

LEGAL NOTICE.....

**THE CROPS ACT, 2013
(No. 16 of 2013)**

THE CROPS (FOOD CROPS) REGULATIONS, 2016

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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 and Fisheries, in consultation with the Agriculture, and Food Authority and the County Governments, makes the following Regulations—

THE CROPS (FOOD CROPS) REGULATIONS, 2016	
PART I – PRELIMINARY	
Citation and commencement.	<p>1. These Regulations may be cited as the Crops (Food Crops) Regulations, 2016 and shall come into operation on the date of gazettment.</p>
<p>Interpretation.</p> <p>No. 16 of 2013.</p> <p>No. 13 of 2013.</p> <p>No. 13 of 2013.</p>	<p>2. In these Regulations, unless the context otherwise requires—</p> <p>“Act” means the Crops Act, 2013;</p> <p>“Authority” means the Agriculture, and Food Authority established under section 3 of the Agriculture and Food Authority Act, 2013;</p> <p>“Board” means the Board of the Authority constituted pursuant to Agriculture and Food Authority Act, 2013;</p> <p>“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for Agriculture;</p> <p>“CEC” means a County Executive Committee member in charge of agriculture in a county</p> <p>“Crops inspector” means an officer of the Authority or a county agricultural officer recommended by the CEC Agriculture and appointed in writing by the Authority under Section 27 of the Act, 2013 by a notice in the Kenya gazette;</p> <p>“consignment” means—</p> <p>(a) for purposes of transportation of food crops produce within the country, a vessel load for which a permit has been issued in accordance with regulation 11(1);</p>

<p>No. 13 of 2013.</p>	<p>(b) for purposes of import and export of food crops produce, the declared lot of produce;</p> <p>“County Government” means any of the 47 governments established under Part 2 of Chapter 11 of the Kenya Constitution.</p> <p>“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;</p> <p>“dealer” means any person, company or a firm engaged in collecting, transporting, storing, buying or selling of food crops or food crop products but dealing excludes any non-commercial activity;</p> <p>“Directorate” means the Food Crops Directorate established under the Agriculture and Food Authority Act, 2013;</p> <p>“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;</p> <p>“food crop” means any of the Crops provided in the First Schedule to these Regulations or such other crop as may be declared by the Cabinet Secretary through a gazette notice;</p> <p>“formal seed system” means breeding, variety release, plant variety protection, seed production, certification and trade as provided for under the Seeds and Plant Varieties Act;</p> <p>“grower association” means any registered group, association, cooperative society, corporate body, union or federation of food crops growers or farmers in Kenya;</p> <p>“grower or farmer” means person or a group of persons who cultivates food crops in Kenya and the “terms smallholder grower” or “smallholder farmer”, medium scale grower” or “medium scale farmer” and “plantation grower” or “plantation farmer” shall be construed accordingly;</p> <p>“importer” means any person, firm or corporate body licensed by the Authority to engaged in the business of importing food crops produce and food crops products into Kenya;</p>
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	<p>“Licensing Authority” means the Authority or the County Government as the case may be;</p> <p>“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 or food crops products;</p> <p>“medium scale grower” or farmer” means any person, firm or corporate body who cultivates food crops in an area between three hectares and forty nine hectares</p> <p>“non- commercial activity” means collecting, transporting, storing or selling of food crops produce or food crop products by a producer;</p> <p>“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;</p> <p>“planting material” means any part of a plant except seed used for reproduction or propagation of a food crop;</p> <p>“point of entry” means an airport, seaport or land border point officially designated for the importation of consignments of food crop produce or products;</p> <p>“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;</p> <p>“preliminary letter of approval” means a written preliminary approval given by the Authority to a prospective investor to initiate the process of establishing food crops produce and food crop products processing facilities;</p> <p>“processor” or “manufacturer” means any person who engages in the transformation of food crops produce and food crops products and includes one who engages in packaging, re-packaging, labelling, retailing and distribution for sale;</p> <p>“propagator of planting material” means any person who engages in</p>
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	<p>multiplication and sale of food crops vegetative planting material outside the formal seed systems;</p> <p>“raw produce marketing agent” means a person who purchases, collects or bulks raw produce directly from farmers;</p> <p>“Small holder grower” means any person or corporate body who cultivates food crops in an area of less than three hectares;</p> <p>“transporter” means any person who engages in movement of food crops produce from one point to another but excludes non-commercial activity;</p> <p>“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.</p> <p>“Warehouse operator” means a person licensed by the Authority to engage in the business of storing food crops in a warehouse.</p> <p>“Food depot” under these regulations means a building, premise, establishment, facility or a 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. This will include National Government agencies and other institutions storing or handling food crop produce and products in bulk</p> <p>“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.</p>
Application.	<p>3. These Regulations shall apply to the food crops sub-sector in Kenya.</p>
Purpose of these regulations.	<p>4. (1) The purpose of these Regulations is to guide the promotion, development and regulation of food crops.</p> <p>(2) Without prejudice to the generality of subsection (1), the purpose of these Regulations is to provide for–</p> <p>(a) a mechanism of quality assurance of agricultural inputs for the</p>

	<p>production of food crops;</p> <p>(b) promotion of best practices in production, transportation, storage and processing of food crops;</p> <p>(c) quality assurance and marketing of food crops produce and food crop product;</p> <p>(d) procedures and conditions for registration of growers, grower associations, plant propagators, transporters and dealers;</p> <p>(e) procedures and conditions for licensing of processors, warehouses, warehouse operators, importers and exporters;</p> <p>(f) issuance of permits for movement of food crops produce and for import and export of food crops and food crop produce;</p> <p>(g) collection and collating and maintaining a database on food crop production, prices, intra and inter trade.</p> <p>(h) provision of a mechanism for determination of research priorities and establishment of linkages with research institutions for conduct of studies to promote production, marketing and processing of food crops</p> <p>(i) such other purposes as may be necessary for effecting the provisions of the Act.</p>
	<p>PART II - FUNCTIONS OF THE DIRECTORATE</p>
<p>Functions of the Directorate.</p>	<p>5.(1) The Directorate shall be the competent authority in regulating, developing and promoting the food crops sub-sector.</p> <p>(2) Without prejudice to the generality of sub section (1), the Directorate shall–</p> <p>(a) in consultation with the county governments–</p> <p>(i) facilitate marketing and distribution of food crops through monitoring and dissemination of market information, including identification of the local supply-demand situation, domestic market matching and overseas market intelligence and promotion activities on food crops;</p>

	<ul style="list-style-type: none"> (ii) provide guidelines and standards in the establishment of food crops collection centres in viable areas to serve as buying stations of farm products, packaging houses and pick-up points; (iii) build capacity for service providers in the counties on various aspects across the food crop value chains; (iv) identify and develop markets that will provide greatest value added to scheduled food crops; (v) collect and collate data, maintain a data base and monitor food crops and products through the registration of players; (vi) and with research institutions, promote the establishment of experimental stations and seed farm for the development of varieties suitable to the agro-climatic conditions of the area; (vii) develop and promote best practices across the food crops value chains; (viii) recommend general industry agreements between farmers and dealers, processors, importers and exporters of food crops; (ix) enjoin the relevant state agencies responsible for transportation and communications to effect an efficient, regular and economical means of transporting food crops, for purposes of reducing marketing costs and ensuring stable consumer supply; (x) promote the establishment of wholesale markets in identified major centres of the country; (xi) receive data from counties on growers, grower associations and dealers, collate, share and manage the national data; (xii) license and regulate food crops; <p>(b) participate in the formulation of general and specific policies for the development of scheduled food crops;</p> <p>(c) advise the Board and stakeholders on matters relating to the food</p>
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	<p>crops subsector;</p> <p>(d) promote and advise on strategies for value addition of food crops in Kenya;</p> <p>(e) collect and administer levies imposed by the Cabinet Secretary in respect of food crops;</p> <p>(f) establish and enforce standards in grading, sampling and inspection, tests and analysis, specifications, units of measurement, code of practice and packaging, preservation, conservation and transportation of food crops to ensure health and proper trading;</p> <p>(g) prescribe the minimum period within which growers are paid for food crops delivered and penalties for delayed payments;</p> <p>(h) advise the National and County Governments on food crops levies;</p> <p>(i) devise and maintain a system for regularly obtaining information on current and future production, prices and movement in trade, to determine and effect a balanced distribution of food crops by means of inter-trading or intra-trading among the established wholesale markets;</p> <p>(j) mobilize resources for the development of food crops;</p> <p>(k) provide capacity and technical assistance to the county government.;</p> <p>(l) regulate the export and import of food crops produce and by products</p> <p>(m)perform such other duties and functions as may be necessary to carry out the objectives of these Regulations.</p>
	<p>PART III— REGISTRATION AND LICENSING</p>
<p>Registration of small holder growers.</p>	<p>6. (1) A small holder grower of food crops may apply to a registered grower association for registration.</p> <p>(2) The application for registration shall be made in the Form AFA/FoCD A001C set out in Second Schedule.</p>

