

[Subsidiary]

*Under section 8*

THE PLANT PROTECTION (IMPORT) ORDER, 1950

G.Ns.  
1950 No. 250  
1951 No. 244  
1952 Nos. 213  
and 129  
1954 Nos.  
348 and 467  
1956 Nos. 240  
and 332  
1957 No. 60

1. This Order may be cited as the Plant Protection (Import) Order, 1950.

2. In this Order the expression "Inspector" means any officer of the Agricultural Department appointed by the Commissioner for Agriculture to be an Inspector for the purposes of this Order and includes any Customs officer who may from time to time be specially authorized in writing by an Inspector so appointed to carry out inspections under this Order during such Inspector's temporary indisposition or absence from the port of entry.

3. No living plants shall be imported into the Territory, from any other Territory with the exception of those territories set out in the First Schedule hereto, except by virtue of a permit previously obtained from, and signed by, the Commissioner for Agriculture, or by an officer of the Department of Agriculture, authorized by him in that behalf, and subject to such conditions as may be specified in such permit:

Provided that this paragraph shall not apply to any seeds except those specified in the Second Schedule hereto.

4. All applications for such permits shall state—

- (a) full name and address of the applicant;
- (b) the name and address of the person or firm from whom the plants are to be obtained;
- (c) the names and quantities of the plants to be obtained;
- (d) the locality or localities in which it is intended to grow the plants;
- (e) the proposed place of entry into the Territory.

5. The places of entry into the Territory for imported plants shall be confined to Arusha, Bukoba, Dar es Salaam, Iringa, Lindi, Mbeya, Moshi, Mtwara, Musoma, Mwanza, Tabora and Tanga, and to any other place that the Commissioner for Agriculture may, with the approval of the ~~Governor~~, specify by notice in the *Gazette*.

6. On the arrival into the Territory of living plants or such seeds as are specified in the Second Schedule hereto, the importer shall give notice to the Commissioner for Agriculture of such arrival, who shall arrange forthwith for an Inspector to inspect such plants or seeds.

7. No plants, or such seeds as are specified in the Second Schedule hereto, shall, unless special permission is given by the Commissioner for Agriculture, be imported in any way other than by parcel post.

8. If on inspection any plant, or receptacle in which plants are contained, or the soil or packing material or covers used in packing, which are imported or sought to be imported, whether under the permit

or not, are found to be, or are suspected of being, infested by pests or disease, an Inspector may order their detention ~~disinfection~~ treatment or destruction, in such manner as he may think fit.

9. The importation of agricultural implements or tools which have already been in use, or of packing materials or receptacles that have been, or are suspected of having been, in contact with plants or parts of plants, or of soil or earth, whether attached to plants or not, is prohibited, except with the written permission of the Commissioner for Agriculture.

10. If on inspection any agricultural implements or tools which have already been in use, or packing materials or receptacles that have been, or are suspected of having been in contact with plants or parts of plants, or soil or earth, whether attached to plants or not, which are imported or sought to be imported, whether under the Permit or not, are found to be, or are suspected of being infested by pests or disease, an Inspector may order their detention, disinfection, treatment, or destruction in such manner as he may think fit.

11. No insect, or eggs of insects, may be imported except with the written permission of the Commissioner for Agriculture.

12. No plants, portions of plants, or such seeds as are specified in the Second Schedule hereto, may be introduced into the Territory for transit through the Territory except under the following conditions:—

- (a) the plants, portions of plants or seeds shall be securely packed in cases, or in sound new bags of substantial sacking, with an overlap at the mouth and fastened to the satisfaction of an Inspector or of a Customs officer;
- (b) every case or bag containing such plants, portions of plants or seeds must be sealed and marked plainly to show the country of origin at the port or place of entry and no such case or bag shall thereafter be opened within the limits of the Territory;
- (c) if any such case or bag shall become so damaged in the course of transit through the Territory as to render it possible that any plants, portions of plants or seed may escape therefrom, such case or bag and any plants, portions of plants or seed therein or therefrom may, at the discretion of an Inspector, be destroyed.

