

GOVERNMENT NOTICE No. 392 published on 25/11/2011

THE TOBACCO INDUSTRY REGULATIONS, 2011

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GOVERNMENT NOTICE NO. 392 published on 25/12/2012

TOBACCO INDUSTRY ACT
(CAP 202)

REGULATIONS

(Made under section 43)

TOBACCO INDUSTRY REGULATIONS, 2011

PART I

PRELIMINARY PROVISIONS

Citation

1. These Regulations may be cited as the Tobacco Industry Regulations, 2011.

Application

2. These Regulations shall apply to any type or grade of tobacco grown or imported into or exported from Mainland Tanzania for trade purposes, but shall not apply to tobacco in transit.

Interpretation

3. In these Regulations, unless the context requires otherwise-

Cap.202

Cap 337, Cap 212.

“Act” means the Tobacco Industry Act;

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

“authorized officer” means an officer appointed by the Director or the Board to act on behalf of the Director or the Board;

Cap 337

- "Board" means the Tanzania Tobacco Board established under section 3 of the Act;
- "commercial tobacco nurseries" means nurseries established for the purposes of yielding tobacco seedlings for sale;
- "contract farming" means farming under an agreement between tobacco growers, or producers on the one part and financiers such as tobacco buyers, processors, investors or bankers on the other part;
- "contract buyer" means a person who buys tobacco from a grower under a contract;
- "contract grower" means a person growing tobacco under a contract with the buyer;
- "co-operative society" means a society formed and registered under the Cooperative Societies Act;
- "Director" means the Director responsible for Crop Development in the Ministry;
- "inputs distributor" means a seller or stockist of agricultural inputs used in tobacco production;
- "inspector" means an officer appointed by the Board to perform duties of inspection in accordance with provisions of these Regulations;
- "into-store costs" means payments determined by the Tobacco Council payable to growers' organizations by tobacco buyers to cover expenses of grower's organizations in administering tobacco production and markets;
- "member grower" means an individual grower registered as a grower under these Regulations who is a member of an association or a cooperative society;
- "Minister" means the Minister responsible for Agriculture;
- "Ministry" means the Ministry responsible for Agriculture;
- "non-contract buyer" means a person who buys tobacco from a grower without contractual arrangement with a grower;
- "non-contract grower" means a person growing tobacco without contractual arrangement with a buyer;

- “purchase contract note” means a note signed by the grower and buyer indicating an agreement by both parties as to the grade and weight of the tobacco sold;
- “Regional Tobacco Stakeholders Meeting” Means a meeting composed of tobacco stakeholders from a particular area within a tobacco growing region specified in the Third Schedule to these Regulations;
- “Register” means a register of Tobacco growers maintained under section 7 of the Act;
- “stakeholders meeting” means a meeting of all tobacco stakeholders referred to under section 49 of the Act;
- “tobacco” has the meaning ascribed to it under the Act and it includes un manufactured tobacco, whether cured or uncured but does not include *nicotiana rustice*;
- “Tobacco Council” means the Tanzania Tobacco Council established under section 42 of the Act;
- “tobacco classifier” means a person technically trained and registered by the Board as tobacco classifier;
- “tobacco exporter” means a person licensed to export tobacco under the provisions of these Regulations;
- “grower” means a person, society, association, company or group of persons registered by the Board for the purpose of growing tobacco;
- “tobacco pest” means tobacco beetle, (*lasioderma serricorn F*), tobacco moth (*ephasitaelulella h.b.*), and includes other organisms which the Director may declare to be tobacco pests under the Plant Protection Act;
- “tobacco premises” means land, building, factory, erection, vehicle, or receptacle whatsoever for the purpose of growing, sorting, processing, blending or transporting tobacco;

Cap 133

PART II
REGISTRATION OF GROWERS

Registration of tobacco growers and issuance of identification card.

- 4.-(1) The Board shall register all growers for purposes of-
- (a) monitoring contracts of farming;
 - (b) regulating tobacco quality;
 - (c) regulating tobacco processing and manufacturing;
 - (d) controlling import and export of tobacco;
 - (e) establishing a basis for planning; and
 - (f) dealing with any other relevant matters in the tobacco industry;
- (2) A grower registered pursuant to sub-regulation (1) shall be issued with a grower's identification card.
- (3) A grower registered under sub-regulation (1) shall not pay registration fee to the Board.

Assignment of power of registration

- 5.-(1) Subject to the provisions of Section 32 the Board may, on such terms and conditions as it may specify, assign the power of registration to an agent.
- (2) Any agent of the Board vested with the powers specified under sub-regulation (1) shall perform the registration activities in accordance with the provisions of these Regulations.

Qualification for registration as a grower

- 6.-(1) A person shall be eligible for registration as a grower if he satisfies the Board that-
- (a) he has definite intention to commence growing tobacco within a period of six months, before expiry of the registration period as stipulated in the tobacco crop activity calendar;

(b) the land where the tobacco is to be grown is within the ecological zone declared suitable for growing tobacco as specified in the third schedule to these Regulations;

(c) the size of the farm in which tobacco is to be grown is not less than one hectare.

(2) A registered grower shall, before the end of January of each year, furnish to the Board information on his tobacco production estimates.

(3) A grower shall not sell tobacco unless he is a registered grower in accordance with the provisions of these Regulations.

(4) Any person who contravenes the provisions of sub regulations (3) and (4) of this regulation commits an offence and shall, upon conviction, be liable to a fine not exceeding fifty thousand shillings.

Provisional registration

7. Notwithstanding the provision of sub-regulation (1)(c), where the area for which the applicant wishes to register is less than one hectare, the Board may register a person provisionally for a period not exceeding three years during which he shall have to grow one or more hectares of tobacco in order to qualify for full registration.

Growers' report

8. A grower shall submit monthly report to the Board, indicating availability and distribution of inputs, acreage of tobacco planted, volume, tonnage of tobacco sold and the average price.

Deregistration of growers,

9.-(1) The Board may, after being satisfied that a registered grower has failed to comply with the conditions for registration, deregister a grower after giving a three months notice in writing of its intention and the reasons for deregistration.

(2) A grower aggrieved by the decision of the Board made under sub-regulation (1), may, within sixty days from the date of the decision, appeal to the Minister.

(3) A de-registered grower may, after rectifying the problems that necessitated his de-registration, be re-registered by the Board upon additional terms and conditions.

PART III

TOBACCO PRODUCTION AND HUSBANDRY

Tobacco growing regions

10.-(1) A person shall only grow tobacco in regions specified under the First Schedule to these Regulations.

(2) The Minister may as he deems necessary by Order published in the *gazette*, amend the First Schedule as he deems necessary.

Use of approved inputs

11.-(1) Subject to the provision of regulation 14(1), a grower shall use fertilizers, pesticides, fungicides, nematocides, suckercides and any other inputs approved by the Director.

(2) Any person who contravenes the provisions of sub regulation (1) commits an offence and shall upon conviction, be liable to a fine of not exceeding one million shillings.

(3) The Board may, in addition to the penalty under sub regulation (2), recommend to the Director to issue an order for the destruction of seedlings or plants at the cost of the offender.

Approval of tobacco nurseries

12.-(1) Any grower who intends to establish tobacco nurseries shall obtain a written approval from an agricultural extension officer authorised by the Board.

(2) A grower shall sow tobacco seeds for flue cured tobacco in a period between the last week of August and third week of October and dark fired and air cured tobacco in a period between fourth weeks of September to third week of November.

(3) A grower shall transplant tobacco from fourth week of October to fourth week of December for flue cured tobacco and between the third week of November and the third week of January for dark fired and air cured tobacco for each season.

(4) A grower shall plough or dispose of remaining seedlings from seed beds by the first week of January for flue cured tobacco and the fourth week of February for the dark fired and air cured tobacco for each season.

Quarantine
Cap 133

13. -(1) Subject to the relevant laws on plant protection, the Director or an authorized officer may by order under his hand and for purposes of preventing, controlling occurrence of spread of any pests or diseases of tobacco within a specified area, make an order for-

- (a) prohibiting or regulating the sowing of tobacco seeds or any other crop specified in the order, which is known to harbour pests or disease;
- (b) prohibiting the removal from any area of tobacco, seeds or any article, which in the opinion of the Director is likely to harbour pests or disease of tobacco;
- (c) requiring the uprooting and burning of all or any tobacco plants, tobacco residue or any plant specified in the order by a person processing or having control over that tobacco plant; or
- (d) prohibiting any person from planting any tobacco seeds before the date specified in the order.

