

LEGAL NOTICE NO.....

THE CROPS ACT, 2013

(No. 16 of 2013)

THE PYRETHRUM REGULATIONS, 2016

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LEGAL NOTICE NO.....

THE CROPS ACT, 2013

(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 Authority and the County Governments makes the following Regulations—

THE PYRETHRUM REGULATIONS, 2016

PART I—PRELIMINARY

Citation and commencement.

1. (1) These Regulations may be cited as the Pyrethrum Regulations, 2016 and shall come into force on such date as the Cabinet Secretary may, by notice in the *Gazette*, appoint.

(2) For purposes of paragraph (1), different dates may be appointed for different provisions of the Regulations.

Interpretation.

2. In these Regulations—

Act No. 16 of 2013.

“Act” means the Crops Act, 2013;

Act No. 13 of 2013.

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

“levy” means a *per centum* of the value of all pyrethrum processed imposed by the Cabinet Secretary at a point of ex-factory in accordance with section 32 of the Act.

“Board” means the Board of the Authority

Act No. 13 of 2013.

"Directorate" means the Pyrethrum and other Industrial Crops Directorate established under section 11 of the Agriculture and Food Authority Act;

"Cabinet Secretary" means the Cabinet Secretary for the time being responsible for matters relating to agriculture;

"dealer" means collecting, transporting, storing, buying or selling pyrethrum on behalf of a licensed processor;

"development levy" means the Pyrethrum Development Levy established by regulation 28;

"grower" means a person who grows or cultivates pyrethrum or manages and controls the cultivation of pyrethrum;

"license" means a license issued under Part III;

"processor" means a person licensed under this Act to extract pyrethrins from pyrethrum or pyrethrum products;

"inspector" means an officer of the Authority or a County Agricultural Officer appointed by notice in the *Gazette* by the Authority under section 27 of the Act;

"export permit" means a permit issued by the Authority in accordance with regulation 20;

"import permit" means a permit issued by the Authority in accordance with regulation 20;

"nursery" means a place where pyrethrum crop is propagated and grown to usable size;

"pyrethrum" means the plant or part of the plant of *Tanacetum* genus known botanically as *cinerariaefolium* or of any inter-specific hybrid involving this species or of any progeny of such hybrid;

"pyrethrum extract" means an active ingredient obtained or delivered from pyrethrum flower by treatment or processing;

"pyrethrum product" means any product, extract or substance obtained or derived from pyrethrum by any treatment or processing;

"registered exporter" means a person registered by the Authority to export pyrethrum products; and

"registered importer" means a person registered by the Authority to import pyrethrum and pyrethrum products.

PART II— FUNCTIONS OF THE PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Functions of the Directorate.

(1) The Directorate shall, in consultation with the county governments, perform the following functions—

- (a) develop and promote pyrethrum;
- (b) register Pyrethrum growers through the processors;
- (c) license and register processors, commercial nursery operators and dealers in pyrethrum as prescribed in Form A12;
- (d) co-ordinate the activities of stakeholders and organizations within the pyrethrum industry;
- (e) identify and recommend research areas in consultation with relevant research organisations and other pyrethrum industry stakeholders;
- (f) facilitate the flow of research findings to interested parties through County departments of Agriculture;
- (g) promote arbitration and mediation of disputes among parties in the industry;
- (h) promote and encourage the use of environmentally friendly technologies in the pyrethrum sub sector;
- (i) collect and analyze pyrethrum statistics and maintain a data base for the same that would be available to stakeholders upon request.;
- (j) promote the efficiency and development of the pyrethrum industry through the establishment of appropriate institutional linkages;

(2) The Directorate shall—

- (k) build technical capacity amongst the County Government officers and other relevant stakeholders and provide Pyrethrum technical manuals;
- (l) set and avail required standards for pyrethrum and pyrethrum products;
- (m) monitor the domestic and international market with a view to identifying and advising the national government, county governments, growers and interested parties on any opportunities, distortions and trends in the pyrethrum market;
- (n) regulate the provision and distribution of seeds, seedlings and clonal materials to growers in accordance with the Seeds and Plant Varieties Act;
- (o) link and co-ordinate with international research agencies and

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other relevant regional research organisations.

- (p) facilitate the pyrethrum processors to initiate, maintain and sustain registrations of their products in the global market segments;
- (q) regulate the export of pyrethrum products and imports of pyrethrum or pyrethrum products;
- (r) prescribe in consultation with other industry stakeholders the minimum period within which a pyrethrum grower is to be paid for flower delivered and penalties for delayed payments;
- (s) facilitate generation of appropriate data and technical information on product formulations;
- (t) take custody of all intellectual property rights on pyrethrum;
- (u) Facilitate the formation of a national pyrethrum grower lobby group to articulate growers national issues;
- (v) perform such other functions as may from time to time be assigned by the Cabinet Secretary or the Authority.

PART III—REGISTRATION REQUIREMENTS

Registration of
Pyrethrum
grower and
dealer.

3. (1) A pyrethrum grower shall, upon commencement of these Regulations, register with a licensed pyrethrum processor to which he delivers the pyrethrum flowers and the processor shall avail the particulars of such registration to the Authority and the County Government in the manner prescribed in these Regulations.
- (2) A grower shall apply to be registered with a processor to which they deliver dry flowers in Form A1 set out in the First Schedule.
- (3) A grower shall not register a specific parcel of land under which they have grown pyrethrum with more than one processor at a time.
- (4) Subject to the Act and these Regulations, every pyrethrum grower registered by the former Board shall be deemed to be a registered pyrethrum grower.
- (5) An existing pyrethrum grower shall register with a processor within three months after the commencement of these Regulations.
- (6) A change in the particulars supplied by the grower for purposes of registration in accordance with paragraph (1) shall be notified to the processor and to the Authority in writing.

(7) The processor and the Authority shall maintain a register for the purposes of this part and shall record the particulars supplied accordingly.

(8) Where the processor has reasonable cause to believe that a person whose particulars are so recorded has ceased to be a grower, it may, after giving that person and the Authority one month's notice in writing, remove the name of such person from the register and inform the Authority.

(9) The register referred to in paragraph (7) shall be prima facie proof that a person is a registered pyrethrum grower with the processor.

(10) A processor shall furnish the Directorate with particulars of all the pyrethrum growers registered with him in such manner as the Directorate may prescribe.

(11) A person who grows and carries on business as such without being registered in accordance with this paragraph or knowingly gives false particulars, commits an offence and shall be subject to the penalties prescribed under section 19 (1) of the Act.

(12) An application for a registration of a dealer shall be in Form A4 and A4B set out in the First Schedule

Registration of a
Pyrethrum
Processor.

4. (1) A person who intends to process pyrethrum shall apply to the Authority by filling letter of intent and such application shall be processed in accordance with the guidelines.

(2) The Authority shall acknowledge the application by issuance of a letter of intent in the name of the applicant in Form A7 set out in the First Schedule.

(3) The holder of a letter of intent shall have the authority to proceed with the project to the registration stage as directed by the Authority.

(4) The Authority in consultation with the County Government shall revoke the letter of intent if it is proved that—

(a) the applicant made material misrepresentation or false declaration in the application or;

(b) the document was otherwise obtained by corruption or fraud; or

(c) a condition of the letter of intent has been breached and no remedial measures have been made.

