

Subsidiary Legislation

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THE PYRETHRUM INDUSTRY ACT
(CAP.376)

RULES

(Made under section 21 of the Act)

THE PYRETHRUM INDUSTRY RULES, 2015

ARRANGEMENT OF REGULATIONS

Regulation

Title

PART VII
SALES
AND MARKETING

Conditions
for buying
pyrethrum

47.-(1) Any person who wishes to buy pyrethrum from the field shall obtain a valid buying and processing license from the Board.

(2) The pyrethrum buyer shall pay the pyrethrum growers a sale price for pyrethrum as specified in the contract and in default thereof the pyrethrum buyer shall pay the grower the prevailing commercial bank interest on purchase price calculated from the due date to the actual date of payment.

(3) A grower shall not deliver pyrethrum to any person

other than registered and licensed pyrethrum buyer.

Buyer to
provide
report

48.-(1) A pyrethrum buyer and processor shall submit a monthly report to the Board showing-

- (a) purchases and deliveries of pyrethrum to the processing factory;
- (b) prices offered.
- (c) pyrethrum analysis; and
- (d) any other information required by the Board.

(2) The pyrethrum buyer and processor shall, within thirty days from the date on which the pyrethrum buyer and processor were delivered to the factory, conduct a pyrethrum analysis to determine the pyrethrin content and provide a report to the grower and the Board.

(3) A pyrethrum buyer and processor who, without reasonable cause, fails to conduct pyrethrum analysis within a time stipulated under sub-rule (2) commits an offense and shall on conviction, be liable to a fine or imprisonment as provided for under these Rules.

(4) Notwithstanding the penalty provided under sub-rule (3) the pyrethrum buyer and processor may compensate the grower for the loss incurred at such amount of money as determined between the pyrethrum buyer and processor, and the grower and the Board.

Condition
for Prices
and sales of
pyrethrum

49. Pyrethrum marketing and sales shall be done at the marketing and buying centers on the basis of the stipulated price agreed in the pyrethrum stakeholders meeting.

Board to
announce
indicative
price

50. The shall, Board shall, after consultation with other stakeholders, announce indicative price for buying pyrethrum for each crop season as a minimum price to be used to purchase pyrethrum.

Growers
payment
according to
contract

51.-(1) The payment of sale price to a grower shall be made according to a written contract between a grower and a pyrethrum buyer.

(2) The grower shall be paid a base price on the day of purchase and a second price based on pyrethrin content shall be paid not more than thirty days from the day of purchase.

Weighing

52.-(1) The pyrethrum buyer shall use weighing scales

procedures
and related
matters

which are approved by a competent authority.

(2) A competent Authority specified under sub rule (1) includes the Weights and Measures Authority or any other Authority duly established to regulate Weight and Measures.

(3) Every packing material containing pyrethrum flowers for sale shall be weighed in the presence of the pyrethrum buyer, the grower and pyrethrum inspector or authorized officer and the weight shall be marked on the side of the packing material.

(4) The actual weight of pyrethrum to be recorded shall exclude the weight of the packing material.

Use of
growers
registration
number

53. All pyrethrum buyers and processors shall use growers' registration numbers designed by the Board on consignment as primary business documents.

PART VIII CONDITIONS FOR PYRETHRUM PROCESSING AND TRANSPORTATION

Pyrethrum
analysis and
grading
procedures

54.-(1) Every pyrethrum buyer and processor shall own a processing factory with accredited laboratory equipments for analyzing pyrethrins in flowers for grading and quality assurance in pyrethrum extracts.

(2) The equipments for analyzing pyrethrins shall include spectrophotometer with a wave length of between 190 to 1100nm for pyrethrum flowers analysis and High Power Liquid Chromatography for quality control of pyrethrum extracts.

(3) The analysis and grading of pyrethrum shall be carried out by the Pyrethrum Analysts or samplers in the following manner-

- (a) a sample shall be extracted by a method approved by the Board from each bag or series of bags of pyrethrum delivered to the pyrethrum buyer and processor;
- (b) every such sample of pyrethrum delivered between the twenty-eight day of any month and twenty-seventh day of succeeding month, or such other period as may be notified to growers by the buyer, shall be retained in a separate container for each

- grower;
- (c) at the end of the period notified , all such samples of pyrethrum delivered within the period by each grower shall be thoroughly mixed and subdivided by the method currently approved by the Board until a residual sample of an amount considered by the Board to be sufficient for the purpose of analysis remains;
 - (d) each such residual sample shall be registered and analysed, by the method currently approved by the Board, in the accredited laboratories to determine the pyrethrins content of each grower's deliveries during the period; and
 - (e) each grower shall be informed of the results of such analysis immediately after the completion of the analysis.

(4) Any grower aggrieved by the results of the analysis or grading of pyrethrum may, within seven days from the date of the receipt of the results, appeal in writing to the Board and the decision of the Board shall be final.

Transportation of pyrethrum flowers

55. A pyrethrum buyer and processor shall transport to the factory dried pyrethrum flowers within one month from the date of purchase by using box body vehicles or otherwise covered by tarpaulin or any other material that will ensure the pyrethrum is not adulterated

Buying Centers

56.-(1) The Board shall register an established buying centre for the purpose of buying and selling of Pyrethrum.

(2) For the purposes of preservation of Pyrethrum at buying centers, the Board shall set sanitary standards to be adopted by growers, buyers or transporters of Pyrethrum.

(3) The Buying and selling of pyrethrum at buying centres shall be during day time.

(4) Unless otherwise directed by the Board, a pyrethrum grower shall not sell pyrethrum obtained from the farm of another grower.

(5) Any pyrethrum grower who sells Pyrethrum outside an established and registered buying centre commits an offence.

Export and
import
procedures

57.-(1) A pyrethrum buyer and processor may, subject to the acquisition of an export license from the Board issued upon such terms and conditions as the Board may prescribe, export Pyrethrum products.

(2) A pyrethrum dealer shall import Pyrethrum, subject to the acquisition of an import permit from the Board issued upon such terms and conditions as the Board may prescribe.

(3) Any person who wants to export pyrethrum shall fill in Form Number 4 prescribed in the Second Schedule to these Rules.

Sales
records and
submission
of returns

58.-(1) The Board shall maintain a record of pyrethrum sold for domestic, export or import purpose.

(2) A pyrethrum buyer and processor shall submit to the Board monthly returns of sales for domestic and export market.

(3) A pyrethrum buyer and processor shall submit to the Board monthly returns of Pyrethrum purchases and sales in the domestic and export market.

(4) A pyrethrum importer shall submit to the Board monthly returns of Pyrethrum imported.

(5) Every monthly return mentioned under this rule shall be submitted to the Board on the last working day of the following month.

Requiremen
t for
processing
within the
country

59.-(1) All Pyrethrum produced in Tanzania shall be processed within the country.

(2) Without prejudice the provisions of sub-rule (1), the Minister may, for a specified period, allow the sale or processing of Pyrethrum outside the country when-

- (a) there is overproduction of pyrethrum; or
- (b) the pyrethrum buyers and processors cannot buy and process all pyrethrum flowers produced within the country.