



LEGAL NOTICE.....

THE CROPS ACT

(No. 16 of 2013)

IN EXERCISE of the powers conferred by Section 40 of the Crops Act, 2013, the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation in consultation with the Agriculture and Food Authority and the County governments, makes the following Regulations—

THE CROPS (FOOD CROPS) REGULATIONS, 2018

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THE CROPS (FOOD CROPS) REGULATIONS, 2018

PART I – PRELIMINARY

Citation and commencement.

1. These Regulations may be cited as the Crops (Food Crops) Regulations, 2018.

Interpretation.

2. In these Regulations, unless the context otherwise requires—

No. 16 of 2013.

“Act” means the Crops Act, 2013;

No. 13 of 2013.

“Authority” means the Agriculture, and Food Authority established under section 3 of the Agriculture and Food Authority Act, 2013;

“Board” means the Board of the Authority constituted pursuant to Agriculture and Food Authority Act, 2013;

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for Agriculture;

“County Executive Committee Member” means a County Executive Committee member in charge of matters relating to agriculture in a county.

“collection centres” means centres designated and registered by County governments to serve as buying stations of food crops farm produce, packaging houses, pick up points and meeting places for farmers’ and growers’ cooperatives and associations.

“commercial activity” means collecting, transporting and storing food crop produce and products for trade;

“consignment” means—

(a) for purposes of transportation of food crops produce within the country, a vessel load for which a certificate of produce has been issued in accordance with regulation 13(1);

(b) for purposes of import and export of food crops produce, the declared lot of produce;

“County Government” means any of the 47 governments established under Part 2 of Chapter 11 of the Constitution.

“country of origin” means the country where the food crop produce or food crop product has been grown, produced, processed or manufactured as the case may be;

“crops inspector” means an officer appointed by the Authority to be a Crops Inspector under Section 27 of the Crops Act or an officer appointed by the County government for the purposes of these regulations.

“dealer” means any person, company or a firm engaged in collecting, transporting, storing, buying or selling of food crops produce and products but dealing excludes any non-commercial activity;

“Directorate” means the Food Directorate established under the Agriculture and Food Authority Act, 2013;

“exporter” means any person, firm or corporate body licensed by the Authority to engage in the business of exporting food crops produce and products out of Kenya;

“food” means a produce or product of plant origin as per the first schedule of these regulations.

“food crop” means any of the crops provided in the First Schedule of these Regulations or such other crop as may be declared by the Cabinet Secretary through a gazette notice.

“food crop by-products” means any food crop residues produced during manufacturing or processing of food crop produce or product and is meant for industrial or any other use.

“food depot” means a building, premise, establishment, facility or place, in whole or in part where food crops or products are held for processing, re-packaging, packaging, labelling or distribution for sale by a processor, importer or exporter including National Government agencies and other institutions storing or handling food crop produce and products in bulk.

“food processing plant” means a facility used for processing food of plant origin.

“grower association” means any registered group, association, cooperative society, corporate body, union or federation of food crops growers or farmers in Kenya;

“grower” means person or a group of persons who cultivates food crops in Kenya and the “terms smallholder grower”, “medium scale grower” and “plantation grower” shall be construed accordingly;

“importer” means any person, firm or corporate body licensed by the Authority to engage in the business of importing food crops produce and food crops products into Kenya.

“license” means the single business permit issued by the County Governments.

“market” means a medium, a designated place or structure by County or national Government where buyers and sellers interact for trade in food crop produce and products.

“medium” means a place where buyers and sellers trade in food crops produce and products and includes but is not limited to car boot sales, mobile and internet commerce applications and commodities exchange.

“non- commercial activity” means collecting, transporting, storing or selling of food crops produce and products for domestic consumption.

“plantation grower” who can also be referred to as a large scale grower means any person, firm or corporate body who cultivates food crops in an area of more than forty-nine hectares;

“point of entry” means an airport, seaport or land border point officially designated for the importation of consignments of food crop produce or products;

“point of exit” means an airport, seaport or land border point officially designated for the exportation of consignments of food crop produce or food crops products;

“processor” means any person who engages in the transformation of food produce of scheduled crops in the first schedule into products and shall include packaging, re-packaging, labelling and distribution of the products for sale in Kenya;

“marketing agent” means any person or organization registered by the County government and who collects and sells food crops produce in wholesale at a designated market;

“transporter” means any person who engages in movement of food crops produce from one point to another but excludes non-commercial activity;

“vehicle” means any modern and traditional mode of transportation used for the movement of food crop produce and products;

“warehouse” or “store” means a building, premise, establishment, facility or a place, in whole or in part licensed under these regulations where food

crops or products are stored, kept or held for wholesale distribution to other wholesalers or retail outlets, restaurants, and any such other facility selling or distributing to the ultimate consumer.

“warehouse operator” means a person licensed by the Authority to engage in the business of storing food crops in a warehouse.

Application.

3. With exception of Irish potatoes, these Regulations shall apply to all the scheduled food crops;
- (a) produced, processed and marketed in Kenya; and
 - (b) imported into or exported out of the country

Purpose of these regulations.

4. (1) The purpose of these Regulations is to guide the promotion, development and regulation of food crops.
- (2) Without prejudice to the generality of sub-regulation (1), the purpose of these Regulations is to provide for—
- (a) procedures and conditions for registration of growers, grower associations, collection centres, processors and dealers;
 - (b) procedures and conditions for licensing of collection centres, dealers, processors, warehouses, importers and exporters;
 - (c) issuance of permits for movement of food crops produce and for import and export of food crops produce;
 - (d) assurance of safety and quality of produce and products
 - (e) marketing of food produce and products;
 - (f) promotion of best practices in production, transportation, storage and processing of food crops;
 - (g) collection and collating and maintaining a database on food crop production, prices, intra- and inter-trade and;
 - (h) such other purposes as may be necessary for effecting the provisions of the Act.

PART II— REGISTRATION

Registration of smallholder growers.

5. (1) A smallholder grower of food crops may register with a growers' association.

(2) A smallholder grower shall not register in more than one growers' association dealing with the same food crop for the same parcel of land.

Registration of grower associations and marketing agents

6. The following shall register with the County government in which they are domiciled:

- a. Large-scale growers;
- b. Grower associations;
- c. Marketing agents

(2) The application for registration shall be in the Form CG/FD/ A001 as set out in the Second Schedule.

(3) Where a County Government in considering an application for registration, it shall satisfy itself that the applicant has complied with the Act and any other relevant law and may—

(a) grant a certificate of registration within thirty days of receipt of the application; or

(b) reject the application within fourteen days of receipt of the application and indicate the reasons thereof.

(4) A person who is dissatisfied with the decision of the County government under sub-regulation (3b) may—

(a) within twenty-one days of the decision, resubmit the application for registration after addressing the issues raised in the rejection; or

(b) within thirty days of the decision, appeal to the Authority.

(5) The County government shall issue a Certificate of Registration on an annual basis to the food crop growers, grower associations and marketing agents in the Form CG/FD/ C001 of the Fourth Schedule. The certificate is not transferable.

Registration of collection centres, warehouses, stores and food depots

7. (1) Every operator of a collection centres, warehouse/store and food depot shall register with the Authority.

(2) An application for registration shall be made in the Form AFA/FD A001 as set out in the Second Schedule.

(3) Where the Authority is considering an application for registration under these regulations, it shall satisfy itself that the applicant has

complied with the Act and any other relevant law and may—

- (a) grant a Certificate of Registration within thirty days of receipt of the application; or
 - (b) Reject the application within fourteen days of receipt of the application and indicate the reasons thereof.
- (4) A person who is dissatisfied with the decision of the Authority under sub-regulation (3) may—
- (i) Within twenty-one day of the decision, resubmit the application for registration after addressing the issues raised in the rejection;
Or within thirty days of the decision;
 - (ii) Appeal to the Cabinet Secretary
- (5) The Authority shall issue a Certificate of Registration with a unique identity within thirty days of receipt of the application in the Form AFA/FD C001 set out in the Fourth Schedule.

Registration of dealers

- 8.** (1) Every dealer in a scheduled crop shall register with the Authority.
- (2) An application for registration shall be made in the Form AFA/FD A002 set out in the Second Schedule.
- (3) Where the Authority after considering an application for registration under these regulations, it shall satisfy itself that the applicant has complied with the Act and any other relevant law and may—
- (a) Grant a Certificate of Registration within thirty days of receipt of the application; or
 - (b) Reject the application within fourteen days of receipt of the application and indicate the reasons thereof.
- (4) A person who is dissatisfied with the decision of the Authority under sub-regulation (3) may—
- (a) Within twenty-one days of the decision, resubmit the application for registration after addressing the issues raised in the rejection; or
 - (b) Within thirty days of the decision Appeal to the Cabinet Secretary.

Registration of food processors

(5) The Authority shall issue a Certificate of registration with a unique identity within thirty days of receipt of the application in the Form AFA/FD C002 as set out in the Fourth Schedule.

- 9.** (1) A person shall not;
- (i) process a scheduled crop without a certificate of registration from the Authority.
 - (ii) process a scheduled crop from a non-registered grower or dealer.
- (2) An application for registration shall be made to the Authority in the Form AFA/FD A003 as set out in the second schedule.
- (3) Where the Authority is considering an application for registration under these regulations, it shall satisfy itself that the applicant has complied with the Act and any other relevant law and may—
- (a) grant a Certificate of registration within thirty days of receipt of the application; or
 - (b) reject the application within fourteen days of receipt of the application and indicate the reasons thereof.
- (4) A person who is dissatisfied with the decision of the Authority under sub-regulation (3) may—
- (a) Within twenty-one days of the decision, resubmit the application for registration after addressing the issues raised in the rejection;
Or within thirty days of the decision;
 - (b) Appeal to the Cabinet Secretary.
- (5) The Authority shall issue a Certificate of Registration with unique identity within thirty days of receipt of the application in AFA/FD C003 as set out in the Fourth Schedule.

Registration of importers and exporters of food produce and products

- 10.** (1) A person shall not import or export produce or a product of a scheduled crop in the first schedule without a registration certificate from the Authority.
- (2) An application for registration as an importer or exporter shall be made to the Authority in Form AFA/FD A004 set out in the Second Schedule.

- (3) Where the Authority is considering an application for registration under these regulations, it shall satisfy itself that the applicant has complied with the Act and any other relevant law and may–
 - (a) Grant a certificate of registration within thirty days of receipt of the application; or
 - (b) Reject the application within fourteen days of receipt of the application and indicate the reasons thereof.
- (4) A person who is dissatisfied with the decision of the Authority under sub-regulation (3) may–
 - (a) Within twenty-one days of the decision, resubmit the application for registration after addressing the issues raised in the rejection; or within thirty days of the decision;
 - (b) Appeal to the Cabinet Secretary.
- (5) The Authority shall issue a Certificate of Registration with unique identity within thirty days of receipt of the application in Form AFA/FD C004 set out in the Fourth Schedule.