(5) A person who, in the opinion of the Authority, has satisfied the conditions

in the letter of intent shall be eligible to apply for registration of pyrethrum processing.

(6) A person shall not establish a pyrethrum crop processing without registration by the Directorate in accordance with section 18 (1) of the Crops Act, 2013.

(7) An applicant for registration shall satisfy the conditions set out in these Regulations and shall be issued with Registration certificates in Form A8 set out in the First Schedule.

(8) The holder of a registration certificate shall have the authority to proceed with the implementation of the pyrethrum processing project to the operations stage as directed by the Authority.

(9) A registered processor shall notify the Authority of all changes in its ownership and shareholding.

(10) In appointing principal officers and directors, registered processors shall satisfy themselves that eligible persons shall be suitable to serve as provided for in these Regulations.

(11) Every Registered Processor shall notify the Authority of the appointment of a principal officer or a director within thirty days of the making of such appointment.

(12) Where the Authority is not satisfied that the person so appointed is fit and proper to serve as such principal officer or director, it shall notify the processor who shall be required to replace such appointee.

(13) A registration certificate shall not be transferable.

(14) The Authority in consultation with the County Government may revoke the registration if it is proved that—

(a) the applicant made material misrepresentation or false declaration in the application;

(b) the document was otherwise obtained by corruption or fraud ;or

(c) a condition of the registration has, in the opinion of the Authority, been breached.

(15) A registered processor whose implementation plan lapses by one year without reasonable cause shall be deregistered.

(16) Any person who contravenes the provisions of this regulation commits an offence and upon conviction is liable to the penalty prescribed under section 37 of the Act.

(17) Notwithstanding the provisions for registration under these Regulations or the Act, nothing shall be construed to mean derogation of any applicable laws, including laws governing public health, environment, traffic, safety, weights and measures.

PART IV—LICENSING REQUIREMENTS

Requirements for 5. (1) An Applicant for a license as a dealer shall produce the following—
licensing a dealer.
(a) a duly filled application prescribed in Form A4 set out in the First Schedule;
(b) a clearance letter from the respective County Government;
(c) a letter of undertaking to remit returns to the Authority; and
(d) any other requirements that may be prescribed by the Authority from time to time.

(2) In addition to paragraph (1), a non-natural person shall also produce the following—
(a) a certified copy of the certificate of incorporation or registration;
(b) a certified copy of the memorandum and articles of association.
(c) paid up share capital of not less than five hundred thousand shillings;
(d) the names and addresses of two business referees;
(e) the names of the directors and any other officials; and
(f) a tax compliance certificate from Kenya Revenue Authority for the non-natural person or individuals where applicable.

Requirements for 6. (1) A person wishing to operate a pyrethrum nursery shall apply for licensing through the County Government and the applicant shall be required to have the following—
licensing a commercial nursery operator.
(a) a certified copy of either—
(i) a title deed; or
(ii) an allotment letter; or
(iii) a lease agreement;
(b) a copy of the applicant's—
(i) national identification document; or
(ii) passport;
(iii) personal identification number certificate; and

- (iv) certificate of good conduct;
- (c) suitable land site for establishment of a nursery;
- (d) a reliable supply of clean water;
- (e) accessibility of nursery site for inspection and materials transportation;
- (f) a tax compliance certificate from Kenya Revenue Authority;
- (g) a clearance letter from an accredited supplier of planting materials.

(2) A person applying for a license under paragraph (1) shall—

- (a) demonstrate adequate knowledge in nursery management;
- (b) declare the land size to be utilized; and
- (c) have at least two years relevant training or experience in proven nursery management.

(3) In addition to the requirements in paragraphs (1) and (2) a non-natural person shall also produce the following—

- (a) a certified copy of the certificate of incorporation or registration;
- (b) a certified copy of the Memorandum and Articles of Association;
- (c) paid up share capital of not less than five hundred thousand shillings;
- (d) the names and addresses of two business referees;
- (e) the names of the directors and any other officials; and
- (f) a tax compliance certificate from Kenya Revenue Authority for the non-natural person or individuals where applicable.

Requirements for
licensing a
processor.

7. (1) An applicant for a license as a processor shall have following—

- (a) a certified copy of certificate of incorporation i.e. a certified copy of Memorandum and Articles of Association or valid certificate of business registration;
- (b) a clearance letter from the County Government where the processing factory shall be located;
- (c) a minimum capacity to process one hundred tonnes of dry pyrethrum flowers annually;
- (d) clearance letter and certification from Pest Control Products Board;
- (e) the names of company directors or partners as the case may be;
- (f) copies of—
 - (i) individual national identification documents or passports;
 - (ii) personal identification number certificates; and
- (g) the names and addresses of two business referees;
- (h) tax compliance certificates from Kenya Revenue Authority for the company and its directors.
- (i) evidence of compliance with statutory requirements including—

- (i) Pest Control Poisons Board;
 - (ii) National Environment Management Authority; and
 - (iii) County government.
 - (j) a certified copy of a safety & occupational health certificate;
 - (k) clearance letters from—
 - (i) the Credit Reference Bureau; and
 - (ii) any other body as prescribed by the Authority from time to time.
 - (l) a certified copy of a comprehensive insurance cover from a reputable firm proportionate to the volume of pyrethrum product handled according to the insurance valuation;
 - (m) an affidavit by the applicant of their involvement by themselves, their servants, spouses, next of kin, holding companies, associated companies, or partnerships in the business of commercial dealers, management agents, warehousemen, pulping station or marketing agents;
 - (n) proof of engaging services of a pyrethrum registered grower or dealer by the Authority;
 - (o) a minimum of three hundred acres under pyrethrum or three hundred registered growers;
 - (p) an undertaking to furnish the Authority with stock returns each quarter; and
 - (q) paid up share capital of not less than five hundred thousand shillings
 - (r) any other requirements that may be prescribed by the Authority from time to time.
- (2) The applicant shall also demonstrate physical infrastructure and technical capacity to process and deliver a product that meets the standards as stipulated in regulation 28.
- (3) The processor shall submit signed contracts between them and growers within 60 days of being licensed.

PART V—GENERAL PROVISIONS

Pyrethrum nursery and movement of planting materials.

- 8.** (1) An application for a commercial nursery registration certificate shall be in Form A2 set out in the First Schedule.
- (2) Every pyrethrum nursery operator shall furnish the Authority with quarterly returns in Form A3 set out in the First Schedule.
- (3) The Pyrethrum nursery operator's license shall be renewed annually at a

fee as
prescribed in the Second Schedule.

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(4) An application for a permit to move Pyrethrum planting materials from one county to another shall be in Form A20 set out in the First Schedule and the standards of the planting materials to be moved should meet the conditions specified in the **Pyrethrum Seed Rules**.

(5) Fees under this regulation shall be collected by the County Government.

Pyrethrum
processor.

9. (1) An application for pyrethrum processing licence shall be in Form A9 set out in the First Schedule.

(2) The processing licence shall be in Form A10 set out in the First Schedule.

(3) A processor shall furnish the Authority with processing returns each quarter in Form A11 set out in the First Schedule.

(4) The Pyrethrum processor license shall be renewed annually at a fee as prescribed in Second Schedule.

(5) Fees under this regulation shall be collected by the Authority.

