

Legal Notice No.....

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

IN EXERCISE of the powers conferred by section 61 of the Plant Protection Act, 2021 the Cabinet Secretary for Agriculture makes the following Regulations.

PART I—PRELIMINARY	
1. These regulations may be cited as the Plant Protection (Import and Export) Regulations, 2021	Citation
<p>2. In these regulations unless the context otherwise requires</p> <p>“Consignment” means a quantity of plants, plant products or regulated articles composed of one or more lots being moved from one country to another and covered by a single phytosanitary certificate;</p> <p>“Competent Authority” means the lead agency mandated to carry out regulatory function in their area of mandate;</p> <p>“Disinfect” means to free a plant, plant product or regulated articles of pathogens;</p> <p>“Disinfest” means to free a plant, plant product or regulated articles from arthropod pests;</p> <p>“Inspection” Official visual examination of plants, plant products or regulated articles to determine if pests are present or to determine compliance with phytosanitary regulations.</p> <p>“Interception” means the refusal or controlled entry of an imported consignment due to failure to comply with phytosanitary regulations;</p> <p>“National Plant Protection Organisation (NPPO)” means official Service</p>	Interpretation

established by a government to discharge the functions specified by the International Plant Protection Convention (FAO,1990);

“Phytosanitary Certificate” means an official paper document or its official electronic equivalent, consistent with the model certificates of the International Plant Protection Convention, attesting that a consignment meets phytosanitary import requirements

“Handling facility” means an area where plant, plant products and regulated articles are assembled for purposes of repackaging, storage or inspection.

“Import permit” means an official document authorizing importation of a plant, plant product or regulated article in accordance with specified phytosanitary requirements;

“Infected area” means any area or place in which a pest or disease exists and which has been declared by the Cabinet Secretary, by order, to be an infected area for the purposes of this Regulations;

“Inspector” means a suitably qualified person appointed or authorized under the Plant Protection Act, 2021.

“Pest risk analysis” means the process of evaluating biological or other scientific and economic evidence to determine whether a pest should be regulated and the strength of any phytosanitary measures to be taken against it;

“Pest” any species strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products;

“Phytosanitary certificate for re-export” means the official document which attests to the phytosanitary status of a consignment for re-export;

	<p>“Phytosanitary measure” means any legislation or official procedure for the prevention of the introduction or spread of pests;</p> <p>“Plant product” means any unmanufactured material of plant origin including grain and those manufactured products that, by their nature or their processing, may create a risk of the introduction and spread of pests;</p> <p>“Plant quarantine procedures” means procedures followed for importation of risk-associated plants, plant products and regulated articles that require quarantine;</p> <p>“Quarantine pest” means a pest of potential economic significance to the area endangered and not yet present there, or present but not widely distributed and being officially controlled;</p> <p>“Quarantine station” means an official station for holding plants, plant products regulated articles under quarantine;</p> <p>“Regulated article” means articles set out in the First schedule or material capable of harbouring or spreading pests, that requires phytosanitary measures;</p> <p>“Service” means Kenya Plant Health Inspectorate Service;</p> <p>“Treatment” means an officially authorized procedure for the killing, removal or rendering of pests inactive or infertile;</p> <p>“Phytosanitary treatment facility” means a place where phytosanitary treatment is undertaken.</p>	
	<p>3. These Regulations shall apply to the prevention of the introduction of pests into the territory of Kenya and facilitation of safe trans-boundary movement and trade of plants, plant products and other regulated articles</p>	<p>Scope of application</p>

	into and out of the Kenya.	
	<p>4. (1) The purpose of these regulations is to provide for the protection of plant health in Kenya and facilitate safe transboundary movement and trade in plants, plant products and other regulated articles.</p> <p>(2) Without prejudice to the generality of sub regulation (1) above, these Regulations shall provide for: -</p> <ul style="list-style-type: none"> a) Undertaking pest risk analysis; b) Establishment of nominal register of importers and exporters; c) Import and export phytosanitary inspection and certification; d) Decontamination of used vehicles, machinery and equipment imported into Kenya or imported and transiting through Kenya e) Authorisation of persons to perform phytosanitary functions; f) Pest diagnostics; g) Post entry quarantine; h) Phytosanitary investigation; i) the carrying out of such other functions as may be necessary for the effective implementations of these Regulations. 	Purpose of the regulations
	<p>PART II- IMPORTATION OF PLANTS, PLANT PRODUCTS AND OTHER REGULATED ARTICLES</p>	
	<p>5. (1) The Service shall conduct pest risk analysis to determine risks associated with pathways, pests and changes in policy.</p> <ul style="list-style-type: none"> (a) A pathway-initiated pest risk analysis shall be conducted to determine conditions for the importation of plants, plant products and other regulated articles. (b) A pest-initiated pest risk analysis shall be conducted to determine risks caused by an outbreak of a new pest, interception of a new pest, request to import an organism and new risks identified by scientific research. (c) A policy-initiated pest risk analysis shall be conducted when there 	Pest risk analysis

are policy concerns arising from review of Phytosanitary regulations and disputes arising from Phytosanitary measures.