(2) Where any person fails to comply with an order issued under sub-regulation (1), the Director or an authorized officer, may, on giving seven days notice in writing, cause the removal or destruction to be effected and that person shall, in addition to any other penalty which he may have suffered, be liable to pay all the costs incurred, which shall be recoverable as a debt due to the Government.

(3) A tobacco grower shall report on any incidence or the occurrence of any tobacco disease or pest in his tobacco field to an extension services officer or to the Board.

(4) The Board may issue a written notice requiring a tobacco grower to take compulsory remedial measures in order to control pests and diseases on the land occupied or cultivated by him.

(5) A tobacco grower who fails or neglects to carry out a tobacco pest or disease control or remedial measure specified by the Board under sub regulation (4), commits an offence and shall upon conviction be liable to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding two years or to both.

Types and varieties of tobacco to be grown

14.-(1) A tobacco grower shall only grow varieties of tobacco which are recommended by a competent tobacco research institution and approved by the Director.

(2) Any person who for commercial purposes grows any type or variety of tobacco which is not prescribed under sub regulation (1) commits an offence.

Preparation of land for tobacco growing

15. A grower shall prepare land for growing tobacco to the satisfaction of an agricultural extension officer.

Control of pests
and disease and
environmental
control

16.-(1) A grower shall keep the land free from pests or diseases to the satisfaction of the Board.

(2) A grower shall take necessary measures to ensure that tobacco growing does not endanger the tobacco producing environment.

(3) A grower shall establish sufficient woodlots for curing tobacco and conserving the environment.

(4) A buyers may assist growers to establish woodlots and construction of efficient tobacco curing barns with minimum consumption of wood fuel.

(5) The Board shall, from time to time, issue environmental conservation guidelines for adherence by tobacco growers.

Restriction of
intercropping

17.-(1) A grower shall not grow tobacco and other crops in the same tobacco seedbed or farm.

(2) Crops belonging to the *solanaceous* family shall not be grown near tobacco Seedbeds or farms.

(3) Any person who contravenes the provision of sub regulation (1) and (2) of this regulation commits an offence.

(4) The Board may, in addition to any penalty imposed under this regulation, issue a written notice ordering the uprooting of any other crops grown with tobacco.

(5) Any person who without reasonable cause fails to adhere to the written notice issued pursuant to sub regulation (4) may be deregistered from the register.

Order of an
authorised
officer to uproot
tobacco

18.-(1) The Board or an authorised officer may, for the purpose of controlling the spread of pests and diseases, order the uprooting of any tobacco which is neglected or abandoned by a grower.

(2) Any person who disobeys the order issued under sub regulation (1) commits an offence.

GN. No. 392 (contd.)

Disposal of tobacco plant remnant

19.-(1) A grower shall, immediately after the harvesting season, uproot and dispose off all tobacco remnants, in accordance with the direction of an authorized officer.

(2) A grower shall, immediately after each market day, collect and dispose of tobacco residues or tobacco refuse in accordance with the direction of an authorized officer.

(3) Any tobacco grower who fails to uproot and dispose of the tobacco residue in accordance with the requirements under sub regulation (1) and (2) commits an offence and the Board may, in addition to the general penalty provided under these regulations:-

- (a) in case of a first offence, order removal of residues at the expenses of the grower;
- (b) in case of a second offence, cancel of growers registration;
- (c) in case of tobacco residues found at grading and baling centers or market centers order the removal of residues at the expenses of the offender.

Registered growers to comply with the conditions of tobacco production and husbandry

20. Every grower shall comply with rules and regulations for proper farming, husbandry and grading of tobacco as provided in these Regulations, adherence to ethical trade, with an exclusion of child and forced labour and any other rules or guidelines as may be prescribed by the Board, from time to time.

PART IV CONTRACT FARMING

Contract farming

21.-(1) A grower may enter into a contract of farming with financiers such as leaf tobacco buyers and sellers, tobacco processors or bankers.

(2) Parties to a contract of farming prescribed under sub-regulation (1) shall enter into a contract for one season.

(3) A contract of farming shall be in the prescribed standard form as provided in the Fifth Schedule.

(4) Notwithstanding the provisions of sub-regulation (2), for the purpose of investment for crop development, a grower and financier may enter into a contract of farming for more than one crop season to allow the financier to plough back his investment.

(5) A tobacco grower who has entered into a sale agreement with a processor may, for purpose of financing farming activities, enter into financial arrangement with financier or other person.

(6) A tobacco grower who is indebted by a financier under a previous contract of farming shall not enter into a contract of farming with another financier for unless the new financier commits to pay all outstanding debts in respect of the previous contract.

(7) A person who contravenes the provisions of sub regulation (2), (3) and (6) commits an offence and shall on conviction be liable to a fine of not less than two million shillings or to imprisonment for a term of not less than six months or to both.

22. Parties to a contract of farming shall draw out their contract in both English and Kiswahili version.

23.-(1) A contract of farming made under regulation 21(1) shall, within thirty days upon signing, be submitted by the parties to the Board for perusal and registration.

(2) A contract of farming shall not be enforceable unless it is registered in accordance with sub regulation (1).

Language of
contract of
farming

registration of
contract of
farming
agreement

Buyers,
financiers and
inputs suppliers'
report

24.- (1) A tobacco buyer shall submit weekly and monthly reports to the Board of the tonnage of tobacco purchased and the average price offered to growers.

(2) Where a buyer is the financier of the said crop then, that buyer shall submit weekly reports of inputs distributed to the growers for the existing contract of farming period.

(3) Inputs suppliers shall submit weekly and monthly reports of the inputs distributions throughout the growing season to the Board.

Provision of
extension
services

25.- (1) A tobacco buyer in a contract of farming may provide to his contracted grower's quality extension services as provided for in the contract.

(2) The Board shall have power to inspect and verify the quality of extension services rendered by the buyer.

Dispute
settlement
mechanism

26.- (1) Any dispute which may arise between parties to a contract of farming shall be resolved by way of arbitration.

(2) An arbitrator for the purpose of sub regulation (1) shall be appointed by the parties to a contract of farming.

(3) The agreed mediation or arbitration shall observe provisions of relevant legislation on arbitration applicable in Tanzania and in case of international transactions, provisions or relevant international conventions, arbitration or mediation may apply.

PART V
GRADING AND SELLING OF TOBACCO

- Types of tobacco
- 27.-(1) There shall be three types of tobacco recognized by the Board namely-
- (a) Virginia flue cured tobacco;
 - (b) dark fire cured tobacco; and
 - (c) burley tobacco.
- (2) The type of tobacco specified under sub-regulation (1) shall be graded by the Board in the manner specified under the Fourth Schedule to these Regulations.
- (3) The Minister may by Order published in the *Gazette* amend the Fourth Schedule as he may deem necessary.
- Grading of tobacco hands
- 28.-(1) A tobacco grower shall, before selling his tobacco, grade it according to standard grade specifications provided under sub-regulation (2).
- (2) A tobacco hand shall have a diameter not exceeding 5 centimeters with a tying leaf covering three and three quarter centimeters of the butts.
- Packaging of tobacco
29. (1) The packaging of tobacco shall be done in the following manner-
- (a) tobacco hands of approximately same length shall be baled together and packed into standard bale size;
 - (b) the tied leaves of a hand shall be of the same grade as the hand;
 - (c) a tobacco bale shall weigh not less than 20 kilograms and not more than 100 kilograms and shall not have more than 16 percent moisture content;
 - (d) all tobacco shall be baled and covered by wrapping materials as may be agreed between the grower and the buyer.

(2) Any changes in tobacco grading standards shall be done by the Board.

Grading and baling

30.-(1) Tobacco baling shall be done at a registered shed under the supervision of a primary cooperative society or association or any other registered organisation's leaf men who possess sufficient knowledge in tobacco grading and baling.

(2) Every bale shall bare an identification bale tag tied to it with the following key particulars-

- (a) initials of grading and baling center;
- (b) number of the grower members or individual grower ;
- (c) number of the bale;
- (d) sale number;
- (e) initials of the growing area.

(3) All baled tobacco shall be stored at the shed and a member grower shall not be allowed to take home any bale after it has been tagged.

(4) Any person who contravenes the provisions of this regulation commits an offence and the Board shall-

- (a) in case of first time offence, issue to him a formal warning;
- (b) in case of second time offence, deregister the person.

