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THE TANZANIA PYRETHRUM BOARD ACT, 1997

(No. 1 OF 1997)

REGULATIONS**PART I**

PRELIMINARY

1. These Regulations may be cited as the Pyrethrum Regulations, 1997.

Title

2. In these Regulations unless the context requires otherwise—

Interpre-
tation Act
No. 1 of
1997

“the Act” means the Tanzania Pyrethrum Act, 1997;

“Board” means the Tanzania Pyrethrum Board established under section 3 of the Act;

“grower” means a person or group of persons registered by the Board for the purpose of growing pyrethrum;

“member growers” means an individual farmer cultivating pyrethrum under growers’ registration;

“Minister” means the Minister responsible for Agriculture;

“pyrethrum buyers” means any person or group of person buying pyrethrum at the marketing centre domestic or export market and it includes any person or group of persons buying pyrethrum from the growers and transporting it to processing factory processing or for resale;

“pyrethrum grower” means owner or occupier of land for the purpose of growing pyrethrum for business, ornamental, medical or any other purpose;

“pyrethrum inspector” means the Commissioner for Agriculture or any other officer authorized by the Commissioner (as may be advised by the Board) to act as an inspector approved by the Minister by notice in the *Gazette*;

PART II

PYRETHRUM CULTIVATION

3.—(1) Every pyrethrum grower shall be registered by the Board and issued with a grower’s registration number.

All grow-
ers to be
registered

Pyrethrum Regulations

G.N. No. 714 (contd.)

(2) The grower's registration number shall be quoted by the grower in all dealings with the Board.

(3) Prior to registration the grower shall provide the following information to the Board—

- (a) full name of individual grower and in case of the primary society, association or company the names of individual member growers;
- (b) the area to be put under production in that year of registration;
- (c) ability of the grower to purchase production inputs or estimated financial support to be obtained from financial institutions, donors or contract buyers.

De-regist-
ration of
growers
and pro-
cessors

4.—(1) The Board shall strike out the register—

- (a) any grower or processor who fails without reasonable cause or otherwise is incapable of adhering to these Regulations;
- (b) any grower or processor who desires to withdraw his registration after giving notice of his intention to do so.

Pyret-
hrum to
be grown
by regis-
tered
growers

5. No person shall grow pyrethrum unless he has been registered by the Board.

Obliga-
tion of re-
gistered
growers,
processor

6. Any registered grower or processor shall be assumed to be a permanent grower or processor and shall furnish to the Registrar information on production and processing estimates every first day of July in every year before the farming season.

Registra-
tion of
proces-
sing fac-
tory

7. No processing factory shall be registered unless the following particulars have been submitted to the Board—

- (a) name of the factory;
- (b) processing capacity of the factory;
- (c) actual production of the factory;
- (d) number and area of warehouse;
- (e) factory's processing standards;
- (f) goods transport facilities, and
- (g) number and quality of skilled, semi-skilled and non-skilled workers.

Grower or
processor
to adhere
to

8. Any registered grower or processor shall endeavour to adhere to all laws pertaining to growing, processing and marketing of pyrethrum.

Pyrethrum Regulations

G.N. No. 714 (contd.)

9.—(1) Every pyrethrum grower shall keep his field clear of all types of weeds according to pyrethrum growing rules and as may be directed by the Board from time to time.

Clearance of pyrethrum weeds

(2) No grower of pyrethrum shall remove or destroy from his farm any pyrethrum seedlings or plants without the prior approval of the Board.

(3) Any person who removes or destroys pyrethrum seedlings or plants shall be guilty of an offence and shall on conviction be liable to a fine not exceeding shillings one hundred thousands or to imprisonment for a term not exceeding two years to both such fine and imprisonment.

10.—(1) No person shall—

Restriction to pyrethrum or seed importation breeding and multiplication

- (a) import, breed, or multiply pyrethrum seeds plants, for any purpose unless permitted in writing by the Board;
- (b) sow pyrethrum seeds which have not been certified by the Commissioner of Agriculture or an authorised officer;
- (c) grow any pyrethrum in any area or region other than the areas or regions specified by the Ministry.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence, and shall, on conviction be liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

11.—(1) Every pyrethrum grower shall pick only ripe flowers every after two weeks leaving buds and over blown flowers.

Only ripe flower to be picked

(2) The picked flowers shall be dried according to the following procedures, namely—

- (a) sun-drying the flowers using coffee tray wires; and
- (b) burn drying in specific temperatures such as not to denature the pyrethrenes; and
- (c) no pyrethrum shall be dried by roasting or spreading on bare ground.

