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THE PYRETHRUM INDUSTRY ACT
(CAP.376)

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RULES
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(Made under section 21 of the Act)

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THE PYRETHRUM INDUSTRY RULES, 2015
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THE PYRETHRUM INDUSTRY ACT
(CAP.376)

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RULES
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(Made under section 21)

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THE PYRETHRUM INDUSTRY RULES, 2015

PART I
PRELIMINARY PROVISION

Citation and
commence-
ment

1. These Rules may be cited as the Pyrethrum Industry Rules, 2015.

Application

2. These Rules shall apply to pyrethrum grown, processed or imported into Mainland Tanzania or pyrethrum products imported into or exported from Mainland Tanzania.

Interpreta-
tion
Cap 376

3. In these Rules unless the context otherwise requires:

“Act” means the Pyrethrum Industry Act;

“Accredited laboratory” means a laboratory accredited and certified by the Board to determine amount of pyrethrum content in the pyrethrum after consultation with relevant authorities;

“Adulteration” means any act or omission which may result in the reduction of quality of pyrethrum and includes mixing pyrethrum with foreign matters, drying pyrethrum on bare ground or roasting of pyrethrum;

“Analyst” means an officer appointed under rule 36 to work as pyrethrum Analyst;

Cap. 337

“Association” means an association formed and registered under the Societies Act;

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- “authorized officer” means an officer appointed by the Board to perform any enforcement role under the provisions of the Act and these Rules ;
- “base price” means the initial payment to the grower without regard to pyrethrins content;
- Cap 376 “Board” means the Pyrethrum Board of Tanzania established under section 3 of the Act;
- Act No. 6 of 2013 “Cooperative Society” means a cooperative society formed and registered under the Cooperative Societies Act;
- “ Director” means the Director responsible for Crop Development in the Ministry;
- “grower” includes an individual grower, cooperative society, association or company cultivating Pyrethrum and registered by the Board;
- “Indicative price” means minimum guiding price agreed by the stakeholders in the annual stakeholders meeting and announced by the Board;
- “Minister” means the Minister responsible for Agriculture;
- “processing factory” means a factory which is capable of processing pyrethrum flowers to the level of crude extract and allied products;
- “pyrethrin” means the insecticidal chemicals contained in the pyrethrum flowers;
- “pyrethrum agent” means an individual person, cooperative society, company or association contracted by the licensed pyrethrum buyer and processor to collect pyrethrum flowers from pyrethrum growers and supply the flowers to the pyrethrum buyer and processor for the purpose of processing within the country;
- “Pyrethrum” means Plant belonging to the family of *Chrysanthemum cinerariifolium*;
- “pyrethrum buyer” means a person, association or company licensed by the Board to buy pyrethrum flowers from a registered grower for processing pyrethrum in the country using processing factory for the purpose of trade;
- “pyrethrum dealer” means a person growing, buying, processing, importing or exporting pyrethrum or any other activity related to pyrethrum industry;

“pyrethrum factory” means a factory which is capable of processing pyrethrum flowers to the level of crude extract and allied product;

“pyrethrum Inspector” means an officer appointed under rule 36 to work as pyrethrum Inspector;

“pyrethrum premises” means any land, building, factory, erection, vehicle, article, or receptive whatsoever for the purpose of growing, sorting, analysis, storage, processing, transporting or in any way connected with the handling of pyrethrum;

“pyrethrum processor” means a person, association, company by the Board to process pyrethrum to the level of crude extract and or pyrethrum products;

“pyrethrum product” means any product, extract, or substance obtained or derived from pyrethrum by any treatment or process including crude extract, pyrethrum powder, marc, refined extract and formulated product;

Cap. 376 “Register” means a register maintained under Rule 4 of these Rules;

“sale price” means the price agreed between the growers and buyers for the sale of pyrethrum ;

“second price” means the subsequent payment to the grower with regard to pyrethrins content;

“Stakeholder” means a dealer in the pyrethrum industry and includes, Government, local government authorities, co-operative societies, the pyrethrum Board, pyrethrum growers Association, private buyers and other person with a vested interest in the pyrethrum industry; and

“Stakeholders meeting” means a meeting of all pyrethrum stakeholders referred to under section 14 of the Act.

PART II

REGISTRATION OF PYRETHRUM DEALERS

Registration
of
pyrethrum
dealers

4.-(1) A person who intend to deals with pyrethrum in any context shall, apply for registration to the Board.

(2) The Board shall, upon the receipt of the application made under subsection (1) and upon being satisfied by the application, issue registration member to the applicant.

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(3) The Board shall keep and maintain a register of all pyrethrum dealers in Mainland Tanzania for the purposes of-

- (a) monitoring contracts of farming;
- (b) regulating pyrethrum quality;
- (c) regulating pyrethrum buying and processing;
- (d) controlling import and export of pyrethrum;
- (e) establishing a basis for planning; and
- (f) dealing with any other relevant matters in the pyrethrum industry.

(4) A pyrethrum dealer shall, in all businesses related to pyrethrum industry, quote his registration number issued by the Board upon registration.

(5) Unless otherwise provided, the Board shall not charge registration fee to any pyrethrum dealer.

Registration
of growers

5.-(1) A person who intends or who grow pyrethrum shall, by suing form number 1 set out in the First Schedule, apply to the Board for registration.

(2) The application referred to under sub-rule (1) shall contain the following information to the Board-

- (a) full name and address of the grower;
- (b) full name and address of the owner where the person who owns the land differs from the grower;
- (c) name of the buyer or processor with whom the grower has entered into contract of farming;
- (d) location and description of the pyrethrum field with sufficient details and where applicable a general map of the area;
- (e) name of the village, ward and district authority in which the field is located;
- (f) area in hectares and the location of the whole field and the area planted with Pyrethrum on the date of registration or the area in hectares and the location that is expected to be planted Pyrethrum;

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- (g) annual estimates in kilograms or tonnage of pyrethrum expected to be supplied by the grower to the Pyrethrum buyer; and
- (h) any other information, which may be deemed necessary.

(3) A grower who owns more than one pyrethrum field shall ensure that each field is registered separately.

(4) The Board shall keep and maintain a register of all pyrethrum growers in Mainland Tanzania.

Registration
of
pyrethrum
agents,
buyers and
processors

6.-(1) Any person who intends to be a buyer processor of pyrethrum, or any agent of pyrethrum buyer or processor shall apply for registration to the Board in the form No.2 set out in the First Schedule.

(2) The application referred to under sub-rule (1) shall contain the-

- (a) name and address of the applicant;
- (b) location and name of the processing factory;
- (c) installed capacity of the processing factory;
- (d) the district where the factory is built or is to be built;
- (e) approximate total value of the processing factory;
- (f) projected business plans and expansion programmes;
- (g) intended market, distribution areas and the planned market distribution system;
- (h) organization and manpower structure indicating foreign and local staff;
- (i) product name and technology to be used;
- (j) factory's processing standards;
- (k) description of laboratory equipments used.
- (l) sources of pyrethrum flowers for processing; and
- (m) any other information as the Board may think necessary.

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(3) The Board shall, upon registration of the pyrethrum agent, buyer and processor, issue certificate of registration to the registered pyrethrum agent, buyer and processor in the format set out in form 4 of the First Schedule.

(4) The Board shall keep and maintain a register of all pyrethrum agents, buyers and processors in Mainland Tanzania.

Refusal of registration

7.-(1) The Board may refuse to register any pyrethrum dealer who fails to meet the requirements for registration stipulated under these Rules or whose registration may affect production or marketing of pyrethrum.

(2) The Board shall issue a written notice to the pyrethrum dealer who was denied registration and stating the reasons why he was refused registration.

(3) Any pyrethrum dealer who is aggrieved by the decision of the Board may, within sixty days from the date of receipt of the written notice, appeal to the Minister.

(4) The shall, within thirty days from the date of receiving an appeal, make a decision on that appeal.

Assignment of power of registration

8.-(1) The Board may assign the power of registration to an agent or authorized officer appointed by the Board on such terms and conditions as it may specify.

(2) Any agent or authorized officer of the Board appointed under sub rule (1) shall observe registration procedures specified by the Board in conformity to the provisions of these Rules.