Registration of market centers and transportation of tobacco to market centers

31.-(1) The Board shall register and maintain a registry of all tobacco market centers within the country.

(2) A grower shall sell his tobacco at a market center registered by the Board which is within his areas of operation and shall pay all necessary cess or levy prescribed in the particular law governing the market center.

(3) A grower shall transport his tobacco at his own costs to the market centre at least two days before the market day.

(4) Every tobacco bale shall be weighed in the presence of the buyer and the grower and the weight shall be marked on the tag.

(5) Where the tobacco bale is wrapped, the actual weight recorded on the bale tag shall exclude the weight of the wrapping materials.

(6) Weight of the tobacco bale shall be that weight recorded on the bale on the date of market day and not otherwise;

(7) A grower shall not transport tobacco to another market centre outside the designated market centre within the production area, unless expressly permitted by the Board.

(8) A grower shall not transport tobacco from his areas of operation after 06:00 p.m.

(9) A person who contravenes the provisions of this regulation commits an offence and the Board shall, in addition to any other penalty prescribed under these Regulations, forfeit the tobacco.

Prohibition to buy un-graded tobacco

32.-(1) A buyer shall buy tobacco from registered growers according to grades prescribed under these Regulations and shall pay differential prices corresponding to the grades.

(2) A buyer who buys tobacco-

(a) from unregistered growers;

(b) which is not graded; or

(c) without paying a different price for each grade:

commits an offence, and in addition to the general penalty provided for under these Regulations, the Board shall forthwith suspend or cancel his buying license.

Tobacco classification

33.-(1) Tobacco classification shall be preceded by standard setting exercise conducted by the Board and witnessed by the grower and buyer or their leaf men.

GN. No. 392 (contd.)

(2) Standard grade samples shall be drawn for the purpose of monitoring, controlling and arbitration.

(3) Tobacco classification shall commence from 9:00 a.m. in the morning to 5:00 pm in the evening.

Inspection of tobacco for classification

34.-(1) A tobacco classifier accompanied by the growers' and buyer's leaf men shall inspect tobacco bales prior to the commencement of classification in order to set general crop quality indication.

(2) The growers' or buyers' leaf men may agree or disagree with the grade decided by the classifier.

(3) Where a leaf man disagrees with the grade set by the classifier, he shall cross tobacco hands from the same bale and the classifier shall attend the bale immediately after finishing classification.

Individual growers to witness classification and grade marking

35. (1) A grower shall be allowed by the classifier to witness the classification process of his tobacco bales.

(2) After completion of the classification, the classifier may allow a grower to note the grade decided for his tobacco bales.

(3) A tobacco grower who is dissatisfied with the decided grade for his tobacco may, before signing the purchase contract note between himself and the seller, withdraw his tobacco.

(4) In case of disagreement as to the grade between the classifier and the leaf man of a grower or buyer, the Board shall deploy a senior classifier or a panel of classifiers as the case may be to review the classification and any decision as to the grade shall be final.

Payments of tobacco sale proceeds

36.-(1) A buyer shall pay a grower tobacco for his tobacco sale proceeds not later than fourteen days from the date of signing the purchase contract note.

(2) Any payment made contrary to the provisions of sub-regulation (1) shall entitle a tobacco grower to an interest of ten percent of unpaid sale proceeds for each day delayed.

Declaration of tobacco buying season

37. The Board shall, one month before the commencement of the buying season, announce the dates for each zone together with any new rules or administrative guidelines.

Growers' prices negotiation and determination

38. The minimum indicative grade prices and into-store cost for the season shall be negotiated separately by the Tobacco Council and the price agreed thereto shall apply to all tobacco growing areas in the country.

Purchase contract note

39.-(1) There shall be a purchase contract note between the grower and the buyer for every sale transaction and upon signing of the contract note the ownership of tobacco sold shall be deemed to have passed from the grower to the buyer.

(2) The purchase contract note under sub regulation (1) shall be in the format prescribed by the Board and shall contain the following particulars:

- (a) the market day and date;
- (b) market number;
- (c) bale number;
- (d) the weight of the tobacco;
- (e) price of one kilogramme of that tobacco;
- (f) value of the tobacco in the bale;
- (g) name and signature of buyer or his representative;

- (h) name and signature of the grower or the grower's representative; and
- (i) any other relevant details that the Board may deem necessary.

PART VI
REGISTRATION AND LICENSING PROCEDURES

Board to keep registers of buyers, processors, exporters, etc

40. The Board shall keep and maintain the following registers-

- (a) tobacco buyers;
- (b) tobacco processors;
- (c) tobacco exporters;
- (d) tobacco importers;
- (e) tobacco market centers, and;
- (f) tobacco grading and baling centers.

Registration of processing factories.

41.-(1) A tobacco processor shall, for the purpose of registration, submit the following particulars to the Board-

- (a) processing capacity of the factory;
- (b) number and area of warehouses; and
- (c) number and qualifications of skilled, semi-skilled and non-skilled personnel employed.

(2) The Board shall issue an annual registration certificate to a tobacco processor who has fulfilled the requirement under sub regulation (1).

GN. No. 392 (contd.)

Issuance of
licenses

42. Subject to the relevant provisions of Act, the Board may, on such terms and conditions, issue the following licenses to persons registered under these Regulations-

- (a) field green leaf tobacco buying license;
- (b) green leaf tobacco import license;
- (c) tobacco processing license;
- (d) dry leaf tobacco buying license;
- (e) dry leaf tobacco selling license;
- (f) tobacco export license.

Mode of
application for
license and
issuance of license

43.- (1) A person who wishes to buy, sell, process, import or export tobacco shall apply to the Board for a license using the application form prescribed in the Second Schedule.

(2) An applicant for a license shall provide the following information to the Board-

- (a) name and address of the applicant;
- (b) evidence of registration by the Board;
- (c) any other information as may be deemed necessary.

(3) The Board shall, within twenty one days of the receipt of an application under sub regulation (2), issue a license to any person who has fulfilled the requirements for a license.

(4) The licenses issued under sub regulation (3) shall be as prescribed under the Second Schedule to these Regulations and shall be issued subject to other terms and conditions as the Board may impose.

(5) The Board may refuse to issue a license to an applicant who-

- (a) has failed to show evidence of capacity to carry out a business relating to the license applied for;
- (b) is in the opinion of the Board; unable to comply with the provisions of the Act and these Regulations;
- (c) is indebted to the Board, a grower, buyer or processor; or
- (d) has failed to observe the terms and conditions relating to the licenses issued to him in previous season.

(6) Where the Board refuses to issue a license, it shall within seven days from the date of refusal, inform the applicant accordingly.

(7) Any applicant who is not satisfied with the Board's decision made, pursuant to sub-regulation (5), may appeal to the Minister within sixty days from the date of refusal.

Conditions for
issuing license

44. A license holder shall abide to the terms and conditions of a license issued to him by the Board.

Inspection of
Licenses

45.- (1) A license holder shall at all reasonable time and upon request by the authorized officer, a police officer or any other person, duly authorized by law produce his license to him.

(2) A license holder who, without reasonable cause, fails to produce his license so requested under sub regulation (1) commits an offence and shall, upon conviction, be liable to a fine not exceeding one million shillings and the license may forthwith be cancelled.

(3) The Board may, in addition to the penalty prescribed in sub regulation (2) cancel the license.

Assignment of License

46. (1) A license holder shall not in any way transfer, lend or assign any type of tobacco license issued to him by the Board.

(2) A person who contravenes the provisions of sub regulation (2) commits an offence under these regulations.

Suspension and cancellation of license

47.-(1) The Board may, for specified reasons made known to the holder of a license issued under these Regulations, suspend or cancel a license.

(2) A person whose licenses 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.

(3) A person who contravenes the provision of sub-regulation (2) commits an offence and shall, upon conviction, be liable to a fine not exceeding one million shillings.

(4) Any person convicted pursuant to sub-regulation (3), may not be allowed to apply for any license for a period of not less than two seasons.

(5) The Board shall, as soon as the license holder rectifies the problem that necessitated the suspension of his license and after expiration of the sanction imposed under sub-regulation 4, lift the suspension.

Cancellation procedures

48.-(1) The Board shall, after giving the license holder an opportunity to be heard, cancel a license issued under these Regulations, where it is satisfied that the holder of the license-

- (a) despite of warnings from the Board, willfully neglects to observe conditions related to the issued license; or
- (b) has ceased to carry on the business in respect of which the license was issued.

