| | (c) Provisional registration | | 4000 |
| | (d) Full registration and Renewal | | 3000 |

| S/N | Services | | Fee (USD) |
|---|---|---|---|
| | (e) Restricted registration | | 3500 |
| 7. | Efficacy testing fees per product per season/trial | | |
| | (a) Field trial | | 3000 - 8000 |
| 8. | Pre—Registration and Post Registration Fees for Pesticide dealers | | |
| | (a) Pesticide Pre-business Premises Inspection prior approval | | |
| | (i) | Manufacturer/formulation/ repacking per inspection | 500 |
| | (ii) | Wholesaler per inspection | 200 |
| | (iii) | Pest control operators (fumigators and pest controllers) per inspection | 200 |
| | (iv) | Retailer per inspection | 50 |
| | (b) Pesticide Business Permit fees payable annually | | |
| | (i) | Manufacturer/formulation/ repacking | 500 |
| | (ii) | Importer Certificate | 350 |
| | (iii) | Wholesale | 75 |
| | (iv) | Retail | 50 |
| | (v) | Pest control operators (fumigators and pest controllers) | 200 |
| 9. | Soil analysis fees per sample | | |
| | (i) Basic Soil Analysis with Recommendations | | 25 |

| S/N | Services | Fee (USD) |
|---|---|---|
| | (ii) Complete Soil Analysis with Recommendations | 50 |
| | (iii) Complete soil and Bio-available Nutrients | 80 |
| | (iv) Soil life Test | 30 |
| | (v) Soil texture | 25 |
| | (vi) Exchangeable acidity (pH) in soil | 10 |
| | (vii) Heavy Metals in Soil | 70 |
| | (viii) Available Nitrogen in Soil | 15 |
| | (ix) Substrate analysis | 37 |
| | (x) 1:2 Soil extract | 36 |
| 10. | Water analysis fees per sample | |
| | (i) Drip water analysis | 36 |
| | (ii) Drain water analysis | 36 |
| | (iii) Irrigation Water Analysis | 45 |
| | (iv) Post—Harvest Water Analysis | 60 |
| | (v) Heavy metals in water | 60 |
| 11. | Leaf analysis fees | |
| | (i) Complete analysis | 37 |
| | (ii) Heavy Metals in Plant | 70 |
| 12. | Fast track for services in No. 9, 10 and 11 above | 100 |

| S/N | Services | Fee (USD) |
|---|---|---|
| 13. | Qualitative and quantitative Mycotoxin analysis fees in grains and any other products | |
| | (a) Total aflatoxins | 45 |
| | (b) Ochratoxin A | 45 |
| | (c) Patulin | 45 |
| | (d) Fumonisins | 45 |
| | (e) Zearalenone | 45 |
| | (f) Nivalenol/Deoxynivalenol. | 45 |
| 14. | AChE Test | 15 |
| 15. | Permits/Certificates/License Search/amendment/replacement | |
| | (g) Search fee | 10 |
| | (h) Amendment/Replacement | 20 |
| | (i) Transfer of registration | 50 |
| | (j) Changes of particulars | 200 |

## B – Plant health

| S/N | Service | | | Fees (USD) |
|---|---|---|---|---|
| 1. | Fees on plant or plant product import, export and control and post-entry control | | | |
| | (a) | Import certification and treatment | | |
| | | (i) | Import permit | |

| | | | | |
|---|---|---|---|---|
| | | | For non— commercial per consignment | 10 |
| | | | For research per consignment | 25 |
| | | | For commercial per consignment | 50 |
| | | (ii) | Inspection | |
| | | | Of non— commercial consignment if 1 ton or less | 5 |
| | | | Of Wood Packaging Materials for consignment if 1 ton or less | 5 |
| | | | Commercial consignment if is 1 ton or less | 10 |
| | | | If more than 1 ton but less than 1000 tons | USD 10 + (No. of tones x USD1.5) per consignment |
| | | | If more than 1000 tons | USD 10 + (No. of tones x USD 1) per consignment |
| | | | Treatment supervision | Minimum of USD 150 per consignment weighing up to 500 MT |
| | | | Import certification per consignment | 10 |
| | (b) | Phytosanitary certification and treatment supervision | | |

