SEEDS RULES 1968

THE SEEDS RULES 1968 PART I—Preliminary I. Shurt title—These ru Ies may be called the Seeds Rules. 1968. 2. these rules, unless the context otherwise reauires,— (b) (c) (d) (e) (g) (h) (i) (k) (m) "Act" means the Seeds Act, 1966 (54 of 1966); "advertisement" means all representations other than those on the label, disseminated in any manner or by any means relating to seed for the purposes of the Act; "certification sample" means a sample of seed drawn by a certification agency or by a duly authorised representative Of a certification agency established under section 8 or recognized under section 18 of the Act; "certification tag" means a tag or label of certain design to be specified by the certi- fication agency and shall constitute the certificate granted by the certification agency; "certified seed" means seed that fulfils all requirements for certification provided by the Act and these rules and to the container of which the certification tag is attached; "certified seed producer" means a person who grows or distributes certified seed in accordance with the procedure and standards of the certification agency; : 'complete record" means the information which relates to the origin, variety, kind, germination and purity of seed of anj iotified kind or variety offered for sale, sold or Otherwise supplied; "form" means a form appended to these 'Pies; "origin" means the State, Union Terfitory or foreign country where the seed is grown and in case seeds of different origin are blended the label shall show the percentage of seed of each origin; "processing" means cleaning, drying, treating, grading and other operations which would change the purity and germination of the seed and thus requiring re-testing to determine the quality of the seed, but does not include operations such as packaging and labelling; "section" means a section of the Act; "service sample' 'means a sample submitted to the Central Seed Laboratory or to a State Seed Laboratory for testing, the results to be used as information for seeding, selling or labelling purposess; ' 'treatetr¯means that the seed has been subjected to an application of a substance or process in such a manner as to reduce, control or repel certain disease organisms, insects, or any other pests attacking such seeds or seedlings growing therefrom and for other purposes. The Seeds Rules, 1968 PART -Central Seed Committee 11 3. Functions of the Central Seed Committee.—ln addition to the functions entrusted to the Committee by the Act, the Committee sha!l,— (a) (b) recommend the rate of fees to be levied for analysis of samples by the Central and State Seed Testing Laboratories and for certification by the certification agencies; advise the Central or State Governents on the suitability of seed testing laboratories; send its recommendations and other concerning records to thc Central Government: recommend the procedure and standards for ccrtification, tests and analysis of seeds; and carry out such other functions as are supplemental, incidental or consequential to any of the functions conferred by the Act or these rules

4. Travelling and Daily Allowances Pnyable to Members of the Committee and its sub-Committees.—The members of the committee and its sub-committees shall be entitled to draw travelling and daily allowances as specified below when they are called upon to attend a meeting of the committee or a sub-committee thereof: (a) (b) An offcial member of the committee or its sub-committee shall bc cntitlcd to draw travelling and daily allowances in accordance with thc rules of the Government under which he is for the time being employed and from the same source rrom which his pay and allowanct5 are drawn. A non-omcial member shall be allowed travelling and daily allowances in accordance with the general orders issued in this behalf by thc Central Government from time to PART Ill—Central Seed Laboratory . In addition to the functions entrusted to the Central Seed Lahoratory by the Functions — Act, the Laboratory shall carry out fhe following functions, namely;— (b) (c) initiate testing programmes in collaboration with the State Seed Laboratories designed to promote uniformity in test results between all seed laboratories in India. collect data continually on the quality of seeds found in the market and make this data available to the Committee; and carry out such other functions as may be assigned to it by thc Central Government from t igne fo time

PART IV—Seed Certification Agency rn addition to the functions entrusted to the 6. Functions Of the Certification Agency. certification agency by thc Act, the Agency shall (a) certify seeds of any notificd kinds or varieties; (b) outline the procedure ror submission of applications and for growing, harvesting, pro- cessing, storage and labelling or seeds intended for certification till thc end to ensure 12 (e) f) (g) (h) (i) Legislation on Seeds that seed lots finally approved for certification are trite to variety and meet prescribed standards for certification un aintain a list of recognised breeders of