PART VII
TOBACCO MARKETING

Buying operations
and reporting

49. A tobacco buyer shall-

- (a) conduct buying operations in registered marketing centers;
- (b) enter into a contract with processors registered in Mainland Tanzania for processing purchased tobacco; and
- (c) submit monthly report to the Board indicating where applicable:
 - (i) weekly purchases and deliveries of tobacco to the processing factory;
 - (ii) producer prices paid; and
 - (iii) monthly returns on tobacco sales for domestic and export markets.

Primary Business
documents

50. -(1) Tobacco buyers shall use standard bale tickets and purchase contract notes as primary business documents.

(2) The Board shall issue a format of the documents referred to under sub-regulation (1).

Forfeiture of tobacco

51. The Board may forfeit any tobacco sold by any person other than by a grower.

Minister may direct
the Board to be a
buyer of last resort

52. Notwithstanding any provision of these Regulations, the Minister may, after consultation with the Board and by notice published in the *Gazette*, specify an area, or areas where tobacco buying is being hampered due to lack of adequate licensed persons and authorize the Board to be buyer of a last resort, during the whole period that problem persists.

Tobacco storage
and transportation

53.-(1) Tobacco shall not be stored or transported along with salt, fertilizer, diesel, petrol or odorous materials.

(2) Tobacco shall be transported or stored in containers or buildings as the case may be, which do not allow change of quality due to change in weather conditions and which shall be effectively treated and approved by the Board or an authorized officer, before use.

(3) Any person who contravenes this regulation commits an offence and shall, upon conviction be liable-

- (a) in the case of a first offence, to a fine not exceeding one million shillings;
- (b) in the case of second offence, to a fine not exceeding one million five hundred thousand shillings; or
- (c) in the case of third offence, to a fine not exceeding two million shillings.

PART VIII QUALITY CONTROL

Maintenance of
quality

54. A grower, processor and buyer, shall maintain quality of tobacco at all levels of production, processing and marketing as provided in these Regulations.

Good
agronomical
practices.

55. The Board shall have the power to inspect tobacco nurseries, farms or fields on which tobacco is grown to ensure that tobacco growers manage tobacco farming in accordance with good husbandry practices provided for in these Regulations or as may be issued by the Board from time to time.

Quality control
at primary
processing level

56. Tobacco growers shall possess and use tobacco primary processing facilities which conform to the following standards prescribed by the Board to include-

- (a) a curing barn;
- (b) suitable storage facilities;
- (c) grading and baling shade; and
- (d) a baling unit.

Board to inspect
marketing
premises

57.-(1) The Board shall inspect grading and baling centers, market centers, and such other premises to ensure their conformity with prescribed standards.

(2) Tobacco premises shall be fumigated, with chemicals approved by the Director or an authorised officer upon consultation with tobacco stakeholders at the end of every buying season.

(3) The fumigation shall be carried out by market owners at least two weeks before the beginning of the new season.

(4) A tobacco grower shall report to the appropriate agricultural officer the existence of pests and diseases or anything harmful to tobacco observed in his farm or any other premises under his control.

Quality control
of Tobacco for
export

58.-(1) Tobacco for export shall be packed in containers or packing materials which preserve quality of tobacco as may be prescribed by the Board from time to time.

(2) A tobacco buyer shall not buy rejected tobacco unless the cause for rejection has been rectified by the grower and reclassified by the classifier.

(3) A bale containing tobacco which does not conform to the ruling classification standards prescribed under these Regulations shall be rejected and marked "R" on the bale ticket.

Bale labeling

59. Bale ticket shall be tagged on the bale and shall have the following key particulars-

- (a) date of the market;
- (b) number of the member grower;
- (c) number of the individual growers;
- (d) initial of the growing area;
- (e) number of the bale;
- (f) sale number;
- (g) name of the buyer;
- (h) classifier's signature;
- (i) weight of the tobacco;
- (j) market centre; and
- (k) tobacco grade.

Power to inspect

60.-(1) The Board may-

- (a) at any time, enter any premises to which tobacco is processed or stored, and inspect the building or any machinery used for the processing of tobacco;
- (b) give any directions, which the inspecting officer may think necessary to ensure that the tobacco premises complies with the standards required by the Board;
- (c) take reasonable samples of any tobacco found in any store or processing factory and cause those samples to be tested in a manner which the Board may consider necessary;
- (d) require the production by the holder and if necessary make copies of any license, books, document, records or returns required to be kept or maintained under these Regulations; or;
- (e) give an order prohibiting the use of any premise or the working of any part of a processing factory, until the Board or an authorized officer is satisfied that the storage or the processing of tobacco conforms to the standards required by the Act and these Regulations.

Offence for obstructing an officer

61. Any person who-
- (a) obstructs an officer lawfully performing his duties under these Regulations;
 - (b) declines to co-operate with any officer in the lawfully exercise of that officer's duties:

Commits an offence and shall upon conviction, be liable to a fine of one million shillings or to imprisonment for a term not exceeding three years or to both and the Board may deregister and cancel license.

PART IX
ADMINISTRATIVE PROVISIONS

Staff performance evaluation standards

62. The Board shall develop its staff performance evaluation scheme, based on set out targets derived from its Strategic Plan.

Standard of services to clients.

63. The Board shall develop client service charter, which shall be observed by the officers of the Board and be made part of terms of their contract of service with the Board.

Formation of Stakeholders Meeting

64.-(1) The Board shall cause to be formed a forum for the Tobacco Stakeholders' meeting which shall be held at least once per year.

(2) The constitution, functions, funding and proceedings of a stakeholders meeting shall be as prescribed under the First Schedule.

PART X
MISCELLANEOUS PROVISIONS

Crop activity
calendar

65. The Board shall issue a tobacco activity calendar to provide guidance for tobacco production and marketing in conformity with the provisions of the Act and these Regulations.

Books and
records.

66.-(1) Every person registered by the Board under these Regulations to buy, process, or export tobacco, shall -

(a) in the case of a buyer and processor, keep at his business premises proper and accurate records of the amount of tobacco bought or processed by him for every month, within a tobacco season;

(b) in the case of the exporter, keep at his business premises proper and accurate records of the amount of tobacco bought and exported, within each month of the tobacco season;

(c) display in a conspicuous environment, a copy of a license issued to him, by the Board; and

(2) Every market centre and warehouse owner shall keep records of all tobacco received and records of tobacco sold or exported, as the case may be.

Obligation to
provide correct
information and
data

67. - (1) The Board shall have the power to demand from any person to provide a correct data and information on any matter related to tobacco production.

(2) Any person who willfully neglects to provide any data or information or intentionally provides wrong information, commits an offence.

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Administrative guidelines

68. The Board may issue administrative guidelines in relation to the production, processing, marketing, exportation and importation of tobacco as it may deem necessary.

Value chain analysis in service delivery

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

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

Offences and penalties

70. A person who contravenes any of these Regulations where no specific penalty has been specified, commits an offence and upon conviction he shall be liable to a fine not exceeding one million shillings or imprisonment for a term not exceeding three years and in addition to such fine or imprisonment the Board may, where necessary, cancel or suspend the license or deregister that person.

Appeals to the Minister

71.-(1) Any person who is not satisfied with any decision made by the Board in the enforcement of any provision of the Act or of these Regulations, may within sixty days from the date he was notified of the decision, appeal in writing to the Minister.

(2) Every appeal made under sub-regulation (1), shall state briefly facts of the case that gave rise, to the appeal and grounds upon which the appeal is based.

Revocation
G.N. No. 216 of
2005

72. The Tobacco Industry Regulations, 2005 are hereby revoked.

Savings

73. All acts done and license issued to persons or firms before the coming into effect of these Regulations shall continue to be valid until they are cancelled or otherwise rendered invalid under these Regulations.

