Seed Policy Workshop
Regional Variety Release Update and Launch of the COMESA Seed Regulations Manual

AFSTA, Mombasa, March 6, 2019
Agenda

- Welcome and Introduction (Dr Ian Barker, SFSA; Justin Rakotoarisaona, AFSTA)
- Seeds2B Program (Dr Ian Barker)
- Seed Regional Harmonization: Country Case Studies and Test Cases (Dr Yuan Zhou, SFSA)
- Legal and Regulatory Frameworks for Seed in COMESA, SADC & EAC – update (Katrin Kuhlmann, New Market Labs)
- Launch of the “COMESA Seed Regulations Manual” (Katrin Kuhlmann)
- Discussion
- Coffee break
Welcome & Introduction
Seeds2B Program

Dr Ian Barker - Head of Agricultural Partnerships
Currently, farmers lack access to both quality seeds and modern varieties.

Farmers still using poor quality seeds of the same varieties used by their grandparents. SSA seed sector $400m (potential $1.6bn, McKinsey)

Source: Global Seed Market Database, 2015
Kickstarting seeds markets to close the yield gap

We work in areas of market or institutional failure, responding to requests for assistance & encouraging the private sector to invest (more crops, more marginal markets)

No need for SFSA: strong private interest

Current SFSA investments: pre-commercial market segment, several years away from private interest

Minimal private interest (no current involvement by SFSA): as seed sectors develop, many crops expected to become more commercial
Our menu of services are scalable, in-demand and are generating results for seed companies.

**Innovate:** demand-led, internal or external IP
- SFSA R&D
- Technology scouting

**De-risk:** demonstrate viability in SHF sector
- Trials (including market acceptance)*
- Marketing consent*

**License:** exclusive/non-exclusive, royalty-bearing
- Licensing (royalties returned to NARS or private breeders)

**Scale-up:** confident, sustainable business serving farmers
- Technical support*
- Additional capital
- Market links
- M&E

* = charging

Key: red = menu of services
We intend to report our project outcomes externally, whilst tracking key internal key performance indicators: project dashboard

<table>
<thead>
<tr>
<th>20 entries in Seeds2B Variety Catalogue</th>
<th>14 licensing deals with 3 companies</th>
<th>17 national registrations</th>
<th>30 regional registrations</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 6’916’645 worth of Seeds2B introduced cumulative seed sales</td>
<td>$ 25’000 royalties to national public breeding expected in 2019</td>
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<tr>
<td>265,176 farmers reached (annual)*</td>
<td>$ 22’684’587 gross profit for farmers (cumulative)*</td>
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* Estimate based on defined assumptions

Ultimately our partners’ success is ours too!
AECF Seeds for Impact Program launch - PPP focus

- First round of the competition launched on 30\textsuperscript{th} October 2018 (physical launch in Accra on 27\textsuperscript{th} November)

- First call 140 applicants - after six weeks, companies will be selected for the next stage

- 12 target countries: Nigeria, Ghana, Mali, Senegal, Burkina Faso, Ethiopia, Kenya, Uganda, Rwanda, Tanzania, Malawi and Mozambique
Seed Regional Harmonization: Country Case Studies and Test Cases

Dr Yuan Zhou - Head of Agricultural Policy
Does regional harmonization matter?
What progress has been made so far?
Our observations and findings by REC’s and by country
Take-away messages
Harmonization helps create a larger and more integrated market

Problem:
- Markets are very fragmented
- Slow variety registration process, high costs
- Each country has its own regulations and rules (limited mutual recognition)
- Many farmers cannot get seeds - the right kind of seeds are unavailable on the market

**Time taken to release a maize variety (DTMA, 2009)**

<table>
<thead>
<tr>
<th>Country</th>
<th>Mean</th>
<th>Min</th>
<th>Max</th>
<th>Mean</th>
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<tbody>
<tr>
<td>Kenya</td>
<td>3.1</td>
<td>1.5</td>
<td>6</td>
<td>2.4</td>
</tr>
<tr>
<td>Malawi</td>
<td>3</td>
<td>2</td>
<td>7</td>
<td>1.9</td>
</tr>
<tr>
<td>Tanzania</td>
<td>2.2</td>
<td>1</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Uganda</td>
<td>2.2</td>
<td>1</td>
<td>4</td>
<td>2.1</td>
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<tr>
<td>Zambia</td>
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<td>1</td>
<td>3.5</td>
<td>2.5</td>
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<tr>
<td>Zimbabwe</td>
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<td>3</td>
<td>2.4</td>
</tr>
<tr>
<td>South Africa</td>
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<td>2</td>
<td>2</td>
<td>2.5</td>
</tr>
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<td>Ghana</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Nigeria</td>
<td>3</td>
<td>4</td>
<td>3</td>
<td>0.03</td>
</tr>
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</table>
Challenges for harmonization at sub-regional level

Overlapping Sub-Saharan African Regional Blocks

Interrelationship among institutional Actors

Source: NML, 2014
SFSA focuses on four major RECs

Our Toolkit:

- At the national level, we study how seed systems work, identify good practices (Country Case Studies), and advocate for wider adoption.
- At the regional level, we address the issue of fragmentation by working on regional harmonization, but implementation remains a challenge.
- Test cases with companies to stress-test the system and identify implementation issues as the system develops.