<p>Registration of, grower associations, propagator of planting material and plantation growers.</p>	<p>7. (1) A grower association, propagator of planting material outside the formal seed system and a plantation grower of food crops shall apply to the County Government for registration.</p> <p>(2) The application for registration shall be in the Form AFA/FoCD A002C as set out in Second Schedule</p> <p>(3) Where a County Government is considering an application for registration, it shall satisfy itself that the applicant has complied with the Act and any other relevant law and may–</p> <p>(a) grant a certificate of registration within thirty days of receipt of the application; or</p> <p>(b) reject the application within fourteen days of receipt of the application and indicate the reasons thereof.</p> <p>(4) A person who is dissatisfied with the decision of the County Government under subsection(3) may–</p> <p>(a) within twenty one days of the decision, resubmit the application for registration after addressing the issues raised in the rejection,; or</p> <p>(b) within thirty days of the decision, appeal to the Authority.</p> <p>(5) The County government shall issue a certificate of registration in the Form AFA/FoCD R001C of the Third Schedule and the certificate is not transferable.</p> <p>(6) A grower association with a national or inter county coverage shall apply for registration to the Authority.</p> <p>(7) The application for registration shall be in the Form AFA/FoCD A002A as set out in Second Schedule</p> <p>(8) Where the Authority is considering an application for registration, it shall satisfy itself that the applicant has complied with the Act and any other relevant law and may–</p> <p>(a) grant a certificate of registration within thirty days of receipt of the application; or</p>
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	<p>(b) reject the application within fourteen days of receipt of the application and indicate the reasons thereof.</p> <p>(9) A person who is dissatisfied with the decision of the Authority under subsection (8) may–</p> <p>(a) within twenty one days of the decision, resubmit the application for registration after addressing the issues raised in the rejection,; or</p> <p>(b) within thirty days of the decision, appeal to the Cabinet Secretary.</p> <p>(10) The Authority shall issue a certificate of registration in the Form AFA/FoCD R001A of the Third Schedule and the certificate is not transferable</p>
Registration of dealers	<p>8 (1) The Licensing Authority shall, issue a certificate of registration to a food crops dealers who are transporters, collectors, buyers, sellers or stockists’ of food crops produce for commercial purposes.(2)An application for registration shall–</p> <p>(a) be made to the -</p> <p>i. the County Government if the dealers who are transporters, collectors, buyers, sellers or stockists of food crops produce for commercial purposes operate within a County and such operations do not involve another County .</p> <p>ii. the Authority if the dealers who are transporters, collectors, buyers, sellers or stockists of food crops produce for commercial purposes have operations that involve more than one County.</p> <p>(3) The application for registration shall be made in;</p> <p>i. Form the Form AFA/FoCD A003C if 2(a) (i) applies and;</p> <p>ii. and Form AFA/FoCD A003A if 2(a)(ii) applies set out in the Second Schedule.</p> <p>(4) Where the Licensing 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–</p> <p>(a) grant a certificate of registration within thirty days of receipt of the application; or</p> <p>(b) reject the application within fourteen days of receipt of the application and indicate the reasons thereof.</p> <p>(5) A person who is dissatisfied with the decision of the Licensing Authority</p>

	<p>under subsection (4) may–</p> <ul style="list-style-type: none"> (a) within twenty one day of the decision, resubmit the application for registration after addressing the issues raised in the rejection; or (b) within thirty days of the decision; <ul style="list-style-type: none"> i. appeal to the County Appeals Committee for the case of 2(a)(i); or ii. appeal to the Cabinet Secretary for the case of 2(a) (ii). <p>(6) The Licensing Authority shall issue a certificate of registration with a unique identity within thirty days of receipt of the application in the Form AFA/FoCD R002A and AFA/FoCD R002C set out in the Third Schedule and the certificate is not transferable.</p> <p>(7) A person who contravenes this provision commits an offence and shall be liable on conviction to a fine not exceeding fifty thousand shillings or imprisonment for a period not exceeding three months or, to both.</p>
Cancellation of registration.	<p>9.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.</p>
Register.	<p>10. (1) A registered grower association shall keep and maintain a register of its members in the Form AFA/FoCD S001 set out in the Fourth Schedule and shall submit a copy of the up to date register to the respective County Government on or before the 31st January of every year.</p> <p>(2) A propagator of planting material shall keep and maintain a register of growers who source planting material from their nursery in AFA/FoCD S008C and shall submit a copy of the up to date register to the respective County Government on or before the 31st January of every year.</p> <p>(3) A County Government shall keep and maintain a register of all plantation growers, grower associations, and propagators of planting materials who are registered in accordance with these Regulations and shall submit copies of the up to date register to the Authority by the 31st July of every year.</p> <p>(4) The Authority shall keep and maintain a register of grower associations with a national or inter county coverage and dealers who are registered in accordance with these Regulations and shall submit a copy of the up to date</p>

	register to the County Governments by the 31 st July of every year.
Movement Permit.	<p>11.(1) A registered food crop dealer shall not move or cause to be moved any consignment of food crop produce in excess of five metric tonnes from one county to another without a valid movement permit.</p> <p>(2) An application for a movement permit shall be—</p> <p>(a) made to the relevant County Government at the point of loading of the produce.</p> <p>(b) The fees to be charged for a permit under these regulations shall be payable only to the county of origin of the produce and no other charge shall be made on the same consignment by another county.</p> <p>(3) A movement permit shall only be issued to a registered food crops dealer and such a person shall not alter a movement permit.</p> <p>(4) A vessel used in transportation of food crop produce and products shall comply with the National Food Transportation guidelines that shall be issued by the Authority from time to time.</p> <p>(5) The County Government shall submit to the Authority monthly summary returns on the movement of food crops produce in the Form AFA/FoCD S002C set out in the Fourth Schedule.</p> <p>(6) A person who contravenes this regulation commits an offence and shall be liable on conviction, to the penalty prescribed in the Act..</p>
Licensing of raw produce marketing agents.	<p>12. (1) A person shall not purchase, collect or bulk raw produce directly from farmers without a valid licence from the respective county government.</p> <p>(2) A raw produce marketing agent shall collect produce from farmer associations or plantation growers registered by the respective County government.</p> <p>(3) An application for a license of a raw produce marketing agent shall be made to the respective County Government.</p> <p>(4) The respective County Government may, within thirty days of receipt of</p>

	<p>the application–</p> <ul style="list-style-type: none"> (a) issue a licence upon payment of the prescribed fee; or (b) reject the application and indicate the reasons thereof. <p>(5) Where an application for a licence is rejected, a person may resubmit the application for a licence after addressing the issues raised in the rejection.</p> <p>(6) A person who contravenes this provision commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
Licensing of processors.	<p>13. (1) (a) A person shall not operate a food crops processing plant without a valid processing license.</p> <p>(b)</p> <p>(2) An application for a processing license shall–</p> <ul style="list-style-type: none"> (b) be made to the - <ul style="list-style-type: none"> iii. the County Government if the processed products will be sold within the County of operation and the operating capacity is below two metric tonnes per hour. iv. the Authority if the processed products will be sold outside the County of operation and the operating capacity is above two metric tonnes per hour. (c) seek a preliminary approval in the- <ul style="list-style-type: none"> i. Form AFA/FoCD A005A if 2(a) (i) applies and; ii. Form AFA/FoCD A005C if 2(a)(ii) applies <p>set out in the Second Schedule and be accompanied by the fee set out in Part 1a of the Sixth Schedule.</p> <p>(3) The Licensing Authority shall, within thirty days of receipt of the application and upon verification and approval, issue a letter of preliminary approval in the Form AFA/FoCD PLA001A and Form AFA/FoCD PLA001C respectively as set out in the Fifth Schedule.</p> <p>(4) A person issued with a letter of preliminary approval shall obtain the necessary approvals to the satisfaction of the licencing Authority and shall thereafter apply for a processing license in the Form AFA/FoCD A006A and Form AFA/FoCD A006C respectively as set out in the Second Schedule.</p> <p>(5) The Licensing Authority shall, after considering the application and at least</p>

thirty days before granting the license, give notice of the proposed grant of license in the Kenya Gazette and in such other manner as the Licencing Authority may determine from time to time.

(6) The notice of the proposed grant of licence under subsection (5) shall–

(a) specify the name or other particulars of the person or class of persons to whom the license shall be granted;

(b) state the purpose of the proposed license;

(c) indicate the date such license is proposed to be issued to the successful applicant; and

(d) invite objections to the proposed grant of license and direct that such objections be lodged with the Licensing Authority within fourteen days following the date of the notice.

(7) Where there is an objection to the grant of a licence by an interested party, the Licensing Authority may, after considering the objection, issue a processing licence or reject the application within thirty days of expiry of the notice.

(8) The Licensing Authority shall undertake inspection of the processing plant and warehouse/store or the food depot as the case may be before issuing a license.

(9) After considering an application, the Licensing Authority may–

(a) issue a processing license in the Form AFA/FoCD L001A and Form AFA/FoCD L001C respectively set out in the Third Schedule.