FIRST SCHEDULE

Made under Regulation 64 (2)

CONSTITUTION, FUNCTIONS, FUNDING AND PROCEEDINGS OF THE
STAKEHOLDERS MEETING

- I. The Stakeholders' meeting shall be composed of the following stakeholders-
 - (a) five representatives from the Ministry responsible for Agriculture;
 - (b) twenty three representatives from the Board (Board of Directors and Management);
 - (c) three representatives from Tanzania Tobacco Growers Cooperative - APEX;
 - (d) three representatives from each tobacco buying company;
 - (e) two representatives from Association of Tobacco Growers;
 - (f) four representatives from each tobacco growing District Councils;
 - (g) three representatives from each tobacco Union;
 - (h) regional Commissioner/ his representative from every tobacco growing Region;
 - (i) district Commissioner /his representative from every tobacco growing District;
 - (j) two representatives from each tobacco inputs suppliers;
 - (k) two representatives from each interested bank;
 - (l) one representative from Regional Administration and Local Government Authority(Agricultural Sector Coordinator);
 - (m) one representative from Ministry responsible for Industry and Trade (Agricultural Marketing Division);
 - (n) one representative from Ministry responsible for Finance;
 - (o) two representatives from Association of Tobacco Traders;

Tobacco Industry

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- (p) two representatives from Tobacco Research Institute;
- (q) two representatives from NGO's, dealing with environmental conservation in the tobacco industry;
- (r) one representative from Agricultural Council of Tanzania;
- (s) two representatives from each tobacco processing factory;
- (t) members of Parliament from tobacco growing constituencies; and
- (u) any other member as the Stakeholders may determine.

Election of
Chairman and
appointment of
the Secretariat

2.-(1) The stakeholders meeting shall elect one member to chair the meeting on a three year term rotating basis.

(2) The stakeholders shall elect one of their members to be the Chair of the stakeholders meeting for a period of three years.

(3) Board Shall be the Secretariat of the stakeholders meeting.

(4) The Secretariat for the stakeholders' meeting shall be funded by the Board.

Meetings of
the
Stakeholders

3.-(1) The Secretariat shall arrange for the Stakeholders' meetings to be held at least once in a year or as may be requested by the stakeholders. The Secretariat, through the Chairperson, shall propose venue and dates for the meetings.

(2) The Board shall serve as facilitator for all stakeholders' meetings.

(3) The stakeholders meeting may co-opt any person to attend any deliberations of the meeting as an expert but that co-opted person shall not be allowed to vote.

(4) Stakeholders meeting may appoint various committees which shall facilitate the implementation of the stakeholders' resolutions.

(5) Stakeholder committee meetings shall be scheduled on as may be needed by a committee members.

(6) Notice of each Stakeholder or committee meeting will be posted or advertised on the newspaper of wide circulation. Emails or post notifications shall be sent by the Secretariat to the designated contact of the stakeholder or working Group member. Meeting date, time, location, and draft agenda information shall be made available at least two weeks prior to the meeting.

(7) Solicitation for meeting agenda items shall be included in each meeting announcement. Final meeting agenda and associated meeting materials shall be posted to the members not less than one week before the meeting date.

(8) The Chairperson shall preside on all the stakeholders meetings. If the Chairperson is not present thirty (30) minutes after the time set for the meeting, or it is known that he 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 that meeting.

(9) The Chairperson shall Endeavour to achieve a full discussion by the stakeholders meeting of all agenda items and employ his best effort to allow all members an adequate voice during the meeting.

(10) Draft minutes of each stakeholder's meeting or committee meeting shall be made available through e-mail or by posting to each stakeholder.

(11) Final minutes of each stakeholder's meeting shall be adopted and confirmed in the subsequent meeting.

Powers to regulate its own procedures

4. Subject to the provisions of these regulations, the stakeholders meeting shall have the power to regulate its own procedures in respect of the meetings and proper conduct of its business.

Quorum

5.-(1) Half of the members of stakeholders shall constitute a quorum at any meeting and all acts, matters and things to be done by the stakeholders shall be decided by a simple majority of the present members in the meeting.

(2) Each member of the stakeholders meeting shall have one vote and in the event of equality of vote the Chairman shall have a second or casting vote in addition to his normal vote.

Attendance and Representation

6. All members of the Stakeholders' meetings are required to attend all meetings as may be scheduled. Where any stakeholder is unable to attend for any reason the stakeholders or committee meeting as the case may be, which he represents, he may in writing to the Chairperson nominate another person in his place to attend that meeting.

- Establishing Meeting Agendas and preparation of meeting papers
7. (1) The Chairman, in consultation with the Secretariat, will propose meeting agendas. The draft agenda will be circulated to members for comment at least forty five (45) days before the meeting. Meetings shall be prepared by the Secretariat in consultation with stakeholders or committee as the case may be.
- (2) When formulating the meeting agenda, the Chairperson and Secretariat shall take into consideration the need for adequate time for a thorough discussion of all agenda items.
- Conflict of Interest
8. Every member shall make a statement concerning any existence of conflict of interest in any matter presented to the meeting. At any time, if a member realizes that he has or may have a position of conflict of interest; he must immediately bring this to the attention of the Chairperson who will then decide on the appropriate course of action.
- Official communication Language
9. The official working languages of the Stakeholder meeting is English and Kiswahili. All documentations will be prepared either in English or Swahili or in both.
- Request for extraordinary meeting
10. Any stakeholder may request for an extra-ordinary stakeholders meeting to the Chairperson. The meeting shall be held only if half of the stakeholders agree that there is a need to convene that meeting.
- Designated Spokespersons
11. The Stakeholders' meeting Chairperson is the designated spokesperson for the Stakeholder meeting. He may provide official statement on Stakeholders' meeting matters to the media, governments and other stakeholders requiring formal input. Stakeholders' meeting participants may speak publicly as individuals participating in the Stakeholder meeting, but are not official spokespersons on behalf of the Stakeholder meeting.
- Roles of the Secretariat
12. The role of the Secretariat shall be-

- (a) consult with the chairperson in preparation of agenda for stakeholders' meetings;
- (b) take note or record of the matters deliberated during the stakeholders' meeting;
- (c) keep records of minutes and all relevant documents related to the stakeholders meetings;
- (c) ensure that all members are enabled and encouraged to participate fully, and collectively are involved in the role and purpose of the stakeholders' meeting;
- (d) ensure that Stakeholder meeting members receive timely, relevant information, and that they are briefed properly on agenda items and other issues that may arise at the stakeholders' meetings;
- (e) ensure business of the stakeholders' meeting is within the budget set for the meeting;
- (f) to make follow-up of the implementation of the stakeholders' meeting resolutions;
- (g) prepare budget for the stakeholders meeting and propose its funding.

Roles of the stakeholder meeting

13. Roles of the stakeholders meeting shall be-
- (a) to deliberate on issues presented to it diligently and make resolutions on every issue presented before it;
 - (b) to determine modalities of conducting its activities;
 - (c) to arrange for funding of the shared functions and other matters of common interest to tobacco stakeholders;
 - (d) to establish its organs for the better carrying out the shared functions;
 - (e) to implement any other matter for sustainability and stability of the tobacco industry.

Resolutions

14. Every resolution agreed in the stakeholders meeting shall be construed to be an agreement (Memorandum of Understanding) whereby, each main stakeholder or their representative shall countersign to the agreement.

Resolutions

15. The Board shall liaise with the Local Authorities in making by laws for the implementation of the shared functions agreed by tobacco stakeholders to take into consideration the following factors-

- (a) the recommendations of the stakeholders reached in their annual stakeholders meeting;
- (b) the Tobacco Crop Development Strategy;
- (c) any other matter as the Local Authorities and the Board deems fit to be included in the by-laws.

Funding of the stakeholders meeting

16. Stakeholders meeting shall be facilitated by the Board and that facilitation shall not include payment of sitting allowances, per diems, transport expenses, and other expenses for the stakeholder's meeting participants.

SECOND SCHEDULE

TOBACCO LICENSES

Made under Regulation 43 (1)



TANZANIA TOBACCO BOARD

(TTB)

The Director General
Tanzania Tobacco Board
P. O. Box 227
Morogoro

1.
REGISTRATION

APPLICATION FOR LICENCE AND

TO SELL DRY LEAF

TOBACCO

I/We

Of P. O. Box

Hereby apply for a license and registration to sell Flue/Fire/Burley cured tobacco (delete the inapplicable) at FACTORY SALES FLOORS during the crop year..... and for purpose of being licensed, I/We submit the following information:-

1.0 CERTIFICATE OF INCORPORATION/REGISTRATION NO:

2.0 LICENCE:

- NEW/RENEWAL (delete the inapplicable)
- IN CASE OF RENEWAL, PREVIOUS LICENCE, NO:

3.0 VOLUME OF DRY LEAF TOBACCO TO BE SOLDKGS (As attached)

4.0 NAMES OF QUALIFIED LEAFMEN/WOMEN, BLENDERS AT THE FACTORY:-

- i
- ii
- iii

5.0 I/We herewith attach the following:

- i. Confirmation from my/our banker or financier that funds for crop selling expenses is guaranteed.
- ii. Contract between me/us and registered Tobacco Processing factory for processing the tobacco in Tanzania.
- iii. Blend price list.