De-registration of a Pyrethrum dealer

9.-(1) The Board may de-register any pyrethrum dealer after being satisfied that the dealer fails to comply with the terms and conditions for registration provided for under these Rules.

(2) Notwithstanding the provision of sub rule (1), the Board may require the pyrethrum dealer to rectify the defects within specified time, the failure of which shall warrant the de-registration.

(3) A pyrethrum dealer who has been deregistered under sub rule (1) shall cease to operate as a pyrethrum dealer.

(4) A pyrethrum dealer who is aggrieved by the decision of the Board pursuant to sub rule (1) may appeal to the Minister within sixty days from the date of receipt of the de-registration notice and the Minister shall make decision within thirty days thereof.

(5) A pyrethrum dealer under sub rule (1) may be re-registered after fulfilling such additional terms and conditions as the Board may specify.

PART III PYRETHRUM PRODUCTION

Pyrethrum
husbandry

10. Every grower shall adhere to all agronomic rules pertaining to good pyrethrum husbandry and in particular shall observe the following rules-

- (a) to keep his field of pyrethrum clean of all types of weeds according to pyrethrum growing rules and as may be directed by the Board from time to time;
- (b) not to remove or destroy any pyrethrum seedlings or plants without issuing six months prior written notice to the Board;
- (c) to use pyrethrum planting materials recommended by the Board and approved by the Director;
- (d) to use approved fertilizers, herbicides, fungicides, or any other agro-chemicals for growing Pyrethrum without the approval of the Board;
- (e) not to grow any pyrethrum in areas or regions other than those recommended by the Ministry;
- (f) not to mix dried pyrethrum flowers with any foreign materials which may adulterate pyrethrum;

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- (g) not to grow pyrethrum in any area that has been declared , by order made by the relevant authority, as the Pyrethrum Quarantined Area; and
- (h) not to do any act that is likely to affect the quality or quantity of pyrethrum.

(2) Notwithstanding the provisions of sub rule (1), every grower shall comply with any direction as may be given to him by the Board or authorized officer as regards to the agronomic practices of pyrethrum growing and delivery of flowers.

Specificatio
n of crop

11.-(1) A grower shall ensure that he adheres to crop specifications prescribed by the Board.

(2) The crop specifications under sub rule (1) shall include the use of agro-chemicals and any other materials related to pyrethrum growing.

Approved
varieties

12.-(1) A grower shall grow varieties of pyrethrum which have been recommended by a competent research institution and approved by the Director.

(2) Notwithstanding the provisions of sub rule (1) any person or institution interested in the pyrethrum research may conduct research in respect of pyrethrum after obtaining an approval of the Ministry.

Picking and
drying of
flowers

13.-(1) A grower shall pick ripe flowers after every two weeks leaving buds and over blown flowers and observe the following procedures of drying the picked flowers-

- (a) sun-drying the flowers using coffee tray wires;
- (b) barn-drying in specific temperatures which shall not denature the pyrethrins; and
- (c) pyrethrum not to be dried by roasting or spreading on bare ground so as to cause adulteration of pyrethrum.

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(2) A grower shall sell flowers with moisture content between ten and thirteen percent after drying.

(3) For the purpose of these Rules, ripe flowers means the flowers whose two outer rows of achenes have opened.

Control of
pests and
diseases

14.-(1) A grower shall plant nematodes free plants in an area not previously grown with pyrethrum for at least three years.

(2) A grower shall, as directed by the Board uproot and burn all pyrethrum plants and remains infected with nematodes.

(3) A grower shall, as directed by the Board uproot pyrethrum plants in his field after every three years.

(4) A grower shall re-plant disease and pest free pyrethrum plant in his cleaned field.

Sanitary
measures

15.-(1) A pyrethrum dealer shall store and dry pyrethrum in weather proof premises of sound construction approved by the Board for that purpose.

(2) A person who uses any premises for pyrethrum shall clean the premises regularly and such premises shall be subject to inspection by the Board.

(3) A pyrethrum dealer shall store or transport pyrethrum flowers in jute bags or any other material approved by the Board.

(4) A person owning or having control of any premises for processing or storage of Pyrethrum shall ensure that any chemicals detrimental to human health are properly stored in such premises.

Environmen
tal
protection

16.-(1) A person who grows, processes or deals with pyrethrum shall, in order to conserve the environment, be required to-

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- (a) use appropriate technology in growing, processing or dealing with pyrethrum and ensure environment protection; and
- (b) plant trees and use driers which are environment friendly.

(2) The Board may develop and issue guidelines for ensuring environmental protection in dealing with pyrethrum.

Restriction
on planting
materials
Cap 133

17.-(1) A pyrethrum dealer shall not-

- (a) import or plant in the country any pyrethrum planting materials without getting an approval of the Director;
- (b) use planting materials or pyrethrum plants in the field which have not been certified by the Director or an authorized officer;

(2) Any person who contravenes the provisions of sub rule (1) commits an offence and shall on conviction, be liable to a fine or imprisonment in accordance with the provisions of Plant Protection Act.

Quarantine
matters
Cap 133

18.-(1) Subject to the relevant laws on plant protection, the Director or any other authorized officer may by order under his hand and for purposes of preventing, controlling occurrence of spread of any pests or diseases of pyrethrum within any area specified in that order-

- (a) prohibit or regulate the planting of pyrethrum which harbors pests and diseases;
- (b) prohibit the removal from any pyrethrum growing areas, pyrethrum plants or any article, which in the opinion of the Director is likely to harbor pests or disease of pyrethrum plants;
- (c) require the uprooting and burning of all or any pyrethrum plants or any plant specified in the order by a person processing or having control over that pyrethrum plant; or
- (d) prohibit any person from planting any pyrethrum seeds before the date specified in the order.

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(2) Where any person fails to comply with an order issued under sub rule (1), the Director or an authorized officer, may, give further seven days notice in writing of his intension to do so, and cause the removal or destruction to be effected and such person shall, without prejudice to any penalty which he may have suffered by reason of any failure, be liable to pay all the costs incurred, which shall be recoverable as a debt due to the Government.

**PART IV
LICENCES AND PERMITS**

Issuance of
licenses to
pyrethrum
dealers

19.-(1) A person shall not buy and process pyrethrum unless he is registered and has a valid license issued by the Board.

(2) The Board may issue a license or permit after being satisfied that the applicant has met the requirements for the issuance of such license or permit.

(3) The Board shall, within fourteen days, process an application for a license or permit under these Rules.

(4) Any person who contravenes the provisions of this rule commits an offence.

Validity of
the License

20. Every license issued by the Board under these Rules shall be valid for a period of three years and may be renewed.

Mode of
application
for a license
and permit

21.-(1) Any person who wishes to buy and process pyrethrum or export pyrethrum products shall, in writing, apply to the Board for a license in the prescribed Forms provided in the First Schedule and on such terms and conditions as the Board may prescribe

(2) The Board shall not grant pyrethrum buying and processing licence to any applicant unless the applicant owns pyrethrum processing factory and accredited laboratory for assaying pyrethrum as certified by the Board.

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Conditions
for licensing

22.-(1) Prior to licensing, the applicant shall provide the following information to the Board-

- (a) name and address of the applicant;
- (b) evidence of registration by the Board;
- (c) a place where processing factory is built;
- (d) evidence of having an accredited laboratory; and
- (e) any other information as may be deemed important by the Board for the purpose of licensing.

(2) For the purpose of issuing pyrethrum buying license, the Board may make consultation with a relevant Local Government Authority.

Types of
licenses

23.-(1).The Board shall issue to any qualified applicant, the following licenses and permit in the forms provided for in the Second Schedule-

- (a) Pyrethrum buying and processing license;
- (b) Pyrethrum export license; or
- (c) Pyrethrum import license.

(2) Where it deem fit, the Board may, subject to the provisions of the Act, issue other types of licenses and permits in the forms provided for in the Second Schedule.

Terms and
Conditions
for licensee

24.-(1) The licensee shall comply with the terms and conditions for each license indicated in the respective forms specified in the Second Schedule to these Rules.

