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GAIN Report

Global Agricultural Information Network

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Bangladesh Seed Laws and Regulations - A Chronological Summary

Report Categories:

Planting Seeds

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Report Highlights:

The government of Bangladesh (GOB) gradually developed seed laws, policies, and regulations for the seed sector that eventually, through various amendments, expanded regulatory oversight over both the private and public sector, and all seed varieties.

Executive Summary:

After independence, the GOB created the first major seed law: Seeds Ordinance, 1977, which focused only on public sector seed activities. Eventually, the GOB passed amendments to Seeds Ordinance, 1977 that expanded regulatory oversight over both the private and public sector, and all seed varieties.

General Information:

Disclaimer: The chronology below is based on a *cursory* review of the subject documents and, therefore, should not under any circumstances be viewed as a definitive interpretation of the documents in question, or of its implications for U.S. agricultural trade interests.

CHRONOLOGY OF IMPORTANT SEED POLICIES, LAWS, AND REGULATIONS

a. Seeds Ordinance, 1977

After independence, the GOB created the first major seed law: Seeds Ordinance, 1977, which focused only on public sector seed activities. Major components of the ordinance included:

- Provided authority to the National Seed Board (NSB), Government Seed Laboratory, and Seed Certification Agency (SCA) to administer the Seeds Ordinance, 1977, which included specifying what seeds must be regulated and have standards for quality, minimum germination rate, and purity, as well as oversight on market sales. These seeds would be defined as *notified* seeds.
- Creation of seed certification procedures for *notified* seeds through the SCA.
- Empowered the government to appoint seed analysts and inspectors, and defined their power and responsibilities, which are only applicable for *notified* seeds.
- Empowered the government to develop rules to execute the Seeds Ordinance, 1977.

The Seeds Ordinance, 1977 can be accessed at: <http://www.sca.gov.bd/Default.aspx>

b. National Seed Policy, 1993

The Ministry of Agriculture created National Seed Policy, 1993 to address issues for both the public and private seed sector; however, this policy document did not have the force of law. Seeds Ordinance, 1977 would need to be formally amended to generate any real changes. Specific recommendations from the National Seed Policy, 1993 included:

- The public and private sector should be allowed to breed and import improved seed varieties. Private seed companies should be encouraged to conduct business and form joint ventures with foreign seed companies.
- Rice, wheat, jute, potato and sugarcane should be considered controlled crops, or *notified* seeds that are evaluated before market release, and comply with seed standards such as quality, purity, and a minimum germination rate.
- New controlled crop varieties should be evaluated via field trials before they can be registered with the NSB. All other seeds (defined as *non-notified* seeds) should not require testing for

registration, but do need to be registered with the NSB.

- Seed companies that are registered with the NSB can have agreements with public sector research institutes to acquire/purchase breeder and foundation seeds for seed multiplication.
- Imported seeds must adhere to plant quarantine safeguards to prevent entry of quarantine pests and diseases. Registered seed companies are permitted to import small quantities of controlled crops for research and field trials.
- Introduced the concept Truthfully Labelled Seeds (TLS), which means that both the public and private sector can independently certify their own seeds, but must include appropriate labeling on commercial packaging.
- Suggested that only public sector breeder and foundation seeds should be government certified.
- The private sector should be given representation at the NSB, Variety Release Committee, and any other special seed committees.
- Although BADC competes with the private sector in producing and selling seeds, it should eventually withdraw its market presence, and allow the private sector to use BADC processing and storage facilities.
- The seed industry should be declared an agro-based industry, which means seed companies would be eligible for various incentives such as duty free imports of seeds for multiplication, seed processing equipment, tax holidays, and cash incentives for exports.
- The Seed Wing should be created in the Ministry of Agriculture to develop policies and strategies for the seed industry, particularly for the private sector.

The National Seed Policy can be accessed at: <http://www.sca.gov.bd/Default.aspx>

c. The Seeds (Amendment) Act, 1997 and The Seeds (Amendment) Act, 2005

Incorporating recommendations from the National Seed Policy, 1993, the Seeds Ordinance, 1977 was amended in 1997 and 2005 by parliament. The Seeds Act, 1997 and The Seeds Act, 2005, incorporated the following major amendments:

- New seed varietal definitions encompassed all seed varieties except drugs and narcotics.
- All person(s) engaged in the seed business (e.g., production, distribution, and marketing) are defined as seed dealer(s).
- The NSB increased to 25 seats, and three seats would be filled by private seed dealers, merchant associations, private seed growers, or a representative from a farmer community.
- Seed quality standards (for domestically developed and imported seeds) were redefined to include moisture content and other seed quality characteristics.
- Seed variety registration is now mandatory for both *notified* and *non-notified* seeds.
- Prohibited distribution of seeds that are harmful or potentially harmful to agriculture.
- Formed a Technical Committee to examine any new *notified* and *non-notified* crop varieties developed by the public sector.
- Specified that labels on seed containers should include the batch identification number, net weight or count, minimum germination rate, physical purity, company name and address, and the date of packaging.
- The SCA can certify any seed variety (including both *notified* and *non-notified* seeds). Seed inspectors now have responsibility over *notified* and *non-notified* seeds/crops.
- Unapproved seed varieties may be imported by registered seed companies for research and other

testing.

- All seed dealers and new seed varieties must be registered through the NSB.
- Seed dealers must follow all regulations and laws.
- Specifies penalties for seed dealers who violate any laws or regulations, or prevent a seed inspector from exercising his lawful duties.

Both amendments can be accessed here: <http://www.sca.gov.bd/Default.aspx>

d. The Seed Rules, 1998

In order to implement The Seeds Act, 1997, the Ministry of Agriculture developed The Seed Rules, 1998, which contains various regulations and rules for the entire seed industry. The Seed Rules, 1998 repeals The Seed Rules, 1982. Important regulations include:

Seed businesses are included as a part of the seed industry.

- New procedures and application forms were created for seed variety registration and seed dealer registration.
- NSB responsibilities have been extended to include seed variety registration and seed dealer registration.
- The role of the SCA was expanded to include seed quality and label monitoring at the point of sale.
- Seed certification is voluntary, and following the Seed Policy, 1993, “Truthfully Labelled Seed” certification is formally introduced.
- The NSB can modify the seed certification fee and fee for appeal.

The Seed Rules, 1998 can be accessed here: <http://www.sca.gov.bd/Default.aspx>