(b) reject the application and notify the applicant giving reasons for the rejection within fourteen days of receipt of the application.

(10) A person may resubmit an application for a processing licence after addressing the issues raised in the rejection.

(11) An application for renewal of a processing licence shall be made to the Licensing Authority–

(a) in the Form AFA/FoCD A006C and Form A006A respectively set out in the Third schedule;

	<p>(b) accompanied by the fee set out in Part 1(a) of the Sixth Schedule; and</p> <p>(c) not later than the first day of the month of June in which the current license is due to expire.</p> <p>(12) The Licencing Authority may consider a late application for a processing licence 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.</p> <p>(13) A licensed processor shall notify the Licencing Authority of any change in the ownership or shareholding, business operations or production scale within thirty days of the change.</p> <p>(14) A person who contravenes the provisions of subsection (1) and (13) commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
Licensing of warehouse operators.	<p>14. (1) A person shall not operate a food crops warehouse without a valid operator’s license issued by the County Government.</p> <p>(2) An application for a warehouse operating license shall be –</p> <p>(a) made to the County Government in the Form AFA/FoCD A007C as set out in the Second Schedule; and</p> <p>(b) accompanied by the fee set out in Part 1 (b) of the Sixth Schedule;</p> <p>(3) After considering an application for a licence, the County Government may within thirty days of receipt of the application–</p> <p>(a) issue the license subject to the conditions , in the Form AFA/FoCD L002C set out in the Third Schedule; or</p> <p>(b) reject the application and give the reasons thereof.</p> <p>(4) An applicant may resubmit an application for a warehouse operator’s licence after addressing the issues raised in the rejection.</p> <p>(5) Where an application under subsection (4) is rejected after resubmission, the applicant may appeal to the County Appeals Committee within thirty days from the date on which the notice of the rejection was communicated.</p>

	<p>(6) A warehouse operator’s license issued under this regulation is not transferable.</p> <p>(7) A person who contravenes subsection (1) and (6) commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
Licensing of warehouses and stores.	<p>15.(1) A person shall not operate any premises as a food crop warehouse or store unless the premise is licensed as such by the County Government.</p> <p>(2) An application for a warehouse or store licence shall be–</p> <p>(a) made to the County Government in the Form AFA/FoCD A008C as set out in the Second Schedule; and</p> <p>(b) accompanied by the fees set out in Part 1(b) of the Sixth Schedule.</p> <p>(3) The county government shall inspect any premises in accordance with the Guidelines for Certification of Warehouses provided by the Authority from time to time, to determine if the premises may be used as a warehouse or store for the purposes of these Regulations.</p> <p>(4) After considering an application, the County Government may–</p> <p>(a) issue a warehouse or store license–</p> <p>(i) based on the storage capacity set out in Part 1(b) of the Sixth Schedule; and</p> <p>(ii) within ninety days of receipt of the application in the Form AFA/FoCD L003C as set out in the Third Schedule; or</p> <p>(b) reject the application within thirty days of receipt of the application and give the reasons thereof.</p> <p>(5) An applicant may resubmit an application for a warehouse or store licence after addressing the issues raised in the rejection.</p> <p>(6) Where an application under subsection (5) is rejected after resubmission, the applicant may appeal to the appeal committee within thirty days from the date on which the notice of the rejection was communicated.</p> <p>(7) A warehouse or store license–</p> <p>(a) is valid from the date of issue to the thirtieth of June of the subsequent</p>

	<p>calendar year unless earlier cancelled; and</p> <p>(b) is not transferable,</p> <p>(8) A person seeking to terminate their warehouse operator’s services shall notify the county government thirty days before cessation of the services at the licensed warehouse/store.</p> <p>(9) Upon notification of cessation under subsection (8), 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/store.</p> <p>(10) 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.</p> <p>(11) A person who contravenes the provisions of subsection (1), (7), (8) and (10) commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
<p>Licensing of National Government Agencies and other institutions storing or handling food crop produce and products in bulk</p>	<p>16. (1) A person shall not operate any premise as a food crop depot unless the premise is licensed as such by the Authority.</p> <p>(2) An application for a food crop produce depot licence shall be—</p> <p>(a) made to the Authority in the Form AFA/FoCD A008A as set out in the Second Schedule; and</p> <p>(b) Accompanied by the fees set out in Part 1c of the Sixth Schedule.</p> <p>(3) The Authority shall inspect any premises in accordance with the Guidelines for Certification of food depot provided by the Authority from time to time, to determine if the premises may be used as a food depot for the purposes of these Regulations.</p> <p>(4) After considering an application, the Authority may—</p> <p>(a) issue a food depot license—</p> <p>(i) based on the storage capacity set out in Part 1(c) of the Sixth Schedule; and</p> <p>(ii) within ninety days of receipt of the application in the Form</p>

	<p style="text-align: center;">AFA/FoCD L003A set out the Third Schedule; or</p> <p style="text-align: center;">(b) Reject the application within thirty days of receipt of the application and give the reasons thereof.</p> <p>(5) An applicant may resubmit an application for a food depot licence after addressing the issues raised in the rejection.</p> <p>(6) Where an application under subsection (5) is rejected after resubmission, the applicant may appeal to the Cabinet Secretary within thirty days from the date on which the notice of the rejection was communicated.</p> <p>(7) A food depot license—</p> <p style="padding-left: 40px;">(a) is valid from the date of issue to the thirtieth of June of the subsequent calendar year unless earlier cancelled; and</p> <p style="padding-left: 40px;">(b) is not transferable,</p> <p>(8) A person seeking to terminate their food depot license services shall notify the Authority thirty days before cessation of the services at the licensed food depot.</p> <p>(9) Upon notification of cessation under subsection (8), 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 licensed food depot.</p> <p>(10) A licensed food depot shall notify the Authority of any change in ownership or shareholding of the food depot within thirty days of the date the change occurs.</p> <p>(11) A person who contravenes the provisions of subsection (1), (7), (8) and (10) commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
Licensing of importers and exporters.	<p>17 (1) A person shall not import or export food crops produce or food crop products without a valid food crop import or export licence issued by the Authority.</p> <p>(2) An application for an import or export licence shall be—</p> <p style="padding-left: 40px;">(a) made to the Authority in the Form AFA/FoCD A009A as set out in</p>

	<p>the Second Schedule; and</p> <p>(b) accompanied by the fees set out in Part 1(d) of the Sixth Schedule.</p> <p>(3) After considering an application for a license, the Authority shall undertake inspection of the food depot and may-</p> <p>—</p> <p>(a) issue a license within thirty days of receipt of the application in the Form AFA/FoCD L004 as set out in the Third Schedule; or</p> <p>(b) reject the application within thirty days of receipt of the application and give the reasons thereof</p> <p>(4) An applicant may resubmit an application for an import or export licence after addressing the issues raised in the rejection.</p> <p>(5) An import or export licence shall—</p> <p>(a) be valid from the date of issue to the thirtieth of June of the subsequent calendar year unless earlier cancelled;</p> <p>(b) be subject to such conditions as the Authority may impose from time to time; and</p> <p>(c) not be transferable.</p> <p>(6) The Authority may cancel an import or export license of a person who contravenes these Regulations and where the person is a repeat offender, the Authority may cancel the licence for not more than three years.</p> <p>(7) A person who contravenes the provisions of subsection (1),(5) commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
<p>Revocation, suspension or alteration of a licence.</p>	<p>18.(1) The Licensing Authority may revoke, alter or suspend a licence issued under this Part if—</p> <p>(a) the conditions of issuance of the license are contravened or not complied with; or</p> <p>(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</p>

	<p>law.</p> <p>(2) The holder of the license shall immediately surrender a licence to the Licensing Authority if the licence is revoked under subsection (1) or the purpose for which a license is issued ceases, and it shall cease to have effect forthwith.</p>
Appeals on issuance of licenses.	<p>19.(1) A person who is aggrieved by the decision of the Licensing Authority in respect of–</p> <p>(a) the grant, refusal, renewal, variation of revocation; or</p> <p>(b) the conditions imposed on the grant, renewal or variation, of a license, may appeal to the Cabinet Secretary or the appeals committee within thirty days of first receipt of the notice of the decision as the case may be.</p>
<p>PART IV - QUALITY ASSURANCE AND MARKETING</p>	
Requirement for quality assurance.	<p>20.The County Governments shall, in collaboration with the relevant government agencies ensure that food crop inputs outside the formal seed system, food crop produce and products conform to the quality standards provided in these Regulations and other relevant laws.</p>
Quality of seed.	<p>21. A dealer in seeds for food crop production shall supply quality seeds in accordance with the Seed and Plant Varieties Act.</p>
Vegetative propagation material.	<p>22.(1) A propagator of vegetative planting material for food crops outside the formal seed system shall–</p> <p>(a) ensure that the material conforms to the guidelines on Quality of Vegetative Planting Material provided by the Authority;</p> <p>(b) keep accurate records of distributed planting materials and shall produce such records on demand for purposes of inspection.</p> <p>(2) A grower shall source vegetative propagating material from a registered propagator of planting material.</p> <p>(3) A propagator who contravenes subsection(1) commits an offence and shall</p>