(2) Without prejudice to sub rule (1), a holder of pyrethrum buying and processing licence may contract pyrethrum agent to collect pyrethrum flowers from growers for the purpose of processing the flowers within the country provided that such an agent:

- (a) is registered by the Board as a pyrethrum agent subject to the terms and conditions prescribed by the Board;
- (b) is willing to work as a pyrethrum agent subject to the terms and conditions of the contract with the

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- pyrethrum buyer and processor; and
- (c) complies with the terms and conditions regarding proper management of pyrethrum as provided for in the Act and these Rules.

Refusal of
issuing
license or
permit

25.-(1) The Board may refuse to issue a license to an applicant if-

- (a) the applicant has failed to show evidence of capacity to carry out a business relating to the applied license;
- (b) the applicant is unable to comply with the provisions of the Act and these Rules, relating to carrying out of Pyrethrum businesses;
- (c) the applicant is indebted to the Board;
- (d) the applicant failed to observe Rules related to the licenses issued in previous seasons;
- (e) the applicant failed to meet all the requirements as provided for under these Rules;
- (f) the applicant fails to comply with the agreed financing mechanisms of the shared functions under the Act; or
- (g) the issuance of a license may affect pyrethrum market.

(2) Where the Board refuses to issue a license, it shall, within fourteen days from the date of refusal give reasons and inform the applicant of the refusal.

(3) An applicant who is not satisfied with the decision of the Board, made pursuant to sub rule (2), within sixty days from the date of such refusal may appeal to the Minister.

(4) The Minister shall, within thirty days from the date of receipt of an appeal referred to under sub-rule (3), make a decision.

Cancellation
or

26.-(1) Notwithstanding the provisions of Rule 20, the Board, if is satisfied that the holder of the license-

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suspension
of a license

- (a) despite a written warning from the Board, willfully neglects to observe conditions related to the issued license;
- (b) has ceased to carry on the business in respect of which the license was issued; or
- (c) fails to comply with any of the conditions or terms of the license issued to him after giving the license holder an opportunity to be heard, shall cancel or suspend any license issued under these Rules.

(2) Where a license is cancelled or suspended by the Board under sub rule (1) , the licensee may within sixty days of such cancellation appeal in writing to the Minister whose decision is final.

Effects of
cancellation
or
suspension
of a license.

27.-(1) A person whose license has been suspended or cancelled by the Board, shall not transact any business to which the license relates during the period of such suspension or cancellation and any person who contravenes this subrule, commits an offence.

(2) The person convicted pursuant to sub rule (1), shall not apply for any license for a period of not less than three years.

(3) The Board may, as soon as the license holder rectifies the situation that necessitated the suspension of any license, lift the suspension.

Restrictions
for a
licensee

28.-(1) A person shall not buy pyrethrum in the field for processing except under and in accordance with a license issued by the Board.

(2) The license for buying and processing of pyrethrum shall be issued upon such terms and conditions as the Board may prescribe.

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- (3) Any pyrethrum buyer shall-
- (a) buy pyrethrum at buying centers at the indicative price which is announced by the Board after consultation with pyrethrum stakeholders;
 - (b) draw up a schedule for collection of pyrethrum and adhere to it, failure of which the buyer shall compensate for the loss incurred by the grower, provided that the loss incurred has not been caused by reasons beyond the control of the buyer;
 - (c) buy all pyrethrum that is harvested and sent to collection centers in the particular day and time as previously agreed upon by the parties;
 - (d) safeguard and maintain the quality of the pyrethrum bought;
 - (e) effect payments immediately; and
 - (f) issue a receipt to the grower immediately after the sale at the weighing centers and pay the grower as per weight so recorded at the center on the market day and not otherwise, provided that the costs incurred after weighing the Pyrethrum shall be borne by the pyrethrum buyer.

Transfer
and
assignment
of licenses

29.-(1) A person to whom a license has been issued by the Board, shall not lend, transfer or assign such license to any other person prior to the permission of the Board.

(2) Any person who lends, transfers or assigns any license issued to him without obtaining the permission of the Board commits an offence and the Board may suspend or revoke such license

Licenses to
be produced
for
inspection

30. Every licensed person, shall produce his license at all reasonable time, upon request by the inspector, a police officer or any other person, duly authorized and any holder of a license who fails, without reasonable cause, to produce the license so requested, commits an offence.

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PART V
QUALITY ASSURANCE, INSPECTION AND WEIGHING OF
PYRETHRUM

Quality Control **31.** In ensuring quality of pyrethrum by the Board, every pyrethrum grower or dealer shall maintain the quality of pyrethrum at all levels of production, storage, transportation, processing and marketing in a manner provided for in these Rules.

Grading of Pyrethrum **32.** A pyrethrum buyer and processor shall grade Pyrethrum in accordance with the Fifth Schedule on the basis of pyrethrins contents agreed by Stakeholders and approved by the Board.

Weighing of Pyrethrum **33.** A Pyrethrum buyer shall weigh Pyrethrum in the presence of the grower and the Inspector.

Certification of weighing equipment Cap 340 **34.** The weighing scales to be used for Pyrethrum purchase shall be properly inspected and approved in accordance with Weights and Measures Act.

Appointment of Inspectors, Samplers and Analysts **35.** The Minister shall upon consultation with the Board, by notice published in the *Gazette*, appoint or designate qualified persons to be Inspectors, Samplers and Analysts who shall exercise powers in accordance with the provisions of the Act and these Rules..

Qualifications of pyrethrum inspectors, Samplers and Analysts **36.-(1)** The qualifications for pyrethrum Inspectors, Samplers and Analysts shall include at least a certificate in relevant field and specific knowledge and experience in pyrethrum industry.

(2) A person who, while holding the office of Pyrethrum Inspector, Sampler or Analyst, engages in any business connected with the production, processing, sale or importation of pyrethrum commits an offense.

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Functions of
pyrethrum
Inspector,
Samplers
and
Analysts

37.-(1) A Pyrethrum Inspector appointed under Rule 36 shall among other things perform the following functions-

- (a) monitor the arrangement for the buying, handling and transportation of pyrethrum;
- (b) inspect compliance with all agronomic rules and standards specified in these Rules;
- (c) monitor the importation and exportation of pyrethrum and pyrethrum products;
- (d) conduct inspection of pyrethrum fields, premises, weighing and qualities of pyrethrum and pyrethrum products as may be prescribed by the Board;
- (e) monitor the compliance of traceability by pyrethrum dealers;
- (f) monitor taking of samples and certifying weight and qualities of pyrethrum and pyrethrum products as may be prescribed by the Board;
- (g) conduct inspection of pyrethrum buying centres to ensure conformity to the required standards;
- (h) conduct inspection of pyrethrum farms to ensure adherence to agronomic rules and these Rules by the growers;
- (i) seek any information from pyrethrum dealer for the purpose of inspection and performance of other functions authorized by the Board;
- (j) give directives to the pyrethrum dealer to ensure compliance with the Act or Rules; and
- (k) perform any function authorized by the Board for proper enforcement of the provisions of the Act and these Rules.

(2) A Pyrethrum Sampler or Analyst appointed under Rule 36 shall among other things perform the following functions-

- (a) take samples of pyrethrum for the purpose of conducting laboratory analysis;
- (b) conduct laboratory analysis of pyrethrum flowers to determine the amount of pyrethrins content;
- (c) analyse pyrethrum content for grading purposes in respect of second price;

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- (d) collaborate with pyrethrum inspectors to monitor sampling and certifying of weight and qualities of pyrethrum and pyrethrum products as may be prescribed by the Board; and
- (e) perform any function authorized by the Board for proper enforcement of the provisions of the Act and these Rules.

Powers of
Inspectors

38.-(1) A Pyrethrum Inspector appointed under these Rules may, at any reasonable time, enter any premises or place where he reasonably believes there is any pyrethrum to which the Act and these Rules apply and may open any package found therein that he has reasons to believe contains such pyrethrum and may sample the same for the purpose of ensuring that the provisions of the Act, or of any Rules or orders made under the Act are being complied with.