Cancellation of registration

11. The Authority may cancel a Certificate of Registration if the terms and conditions of issuance, the provisions of the Act, these Regulations or any other relevant law are contravened.

Maintenance of Registers

- 12.** (1) A registered grower association shall keep and maintain a register of its members in the Format prescribed in Form CG/FD S001 set out in the Fifth Schedule and shall submit an up to date register to the respective County Government on or before the 31st December of every year.
- (2) A County Government shall keep and maintain a register of all growers and grower associations, registered in accordance with these Regulations and shall submit copies of the up to date register to the Authority by the 31st January of every year.

Certificate of Produce movement

13. (1) A registered food crop dealer shall not move or cause to be moved any consignment of food produce in excess of five metric tonnes from one county to another without a valid Certificate of Produce.

(2) The County Government shall issue the Certificate of Produce for

movement of any consignment in Form CG/FD/P001 as set out in the Fourth Schedule.

- (3) A Certificate of Produce for movement of consignment shall be issued at the point of loading.
- (4) The Certificate of Produce shall accompany the consignment and must be produced at all times upon demand by a Crops Inspector as evidence of the source of consignment.
- (5) A certificate of produces shall not be altered.
- (6) A vessel used in transportation of food produce and products shall comply with the National Food Transportation requirements that shall be issued by the Authority from time to time.

Penalties

A person who contravenes regulation 5(2), 6(1), 10(1), 12(1), 13 (1), (4), (5) and (6) commits an offence and shall be liable on conviction, to the penalty prescribed in section 37 of the Act.

A person who contravenes this provision of regulation 8(1) commits an offence and shall be liable on conviction to a fine not exceeding five million shillings or imprisonment for a period not exceeding three years or, to both

A person who contravenes the provisions of regulation 9(1) commits an offence and shall be liable on conviction to a fine not exceeding ten million shillings or imprisonment for a period not exceeding five years or, to both.

PART III— CERTIFICATION AND LICENSING

Application for Approval to establish a food processing plant

- 14.** (1) A person shall not establish a food processing plant without approval from the Authority.
- (2) The applications to establish a new food processing plant shall be done using AFA/FD A005 as set out in the Second Schedule and pay the fees set out in the Third schedule..
- (3) The Authority shall, within thirty days of receipt of the application in sub-regulation (1) verify and approve the application and issue a letter of preliminary approval using Form AFA/FD PA001 set out

in the Fourth Schedule.

- (4) Upon completion of the construction of the processing plant, the applicant shall apply for inspection of the establishment by the Authority.
- (5) Upon inspection, the Authority shall issue a certificate of approval as set out in form AFA/FD/C005
- (6) The applicant shall apply for a processing license from the County Government in the form CG/FD A007 set out in the Second schedule.
- (7) The County Government shall issue a processing license in form CG/FD/L001 as set out in the Fourth Schedule upon payment of the prescribed fee in the Third schedule.

Revocation of Approval to establish a food processing plant

- 15.** (1) The Authority may revoke the certificate of approval to establish a food processing plant, if;
- (a) The applicant made a false declaration in the application.
 - (b) The approval to establish the food processing plant was obtained fraudently or through corrupt means.
 - (c) A condition of approval to establish the food processing plant has, in the opinion of the Authority been breached.
 - (d) The applicant has failed to meet any of the conditions upon which the approval to establish the food processing plant was given.

Certification of an existing food processing plant

- 16.** (1) A person shall not operate a food processing plant without approval from the Authority.
- (2) A person shall apply to the Authority for certification of a food processing plant in form AFA/FD/A006 as set out in the schedule.
 - (3) In granting the approval certificate to operate the processing plant, the Authority shall ensure the following;
 - (a) The processor is registered with the Authority.
 - (b) Suppliers and source of the raw materials is declared.
 - (c) Declare the installed capacity.
 - (d) Location, design and construction of the building and its interior, equipment and water supply are in accordance with the regional and international standards provided from time to time.
 - (e) Procedure for ensuring personal hygiene, clean clothing, footwear and headwear, injuries and wounds, controlled access and movement within the facility, avoid use of perfumes.
 - (f) Receiving, handling and storage of raw materials and products as

per specification provided by the Authority.

- (g) Monitoring procedures for pest control, both for the exterior and interior of the building.
- (h) Cleaning and sanitizing procedures in place in line with guidance provided by the Authority.
- (i) Procedures describing preventive, maintenance and calibration of all the equipment and instruments that can affect food safety.
- (j) Recall and traceability procedures that will ensure that final products are coded and labelled properly; in-coming, in-process and outgoing materials are traceable; procedures for ensuring a recall system is implemented.
- (k) Water safety monitoring procedures for water, ice and steam; use of potable water for processing.
- (l) Compliance with any other requirement issued by the Authority from time to time.

(4) The Authority, shall, after considering the application issue a certificate to the processor in form AFA/FD/C005 set out in the fourth schedule

Application for a license for a new food processing plant

- 17.** (1) A person shall not operate a food processing plant without a valid processing license.
- (2) An application for a processing license shall be made to the County Government where the processing plant is located after obtaining a certificate of approval from the Authority.
 - (3) The County government shall, after considering the application issue a license in accordance with section 20 of the Crops Act, 2013.
 - (4) Where a license is not issued, an applicant may re-submit an application after addressing the issues raised in the rejection.

Renewal of approval certificate and license of a food processing plant

- 18.** (1) An application for renewal of an approval certificate and license for a food processing plant shall be made to the Authority or the County government respectively upon submission of returns of the previous year. An application for renewal shall be;
- (a) in Form AFA/FD A006 and Form CG/FD A007 respectively set out in the Second schedule accompanied by the fee set out in the Third Schedule;
 - (b) made not later than the first day of the month of June in which the current license is due to expire.
- (2) An approval certificate and license issued under this regulation shall be

valid for one year from the date of issue unless it is cancelled by the Authority before the expiry date.

- (3) The Authority or the County government may consider a late application for an approval certificate and a food processing license respectively if the applicant gives reasonable cause for the delay and, upon approval of such an application, the applicant shall pay a penalty of fifty per cent of the fees payable.
- (4) A certified and licensed food processor shall notify the Authority or the County government of any change in the ownership or shareholding, business operations or production scale within thirty days of the change.
- (5) The Authority or County Government shall cancel the approval certificate or licence respectively in case the business ceases.

Penalties

19. A person who contravenes the provisions of regulation 14(1) and 16(1) commits an offence and shall be liable, on conviction, to the penalty prescribed in the section 37 of the Act.

A person who contravenes the provisions of regulations 17(1) above commits an offence and shall be liable, on conviction, to the penalty prescribed in section 19 of the Crops Act, 2013

Certification of warehouses, stores and food depots

20.(1) A person shall not operate any premises as a warehouse, store or a food depot unless the premise is certified as such by the Authority.

(2) An application for an approval certificate for a warehouse, store or a food depot shall be made to the Authority in the Form AFA/FD A007 in the Second Schedule and upon payment of the prescribed fees in the Third schedule.

(3) (a) The storage of food of produce and products shall be done under conditions that will not be detrimental to the safety and quality of the produce or food products stored therein.

(b) The Authority shall inspect the warehouses and storage facilities to ensure that they are in compliance with the regional and international standards and the requirements provided by the Authority from time to time.

(4) In considering an application, the Authority may

(a) Issue an approval certificate for the warehouse, storage facility or the food depot in the Form AFA/FD C006 set out in the Fourth Schedule within thirty days of receipt of the application; or

(b) Reject the application within thirty days of receipt of the

application and give the reasons thereof.

- (5) Where the application has been rejected, the applicant may resubmit the application for an approval certificate for the warehouse, storage facility or the food depot upon addressing the issues raised in the rejection.
- (6) An approval certificate for a warehouse, storage facility or the food depot is valid from the date of issue to the thirtieth of June every year unless earlier cancelled.
- (7) Where an operator of a warehouse, storage facility or the food depot ceases the operations, the operator shall notify the Authority thirty days before cessation of the services.
- (8) Upon notification of cessation under sub-regulation (7), the Authority shall take such measures, as it shall consider necessary to safeguard the interests of a depositor of food crops produce and products in the warehouse, store or the food depot.
- (9) An approval certificate issued under this regulation shall be valid for one year from the date of issue unless it is cancelled by the Authority before the expiry date.

A person who contravenes the provisions of sub-regulation (1), (3) and (7) commits an offence and shall be liable, on conviction, to the penalty prescribed in section 37 of the Act.

Licensing of
warehouses, stores and
food depots

- 21.** (1) A person shall not operate a warehouse, store or a food depot approved in accordance with regulation 20 above unless it is licensed as such by the County Government.
- (2) An application for a warehouse license shall be made to the County government in the Form CG/FD A008 as set out in the Second Schedule
- (3) After considering an application, the County government may issue the License in accordance with section 20 of the Act.
- (4) A license issued under this regulation is valid from the date of issue to the thirtieth of June of the subsequent calendar year unless the license is revoked by the County Government before the expiry date.

- (5) A licensed warehouse operator shall notify the County government of any change in ownership or shareholding of the warehouse within thirty days of the date the change occurs.
- (6) Upon notification of cessation under sub-regulation (5), the County government shall take such measures, as it shall consider necessary to safeguard the interests of a depositor of food crops in the licensed warehouse.

A person who contravenes the provisions of sub-regulation (1) and (5) commits an offence and shall be liable, on conviction, to the penalty prescribed in section 37 of the Act.

Licensing of food
produce and products
importers and exporters.

- 22.** (1) A person shall not import or export food crops produce or products without a valid license issued by the Authority.
- (2) An application for a license shall be made to the Authority in the Form AFA/FD A008 as set out in the Second Schedule and upon payment of prescribed fees set out in the Third Schedule.
 - (3) In considering an application for a license, the Authority shall undertake inspection of the storage facilities of the importer and may;
 - (a) Issue a license within thirty days of receipt of the application in Form AFA/FD L003 as set out in the Fourth Schedule; or
 - (b) Reject the application within thirty days of receipt of the application and give the reasons thereof.
 - (3) An applicant may resubmit an application for an import or export license after addressing the issues raised in the rejection.
 - (5) An import or export license shall be–
 - (a) Valid from the date of issue to the thirtieth of June of every year unless earlier cancelled; and
 - (b) Subject to such conditions as the Authority may impose from time to time.
 - (6) The Authority may suspend an import or export license of a person who contravenes these Regulations and where the person is a repeat offender,

the Authority shall revoke the license.

A person who contravenes the provisions of sub-regulation (1) above commits an offence and shall be liable, on conviction, to the penalty prescribed in section 37 of the Act.