Dealer's licence.

10. (1) An application for registration as a dealer's licence shall be in Form A4 set out in the First Schedule.

(2) The dealer's licence shall be in Form A5 set out in the First Schedule.

(3) Every dealer shall furnish the Authority with returns each quarter in Form A6 set out in the First Schedule.

(4) An applicant shall comply with the respective licensing requirements specified in these Regulations.

(5) The Pyrethrum dealer license shall be renewed annually at a fee as prescribed in Second Schedule.

(6) Fees charged under this regulation shall be collected by the Authority.

Renewal of
Licenses.

11. (1) An application for the renewal of a license under this Act shall be made to the licensing authority not later than the first day of the month of June in which the current license is due to expire.

(2) Notwithstanding paragraph (1), a late application may be made upon payment of a late application fee as may be prescribed by the Authority.

Maintenance of a
register.

12. (1) The processor shall maintain a register for the purposes of this Part and shall record in the register the particulars required under this regulation.

(2) The register referred to in paragraph (1) shall be *prima facie* proof that a person is a registered grower and the processor shall furnish the Authority with

particulars of all registered growers in such manner as the Authority may prescribe.

Kenya
pyrethrum
market access

13. The Directorate shall avail intellectual property rights for use by relevant industry players under set conditions. To be prescribed by the Authority from time to time.

Fees.

14. The applicable fees for—

- (a) the receipt and processing of applications;
- (b) the issuance of a licence or certificate; or
- (c) any other matter arising under these Regulations,

are as prescribed in the Second Schedule

PART VI—STANDARDS FOR PYRETHRUM AND PYRETHRUM PRODUCTS

Pyrethrum
flowers.

15. (1) All pyrethrum shall, on receipt by the processor, be inspected by a person appointed by the processor for that purpose.

(2) The person appointed under paragraph (1) shall issue a notice in the form of a receipt showing —

- (a) the net weight of the pyrethrum received;
- (b) the net weight of pyrethrum accepted; and
- (c) the net weight of pyrethrum rejected, if any, and the reasons for the rejection shall be sent by the processor to the grower from whom the pyrethrum was received.

(3) The grading of pyrethrum to determine the rate of payment shall be carried out by a person appointed by the processor.

(4) A person appointed under paragraph (3) shall determine the rate of payment in the following manner—

- (a) a sample shall be extracted by a method approved by the Authority from each bag of pyrethrum delivered to the processor;
- (b) every grower's sample shall be analysed by the method approved by the Authority to determine the pyrethrins content of each grower's deliveries;
- (c) every sample of pyrethrum delivered between the twenty-eighth day of any month and twenty-seventh day of the succeeding month, or such other period as may be notified to growers by the processor, shall be retained in a separate container for each

- grower;
- (d) at the end of the period notified, all such samples of pyrethrum delivered within the period by each grower shall be thoroughly mixed and subdivided by the method currently approved by the Authority until a residual sample of an amount considered by the processor to be sufficient for the purpose of analysis remains;
- (e) each residual sample shall be registered and analysed, by the method currently approved by the Authority, in the processors' laboratories to determine the pyrethrins content of each grower's deliveries during the period; and
- (f) each grower registered sample shall be analysed and results of the analysis after the completion of the analysis by the processors' laboratories communicated to the grower not later than twenty-one days of registration of the sample.

Pyrethrum products. **16.** The Authority shall set standards for pyrethrum and pyrethrum products from time to time.

Appointment of inspectors. **17.** There shall be pyrethrum inspectors who shall be appointed and their names published in the *Gazette* by the Authority in accordance with section 27 of the Act.

Inspector's power of entry. **18.** (1) An inspector shall, upon availing an identification from the Authority, be allowed at all reasonable times to access any farm, land or premises on which pyrethrum is grown, stored, warehoused, processed or reasonably suspected to be grown, stored, warehoused or processed.

(2) An inspector shall upon entry on a farm, land or premises ascertain whether the provisions of the Act and these Regulations are being complied with.

(3) Where an inspector has reasonable grounds to suspect that any provision of the Act or these Regulations is being flouted, the inspector may require the owner, occupier or agent present to furnish any required information or material relating to the matter under inspection.

(4) A person who owns or occupies or is an agent of the owner of a farm, land or premises to be inspected and who refuses entry or obstructs an inspector from accessing such farm, land or premises commits an offence.

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(5) A person convicted of an offence under paragraph (4) is liable to a fine prescribed under Crops Act, 2013, section 37 .

(6) A certificate of person convicted under paragraph (5) may be revoked.

Release Order. **19.** (1) The Authority or its authorized agent shall have the power to verify customs documentation on export or import of any pyrethrum consignment and issue an import or export release order in the manner prescribed in Form A13 in the First Schedule.

(2) The Authority shall not issue a release order if an exporter or importer is in contravention with the provisions of the Act or any Regulations made thereunder.

(3) The Authority may cancel the export or import release or approval order if an exporter or importer contravenes the provisions of the Act or any Regulations made thereunder.

PART VII – REGULATION ON PYRETHRUM IMPORT OR EXPORTS

Registration of importers and exporters by licensed processor.

20. (1) A processor who wishes to import pyrethrum or pyrethrum products or export pyrethrum by-products, shall apply to the Authority for registration by the Authority in Form A14 and A 15 respectively as set out in the First Schedule.

(2) Application for an import permit shall be in Form A16 as set out in the First Schedule.

(3) Application for an export permit shall be in Form A17 as set out in the First Schedule.

Issue of permits. **21.** (1) Where the Authority approves an application for registration as an importer or exporter under these Regulations, it shall on payment of a registration fee of one hundred thousand shillings register the applicant by entering the name and other such particulars.

(2) The Authority shall, issue an import or export permit in Form A18 set out in the First Schedule as the case requires, to a registered importer or exporter upon compliance with the conditions set out in the Pyrethrum Industry Guidelines.

(3) A permit issued under these Regulations shall be subject to such conditions as the Authority may impose.

(4) The permit shall be issued only for the specific consignment being imported or exported.

Register to be **22.** (1) The Authority shall maintain a register of all importers and exporters who

kept by the Authority.

have been granted permits in accordance with these Regulations.

- (2) Permits granted to manufacturers entitled to import Pyrethrum shall not be transferable and third party trading shall be prohibited.
- (3) A manufacturer who wishes to procure Pyrethrum locally from another manufacturer must obtain approval from the Authority.

Quantity of pyrethrum required by the processors.

23. (1) The Authority shall determine annually the amount of dry Pyrethrum flowers required by the processors, taking into account the shortage within the country.

- (2) Pursuant to paragraph (1) the Authority shall issue permits for such quantities to be imported by registered importers as provided in the Schedule to these Regulations.

Verification of export and import.

24. On successful processing of customs documentation, the consignment of import or export may be physically verified jointly by authorized Kenya Revenue Authority and the Authority officials.

Release of goods to the consignee.

25. Goods shall be released to the consignee on stamping by officials of the Authority, a release order on the import documentation, in the manner prescribed in the Pyrethrum Industry Guidelines.

Exporter and Importer to make returns.

Cancellation of import or export permit.

26. Every importer or exporter shall make returns to the Authority in the manner prescribed in Form A 19 set out in the First Schedule.