13. All powers of search ~~seizure~~ and detention conferred by the Customs Ordinance\* on a Customs officer may, in respect of any plants Cap. 192 or articles of which the import or export is for the time being prohibited, restricted or regulated by this Order or any other order, which may at any time be made under the Plant Protection Ordinance, be exercised by an Inspector.

14. No compensation shall be payable for any plants or articles destroyed under this Order, or damaged in any treatment required to be carried out at the port of entry under the conditions stated in a permit.

15. The fees chargeable for any inspection, disinfection or treatment required to be carried out under this Order (except under paragraph 12) or under the conditions specified in a permit shall be as follows:—

\*Repealed and replaced by the East African Customs Management Act, 1952.

## [Subsidiary]

Shrubs, ornamental plants, vines and rooted plants generally ... ..	A fee of Shs. 5/- per 100 with a minimum charge of Shs. 2/- for each package.
Pineapple slips, sugar-cane sets, budwood and cuttings, bulbs and all other plant material for propagation, except seeds	Shs. 5/- per 100 or part thereof, with a maximum of Shs. 10/- per 1,000 and a minimum of Shs. 2/- for each separate package.
Seeds ... ..	Shs. 2/- per 100 lb., or part thereof, with a minimum charge of cents 50 for each separate package.
Potatoes ... ..	Shs. 2/- for each package containing 100 lb. or less, and Shs. 4/- for each package containing over 100 lb.
Fruit ... ..	Sh. 1/- per package.

*Note.*—The above fees are for fumigating, disinfecting or treatment alone. All provision for labour, for transport, unpacking and packing, and for fresh packing material and covers, must be made by the consignee or his agent. All responsibility in regard to disinfection and treatment rests with the consignee.

## FIRST SCHEDULE

1. The Colony and Protectorate of Kenya.
2. The Protectorate of Uganda.
3. The Protectorate of Zanzibar.

## SECOND SCHEDULE

Seeds of the following plants:—

1. Cloves. (*Eugenia* species).
2. Coconuts. (*Cocos nucifera*).
3. Cocoa. (*Cacao* spp.).
4. Coffee. (*Coffea* spp.).
5. *Eugenia* species.
6. Mangoes. (*Mangifera indica*).
7. Oil Palm. (*Elaeis guineensis*).
8. Rubber. (*Hevea* spp.).
9. Tea. (*Camellia thea*).
10. Banana and other *Musa* spp. (*Musa* spp. and *Ensete* spp.).
11. Passion fruit. (*Passiflora* spp., *Tacsomia* spp.).
12. Sugar Cane. (*Saccharum* spp.).
13. Broom Corn. (*Sorghum* spp.).
14. Cotton. (*Gossypium* spp.).
15. Lucerne. (*Medicago* spp.).
16. Alsike. (*Trifolium* spp.).
17. All Clovers. (*Trifolium* spp.).
18. Flax and linseed. (*Linum usitatissimum*).
19. Oats (*Avena sativa*).
20. Rye. (*Secale* spp.).
21. Maize. (*Zea* spp.).
22. Millets. (*Panicum* spp., *Setaria* spp., *Sorghum* spp., and *Pennisetum* spp.).
23. Sorghum.
24. Wheat. (*Triticum* spp.).
25. Timothy grass. (*Phleum pratense*, *Lolium temulentum* and *Lolium rigidum*).
26. Groundnuts. (*Arachis hypogaea*).
27. Peas (*Pisum* spp., *Lathyrus* spp., *Vigna* spp.).
28. Potatoes. (*Solanum tuberosum*).
29. Sesame. (*Sesame indicum*).
30. Sunflower (*Helianthus annuus*).
31. Tobacco. (*Nicotiana* spp.).
32. Tomato. (*Lycopersicon esculentum*).
33. Barberry. (*Berberis* and *Mahonia* spp.).
34. Buckthorn. (*Rhamnus* spp.).
35. Narcotic plants. (*Cannabis sativa*; *Erythroxylum coca*; *Papaver somniferum*).
36. Aquatic plants. (All varieties).
37. Barley. (*Hordeum* spp.).
38. Beans. (All kinds).