Issuance of import permits

- 23.** (1) An person shall not import food produce and products without a valid permit issued by the Authority.
- (2) The Authority shall annually determine the domestic production and consumption of all food crops to establish levels of surplus or deficit and advise the Cabinet Secretary on the exportation and importation of all food crops.
- (3) Imported food produce and products shall be through a designated port of entry by a licensed importer.
- (4) A licensed importer of food produce and products shall apply for an import permit for each consignment in Form AFA/FD A009 set out in the Second Schedule.
- (5) Upon meeting the requirements for a produce and product import permit, the Authority shall issue an import permit to a licensed importer in Form AFA/FD P001 set out in Fourth Schedule.
- (6) Each consignment of produce and products for import shall be declared at the port of entry and physically verified by the Authority or its authorized agent.
- (7) (i) During the clearance of the consignment under sub-regulation (6) above, a licensed importer shall provide on request by the Authority the following documents for verification;
- (a) A copy of the import permit of the specific consignment;
 - (b) The profile of the exporter from whom they procured.
 - (c) The profile of the consignment including the type of produce and products.

- (d) A certificate of conformity of the consignment from a competent Authority of the exporting country.
 - (e) Declaration of quantities in metric tons of imported produce, their origin and destination
 - (f) Where the produce has been declared as being in transit, the importer shall declare the quantities in transit, their origin, store in a licensed transit godown as provided in the customs and excise Act, CAP 472, provide details of port of exit as per form AFA/FD/C007 in the Fourth schedule.
 - (g) Where produce is imported in bulk, a declaration of the warehouse where repackaging will be undertaken to conform with the requirement provided for under these regulations.
- (ii) After verification of documents, the Inspector shall carry out physical inspection of the consignment against the requirement of these regulations and the existing standards and with respect to the following;
- (a) conformity to the required grades, packaging and labelling
 - (b) Conformity to the applicable maximum weight of a single unit package as provided in regulation 45(2)(3)(4)
- (iii) The inspector may sample the produce or product for testing against national, regional or international standards and the food safety requirements.
- (a) Where samples have been taken for analysis, the consignment is held pending the outcome of the test results and a release order shall be issued where the samples passed the test.
 - (b) Where the test results indicate non conformity to the requirements, the consignment shall be rejected.
- (8) Upon satisfying the conditions for import of produce and products under these regulations, the Authority shall issue a certificate of approval as per Form AFA/FD/C008 in the fourth schedule and release the consignment to the consignee.

(9) Where the consignment has not met the condition in 6 and 7 above, the Authority shall, at the cost of the importer, seize, detain, dispose of or destroy the consignment in an appropriate manner.

(10) The Authority shall seize and detain any food crops produce or products whose documentation does not meet the requisite requirements

A person who contravenes the provisions of sub-regulations (1), (3) and (6) of this regulation commits an offence and is liable to a penalty prescribed in section 37 of the Act.

Issuance of export permit

24(1) A person shall not export produce and products without a valid export license issued by the Authority.

(2) Exported produce and products shall exit through a designated port.

(3) A licensed exporter shall ensure the requirements of the importing country are met.

(4) Where the authority of the importing country requires verification of the profile of the exporter, the Authority will facilitate the inspection of the food produce and product.

(5) Where the importing country requires the authority to carry out inspections of consignments on their behalf, the exporter shall present the consignment for inspection by the Authority.

(6) Upon payment of the prescribed fees, the Authority shall carry out inspection of the consignment for export and issue a certificate of conformity using form AFA/FD/C009 against the requirements of the importing country.

(7) Once the certificate of conformity has been issued, the consignment shall be shipped within the time prescribed in the certificate of conformity.

(8) Once the consignment is shipped the exporter shall provide the authority with information on the date of export, type, quantity destination of produce and product.

(9) Where the consignment is rejected at the port of entry of the importing

country, the exporter shall inform the Authority immediately about reasons for rejection.

(10) In the case where a consignment is rejected, the Authority may suspend the exporter license of the exporter until such a time when the matter is addressed.

(11) The Authority may negotiate, implement and maintain equivalency and other sanitary agreements with other countries regarding the food products and food production processes.

A person who contravenes the provisions of sub-regulation (1) (2) and (3) commits an offence and shall be liable, on conviction, to the penalty prescribed in section 37 of the Act.

Revocation, suspension or alteration of a license

25. (1) The Authority or the County government may revoke, alter or suspend a license issued under this Part if—

(a) The conditions of issuance of the license are contravened or not complied with; or

(b) The licensee or an employee of the licensee commits an offence under the Act or in respect of the licensed activity under any other written law.

(2) The holder of the license shall immediately surrender a license to the Authority or the County government if the license is revoked under sub-regulation (1) or the purpose for which a license is issued ceases, and it shall cease to have effect forthwith.

Appeals on issuance of licenses.

26 (1) A person who is aggrieved by the decision of the Authority or the County government in respect of—

(a) The grant, refusal, renewal, variation or revocation; or

(b) The conditions imposed on the grant, renewal or variation, of a license,

May appeal to the Cabinet Secretary within thirty days of first receipt of the notice of the decision as the case may be.

**PART IV- ASSURANCE OF SAFETY AND QUALITY OF PRODUCE
AND PRODUCTS**

Production sites

27.(1) No person shall grow food crops in sites that pose a risk of contamination to the produce. These site include the following;

- (a) Site used for domestic animal production
- (b) Disposal sites for garbage and industrial waste
- (c) Sites for sanitary waste management
- (d) Sites used for mining activities, oil or gas extraction
- (e) Sites with a history of flooding
- (f) Road sides

(2) A person shall not grow crops in the following sites unless a risk assessment is conducted and the site declared safe by the Authority in consultation with the County Governments.

- (a) Where the adjacent land being used in a manner likely to contaminate the soil, air and water thus rendering it unsuitable for crop production.
- (b) Where there is a likelihood of contamination through water drainage, run-off, subterranean water flow, wind erosion, animals, vehicles and equipment.

Prohibition on use of contaminated soil

28. (1) A person shall not produce food crops on soils that have been confirmed to be contaminated with heavy metals, toxic chemical substances and harmful pathogenic organisms.

(2) Where the soil contamination can be reduced to acceptable levels, such soils may be used subject to implementation of a management plan issued by the Authority.

Irrigation and wash water

29.(1) A person shall not use water for irrigation to produce food crops unless the water is has been analysed by a competent laboratory and declared safe for food crop production

(2) A person shall use potable water to clean food produce and products

Prohibition on use of human sewage and raw organic manures	<p>30. (1) A grower shall not use human faecal matter for production of food crops.</p> <p>(2) A grower shall not use raw animal manure for the production of food crops.</p>
Use of chemical fertilizers	<p>31. (1) A grower shall only use chemical fertilizers which have been recommended by the respective County Government.</p> <p>(2) A grower shall use chemical fertilizers in rates recommended by the County Government from time to time.</p>
Safe use of pesticides.	<p>32.(1) A grower of food crops shall:</p> <p>(a) Ensure the safe use, storage and disposal of pest control products;</p> <p>(b) At all times in the production or storage of food crops, use pest control products approved and registered by the agency for the time being responsible for pest control products on a particular crop and for the control of a specified pest; and</p> <p>(c) Maintain records of pest control products and other substances used in the production or storage of food crops and shall produce such records upon demand by the crops inspector.</p> <p>(d) Ensure that pre-harvest intervals (PHIs) is observed for the particular chemical used on the crop.</p> <p>(2) In event that the produce presented is found to exceed the maximum residue limit (MRL), the grower will be suspended from crop cultivation until corrective measures are undertaken.</p>
Exclusion of animals from production sites	<p>33. A grower shall not allow domestic, livestock or wild animals to access food production facilities including storage rooms, processing, packing areas and Machinery.</p>
Personal hygiene	<p>34. A grower and dealer shall ensure that persons working in the farm and premises observe personal hygiene to prevent produce contamination.</p>
Capacity building	<p>35.The Authority shall undertake continuous training of farmers and dealers to enable them implement these regulations</p>
Farm machinery and equipment	<p>36.(1) A person using machinery and equipment shall ensure that such machinery is calibrated and well maintained</p>

(2) A calibration certificate must be obtained and shall be availed to an inspector on demand.

Harvesting and post-harvest handling of food crops

37.(1) A person shall –

- (a) Harvest food produce at physiological maturity or as per the market requirements for a specific crop;
- (b) Sort, grade, package, label, transport, store and process in accordance with the national, regional and international standards in force at the time or requirements provided by the Authority from time to time;

(2) A person shall take the following measures to prevent postharvest contamination of the produce;

- (a) Ensure the water used for post-harvest processing is safe and portable
- (b) Ensure that produce in the field should not be left out to adverse weather conditions
- (c) Ensure on-field packaging containers are well maintained and kept clean.

(3) A vessel used in transportation of food crop produce and products shall comply with the National Food Transportation requirements that shall be issued by the Authority from time to time.

(4) Ensure compliance with any other requirements which may be issued by the authority from time to time.

Sampling and testing of produce and products

38. (1) The Authority shall randomly sample, test and analyse all food crop produce or products in collection centres, stores, markets or warehouses, food depots and in processing facilities to ensure that it conforms to the food safety and quality requirements provided for in the National, regional and any other relevant laws.

(2) The Authority shall seize, detain, dispose off or destroy, at the cost of the offender, any food crop produce and products that do not conform to the food safety, quality and any other requirements in this regulation.

Traceability

39. (1) A dealer and a processor shall–

- (a) Ensure that the food produce and products can be traced to the

- source by providing details in accordance with traceability requirements provided by the Authority from time to time;
- (b) Establish and maintain a distinct traceability code for every source of their produce.
- (c) Put in place a system that ensures that product failing to meet food safety standards and requirements can;
 - (i) be identified and located for removal from the supply chain if necessary.
 - (ii) be withdrawn from the supply chain, in consultation with the Authority, due to immediate health risks.

Penalty **40.** A person who contravenes the provisions of relations (26) (27) (28) (29) (30) (31) (32) (33) (35) and (36) commits an offence and shall be liable, on conviction, to the penalty prescribed in section 37 of the Act.

Crop Inspectors **41** (1) The Authority shall appoint inspectors to carry out inspections of all food crops, produce and products to ensure they conform to this regulations, national, regional, international standards and any other stipulated requirements as provided in the Act

(2) A person appointed as an inspector under these Regulations shall -

(i) have the following qualifications from a university or institution recognised in Kenya —

(a) Bachelor’s Degree in Agriculture or related field or

(b) Diploma in Agriculture; and with two years’ experience in extension service work.

(ii) Comply with the provisions of the article 6 of the Constitution of Kenya and the Public Officer’s Ethics and Integrity Act, 2012.

(2) The Authority shall develop training manuals and undertake training of the inspectors to ensure effective carrying out of their duties.

- (3) The Authority shall conduct inspections and compliance audits to growers, grower associations, dealers and manufacturers jointly or separately from time to time to ensure compliance to these regulations.
- (4) The inspector shall;
 - (a) Monitor activities associated with food production, dealing, handling and processing to ensure compliance with these regulations;
 - (b) Regularly undertake surveillance and inspections to ensure that growers, dealers and manufacturers of food produce and products adhere to the law, these regulations, the terms and conditions of registration and requirements issued by the Authority from time to time.
 - (c) Carry out periodic auditing of food safety management systems implemented by dealers.
- (5) An inspector who has reasonable grounds may enter upon any land, premises or stop and enter into a vehicle used for storage or transporting of food produce and products for purposes of ascertaining that the net weight and packaging conforms to the requirements of this regulation or for the performance of the functions or powers conferred under the Act or any other written law.
- (6) The Inspector shall seize and detain food produce and products packaged in a manner that does not conform to the requirement of these regulations at the cost of the offender.