27. (1) The Authority may cancel an import or export permit of a processor who contravenes these Regulations.

- (2) A person whose permit has been cancelled may appeal against the decision to the Crops Arbitration Tribunal.

PART VIII—FINANCIAL PROVISIONS

Pyrethrum levy **28.** (1) The Cabinet Secretary, with the approval of the National Assembly shall impose the Pyrethrum Levy on all pyrethrum products in accordance with section 32 of the Act.

(2) The Pyrethrum Levy shall be collected by the Directorate on behalf of the Authority.

(3) The levy shall be payable at the rate of two percentum of the ex-factory as applicable, for made pyrethrum products at the point of export and at

the point of import, effective from the first day immediately following three months after the publication of these Regulations.

- (4) The proceeds of the levy shall be apportioned as follows—
- (i) fifty percentum shall be applied in the manner provided under this Act, section 10
 - (ii) twenty percentum shall be used to develop pyrethrum, technologies, varieties and maintain the breeder's rights;
 - (iii) twenty percentum shall be used to develop pyrethrum product research and maintenance of the Pyrethrum Technical Information Centre; and
 - (iv) ten percentum shall be used to develop pyrethrum at the county level on pro rata basis.

(5) All exporters and importers of Pyrethrum crop products shall be required to pay levy to the Authority or its collection agent based on the ex-warehouse price for pyrethrum sold, customs value for pyrethrum imports as applicable of each consignment of made pyrethrum product at the point of export or import.

(6) All exporters or importers of pyrethrum crop products shall provide information on all export and import consignments to the Directorate in the manner prescribed **in Forms A14 and A15** respectively set out in the First Schedule.

(7) Notwithstanding the provisions of paragraph (4), where a pyrethrum exporter and importer declares a value that is different from the prevailing prices as at the date of the sale agreement, the pyrethrum levy shall be computed on the basis of the higher of the two prices.

(8) Any Pyrethrum crop exporter or importer who provides false information under this regulation commits an offence.

(9) Any levy —

- (a) that remains unpaid shall be recovered by the Authority as a civil debt due to it from the person by whom it is payable; and
- (b) that remains unpaid for thirty days or more shall attract interest at

commercial bank rates until it is fully paid.

(10) All Pyrethrum products exporters or importers of pyrethrum and its products shall provide documentary evidence to the Directorate or its collection agent of having paid the applicable levy.

(11) On successful processing of customs documentation, the Pyrethrum crop export or import consignment shall be verified by the Directorate or its authorized agent.

(12) Where a consignment is verified under paragraph (10), a release order shall be issued by the Directorate.

(13) The Directorate shall not issue a release order if an exporter or importer is in contravention of the provisions of the Act or any of its regulations.

(14) The Directorate may cancel the export or import release order if an exporter or importer contravenes the provisions of the Act or any of its regulations.

Application of
the pyrethrum
levy.

29. (1) The Pyrethrum levy shall be collected and administered by the Directorate on behalf of the Authority and may be applied for the sustenance, development and promotion of the Pyrethrum crops subsector in accordance with paragraph (2).

(2) The proceeds of the Pyrethrum levy may, with the approval of the Authority, be used for all or any of the following purposes—

- (a) advertising the merits of Kenya Pyrethrum and increasing its sale to expand existing markets and entering new markets and matters incidental thereto;
- (b) promotion of exhibitions and trade fairs for the display of the Kenya crops in the domestic and international markets;
- (c) collection and dissemination of statistics and other information relating to pyrethrum and its production, distribution and consumption and other industrial crops;
- (d) regulation and compliance activities;
- (e) promotion and funding of pyrethrum research and other industrial crops after identification of research priorities and programs;

- (f) promotion of product diversification and value addition;
 - (g) development of pyrethrum industry and other industrial crops infrastructure and establishment of a Pyrethrum crops stabilization fund in consultation with pyrethrum industry stakeholders;
 - (h) remuneration, pension, gratuities, of members of the staff and technical advisers of the Directorate;
 - (i) provision of offices facilities for members of staff of the Directorate;
 - (j) payment of remuneration, allowances and expenses incurred by the Board of the Authority and any committees and the staff of the Authority;
 - (k) expenses and other charges incurred by the directorate or for which the Directorate may become liable in the course of its operations; and
 - (l) maintenance of the buildings and grounds of the Directorate;
 - (m) assisting the pyrethrum industry and other industrial crops in such manner as the Board of the Authority may deem fit; and
 - (n) maintenance of plant breeder's rights and intellectual property rights and any other use as may be approved the Authority.
- (3) The Directorate may with the approval of the Director General invest funds which may from time to time be standing to its credit and which are not required immediately for any of the purposes specified in paragraph (2).

Financial Year of the Fund.

30. The financial year of the Fund shall be the period of twelve months ending on the thirtieth June in each year.

Accounts and audit.

31. (1) The Directorate shall cause to be kept all proper books and records of accounts of the income, expenditure, assets and liabilities of the Fund and of itself.

(2) Within three months after the end of each financial year, the Directorate shall submit to the Controller of Budget and the Auditor- General the accounts of the Fund and the Directorate including—

- (a) a statement of income and expenditure during that year; and
- (b) a statement of the assets and liabilities of the Directorate on the last day of the financial year.

Act No. 12 of

(3)The accounts of the Fund and of the Directorate shall be audited by the

2003. Controller of Budget and the Auditor-General in accordance with the provisions of the Public Audit Act, 2003.

(4) As soon as reasonably practicable after the end of the financial year, the Controller of Budget and the Auditor-General shall report on the examination and audit of the accounts of the Directorate to the Cabinet Secretary.

Annual estimates.

32. (1) At least three months before the commencement of each financial year, the Directorate shall cause to be prepared estimates of the revenue and expenditure of the Fund for that year.

(2) The annual estimates shall make provision for all estimated expenditures of the Fund for the financial year , and in particular shall provide for—

(i) the payment of the salaries, allowances and other charges in respect of the staff and members of the Directorate;

(ii) the payment of pensions, gratuities and other charges in respect of retirement benefits to staff of the Directorate;

(iii) the proper maintenance of the buildings and grounds of the Directorate;

Act No. 13 of 2013

(iv) the matters specified under AFA Act section 18(3); and

(v) the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance or replacement of buildings or equipment or in respect of such other matters as the Directorate may consider appropriate.

(3) The annual estimates shall be approved by the Authority before the commencement of the financial year to which they relate and shall be submitted to the Cabinet Secretary for approval.

Investment of funds.

33. (1) The Directorate may invest any of the funds of the Fund which are not immediately required for its purposes, in such securities as the Treasury may, from time to time, approve.

(2) The Directorate may, subject to the approval of the Treasury, place on deposit with such bank or banks as it may determine, any money not immediately required for the purposes of the Fund.

PART IX—MISCELLANEOUS PROVISIONS

Protection from personal liability.

34. An action shall not lie against the Directorate or any of its officers or other persons appointed or authorized to perform any function under these Regulations 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 by them under these Regulations.

35. Notwithstanding any provisions in these Regulations, the pyrethrum dealer and processor shall pay the pyrethrum grower within thirty days of accepting the grower's flowers or otherwise pay interest on the sum due at market rates, plus a penalty of three per centum per month on late payment.