I/We hereby promise to conduct the business in accordance to the Tanzania Tobacco Regulations and other state laws that govern trade.

Name: Signature:

Date: Signature:

Official Stamp

GN. No. 392 (contd.)



TANZANIA TOBACCO BOARD

(TTB)

Director General,
Tanzania Tobacco Board,
P. O. Box 227,
MOROGORO

Telephone: 023-260 3364/ 260 4517 Fax: 023 2-04401

Email: tztb@morogoro.net

APPLICATION FOR TOBACCO PROCESSING LICENCE

I/We of P. O. Box
..... holding Certificate of Incorporation/Registration No.
..... Issued on and dry leaf sellers
license no: issued on hereby apply for processing
season and for the purpose of this application, we submit the following information:-

1.0 Full name and address of the processor:

2.0 Certificate of registration (as a tobacco processor) No. Dated

3.0 TYPES AND VOLUME OF TOBACCO TO BE PROCESSED

3.1 FCV KGS

3.2 DCV KGS

3.3 BURLEY KGS

Processing period is expected to be from to

4.0 DECLARATION

I/We the undersigned being the processor do hereby
declare that the information declared on the application is true and complete and accept
fully the responsibility thereof.

Name:

Signature:

Date:

Designation:



OFFICIAL STAMP

TANZANIA TOBACCO BOARD

(TTB)

The Director General
Tanzania Tobacco Board
P. O. Box 227
Morogoro

Tel 023 2603364/2604517
Fax: 023 2604401
E-mail: tztb@morogoro.net

APPLICATION FOR DRY LEAF BUYING LICENCE
(DOMESTIC SALES)

I/We

Of P. O. Box holding Certificate of Incorporation/Registration No.
..... do hereby apply for a license to buy Kilograms of
Flue/Fire/Burley cured tobacco (dry leaf) (delete the inapplicable) at
factory sales floors produced during the crop year..... as per the
following particulars:

5.0 Volume of tobacco to be sold and value

- 3.1 Flue cured tobacco Kgs @ US\$
- 3.2 Dark Fire Cured tobacco kgs @ US\$
- 3.3 Burley tobacco kgs @ US\$

6.0 Packing

- 4.1 Mode
- 4.2 Unit weight per pack

GN. No. 392 (contd.)

6.0 I/We herewith attach the following:

- i. Confirmation from my/our banker or financier that funds for crop buying expenses is guaranteed.
- ii. Contract between me/us and registered Tobacco company from which the tobacco will be bought.
- iii. Blend price.

I/We hereby promise to conduct the business in accordance to the Tanzania Tobacco Regulations and other state laws that govern trade.

Name: Signature:

Date: Signature:

Official Stamp



TANZANIA TOBACCO BOARD
(TTB)

Director General,
Tanzania Tobacco Board,
P. O. Box 227,
MOROGORO

Telephone: 023-260 3364/ 260 4517 Fax: 023 2-04401
Email: tztb@morogoro.net

APPLICATION FOR EXPORT LICENSE

Application No.:

I/We of P. O. Box
..... Holding Certificate of Incorporation/Registration No.
..... issued on and dry leaf sellers
license no. Issued on Hereby apply for an export
permit for kgs of dry leaf tobacco produced in the year
..... as per the following particulars:

5.0 SHIPPING INSTRUCTION

Shipping CONTAINER	SEAL NO.	GRADE	TOB.	WT (KGS) AV.
VALUE	DESTINATION			
Instructions	No.	TYPE	FOB	(USD)(PORT/
	COUNTRY)	FCV/DFC	PRICE	
		BURLEY	USD	
.....
.....

Tobacco Industry

GN. No. 392 (contd.)

6.0 DATE OF DEPARTURE:

7.0 CUMMULATIVE EXPORTS TODATE:

7.1 FCV	KGS (DRY) @	USD
7.2 DCV	KGS (DRY) @	USD
7.3 BURLEY	KGS (DRY) @	USD

8.0 ANALYSIS OF CUMMULATIVE EXPORTS BY TOBACCO TYPE IS AS FOLLOWS:

A. FLUE CURED GRADE	WT (KGS)	AV. FOB PRICE/KG (USD)
TOTAL VALUE (USD)		

B. DARK FIRE CURED GRADE	WT (KGS)	AV. FOB PRICE/KG (USD)
TOTAL VALUE (USD)		

C. BURLEY GRADE	WT (KGS)	AV. FOB PRICE/KG (USD)
TOTAL VALUE (USD)		

GRANDTOTAL:

Box
No.
ers
prt
ar

Tobacco Industry

GN. No. 392 (contd.)

9.0 PACKING
9.1 Mode
9.2 Unit weight per pack

10.0 TRANSPORT & PORT CLEARING:
10.1 Mode of Transport
10.2 Port clearing Agent

- 11 I/We attach herewith, the following:
- 11.1 Shipping Instructions for the consignment
 - 11.2 Dully signed/authorized packing statement
 - 11.3 Complete analysis of FOB cost structure of each grade for export
 - 11.4 Export invoice (copy)
 - 11.5 Single bill of entry (copy)

12 DECLARATION
I/We The undersigned being the exporter do hereby declare that the information declared on the export permit application is true and complete and accept fully the responsibility thereof.

Name:

Signature:

Date:

Designation:

OFFICIAL STAMP

2.
TANZANIA TOBACCO BOARD
(TTB)

Made under Regulation 43(3)

License No. TTB...../...../.....

This License is granted to of
P. O. Box (Name and address) holding
Certificate of Incorporation No. to carry on the business of FIELD GREEN
LEAF BUYER for the (type) tobacco
produced in the crop year

Area to be covered includes:

Date of Issue:

This License expires on

The License is issued subject to terms and conditions stated overleaf.

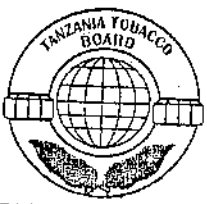
LICENSING AUTHORITY:

1. Name:
2. SIGNATURE:
3. DESIGNATION:
4. OFFICIAL STAMP

GN: No. 392 (contd.)

- 1.0 The buyer shall purchase green leaf tobacco according to the standard specifications, rules and procedures.
- 2.0 The leaf buyer shall buy green leaf tobacco in designated areas and registered market centers only.
- 3.0 The leaf buyer shall submit weekly report to TTB indicating the following:
 - (a) Weekly leaf purchase (kg, grade and value)
 - (b) Cumulative green leaf stocks (kg, grade and value).
- 4.0 The license should be displayed for easy inspection at the farm offices.
- 5.0 It is strictly prohibited to deface this license or make any alteration without the consent of the Licensing Authority.
- 7.0 Defaulters of the terms and conditions of this license will be liable to a fine not exceeding 1,000,000/= and/or imprisonment upon conviction for a term of up to three years and revocation or suspension of the license by the Board.

4.
TANZANIA TOBACCO BOARD
(TTB)
(TOBACCO INDUSTRY ACT NO. 24 of 2001)
Made under Regulation 43(4)
DRY LEAF TOBACCO SELLING LICENCE
License No. TTB/...../...../.....



This License is granted to of P. O. Box
..... (Name and address) holding Certificate of Incorporation
No. to carry on the business of selling Processed Tobacco (Dust) at PLOT NO.
..... STREET at

Date of Issue:.....

This License expires on..... (PERMANENT)

The License is issued subject to terms and conditions stated overleaf.

LICENSING AUTHORITY:

- 1. NAME:
- 2. SIGNATURE:
- 3. DESIGNATION:.....
- 4. OFFICIAL STAMP

TERMS AND CONDITIONS FOR

DRY LEAF TOBACCO SELLING LICENCE

- 1.0 The seller shall sell dry leaf tobacco at the factory premises.
- 2.0 The leaf seller shall submit weekly report to TTB showing the following:
 - 2.1 Dry leaf sales for the week (kg, grade & value)
 - 2.2 Cumulative dry leaf tobacco sales to the week (kg, grade & value)
- 3.0 The license should be displayed for easy inspection.
- 4.0 It is strictly prohibited to deface this license or make any alteration without the consent of the Licensing Board.
- 5.0 Defaulters of the terms and conditions of this license shall liable to a fine not exceeding Tzs. 1,000,000/= and imprisonment for a term of up to two years and revocation of license.