A person who obstructs an inspector from carrying out the required inspection commits an offence and shall be liable on conviction, to imprisonment for a term not exceeding three years or to a fine not exceeding two million shillings or both.

Inspection and verification

- 42.** (1) The Authority shall implement compliance programs consisting of inspection and verification of the requirement of this regulation for all food products and processes, if necessary imposing penalties for non-compliance.
- (2) The Authority may appoint and authorise competent persons and /or experts to carry out the inspection and verification functions.
- (3) The Authority will embrace industry self-regulation using the procedures developed by the authority.

Surveillance and risk analysis, assessment and communication

- 43.**(1) The Authority shall maintain an ongoing and systematic process of collection, analysis, and interpretation of food safety data as relates to potential hazards to enable establishment of science based policies and standards based on risks.
- (2) The Authority shall make decisions and take action based on scientific principles and evidence, including assessment, management and communication for food safety risks and emerging issues.

PART V MARKETING

Contract farming.

- 44.**(1) A dealer, marketing agent, collection centre, warehouse operator, manufacturer or an exporter intending to enter into contract with a food crop grower or grower association shall register the contract with the Authority and such a contract shall be witnessed by the County government.
- (2) A registered dealer, marketing agent, collection centre, warehouse operator, manufacturer or exporter shall not buy, collect, issue, input, train or participate in a sponsored production scheme unless authorized in writing by the sponsoring scheme.
- (3) A contract between a dealer, marketing agent, collection centre warehouse operator manufacturer or exporter with a grower or grower association shall be in accordance with the requirements on contract farming provided by the Authority from time to time.
- (4) A grower, dealer, marketing agent, collection centre, processor or exporter who is aggrieved by the failure of the other party in fulfilling the terms specified in the contract shall notify the CECM at the respective County Government within thirty days of the date of the default.
- (5) The CECM shall, upon receipt of the notification of breach of contract under sub-regulation (4), initiate the process of mediation between the parties within 30 days.
- (6) If either or both the parties to the contract are not satisfied with the outcome of the process of mediation under sub-regulation (5), the

aggrieved party may opt for arbitration as specified in Section 41 of the Crops Act, 2013.

A person who contravenes the provisions of sub-regulation (1), (2) or (3) commits an offence and is liable to a penalty prescribed in section 37 of the Act.

Selling and packaging of food produce and products

45. (1) All food produce and products shall be offered for sale only in markets designated by the County government.

(2) The unit of measurement of all food crop produce shall be the kilogramme.

(3) The maximum weight for each single unit of package shall be fifty kilograms.

(4) Subject to (3) above, the cabinet Secretary, may from time to time and in consultation with the Authority prescribe the maximum weight for each single unit of package of produce and products.

(5) A grower, dealer and processor shall pack and trade food produce in conformity with (2) and (3) above.

(6) A grower and dealer of food crop produce shall use a weighing scale that has been properly calibrated, serviced, inspected and approved by the Weights and Measures department in the Ministry for the time being responsible for Trade.

(7) The selling and buying of Food Crops may be done in collection centres.

(8) A dealer, processor or importer shall collect food crops from a designated and registered collection centre.

A person who contravenes the provisions of sub-regulation (5) (6) and (8) commits an offence and shall be liable, on conviction, to the penalty prescribed in section 37 of the Act.

Food Crops Pricing Committee

46.(1) There shall be a Food Crops Pricing Committee (hereinafter referred to as “the Committee”) to determine the formula for pricing of scheduled food crops comprising of —

a. One representative from the ministry in charge of agriculture

- b. Three representatives from the authority;
- c. Two representatives from council of governors
- d. Two representatives from the relevant farmer apex body
- e. Two representatives from relevant buyer body
- f. One representative from the National Treasury

(2) The main function of the Committee is to review food crops produce prices and advise the Cabinet Secretary for the time being responsible for matters related to Agriculture.

No 16 of 2013
Formula for pricing of
scheduled food crops

47. (1) The food crops produce pricing formula shall take into consideration the cost of production, input-output price parity, trends in the market prices, demand and supply, inter-crop price parity, effect on industrial cost structure among other factors.

(2) Data presented at committee meetings shall be verified by the Authority or other certified professionals or their bodies.

(3) Recommendations from the food crops produce committee shall be ratified by the Authority before gazettment by the Cabinet Secretary.

PART VI- MISCELLANEOUS PROVISIONS

Imposition of levy.

48.(1) The Cabinet Secretary, with the approval of Parliament, shall impose a levy on all food crops produce and products imported into and exported out of the country as per the rates set out in the Third Schedule, which shall be reviewed from time to time.

(2) The levy imposed under regulation 47(1) shall be payable at the point of exit or entry and collected by the Authority or its appointed agent.

(3) A levy under this regulation, unless the manner of remitting is specifically provided for, shall be paid to the Authority or its agents by an exporter or importer in such a manner and within such time as the

Authority may direct.

- (4) A levy imposed under this regulation which remains unpaid shall be recovered by the Authority with interest, as a civil debt due to it from the person by whom it is payable.

Application of levy.

49.The proceeds of the levy shall be used for—

- (a) Regulation and compliance activities;
- (b) Development of scheduled food crops
- (c) Capacity building of food crops industry players;
- (d) Facilitating the marketing of food crops produce and products in existing and new markets and matters incidental thereto; and
- (e) Such other purpose as may be approved by the Authority

Fees.

50.The fees payable for licenses, renewal of licenses and permits under these regulations shall be as set out in the Third Schedule and may be reviewed from time to time

Filing of returns.

51.(1) A food processor shall provide the Authority or the County Government with-

- (a) Reports on monthly production, stocks of raw material held and marketing data by the 10th of every month or upon request by the Authority in the Form AFA/FD S001 and by the County government in Form CG/FD S004 as set out in the Fifth Schedule; and
 - (b) Returns on suppliers of raw materials for the coming year in Form AFA/FD S002 and Form CG/FD S005 respectively as set out in the Fifth Schedule by the 30th June of every year.
- (2) An exporter or importer of food crops produce and products shall-
- (a) Make quarterly returns to the Authority in the Form AFA/FD S003 set out in the Fifth Schedule;
 - (b) Provide the Authority with information on suppliers of raw materials for the coming year in Form AFA/FD S004 as set out in the Fifth Schedule by 30th June of every year.
- (3) A warehouse, store, marketing agent and a collection centre shall provide the Authority with;
- (a) Monthly returns on stock of food crops produce by the 5th of every month in the Form AFA/FD S006 respectively as set out in the Fifth

Schedule;

- (b) Information on suppliers of raw materials for the coming year in the Form AFA/FD S007 respectively as set out in the Fifth Schedule.

- (4) A grower, grower association shall provide the respective County government with monthly returns on food crops produce purchased by the 5th of every month in Form CG/FD S008 as set out in the Fifth Schedule;
- (5) A County shall submit to the Authority monthly returns on the produce moved or purchased produce in Form CG/FD S003 set out in the Fifth Schedule.

- (6) A food depot shall:
 - (a) Make monthly returns to the Authority by the 5th of every month in Form AFA/FD S005 as set out in the Fifth Schedule
 - (b) Provide the Authority with information on suppliers of raw materials for the coming year in Form AFA/FD S008 as set out in the Fifth Schedule.

Protection from personal liability.

52. The Authority, any of its officers or other persons appointed or authorized to perform any function under these regulations shall not be liable in respect of anything done or omitted to be done by them in good faith in the exercise of or performance of any power, authority or duty conferred or imposed upon them under these Regulations.

General penalty.

53. A person who contravenes a provision of these Regulations for which no specific penalty is provided for, commits an offence and is liable, on conviction, to the penalty prescribed in section 37 of the Act.

General provision

54. A Certificate and license issued under these regulations is not transferable.

Use of Forms

56. The Authority or the County Government, as the case may be may make such modifications, alterations and / or additions, as may be required from time to time, to enable effective use of the prescribed forms, including use of such Forms electronically.

SCHEDULES

FIRST SCHEDULE

LIST OF FOOD CROPS TO BE REGULATED

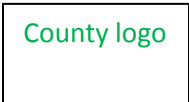
(r.2)

A. CEREALS	
COMMON NAME	BOTANICAL NAME
Maize	<i>Zea mays L.</i>
Barley	<i>Hordeum vulgare L.</i>
Finger millet	<i>Eleusine coracana (L.) Gaertn.</i>
Pearl millet	<i>Pennisetum (L.) R.Br.</i>
Rice	<i>Oryza sativa L. (1)</i>
Sorghum	<i>Sorghum bicolor (L.) Moench.</i>
Wheat	<i>Triticum aestivum.</i>
Wheat (pasta)	<i>Triticum monococcum L.</i>
Oats	<i>Avena sativa L.</i>
Rye	<i>Secale cereale L.</i>
Triticale	<i>Tricosecale Wittm</i>
Grain amaranth	<i>Amaranthus spp.</i>

B. LEGUMES	
COMMON NAME	BOTANICAL NAME
Soya beans	<i>Glycine max (L.) Merr.</i>
Beans	<i>Phaseolus vulgaris L.</i>
Pigeon pea	<i>Cajanus cajan</i>
Dolichos bean	<i>Dolichos lablab L.</i>
Cowpea	<i>Vigna unguiculata (L.) Walp.</i>
Chick peas	<i>Cicer arietinum L.</i>
Broad beans	<i>Cicer arietinum L.</i>
Cluster bean	<i>Cyamopsis tetragonoloba.</i>
Pea	<i>Pisum sativum L.</i>

C. ROOTS AND TUBER CROPS	
COMMON NAME	BOTANICAL NAME
Sweet potato	<i>Ipomoea batatas</i>
Cassava	<i>Manihot esculenta</i>

SECOND SCHEDULE



COUNTY GOVERNMENT OF.....

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM CG/FD/A001

(r. 6(2))

APPLICATION FOR REGISTRATION OF GROWERS, GROWER ASSOCIATIONS AND MARKETING AGENT

Part 1: Category (Tick as appropriate)

- Grower
- Grower association
- Marketing agent

Part 2: Particulars of the Applicant

1. Full name of Applicant:.....

2. Postal Address: Postal Code Town..... Tel/Mobile No:..... Email:..... Website:..... Physical address: Building Street:..... Town:..... County..... Sub County..... Ward..... Location Sub-location Market.....(where applicable)

3. Company details (where applicable):

Certificate of Company Incorporation /registration No:.....

List Names and Particulars of Directors/Officials(Attach copies of ID).....

4. L.R. No/Plot No.....

5. Type of food crops grown/handled

(a) Growers

Type of crop	Hectare

(b) Associations

Membership:..... Male:..... Female:..... (Attach a list of members).