(2) A Pyrethrum Inspector may, for the purposes of securing compliance with the provisions of the Act, these Rules or Orders made under the Act or for the purposes of detecting and establishing any breach of any such provisions-

- (a) conduct field and laboratory inspection and or take samples of any pyrethrum found in any package or place and submit such samples to the accredited pyrethrum laboratory for testing; or
- (b) require any person to produce for inspection or for the purpose of obtaining copies thereof or extracts therefrom, any books, shipping bills, bills of lading or other documents or papers relating to any pyrethrum to which the Act applies.

(3) A Pyrethrum Inspector may if he has reasonable grounds to believe that any of the provisions of the Act, Rules or Orders made under the Act has been violated, seize, issue or stop sale of the pyrethrum or package by means of or in relation to which the violation was committed.

Provided that, any pyrethrum or package seized or placed under stop sale pursuant to this sub-rule shall not be detained after-

- (a) the provisions of the Act and the Rules and Orders have, in the opinion of the Inspector, been complied with; or
- (b) the expiration of one month from the day of seizure or stop sale, unless before that date proceedings have been instituted in respect of the violation, in which event the pyrethrum or package may be detained until the proceedings are finally concluded.

(4) A Pyrethrum Inspector shall, before his feeling the premises, take such reasonably steps as practical to afford the owner of any pyrethrum an opportunity to be present while an inspection is being carried out.

(5) The owner or person in charge of any premises described under this rule and every person found therein, shall give to an Inspector all reasonable assistance in his power to enable the Inspector to carry out his duties and functions under these Rules.

(6) Any person, being the owner or person entrusted with the charge of and custody of any field, premises or package of pyrethrum, who-

- (a) willfully refuses to allow the Inspector or any authorized officer of the Board to enter in his premises of field or take any sample which he is authorized under these Rules;
- (b) willfully makes false or misleading statement either verbally or in writing to the Inspector or other authorized officer engaged in carrying out his duties or functions under the Act and these Rules;
- (c) fraudulently tampers or interferes with any sample taken or submitted for analysis under these Rules, commits an offence.

(7) A Pyrethrum inspector may order the destruction of Pyrethrum plants or products infected by pests or any diseases of Pyrethrum or any adulterated pyrethrum.

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(8) A Pyrethrum Inspector shall enforce any decision or orders for the purpose of eradicating or controlling the spreading of pests and diseases of Pyrethrum.

(9) Any person inspected shall comply with directives or orders issued by the pyrethrum inspector in accordance with these Rules.

(10) Where the pyrethrum buyer and processor or occupier of pyrethrum premises fails to comply with the directives or orders given under subrule

(11), the Board may on giving not less than seven days notice in writing of his intention to do so cause any such measures to be taken by the Board or its agent for purpose of taking such measures, the Board may enter or cause its agent to enter upon Pyrethrum premises, as may be necessary.

(12). An analyst, who receives a sample taken under the provisions of these Rules, shall immediately analyse the same, and shall give a report in the prescribed form specifying the result of the analysis to the relevant person who requested for analysis.

Obstruction
of an
Inspector,
Sampler or
Analyst

39. Any person who hinders or obstructs any pyrethrum inspector, sampler or analyst duly exercising or attempting to exercise any of the powers or functions conferred to him by the Act, these Rules or who fails to give to the best of his ability any information reasonably required of him commits an offence.

PART VI CONTRACT FARMING

Contract
farming

40. (1) A grower and a pyrethrum buyer or financier may enter into contract farming.

(2) Parties shall, in entering into contract under sub-rule (1) use a standard form contract provided in the Third Schedule to these Rules.

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(3) Where a grower has entered into contract of farming with a pyrethrum buyer, he shall not enter into the contract of the same nature with another buyer provided that the contract entered into by the grower shall not prevent the grower to enter into contract of farming of a different nature with a financier.

Content of contract of farming

41.-(1) Subject to the provisions of Section 24 of the Act, a contract of farming shall include-

- (a) clearly established prices, payment obligations and other financial obligations;
- (b) a dispute settlement clause;
- (c) a signature clause;
- (d) the price as may be varied from time to time between the parties.
- (e) specified crop production estimates in hectares and volume, corresponding input requirements and the price thereof; and
- (f) any other additional terms specified by the parties that shall be monitored and supervised by the Board;

(2) In the event a financier is desirous of entering into a contract with a grower with an outstanding debt to a different financier, the parties shall state in the contract, the method of repayment or offset of the debt.

Registration of contract of farming

42.-(1) The parties shall submit in quadruplet the contract farming agreement to the Board for registration within thirty days upon signing.

(2) The Board shall verify and register the contract farming agreement and return copies to the respective parties and local government authority.

Failure to register a contract farming agreement

43. A contract farming agreement which is not registered by the Board, shall not be enforceable.

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Dispute
settlement
mechanism

44. Where any dispute arises between the parties in respect of provisions of the contract farming agreement, it shall be settled as provided for in the dispute settlement clause of the agreement.

Standard
form
contract.

45.-(1) The Board shall develop a contract farming model to be used by the parties wishing to enter into contract of farming under these Rules.

(2) The Contract of farming model developed under sub rule (1), may be reviewed and agreed by the stakeholders at the stakeholders' meeting.

Restriction
on contract
farming

46. A person who contravenes the provisions of this Part commits an offence and shall be liable on conviction to a fine not less than five million shillings or to imprisonment for a term not more than two years or to both.

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;

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- (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.

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Weighing
procedures
and related
matters

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

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(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.

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

Requirement 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.

PART IX STAKEHOLDERS FORUM

Composition of stakeholders meeting

60.-(1) There shall be an annual stakeholders meeting which shall be composed of key stakeholders of the Pyrethrum industry.

(2) The members of an annual stakeholders meeting shall be as provided for in the Fourth Schedule to these Rules.

Role of stakeholders meeting

- 61.** The roles of the stakeholders meeting shall be to-
- (a) deliberate and make resolutions on issues presented to it;
 - (b) determine modalities for financing its meeting and activities;
 - (c) arrange for funding of the shared functions and other matters of common interest to pyrethrum stakeholders;
 - (d) form stakeholders' council and committees for the better carrying out the shared functions;
 - (e) deliberate and determine indicative price of pyrethrum; and
 - (f) deliberate and agree on any other matter for sustainability and stability of the pyrethrum industry.

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Stakeholders to develop strategic plan

62. The stakeholders may develop a strategic plan for the development of the pyrethrum industry.

Procedures for convening meetings

63. Stakeholders shall adopt the stakeholders meeting procedures as provided for in the Fourth Schedule.

Implementation of stakeholders meeting resolution

64. The Secretariat shall be responsible to follow up and coordinate the implementation of all stakeholders meeting resolutions.

**PART X
SHARED FUNCTIONS BY LOCAL GOVERNMENT
AUTHORITIES**

Matters for consideration by Local Government Authorities

65. Subject to the provision of section 25 of the Act, the Local Authorities may, in the implementation of the shared functions agreed by stakeholders, take into consideration the following-

- (a) increase production of the Pyrethrum in their respective areas;
- (b) proper farming and husbandry of Pyrethrum;
- (c) maintenance of quality of Pyrethrum from production to market level;
- (d) proper maintenance and use of roads used for transporting pyrethrum.

Implementation of stakeholders' meetings resolutions by Local Government Authorities.

66. For the purpose of ensuring implementation of resolutions in the stakeholders meetings, the Local Government Authorities may present their implementation report in the annual stakeholders meeting.

PART XI
GENERAL PROVISIONS

Power to
issue
guidelines

67. The Board may issue guidelines for the effective implementation of the provisions of the Act and for the purpose of regulating production, processing, marketing, exportation and importation of pyrethrum.

Board to
develop
staff
performance
standards

68. The Board shall develop staff performance evaluation scheme, which shall be based on physical achievement of the set out targets derived from Strategic Action Plan.

Value chain
analysis in
service
delivery

69. In ensuring compliance to standards of service by stakeholders, the Board shall, in collaboration with other key stakeholders, observe that-

- (a) the roles and responsibilities of each actor in the pyrethrum industry contributes to adding value to the development of the pyrethrum industry;
- (b) the potential for adding value through the means of cost advantage or differentiation is enhanced;
- (c) the pyrethrum industry attains sustainable competitive advantage.