seeds; verify, upon receipt of an application for certification that the variety is eligibie for certification, that the seed source used for planting was authenticated and the record of purchase is in accordance with these rules and the fees have been paid: take sample and inspect seed lots produced under the procedure laid down by the certi- fication agency and have such samples tested to ensure that the seed conforms to the prescribed standards of ctnification: inspect seed processing plants to see that the admixtures of other kinds and varieties are not introduced; ensure that action at all stages, e.g. field inspection, seed processing plant inspection, analysis of samples taken and issue of certificates (including tags, marks, labels and seals) is taken expeditiously; carry out educational program•mes designed to promote the use of certified sced inelud- ing a publication listing certified seed growers and sources of certificd seed; grant certificates (ir-cluding tags labels, seals etc.) in accordance with the provisions of the Act and these rules; maintain such records as may be necessary to verify that seed plants for the production of certified seed were eligible for such planting under these rules: inspect fields to ensure that the minimum standards for isolation, roguing (where applicable) use of male sterility (where applicable) and similar factors are maintained at all times, as well as ensure that seedborne diseases are not present in the field to a greater extent than those provided in the standards for certification

PART V—Markinz or Labelling 7. Responsibility for Marking or Labelling.—Whell seed of a notified kind or variety is offered for sale under section 7, each container shall bc marked or labelled in the manner herein• after specified, The person whose name appears on the mark or label shall be responsible for the accuracy of the information required to appear on the mark or label so long as seed is contained in the unopened original container: Provided, however, that such person shall not be responsible for thc accuracy of the state- ment appearing on the mark or label if the seed is removed from thc original unopened containey, or he shall not be responsible for the accuracy of the germination statement beyond the date of validity indicated on the mark or label. 8, Contents of the mark or label.—There shall be specified on every mark or label- (i) (ii) (iii) particulars, as specified by the Central Government under clause (b) of section 6 of the Act: a correct statement of the net content in lerllls of weight ane expressed in metric system: date of testing; The Seeds Rules, 1968 {iv) if the seed in container has been treated— (a) a statement indicating that the seed has been treated; 13 (b) the commonly accepted chemical or abbreviated chemical (generic) name of the applied substance; and if the substance of the chemical used for treatment, and present with the seed is harmful to human beings or other vertebrate animals, a caution statement such as "Do not use for food, feed or oil purposes". The caution for mercurials and similarly toxic substance shall be the word "Poison" which shall be in type size, prominently displayed on the label in red: (v) the name and address of the person who offers for sale, sells or otherwise supplies the seed and who is responsible for its quality; (ri) the name of the seed as notified under section of the Act

9. Manner or marking or labelling the container under (C) of section 7 and clause (B) of section The mark or label containing the particulars of the seed as specified under clause (b) of section 6 shall appear on each container of seed or on a tag or mark or label attached to the container in a conspicuous place on the innermost container in which the seed is packed and on cvery other covering in which that container is packed and shaii be legible.(2) Any transparent cover or any wrapper, case or other covering used solely for the purpose of packing of transport or delivery need not be marked or labelled. (3) Where by a provision of these rules, any particulars are required to bc displayed on a label on the container, such particulars may, instead of being displayed on a label be etched, painted or otherwise ipdelibly marked on the container. IO. Mark or Label not to contain false or misleading statement.—The mark or label shall not contain any statement, claim, design, device, fancy name or abbreviation which is false or misleading in any particular concerning the seed contained in the container

11. Mark or label not to contain reference to the Act or Rules contradictory to required particulars.—Thc mark or label shalt not contain any reference to the Act, or any of these, rules or any comment on, or reference to, or explanation or any particulars or declaration required by the Act or any of these rules which directly or by irk-plication contradicts, qualifies or modifies such particulars or declaration

12. Denial of Responsibility ror mark or label content prohibited.—Nothing shait appear on the mark or label or in any advertisement pertaining to any seed of any notified kind or variety which Shail deny

responsibility for the statement required by or under thc Act to appear on such mark, label or advertisement