(3) It is prohibited to pick unripe or overbrown flowers and if picked, such flowers shall not be sold at the buying centre.

(4) Dried pyrethrum flowers shall not be mixed with any foreign materials.

12.—(1) Only nematodes free plants shall be planted in an area not previously grown pyrethrum for at least four years.

Control of nematodes

(2) All pyrethrum plants and remains in-infested with nematodes shall be uprooted and burnt or otherwise disposed of to the satisfaction of the inspector.

(3) Pyrethrum fields shall be uprooted every fourth year to the satisfaction of the inspector.

(4) Cleaned fields shall be replanted with new materials.

Pyrethrum Regulations

G.N. No. 714 (contd.)

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| Commissioner may declare quarantined area | <p>13.—(1) The Commissioner may, if he considers it necessary for the purpose of preventing the outbreak or spread of any pyrethrum insect pest or disease, by order under his hand, declare any area to be a pyrethrum quarantined area and may in any such order—</p> <ul style="list-style-type: none">(a) prohibit or regulate the sowing in such area of pyrethrum seed or any other crop specified in the order known to harbour insect pests or diseases of pyrethrum;(b) prohibit the removal from such area without a permit in writing issued by the Commissioner of any raw pyrethrum or pyrethrum seed or any article which has contained any raw pyrethrum or pyrethrum seed or any article which in his opinion is likely to harbour insect pests or disease of pyrethrum. <p>(2) The Commissioner or the Senior Agricultural Officer, may by notice in writing require any person within the time specified in such notice to remove to any place or to destroy any (pyrethrum) seed or pyrethrum refuse in his possession or control in such pyrethrum quarantined area, and where any such person fails to comply with any such notice the Commissioner may require the Board on giving not less than seven days notice in writing of its intention so to do, cause such removal or destruction to be effected and thereupon such person shall without prejudice to any penalty with the Board may have incurred by reason of such failure, be liable to pay all the costs of such undertaking which shall be recoverable as a debt due to the Board.</p> <p>(3) If any person contravenes or fails to comply with any provision of any order or notice made or issued under this regulation shall be guilty of an offence and shall under this regulation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to six months imprisonment or to both such fine and imprisonment.</p> |
| Sanitary measures | <p>14. All pyrethrum shall be stored only in weather proof buildings of sound construction approved by the inspector for the purpose.</p> |
| Restriction to pyrethrum agro-chemicals | <p>15. Pyrethrum agro-chemicals such as fertilizer, pesticides and fungicides shall not be used without the approval of the Board or any authorised person.</p> |

PART III
MARKETING PROCEDURES

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| Buyer to obtain permit and buying licence | <p>16.—(1) Any buyer of pyrethrum from the field shall obtain a buying permit from the Regional Authority.</p> <p>(2) The pyrethrum buyer who has obtained a permit shall apply and secure a buying licence from the Board prior to purchasing any pyrethrum provided that the application form for licence shall be accompanied by a non-refundable application fee.</p> |
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Pyrethrum Regulations

G.N. No. 714 (cont.)

17. Both the application and the licence shall contain of the following information—
- (a) name of the buyer;
 - (b) area of operation;
 - (c) the financial ability of the buyer endorsed by reputable banks or financial institutions; and
 - (d) confirmation from the banks that finance for buying the copy volume is guaranteed.
18. Every pyrethrum buyer shall be obliged to produce the buying licence at any time at the request of the inspector.
- 19.—(1) The Board shall announce the prevailing world prices of pyrethrum and pyrethrum products and indicative prices to be offered to growers.
- (2) Any person who obstructs any officer lawfully performing his duties under this regulation or refuses such officer permission to exercise such power, or fails to co-operate with such officer in the exercise by such officer's duties shall be guilty of an offence.
- (3) The buyer or any buyers representative shall prior to buying the pyrethrum flowers inspect the flowers.
- (4) If the buyer or his representative is not satisfied with the quality of the pyrethrum flowers may reject to buy the flowers.
- (5) Poor quality pyrethrum flowers may be destroyed or rejected from the marketing centre by an authorised officer.
- (6) Every buyer shall purchase pyrethrum in designated area or market centre(s) only.
- (7) Every buyer shall produce weekly report to the Board showing—
- (a) weekly purchases and deliveries of pyrethrum to the processing factory; and
 - (b) producer prices offered.
- (8) All pyrethrum flowers shall be produced in Tanzania.
20. No person shall export dried pyrethrum flowers.
21. All weighing scales at the buying centres and at the factory shall be serviced and inspected and verified by the Board for a fee before the commencement of the buying season.
- 22.—(1) Every bale shall be weighed in presence of the buyer and the grower and the weight shall be marked on the side of the bale.