	<p>be liable, on conviction, to the penalty prescribed in the Act.</p>
<p>Prohibition on use of raw sewage.</p>	<p>23. (1) A grower shall not use human raw sewage and factory effluent for production of food crops.</p> <p>(2) A person who contravenes the provisions of subsection (1) commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
<p>Safe use of pesticides.</p>	<p>24.(1) A dealer in pest control products for food crop production shall supply quality pest control products in accordance with the Pest Control Products Act.</p> <p>(2) A grower of food crops shall–</p> <ul style="list-style-type: none"> (a) use, store and dispose pest control products in accordance with the Pest Control Products Act; (b) notwithstanding subsection (1), be responsible for the on-farm safe usage, storage and disposal of pest control products in accordance with the Pest Control Products Act; (c) at all times in the production or storage of food crops, use pest control products approved and registered by Pest Control Products Board on a particular crop and for the control of a specified pest; and (d) 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>(3) A person who contravenes this regulation commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>

Control of pests and diseases.	<p>25.(1) The Authority shall, in collaboration with the County Governments, and other relevant regulatory agencies, regularly undertake surveillance and inspections of farms for production of food crops for the purpose of monitoring the incidences and intensity of pests and diseases.</p> <p>(2) Where the Authority considers that the levels and intensity of disease and pest incidence are beyond the threshold levels, it shall–</p> <p>(a) require that the specified pest and disease control measures are undertaken by the propagator of planting material, grower or the County Government in whose area the pest and disease incidence has occurred; or</p> <p>(b) advise the Cabinet Secretary who may–</p> <p>(i) direct appropriate action to be undertaken; or</p> <p>(ii) Invoke the declaration on infected areas provided for in Section 31 of the Act.</p>
Traceability of produce.	<p>26.(1) A dealer or processor shall–</p> <p>(a) ensure that the food crop produce or food crop products can be traced to the source by providing details in accordance with guidelines on food crops produce and products traceability requirements provided by the Authority from time to time;</p> <p>(b) establish and maintain a distinct traceability code for every source of their produce.</p> <p>(2) There shall be established a Food Crime Unit in the Authority to handle food recalls and withdrawals</p> <p>(3) A person who contravenes subsection(1) commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
Contract farming.	<p>27. (1) A dealer, warehouse operator processor 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..</p>

	<p>(2) A registered dealer, warehouse operator or processor, exporter shall not buy, collect, issue, input, train or participate in a sponsored production scheme unless authorized in writing by the sponsoring scheme.</p> <p>(3) A contract between a, dealer, warehouse operator or processor exporter with a grower or grower association shall be in accordance with the guidelines on contract farming provided by the Authority from time to time.</p> <p>(4) A grower, dealer, processor or exporter who is aggrieved by the failure of the other party in fulfilling the terms specified in the contract shall notify the Appeals Committee at the respective County Government within thirty days of the date of the default.</p> <p>(5) The Appeals Committee at the County Government shall, upon receipt of the notification of breach of contract under subsection (4), initiate the process of mediation between the parties within 30 days</p> <p>(6) If either or both the parties to the contract are not satisfied with the outcome of the process of mediation under subsection (5), the aggrieved party may opt for arbitration as specified in Section 41 of the Act.</p> <p>(7) The Authority shall not mediate on any contract that is not registered with the Authority.</p> <p>(8) A person who contravenes the provisions of subsection (1), (2) or (3) commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
Marketing requirements.	<p>28.(1) All food crops shall be—</p> <p>(a) harvested at the physiological maturity or as per the market requirements for a specific crop;</p> <p>(b) sorted, graded, processed, packaged, labelled, transported, and stored in accordance with the standards in force at the time or the guidelines provided by the Authority from time to time; and</p> <p>v v</p> <p>(c) offered for sale only in markets designated by the County and National government.</p>

	<p>(2) The unit of measurement of all food crop produce shall be the kilogramme and each single package that is being handled manually shall not exceed a net weight of fifty kilogrammes.</p> <p>(3) A dealer in food crops produce and food crops products shall display and 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.</p> <p>(4) A dealer in food crops produce, products and by-products offered for sale shall ensure that the food crop produce, products and by-products conforms to the food safety requirements.</p> <p>(5)The Authority shall randomly sample, test and analyse all food produce, products and by-products meant for industrial or any other uses 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 in the guidelines by the Authority from time to time and any other relevant laws.</p> <p>(5) The Authority shall seize, detain, dispose off or destroy, at the cost of the offender, any food crop produce products and by-products that do not conform to the food safety and quality requirements.</p> <p>(6) A person who contravenes the provisions of subsection (1) (2) and (3) commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
<p>No 16 of 2013 Formula for pricing of scheduled food crops</p>	<p>(7) There shall be a food crops committee (hereinafter referred to as “the Committee”) to determine the formula for pricing of scheduled food crops comprising of –</p> <ol style="list-style-type: none"> 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 <p>one representative from the National Treasury(8) The main function of the Committee is to review food crops produce prices and advise the Cabinet</p>

	<p>Secretary for the time being responsible for matters related to Agriculture. (9) 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.</p> <p>(10) Data presented at committee meetings shall be verified by the Authority or other certified professionals or their bodies. (11) Recommendations from the food crops produce committee shall be ratified by the Authority before gazettelement by the Cabinet Secretary.</p>
Crop inspectors.	<p>29. (1) Subject to Part V of the Act, the Authority shall appoint an inspector to carry out inspections of all food crops produce and products.</p> <p>(2) Without prejudice to the generality of Section 28 and 29 of the Act, an inspector shall—</p> <ul style="list-style-type: none"> (a) monitor activities associated with food crops inputs, production, dealing, handling and processing to ensure compliance with these regulations; (b) regularly undertake surveillance and inspections to ensure that— <ul style="list-style-type: none"> (i) production, distribution and use of inputs for food crop production conform to provisions of these regulations and any other relevant laws; (ii) dealers and processors in food crops produce, products and by-products adhere to the terms and conditions of registration and licensing as set out in Second and Third Schedule and guidelines issued by the Authority from time to time. <p>(3) A Crops inspector at the county level shall be responsible to County Executive Committee member in charge of Agriculture or the Authority as the case may be in discharging their functions.</p> <p>(4) A person may be appointed as an inspector under subsection (1) if that person—</p> <ul style="list-style-type: none"> (a) holds a minimum of a diploma in agriculture or related field from a recognized University learning institution and;

	<p>(b) has the relevant expertise and experience in agriculture.</p> <p>(5) A person appointed as an inspector–</p> <p>(a) shall use his/her best efforts to avoid being in a position in which his/her personal interests conflict with his /her official duties and where such conflict of interest occurs shall declare such as provided for by any written law; and</p> <p>(b) shall exercise their power of entry and inspection pursuant to section 28 and 29 of the Act.</p> <p>(6) A person who prevents, hinders or obstructs an inspector in performance of their functions and duties commits an offence and is liable, on conviction, to the penalty prescribed in the Act.</p>
<p>Import and export of food crops.</p>	<p>30.(1) 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.</p> <p>(2) Food crops shall be imported or exported through a customs port of entry or exit.</p> <p>(3) An importer or exporter of food crops shall apply for a food crops produce and products export or import permit for each consignment of imported or exported food crops in the Form AFA/FoCD A010A set out in the Second Schedule.</p> <p>(4) Upon meeting the requirements for a food crops export or import permit, the Authority shall issue an import or export permit to a registered importer or exporter in the Form AFA/FoCD P001 set out in Third Schedule.</p> <p>(5) Each consignment of food crops produce for import or export shall be declared at the port of entry or exit and physically verified by the Authority or its authorized agent.</p> <p>(6) During verification of a consignment under subsection (5), a registered importer or exporter shall provide, on request by the Authority–</p> <p>(a) original copies of importation or exportation and customs entry documentation;</p>

	<p>(b) an import or export permit for shipment of the specific consignment;</p> <p>(c) evidence of payment of duties and levies; and</p> <p>(d) a certificate of origin and contact details of the exporters and importers from whom they procured.</p> <p>(7) Upon satisfying the conditions for import of food crops produce and food crop products under these regulations, the Authority shall release the consignment to the consignee.</p> <p>(8) A consignment whether repacked or in the original package shall bear, in bold print, the name and contact details of the consignor, consignee and the country of origin.</p> <p>(9) All produce intended for importation into the country shall be tested and analysed at the point of entry for conformity to the international, regional or national standards and the food safety requirements.</p> <p>(10) The Authority shall, at the cost of the offender, seize, detain, dispose of or destroy in an appropriate manner, any consignment of food crops produce or food crop products that is either smuggled or does not conform to the quality standards.</p> <p>(11) The Authority shall seize and detain for verification any food crops produce and food crop products whose documentation does not meet the requisite requirements and the consignment may be released to the consignee by issuance of a release order from the Authority.</p> <p>(12) A person who contravenes the provisions of subsection (2), (5) and (8) of this regulation commits an offence and shall be liable, on conviction, to the penalty prescribed in the Act.</p>
PART V - FINANCIAL PROVISIONS	
Imposition of levy.	<p>31.(1) The Cabinet Secretary, with the approval of Parliament, imposes a levy on all food crops produce and products imported into and exported out of the country as per the rates set out in Part 3 of the Sixth Schedule which shall be reviewed from time to time.</p>