PART VI—Requirements t 3. Requirements to bc complied with by a person carrying on the Business referred to in Section 7.81) No person shall sell, keep for sale, offei to sell, barter or otherwise supply any seed of any notified kind or variety, after the date recorded on container, mark or label as the date upto which the seed may be expected to retain germination not less than that prescribed under clause (a) or section 6 of the Act. 14 Legislation on Seeds (2) No person shall alter, obliterate or deface any mark or label attached to the container of any seed. (3) Every person "fling, keeping for sale, offering to sell, bartering or otherwise supplying any seed of notified kind of variety under section 7, shall keep over a period of three years a com- prete record of each lot of seed sold tbat any seed sample may be discarded one year after the entire lot represented by such sample has been disposed of. The sample of seed kept as part of the complete record shall be as large as the size notified in the offcial Gazette. This sample, if required to be. tested, shall be tested only for determining the purity

14. Classes and sources of certißed There shall be three classes of certified seed, namely, foundation, registered and certified and each class shall meet the following standards for that class:—(a) Foundation seed shall be the progeny of breeders' seed, or be producedfrom fqunda- tion seed wh.ich can be clearly traced to breeder's seed. Production shall be super- vised and approved by a seed certification agency and be so handled as to maintain specific genetic purity and identity and shall be required to meet certification standards for the crop being certified. (b) Registered seed shall be the progeny Of foundation seed that is so handled as to maintain its genetic identity and purity according to standard specified for the particular crop being certified. (c) Certified •seed shall be the progeny offegistered or foundation seed that is so handled to maintain genetic identity and purity according to standards specified for the parti- cutar crop being certified. (2) At the discretion,6f the pertification agency (when considered necessary to maintain adequate seed supplies) certified seed may be the progeny of certified sced provided this repro- duction may not -exceed three generations and provided further that it is determined by the seed certification agency, that the genetic purity will not be significantly altered. PART Seeds 'Applicatioafor the Grant of • Certißcate.—Every application for the grant ofa certificate under sub-section (1) of section 9 shall be made in

Form I in accordance with the procedure out- lined by the• certification agency for -submission of applications and contain the following particulars, namely:— (b) (c) (d) (e) (f) 16. the name, profession, and p)ace of residence of the applicant; the name of the seed to be certified: its notified kind or variety; class of the seed; source of the seed; limits Of germination and purity of thc seed; mark or label of the seed. Fees,—Every application unda sub-section (l) of section 9 shall be accompanied by a fcc of Rs. 25 in cash. The Seeds Rules, 1968 15 17. Certificate.—Every certificate granted under sub-section (3) of section 9 shall be in Form and shall be granted by the certification agency, after making enquiries and satisfying itself in accordance with the provisions of the said sub-section on the following conditions, for the period to be specified by the certification agency, namely:— (i) The person to whom the certificate is granted under sub-section (3) of section 9 shall attach a tag to every container of the certified seed and shall follow the provisions in respect of marking or labelling provided by or under the Act. (ii) The (a) (b) (c) (d) (e) (g) certification tag shall contain the following particulars, namely:— name and address of the certifitation agency; kind and variety of the seed; lot number or other mark of the seed; name and address of the certified seed producer; date of issue of the certificate and of its validity; an appropriate sign to designate certified seed; an appropriate word denoting the class designation of the seed. (iii) The colour of the certification tag shall be white for foundation Reed, Durple for registered seed and blue for certified seed. (iv) The container of the certified seed shall carry a seal of such material and in such form as the certification agency may determine and no container carrying a certification tag shall be sold by the person if the tag or seal has either been tampered with or removed. (v) certification tag on the container shall specify— (a) the period during which the seed shill be used for sowing or planting; (b) that thc use of seed after the expiry of the validity period by any person is entirely at his risk and the holder of the certificate shall not be responsible for any damage to the buyer of the seed; (c) that no one should purchase the seed if Ehe seal or the certification tae has been tampered with. (vi) The holder of the certificate shall keep record of the detailS of each lot of the seed which is issued for sale in such form as to be available for inspection and to be easily identified by reference to the number of the lot as shown in the certification tag of each container and such records shall be retained in the case of a seed for which expiry date is fixed for a period of two years from the expiry of such date. (vii) The holder of the certificate shau allow any Seed Inspector, authorised in writing by the certification agency in that behalf, to enter with or without prior notice the premises where the seeds are grown procrssed and sold and to inspect premiseS, plant and the process of processing at all reasonable hours. (viii) The holder of the certificate shall allow the Seed Inspector, authorised in writing by the certification agency, to inspect all registers and records maintained under these rules and to take samples or the seeds and shall supply to the Seed Inspector such information as he may require for the purposes of ascertaining whether the conditions subject to which the certificate has granted, have been complied with. 16 Legislation Oh Seeds (iX) The holder of the certificate shall on request furnish to the certification agency from every lot of the seed or from such tot or lots as the said agency may from time to time specify, a sample of such quantity as the agency may consider adequate for any examina- tion required to be made. (x) If the certification agency so directs, the holder of the certificate shall not sell or offer for sale any lot in respect of which a sample is furnished under the preceding clause until the agency authorises the sale of such lot. (xi) The holder Of the certificate shall on being directed by the certification agency that any part ofa lot has been found by the said agency not to conform to prescribed satandard5 of quality or purity specified by or under the Act, withdraw the remainder of that lot from sale and so far as may, in the particular circumstances of the case, be practici ble, recall all issues already made from that lot. (xii) Thc holder of the certificate shall comply with •the provisions of the Act and these rules and with the directions given after not less than one month's notice hy the certi. fication agency to such holder