ECOWAS (15), COMESA (19), EAC (5), SADC (15)
The latter three have joined the Tripartite Free Trade Area.
NML – SFSA collaboration on regional harmonization

- Harmonizing Regional Seed Regulations in Sub-Saharan Africa: A Comparative Assessment, 2014

- Country case studies to assess the implementation of regional harmonization at national level, 2015-18
  - Kenya
  - Zimbabwe
  - Ghana
  - Zambia
  - Nigeria

- Regional test cases with seed companies and breeding institutes, 2016-19

- COMESA and SADC Regional Seed Regulations Manuals, 2018-19

Other work: Awareness and Capacity Building; IP licensing
Main observations at the REC level

- Each REC has notable efforts underway. The four RECs (ECOWAS, COMESA, EAC, and SADC) are in varying stages of harmonizing seed variety release and registration, certification, and SPS measures.

- The most significant factor affecting implementation is **domestication** - changes in national level legislation or regulation required in order for harmonization to take full effect.

- COMESA and ECOWAS regulations are binding upon member states, while SADC’s structure (an MOU) is non-binding.

- COMESA regional seed catalogue system reportedly user-friendly; SADC process catching up (>45 varieties); EAC has no regional catalogue but release can be expedited; ECOWAS catalogue is the sum of national catalogues of member states.
Kenya case study highlights

- Kenya – a member of both EAC and COMESA, a signatory to WTO and UPOV, has ISTA accredited labs
- Well-developed seed legal system and institutions
- Some view the variety release and certification process as lengthy and burdensome
- Recent regulatory amendment authorizes private inspection
- Scratch-off labels launched in October 2017

**Going forward**

- Accreditation process for inspection & testing: self- regulation
- Streamlining processes for variety release & certification
- Strengthening enforcement of counterfeit seed
Zambia case study highlights

- Zambia – a member of both SADC and COMESA, a signatory to WTO and CBD and has ISTA accredited labs
- Notable strength of the national seed industry and development of seed regulatory system
- Amendments to Zambia’s Seeds Regulations in March 2018 - important action to bring its system into regional alignment

Going forward

- Improve regulatory processes for seed import and export procedures (while Zambia’s seed system is reportedly relatively efficient)
- Increase regional regulatory collaboration and mutual recognition
- Facilitate cross-border trade in Seed, Germplasm, and Test Data
Nigeria case study highlights

- Nigeria – a member of ECOWAS
- Some gaps exist in seed regulatory system (e.g. no ISTA labs, not UPOV, inspection capacity)
- Discrepancies between Nigeria’s national system and the ECOWAS rules
- Seed industry under-developed

Going forward

- Streamline and increase transparency around regulatory processes for seed. Improvements needed: regulation of the certification process and setting clear quality standards
- Put in place a Plant Variety Protection system
- Implement national laws and regulations to align with the ECOWAS seed system
- Apply Good Practices e.g. accreditation of private seed inspectors, enhancing capacity of public labs
Regional test cases, 2016-18

- We work with seed companies and public breeders to assist them navigate through regional seed protocols:
  - COMESA regional seed catalogue (potatoes*, soybean, maize, groundnuts, sorghum, wheat)
  - SADC regional seed catalogues (potatoes, maize)
  - EAC fast track registration (beans)
  - ECOWAS, marketing consent from member countries (sorghum)
- We have facilitated registration of nearly 30 seed varieties across 7 crops in East Africa, COMESA, and SADC

*First mover in putting potato varieties in COMESA catalogue
Take-away messages

- Regional economic communities (RECs) are in varying stages of harmonizing seed regulations
- Implementation at national/regional levels is still at an early stage; regulatory collaboration important, so is regional collaboration
- We need to highlight country best practices and encourage their adoption more broadly
- Seed companies need to push the process (test cases) & new implementation issues may arise
- It is important to capture and share private sector’s experiences in obtaining marketing consent for regionally listed varieties, and ease of doing business
Thank you for your attention!