Genebanks and Seed Systems Toolkit

KII Checklist #9 –National regulatory agencies responsible for variety release, seed certification, and seed marketing

**Target group**: These are guide questions for national institutionsresponsible for regulating variety release, registration, seed quality assurance/certification, and seed marketing using available legal instruments, e.g., seed law, seed regulation, directives, and guidelines. The aim is to understand the agencies’ roles and activities in national seed systems, assess their strengths and weaknesses, practices of their seed governance, and other factors that affect their work. We also aim to understand their views on seed system development.

Interview one or a few experts and the leaders who know the agency’s roles and activities within the seed system.

## Introduction

Explain the objective and obtain interviewee consent (fill out and attach the consent form for KIIs)

## General information about the organization

1. What is the goal of your organization in general? And specifically in relation to seed?
2. Can you explain the history, organizational structure, and current mandate of the institution?
	* Year of establishment
	* Organizational structure
	* Mandates/responsibilities

## Variety development and management: plant variety release, registration, breeders’ rights

1. What are the main issues you control in connection with new plant variety registration and release? What issues do you identify when you assess them? Please explain in connection with the law, regulation, directives, and guidelines you use for this purpose.
2. What are the main issues you consider for granting ownership protection to breeders for new varieties? What issues do you identify when you assess the varieties for protection? Please explain in connection with the criteria in law and regulation you use.
3. Aside from Plant Variety Protection (PVP) law and regulation, do you consider any other national laws and regulations when you grant PVP, e.g., national PGRFA access law? If you do, can you explain which, why, and how you use these laws and regulations?
4. Do you follow up on the implementation of granted PVPs on the ground? If yes, how? Provide examples. If not, who else follows this up and how?

## Seed production: seed quality control and certification

1. What are the main issues you control to ensure seed quality and grant quality certificates for a seed producer?
	* Which types of seeds do you regulate (breeder, pre-basic, basic, certified, quality declared seeds or all the seed classes)?
	* Are there differences in the standards you follow for each seed class? Please explain in connection with the law, regulation, directives, and guidelines you use for this purpose.
	* What are the most common problems you have identified when controlling seed quality and granting a quality certificate?
	* Are there differences between seed producers in terms of the quality of their seeds? Which ones produce the best quality seeds, and which ones produce poor quality seeds? Can you explain why?
	* Are the services you provide similar or different for the different seed producers, e.g., for private, public, and farmer seed producers? Please explain
2. Aside from national seed law and regulation, do you consider any other national laws and regulations for your seed quality control and certification work? If you do, can you explain which, why, and how you use these laws and regulations?

## Seed dissemination: regulation of seed trade/marketing

1. What are the main issues you control in seed trade regulation? Explain in reference to the laws, regulations, and guidelines you use:
	* What mechanisms and checkpoints do you use to ensure quality seed is sold to users, including farmers?
	* What mechanisms and checkpoints do you use to ensure quality seed is imported to and exported from the country (if any)? Give examples
2. Aside from seed law and regulation, do you consider any other national laws and regulations to control seed trade/marketing? If you do, can you explain which, why, and how you use these laws and regulations?

## Strengths and weaknesses

1. Overall, what are the strengths and weaknesses of your institution in implementing the activities you discussed above? Please explain.

## Coordination with other actors

1. Who are the main actors you work with for your regulatory activities (related to seed)? *(check off all that apply)*
* Plant breeders
* Seed companies
* Agrodealers
* Agricultural extension service providers
* Farmer organizations, e.g., cooperatives and unions
* Individual farmers/households
* NGOs
* Genebanks and their focal point for international agreements, e.g., ITPGRFA
* Plant variety release committee and registration office
* New plant variety protection bureau/office
* Seed quality control agency and plant protection and quarantine authority office
* Others (specify):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
1. How well do your interactions/collaborations with these actors function?
	* Are there any challenges in coordinating your activities with them?
	* How do you think these interactions can be improved?
2. Do you work with the national genebank? If so, how?
	* Do you have suggestions on how the role of the national genebank can be improved?

## Contextual factors

1. How does the policy environment/institutional arrangements affect your regulatory work (variety release and registration, breeders’ and farmers’ rights, seed quality control and certification)? Please consider both positive and negative impacts.
2. Are there local customs, beliefs, or cultural practices that affect your regulatory work? How?
3. What are the effects of the seed market/trade regulation on your regulatory activities? Give specific examples.

## Recommendations

1. Is there anything else you would like to share about your activities or how the seed system is functioning?
2. In your view, what are the key issues related to seed in this country?
3. Do you have any suggestions or recommendations on how to improve farmers’ access to sufficient, good quality seed of preferred crops and varieties?