CROP/PLANT SEED QUALITY BILL | RANG UNDANG-UNDANG KUALITI BENIH TANAMAN
Qualification:

The following slides on the Bill are all based on the discussion that the Malaysian Food Security and Sovereignty Forum had with the Ministry of Agriculture in 2019. Hence, we do not know whether any changes have been made to the Bill if the government proceeds to table it in Parliament in 2021.
What is this Bill about?

To set up a Seed Quality Board to regulate controlled seeds (benih terkawal) by regulating – the processing, testing, selling, distribution, importing and exporting to ensure that the quality of seeds fulfil the requisite standards.
Apakah makna benih terkawal?

Apa-apa benih dari mana-mana spesis tumbuhan atau varieti yang mempunyai nilai komersil yang akan ditetapkan oleh Lembaga Kualiti Benih
Ada benih-benih yang dikecualikan?

Benih-benih komoditi seperti koko, kelapa sawit, getah, lada, kenaf dan tembakau dikecualikan.
What else are there in the Bill?

- Composition of the Seed Quality Board, functions and powers
- Licence to process and sell, length of the licence, renewal, licence fee
- Imposition of penalties if one does not adhere to the licensing conditions
What else are there in the Bill?

- Conditions for importing and exporting of controlled seeds
- Conditions for storage, packaging and labelling of seeds and the penalties if not followed
- Enforcement
Adakah undang-undang ini menyediakan pengecualian bagi permohonan lesen?

Dalam keadaan yang terhad di bawah, lesen tidak diperlukan –

- Jika petani kecil berada dalam suatu situasi di mana beliau tidak dapat gunakan benih simpanan di ladangnya kerana bencana alam atau kecemasan atau faktor lain yang bukan dalam kawalannya, petani kecil tersebut boleh menjual benihnya selagi ia tidak lebih daripada apa yang diperlukan untuk ladangnya.

- Untuk sebarang tujuan pendidikan atau penyelidikan atau bukan tujuan komersil.
How does it affect us?

- Seeds are at risk of having their processing controlled through law.
- Regulation will be done through the enforcement of licence.
- To obtain a licence, a fee will need to be paid and samples must be sent to an appointed lab for quality testing, comply with storage, packaging and labelling.
- An individual who violates the law may be fined between RM100,000 and RM200,000 or imprisoned between 3 and 5 years.
Consequences of the proposed law

- May prohibit practice of saving, exchange, and sale of seeds by farmers
- Imposition of fines and imprisonment on farmers for carrying out their traditional practices are considered unfair, oppressive and could provoke protests as seen in Indonesia and India
- Farmers would be required to perform laboratory tests and obtain certification. This would encourage monoculture practices where varieties introduced in the market will gradually decrease and will discriminate farmers’ varieties and seed systems. Finally, it will destroy biological diversity in general, risking the country's food production
Apakah akan berlaku jika undang-undang ini dilaksanakan?

Bila ada syarat pembungkusan dan pelabelan yang ketat, ia akan menafikan hak petani kecil yang menjual secara kecil-kecilan di pasar lambak atau tamu untuk menjual dan hak untuk membeli untuk membeli benih yang mereka suka.

Syarikat besar yang akan mengawal sistem benih di Malaysia dan oleh itu pilihan petani akan terhad. Bermakna kena ikut syarat dan sistem yang ditetapkan termasuk menggunakan racun dan baja yang ditentukan.
What should the public demand

Disclose this Bill in full and call for a public consultation process before it is tabled in Parliament. Arrange for dialogues. Involve everyone. Listen to small scale farmers, the Malaysian Food Sovereignty Forum, individuals who are gardening enthusiasts.

Traditional varieties of farmers, as well as the role of small farmers, are recognised by the Food and Agriculture Organization (FAO), International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), Convention on Biological Diversity (CBD) and also the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas - this should be respected.

This legislation on seed quality should only apply to commercial companies that sell seeds to ensure that consumers get genuine and quality seeds.
Get more information from | Dapatkan maklumat lanjut daripada:

Consumers Association of Penang: https://consumer.org.my

Sahabat Alam Malaysia: https://foe-malaysia.org

Forum Kedaulatan Makanan Malaysia: https://www.facebook.com/foodsovereignty.malaysia