Catchment area:.....

Type of crop	Hectare

(c) Marketing agents

Type of crop handling	Volume

I confirm that I shall abide by the requirements of the Food (Food Crops General) Regulations, 2018

Applicants signature.....Date.....

Part 3: Approval by County Government

<u>FOR OFFICIAL USE</u>
<p>Crops Inspector remarks </p> <p><i>Recommended /Not recommended</i> Crops Inspector name.....Signature..... Date.....</p> <p>Approved/Not approved: CECM in charge of Agriculture: NameSignature.....Date.....</p> <p>Comments if not approved..... </p> <p>Official Stamp.....</p>

Terms and Conditions

1. This application should be completed in full. An incomplete form shall not be processed.
2. For grower associations, the applicant shall be required to furnish the County Government with evidence of registration and copies of their Constitution or Articles and Memorandum of Association where applicable
3. An applicant shall comply with approved practices and standards on quality, food safety and hygiene



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD A001

(r. 7(2))

APPLICATION FOR REGISTRATION OF A COLLECTION CENTRE, WAREHOUSE, STORE AND FOOD DEPOT

(To be filled in triplicate)

Part 1: Particulars of the Applicant

1. Full name of Applicant:

2. Postal Address: Postal Code Town.....

Tel/Mobile No: Email.....

..... Website:

Physical address: Building Street: Town:

County..... Sub County..... Ward.....

Location: Sub-location

3. Company details (where applicable):

Certificate of Company Incorporation /registration No:

List Names and Particulars of Directors/Officials (Attach copies of ID)

.....

.....

.....

4.L.R. No/Plot No.....

5. Type of food crops handled

Specific/Category of Food Produce person/company is dealing with:

<input type="checkbox"/> Cereals (specify)	<input type="checkbox"/> Legumes (specify)	<input type="checkbox"/> Roots and Tubers (specify)

I confirm that I shall abide by the requirements of the Food (Food Crops General) Regulations, 2016.

Applicants signature.....Date.....

Part 3: Approval by Authority

<u>FOR OFFICIAL USE</u>
Approved/Not approved:

Head/ Food Crops Directorate:

NameSignature.....Date.....

Comments if not approved

.....
.....

Official Stamp.....

Terms and Conditions

- i. This application should be completed in full. An incomplete form shall not be processed.
- ii. An operator for a registered food depot, collection centre, warehouse and store shall comply with approved practices and standards on warehousing including national standards on quality, food safety and hygiene.
- iii. An operator for a registered food depot, warehouse and store administering warehouse receipting system or is in custody of any produce belonging to third parties, shall submit to the Authority a certified copy of a valid insurance policy covering all risks related to warehouse business.
- iv. An operator for a registered food depot, collection centre, warehouse and store shall provide evidence of having persons qualified on food safety matters in their employment to the satisfaction of the authority.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/A002

(r. 8(2))

APPLICATION/RENEWAL FOR REGISTRATION OF FOOD PRODUCE/PRODUCT DEALER

(To be filled in triplicate)

Part 1: Category of application (Tick one)

<input type="checkbox"/> Applications for New registration	<input type="checkbox"/> Application for Renewal of registration
---	---

Part 2: Applicant’s Details (To be filled by all Applicants)

1.Full name of Applicant:

2.Registered office..... L. R. No.

Postal Address: Postal Code Town.....

Tel/Mobile No: Email: Website:

Physical address: Building Street: Town:

County..... Sub County..... Ward.....

Location Sub-location.....

Company details (where applicable):

Certificate of Company Incorporation /Registration No: ,.....

List Names and Particulars of Directors/Officials (Attach copies of ID)

.....

.....

.....

1. Branch offices (if any)

	Town	Location	Address
1.			
2.			
3.			

3.Counties of operation

.....

Part 3: Category of Dealer

1. Check as appropriate

<input type="checkbox"/> Collector	<input type="checkbox"/> Seller	<input type="checkbox"/> Transporter	<input type="checkbox"/> Buyer	<input type="checkbox"/> Others (specify
------------------------------------	---------------------------------	--------------------------------------	--------------------------------	---

I/We certify that I/we have read and understood the Crops Act, 2013 and the rules made thereunder.

Date.....

NameSignature:

Part 4: Approval by AFA

FOR OFFICIAL USE

Approved/Not approved:

HEAD: Food Directorate: NameSignature.....Date.....

Comments if not approved.....
.....

Official Stamp.....

Terms and conditions

1. The applicant shall:
 - (a) Commit to adhere to the national and international food safety standards.
 - (b) Adhere to the provisions of the Agriculture and Food Authority Act, 2013, the Crops Acts, 2013 and other relevant laws in force from time to time.
 - (c) Where applicable, shall provide a list of grower/grower association who supply them with food crop produce.

THE CROPS (FOOD CROPS) REGULATIONS 2018



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/ A003

(r. 9(2))

**APPLICATION/RENEWAL FOR REGISTRATION OF FOOD PROCESSER.
(To be filled in duplicate)**

Part 1: Category of application (Tick one)

<input type="checkbox"/> Applications for New registration	<input type="checkbox"/> Application for Renewal of registration
---	---

Part 2: Applicant’s Details (To be filled by all Applicants)

1. Full name of Applicant:
2. Registered office..... L. R. No.
 Postal Address: Postal Code Town.....
 Tel/Mobile No: Email:
 Website:
- Physical address: Building Street: Town:
 County..... Sub County..... Ward.....
 Location Sub-location
- Company details (where applicable):
 Certificate of Company Incorporation /Registration No:
 List Names and Particulars of Directors/Officials (Attach copies of ID)

3. Branch offices (if any)

	Town	Location	Address

4. Food produce processed.

- Cereals (Specify).....
- Legumes (Specify).....

Roots and tubers (specify).....

5. Type of processing;

- Transforming
- Packaging
- Re-packaging

I/We certify that I/we have read and understood the Crops Act, 2013 and the rules made thereunder. Date.....

NameSignature:

Part 4: Approval by the Authority

<u>FOR OFFICIAL USE</u>
Approved/Not approved:
Head/Food Directorate
NameSignature.....Date.....
Comments if not approved.....
.....
Official Stamp.....

Terms and conditions

2. The applicant shall:
 - (a) Commit to adhere to the national and international food safety standards.
 - (b) Adhere to the provisions of the Crops Acts, 2013 and other relevant laws in force from time to time.
 - (c) where applicable, shall provide a list of suppliers of food crop produce and products.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/A004

(r. 10(2))

APPLICATION/RENEWAL FOR REGISTRATION OF FOOD CROP IMPORTER AND EXPORTER.

Part 1: Category of application (Tick one)

<input type="checkbox"/> Importer	<input type="checkbox"/> Exporter
<input type="checkbox"/> Applications for New registration	<input type="checkbox"/> Application for Renewal of registration

Part 2: Applicant’s Details (To be filled by all Applicants)

1.Full name of Applicant:

2.Registered office..... L. R. No.

Postal Address: Postal Code Town.....

Tel/Mobile No:..... Email:.....

Website:.....

Physical address: Building Street:..... Town:.....

County..... Sub County..... Ward.....

Location Sub-location.....

Company details (where applicable):

Certificate of Company Incorporation /Registration No:.....

List Names and Particulars of Directors/Officials (Attach copies of ID.....

.....

.....

3.Branch offices (if any)

	Town	Location	Address

1. Food crops to import/export

- Cereals (Specify).....
- Legumes (Specify).....
- Roots and tubers (specify).....

I/We certify that I/we have read and understood the Crops Act, 2013 and the rules made thereunder.

Date.....

NameSignature:

Part 4: Approval by the Authority

FOR OFFICIAL USE

Approved/Not approved:

Head/Food Directorate:

NameSignature.....Date.....

Comments if not

approved.....

.....

Official Stamp.....

Terms and conditions

1. This registration certificate is not transferable;
2. The exporter/importer shall conform to the national, regional and international food safety and quality standards; sanitary and phytosanitary (SPS) regulations during the importation and distribution.
3. The holder of this certificate shall submit monthly returns to the Authority in the prescribed format.



FORM AFA/FD/A005

(r. 14(2))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

APPLICATION FOR APPROVAL FOR FOOD CROP PROCESSING PLANT

The Director General
 Agriculture and Food Authority
 P. O. Box 20064
 NAIROBI- 00200

Dear Sir/Madam,

RE: LETTER OF APPROVAL TO ESTABLISH A FOOD PROCESSING PLANT

Full name of Applicant M/s ID No/ Registration No. (*Attach a copy*) of Postal Address: Tel

do hereby express my interest to invest in a food crops manufacturing plant and apply to be granted preliminary approval to proceed with steps leading to the establishment of the plant. The plant will be located on plot number(s) on

Street Location Sub-County in

County, L. R. No.

1. Manufacturing plant details

- a. Capacity (in Tonnes/Hr)
- b. The proposed facility is intended to process the following food crops and products

<u>No.</u>	<u>Crop produce</u>	<u>Product</u>
i.		
ii.		
iii.		

2. List Names and Particulars of Directors/Officials (*Attach copies of ID/Passport*)

- (a)
- (b)
- (c)

I/We undertake to:-

- 1. Seek approval from all relevant Government agencies in accordance with existing laws and regulations
- 2. Provide a detailed project feasibility study

3. Adhere to the provisions of the Agriculture and Food Authority Act,2013, the Crops Acts, 2013 and other relevant laws in force from time to time
4. Support the supply chain to maintain the smooth flow of raw material.
5. Install manufacturing equipment that will match current Kenyan standards,
6. Commit to comply with the national, regional and international food safety standards.
7. Execute the project within the next 2 years after which this Letter Approval shall be invalid.
8. Declare the source of raw material.

I understand that this application is not a guarantee of being issued with a processing license.

Yours sincerely,

Chief Executive Officer

M/s.....
(Name of company and Official Seal/Stamp)



FORM AFA/FD/A006

(r.16(2)), (r. 18(1)(a))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

APPLICATION FOR CERTIFICATE/RENEWAL OF CERTIFICATE FOR FOOD PROCESSING

Part 1: Applicant's Details (To be filled by all Applicants)

Full name of Applicant:.....

Postal Address: Postal Code Town..... Tel/Mobile No:..... Email:..... Website:.....

Physical address: Building Street:..... Town:..... County..... Sub County..... Ward..... LocationSub-location

Company details (where applicable):

Certificate of Company Incorporation /registration No:.....

List Names and Particulars of Directors/Officials(Attach copies of ID).....

Branch offices (if any)

No.	Town	Location	Address
1			
2			

I hereby declare that the particulars which I have given are true and accurate to the best of my knowledge and belief.

Applicant's Signature..... Date

Official rubber stamp/seal.....

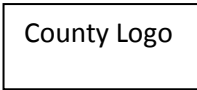
Part 3: Approval by the Authority

<u>FOR OFFICIAL USE</u>	
Approved/Not approved:	
Head Food Directorate	
Name	Signature.....Date
Comments if not approved.....	
.....	