Information
and data
collection

70. The Board shall maintain all statistical data and information relating to the pyrethrum industry in the country.

General
offence and
penalty

71.(1) Any person who contravenes any provisions of these Rules where no punishment has been specified, commits an offence and upon conviction, shall be liable to a fine of not less than one million shillings or to imprisonment for a term of twelve months or to both.

(2) The court may in addition to any penalty imposed under the Act, order any article in respect of which such offence has been committed or which has been used for the commission of such offence to be forfeited to the Government or disposed in the manner it deems fit.

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Corporate liability

72. Where any offence against these Rules has been committed by any person with the consent or approval of a director, manager, secretary or any other authorized officer with the capacity as a director of that body corporate, shall be deemed to have committed the offence in the corporate name.

Board to issue crop activity calendar

73. The Board may issue a crop activity calendar for guidance indicating appropriate time for growing and buying pyrethrum.

Compliance with the Act

74. The provisions under these Rules shall be construed in accordance with the provisions of the Act.

Power of the Minister to amend the Schedule

75. The Minister may revoke, vary or amend any Schedule to these Rules.

Revocation and savings GN No 418 of 2010

76.-(1) The Pyrethrum Industry Rules, 2010 are hereby revoked.

(2) Any orders made or license issued before the coming into effect of these Rules, shall continue to be in force until they are cancelled or otherwise rendered invalid under these Rules.

FIRST SCHEDULE

TPB FORM NO. 1

THE TANZANIA PYRETHRUM BOARD

APPLICATION FORM FOR REGISTRATION OF THE PYRETHRUM GROWER
(Made under Rule 5(2))

TO: Director General,
Tanzania Pyrethrum Board,
P.O. Box 4817,
DAR ES SALAAM

1. Particulars of Applicant:
I..... of P.O. Box
Phone.....

Wish to apply for Registration as a Grower of Pyrethrum Flowers.
2. Particulars of the Farm if the Applicant/grower owns the Farm
Location of the Farm.....village.....Ward.....District.....
The Areas of the Farm covers.....acres/ha
3. Full name and address of the owner where the person who owns the land differs from the grower
Name of the owner.....
Address.....
Location of the Farm.....village.....Ward.....District.....
The Areas of the Farm covers.....acres/ha
State the nature of arrangement between the owner of the land and grower.....
4. I have entered into contract of farming with the following buyer and processor
Name of the buyer and processor
Location of the Processing Factory.....
Address.....
5. That of the farm mentioned above, I have planted/expect to plant.....acres/hacters of pyrethrum flowers.
6. I/We expect to supply..... kgs/tons of dried pyrethrum flowers to the buyer.
7. Declaration:

I hereby declare that I shall abide by the regulations governing the production, drying and selling of dried pyrethrum flowers to the buyers as issued and as provided under the Act and Rules.

Name	Signature	Date
------	-----------	------

Presented at the Board this.....day of.....20.....

Name and Signature	Designation	Official Stamp
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THE TANZANIA PYRETHRUM BOARD

TPB FORM NO. 2

APPLICATION FORM FOR REGISTRATION OF THE PYRETHRUM BUYER AND PROCESSOR

(Made under Rule 6(2))

TO: Director General, Tanzania Pyrethrum Board, P.O. Box 4817, DAR ES SALAAM

- 1. Particulars of Applicants: I/We ... of P.O. Box ... and holders of Business License No. ... (Attached) issued at ... Wish to apply for Registration as Pyrethrum Buyer and Processor.
2. Name and location of the Processing Factory: I/We have the Processing Factory in the ... Village ... the District of ... in ... Region Or also known as Plot No. ... Block ... whose name is ...
3. Particulars of the Processing Factory: (a) The Installation Capacity of the Processing Factory is ... (b) The approximate total value of the Processing Factory ... (c) The name of the end product after processing ... (d) The technology to be used in the extraction process ...
4. Particulars of the Laboratory: I/We have a laboratory which is located at the processing factory (a) The description of laboratory equipments ... (b) The qualification of the personnel for the laboratory ... (c) Evidence of registration with the Government Chemist authorizing the use and control of chemicals ... (attached) (d) The standard used in analysis or testing
5. Particulars of the organization of the Applicant: (a) The number of skilled employees ... (b) The number of unskilled employees ... (c) The number of foreign employees ... (d) The number of local employees ... (e) Organization chart of the Applicant (attached) (f) intended market

Declaration: I/We ... hereby declare that information provided above is correct and represents the true state of affairs of the Applicant.

Name Signature Date
Presented at the Board this ... day of ... 20 ...
Name and Signature Designation Official Stamp of the Board

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TPB FORM No. 3
THE TANZANIA PYRETHRUM BOARD

APPLICATION FORM FOR PYRETHRUM BUYING AND PROCESSING LICENSE

(Made under Rule 22(1))

TO: Director General,
Tanzania Pyrethrum Board,
P.O. Box 4817,
DAR ES SALAAM

1. Particulars of Applicants:
I/We of P.O. Box and holders of
Business License No. (Attached) issued at
Wish to apply for Pyrethrum Buying and Processing License.
2. Areas of Operation:
I/We intend to operate in Zone
at the following villages as per farming contracts are attached herewith:
.....
.....
.....
Total in number: the estimated total volume of crop
I/We expect to buy about kgs of dried pyrethrum flowers.
3. Evidence of Registration:
I/We confirm that we have been registered by the Board as pyrethrum and Processor as per attached Form.
4. Evidence of having a Processing Factory:
I/We confirm that we have the processing factory of the capacity and description in the attached Form
which was lodged at the Board.
5. Evidence of having an accredited laboratory:
I/We confirm that we have an accredited laboratory of and description in the attached Form which was
lodged at the Board.
6. Declaration:
I/We hereby declare that I/We shall abide by the regulations governing the procurement and processing of
dried pyrethrum flowers in accordance with the Rules.

..... Name Signature Date
---------------	--------------------	---------------

Presented at the Board thisday of.....20.....

..... Name and Signature Designation Official Stamp
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TPB FORM No. 4

THE TANZANIA PYRETHRUM BOARD
CETIFICATE OF REGISTRTION OF PYRETHRUM BUYER AND PROCESSOR

(Issued under Rule 6 (3).)

Certificate of Registration No.....

This is to certify that M/S.....of Box has been
duly registered by the Tanzania Pyrethrum Board as a pyrethrum buyer and processor for the period of
.....years

This certificate is issued subject to the terms and conditions provided for under the Act, these Rules or as may
be provided for by the Board from time to time.

Issued at:..... **this day of**..... 20.....

Name:.....

Signature:.....

Designation:.....

THE TANZANIA PYRETHRUM BOARD

APPLICATION FORM FOR PYRETHRUM PRODUCTS EXPORT LICENSE

(Made under rules 22)

TO: Director General, Tanzania Pyrethrum Board, P.O. Box 4817, DAR ES SALAAM

1) PARTICULARS OF APPLICANT:

Name of Applicant: Address: Phone: Fax No: Trading License No: Pyrethrum Buying and Processing License No: Bank A/C through which Export transactions will be made

I/We: hereby apply for Pyrethrum Product Export License for the season:

2) TYPE OF PYRETHRUM PRODUCTS FOR EXPORT: (Tick whichever is applicable):

- 2:1 Pyrethrum Crude Extract
2:2 Pyrethrum Powder
2:3 Pyrethrum Marc
2:4 Any other product

3) DECLARATION:

I/We hereby declare that I/We shall abide by the Rules governing the pyrethrum products exports as issued by the "Board" from time to time and satisfy conditions for product export shown overleaf.

SIGNATURE DESIGNATION OFFICIAL STAMP
Note: See condition overleaf

CONDITIONS FOR PYRETHRUM PRODUCT EXPORTS

- (a) Successful applicants shall be issued with export licenses which should be kept in the office in a conspicuous manner.
(b) No exporter shall export pyrethrum products without valid export permit issued by the Board for every consignment.
(c) Conditions for issuance of export permits:
i) Exporters must have valid pyrethrum buying and processing license;
ii) Pyrethrum products quality certified by the Board to be provided for every consignment.