General penalty. **36.** A person who commits an offence under these Regulations in which no penalty is prescribed is liable on conviction to the penalty prescribed in section 37 of the Act.

Revocation. **37.** The following Regulations are revoked-

- (a) The Pyrethrum Rules, 1967 (L.N 173or1967, L.N. 71or2006)
- (b) Pyrethrum (Elections) Rules, 2003 (L.N. 165or2003, Corr. No. 2or2004, L.N. 65or2009)
- (c) Legal Notice 2 of 1968

| | |
|--|---|
| FIRST SCHEDULE – FORMS | |
| FORM A1 | |
| Serial No.: AFA/POICD/---/001 | (r. 3(2)) |
| Name of Pyrethrum Processor | |
| Pyrethrum Grower Registration (CONFIDENTIAL) | |
| To: The Manager Pyrethrum Processor | |
| Application is hereby made to grow or maintain..... hectares of pyrethrum on the land parcel specified in Part B below– responsible | |
| A - Particulars of Applicant | |
| 1. | Name of applicant |
| 2. | National Identify Card No / Passport No. |
| 3. | Address..... |
| 4. | Telephone No..... |
| B – Particulars of Land | |
| 1. | L.R. No. or No's..... |
| 2. | Location..... |

- 3. Ward.....
- 4. Sub-County.....
- 5. County.....

Date.....Signature.....
 Applicant or his duly authorized agent

FOR OFFICIAL USE:

Processor:

.....
 Date.....Name of signatory.....
 Authorized Signature.....

For:.....
 (Name of Processing Company)

FORM A2

(r. 8(1))

COUNTY GOVERNMENT OF:

Serial No. County code/Pyrethrum/002

Application for Commercial Pyrethrum Nursery

1. Personal Information

Name of Applicant (new/renewal-delete as appropriate):
 Address:
 Postal
 Email..... Web Address:
 Telephone:

Where the applicant is registered business entity, they should supply the County with:

- (a) A certified copy of certificate of incorporation or registration;
- (b) A certified copy of memorandum and articles of association or constitution;
- (c) Names and address of Directors.
 - i.
 - ii.

2. Nursery Information

3. Location of land:

i) County..... ii) Sub-County

iii) Ward iii) Name of Chief
L.R No or Plot No

4. Nursery Category (tick as appropriate)
Commercial Private

I/We hereby certify that the above information is true and accurate to the best of my or our knowledge and belief.

Signature:.....Date:.....

Applications should be addressed to:-

The County Government of

FOR OFFICIAL USE

Checked by:

County Officer:

Name

.....Signature.....Date.....

Comments (*Recommended or Not recommended*)

Approved by:

CEC Agriculture: Name Signature.....Date

.....
Designation.....

Official Stamp.....

A3

(r.8 (2))

FORM A3

(r. 8(2))

COUNTY GOVERNMENT OF:

Serial No.: County code/pyrethrum/003

Quarterly Returns Commercial Pyrethrum Nurseries

1. Name of Applicant or Nursery:
2. Address: Postal
- Email.....
3. Telephone:
4. Location of land:
 - i) County..... ii) Sub-County
 - iii) Ward iii) Name of Chief
5. L.R. No. or Plot No:
6. Nursery Code.....
7. Period of returns from.....to.....
8. Accredited source of planting materials (seed or splits).....
9. Clearance certificate by the supplier of planting material

Splits stock

| Variety Names | Balance B/f from previous quarter: | Amount of planting material allocated | No. of seedlings raised | Total seedlings available |
|---------------|------------------------------------|---------------------------------------|-------------------------|---------------------------|
| | | | | |
| | | | | |
| Total | | | | |

Seedlings Sales

| No. | Date | Date of Buyer | ID No.or PBKD's code | Receipt No. Issued | No of Seedlings Sold | | | | Total |
|-----|------|---------------|----------------------|--------------------|----------------------|-----------|-----------|--------|-------|
| | | | | | Variety 1 | Variety 2 | Variety 3 | Others | |
| 1 | | | | | | | | | |
| 2 | | | | | | | | | |
| | | Total | | | | | | | |

Prepared by:

Name:..... Designation:.....

Signature:..... Date:.....

Stamp:.....

Form A4

(r.5(1) (a))

FORM A4

(r. 5(1)(a))

AGRICULTURE AND FOOD AUTHORITY

Application for Registration of a Pyrethrum dealer

Serial No: AFA/POICD/004

1. Name of dealer (new or renewal-delete as appropriate)
2. Address
3. Registered address Building.....
Street.....
Town or City..... L.R. No.
4. Date of Incorporation.....
5. Registration No.....
6. Name of Company
7. Physical Address
8. Location of the principal office.....
Address.....
Telephone
9. Details of the capital structure
(a) Nominal capital Kshs.....
(b) Paid up capital Kshs
10. A sworn affidavit by the applicant of their involvement in the business of commercial dealers, by—
(i) themselves;(ii)their servants;(iii) spouses;(iv) next of kin;(v) holding companies;
(vi) associated companies; or (vii)partnerships;

11. Full names, addresses and occupations of the directors:

| | <i>Name:</i> | <i>Address:</i> | <i>Occupation:</i> |
|----|--------------|-----------------|--------------------|
| 1. | ----- | ----- | ----- |
| 2. | ----- | ----- | ----- |

Branch Office(s) if any

Address:.....
 Building Street
 Town or City..... L.R. No.
 Telephone
 Fax.....
 E-mail.....

12. Name, Address and Telephone of the Chief Executive:

Name:
 Physical Address
 Telephone:
 Postal Address:.....
 Professional Qualifications:.....
 Experience:.....

13. I/We certify that the information given above is correct.

Name of Director..... Signature
 Name of Director..... Signature
 Name of SecretarySignature

14. I/We hereby apply for licence and registration as pyrethrum dealer and to carry on business of pyrethrum dealer.

Date.....
 Name of Director..... Signature
 Name of Director..... Signature
 Name of SecretarySignature

15. Additional registration requirements shall be as per the schedule of these forms.

FOR OFFICIAL USE

Checked by:

Pyrethrum County Officer:

Name
 Signature..... Date.....

Comments (*Recommended or Not recommended*)

Approved by:

AFA Authorizing officer: NameSignature.....Date.....

Designation.....
 Official

Stamp.....

Form A4 B

(r.3(12))

**AGRICULTURE AND FOOD AUTHORITY
Pyrethrum and other Industrial Crops Directorate
And
COUNTY GOVERNMENT OF.....**

Serial No. County Code/Pyrethrum/ooo

**APPLICATION FOR REGISTRATION AS A TRANSPORTERS/ STORAGE/
BUYER/SELLER DISTRIBUTOR OF PYRETHRUM**

(To be filled in triplicate)

Full name of Applicant

Postal Address.....

PIN No / ID. No.

Registered Office.....

L. R. No. Street

Tel. No. Fax No.

E-mail Website

Place where the premise is located:

Location Sub location

Ward.....

Sub-County..... County.....

The dealer (agent) should declare all premises (buying centres)

Details of the Buying Centres/Warehouses

| Buying Centre Name/No | Capacity (Sq.ft) | Location | Street/Avenue/ Village | Contact Person | Mobile No. |
|-----------------------|------------------|----------|------------------------|----------------|------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Please note that new buying centre(s) established by the Company have to be notified to the Authority in writing within 7 days.