Official Stamp.....

Terms and conditions

1. This application should be completed in full. An incomplete form shall not be processed
2. A certificate for a food processing facility will only be issued to persons and organizations who have fulfilled the set standards and requirements by the Authority from time to time.



COUNTY GOVERNMENT OF.....

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM: CG/FD/A007

(r. 14(5), r18.(1)(a))

APPLICATION FOR PROCESSING /RENEWAL OF PROCESSING LICENSE
(To be filled in triplicate)

Part 1: Category / (Tick one)

Form with two checkboxes: Applications for New License and Application for Renewal of License

Part 2: Applicant's Details (To be filled by all Applicants)

- 1. Full name of Applicant:
2. Registered office... L. R. No.
Postal Address: ... Postal Code ... Town... Tel/Mobile No: ... Email: ... Website: ...
Physical address: Building ... Street: ... Town: ...
County ... Sub County ... Ward ...
Location ... Sub-location ...
Company details (where applicable):
Certificate of Company Incorporation /registration No: ...
List Names and Particulars of Directors/Officials (Attach copies of ID) ...

3. Branch offices (if any)

Table with 4 columns: Town, Location, Address and 4 rows for branch offices.

Part 3: Processing Facility Details

Factory processing details

- a. Installed processing capacity (in Tonnes/Ha)
b. The proposed company intends to process the following food crops and products

Table with 6 columns: No., Food Crop produce, Estimated produce tonnage/year, Product, Estimated product tonnage/year, Brand Names

i.					
ii.					
iii.					
iv.					

Details of the Food Depot (tick as appropriate)
 Yes No

Food depot No	Capacity (tonnes)	LR/Plot No	Physical Location	Street Name/No	County
1					
2					

Applicant's Signature.....Date.....

Part 4: Approval by County Government

<u>FOR OFFICIAL USE</u>
<p>Approved/Not approved: CECM for Agriculture :NameSignature.....Date..... Comments if not approved..... Official Stamp.....</p>

Terms and conditions

The applicant will be required to:

- (a) Support the supply chain to maintain the smooth flow of raw material.
- (b) Install manufacturing equipment that matches the International standards.
- (c) Commit to comply to the national, regional and international food safety standards.
- (d) To provide evidence of registration of brand names with Kenya Industrial Property Institute (KIPI).
- (e) Adhere to the provisions of the Agriculture and Food Authority Act, 2013, the Crops Acts, 2013 and other relevant laws in force from time to time.
- (f) An application for renewal of this license shall be made to the County Government not later than the first day of the month of June in which the current license is due to expire.
- (g) The County Government shall give notice of the proposed grant of license in the Kenyan gazette and such other manner as the authority may determine at least 30 days before granting the license.



FORM AFA/FD/A007

(r. 19(2))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

**APPLICATION FOR CERTIFICATE/RENEWAL OF CERTIFICATE FOR A
WAREHOUSE/STORE/FOOD DEPOT**

Part 1: Applicant’s Details (To be filled by all Applicants)

Full name of Applicant:.....

Postal Address: Postal Code Town..... Tel/Mobile
No:..... Email:..... Website:.....

Physical address: Building Street:..... Town:.....

County..... Sub County..... Ward.....

LocationSub-location

Company details (where applicable):

Certificate of Company Incorporation /registration No:.....

List Names and Particulars of Directors/Officials(Attach copies of
ID).....

Branch offices (if any)

No.	Town	Location	Address
1			
2			

I hereby declare that the particulars which I have given are true and accurate to the best of my knowledge and belief.

Applicant’s Signature..... Date

Official rubber stamp/seal.....

Part 3: Approval by the Authority

<u>FOR OFFICIAL USE</u>	
Approved/Not approved:	
Head Food Directorate	
Name	Signature.....Date
Comments if not approved.....	

.....
Official Stamp.....

Terms and conditions

1. This application should be completed in full. An incomplete form shall not be processed
2. A certificate for a warehouse, store or food depot will only be issued to persons and organizations who have fulfilled the set standards and requirements by the Authority from time to time.

County logo

COUNTY GOVERNMENT OF

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM CG/FD/A008

(r. 20(2))

APPLICATION FOR WAREHOUSE, STORE AND FOOD DEPOT LICENSE

Part 1: Applicant's Details (To be filled by all Applicants)

Full name of Applicant:.....

Postal Address: Postal Code Town..... Tel/Mobile No:..... Email:..... Website:.....

Physical address: Building Street:..... Town:.....

County..... Sub County..... Ward.....

Location Sub-location.

Company details (where applicable):

Certificate of Company Incorporation /registration No:.....

List Names and Particulars of Directors/Officials(Attach copies of ID).....

.....

Branch offices (if any)

No	Town	Location	Address
1			
2			

Part 2: Registration details:

Warehouses serial number.	Capacity(50 kg bags)	Crop(s) to be handled

I hereby declare that the particulars which I have given are true and accurate to the best of my knowledge and belief.

Applicant's Signature..... Date

Official rubber stamp/seal.....

Part 3: Approval by the County Government

FOR OFFICIAL USE

Approved/Not approved:

CECM for Agriculture :NameSignature.....Date.....

Comments if not approved.....

.....
Official Stamp.....

Terms and conditions

1. This application should be completed in full. An incomplete form shall not be processed
2. When considering applications for licensing aware house, the County government shall ensure that only warehouses with the requisite approvals are registered.
3. A license for a warehouse will only be issued to persons, co-operative societies or companies who have fulfilled the standards and guidelines issued by the Authority from time to time.



AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/A008

(r. 21(2)), (r.22(3))

APPLICATION /RENEWAL FOR IMPORT/EXPORT LICENSE

<input type="checkbox"/> Applications for New License	<input type="checkbox"/> Application for Renewal of License
--	--

Part A: Applicant’s Details *(To be filled by all Applicants)*

1. Full name of Applicant:.....
2. Registered office..... L. R. No.....
 Postal Address: Postal Code Town..... Tel/Mobile No:..... Email:..... Website:.....
 Physical address: Building Street:..... Town:.....
 County..... Sub County..... Ward.....
 LocationSub-location

Company details (where applicable):

Certificate of Company Incorporation /registration No:.....
 List Names and Particulars of Directors/Officials (Attach copies of ID).....

3. **Branch offices (if any)**

No	Town	Location	Address

4. Type of food crops produce/products to be imported/ exported and estimated annual quantities.

No	Type of produce /products	Estimated annual import quantity (MT)	Estimated annual export quantity (MT)
1.			
2.			

3.			
4.			
5.			

5. Details of the Food Depot (tick as appropriate)

Yes

No

Warehouse No	Capacity (tonnes)	LR/Plot No	Physical Location	Street Name/No	County
1					
2					

5. Applicant's Signature..... Date

Official rubber stamp/seal

Approval by the Authority

<u>FOR OFFICIAL USE</u>
<p>Approved/Not approved:</p> <p>Head: Food Directorate</p> <p>NameSignature.....Date</p> <p>Comments if not approved.....</p> <p>.....</p> <p>Official Stamp.....</p>

Terms and Conditions

1. This application should be completed in full. An incomplete form shall not be processed
2. An application for renewal of this license shall be made to the Authority not later than the first day of the month of June in which the current license is due to expire.
3. The food depot that the importer/exporter intends to use must meet the set standards and guidelines issued by the Authority from time to time
4. The holder of the importer/exporter license shall submit monthly returns to the Authority in the prescribed format.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM AFA/FD/A009

(r. 22(4))

APPLICATION FOR PERMIT TO IMPORT FOOD PRODUCE AND PRODUCTS

1. Name of applicant
2. Registered office.....
L. R. No. Street
- Tel. No. Fax No.
- E-mail Website
3. Place where the premise is located:
Sub-location Location Ward.....
- Sub-County..... County.....
4. VAT Registration No / ID. No. PIN
5. Type of food crops produce/products to be imported and the quantities.

Commodity	Quantity	Customs Value	Source/country of origin	Point of entry/exit

NB: Attach details in the format given above

I hereby declare that the particulars which I have given are true and accurate to the best of my knowledge and belief. I further state that the above declared imports have been approved and certified as being fit for human consumption and contain no poisonous substance or chemical or irradiation as per the relevant legislations and regulations.

Applicant's Signature..... Date

Approval by the Authority

<p>FOR OFFICIAL USE Approved/Not approved:</p> <p>Head: Food Directorate NameSignature.....Date</p> <p>Comments if not approved..... </p>

Official Stamp.....

Terms and Conditions

1. This application should be completed in full. An incomplete form shall not be processed
2. This application shall be accompanied by a sanitary and phytosanitary (SPS) certificate from the country of origin, compliance certificate from the Kenya National Standardization body and the Kenya National Plant Protection Organization and complied with any other relevant law.
3. The application for import permit shall be accompanied by proof that the applicant has exhaustively sourced produce from local production as guided by the Authority from time to time.

THIRD SCHEDULE

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

LICENSE FEES, PERMIT FEES AND LEVIES

All licenses, certificates and levies are valid for one year.

Permits are valid only for consignments issued.

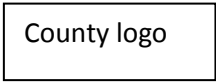
Type of levy/fees	Whom to issue	Amount charged (Kshs.)
1.REGISTRATION (Annual)		
i) Large scale grower and grower association	County Government	1,000
ii) Food depot, warehouse and store	AFA	1,000
iii) Marketing agent		1,000
iv) Collection centres		1,000
v) Dealers		1,000
vi) Processors		1,000
vii) Importers/Exporters		1,000
2.LICENSING		
(i) Importer & exporter	Importer	30,000
	Exporter	10,000
3. APPROVALS/CERTIFICATES/INSPECTION FEE (Annual)		
i) Food depot, warehouse and store(50 kg bag)		
Less than 5,000		2,000
Between 5,000 to 10,000		3,000
Between 10,000 to 50,000		10,000
Between 101,000-150,000		35,000
Between 150,000-200,000		40,000
Over 200,000		45,000
Silo complex		50,000

(ii) Inspection of export		3,000	
(iii) Certification of processors (Annual)	Capacity (installed capacity)	Fee	
(a) Cereals	0.5-2	3,000	
	Over 2 – 5	10,000	
	Over 5-10	12,000	
	Over 10-20	15,000	
	Over 20-45	18,000	
	Over 45	20,000	
(b) Pulses	0.5 – 5	10,000	
	Over 5 -10	15000	
(c) Roots and tubers	Over 10-20	18,000	
	0.5 – 5	3,000	
	Over 5 -10	5,000	
	Over 10-20	8,000	
	Over 20 -45	10,000	
	Over 45	20,000	
4.LEVIES			
Commodity	% of Customs Value		
Cereals	Importer	Raw	1.5
		Finished	3
	Exporter	Raw	1.5
		Finished	1
Legumes/Pulses	Importer	Raw	2
		Finished	3
	Exporter	Raw	1.5
		Finished	1
Roots and tubers	Importer	Raw	3
		Finished	3

	Exporter	Raw	0.5
		Finished	0.5

FOURTH SCHEDULE

REGISTRATION CERTIFICATES, LICENSES AND PERMITS



COUNTY GOVERNMENT OF.....