SECOND SCHEDULE

THE TANZANIA PYRETHRUM BOARD

LICENSES AND PERMITS

THE TANZANIA PYRETHRUM BOARD

TPB FORM NO. 6

PYRETHRUM FLOWER BUYING AND PROCESSING LICENSE

(Made under Rule 24(1))

1:0 License No. is hereby granted to M/S
Box to buy and process pyrethrum flowers
during crop season ending and the purchases to be
conducted at all buying posts registered by the Board in the Districts of:
.....
..... Regions.

2:0 The pyrethrum purchased shall be delivered to:
..... for processing.

3:0 Pyrethrins content analysis and grading will be done at:

Issued at: this day of 20.....

Name:

Signature:

Designation:

I: RULES TO BE OBSERVED BY BUYING PYRETHRUM FLOWERS:

- (a) All buyers of pyrethrum shall issue receipt to farmers for flowers purchased.
(b) Every buyer shall purchase dried pyrethrum flowers at a buying post certified by the Board.
(c) Every buyer shall display in an easily accessible place in a conspicuous manner the following:
(i) Standard grades issued by the Board at the beginning of every buying season after, the approval of Pyrethrum Stakeholders Meeting
(ii) Producer price to be offered for each grade.
(iii) Certificate of Inspection of weighing scales properly inspected and passed by Weight and Measures Agency.
(iv) Buying License issued by the Board.
(d) Every buyer of pyrethrum flowers must purchase dried pyrethrum flowers from designated Districts only and in the day time on working day only.
(e) Every licensed buyer must analyse pyrethrins content and pay farmers based on pyrethrins content.
(f) Every buyer must use Hessian/Jute materials for packing pyrethrum.
(g) The buyer shall ensure that the pyrethrum flower bags are dully labeled with farmers numbers as registered by the Board.
(h) The buyer must operate in a permanent buying post, where he should ensure that:
(i) The pyrethrum store/godowns are clean and secured against rain, pest and fire.

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- (ii) All pyrethrum stores/godowns are free from contaminants and foreign matters.
- (iii) Floors should be well surfaced and palleted.
- (i) The Board shall have the power to inspect buying posts at anytime without notice, to ensure compliance with the Act and the Rules.
- (j) Buyers of pyrethrum shall abide by by-laws issued by the Local Government Authorities and the Resolutions agreed upon by the Pyrethrum Stakeholders' Meeting.
- (k) Buyers will produce standard monthly reports to the Board showing:
 - (i) Monthly purchases and deliveries of flowers for every buying post.
 - (ii) Produce price offered for each kilo based on grades (pyrethrins content)
 - (iii) Pyrethrins content analysis for each farmer and second payment paid or to be paid
- (l) Buyers shall deliver pyrethrum flowers directly from buying posts to the designations appearing in the license.
- (m) The Board may ask/instruct the buyer to contract farmers certain amount of flowers for seed to be made available within a certain specified time at an agreed price.
- (n) The Board may exercise its powers in accordance with the provisions of the Act to cancel or suspend a buying license if a licensee fails to comply with terms and conditions of the license.
- (o) A buyer who contravenes the conditions in the licence shall be guilty of an offence..
- (p) This license is not transferable.

- (d) The exporter shall be required to pay any fees required by International Bodies dealing with pyrethrum

II. RULES FOR PROCESSING PYRETHRUM FLOWERS

- (a) The Pyrethrum Processor shall obtain and display pyrethrum buying and processing licenses issued by the Board.
- (b) The Pyrethrum processor shall maintain and work the processing factory in a proper manner as designated, in such a way as to obtain best quality pyrethrum products.
- (c) The Pyrethrum processor shall ensure that all pyrethrum flowers delivered to the processing factory are correctly graded and are free from any contaminants. The Pyrethrum processor is allowed to complain through the Board on any fraudulent practices intended to make profit by growers at the cost of loss of crop product quality or loss of export market due to poor quality flowers delivered by growers.
- (d) The Pyrethrum processor shall produce monthly reports to the Board on pyrethrum flowers received from different villages.
- (e) The Pyrethrum processor shall produce annual reports to the Board in the form prescribed by the Board.
- (f) The mprocessor shall ensure that the pyrethrum flower received at the factory have packing materials dully labeled with farmer's Numbers as registered by the Board.
- (g) The Pyrethrum processor shall ensure that the pyrethrum flowers are stored in proper conditions.
- (h) The Pyrethrum processor shall submit pyrethrum flower/product grades to the Board within a time specified and agreed upon. Upon receipt of the grades the Board shall classify them and issue a report. Copy of classification reports shall be made available to the owners and interested parties.
- (i) The Pyrethrum processor shall ensure that all required records and data are properly kept and issued to the Board when and where needed in form prescribed by the Board.
- (j) The Board shall have the power to inspect premises to monitor processing, analysis of pyrethrins and storage of pyrethrum products at the factory.

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- (k) The Board may exercise its powers under Act and the Rules to cancel or suspend a license if a licensee fails to comply with terms and conditions of the license.
- (l) Any person who contravenes any one of the rules shall be guilty of an offence and shall, on conviction be liable to a fine or imprisonment or both.

THE TANZANIA PYRETHRUM BOARD

TPB FORM NO. 7

PYRETHRUM PRODUCTS EXPORT LICENSE

(Made under Rule 24(2).)

1:0 License No..... is hereby granted to M/S
.....
Box to export pyrethrum products
during crop season ending

2:0 The pyrethrum products to be exported shall include:.....

Issued at:..... this day of 20.....

Name:.....

Signature:.....

Designation:.....

CONDITIONS FOR PYRETHRUM PRODUCT EXPORT LICENCE

- (a) The licenses which should be kept in the office in a conspicuous manner.
- (b) No pyrethrum pyrethrum products shall be exported without valid export permit issued by the Board for every consignment.
- (c) Conditions for issuance of export permits include:
 - (i) A valid pyrethrum buying and processing license.
 - (ii) Pyrethrum products quality certified by the Board to be provided for every consignment.

THIRD SCHEDULE

(Made under rule 41(2))

MODEL CONTRACT FARMING

Name of the Farmer or grower:.....
Age :.....
Address :.....
Registration No. (Issued by the Board).....

Name of the Buyer/Financier :.....
Registration Number:.....
Address:.....

1.0. RECITALS

- A. **WHEREAS** the Farmer is the proprietor ofHectares of Land bearing Survey No....., at village, Wardand District..... and is undertaking to produce pyrethrum flowers for the Buyer.
- B. **AND WHEREAS** the Buyer is interested in buying pyrethrum flowers to be produced by the farmer and also willing to provide the services and facilities required by the Farmer
- C. **THEREFORE PARTIES AGREE AS FOLLOWS:**

2.0. Definition of terms

- For purposes of this Agreement
- 2.1. The Term “Act” means “the Pyrethrum Industry Act, Cap 376”
 - 2.2. The term “ Board” means “Tanzania Pyrethrum Board”
 - 2.3. The term “Rules” means “the Pyrethrum Industry Rules, 2014”

3.0. The Term of the Agreement

- 3.1. This Agreement shall be for the term ofyears and shall be renewable by the mutual agreement of the parties.
- 3.2. The effective date of the agreement is day of.....20.....

4.0. Obligation of the Parties

4.1. Obligation of the Farmer or Grower

- 4.1.1. The Farmer agrees to cultivate the agreed acreage and produce of pyrethrum flowers in the quantity mentioned under the **Recital A** above and in the quality mentioned in this Agreement.
- 4.1.2. The Farmer agrees to adopt instructions or practices in respect of land preparation, nursery, fertilization, pest management, irrigation, harvesting and

any other suggestion made by the Buyer from time to time and cultivate and produce the pyrethrum flowers as per quality standards advised by extension officers and provided under the Rules.