Type of dealership e.g. **Transporter/Storage/Buyer/Seller**

(Specify)

Types of Produce/ Products

Sources of supply for Produce

Destination for Produce

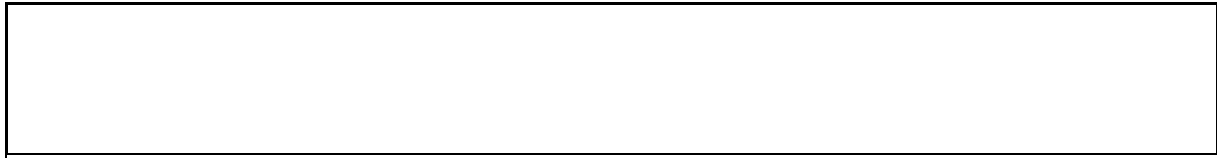
Declaration

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

Applicant Signature..... Date

FOR OFFICIAL USE

| |
|---|
| <p><u>County Government Approval</u></p> <p>Checked by: Sub County Agricultural Officer</p> <p>Name..... Signature..... Date</p> <p>Approved by: CEC in charge of Agriculture</p> <p>Name.....Signature..... Date</p> <p>Official stamp/seal</p> |
|---|



FORM A5

(r. 10(2))

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Pyrethrum Dealer Licence

Serial No: AFA/POICD/----/005

Processors' Code

This License is granted to of P.O. Box
and authorizes the said to conduct the business of pyrethrum dealership
in the Republic of Kenya for a period of one year beginning on the Day of
..... and ending on day of (both days inclusive)

This License is issued subject to the maintenance of the requirements for approval and the
provisions of the Pyrethrum Regulations, 2016 and the rules made there under and to such
conditions as are stipulated herein.

This License is not transferable.

Terms and Conditions:

1. In the performance of his functions under this license, the licensee shall so far as practicable endeavour to ensure—
 - (a) The promotion of good technical practices in Pyrethrum production, secondary processing of pyrethrum that assist in maintenance and enhancement of quality;
 - (b) The promotion of good storage, handling and transportation of pyrethrum with preservation of quality in mind;
 - (c) That pyrethrum is secure and that adequate insurance cover is provided by reputable firms;
 - (d) That appropriate deductions, including statutory deductions, are made in an accountable and transparent manner;

Prompt direct payment to the grower.

ISSUED at Nairobi this Day of20.....

Signed..... *Director General,*

FORM A6

(r. 10(3))

AGRICULTURE AND FOOD AUTHORITY
 PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No.: AFA/POICD/2016/17/006

Dealer's Returns

Name of Dealer..... Processors' Code.....Licence Number.....
 Postal Address.....Physical Location.....
 Telephone.....
 Fax.....
 E-mail.....
 Crop Year.....Quarter.....

| Sale No | Lot No. | Bags | Total Weight (Kg) | Price | Gross Value | Total Statutory Deductions (4%) | Transport charges | Bags | Other Charges | Net Proceeds |
|---------|---------|------|-------------------|-------|-------------|---------------------------------|-------------------|------|---------------|--------------|
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |

Prepared By Signature
 Designation Date

Official Stamp

FORM A7

(r.4(2))

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

AFA/POICD/007

**Pyrethrum Processor Registration
(CONFIDENTIAL)**

.....
Current Date

.....
(Applicant's or Company (address))

Dear Sir,

RE: LETTER OF INTENT

1. (Name of applicant entity) has demonstrated its commitment to the implementation of pyrethrum processing project in Kenya by preparing Pre-Feasibility study report.
2. The applicant has further demonstrated commitment to taking advantage of the Kenyan Investment Policies that will facilitate the easy access to investment incentives and guarantees. The Company has been temporarily assigned a pyrethrum development in district,County. Their processing development may be located on plot number(s)on street, location.
3. The Authority is satisfied that applicant will:
 - (a) Obtain an Authorising letter from the County Government from which the processor shall be located
 - (b) Carry out a detailed project study to facilitate Environmental Impact Assessment,
 - (c) Organize and register growers for pyrethrum flower supply,
 - (d) Participate in pyrethrum land and pyrethrum planting material development,
 - (e) Install process equipment that will march current Kenyan standards,
 - (f) Successfully apply for a processors operating license at the appropriate stage,
 - (g) Execute the project within the next 1 year after which this letter of intent shall be invalid.

The Directorate is satisfied with the intentions of Company in implementing the

proposed pyrethrum project.

Yours sincerely,

**Director General
Agriculture and Food Authority**

FORM A8

(r.4(7))

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No.: AFA/POICD/008

**Pyrethrum Processor Registration
(CONFIDENTIAL)**

PROCESSOR CERTIFICATE OF REGISTRATION

THIS IS TO CERTIFY that..... of postal address having a
Pyrethrum processor atLR No.has been duly registered by the Directorate in
accordance with section of the Crops Act, 2013.

Dated this day of 20.....

This registration is valid for one year from the date of issue.

Signature.....

Director General
Agriculture and Food Authority

FORM A 9
FORM A9

(r 9 (1)
(r. 10(1

THE AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No.: AFA/POICD/009

Application for Processor License

1. Name of Applicant (new or renewal-delete as appropriate):
2. Address: Postal
- Email..... Web Address.....
- Telephone:
3. Location of land:
 - i) County..... ii) Sub-County
 - iii) Ward iii) Name of Chief
4. Proposed Name of firm (where applicable):.....
5. L.R. No (Attach copy of Title Deed or Registration Certificate of a co-operative society or Company).....
6. Processing capacity:
 - a) Grinding.....tonnes per Month
 - b) Extraction.....tonnes per Month
 - c) Refining tonnes per Month
 - d) Other Tonnes per Month
7. Attachments:
 - Qualifications of key staff
 - Licenses
 - Clearance certificates
 - Certification from Pest Control Products Board
8. License category (tick as appropriate):-Commercial.....Private.....
9. Application is made for permission to erect or operate a factory for the processing of pyrethrum in accordance with the particulars given above, which are hereby certified to be correct by the applicant(s):
Name.....Signed.....Date.....
Name.....Signed.....Date.....

Attach recommendation letter from the County Government as prescribed in Form A12

FOR OFFICIAL USE

Checked by:

Technical Officer AFA:

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

Comments (*Recommended or Not recommended*)

Approved by:

Director General AFA: NameSignature.....Date

Designation.....

Official

Stamp.....

FORM A10

(r. 9(2))

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No.: AFA/POICD/2016/17/010

Processor’s Licence

Valid fromTo.....

Name of Applicant:.....

Address: Physical:

Postal:

Email.....Telephone:

1. Location of land:

i) County..... ii) Sub-County

iii) Ward iii) Name of Chief

Is / are hereby authorized to operate a factory for the processing pyrethrum at:

County: L.R. No.....

2. Registration Certificate No.....

3. Type of pyrethrum processing (Gristing or primary extraction or refining):.....

Date:..... Signed:.....

*Director General,
Agriculture and Food Authority*

Subject to the terms and conditions:

1. A licence for a new processing plant will only be issued to persons, or companies who have a minimum of a 300 say thousand acres or more of pyrethrum flowers or flower production of 3 say three tons production per month.
2. When licensing a new processor due consideration will be taken to ensure that processing over capacity is not created in a given local area or zone. In the case of a private investor, the Directorate shall arbitrate to decide how the growers are distributed between the existing and the new processor before issuing a licence.

