



Certification Trade Mark Rules

Definitions

Applicant means a breeder, grower, seller or provider (which includes landscapers) of any or all of the Goods and Services.

Certification Trade Mark means this logo with the bottom teal square containing the word



TURF, or the word SEED

Goods and Services means *raw and unprocessed agricultural, aquacultural, horticultural and forestry products; raw and unprocessed grains and seeds; natural plants and flowers; bulbs, tubers, plant cuttings, seedlings and seeds for planting; pulses; propagation material including tubers, seeds, bulbs, plant cuttings; seed germ for botanical purposes; natural turf; grass (sod); scientific and technological services and research and design relating thereto in the fields of agriculture, horticulture and forestry; industrial analysis and research services in the fields of agriculture, horticulture and forestry; plant breeding or cultivating services; quality assurance services in the fields of agriculture, horticulture and forestry; seed testing services; provision of advice, consultancy or information, including online, in relation to any of the foregoing; agriculture, horticulture and forestry services; laying of natural turf; natural turf care services; sowing of seeds; care of plants; provision of advice, consultancy or information, including online, in relation to any of the foregoing*

Inspector is an independent individual authorised by Australian Seeds Authority Limited (**ASA**) or an authorised agent of ASA to determine if an Applicant has complied with these certification rules.

1. Certification Requirements:

An Applicant is only able to use the Certification Trade Mark in relation to the provision of the Goods and Services, if it complies with the following:

- a. For use of the Certification Trade Mark with the word Turf in the bottom teal square, the individual (or company) must comply with the "Rules for the Certification of Vegetatively Propagated Turf" as set out at <https://turfcert.aseeds.com.au/>.
- b. For use of the Certification Trade Mark with the word Seed in the bottom teal square, the individual (or company) must comply with the *OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade* accessible at <http://www.oecd.org/agriculture/seeds/rules-regulations/> or where the seed is not covered by the aforementioned OECD scheme, the seed must comply with The Australian Seed Certification rules administered by ASA found at <https://aseeds.com.au/> (**ASA Website**).

2. Process for Certification

The process for determining whether the Goods and Services meet the certification requirement is as follows:

a. *Step One*

The Applicant must apply to use the Certification Trade Mark in relation to specific goods and services, via the ASA Website.

b. *Step Two*

The Applicant must pay the non-refundable application fee, which is stated on the ASA Website.

Nb: The application fee is subject to change at the sole discretion of the Australian Seeds Authority Limited. The fee showing on the ASA Website is the fee applicable to any Application made at that time.

c. *Step Three*

The Applicant must request an Inspector through either ASA or an authorised agent of ASA to certify compliance with these rules and pay the Inspector's fee. This fee will change from time to time and will be set by ASA or an authorised agent of ASA. The current fee will be advised to the applicant prior to the first inspection. The inspector will ensure that the seed or turf crop meets all the requirements of the appropriate scheme and advise ASA and/or an authorised agent of ASA that it does, or does not, comply with the rules of the appropriate scheme

d. *Step Four*

If the Applicant's goods or services are approved by the Inspector, then a statement of certification will be sent out to the Applicant along with a letter setting out how the Applicant is able to use the Certification Trade Mark, which is set out

in clause 4. The letter will also state in relation to what goods or services it may use it, and that the certification lasts for a period of 12 months.

e. *Step Five*

To continue using the Certification Trade Mark, the Applicant must re-apply each year.

3. Approved Certifier (**Inspector**) Attributes

An Inspector must have –

- a. a minimum of 5 years (full time equivalent) experience in growing or breeding turf or seed, since entering the industry;
- b. a high level of knowledge and skills (both theoretical and practical) in identifying and categorising turf or seed;
- c. a genuine interest in and commitment to maintaining a high standard of quality and purity of turf and seed Goods and Services;
- d. preferably some training in plant science;
- e. strong support for ASA and this certification process;
- f. at least two high level industry referees or nominations; and
- g. their details registered on the ASA Website, including contact information, authorised until date, and authoriser details.

An Inspector must be authorised by either ASA or an agent of ASA and will only conduct inspections in relation to turf or seed if she/he has the necessary experience in relation to turf or seed e.g. a Turf Inspector cannot conduct seed inspections, unless she/he is also qualified in relation to assessment of seed (and vice-versa).

4. Requirements for use of the Certification Trade Mark in relation to the Goods and Services

- a. The Certification Trade Mark must be 8cm high by 8cm wide, or equivalent proportions thereto (e.g. 4cm x 4cm; 16cm x 16cm, etc.);
- b. Subject to 4.c, the height of the Certification Trade Mark must be at least, the lessor of:
 - i. One third the size of the height of the object on which it is placed; or
 - ii. 30cm;
- c. ASA may approve smaller dimensions, in its sole discretion, at the request of an Applicant. Such approval will only be provided in writing;

- d. The Certification Trade Mark must be clear, legible and not pixelated or obstructed; and
- e. The Certification Trade Mark may only appear in the colours teal, yellow, grey and white as shown in the representation below.



5. Resolving Disputes

If an Applicant wishes to dispute any aspect of the assessment by an Inspector (or any other issue relating to the Certification Trade Mark), the Applicant can contact the Chief Executive Officer of the ASA via the ASA Website Contact Form facility. The current CEO is contactable on 02 9659 3526 or by email at australianseedsauthority@gmail.com. All disputes will be treated confidentially by a representative of ASA who was not the initial Inspector, and ASA will use reasonable endeavours to resolve the dispute to the satisfaction of all parties.

6. Certification Validity

If an Applicant satisfies the criteria set out in clause 1, then provided the Applicant uses the Certification Trade Mark in accordance with clause 4 the Applicant is permitted to use the Certification Trade Mark for the period of validity of the statement of certification referred to in clause 2.d unless notified in writing by ASA that this permission has been suspended or revoked.