| | | | | |
|---|---|---|---|---|
| | | (i) | Phytosanitary certificate | |
| | | | For non—commercial consignment | 10 |
| | | | For research consignment | 25 |
| | | | For Commercial consignment | 50 |
| | | (ii) | Inspection | |
| | | | Of non—commercial consignment if 1 ton or less | 5 |
| | | | Of Wood Packaging Materials for consignment if 1 ton or less | 5 |
| | | | If consignment is 1 ton or less | USD 10 per consignment |
| | | | If more than 1 ton but less than 1000 tons | USD 50 + (No. of tones X USD 1.5) per consignment |
| | | | If more than 1000 tons | USD 50 + (No. of tones x USD 1) per consignment |
| | | | Treatment supervision | Minimum of USD 150 per consignment weighing up to 500 MT |
| | (c) | Export certification and supervision services for selected agricultural crops | | USD 0.001 up to 0.04 per Kg |
| | (d) | Post entry quarantine and treatment supervision fee | | |

| | | | | |
|---|---|---|---|---|
| | | (i) | At the station | Minimum of USD 150 per consignment |
| | | (ii) | Open and closed quarantine | Minimum of USD 150 per consignment |
| | (e) | Conveyances | | |
| | | (i) | Inspection per consignment | 50 |
| | | (ii) | Treatment Supervision | Minimum of USD 150 per consignment |
| | | (iii) | Certification per consignment | 10 |
| 2. | Fees on necessary services connected with plant health services | | | |
| | (i) | Field inspection and traveling costs | | |
| | | Field inspection during active growth for up to 1 hectare | | 45 |
| | | Field inspection during active growth for any additional hectare | | 9 |
| | | Traveling | | USD 10 for distances within 10 Km |
| | | | | USD 10 + 0.5 for each additional km |
| | | Destruction of materials | | USD 50 Per assignment or May be more, depending on the destruction cost |

| | | | | |
|---|---|---|---|---|
| | | Training | | Fees to be determined according to cost of the course required |
| | | Plant protectionextension services | | Fees to be determined according to cost of the course required |
| 3. | Identification of pest and disease in phytosanitary systems | | | |
| | (a) | Fungal identification per sample | | |
| | | (i) | Fungal identification without culture | 7 |
| | | (ii) | Single identification and diagnosis of fungi requiring culturing and further investigation | |
| | | | Fungal culturing charges | 15 |
| | | | Fungal analysis using enzyme link immunosorbent assay (ELISA) | 30 |
| | | | PCR analysis including conventional | 30 |
| | | | Real time PCR and LAMP | 35 |
| | | | Other specialized techniques such as DNA barcoding, sequencing | 45 |

| | | | | |
|---|---|---|---|---|
| | | | Fungal count per sample | 5 |
| | (b) | Bacterial identification per sample | | |
| | | (i) | Identification through culturing and further investigations | 17 |
| | | (ii) | Bacterial identification analysis using enzyme link immuno—sorbent assay (ELISA) and immuno—fluorescence | 20 |
| | | (iii) | PCR analysis including conventional | 30 |
| | | (iv) | Real time PCR and LAMP | 35 |
| | | (v) | Other specialized techniques such as DNA barcoding, sequencing | 45 |
| | (c) | Identification of virus, viroids and phytoplasma per sample | | |
| | | (i) | Identification based on symptom expression | 11 |
| | | (ii) | Identification using indicator plants | 20 |
| | | (iii) | Serology analysis per virus | 15 |
| | | (iv) | PCR analysis including conventional PCR | 30 |

| | | | | |
|---|---|---|---|---|
| | | (v) | Real time PCR and LAMP per single virus | 35 |
| | | (vi) | Other specialized techniques such as DNA barcoding, sequencing | 45 |
| | (d.) | Nematode identification per sample | | |
| | | (i) | Nematode extraction from soil, plant tissue and other sample types | 5 |
| | | (ii) | Identification of nematode species | 11 |
| | | (iii) | Nematode count per sample | 5 |
| | | (iv) | Molecular identification of nematodes (e.g., by PCR and LAMP) | 30 |
| | | (v) | Other specialized techniques such as DNA barcoding and sequencing | 45 |
| | (e.) | Insect pest and mite identification per sample | | |
| | | (i) | Single morphological identification and diagnosis | 5 |
| | | (ii) | Detailed identification requiring investigative work | 11 |