3. The Directorate, in consultation with the Cabinet Secretary, may cancel, vary or suspend the licence issued to any person if such person fails to comply with terms and conditions of the licence.
4. The processors shall submit their processing returns to the Directorate on bi-annual basis as prescribed in Form A11 and A19.
5. A processing licence may be suspended where the licensee, without any good reason acceptable to the Directorate, continues to default in submitting returns.

FORM A11

(r. 9(3))

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No.: AFA/POICD/011

Processor's Quarterly Returns

Name of Processor

Code.....

Licence Number.....

Postal Address.....

Physical Location.....

Telephone.....

Fax.....

E-mail.....

Crop Year..... Quarter

| <i>Grower or Dealer Code</i> | <i>Grower Deliveries</i> | <i>Content</i> | <i>County</i> |
|----------------------------------|--------------------------|----------------|---------------|
| | | | |
| | | | |
| | | | |

Prepared BySignature

DesignationDate

Official Stamp:

FORM A12

(r. (1)(c))

COUNTY GOVERNMENT OF:.....

Serial No.: County code/Pyrethrum/012

CLEARANCE CERTIFICATE

Name of processor or Dealer.....

Postal Address.....

We certify that the pyrethrum processor or dealer has fulfilled contractual obligations where applicable and not in contravention of county laws.

Name of County Executive Committee Member responsible for Agriculture
.....

Signature:.....

Date:

Official County Government Rubber stamp

This clearance letter is valid for days from date of issue.

FORM A14

(r. 20(1))

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No.: AFA/POICD/014

Pyrethrum Levy - Export

**PYRETHRUM EXPORT REGISTRATION
(CONFIDENTIAL)**

1. Name of exporter.....
2. Address.....
3. Telephone No.....
4. Email Address.....
5. Registration certificate number.....
6. Details of consignment (Pyrethrum Product)

| Processor Marks | Invoice No. | Grade | No. of Packages | Net Weight (Kg) | Value of Consignment (USD) | Ad Valorem Levy Applicable (USD) |
|-----------------|-------------|-------|-----------------|-----------------|----------------------------|----------------------------------|
| | | | | | | |

Full name and address of buyer or consignee.....

Name and address of Warehouse where Pyrethrum Product can be inspected.....

Note: - Every exporter shall attach certified copies of the following documents for verification.

Sale contract showing (contract number, contract date) ;

Commercial invoice showing (unit price USD, terms of payment, port and country of destination);

Certificate of Analysis;

Custom entry form; and

Bank Pay in slip or advice for levy.

Date.....

Authorized signature Stamp of Exporter

FOR OFFICIAL USE

Authentication by

Agriculture and Food Authority

Date.....

Signature and Stamp

Terms and Conditions

For the purpose of duty or V.A.T or Levy exemptions on imported inputs, all exporters shall account for all Pyrethrum products bought by them for export using Form A14 in the Schedule.

Any Levy which remains unpaid for thirty days or more shall be recovered by the Pyrethrum and other Industrial Crops Directorate as a civil debt due to it from the person by whom it is payable.

The Pyrethrum export registration form is issued in triplicate for distribution as follows-

- One copy to be retained by the Pyrethrum and other Industrial Crops Directorate; and
- Two copies to the exporter or processor one of which must be presented to the Kenya Revenue Authority together with relevant Export Entry form.

FORM A15

(r. 20 (1))

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No. AFA/POICD/015

Pyrethrum Levy - Import

**PYRETHRUM IMPORT REGISTRATION
(CONFIDENTIAL)**

Name of importer Registration certificate number
.....

Address..... Telephone number
.....

Email address.....

Details of consignment (Pyrethrum Product)

| Country of Origin | Invoice No. | Grade | Net weight (Kg) | Unit Price (USD) | Customs Value of Consignment (USD) | Ad Valorem Levy Applicable (USD) |
|-------------------|-------------|-------|-----------------|------------------|------------------------------------|----------------------------------|
| | | | | | | |
| TOTAL | | | | | | |

Full name and address of Seller or Consigner:.....

Name and physical address of Warehouse where Pyrethrum product will be stored.....

Note: Every Importer shall attach certified copies of the following documents for verification-

- Sale contract;
- Phytosanitary Certificate (where applicable); Certificate of Origin; Certificate of analysis and pesticide residues;
- Customs entry form; and Bank Pay in slip or advice for Levy

Date.....

Authorized signature, Stamp of Importer

FOR OFFICIAL USE ONLY

Authentication by the Authority:

..... Date.....

Signature and Stamp

Terms and conditions

- i. Every Pyrethrum importer must comply with Kenya Revenue Authority rules and regulations on bonded and transit goods.
- ii. A Pyrethrum importer who diverts Pyrethrum into the local market must produce evidence of duty, value added tax and *levy* payment to the Pyrethrum and other Industrial Crops Directorate and Kenya Revenue Authority - Customs Services Department, where due.
- iii. A levy which remains unpaid for thirty days or more shall be recovered by the Pyrethrum and other Industrial Crops Directorate as a civil debt due to it from the person by whom it is payable.
- iv. The Pyrethrum import registration form is issued in triplicate for distribution as follows-
 - One copy to be retained by the Pyrethrum and other Industrial Crops Directorate.
 - Two copies to the importer or processor one of which must be presented to the Kenya Revenue Authority together with relevant Import Entry form.

Dated.....

.....
(NAME)

Cabinet Secretary

FORM A16

(r. 20 (2))

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial no.: AFA/POICD/016

**Import Application Permit
(Confidential)**

Name of Importer:.....Registration number.....

Address: Physical:

Postal:

Email.....Telephone:

Details of pyrethrum consignment product

| Country of origin | Invoice No. | Grade | Net weight (Kgs) | Value of consignment (USD) | Ad valorem levy applicable |
|-------------------|-------------|-------|------------------|----------------------------|----------------------------|
| | | | | | |
| | | | | | |
| Total | | | | | |

Full name and address of Seller or Consigner:.....

Name and physical address of Warehouse where Pyrethrum product will be stored.....

Note: Every Importer shall attach certified copies of the following documents for verification-

- Sale contract;
- Phytosanitary Certificate (where applicable);Certificate of Origin; Certificate of analysis and pesticide residues;
- Customs entry form; and Bank Pay in slip or advice for Levy

Date.....

Authorized signature, Stamp of Importer

FOR OFFICIAL USE ONLY

Authentication by the Authority:

..... Date.....

Signature and Stamp

Terms and conditions:

1. Every pyrethrum importer must comply with Kenya Revenue Authority rules and regulations on bonded and transit goods

2. A pyrethrum importer who diverts pyrethrum into the local market must produce evidence of duty, value added tax and levy payment to the pyrethrum and Other Industrial Crops Directorate and Kenya Revenue Authority – Customs Services Department, where due, A levy which remains unpaid for thirty days or more shall be recovered by the Pyrethrum and other Industrial Crops Directorate as a civil debt due to it from the person by whom it is payable

3. The Pyrethrum import application form is issued in triplicate for distribution as follows-

- One copy to be retained by the Pyrethrum and other Industrial Crops Directorate.
- Two copies to the importer or processor one of which must be presented to the Kenya Revenue Authority together with relevant Import Entry form.