	<p>(2) The levy imposed under subsection (1) shall be—</p> <ul style="list-style-type: none"> (a) payable at the point of exit or entry; and (b) collected by the Authority or its appointed agent. <p>(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.</p> <p>(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.</p>
Application of levy.	<p>32.The proceeds of the levy shall be used for—</p> <ul style="list-style-type: none"> (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 and food crop products in existing and new markets and matters incidental thereto; and (e) such other purpose as may be approved by the Authority.
Fees.	<p>33.(1)The fees payable for licences, renewal of licences and permits under these regulations shall be—</p> <ul style="list-style-type: none"> (a) as set out in the Sixth Schedule and may be reviewed from time to time; (b) at the County Government ,be deposited in a special account which shall be managed by a committee appointed by the County Executive Committee Member in charge of agriculture and approved by the Authority. <p>(2) The County Government shall, in collaboration with the Authority, make guidelines on the better management of funds in the special account for the best interest of the food crops sub-sector.</p> <p>(3) The Authority shall in consultation with the County Government, set guidelines on the appointment of members of the special account management committee.</p>

PART VI - GENERAL PROVISIONS	
Filing of returns.	<p>34.(1) A food crop processor shall provide the Licensing Authority with –</p> <ul style="list-style-type: none"> (a) reports on monthly production, stocks of raw material held and marketing data by 10th of every month or upon request by the Authority in the Form AFA/FoCD S004A and Form AFA/FoCD S004C respectively as set out in the Fourth Schedule; and (b) annual returns on suppliers of raw materials for the coming year in the Form AFA/FoCD S006A and Form FCD S006C respectively set out in the Fourth schedule. <p>(2) An exporter or importer of food crops produce and products shall–</p> <ul style="list-style-type: none"> (a) make monthly returns to the Authority in the Form AFA/FoCD S003A set out in the Fourth Schedule; (b) provide the Authority with information on suppliers of raw materials for the coming year in the Form AFA/FoCD S007A set out in the Fourth schedule. <p>(3) A warehouse operator shall provide the County Government with–</p> <ul style="list-style-type: none"> (a) monthly returns on stock of food crops produce by the 5th of every month in the Form AFA/FoCD S005C respectively as set out in the Fourth Schedule; (b) Information on suppliers of raw materials for the coming year in the Form AFA/FoCD S006C respectively as set out in the Fourth schedule. <p>(4) A raw produce marketing agent shall provide the respective county government with monthly returns on crops produce purchased by the 5th of every month in the Form AFA/FoCD S009C as set out in the Fourth Schedule;</p> <p>(5) A food depot shall –(a) make monthly returns to the Authority by 5th of every month in the Form AFA/FoCD S005A set out in the Fourth Schedule;</p> <ul style="list-style-type: none"> (b) provide the Authority with information on suppliers of raw materials for the coming year in the Form AFA/FoCD S006A set out in the Fourth schedule.

Protection from personal liability.	<p>35.(1) The Directorate, 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.</p>
Provision of capacity and technical support.	<p>36.(1) The Authority shall–</p> <ul style="list-style-type: none"> (a) offer support services to County Government officers and other stakeholders in packaging and dissemination of information on new food crop technologies; (b) offer training to the County Government officers and other stakeholders on new technologies across the value chain. (c) build the capacity of the County Governments on agricultural policies, national legislations, regional and international protocols to facilitate alignment of county bills and legislations in the food crops sub-sector. (d) build the capacity of County Government officers and stakeholders on <ul style="list-style-type: none"> (i) the quality and food safety standards in production, post-harvest handling, transportation, warehousing storage and processing; (ii) data collection, validation, processing, storage and management; (e) in consultation with the County Governments– <ul style="list-style-type: none"> (i) participate in setting the food crops research priorities. (ii) mobilize resources for the development of food crops. (f) monitor the implementation of food crops regulations and quality control standards by the County Governments.
General penalty.	<p>37.(1) 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 the Act.</p>

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
Irish potatoes	<i>Solanum tuberosum L.</i>
Sweet potato	<i>Ipomoea batatas</i>
Cassava	<i>Manihot esculenta</i>

SECOND SCHEDULE



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APPLICATION FORMS

FORM AFA/FoCD A001C

(r.6 (2))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF

APPLICATION FOR GROWER REGISTRATION IN GROWER ASSOCIATIONS

(Please fill in duplicate with copy to CEC Agriculture)

To: The Chairman

.....
.....

Application is hereby made for registration as a food crops grower on hectares of land on parcel specified in Part B below–

A. Particulars of Applicant

1. Name of applicant
 2. National Identify Card No/Passport No.
 3. Postal Address: Postal Code Town.....
- Mobile No.....Email:

B Particulars of Land

1. L.R. No. or No.s.....
2. Location..... Ward
3. Sub-countyCounty.....

C. Crops details (List all crops grown)

Crop	Hectare

Signature of applicant

FOR OFFICIAL USE

Approved/Not approved by association:

Chairperson :Name.....

SignatureDate.....



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FORM AFA/FoCD A002C

(r. 7(2))

**AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS 2016**

COUNTY GOVERNMENT OF.....

**APPLICATION FOR REGISTRATION OF GROWERS ASSOCIATION/PLANTATION
GROWERS/PROPAGATORS OF PLANTING MATERIALS**

Part 1: Category (Tick as appropriate)

<input type="checkbox"/> Growers Association	<input type="checkbox"/> Plantation Grower	<input type="checkbox"/> Propagator of Planting Materials
---	---	--

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.....
 Village.....

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 Crops grown

(a) Associations

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

Catchment area:.....

Type of crop	Hectare

(b) Plantation growers

Type of crop	Hectare

(c) Planting material propagator

Crop	Cultivar/Variety	Source of planting material	No. of seedling/ cuttings/ Hectare

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

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

Part 3: Approval by County Government

<u>FOR OFFICIAL USE</u>	
Crops Inspector remarks	
<i>Recommended /Not recommended</i>	
Crops Inspector name	Signature
Date.....	
Approved/Not approved:	
CEC Member in charge of Agriculture:	
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 grower association shall be required to furnish the County Government with evidence of registration and copies of their Constitution or Articles and Memorandum of Association;



FORM AFA/FoCD A002A

(r. 7(7))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

APPLICATION FOR REGISTRATION OF GROWER ASSOCIATION

(Applies to grower associations with a national or inter county coverage)

(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.....
Village.....

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 Crops grown

(a) Associations

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

Catchment area:.....

Type of crop	Hectare

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

1. This application should be completed in full. An incomplete form shall not be processed.
2. A grower association shall be required to furnish the Authority with evidence of registration and copies of their Constitution or Articles and Memorandum of Association;



FORM AFA/FoCD A003A

(r. 8(3))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

APPLICATION/RENEWAL FOR REGISTRATION OF FOOD CROP PRODUCE AND PRODUCTS TRANSPORTERS, COLECTORS, BUYERS, SELLERS AND WAREHOUSE OR STORE OPERATORS

(To be filled in triplicate with a copy to AFA)

Part 1: Category of application (Tick one)

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

Village.....

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
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1.			
2.			
3.			

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"/> Stockist	<input type="checkbox"/> Others (specify)
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2. Check one

<input type="checkbox"/> Individual Ownership	<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation	<input type="checkbox"/> Others (specify)
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3. Specific/Category of Food Crops person/company is dealing with:

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

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



County logo

FORM AFA/FoCD A003C

(r. 8(3))

AGRICULTURE AND FOOD AUTHORITY

COUNTY GOVERNMENT OF.....

THE CROPS (FOOD CROPS) REGULATIONS 2016

APPLICATION/RENEWAL FOR REGISTRATION OF FOOD CROP PRODUCE AND PRODUCTS TRANSPORTERS, COLECTORS, BUYERS, SELLERS AND WAREHOUSE OR STORE OPERATORS

(To be filled in triplicate with a copy to AFA)

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.....

Village.....

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.			
5.			
6.			

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"/> Stockist	<input type="checkbox"/> Others (specify)
------------------------------------	---------------------------------	--------------------------------------	--------------------------------	-----------------------------------	--

2. Check one

<input type="checkbox"/> Individual Ownership	<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation	<input type="checkbox"/> Others (specify)
---	--------------------------------------	--------------------------------------	--

3. Specific/Category of Food Crops person/company is dealing with:

<input type="checkbox"/> Cereals (specify)	<input type="checkbox"/> Legumes (specify)	<input type="checkbox"/> 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 County Government

<u>FOR OFFICIAL USE</u>	
Approved/Not approved:	
CEC for Agriculture :Name	Signature.....Date.....
Comments if not approved.....	
.....	
Official Stamp.....	