PART 18. The form and manner ig which and the fee on payment of which the appeal may be Every memorandum of appeal under sub-section (I) of section 11 Shai! be in writing and shall be accompanied by a copy orthe decision of the certification agency against which it has been preferred and shaft set forth concisely and under distinct heads the grounds of objection to such decision without any argument, or narrative. (2) Every such memorandum of appeal shall be accompanied by a treasury receipt ror a sum of Rs. 100[-. (3)- Every such memorandum of appeal may be presented either in person or through an agent duly authorised in writing in this behalf by the appellant or may be sent by the registered post

19. Procedure to be followed by the Appellate deciding appeals under the Act the appellate authority shall exercise all the powers which a Court has and shall follow the same procedure which a Court follows in deciding appeals from the decree or order of an original Court under the Code of Cvil Procedure, 1908 (5 of 1908)

PART IX—Seed Analysts and Seed Inspectors Qualifications of Seed Analysis.—A person shall not be qualified for appointment as Seed Analyst unless he— (i) possesses a Master's or equivalent degree in Agriculture or Agronomy or Botany or Horticulture of a University recognised for this purpose by the Government and has had not less than cne year's experiencc in seed technology; or (ii) possesses a Bachelor's degree in Agriculture or Botany ofa University recognised for this purpose by the Government and has had not less than three years' experience in seed technology. The Seeds Rules, 1968 17 21. Duties of 8 Seed Analyst.—On receipt of a sample for analysis the Seed Analyst shall first ascertain that the mark and the sea! or fastening as provided in clause (b) of sub-section (l) or section] 5 are intact and Shail note the condition of the seals thereon. (2) The Seed Analyst shall analyse the samples according to the provisions of the Act and these rules. (3) The Seed Analyst shall deliver the copy of the report of the result of the analysis to the persons specified in sub-section (l) of section 16. (4) The Seed Analyst shall from time to time forward to the State Government the reports giving the result of analytical work done by him, 22. Qualifications of Seed Inspectors.—A person shall not bé qualified for.appointment as Seed Inspector unless he is a graduate in Agriculture of a University recognised for the purpose by the Govern_rnent and has had not less than one years experience in seed production, or seed deve- lopment or seed analysis or testing in a seed testing laboratory

23. Duties of a Seed Inspector.—rn addition to the duties specified by the Act the Seed Inspector shall— (a) inspect as frequently as may be required by certification agency all places used for growing, storage or sale of any seed of any notified kind or variety; (b) satisfy himself that the conditions of the certificates are being observed; (c) procedure and send for analysis, if necessary, samples of any seeds, which he has reason to suspect are being produced stocked or sold or exhibited for sale in contravention of the provisions of the Act or these rules; (d) investigate any complaint, which may be made to him in writing in respect of any contravention of the provisions of the Act or these rules; (e) maintain a record of all inspections made and action taken by him in the performance of his duties including the taking of samples and the seizure of stocks and submit copies of such record to the Director of Agriculture or thc certification agency as may be directed in this behalf; (f) when so authorised by the State Government detain imported containers which he has reason to suspect contain seeds, import of which is prohibited except and in accordance with the provisions of the Act and these rules; (g) institute prosecutions in respect of breaches of the Act and these rules; and (h) perform such other duties as may be entrusted to him by the competent authority