- 4.1.3. The Farmer agrees to cultivate, produce and deliver the Pyrethrum flowers to the Buyer
 - 4.1.4. The Farmer undertakes to supply The Pyrethrum flowers of the high quality of not less than 1.3% pyrethrin contents which shall be supplied to the to the Buyer while dried to approximately 10% or less moisture contents.
 - 4.1.5. The farmer agrees that in the event the Pyrethrum flowers are not as per the quality mentioned above, the Buyer will be at liberty to reject the or take the delivery of the Pyrethrum flowers. In that case the Farmer may renegotiate with Buyer and decide the price of Pyrethrum flowers and this price may be lower than the indicative price.
 - 4.1.6. The farmer undertakes not that no sell materials and or inputs supplied by the buyer.
- 4.2. Obligation of the Buyer or Processor.
- 4.2.1. The Buyer hereby agrees to provide following services to the Farmer during the period of cultivation and post harvest management particulars of which services are as follows:
 - a.
 - b.
 - c.
 - 4.2.2. The Buyer hereby agrees to supply to the Farmer the following agricultural inputs.
 - a.
 - b.
 - c.
 - 4.2.3. The Buyer or its representatives agrees to have regular interactions with the farmer during the period of contract.
 - 4.2.4. The Buyer hereby agrees to present signed original copies of this agreement as per the provisions of these Rules to the Board for registration.
 - 4.2.5. The Buyer shall pay to the Farmer, the price and in the manner agreed upon in this Agreement.
 - 4.2.6. the Buyer agrees to buy the Pyrethrum flowers from the Farmer as per the quality, quantity and the price of the items as mentioned under this Agreement and the Rules and/or further agreed between the Farmer and Buyer based on quality. Provided that the buying will not exceed the term of the license of the buyer.
 - 4.2.7. the assumes the responsibility to take possession of the flowers at the buying centers designated by the Board, after it is offered for delivery by the Farmer and that upon failure to take possession within _____ period the farmer will be at liberty to sell the flowers to any other buyer.
 - 4.2.8. Upon delivery of the flowers to the Buyer, the buyer shall be responsible for remittance of crop cess to the relevant authorities as provided under any law, Rules or bye laws
 - 4.2.9. The buyer undertakes to supply materials and inputs that are standard and not fake.

5.0. Price and mode of payment

- 5.1. The Sale price of flowers for the 20.../20... crop season shall be Tshs... per Kilogram based on the pyrethrin Contents provided under the Rules.
- 5.2. The price may change either upward or downward depending on the market conditions prevailing on the season concerned.
- 5.3. The price shall be paid when the crops are harvested and delivered to the Buyer and after the buyer deducts all the outstanding advances given to the Farmer by the Buyer
- 5.4. The mode of payment shall be in accordance with the Rules.

6.0. General Conditions

- 6.1. The Parties agree that in case the law requires any deduction to be made from the sale of pyrethrum, the farmer authorizes the buyer to make such deductions and remit to the relevant authority.
- 6.2. This Contract is binding to the parties including their successors in title, relatives, assignees and whoever will be entitled to anything in the farm and pyrethrum flowers named in this agreement.
- 6.3. Each party hereto will act in good faith diligently and honestly with the other in the performance of the responsibilities under this agreement and nothing will be done to jeopardize the interest of the other.
- 6.4. In case of change of address of any party to this agreement it should be notified to the other party and also to the Board within Fourteen (14) days.
- 6.5. The Buyer will have no rights as to the title, ownership, and possession of the land/property of the Farmer.
- 6.6. The Buyer or its representatives at their costs shall have the right to enter the premises / fields of the farmer for purposes of monitoring farming practices adopted and the quality of the produce from time to time.

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7.0. Dispute Resolution and Laws applicable

- 7.1. In the event of any dispute or difference arising between the parties hereto or as to the rights and obligations under this agreement or as to any claim, monetary or otherwise of one party against the other or as to the interpretation and effect of any terms and conditions of this agreement, such disputes or difference shall be settled amicably by the parties and if it is not settled within fourteen(14) days or such longer as the parties may agree, the dispute shall be referred to the Board for arbitration by a single arbitrator proposed by the Board for the appointment by the parties.
- 7.2. This Agreement shall be subject of the Laws of Tanzania.

In witness whereof the parties have signed this agreement on the ____ day month and _____ year first above mentioned.

SIGNED, AND DELIVERED by the)
within named OF THE FARMER)
in the presence of _____)
1. _____)
2. _____)

.....
SIGNATURE OF THE GROWER

SIGNED, AND DELIVERED by the)
Within named OF THE BUYER)
in the presence of _____)
1. _____)

.....
SIGNATURE OF THE BUYER

FOURTH SCHEDULE

(Made under rule 61(2) and 63)

PROCEDURES FOR STAKEHOLDERS MEETING

1.0 Purpose

The purpose of this schedule is to provide for the regulations of the proceedings and act as the guideline of the stakeholders' meeting. The following sections provides for the procedures and how the Stakeholders' meeting will be conducted.

2.0 Meeting and Composition

2.1 Composition

The Stakeholders' meeting shall be composed of the following members:

1. Two representatives of pyrethrum growers from each pyrethrum growing district.
2. Three representatives from the Ministry responsible for Agriculture.
3. One District Executive Director from each Pyrethrum growing District.
4. One District officer responsible for Agriculture from each Pyrethrum growing District.
5. Two Representatives from each Pyrethrum buying and processing companies.
6. One representative from Pyrethrum Research Institutions.
7. Five representatives from Tanzania Pyrethrum Board .
8. A representative from the Ministry responsible for Finance.
9. A representative from Ministry responsible for Marketing.

2.2 Stakeholders' meetings

- 2.2.1 The Board shall schedule Stakeholders' meetings on annual basis, or on an "as-needed" basis upon request by the Stakeholders.
- 2.2.2 Unless otherwise agreed by stakeholders, the Board shall serve as a facilitator for all Stakeholders' meetings.
- 2.2.3 Stakeholders' Council meetings shall be scheduled on an "as-needed" basis by a Stakeholders' Council.
- 2.2.4 Notice of each Stakeholder's Council meeting shall be posted/ advertised on the Newspaper of wide circulation. E-mail notifications shall be sent by the Board to the designated contact or signatory specified as well as to all other subscribers to the Stakeholder Process e-mail list. Meeting date, time, location, and draft agenda information shall be made available at least two weeks prior to each meeting.
- 2.2.5 Solicitation for meeting agenda items shall be included in each meeting announcement. Final meeting agenda and associated meeting materials shall be posted before the meeting or distributed during the meeting.
- 2.2.6 A stakeholders meeting shall be duly constituted by at least the majority (51%) of voting members present
- 2.2.7 Final minutes of each Stakeholder's meeting shall be adopted at the next subsequent meeting.

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3.0 Chairman of the meeting

- 3.1 The Stakeholders' meeting as a whole shall appoint a Stakeholders' meeting Chairman.
- 3.2 The Chairman shall serve no more than two consecutive terms of a maximum of two (2) years per term.
- 3.3 The Chairman should step off for one (1) term after final term before having the ability to be nominated again.
- 3.4 The Chairman shall preside at meetings. If the Chairman is not present thirty (30) minutes after the time set for the meeting, or it is known that he/she will not be able to attend, the meeting can still be held if the Members present comprise a quorum and appoints an interim Chairman to preside on that meeting only.
- 3.5 If items or circumstances that are not covered in these Rules and Procedures should arise at a meeting, then the Chairman shall decide on the course of action.
- 3.6 The Chairman shall endeavor to achieve a full discussion by the Stakeholders meeting of all agenda items and employ his/her best effort to allow all ward and regional representatives an adequate voice during the meetings.
- 3.7 Board shall provide the Secretariat of the Meetings.
- 3.8 The Secretariat shall be responsible for recording meeting notes and drafting recommendations.

4.0 Communications

- 4.1 The Board shall support a Stakeholder-wide e-mail list server at an e-mail address that will be given to the stakeholders from time to time. .
- 4.2 Requests for individual meetings with Stakeholders can be sent to respective stakeholders' email address referred under paragraph 4.1 above by the stakeholder requesting the meeting. The Request has to be supported by the reason of the request and the agenda of the requested meeting.