TANZANIA TOBACCO BOARD

(TTB)

Made under Regulation 43(4)

DRY LEAF TOBACCO BUYING LICENSE

License No. TTB/LTS/...../...../.....

This License is granted to of P.
O. Box (Name and address) holding Certificate of
Incorporation No. to carry on the business of Dry Leaf Tobacco BUYING at
..... factory situated
in

Date of Issue:

The License is issued subject to terms and conditions stated overleaf.

LICENSING AUTHORITY:

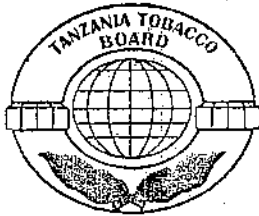
1. NAME:
2. SIGNATURE:
3. DESIGNATION:
4. OFFICIAL STAMP

TERMS AND CONDITIONS FOR

DRY LEAF TOBACCO BUYING LICENCE

- 1.0 The dry leaf BUYER shall buy the dry leaf tobacco at the factory premises.
- 2.0 The Leaf BUYER shall submit weekly report to the Tanzania Tobacco Board showing-
 - 2.1 Weekly and cumulative tobacco purchases showing weight, grades and value
 - 2.2 Weekly and Cumulative tobacco processed (dry wt) for each client (kg., grade & value).
- 3.0 The License shall be conspicuously displayed at official premises for easy inspection.
- 4.0 It is strictly prohibited to deface this license or make any alteration without the consent of the Licensing Board.

5.



TANZANIA TOBACCO BOARD
TOBACCO INDUSTRY REGULATIONS (2011),
Made under Regulation 43(4)
GREEN LEAF TOBACCO IMPORT LICENCE

License No. TTB/GLTI/.....

This License is granted to of P. O. Box
..... (Name and address of importer) holding Certificate of Incorporation
No.....to import(kgs) of green leaf
tobacco from (country of origin) produced in the year.....

Date of issue:

Date of expiry of license.....

The License is issued subject to terms and conditions stated overleaf.

LICENSING AUTHORITY:

1. NAME

2. SIGNATURE:

3. DESIGNATION:

4. OFFICIAL STAMP

TERMS AND CONDITIONS FOR
GREEN LEAF TOBACCO IMPORT LICENCE

- 1.0 The green Leaf tobacco importer shall process the imported tobacco in Tanzania.
- 2.0 The importer must submit to the Board weekly report showing quantity of imported tobacco and its value.
- 3.0 The importer shall not exceed the Licensed import quarter of green leaf tobacco.
- 4.0 The License shall be displayed for easy inspection.
- 5.0 It is strictly prohibited to deface this license or make any alteration without the consent of the Licensing Authority

THIRD SCHEDULE

Made under Regulation 10(1)

TOBACCO GROWING AREAS

As per the prescribed agro ecological zones, the following regions are specified as tobacco growing areas-

- Tabora
- Shinyanga
- Singida
- Rukwa
- Mbeya
- Iringa
- Kigoma
- Ruvuma
- Lindi
- Kagera
- Tanga
- Morogoro
- Mara
- Katavi

FOURTH SCHEDULE

Made under Regulation 27(2)

A. TOBACCO BALING GRADES
FLUE CURED TOBACCO GRADE SPECIFICATIONS

PRIMINGS GRADES - A group composed of thin to very thin bottom leaves

S/No.	Grade	Specifications
1.	P30	Good quality primings Orange in colour Very thin body Open grain Tolerance 10% injury
2.	P3L	Good quality primings Lemon in colour Very thin body Open grain Tolerance 10% injury
3.	P40	Fair quality primings Orange in colour Very thin body Open grain Tolerance 15% injury
4.	P4L	Fair quality primings Lemon in colour Very thin body Open grain Tolerance 15% injury
5.	P50	Low quality primings Orange in colour Very thin body Open grain Tolerance 15% injury

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6.	P5L	Low quality primings Lemon in colour Very thin body Open grain Tolerance 15% injury
LUG GRADES — All grades in this group must be ripe thin to medium body and must not exceed the tolerances specified.		
7.	X3O	Good quality lugs Orange in colour Stretchy leaf Thin body Open grain Tolerance 10% injury
8.	X3L	Good quality lugs Lemon in colour Stretchy leaf Thin body Open grain Tolerance 10% injury
9.	X4O	Fair quality lugs Orange in colour Thin to medium body Open grain Tolerance 15% injury
10.	X4L	Fair quality Orange in colour Thin body Open grain Tolerance 15% injury
11.	X5O	Low quality Orange in colour Thin to medium body Medium grain Tolerance 20% injury
12.	X5L	Low quality lugs Lemon in colour Thin to medium body Medium grain Tolerance 20% injury

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13.	XN10	Low quality non descript Orange in colour Thin to medium body Tolerance 30% injury
14.	XNIL	Low quality non descript Lemon in colour Thin to medium body Tolerance 30% injury
S/No. 15.	Grade XN2L	Specifications Poor quality non descript Lemon in colour Thin to medium body Medium grain Tolerance 40% injury
GREENISH LUGS - Any lug that has 20% greenish tinge, running green or cast.		
16.	XOV	Fine, choice, good, fair and low quality primings and lugs. Orange in colour Greenish tinge or running green Thin to medium body Slightly immature Tolerance 10- 20% injury
17.	XLV	Fine, choice, good, fair and low quality primings and lugs. Lemon in colour Greenish tinge or running green Thin to medium body Slightly immature Tolerance 10- 20% injury
BARN SPONGED LUGS - Any leaves that have been discoloured in the curing process by scalding and have a slight degree of variegation/water stained.		
18.	XOJ	Fine, choice, good, fair and low quality primings and lugs. Orange in colour Thin to medium body Tolerance 10- 20% injury

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19.	XLJ	Fine, choice, good, fair and low quality primings and lugs. Lemon in colour Thin to medium body Tolerance 10- 20% injury
BARN VARIAGATED/SCORCHED, LUGS - Any lugs which are distinctly scorched, mottled and close grain or slick		
20.	XOK	Fine, choice, good, fair and low quality primings and lugs. Orange in colour Barn variegated Medium to close grain Tolerance 10- 20% injury
21.	XLK	Good, fair and low quality primings and lugs. Lemon in colour Barn variegated Medium to close grain Tolerance 10- 20% injury
22.	XNK	Poor quality non descript primings and lugs Orange and Lemon in colour Medium body Medium to close grain Tolerance 30- 40% injury

CUTTERS - A group of tobacco rounded tip originating from lower middle portion of the plant. Leaves with not dominant stem also have a tendency to roll concealing the stem.

23.	C10	Choice quality cutters Orange in colour Broad leaf / rounded tip Thin to medium body Injury tolerance 0% percent
24.	C1L	Choice quality cutters Lemon in colour Broad leaf / rounded tip Thin to medium body Tolerance 0% percent

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25.	C2O	Fine quality cutters Orange in colour Broad leaf / rounded tip Thin to medium bodied Open grain Tolerance 5% injury
26.	C2L	Fine quality cutters Lemon in colour Broad leaf / rounded tip Thin to medium bodied Open grain Tolerance 5% injury
27.	C3O	Good quality cutters Orange in colour Broad leaf / rounded tip Thin to medium bodied Open grain Tolerance 10% injury
28.	C3L	Good quality cutters Lemon in colour Broad leaf / rounded tip Thin to medium bodied Open grain Tolerance 10% injury
29.	C4O	Fair quality cutters Orange in colour Broad leaf / rounded tip Thin to medium body Injury tolerance 15 percent
30.	C4L	Fair quality cutters Lemon in colour Broad leaf / rounded tip Thin to medium body Injury tolerance 15 percent

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LEAF GRADES – All grades in this group must be ripe, medium to heavy body and must not exceed the tolerance specified.