Particulars application and licence

Buyer to produce licence when requested

Board to announce prices

No export of dried flowers

All weighing scales to be serviced

Weighing procedure

Pyrethrum Regulations

G. N. No. 714 (contd.)

(2) The actual weight to be recorded on the bale shall have one and half kilograms of packing materials deducted.

(3) The Board shall determine the unit weight and the types of bagging material in which dried pyrethrum flowers shall be transported.

(4) The buyer shall transport to the factory the dried pyrethrum flowers within one month from the date of purchase using box body vehicles or otherwise covered by tarpaulin.

Pyrethrum buyers to use bale tickets

23. All pyrethrum buyers shall use similar bale tickets and purchase contract notes consignments as primary business documents as designed by the Board.

Certified pyrethrum seeds owned by Board

24. The Board shall own pyrethrum seed farms multiply and certify pyrethrum seeds for release to farmers.

Board to represent government

25. The Board shall represent the government in all international form in meetings dealing with pyrethrum products or other related matters.

PART IV

PYRETHRUM INSPECTORS

Powers of a pyrethrum Inspector

26.—(1) The Board shall have power to appoint fit and proper persons to be pyrethrum inspectors who shall have and exercise powers generally to supervise the arrangements for the purchase and export of pyrethrum and pyrethrum products, and who shall have and exercise such other powers including the inspection of pyrethrum plants, pyrethrum premises, the taking of samples, and the certifying of weight and qualities of pyrethrum products in the area provided for in these Regulations or as may be prescribed.

(2) If the grower or owner of pyrethrum premises fails to comply with the aforesaid directive of the inspector, the pyrethrum inspector may on giving not less than 14 days notice in writing of his intention to do so cause any such measures as aforesaid to be taken by himself, his agents or contractor and for the purpose of taking such measures may enter or cause his agents or contractors to enter up on the pyrethrum premises as may be necessary for the said purpose; and thereupon such person shall without prejudice to any penalty which he has incurred through such failure be liable to pay all the costs of such undertaking which shall be recoverable as a debt due to the Board.

Pyrethrum Regulations

G.N. No. 714 (cont.)

27.—(1) any person owning, occupying or having control of pyrethrum premises shall comply with any directive issued by the pyrethrum inspector or any other authorised officer for the eradication, reduction or prevention of the spread of a pest or disease of pyrethrum which such inspector may by notice in writing order him to take, including the immediate destruction of pyrethrum plants, or seed or other products liable to be infected by disease or pest of pyrethrum whether or not the same are infected with a disease or pest of pyrethrum.

Owners of premises to abide by all directives to eradicate diseases etc.

28. No person shall deal in pyrethrum products or by-products unless registered by the Board upon such terms and conditions as the Board may deem fit.

Dealers in pyrethrum by-products to be registered

PART V

LICENCES AND FEES

29. The Board shall issue or otherwise revoke licences to pyrethrum dealers, pyrethrum exporters and pyrethrum importers for the purpose of regulating production, importation and marketing of pyrethrum in the country.

Board to issue, suspend or revoke licences

30. Subject to the approval of the Minister, every pyrethrum grower, buyer, exporter or processor shall pay to the Board a fee to be prescribed by the Board from time to time calculated per kilogramme dealt in for the purpose of financing research and regulatory functions of the Board.

Pyrethrum dealers to finance Board's activities

31. Every dealer in pyrethrum shall abide by all by-laws including the payment of cess issued to the relevant local government authority.

Pyrethrum dealers to abide to the by-laws

Sales Tax (Remission) (Industrial Generators)

G.N. No. 714 (contd.)

PART VI

GENERAL PENALTY

Penalty
for con-
travening
regula-
tions

32. Any person who contravenes any of these regulations where a penalty has not been provided shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred thousand shillings or imprisonment for a term not exceeding two years. In addition to such a fine or imprisonment the Board may then exercise its power to revoke or suspend a pyrethrum buying licence.

Iringa,
29 September, 1997

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Chairman

I APPROVE

Dar es Salaam,
2nd October, 1997

P. P. KIMITI,
*Minister for Agriculture
and Co-operatives*