Dated.....

.....

Cabinet Secretary

FORM A17

(r. 20 (3))

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No.: AFA/POICD/017

Export Application Permit

Name of Exporter:.....Registration number

Address: Physical:

Postal:

Email.....Telephone:

Details of pyrethrum consignment product

| Processor marks | Invoice No. | Grade | Net weight (Kgs) | Value of consignment (USD) | Ad valorem levy applicable |
|-----------------|-------------|-------|------------------|----------------------------|----------------------------|
| | | | | | |
| | | | | | |
| Total | | | | | |

Full name and address of Seller or Consigner:.....

Name and physical address of Warehouse where Pyrethrum product will be stored.....

Note: Every exporter shall attach certified copies of the following documents for verification-

- Sale contract;
- Phytosanitary Certificate (where applicable);Certificate of Origin; Certificate of analysis and pesticide residues;
- Customs entry form; and Bank Pay in slip or advice for Levy

Date.....

Authorized signature, Stamp of Importer

FOR OFFICIAL USE ONLY

Authentication by the Authority:

..... Date.....

Signature and Stamp

Terms and conditions:

1. Pyrethrum flowers shall not be exported in raw form.

2. Every pyrethrum exporter must comply with Kenya Revenue Authority rules and regulations on bonded and transit good

3. The Pyrethrum export application permit is issued in triplicate for distribution as follows-

- One copy to be retained by the Pyrethrum and other Industrial Crops Directorate.
- Two copies to the importer or processor one of which must be presented to the Kenya Revenue Authority together with relevant Import Entry form.

Dated.....

.....

Cabinet Secretary

FORM A18

(r. 21 (2))

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No.: AFA/POICD/2016/17/018

**Import or Export Permit
(Confidential)**

Name of Importer or Exporter:.....Registration number

Address: Physical:

Postal:

Email.....Telephone:

Details of pyrethrum consignment product

| Name | Invoice No. | Grade | Quantities Net weight (Kgs) | Value of consignment (USD) | Ad valorem levy applicable |
|-------|-------------|-------|-----------------------------------|----------------------------------|----------------------------------|
| | | | | | |
| | | | | | |
| Total | | | | | |

Full name and address of Seller or Consigner:.....

Name and physical address of Warehouse where Pyrethrum product will be stored.....

Port and country of destination

Note: Every importer or exporter shall attach certified copies of the following documents for verification-

- Sale contract;
- Phytosanitary Certificate (where applicable); Certificate of Origin; Certificate of analysis and pesticide residues;
- Customs entry form; and Bank Pay in slip or advice for Levy

Date.....

.....

Authorized signature, Stamp of Importer

FOR OFFICIAL USE ONLY

The above is authorised to import or export pyrethrum as specified therein

Authentication by the Authority:

..... Date.....

Signature and Stamp

Terms and conditions:

1. Pyrethrum flowers shall not be exported in raw form.
2. Every pyrethrum Importer or exporter must comply with Kenya Revenue Authority rules and regulations on bonded and transit good
3. The Pyrethrum export application permit is issued in triplicate for distribution as follows-
 - One copy to be retained by the Pyrethrum and other Industrial Crops Directorate.
 - Two copies to the importer or processor one of which must be presented to the Kenya Revenue Authority together with relevant Import Entry form.

Dated.....

.....

(NAME)

Cabinet Secretary

FORM A19

(r. 26)

AGRICULTURE AND FOOD AUTHORITY
PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No.: AFA/POICD/019

Import or Export returns

Name of Importer or Exporter:.....Registration number.....

Address: Physical:

Postal:

Email.....Telephone:

Details of pyrethrum consignment product

| Country of origin or Destination | Grade | Unit of measure | Quantity handled | Total value of consignment (USD) |
|----------------------------------|-------|-----------------|------------------|----------------------------------|
| | | | | |
| | | | | |
| Total | | | | |

Full name and address of Seller or Consigner:.....

Name and physical address of Warehouse where Pyrethrum product will be stored.....

Note: Every Importer or Exporter shall attach certified copies of the following documents for verification-

- Sale contract;
- Phytosanitary Certificate (where applicable);Certificate of Origin; Certificate of analysis and pesticide residues;
- Customs entry form; and Bank Pay in slip or advice for Levy

Date.....

Authorized signature, Stamp of Importer

FOR OFFICIAL USE ONLY

Authentication by the Authority:

..... Date.....

Signature and Stamp

Terms and conditions:

1. Every pyrethrum importer or exporter must comply with Kenya Revenue Authority rules and regulations on bonded and transit goods.

2. Attach copies of KRA export entries and bill of lading
3. The Pyrethrum import or export returns form is issued in triplicate for distribution as follows- One copy submitted to the authority and another copy to be submitted to KRA.
4. Forms to be filled in triplicate

Dated.....

Cabinet Secretary

FORM A20

(r. 8(4))

COUNTY GOVERNMENT OF:

THE AGRICULTURE AND FOOD AUTHORITY
 PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE, 2016

Serial No.: County code/Pyrethrum/020

Pyrethrum Planting Materials Movement Permit

Name of Permit holder.....
 Postal Address.....Physical Location.....
 Telephone.....
 Vehicle registration.....
 Quantity to be moved (Specify clone or variety.....
 Date of Movement

To be moved from

County

Sub County

Ward

L.R.No.

Nursery Name Registration Number.....

To be moved to:

County

Sub county

Ward

Name of person receiving the planting material

Telephone number

County Government of

Date

Official county stamp

Terms and conditions

- (a) The form to be filled in triplicate, one to be submitted to the authority and the other to the respective counties.
- (b) This form after it has been duly filled and signed, should reach the county 5 days before the

intended movement of the planting materials.

(c) This permit is valid for only the specified consignment and date of movement.

(d) Whereas the County Government shall issue the movement permit, the Authority shall monitor the standards and quality of the planting materials.

SECOND SCHEDULE

THE PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

LICENSING FEES

| NO. | PERSONS DEALING IN PYRETHRUM | NON-REFUNDABLE APPLICATION FEES (Kshs) | NEW APPLICATIONS Amount in Kenya Shillings (Kshs) | RENEWAL FEES Amount in Kenya Shillings (Kshs). |
|-----|---|---|---|--|
| 1 | Pyrethrum Processor | 10,000 | Kshs. 1,000, 000 • AFA – 75% • County-25% | Kshs. 1,000,000 • AFA – 75% • County-25% |
| 2. | Pyrethrum Commercial Nursery operator | 5,000 | Kshs. 100,000 • AFA – 25% • County-75% | Kshs. 100,000 • AFA – 25% • County-75% |
| 3. | Pyrethrum dealer | 5,000 | Kshs. 200,000 • AFA – 25% • County – 75% | Kshs. 200,000 • AFA – 25% • County – 75% |
| 4 | Importers and Exporters (For processors only) | 5,000 | Kshs. 100,000 • AFA – 100% | Kshs.100,000 • AFA – 100% |

AFA
County

Agriculture and Food Authority
County Government

Made on the....., 2016.

.....
WILLY BETT

Cabinet Secretary for Agriculture, Fisheries and Livestock