| | | | | |
|---|---|---|---|---|
| | | (iii) | Multiple pest species identification and diagnosis | 20 |
| | | (iv) | Analysis including conventional PCR | 30 |
| | | (v) | Real time PCR and LAMP | 35 |
| | | (vi) | Other specialized techniques such as DNA barcoding, sequencing | 45 |
| | (f) | Weeds and Herbarium specimen identification per sample | | |
| | | (i) | Routine single identification and diagnosis | 5 |
| | | (ii) | Detailed single identification and diagnostic services requiring investigative work | 11 |
| | | (iii) | Multiple pest species identification and diagnosis | 20 |
| | | (iv) | Other specialized techniques such as genetic purity test, DNA barcoding and sequencing | 45 |
| | (g.) | Plant identification (taxonomic services) per specimen | | |
| | | (i) | to family level | 3 |
| | | (ii) | to genus level | 5 |

| | | | | |
|---|---|---|---|---|
| | | (iii) | to species level | 10 |
| | (h.) | Mycotoxin analysis in grains and related products per sample | | |
| | | (i) | Total aflatoxin diagnostic test | 30 |
| | | (ii) | Test of Mycotoxins and aflatoxin using ELISA | 25 |
| | | (iii) | Confirmation of Mycotoxins (e.g., aflatoxin B1) | 45 |
| | | (iv) | Moisture content analysis | 9 |
| | (i) | GMO testing and inspection service per sample upon request | | |
| | | (i) | PCR Qualitative | 76 |
| | | (ii) | PCR quantitative | 130 |
| | | (iii) | PCR—based suppression subtractive hybridization and next—generation sequencing | 150 |
| | | (iv) | Monitoring GMO for compliance excluding subsistence and transport | 85 |
| | | (v) | Inspection and escort of GMO material | 85 |
| | | (vi) | Field inspection of GMO trial per visit | 135 |

| | | | | |
|---|---|---|---|---|
| | (j) | Germplasm storage and analysis | | |
| | | (i) | Virus clean—up (batch of not more than 10 plants per accession) | 85 |
| | | (ii) | In vitro multiplication of pathogen free plants (per 20 plants—(batch of not more than 20 plants per accession)) | 34 |
| | | (iii) | Charges for the use of tissue culture facilities per day | 5 |
| | | (iv) | Maintenance of plants in the tissue culture laboratory (In—vitro plants, per month per accession) | 4 |
| | | | Sale of virus free plants (in—vitro — per plant) | 0.5 |
| | | (vi) | Sale of virus free plants (acclimatized plants — per plant) | 2 |
| | | (vii) | Maintenance of plants in greenhouse (propagating) per month, per greenhouse | 26 |
| | (k) | Phytosanitary Inspections | | |
| | | (i) | Import and export permit | |

| | | | | |
|---|---|---|---|---|
| | | | Biological Control Agent Import permit | 10 |
| | | | Biological Control Agent export permit | 20 |
| | | | Plant import permit for research | 10 |
| | | | Replacement of plant import permits | 10 |
| | | (ii) | Phytosanitary certificate | |
| | | | Search fee for phytosanitary documents | 10 |
| | | | Re—export phytosanitary certificate | 50 |
| | | | Amendment/ Replacement of phytosanitary documents before export | 15 |
| | | | Amendment/ Replacement of phytosanitary documents after export | 85 |
| | | (iii) | Premises/ commodity inspection – Routine (Excluding transport costs and subsistence) | 45 |