5.0 Attendance and Representation

- 5.1 All Stakeholders' meeting members are expected to attend all required meetings of the Stakeholder.
- 5.2 Members who are unavoidably absent should send in their written views preferably before the meeting so her/his views can be made known, recorded and taken into account by those present.
- 5.3 All written views received sufficiently in advance of the meeting shall be taken into account in the written recommendations submitted to the Board.
- 5.4 If any Stakeholder cannot attend a meeting but has an interest in submitting a vote despite his/her absence, may provide written authorization to another Stakeholder member to act as a representative.
- 5.5 Stakeholder cannot represent more than two other Stakeholders at a meeting.

6.0 Stakeholder Membership - Representation

- 6.1 Stakeholders' meeting membership is vested in the individual or represented constituents and organizations referred to under clause 2. 1 above.
- 6.2 If any a representative changes positions to a different constituent category he will loss his/her right to act as representative of a particular stakeholder. .
- 6.3 A who ceases to represent the stakeholder as in 2.1, shall be required to submit a written resignation to the Stakeholders' meeting Chairman.

7.0 Role of Secretariat

- 7.1 The Board shall form the secretariat to the annual stakeholders meeting
- 7.2 The Secretariat shall attend Stakeholders meetings to take notes.
- 7.3 Other Secretariat staff members may attend to present and address agenda items, or attend to logistical matters.
- 7.4 The Director General is the senior Secretariat liaison officer to the Stakeholders and shall attend the meetings and my delegate this role to others within the Secretariat to manage communications and programs related to the Stakeholders' meeting, as needed.
- 7.5 The functions of the secretariat of stakeholders meeting shall include-
 - (a) To record the minutes of the meeting;

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- (b) To prepare meeting proceedings, agendas and any other documents relevant in stakeholders meetings;
- (c) To ensure effective and efficient transmission of agendas and proceedings of subsequent meetings to members.
- (d) To perform any other function for better implementation of the role of stakeholders meeting.

8.0 Scheduling Meetings

- 8.1 Regular meetings of the Stakeholder will be held at minimum once a year.
- 8.2 The Secretariat, through the Chairman, will propose locations and dates for the meetings.

9.0 Notice of Meetings

- 9.1 The date and location of annual meeting of the next meeting will be determined at the close of every annual meeting, giving all members one year's advance notice.
- 9.2 Should the date or venue of the annual meeting need to be changed for logistical reasons, all members will be notified of the change at least fifteen (15) days in advance.
- 9.3 Draft agendas and proposed resolutions will be circulated by publication in news papers at least fourteen (14) days in advance of the annual meeting.

10.0 Agenda of the Meeting

- 10.1 The Chairman, in consultation with the Secretariat, will propose an agenda. The draft agenda will be circulated to stakeholders by way of publication in newspapers t at least fourteen (14) days before the meeting.
- 10.2 The members may propose amendments or additional agenda items up to seven (7) days before the meeting.
- 10.3 Any member may propose an agenda item.
- 10.4 Any additional or proposed agenda by the member must be provided in writing to the Chairman with a copy to the Secretariat which shall read all the proposed agenda at the meeting for adoption or otherwise by the stakeholders.
- 10.5 When formulating the meeting agenda, the Chairman and Secretariat shall take into consideration the need for adequate time for a thorough discussion of all agenda items.

11.0 Proposing and Passing Resolutions-

- 11.1 When a resolution is to be determined by a vote, a simple majority of the members, including proxy votes submitted (i.e., not just those in attendance) is required to pass the resolution.
- 11.2 When the vote concerns a matter of principle, the vote shall be a show of hands or by open ballot and the votes recorded.
- 11.3 When voting concerns a matter of a person or persons (e.g., appointment), such vote must be by secret ballot. If there is no challenge to the ballot results by the time that the meeting terminates the ballot papers shall be destroyed.
- 11.4 When a member casts a vote, he/she may state reasons and such reasons shall be noted. Members may also wish to abstain from a vote.

Resolutions of the meeting of the stakeholders' meeting may also be adopted in a manner other than at a meeting, in writing or otherwise, provided the proposal concerned is submitted to all members and none of them objects to the relevant manner of adopting resolutions.

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11.5 As much as possible, simple and clear language should be used in the wording of resolutions.

12.0 The Role of the Stakeholders' Council

12.1 The stakeholders' Council shall be comprised of the buyers and processors, at least three representatives of the growers, one representative of the research institution, the chairman of the stakeholder's meeting, and the Director General.

12.2 The Role of the Stakeholders' Council shall be to discuss and agree on matters related to the shared function, funding of the shared functions and setting of indicative price.

12.3 The stakeholders will not vote on matters which are being deliberated by the Stakeholders' Council.

12.4 Except the indicative price, upon reaching an agreement on the funding of the shared functions, the members of the Stakeholders' Council shall prepare and sign the memorandum of understanding setting up the activities and the funding of the same.

12.5 The Memorandum of understanding shall also indicate the manner of collecting voluntary contributions from the stakeholders.

12.6 The memorandum of understanding shall be an indication of acceptance by the stakeholders on the contribution of the funds for the shared functions.

12.7 Any stakeholder willing to undertake any of the shared functions activities shall do so after submitting an action plan of the activities and the funding of the same, the amount spent in the funding of the activities shall be taken as contribution into the shared functions funding mechanism as will be agreed by the Stakeholders' Council and endorsed by the Stakeholders from time to time.

12.8 The meeting of the Stakeholders' Council shall be held a day before the annual stakeholders' meeting and at that meeting.

13.0 Extraordinary Meetings

13.1 The Chairman may request an extraordinary general meeting to consider issues of significant importance.

13.2 An extraordinary general meeting should only be called if the matter cannot wait to be considered at the regular annual meeting.

13.3 The resolutions will have the same effect as that of the regular meetings.

14.0 Official Working Language

The official working languages of the Stakeholder meeting shall be Swahili and English . All communications will be prepared either in Swahili or English..

15.0 Designated Spokespersons

15.1 The Stakeholders' meeting Chairman is the designated spokesperson for the Stakeholders meeting.

15.2 The Stakeholders' meeting members may speak publicly in their personal capacity but not in official capacity on behalf of the Stakeholders meeting or of the Board.

16.0 Description of duties and responsibilities for Chairman

1. Consult with the Director General in preparation of agenda for stakeholders' meetings.

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2. Chairman of stakeholders' meetings.
3. Be a spokesperson for the Stakeholder meeting with media, governments and other stakeholder groups seeking public statements.
4. Ensure that all members are encouraged to participate fully the stakeholders' meeting.
5. Ensure that the Stakeholders receives timely, relevant information, and that they are briefed properly on agenda items and other issues that may arise at the stakeholders' meetings.
6. Remain objective in the implementation of the duties.
7. Ensure business of the stakeholders' meeting is within the budget set for the meeting.

17.0 Disciplinary Procedures

- 17.1 During meetings the stakeholders shall speak after being allowed by the Chairman.
- 17.2 The Chairman shall have the power to stop any stakeholder from speaking.
- 17.3 Any stakeholder who doesn't stop after being directed to do so by the Chairman, may be asked to leave the meeting room for such time as the chairman shall reasonably determine breach by any person done under this schedule, shall warrant a disciplinary action.
- 17.4 Member of stakeholders meeting may submit to its chairperson through its secretariat, a report of any breach occasioned and the chairperson shall convene a disciplinary proceeding in accordance with the stakeholders meeting procedures prescribed in this schedule.
- 17.5 A person aggrieved by the decisions of Stakeholder's Meeting may lodge an appeal to Minister within thirty (30) days from the date of the stakeholders meeting decision.
- 17.6 The Minister shall within thirty (30) days from receipt of appeal by an aggrieved person, make a decision in writing and serve a copy to the aggrieved person.
- 17.7 A decision made by the Minister shall be final.

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FIFTH SCHEDULE
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(Made under rule 33)
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PYRETHRUM GRADES

Grades	Pyrethrin content		
Grade I	1.80%	to	1.89%
Grade II	1.70%	to	1.79%
Grade III	1.60%	to	1.69%
Grade IV	1.40%	to	1.59%
Grade V	1.20%	to	1.39%
Grade VI	Below 0.9		

Dar es Salaam,
16th March, 2015

STEPHEN M. WASIRA,
*Minister of Agriculture, Food Security
and Cooperatives*