FORM AFA/FoCD A005A

(r. 13 (2))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

APPLICATION FOR PRELIMINARY 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 PRELIMINARY APPROVAL TO ESTABLISH A FOOD CROP PROCESSING PLANT

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

do hereby express my interest to invest in a food crops processing 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. Processing plant details

a. Capacity (in Tons/Hr)

b. The proposed facility is intends 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 processing equipment that will match current Kenyan standards,
6. Commit to adhere to the national and international food safety standards.
7. Execute the project within the next 2 years after which this Letter of Preliminary Approval shall be invalid.

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)



County logo

FORM AFA/FoCD A005C

(r. 13(2))

AGRICULTURE, AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF.....

APPLICATION FOR PRELIMINARY APPROVAL FOR FOOD CROP PROCESSING PLANT

The County Executive Committee Member in charge of Agriculture

.....County

P. O. Box

.....

Dear Sir/Madam,

RE: LETTER OF PRELIMINARY APPROVAL TO ESTABLISH A FOOD CROP PROCESSING PLANT

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

do hereby express my interest to invest in a food crops processing 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.

.....

3. Processing plant details

a. Capacity (in Tons/hr)

b. The proposed company is intends to process the following food crops and products

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

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

- (a)
- (b)
- (c)
- (d)
- (e)

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 processing equipment that will match current Kenyan standards,
6. Commit to adhere to the national and international food safety standards.
7. Execute the project within the next 2 years after which this Letter of Preliminary Approval shall be invalid.

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/FoCD A006A

r. 13(4)

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

APPLICATION FOR PROCESSING/RENEWAL OF PROCESSING LICENSE

(To be filled in triplicate)

Part 1: Category (Tick one)

<input type="checkbox"/> Applications for New License	<input type="checkbox"/> 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.....

Village.....

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.			
2.			
3.			
4.			

Part 3: Processing plant details

Processing plant details;

- a. Installed processing capacity (in Tons/hr)
- b. The proposed plant intends to process the following food crops and products

No.	Food Crop produce	Estimated produce tonnage/year	Products	Estimated product Tonnage/year	Brand Names
1					
2					
3					
4					

c. 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 the Authority

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

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

Terms and conditions

1. The applicant will be required to:
 - (a) Support the supply chain to maintain the smooth flow of raw material.
 - (b) Install processing equipment that matches the International standards.
 - (c) Commit to adhere to the national and international food safety standards.
 - (d) To provide evidence of registration of brand names with government agency in charge of registration of brand names.
 - (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.
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 authority 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.



County Logo

FORM: AFA/FoCD A006C

r. 13(4)

AGRICULTURE, AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF.....

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

Part 1: Category / (Tick one)

<input type="checkbox"/> Applications for New License	<input type="checkbox"/> 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 CodeTown.....

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

Physical address: Building

Street:.....Town:.....

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

Village.....

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.			
2.			

3.			
4.			

Part 3: Processing/Facility Details

Factory processing details

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

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>	
Approved/Not approved:	
CEC for Agriculture :Name	Signature.....Date.....
Comments if not approved.....	
.....	
Official Stamp.....	

Terms and conditions

- 1. The applicant will be required to:
 - (a)Support the supply chain to maintain the smooth flow of raw material.

- (b) Install processing equipment that matches the International standards.
 - (c) Commit to adhere to the national 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.
2. 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.
 3. 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.



County logo

FORM AFA/FoCD A007C

(r. 14(2))

AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS, 2016
COUNTY GOVERNMENT OF.....

APPLICATION /RENEWAL OF WAREHOUSE OPERATOR LICENSE
(To be filled in triplicate)

Part 1: Category of licence *(tick where appropriate)*

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

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

4. Full name of Applicant:

.....

5. Registered office..... L. R. No.

Postal Address: Postal Code

Town..... Tel/Mobile

No:.....Email:..... Website:.....

Physical address: Building

Street:.....Town:.....

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

Village.....

Company details (where applicable):

Certificate of Company Incorporation /registration No:,

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

.....
.....
.....

6. Branch offices (if any)

	Town	Location	Address
1.			
2.			
3.			
4.			

Part 3: Types of scheduled crops to be handled:

.....

Part 4: Qualification and experience:

(a) Proprietor

.....

(b) Staff

Level of education	No. of staff
Primary(KCPE)	
Secondary(KCSE/'O'- level	
Certificate	
Diploma/Higher diploma	
Degree	
Masters	
Other(specify)	

(c) Specify any other professional course related to the food industry:

.....

(Attach copies of IDs and certificates)

I hereby certify that the above information is correct to the best of my knowledge.

Date.....

Signature of applicant.....

Official rubber stamp/seal.....

Part 5b: Approval by the County Government

FOR OFFICIAL USE

Approved/Not approved:

CEC 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. A warehouse operator must 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.
3. A warehouse operator shall comply with approved practices and standards on warehousing including national standards on quality, food safety and hygiene.
4. , A warehouse operator who is administering warehouse receipting system or is in custody of any produce belonging to third parties, shall submit to the County Government a certified copy of a valid insurance policy covering all risks related to warehouse business.
5. A warehouse operator shall provide evidence of having persons qualified on food safety matters in their employment to the satisfaction of the authority
6. 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.
7. A license for a warehouse operator will only be issued to persons, co-operative societies or companies who have fulfilled the conditions of the Authority as set out in guidelines issued by the Authority from time to time.



FORM AFA/FoCD A008A

(r. 16 (2))

AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS 2016
APPLICATION FOR A 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.....

Village.....

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:

Food depot No.	Capacity(metric tonnes)	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 Authority

<u>FOR OFFICIAL USE</u>		
Approved/Not approved:		
Head Food Crops 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. When considering applications for registration or renewal of registration of a food depot, the Authority shall ensure that only food depot with the requisite approvals under the Public Health Act, and any other written law are registered.
3. A license for a food depot will only be issued to persons, co-operative societies or companies who have fulfilled the set standards and guidelines issued by the Authority from time to time



FORM AFA/FoCD A008C

County logo

(r. 15 (2))

AGRICULTURE, AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF

APPLICATION FOR WAREHOUSE /STORE 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.....

Village.....

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/store serial number.	Capacity(metric tonnes/ 50 kg bag	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

<u>FOR OFFICIAL USE</u>
Approved/Not approved:
CEC 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 registration or renewal of registration of a warehouse /store the County Government shall ensure that only warehouses/stores with the requisite approvals under the Public Health Act, and any other written law are registered.
3. A license for a warehouse/stores 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



FORM AFA/FoCD A009A

(r. 17 (2))

AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS 2016
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.....
 Village.....

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
1.			

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

No	Type of food crops or food crops products	Estimated annual import quantity	Estimated annual export quantity
1.			
2.			
3.			
4.			
5.			

5. 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					

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

Official rubber stamp/seal

Approval by the Authority

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

1. **Terms and Conditions** 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.



FORM AFA/FoCD A010A

(r. 30 (3))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS, 2016

APPLICATION FOR PERMIT TO IMPORT/ EXPORT FOOD CROP PRODUCE/FOOD CROP PRODUCTS

<input type="checkbox"/> Applications for Import License	<input type="checkbox"/> Application for export License
--	---

(Tick as appropriate)

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:
 - Village/area..... Ward.....
 - Sub-County..... County.....
4. VAT Registration No / ID. No. PIN
5. Type of food crops produce/products to be imported or exported 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 or exports 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

FOR OFFICIAL USE		
Approved/Not approved:		
Head/ Food Crops 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. This application shall be accompanied by a phytosanitary 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 shall be accompanied by proof that the applicant has sourced produce from local production exhaustively as guided by the Authority from time to time.

THIRD SCHEDULE

REGISTRATION CERTIFICATES, LICENSES AND PERMITS



County logo

FORM AFA/FoCD R001C

(r. 7(5))

AGRICULTURE, AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF.....

CERTIFICATE OF REGISTRATION FOR GROWERS’ ASSOCIATION/PLANTATION GROWERS/ PROPAGATORS OF PLANTING MATERIALS (FREE)

THIS IS TO CERTIFY that..... of postal addressof County, LR No.....has been duly registered by the County Government as a growers’ association/plantation grower/ propagator of planting materials in accordance with Regulation 7(5) of the Crops (Food Crops) Regulations, 2016

Dated this day of20.....

..... CEC member in charge of Agriculture

Date of issue:.....

Official stamp

Terms and Conditions

- 1. This registration certificate is not transferable;
2. A registered Grower Association shall maintain a register of their members in the format prescribed by the Authority;
3. A registered Grower Association 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.

4. A Registered Grower Association, Plantation Grower and Propagators of Planting material 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.
5. The holder of this certificate shall submit monthly returns to the County Government in the prescribed format.



FORM AFA/FoCD R001A

(r. 7(10))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

CERTIFICATE OF REGISTRATION FOR GROWERS' ASSOCIATION (FREE)

(For grower association with a national or inter- county coverage)

THIS IS TO CERTIFY that..... of postal address
.....of LR No.....has been
duly registered by the Authority as a **growers' association** in accordance with Regulation 7(10)
of the Crops (Food Crops) Regulations, 2016.