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM CG/FD/C001

(r. 6(5))

CERTIFICATE OF REGISTRATION FOR GROWERS, GROWERS ASSOCIATION AND MARKETING AGENTS

THIS IS TO CERTIFY that..... of postal addressof County, LR No.....has been duly registered by the County Government as a;

- Grower
- Grower association

in accordance with Regulation 6(5) of the Crops (Food Crops) Regulations, 2018

Dated this day of20.....

CECM in charge of Agriculture Date of issue:.....

Official stamp

Terms and Conditions

1. This certificate is not transferable;
2. The applicant shall
 - i. maintain a register of their members where applicable in the format prescribed by the County Government;
 - ii. where applicable, shall respect and enable the carrying out of the terms and conditions of any agreements entered between themselves and their members or on behalf of their members.
 - iii. shall ensure that the quality of farm inputs and food crop produce and products comply with the Food Crops General Regulations and any other relevant laws.
 - iv. shall submit monthly returns to the County government in the prescribed format.

THE CROPS (FOOD CROPS) REGULATIONS 2018



AGRICULTURE, AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/C001

(r. 7(5))

Registration No.....

COLLECTION CENTRE, WAREHOUSE, STORES AND FOOD DEPOT CERTIFICATE OF REGISTRATION.

THIS IS TO CERTIFY that..... of Postal addressof County, LR No.....has been duly registered by the Authority in accordance with regulation 16(1) of the Crops Act, 2013.

The scope of certification: food depot of the following category of food crops;

Cereals (Specify).....

Legumes (Specify).....

Roots and tubers (specify).....

Head: Food Directorate

Date of issue:.....

Official stamp

Date of expiry:.....

Terms and Conditions

1. This registration certificate is not transferable;
2. The food depot, store, warehouse, collection centre shall conform to the national food safety and quality standards and sanitary phytosanitary (SPS) regulations during storage and distribution.
3. The operator of a food depot, store, warehouse, marketing agent and marketing agent shall submit monthly returns to the Authority in the prescribed format.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/C002

(r. 8(5))

Registration No......

DEALER'S CERTIFICATE OF REGISTRATION

THIS IS TO CERTIFY that..... of Postal address
.....of..... County, LR No.....has been duly registered by
the Authority in accordance with section 16(1) of the Crops Act, 2013, as a Food Crops dealer

The scope of certification is

- Collector Seller Transporter Buyer
 others (specify)..... of the following category of food crops;

Cereals (Specify).....

Legumes (Specify).....

Roots and tubers (specify).....

.....
Head/Food Crops Directorate

Date of issue:.....

Official stamp

Date of expiry:.....

Terms and Conditions

1. This registration certificate is not transferable;
2. A dealer shall conform to the national food safety and quality standards and sanitary phytosanitary (SPS) regulations during handling, storage and transportation.
3. The holder of this certificate, where applicable, shall submit monthly returns to the Authority in the prescribed format.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/C003

(r. 9(5))

FOOD PROCESSER CERTIFICATE OF REGISTRATION

THIS IS TO CERTIFY that..... of Postal address
.....of County, LR No.....has been duly registered by
the Authority in accordance with section 16(1) of the Crops Act, 2013, as a Food processor/manufacturer

The scope of certification is for;

- processing
- Packaging

of the following category of food crops;

- Cereals (Specify).....
- Legumes (Specify).....
- Roots and tubers (specify).....

.....
Head/Food Crops Directorate

Date of issue:.....

Official stamp

Date of expiry:.....

Terms and Conditions

1. This registration certificate is not transferable;
2. A processor of food crops and crops products shall conform to the national food safety and quality standards and phytosanitary standards (SPS) during the processing, storage and distribution.
3. The holder of this certificate shall submit monthly returns to the Authority in the prescribed format.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/C004

(r. 10(5))

Registration No.....

IMPORTER/EXPORTER CERTIFICATE OF REGISTRATION

THIS IS TO CERTIFY that..... of Postal address
.....of County, LR No.....has been duly registered by
the Authority in accordance with regulation 16(1) of the Crops Act, 2013, as a Food Crops dealer

Category of registration

Importer

Exporter

The scope of certification is for importation/exportation of the following category of food crops;

Cereals (Specify).....

Legumes (Specify).....

Roots and tubers (specify).....

.....
Head/Food Crops Directorate

Date of issue:.....

Official stamp

Date of expiry:.....

Terms and Conditions

1. This registration certificate is not transferable;
2. An importer/exporter shall conform to the national food safety and quality standards; sanitary and phytosanitary (SPS) regulations during the importation/exportation, storage and distribution.
3. The holder of this certificate shall submit monthly returns to the Authority in the prescribed format.

County logo

THE COUNTY GOVERNMENT OF.....

THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM/CG/ FD/ P001

(r. 13(2))

CERTIFICATE OF PRODUCE

M/s.....of ID No.....Mobile No:..... is hereby authorized to move Food crop produce fromto..... (*Specify destination*)

Truck. Reg No.....

Trailer Reg. No.....

This Certificate of produce is valid for the transportation of the consignment of tonnes ofCrop Produce.

Validity period: from _____ to _____

Date of issue _____ time issued _____ a.m./p.m.

Expiry date _____ Time: _____

County of origin.....

Issued by

Signature

Designation

Authorized Offer

For: CECM- in charge of Agriculture

Collected by ID No.....

Terms and Conditions

1. This Certificate of produce is not transferable and is only valid for the specified consignment;
2. A Transporter shall
 - i. conform to the national food safety and quality standards.
 - ii. ensure that food crops and crops products and transportation unit are appropriate to ensure that food crops and produce remains safe and suitable for human consumption;
 - iii. for those exceeding five Tonnes, shall be required to produce for inspection by the Authority, the County Government authorized officers and other law enforcement agencies valid original Certificate of produce for the consignment on request



THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/ PA001

(r. 14 (3))

LETTER OF APPROVAL FOR FOOD CROP PROCESSING PLANT

Reference:.....

Date:.....

TO: M/s.....

.....

.....

(Applicant's name /Company address)

Dear Sir,

RE: LETTER OF APPROVAL FOR FOOD CROP PROCESSING PLANT

Following your application to be granted approval to establish a food crops processing plant in Kenya, your application has been given approval. You are hereby authorized to seek approval from relevant Government agencies in accordance with existing laws and regulations.

You will be required to demonstrate your plan for the following before you are granted a license to operate the food processing plant:

1. Support the supply chain to maintain the smooth flow of raw material.
2. Install processing equipment that will match current Kenyan standards,
3. Commit to comply with the national, regional and international food safety standards.
4. Execute the project within the next 2 years after which this Letter of Approval shall be invalid.
5. Adhere to the provisions of the Agriculture and Food Authority Act, 2013, the Crops Act 2013 and other relevant laws in force from time to time.
6. Declare the source of raw materials.

This application is not a guarantee of being issued with a processing license.

The Authority is satisfied with your intentions and looks forward to your successful implementation of the proposed food processing facility.

Yours sincerely,

Head: Food Directorate

NOTE: Please note that this letter is not a license and does not guarantee the applicant the grant of a license to operate a food processing factory by the Authority

COUNTY GOVERNMENT OF.....

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM CG/FD/L001

(r.14(6))

FOOD PROCESSING LICENSE

Registration No..... Serial. No.....

M/s.....of Post office Boxhas been granted a Warehouse License No.and is hereby authorized to operate as a processor in Kenya pursuant to Regulation 14(6) of the Crops (Food Crops) Regulations 2018 and the Crops Act, 2013.

This License is valid fromto.....

Fee paid: Kshs.....

.....
CECM in charge of Agriculture

Date of issue:.....

Official stamp

Terms and conditions

2. In the event that the operators intends to cease operations as a food processor, the operator shall inform the County Government one month prior to ceasing the operations.
3. The County government may vary, suspend or cancel the license issued if the warehouse fails meet conditions of the license.
4. An application for renewal of this license shall be made to the County government not later than the first day of the month of June in which the current license is due to expire.
5. This license
 - i. is issued subject to compliance of the provisions of Crops Act 2013, and the regulations issued thereunder and any other relevant law.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/C005

(r. 14(5) r.16(4))

CERTIFICATE OF APPROVAL OF A FOOD PROCESSING PLANT.

Registration No.....Serial No.....

M/s.....of Post office Boxhas been granted a Food processing certificate No.and is/are hereby authorized to process food produce/products.

This certificate is issued pursuant to Regulation 17(3) of the Crops (Food Crops) Regulations 2018 and the Crops Act, 2013.

This Certificate is valid fromto.....

Head: Food Directorate

Date of issue.....

Official stamp.

Terms and Conditions

1. The Authority may suspend or cancel a certificate issued if the holder fails to abide with the terms and conditions set out for processing facilities
2. The application for renewal of this certificate shall be made to the Head Food Directorate so as to reach at least one month before expiry date.
3. This certificate is issued subject to compliance of the provisions of Crops Act, 2013 and the regulations issued thereunder and any other relevant law.
4. This certificate is valid for a period of one year.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/C006

(r. 19(4))

CERTIFICATE OF WAREHOUSES, STORES AND FOOD DEPOT

Registration No.....Serial No.....

M/s.....of Post office Boxhas been granted a Food depot Certificate No.and is/are hereby authorized to handle a maximum of tonnes of food crops produce at any one time at the following food depot

Warehouse/store No.	Capacity (metric tonnes)	LR. No/Plot No	Street	Sub-County	County
1.					
2.					
3.					
4.					

This certificate is issued pursuant to Regulation 19(4)(a) of the Crops (Food Crops) Regulations 2018 and the Crops Act, 2013.

This certificate is valid fromto.....

Fee paid: Kshs.....
.....

Head: Food Directorate
Official stamp.

Date of issue.....

Terms and Conditions

- a. The Authority may suspend or cancel the warehouse/store/food depot certificate issued if the holder fails to abide with the terms and conditions of the license.
- b. The application for renewal of this certificate shall be made to the Head Food Directorate so as to reach at least one month before expiry date.
- c. This certificate is issued subject to compliance of the provisions of Crops Act, 2013 and the regulations issued thereunder and any other relevant law.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/L003

(r. 21(3)(a))

FOOD CROPS IMPORTER/EXPORTER LICENSE

Registration No Serial No.....

M/s.....of Post office Boxhas been granted an Import/Export License No.and is/are hereby authorized to import/export..... types of food crops produce pursuant to Regulation 17 (3) of the Crops (Food Crops) Regulations 2018 and the Crops Act, 2013.

This License is valid fromto.....

Fee paid: Kshs:.....

.....

Head/Food Crops Directorate

Date of issue.....

Official stamp.