PART X—Sealing, Fastening, Despatch and Analysis of Samples 24. Manner of taking Samples.—Samples of any seed of any notified kind or variety for the purpose of analysis shall be taken in a clean dry container which shall be closed suffciently tight to prevent leakage and entrance of moisture and shall be carefully sealed

25. Containers to be labelled and addresed.—All containers containing samples for analysis shall be properly labelled and the parcels shall bc properly addressed. The label on any sample of seed sent for analysis shall bear— 18 (a) (b) (c) (d) (e) 26. Legislation on Seeds serial number; name of the sender with offcial designation, if any; name of the person from whom the sample has been taken; date and place of taking the sample; kind or variety of the seed for analysis; nature and quantity of preservative, if any, added to the sample; Manner of Packing, Fastening and Sealing the Samples.—Al.l samples of seeds sent for analysis shall be packed. fastened and sealed in the following manner: (a) The stopper shall first be securely fastened so as to prevent leakage of the containers in tansit. (b) The container shall then be completely wrapped in fairly storng thick paper. The ends of the paper shall be neatly folded in and affxed by means of gum or other adhesive. (c) The paper cover shall be further secured by means of strong twine or thread both above and across the container, and the twine or thread shall then be fastened on the paper cover by means of sealing wax on which there shall be at least four distinct and clear impressions of the seal of the sender, of which one shall be at the top of the packet, one at the bottom and the other two on the

body of the packet. The knots of the twine or thread shall be covered by means of seating wax bearing the impression of the Seal of the sender

27. Form of Order.—The order to be given in writing by the Seed Inspector under clause (c) of sub-section (l) of section 14 shall be in

Form Ill

28. Form of Receiptfor Records.—When a Seed Inspector seizes any record, register, docu- ment or any other material object under clause (d) of sub-section (I) of section 14, he shall issue a receipt in Form I V to the person concerned

29. Samples how to be sent to the Seed Analyst.—The container of sample for analysis shall be sent to the Seed Analyst by registered post or by hand in a sealed packet enclosed together with a memorandum in

Form Vin an outer cover addressed to the Seed Analyst

30. Memorandum and Impression of seal to be sent separately.-—A copy of the memorandum and a specimen impression of the seal used to seal the packet shall be sent to Ehe Seed Analyst separately by registered post or delivered to him or to any person authorised by him

31. Addition of Preservatives to Samples.—Any person taking a sample of seed for the purpose: of analysisunderthe Act may add a preservative as may be specified from Lime to time to the sample for the purpose of maintaining it in a condition suitable ror analysis

32. Nature and Quantity of the Preservative to be noted on the Label—Whenever any preservative is added a sample, the nature and quantity of the preservative added shall be clearly noted on the label to be affxed to the container

33. Analysis of the receipt of the packet, it shall be opened either by the Seed Analyst or by an offccr authorised in writing in that behalf by the Seed Analyst, who Shail record the condition of the seal on the packet, Analysis of the sample shall be carried out at the State Seed Laboratory in accordance with the procedure laid down by the Central Government. The Seeds Rules, 1968 19 34. Form of Notice.—The notice to be given under clause (a) of sub-section (1) of section 15 to the person from whom the Seed Inspector intends to take sample shall he in

35. Form of Report.—The report of the result of the analysis under sub-section (l) or sub-section (2) of section 16 shall be delivered 07 sent in

Form VII

36. Fees.—The fees payable in respect of the report from the Central Seed Laboratory under sub-section (2) of section 16 shäl.k be Rs. _ IO/- per sample of the seed analysed

37. Retaining oftbe Sample.—The sample of any seed åa.ll, under clause (c) of sub-section (2) of section 15, be retained under a cool, dry envionment to eliminate the loss of viability and insect proof or rat proof container. The containers shall be dusted with suitable insec• ticides and the storage room fumigated to avoid infestation of samples by insects. The sample shall be packed in good auality containers of uniform shape and size before storage