.....
Head/ Food Crops Directorate

Date of issue:.....

Official stamp

1. **Terms and Conditions**This registration certificate is not transferable;
2. A registered Grower Association shall maintain a register of their members in the format prescribed by the Authority;
3. A registered Grower Association 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.
4. A registered Grower Association, 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.
5. The holder of this certificate shall submit monthly returns to the Authority in the prescribed format.



FORM AFA/FoCD R002A

(r. 8(6))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

Registration No.....

DEALER’S CERTIFICATE OF REGISTRATION (FREE)

(For dealers whose operations involve more than one County)

THIS IS TO CERTIFY that..... of Postal addressof 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 Stockist 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 of food crops and crops products 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 shall submit monthly returns to the Authority in the prescribed format.



County logo

FORM AFA/FoCD R002C

(r. 8(6))

AGRICULTURE, AND FOOD AUTHORITY

COUNTY GOVERNMENT OF.....

THE CROPS (FOOD CROPS) REGULATIONS 2016

Registration No.....

DEALER'S CERTIFICATE OF REGISTRATION (FREE)

(For dealers whose operations are limited to one County)

THIS IS TO CERTIFY that..... of Postal addressof 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 Stockist others (specify).....

of the following category of food crops;

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

CEC member in charge of Agriculture

Date of issue:.....

Official stamp


Date of expiry:.....

Terms and Conditions

1. This registration certificate is not transferable;
2. A dealer of food crops and crops products 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 shall submit monthly returns to the Authority in the prescribed format.

THE CROPS (FOOD CROPS) REGULATIONS, 2016

IMPORT/EXPORT PERMIT

 AGRICULTURE AND FOOD AUTHORITY	Permit No..... <input type="checkbox"/> Export <input type="checkbox"/> Re-Export <input type="checkbox"/> Import	Original
		Date of issue..... Valid until.....

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

Type	Quantity(Metric tonnes)	Value(Kshs.)

Point of entry/exit.....

Fee paid:Kshs.....

.....
 Head /Food Crops Directorate
 Date

Terms and Conditions

1. The Authority may vary, suspend or cancel the food crop produce and products import/export permit issued if the holder fails to abide with the terms and conditions of the food crops regulations 2016 and any other relevant law.
2. The importer/exporter 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.



FORM AFA/FoCD L001A

(r. 13 (9))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

PROCESSING LICENCE

Authority's Code..... Serial No.....
M/s.....of Post office Boxhas
been granted a Food Crops Processing License No.and is/are
hereby authorized to operate a food crops processing plant at plot L.R.No./Plot.....
inTown/Village..... Sub-County.....
ofCounty
This license is Valid from..... to 31st of June 20.....

Fee paid: Kshs.....

.....

Head Food Crops Directorate
Official stamp.

Date of issue.....

This license is issued subject to compliance with the provisions of the Agriculture, and Food Authority Act, the Crops Act, 2013, the Crops (Food Crops) Regulations, 2016 and such terms and conditions as specified hereunder.

Terms and conditions

1. Issuance of the license is subject to inspection of the Food Depot to ensure conformity with the Food Safety requirements
2. This license is not transferable

3. 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.
4. This license is valid only for the crops produce/products specified herein.
5. Any changes in the particulars supplied by the processor for purposes of the license shall be notified to the Authority in writing
6. The processors shall submit their processing returns to the Authority on a monthly basis in the prescribed format.
7. A processing license may be suspended where a licensee continues to default in submitting returns
8. An applicant or holder of this license who is aggrieved by the decision of the Authority may appeal to the Cabinet Secretary within 30 days from the date on which the applicant first received the notice of the decision.



County logo

FORM AFA/FoCD L001C

(r. 13 (9))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF.....

PROCESSING LICENCE

County's Code.....

License Serial No.....

M/s.....of Post office Boxhas
been granted a Food Crops Processing License No.and is/are
hereby authorized to operate a food crops processing plant at plot L.R.No./Plot.....
inTown/Village..... Sub-County..... of
.....County

This license is Valid from..... to 31st of June 20.....

Fee paid: Kshs.....

.....
CEC Member, In Charge Of Agriculture

Date of issue.....

Official stamp

This license is issued subject to compliance with the provisions of the Agriculture, and Food Authority Act, the Crops Act, 2013, the Crops (Food Crops) Regulations, 2015 and such terms and conditions as specified hereunder.

Terms and conditions

1. This license is not transferable
2. An application for renewal of this license shall be made to the County Executive Committee Member in charge of Agriculture not later than the first day of the month of June in which the current license is due to expire.
3. This license is valid only for the crops produce/products specified herein.
4. Any changes in the particulars supplied by the processor for purposes of the license shall be notified in writing to the County Executive Committee Member in charge of Agriculture.
5. The processors shall submit their processing returns to the County Executive Committee Member in charge of Agriculture on a monthly basis in the prescribed format.
6. A processing license may be suspended where a licensee continues to default in submitting returns
7. An applicant or holder of this license who is aggrieved by the decision of the County Executive Committee Member in charge of Agriculture may appeal to the Authority within 30 days from the date on which the applicant first received the notice of the decision.



FORM AFA/FoCD L002C

County logo

(r. 14 (3))

AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF.....

WAREHOUSE OPERATOR LICENSE

Registration No.....

Serial.No.....

M/s.....of Post office Box
.....has been granted a Warehouse operator's License No.
.....and is/are hereby authorized to operate a warehouse(s) in
Kenya pursuant to Regulation 14 of the Crops (Food Crops) Regulations 2016 and the Crops
Act, 2013.

This License is valid fromto.....

Fee paid: Kshs.....

.....
CEC Member in charge of Agriculture

Date of issue:.....

Official stamp

Terms and conditions

1. In the event that the operators intends to cease operations at a particular warehouse, the operator shall inform the County Government one month prior to ceasing the operations.
2. The County Government may vary, suspend or cancel the warehouse operator license issued if the holder fails to abide with the terms and conditions of the license.
3. 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.
4. 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.
5. 5. The holder of this license shall only operate in a licensed warehouse. On application for registration or renewal of registration, a warehouse operator shall submit to the County Government a certified copy of a Valid Insurance Policy covering all risks related to the food crops and food crops products business.



FORM AFA/FoCD L003A
(4))

(r. 16

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

FOOD DEPOT LICENSE

Registration No.....

Serial No.....

M/s.....of Post office Box

.....has been granted a Food depot License 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

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

This license is issued pursuant to Regulation 16 of the Crops (Food Crops) Regulations 2016 and the Crops Act, 2013.

This License is valid fromto.....

Fee paid: Kshs.....

.....

Head /Food Crops Directorate
Official stamp.

Date of issue.....

Terms and Conditions

1. The Authority may suspend or cancel the food depot license issued if the holder fails to abide with the terms and conditions of the license.
2. The application for renewal of this license shall be made to the **Head** Food Crops Directorate so as to reach at least one month before expiry date.
3. 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.



FORM AFA/FoCD L003C
15 (4)

County logo

(r.

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF.....

WAREHOUSE/STORE LICENSE

Serial No.....

County Code.....

M/s.....of Post office Box

.....has been granted a Warehouse/ store License No.

.....and is/are hereby authorized to warehouse a maximum of
..... tonnes of food crops produce at any one time at the following
warehouse

Warehouse No.	Capacity	LR. No/Plot No	Street	Sub-County	County

This license is issued pursuant to Regulation 15 of the Crops (Food Crops) Regulations 2016 and the Crops Act, 2013.

This License is valid fromto.....

Fee paid: Kshs.....

.....
CEC Member in charge of Agriculture

Date of issue:.....

Official stamp

Terms and Conditions

1. The County Government may suspend or cancel the warehouse/store license issued if the holder fails to abide with the terms and conditions of the license.
2. The application for renewal of this license shall be made to the CEC member in charge of Agriculture so as to reach at least one month before expiry date.
3. 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.



FORM AFA/FoCD L004

(r. 17 (3))

AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS 2016
FOOD CROPS IMPORTER/EXPORTER LICENSE

Registration No

Serial No.....

M/s.....of Post office Box
.....has been granted an Import/Export License No.
.....and is/are hereby authorized to
import/export..... types of food crops
pursuant to Regulation 17 (3) of the Crops (Food Crops) Regulations 2016 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 Food Depot 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 to any other person.

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.

FOURTH SCHEDULE

REGISTERS AND RETURNS



County logo

FORM AFA/FoCD S001

(r. 10 (1))

AGRICULTURE, AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF.....

GROWERS' ASSOCIATION REGISTER OF MEMBERS

PART A: GROWERS ASSOCIATION DETAILS

Name of the Grower Association.....

Physical Address.....

P.O. Box

Email.....
 Fax.....
 Tel.....
 Authority's Code

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

PART B: Members and services details

Grower Code	Name of grower	Physical Location	Area Under Crop(Hectares)	Production (metric tonnes)

Prepared by:

Name:

Signature.....