| | | | | |
|---|---|---|---|---|
| | | (iv) | Inspection of Quarantine facility including greenhouse and laboratory (up to 1 ha) | 55 |
| | | (v) | Additional charges for quarantine facilities for additional hectare above (j) above | 9 |
| | | (vi) | Inspection of biocontrol facilities | 45 |
| | | (vii) | Inspection for compliances to pesticide residue levels | 45 |
| | | (viii) | Inspection for non —compliance to MRLs | 170 |
| | | (ix) | Sale of pasteurized soil (per kg) | 0.2 |
| | | (x) | Farm visits for advice on pest control (Excluding subsistence and transport) | 21 |
| | | (xi) | Consultation fees for commercial farms | 10 |
| | (l) | Devitalization (Excluding subsistence and transport) | | |
| | | (i) | Registration Fee of facility (Non— Refundable) | 45 |
| | | (ii) | Auditing and monitoring charges per audit | 45 |

| | | | | |
|---|---|---|---|---|
| | | (iii) | Annual Renewal of certificate | 11 |
| | | (iv) | Training on devitalization per person | 21 |
| | (m) | Conveyance Inspection | | |
| | | (i) | Physical test/ examination/ inspection | |
| | | | Empty ship inspection/survey | 100 |
| | | | Large vessel (over 10,000 MTs) | 50 |
| | | | Small vessel (less than 10,000 MT) (about, dhows, | 10 |
| | | | Large containers (40 ft.) inspection (each) | 10 |
| | | | Small containers (20ft) inspection (each) | 5 |
| | | | Large aircrafts (each) | 50 |
| | | | Small aircrafts (and balloons) (each) | 30 |
| | | | Used vehicles and agricultural machineries (each) | 5 |
| | (n) | Ensuring compliance to guidelines on wood packaging materials | | |
| | | (i) | Application fee (non—refundable) | 20 |

| | | | | |
|---|---|---|---|---|
| | | (ii) | Authorization for treatment and marking fee | 75 |
| | | (iii) | Renewal fee (annually) | 20 |
| | | (iv) | Marking – Standard pallet charges per pallet | 5 |
| | | (v) | Marking dunnage, planks, wooden boxes, wedges and others per consignment | 10 |
| | | (vi) | Auditing and monitoring charges per audit | 50 |

## Fees for export certification and supervision services for selected agricultural crops

| S/N | Crop | Fee @Kg (USD) |
|---|---|---|
| 1 | Cotton | 0.009 |
| 2 | Cashew | 0.04 |
| 3 | Coffee | 0.04 |
| 4 | Tobacco | 0.04 |
| 5 | Rice | 0.005 |
| 6 | Maize | 0.003 |
| 7 | Sesame | 0.03 |
| 8 | Legumes/Pulses | 0.009 |
| 9 | Cocoa | 0.04 |

| S/N | Crop | Fee @Kg (USD) |
|---|---|---|
| 10 | Tea | 0.001 |
| 11 | Avocado | 0.02 |
| 12 | Sisal | 0.04 |
| 13 | Flowers | 0.02 |
| 14 | Onion | 0.01 |
| 15 | Tomato | 0.01 |
| 16 | Citrus fruits | 0.01 |
| 17 | Spices | 0.02 |
| 18 | Fruits | 0.007 |
| 19 | Pyrethrum | 0.02 |
| 20 | Cassava | 0.001 |
| 21 | Pepper | 0.001 |
| 22 | Others | 0.06 |

## Fees for import certification and supervision services for selected agricultural crops

| S/N | Crop |
|---|---|
| 1 | Cotton (fibre) |
| 2 | Cotton seed cake |
| 3 | Cotton seeds |
| 4 | Cashew |

| S/N | Crop |
|---|---|
| 5 | Coffee |
| 6 | Wheat |
| 7 | Barley |
| 8 | Palm |
| 9 | Palm seedlings |
| 10 | Mushroom |
| 11 | Grapes |
| 12 | Apples |
| 13 | Mangoes |
| 14 | Tobacco |
| 15 | Rice |
| 16 | Rice bran |
| 17 | Maize |
| 18 | Sesame |
| 19 | Legumes/Pulses |
| 20 | Tea |
| 21 | Avocado |
| 22 | Flowers |
| 23 | Onion |
| 24 | Spices |

| S/N | Crop |
|---|---|
| 25 | Tomato |
| 26 | Citrus fruits |
| 27 | Other crops |