Terms and conditions

1. Issuance of a license under this regulation will be conditional on the applicant satisfying the Authority that they have complied with national and relevant international standards and any other legal requirements.
2. Issuance of the license is subject to inspection of the warehouses for the importer/exporter to ensure conformity with the Food Safety requirements
3. A license issued under this Regulation shall be valid for one year from date of issue.
4. This license is not transferable
5. The application for renewal of this license shall be made to the Head Food Crops Directorate so as to reach at least 1 month before expiry date.
6. This license is issued subject to compliance of the provisions of Agriculture and Food Authority Act 2013 and Crops Act 2013, and the regulations issued thereunder and any other relevant law.
7. The Authority may vary, suspend or cancel the food crop import/export license issued if the holder fails to abide with the terms and conditions of the license.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM AFA/FD/P001

(r .22(5))

IMPORT PERMIT

AGRICULTURE AND FOOD AUTHORITY	Permit No.....	Original
		Date of issue..... Valid until.....

Mr/Mrs/Ms.....of P.O.Box.....Tel.....is hereby issued with an import permit for food crop produce/food crop products of the following categories;

Type	Quantity(Metric tonnes)	Value(Kshs.)

Point of entry/exit.....

.....

Head: Food Directorate

Date

Terms and Conditions

1. The Authority may vary, suspend or cancel the produce/ products import permit issued if the holder fails to abide with the terms and conditions of the Crops (Food Crops), Regulations 2018 and any other relevant law.
2. The importer shall make monthly returns to the Authority in the prescribed format.
3. This permit shall be issued subject to proof that the applicant has sourced produce from local production within the last six months.



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM AFA/FD/C007

(r .22(7)(i)(f))

CERTIFICATE FOR FOOD PRODUCE/PRODUCTS ON TRANSIT

AGRICULTURE AND FOOD AUTHORITY	Permit No.....	Original
		Date of issue..... Valid until.....

Mr/Mrs/Ms.....of P .O.Box.....Tel.....is hereby issued with an a certificate for food produce/products on transit.

Kind of produce/products on transit

Type	Quantity(Metric tonnes)	Value(Kshs.)

Point of exit.....

.....

Head: Food Directorate

Date

THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM/AFA/FD/ C008

(r. 22(8))

CERTIFICATE OF APPROVAL FOR IMPORTED PRODUCE/PRODUCTS

This is to certify that the food produce and products have inspected and meet the necessary national, regional and international standards.

Name of Importing Company
Reg. certificate

Consignment Details
Country of origin
Way bill No.....

Date of issue _____ time issued _____ a.m./p.m.

Signature of inspector.....

Designation



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM/AFA/FD/ C009

(r. 23(6))

CERTIFICATE OF COMFORMITY

This is to certify that the food produce and products have been inspected and meet the necessary national, regional and international standards.

During the inspection, the following documents were presented for verification

1. Transport documents
2. Commercial invoice
3. Packing list

Consignment details

Name of exporting Company

Reg. certificate

Source of produce.....

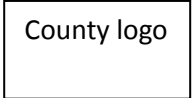
Validity period: from _____ to _____

Date of issue _____ time issued _____ a.m./p.m.

Signature

Designation of inspector

FIFTH SCHEDULE
REGISTERS AND RETURNS



COUNTY GOVERNMENT OF.....

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM CG/FD/S001

(r. 12 (1)(a))

REGISTER OF MEMBERS FOR GROWERS' ASSOCIATIONS

PART A: Registration details

Name:.....

Physical Address.....

P.O. Box

Email.....

Fax.....

Tel.....

Registration No.....PIN No.....

Year.....

PART B: Membership details

Member's code	Name of Member	Physical Location	Area Under Crop(Hectares)	Production (metric tonnes)

Prepared by:

Name:

Signature.....

Stamp..... Date.....



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM AFA/FD/S001

(r. 50(1)(a))

MONTHLY RETURNS BY PROCESSORS OF FOOD CROPS PRODUCE AND PRODUCTS

Month **Year** 20.....

(To be filled in triplicate)

Name/Business name

Address:

Postal address.....Code:.....

Tel..... Email.....

Physical location

Street L.R/Plot No.....

Registration details

VAT Registration No..... PIN

ID. No.

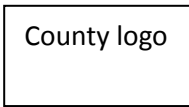
	Type food crop produce	Quantity (Tonnes) purchased	Quantity (Tonnes) processed	Stock releases	Brand names
1					
2					
3					

NB: Attach a list where necessary

I hereby declare that the particulars which I have given are true and accurate to the best of my knowledge and belief.

Applicant's Signature..... Date

Official stamp/seal



COUNTY GOVERNMENT OF.....

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM CG/FD/S004

(r. 50(1)(a))

MONTHLY RETURNS BY PROCESSORS OF PRODUCE AND PRODUCTS

Month..... Year.....20.....

(To be filled in triplicate)

Name/Business name

Address:

Postal address.....Code:.....

Tel..... Email.....

Physical location

Street L.R/Plot No.....

Registration details

VAT Registration No / ID. No. PIN

	Type food crop produce	Quantity (Tonnes) purchased	Quantity (Tonnes) manufactured	Stock releases	Brand names
1					
2					
3					

NB: Attach a list where necessary

I hereby declare that the particulars which I have given are true and accurate to the best of my knowledge and belief.

Applicant's Signature..... Date

Official stamp/seal



AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM AFA/FD/S002

(r. 50(1)(b))

ANNUAL RETURNS BY PROCESSORS TO THE AUTHORITY ON SUPPLIERS OF RAW MATERIALS.

To
Head: Food Directorate

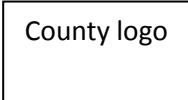
Returns for the year beginning year.....

Food crops produce supply information

Name of supplier	Type of food Crop	Quantity (Tonnes)	Source(county/country)

Authorized officers Signature Date

Official Stamp.



COUNTY GOVERNMENT OF

THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM CG/FD/S005

(r. 50(1)(b))

ANNUAL RETURNS BY FOOD PROCESSORS TO THE COUNTY GOVERNMENT ON SUPPLIERS OF RAW MATERIALS.

To The County Executive Committee Member in charge of Agriculture

Returns for the year beginning year.....

Food crop produce/products supply information

Table with 4 columns: Name of supplier, Type of food Crop, Quantity (Tonnes), Source(county/country)

Authorized officers Signature Date

Official Stamp



AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM AFA/FD/S003

(r. 50(2)(a))

MONTHLY RETURNS ON IMPORT/EXPORT OF FOOD CROPS PRODUCE AND PRODUCTS

(To be filled in triplicate)

Name/Business name of importer/exporter.....

Address:

Postal address.....Code:.....

Tel..... Email.....

Physical location

Street L.R/Plot No.....

Registration details

VAT Registration No. PIN

ID. No.....

Returns for the period

Type of imported/exported produce/products.

Produce / product	Quantity Imported	Quantity exported	Customs Value	Country of origin/destination country	Point of entry/exit	Remarks

I hereby declare that the particulars which I have given are true and accurate to the best of my knowledge and belief.

6. Applicant's Signature..... Date

Official stamp/seal



AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM AFA/FD/S004

(r. 50(2) (b))

**RETURNS BY EXPORTERS/IMPORTERS TO THE AUTHORITY ON SUPPLIERS OF
PRODUCE/PRODUCTS.**

To
Head/Food Crops Directorate

Returns for the year beginning year.....

Food crop supply information

Name of supplier	Type of food Crop	Quantity (Tonnes)	Source(county/country)

Authorized officers Signature Date

Official Stamp



AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM AFA/FD/S006

(r. 50(3)(a))

RETURNS BY WAREHOUSES/STORES TO THE AUTHORITY ON SUPPLIERS OF RAW MATERIALS.

To
Head: Food Directorate

Returns for the year beginning year.....

Food crops produce supply information

Name of supplier	Type of food Crop	Quantity (Tonnes)	Source(county/country)

Authorized officers Signature Date

Official Stamp/Seal



AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS, 2018
THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM AFA/FD/S007

(r. 50(3)(b))

**RETURNS UNSUPPLIERS OF RAW MATERIALS BY WAREHOUSES, STORES AND FOOD DEPOTS
FOR THE COMING YEAR**

(To be filled in triplicate)

Year 20.....

Name/Business name

Address:

Postal address.....Code:.....

Tel..... Email.....

Physical location

Street L.R/Plot No.....

Registration details

VAT Registration No PIN

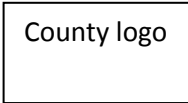
ID. No.....

Type raw material	Quantity (MT)

I hereby declare that the particulars which I have given are true and accurate to the best of my knowledge and belief.

Applicant's Signature..... Date

Official stamp/seal



COUNTY GOVERNMENT OF

THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM CG/FD/S008

(r. 50(4))

MONTHLY RETURNS BY GROWERS/GROWER ASSOCIATION TO THE COUNTY GOVERNMENT ON CROPS PRODUCE PURCHASED.

Category:

- Grower
Grower associations

To
The County Executive Committee Member in charge of Agriculture

Returns for the month ending year.....

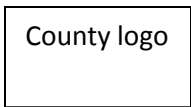
Food crops purchased information

Table with 4 columns: Name of suppliers, Type of produce/products, Quantity (Tonnes), Source(sub-county)

I hereby declare that the returns provided are to the best of my knowledge.

Authorized officers Signature Date

Official Stamp



COUNTY GOVERNMENT OF.....

THE CROPS (FOOD CROPS) REGULATIONS 2018

FORM CG/FD/S003

(r. 50(5))

MONTHLY SUMMARY RETURNS BY COUNTY GOVERNMENTS TO THE AUTHORITY ON MOVEMENT OF FOOD CROPS PRODUCE.

To The Director General The Agriculture and Food Authority (Att: Head/Food Directorate)

Returns for the month ending Year

Kind of food crops produce transported

Table with 3 columns: Type of food Crop, Quantity Transported from the County (Tonnes), Destination Counties

Authorized officers Signature Date

Official County Stamp



AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM AFA/FD/S005

(r.50(6)(a))

MONTHLY RETURNS OF FOOD PRODUCE/PRODUCTS HELD BY FOOD DEPOTS

Month **Year**20.....

(To be filled in triplicate)

Name/Business name

Address:

Postal address.....Code:.....

Tel..... Email.....

Physical location

Street L.R/Plot No.....

Registration details

VAT Registration No. PIN

ID. No.....

Type produce/products	Quantity held(MT)

I hereby declare that the particulars which I have given are true and accurate to the best of my knowledge and belief.

Applicant's Signature..... Date

Official stamp/seal



AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS, 2018

FORM AFA/FD/S008

(r. 50(6)(b))

RETURNS BY FOOD DEPOTS TO THE AUTHORITY ON SUPPLIERS OF RAW MATERIALS.

To
Head: Food Directorate

Returns for the year beginning year.....

Food crops produce supply information

Name of supplier	Type of food Crop	Quantity (Tonnes)	Source(county/country)

Authorized officers Signature Date

Official Stamp/Seal

Made on the....., 2018

Mwangi Kiunjuri,
Cabinet Secretary
Ministry of Agriculture, Livestock, Fisheries and Irrigation.