31.	L1OF	Choice quality leaf Orange in colour Medium to heavy body grainy and high degree of maturity tolerance 5% injury
32.	L2OF	Fine quality leaf Orange in colour Medium to heavy body Grainy and high degree of maturity Tolerance 10% injury
33.	L3OF	Good quality leaf Orange in colour Medium body Grainy and high degree of maturity Tolerance 15% injury
34.	L4OF	Fair quality leaf Orange in colour Medium body Grainy and high degree of maturity Tolerance 20% injury
35.	L5OF	Low quality leaf Orange in colour Medium body Grainy and high degree of maturity Tolerance 25% injury
36.	L1O	Choice quality leaf Orange in colour Medium body Slightly open to open grain Tolerance 0% injury
37.	L1L	Choice quality leaf Lemon in colour Medium body Slightly open to open grain Tolerance 0% injury

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38.	L20	Fine quality leaf Orange in colour Medium body Slightly open to open grain Tolerance 5% injury
39.	L2L	Fine quality leaf Lemon in colour Medium body Slightly open to open grain Tolerance 5% injury
40.	L30	Good quality leaf Orange in colour Medium body Tolerance 10% injury
41.	L3L	Good quality leaf Lemon in colour Medium body Tolerance 10% injury

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S/No.	Grade	Specifications
42.	L40	Fair quality leaf and tips Orange in colour Medium body to bodied Medium grain tolerance 15% injury
43.	L4L	Fair quality leaf and tips Lemon in colour Medium body to bodied Medium grain Tolerance 15% injury
44.	L50	Low quality leaf and tips Orange in colour Medium body to bodied Medium grain Tolerance 20% injury
45.	L5L	Low quality leaf and tips Lemon in colour Medium body to bodied Medium grain Tolerance 20% injury
46.	LR	Fine, choice, good, fair, and low quality leaf and tips mahogany in colour Bodied to heavy bodied Medium to close grain Tolerance 0-20% injury
47.	N10	Good quality non descript leaf and tips Orange in colour Medium body to bodied Medium grain Tolerance 30% injury

48.	NIL	Good quality non descript leaf and tips Lemon in colour Medium body to bodied Medium grain Tolerance 30% injury
S/No. 49.	Grade N20	Specifications Poor quality non descript leaf and tips Orange in colour Medium body to bodied Medium to close grain Tolerance 40% injury
50.	N2L	Poor quality non descript leaf and tips Lemon in colour Medium body to bodied Medium to close grain tolerance 40% injury
GREENISH LEAF - Any leaves which have 20% greenish tinge, running green or cast.		
51.	LOV	Fine, choice, good, fair, and low quality leaf and tips Orange in colour Greenish tinge or running green Medium body Medium to close grain Tolerance 5 - 20% injury
52.	ELV	Fine, choice, good, fair, and low quality leaf and tips lemon in colour Greenish tinge or running green Medium body Medium to close grain Tolerance 5 - 20% injury

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BRAN-SPONGED LEAF – All leaves that have been discoloured in the curing process by scalding, or have a slight degree of variegation. These leaves are soft natured (water stained).

53. LOJ
Fine, choice, good, fair, and low quality leaf and tips
Orange in colour
Medium body
Medium to close grain
Tolerance 5 – 20% injury

54. LLJ
Fine, choice, good, fair, and low quality leaf and tips
Lemon in colour
Medium body
Medium to close grain
Tolerance 5 – 20% injury

VARIAGATED/SCORCHED LEAF & TIPS – Any leaves that are distinctly scorched, mottled and close gain or slick.

55. LOK
Fine, choice, good, fair, and low quality leaf and tips
Orange in colour
Medium body
Medium to close grain
Barn variegated
Tolerance 5 – 20% injury

56. LLK
Fine, choice, good, fair, and low quality leaf and tips
Lemon in colour
Medium body
Medium to close grain
Barn variegated
Tolerance 5 – 20% injury

57. NK
 Poor quality non descript leaf and tips
 Orange and lemon in colour
 Medium body to bodied
 Medium to close grain
 Tolerance 40% injury

FIELD VARIAGATED LEAF AND TIPS – All leaves that are grey mottled, leathery and close grain

58. LOKD
 Fair, and low quality leaf and tips
 Orange in colour
 Heavy to very heavy bodied
 Close to very close grain
 Tolerance 5 – 20% injury

59. LLKD
 Fair, and low quality leaf and tips
 Lemon in colour
 Heavy to very heavy bodied
 Close to very close grain
 Tolerance 5 – 20% injury

GREEN PRIMINGS, LUGS, LEAF AND TIPS – Any priming, lugs, leaf and tips that have hard green, either through immaturity or bruising.

60. LOG
 Good and poor quality primings, lugs, leaf and tips
 Orange in colour
 Thin to medium body
 Close to very close grain
 Immature with hard green appearance
 Tolerance 5 – 20% injury

BROKEN LEAF – Broken tobacco leaves which have lost more than 40% of their leaf lamina usually through mishandling

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61. B10 Broken leaf
Orange in colour
Free of foreign matter

62. B1L Broken leaf
Lemon in colour
Free of foreign matter

SCRAP - Normally a by-product, consisting of tobacco which has been reduced to scrap during handling and contains no stem.

63. S10 Scraps above 2" in size
Orange in colour
Free of foreign matter

64. S1L Scraps above 2" in size
Orange in colour
Free of foreign matter

65. S2O Scraps above 1" in size
Orange in colour
Free of foreign matter

66. S2L Scraps above 1" in size
Lemon in colour
Free of foreign matter

FIFTH SCHEDULE

STANDARD FORM AGREEMENT FOR CONTRACT FARMING

Made under Regulation 21(3)

This agreement is made on day of 20.....

BETWEEN

(Registered farmer herein referred to as the Grower)

Full Name.....

Address:.....Tel.....Email.....

Factory location:.....District.....

Registration No.....

Farm details: Location.....Acreage.....

AND

(leaf tobacco buyer/seller, tobacco processor, and tobacco investor/Banker herein referred to as Financier)

Full Name.....

Address:.....Tel.....Email.....

*Factory location:.....District.....

*Registration No.....

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Preamble;

WHEREAS the Grower is desirous to grow and sell sisal in his field located at

WHEREAS the Financier is desirous to

AND WHEREAS the grower is desirous to access (Hereinafter referred to as "facility") for tobacco growing activities and the financier is willing to provide to the grower on terms and conditions set forth in this agreement

NOW THEREFORE the parties agree as follows:

A: Joint undertaking

1. The contract shall operate from to and may be extended on mutually agreed terms and conditions
2. Any alteration, extension or renewal of the contract shall form an addendum to this Agreement and shall be submitted to the Board for approval and registration.
3. This contract is not transferable and cannot be assigned save as agreed by the parties.
4. A sale agreement drawn between the parties, if any, shall be countersigned in four copies and delivered to the Board as an appendix to this contract.
5. The parties to the contract shall adhere to their obligations in the contract and failure of which, a party in default shall be required to remedy the other.
6. The parties shall agree and observe provisions on internal governance

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B; the Grower undertakes

I. SPECIFIC

E

II. GENERAL

1. Not to enter into any contract with any other financier, content of which is similar to the subject matter of this contract

2 To disclose and give status on any previous or existing contractual obligations.

C: The Financier undertakes

I. SPECIFIC.....

II. GENERAL

1 Not to enter into any contract with any other financier, content of which is similar to the subject matter of this contract

2. To disclose and give status on any previous or existing contractual obligations where applicable

E: Law Applicable

This agreement shall be governed by the Laws of the United Republic of Tanzania.

F: Dispute resolution

Any dispute arising between parties to this Contract shall in the first instance be mediated by the Board, failure of which may entitle either party to seek other remedies in accordance with the laws of Tanzania

G: Annextures

The following documents shall form part of this contract

.....
.....

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IN WITNESS WHEREOF the parties have executed these presents on the date first above written and in the manner appearing herein below;

Grower	Witness
Full Name: _____	Full Name: _____
Signature: _____	Signature: _____
Date: _____	Date: _____

Financier	Witness
Full Name: _____	Full Name: _____
Signature: _____	Signature: _____
Date: _____	Date: _____

Copies to be provided to: The Board, District Council, Association, Buyer and Grower

Attachment:

- (1) List of members (if any) of the growers represented under this contract.

FOR OFFICIAL USE ONLY

Approved/Not approved by the Board

Reasons:.....

Registration No.....

Signature

Designation.....

Seal.....

Date.....

Tobacco Industry

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District Country.....

Village Area.....

No. of Growers Grower's Registration No.

Date of Signature Date of Recording

No. of farmers under the association/cooperatives grouped under the member village
appendix with each member farmer signature.....

Dar es Salaam,
24th October, 2011

JUMANNE A. MAGHEMBE,
*Minister of Agriculture, Food Security and
Cooperatives*