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



County logo

FORM AFA/FoCD S008C

(r. 10(2))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF.....

FORM OF DISTRIBUTED VEGETATIVE PLANTING MATERIAL

Grower (buyer) personal information and contact

Name....., Age.....,

Level of education.....

Identity No/Passport No.....

Postal address.....Town.....Postal Code,.....
Mobile Phone No.....

Physical location of destination farm

County.....Subcounty.....Ward.....Village.....
.....Geocoordinates.....

Crop production details

Crop type.....Acreage to be
planted.....Date.....time.....Quantity purchased (no of
batches..... No.Vines/cuttings per batch Type
(Vines/cuttings per batch /other specify.....)
Variety/cultivar/ landrace (local variety).....Code..... Length per
piece.....

Propagator details

NamePostal address
Mobile phone no..... email

Physical location of source farm/establishment

County.....Sub county
Ward.....Town.....Village.....

Crop production details

Crop type.....codeacreage under
crop.....Harvest date.....Quantity sold(no of batches).....no
of No. Vines/cuttings /other (specify) per batch.....

Compliance status on regulation and standards

No of inspections.....Certification statusEvidence available/not

available.....



County logo

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF.....

**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 Crops Directorate)

Returns for the month ending Year

Kind of food crops produce transported

Type of food Crop	Quantity Transported from the County (Tons)	Destination Counties

Authorized officers Signature Date

Official County Stamp



FORM AFA/FoCD S003A

(r. 34 (2))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS, 2016

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

Kind of food crops imported/exported.

Kind of crop produce or food 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



FORM AFA/FoCD S004A

(r. 34 (1))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS, 2016

MONTHLY RETURNS BY PROCESSORS OF FOOD CROPS PRODUCE AND PRODUCTS (*to be filled by processors whose processed products will be sold outside the County of operation*)

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 (tons) purchased	Quantity (tons) 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 logo

FORM AFA/FoCD S004C

(r. 34 (1))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2015

COUNTY GOVERNMENT OF.....

MONTHLY RETURNS BY PROCESSORS OF FOOD CROPS PRODUCE AND PRODUCTS *(to be filled by processors whose processed products will be sold within the County of operation)*

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 (tons) purchased	Quantity (tons) 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



FORM AFA/FoCD S005A

(r.34(5))

AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS, 2016

MONTHLY RETURNS OF FOOD CROPS PRODUCE 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.....

Food depot no	Type food crop produce	Quantity held(MT)
1		
2		
3		

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 logo

FORM AFA/FoCD S005C

(r. 34 (3))

AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS 2016
COUNTY GOVERNMENT OF.....

MONTHLY RETURNS OF FOOD CROPS PRODUCE HELD BY WAREHOUSE OPERATORS

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.....

Warehouse no.	Type food crop produce	Quantity held(MT)
1		
2		
3		

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



FORM AFA/FoCD S006A

(r. 34(1))

AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FOOD CROPS) REGULATIONS, 2016

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

To
Head/Food Crops Directorate

Returns for the year beginning year.....

Food crops produce supply information

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

Authorized officers Signature Date

Official Stamp



County logo

FORM AFA/FoCD S006C

(r. 34(1)), r.34(3))

AGRICULTURE AND FOOD AUTHORITY

COUNTY GOVERNMENT OF

THE CROPS (FOOD CROPS) REGULATIONS, 2016

**ANNUAL RETURNS BY PROCESSORS/WAREHOUSE OPERATOR 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

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

Authorized officers Signature Date

Official Stamp



County logo

FORM AFA/FoCD S009C

(r. 34(4))

AGRICULTURE AND FOOD AUTHORITY

COUNTY GOVERNMENT OF

THE CROPS (FOOD CROPS) REGULATIONS, 2016

**MONTHLY RETURNS BY MARKETING AGENT TO THE COUNTY GOVERNMENT
ON CROPS PRODUCE PURCHASED.**

To
The County Executive Committee Member in charge of Agriculture

Returns for the month ending year.....

Food crops purchased information

Name of suppliers	Type of food Crop	Quantity (Tons)	Source(subcounty)

Authorized officers Signature Date

Official Stamp



**FORM AFA/FoCD S007A
AGRICULTURE AND FOOD AUTHORITY**

(r. 34(2))

THE CROPS (FOOD CROPS) REGULATIONS, 2016

**ANNUAL 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 (Tons)	Source(county/country)

Authorized officers Signature Date

Official Stamp

FIFTH SCHEDULE



PRELIMINARY LETTER OF APPROVAL FOR PROCESSING PLANT

FORM AFA/FoCD PLA001A

(r. 13 (3))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

LETTER OF PRELIMINARY APPROVAL FOR FOOD CROP PROCESSING PLANT

Reference:.....

Date:.....

TO: M/s.....

.....

.....

(Applicant's name /Company address)

Dear Sir,

RE: LETTER OF PRELIMINARY 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 preliminary 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 crops 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 adhere to the national and international food safety standards.
4. Execute the project within the next 2 years after which this Letter of Preliminary 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

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

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

Yours sincerely,

Head/Food Crops 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



FORM AFA/FoCD PLA001C

County logo

(r. 13 (3))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

COUNTY GOVERNMENT OF.....

LETTER OF PRELIMINARY APPROVAL FOR FOOD CROP PROCESSING PLANT

Reference

Date:.....

TO: M/s.....

.....
.....

(Applicant's name /Company address)

Dear Sir,

RE: LETTER OF PRELIMINARY 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 preliminary 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 crops processing facility:

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 adhere to the national and international food safety standards.
4. Execute the project within the next 2 years after which this Letter of Preliminary 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

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

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

Yours sincerely,

County Executive Committee Member In-charge of Agriculture

.....**COUNTY**

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 County Government.



SIXTH SCHEDULE

AGRICULTURE, AND FOOD AUTHORITY

THE CROPS (FOOD CROPS) REGULATIONS 2016

LICENCE FEES, PERMIT FEES AND LEVIES

PART 1: LICENSE FEES

a) Food Crops Processors' Licence (r. 13(2))

Raw material	Processors (based on capacity tons/ hr and products distribution coverage)	Validity	Annual Fees/(Ksh)	Licensing Authority
Category 1-Cereals				
Wheat and Maize	Less than 2	Annual	3,000	County
	2 – 5		10,000	AFA
	6-10		12,000	AFA
	11-20		15,000	AFA
	21-45		18,000	AFA
	Over 45		20,000	AFA
Rice	2 and above	Annual	10,000	AFA
	0.5-2		5,000	AFA
	Less than 0.5		3,000	County
Barley		Annual	20,000	AFA
Sorghum, All millets ,grain amaranth	1 ton and above	Annual	10,000	AFA
	Less than 1 ton.		3,000	County
Category 2-Legumes				
Beans, Broad beans,	Less than 1		3,000	County
	1 – 5		10,000	AFA

Cluster bean Dolichos, Cow peas, Chick peas, Pigeon peas Pea ,Soya beans	6-10	Annual	15000	AFA
	11-20		18,000	AFA
Category 3- Tubers				
Irish potatoes	Less than 2	Annual	No fees	
	2 – 5		3,000	AFA
	6-10		5,000	AFA
	11-20		8,000	AFA
	21-45		10,000	AFA
	Over 45		20,000	AFA

**b) Warehouse/stores, and Warehouse Operator's License Fees
r.14(2),r.15(2),**

Category		Annual Licensing Fees/Renewal (Ksh)	Licensing Authority
Warehouse Operator		10,000	County
Warehouse Category capacity (in 50kg bags)	Less than 5,000	2,000	County
	Between 5,000 – 10,000	3,000	County
	Between 10,000 - 50,000	10,000	County

Part 1c. Annual Food Depot Licence Fees

r.16 (2)

	Category	Annual Licensing Fees/Renewal (Ksh)	Licensing Authority
Food Depot Category capacity (in 50kg bags)	Between 51,000- 100,000	30,000	AFA
	Between 101,000- 150,000	35,000	AFA
	Between 150,000- 200,000	40,000	AFA
	Over 200,000	45,000	AFA
	Silo complex	50,000	AFA

Part 1(d) Annual import and export fees r.17 (2)

Category	Annual Licensing Fees/Renewal (Ksh)	Licensing Authority
Exporter	10,000	AFA
Importer	30,000	AFA

PART 2: PERMIT FEES

(r. (33 (1))

Type of permit	Basis of charge	Amount (Kshs)	Payable to
Import (food crop produce or products)	Per Consignment	Free	Authority
Export (food crop produce or products)	Per Consignment	Free	Authority

NB: to be reviewed from time to time

PART 3: IMPORT/EXPORT LEVIES

r.31 (1)

Type of produce	Export(% of customs value)		Import(% of customs value)	
	Raw	Finished	Raw	Finished
Cereals.	1.5	1	1.5	3
Legumes	1.5	1	2	3
Roots and Tubers	0.5	0.5	3	3

Made on the....., 2016.

**WILLY BETT,
Cabinet Secretary,
Ministry of Agriculture, Livestock and Fisheries.**