PART 38. Records.—A person carrying on the business referred to in section 7 shall maintain the following records, namely:— (a) stock record of seed; (b) of the sale of seeds; 39. rorm of Memorandum.—The memorandum to be prepared under subsection (4) of section 14 shall be in Fonn V Ill. 20 Legislation on Seeds

FORM 1 Form of application for seed production under the seed certification programmte 2. 3. 4. 5. 6. 7. 8, 9. 2

3. Name (in Block Letters) Complete Address (In Block Letters) Village Post Offce District State Telegraph Once Nearest Rly. Station Telephone No. Nearest town—— its distance from your farm Highway No. or Route— Name of variety/kind of secd offered for certification. under each variety Ikind Area offered for certification. Class of -seed desired to be produced FoundationlRegistered/Certified. Source of seed for Item 6 aböve (also mention Tag No. and other particulars on the tag). "Isolation distance" (in metres) from othcr varieties of the same crop. North to South : East to West. Actual or proposed date of planting, Signature. Date (To be filled in by the offce of the Seed Certification Agency) Number of field inspections made— Dates of Inspection (Copy of inspection reports to be attached). Report of Seed Aanalyst (copy to be attached). Certificaie issued. Tag No. Date of issue Issued by Signature Director, Seed Ccrüfication Agency. 21 Seed Certification Agency Tag No. Kind Lot No. Germination Date of test Certification valid upto The Sceds Rules, 1968

FORM Variety 04 Not below Director Seed Certification Agency Minimum pure seed 0 Innert matter Weed seeds (Max) Other crop seeds— Producer — Class of seed % Not more than —Not more than — (Name and Full Address) 2. 3

4. To A white tag shau be used for foundation seed.A purple tag Shail be used for registered seed. A blue tag shall be used for certified seed. Certification shall be valid for the period indi- cated on the tag provided seed is stored under cool dry environment. FORM (Name and address of the vendor) Whereas I have rcason to believe that the stock of seeds in your possession detailed below contravenes the provisions of Section 6 of the Seeds Act. 1966 (No. 54 of 1966). 1 hereby direct you under clause (c) Of Sub-Section (1) of Section 14 of the Seeds Act, 1966 (No. 54 of 1966) not to dispose of the said stock for a period of from this Place Date Date date and take action to remove the following defects:— Seed Inspector Area Derails of stock of seeds Seed inspector 22 To Legislation on Seeds

FORM lv The records detailed below have this day been seized by me under the provisions of clause (4) of sub-section (I) of Section 14 of the Seeds Act, 1966 mo. 54 of 1966) from the premises of situated at Place Date Date Memorandum to Seed Analyst. Serial No. of Memorandum. From: To The Seed Analyst Details of records seized FORM V Seed Inspector Seed Inspector The sample described below is sent herewith for test and analysis under clause (b) of sub- section (I) of section 14 and/or clauses (b) and (c) of sub-section (2) of Section 15 of the Seeds Act, 1966. l. Scrial No. of the sample

2. Date and place of collection

3. Naturc of the articles submitted for analysisltest_ 2.A copy of this memo and specimen impression Of the seal used to sea] ihe packet of samples is being scnt separately by post/hand. • Dat •Strike out whichever is not applicable. Seed Inspector Area The Seeds Rules, 1958

FORM VI To 23 I hereby give you the notice of my intention of taking a sample of seed from your stocks for the purposes of tests or analysis. Seed Inspector FORM (Certificate of rest and/or analysis by the Seed Analyst) Certified that the sample(s) bearing number sample of Memorandum No. —dated purporting to be a ———received on has/have been tested (analysed and that the result}' from results of such test(s)/analysis is/are as stated below

2. Place Date The condition of the seals on the packet and the outer covering on receipt was as follows Seed Analyst Central L*boratory If opinion is required on any other matter suitabte paragraph(s) may be added.24 To Legislation oh Seeds

FORM VIII I have this day taken from the premises of situated at samples of seeds specified below to have the same tested/ audlyscd by Seed Analyst. Details of samples taken Whether cost of sample damanded? Cost of sample Datc Rs. Seed Inspector Seed Inspector Arca Signature of the party from whose premises samples taken and payment made. [No. Dev.) S.M.H. BURNEY, Jt. secy.