(2) Without prejudice to the provisions of sub regulation (1) above any person intending to import plants, plant products or other regulated articles where no import requirements have been developed shall apply to the Service to conduct a pest risk analysis to generate import conditions associated with the plant, plant parts, products and other regulated articles and the source.

(3) The application shall be made as provided for in form PPR 1 set out in the Second Schedule.

(4) All applications shall be accompanied by proof of payment of the prescribed fees as set out in Third Schedule.

(5) The Service shall evaluate the scientific and economic impact of pests associated with pathways to determine their risks, appropriate phytosanitary measures and propose the import requirements.

(6) The Service may request for pest risk analysis information from the relevant authority of the country intending to export plants, plant products and other regulated articles into Kenya as prescribed in Form PPR 2 set out in the Second Schedule.

(7) The Service may send specialists to the exporting country or region to verify phytosanitary status and measures put in place to ensure compliance with the proposed import requirements.

(8) Upon evaluation of all available and availed information, the Service shall compile risk assessment findings indicating specific import conditions that the importation of the plant, plant products and other regulated articles under review shall be subject.

(9) The Service may provide pest risk analysis information upon request by a relevant authority of the country intending to import a plant, plant product or other regulated article from Kenya.

	<p>(10) The Service may collaborate with regional and international Pest Risk Analysis networks to conduct pest risk analysis for transboundary pests, commonly traded commodities or development of regional phytosanitary protocols or any other related activities.</p>	
6.	<p>(1) Where, upon conducting a pest risk analysis, the service determines that risks associated with importation of a plant, plant product or other regulated articles are: -</p> <p>(a) low, the Service shall designate the import conditions as imports under permit category;</p> <p>(b) moderate to high, the Service shall designate the import conditions as import under quarantine category;</p> <p>(c) Very high or information available is not sufficient to determine the pest risk; the Service shall prohibit importation of the plant, plant product or the regulated article.</p> <p>(d) Where importation of the plants, plant products and regulated articles in sub regulation (1) (c) above is required for purposes of restricted essential scientific research and experiment or education, the Service may determine the import conditions on a case-by-case basis.</p> <p>(2) The service shall maintain the conditions for importation of plants, plant products and other regulated articles in the plant import conditions register.</p> <p>(3) The decision in sub regulation 1 (c) may be reconsidered upon receipt of new information for determining the pest risk analysis.</p>	Import Conditions
7.	<p>(1) The Service shall maintain and update a register of importers of plants, plant products and other regulated articles in the form of a nominal roll.</p> <p>(2) Persons intending to import plants, plant products and other regulated articles, shall apply for registration as importers as provided in form PPR 3 set out in the Second Schedule and where applicable, shall present the</p>	Nominal roll of importers

	<p>following documents to the Service;</p> <ul style="list-style-type: none"> a) Import licenses or registration documents from any relevant regulatory agency; b) Company registration certificate; c) Personal Identification Number issued by Kenya Revenue Authority and copies of the identification documents of the directors; and d) Details of the physical location of facilities; e) Proof of payment of the prescribed fees set out in the Third Schedule. <p>(3) The service shall record in the nominal roll details of all applicants who meet the requirements in sub regulation (2) and issue them with a unique identification number.</p>	
8.	<p>(1) A person shall not import a plant, plant product or regulated article unless that person has;</p> <ul style="list-style-type: none"> (a) an import permit issued by the Service; and (b) The original phytosanitary certificate issued by the relevant authority of the exporting country or a prior received electronic version. (c) An approval from the National Biosafety Authority where the material intended for import is a Genetically Modified Organism. (d) An approval by Kenya Wildlife Service where the plants, plant products and regulated articles intended for import is regulated under international regulations. (d) An approval by the Kenya Plant Health Technical Committee on Imports and Exports where the material intended for import is bio-fertilizers, biological control agents, beneficial organisms, soil conditioners, plant growth regulators, bio-stimulants, organic fertilizers and any related products and items. (e) An approval by Pest Control Products Board where the material 	Requirements for importation

	<p>intended for import are biopesticides.</p> <p>(f) Clearance from other competent authorities.</p> <p>(2) The Service shall from time to time provide information for the purposes of:-</p> <p>(a) application for import permit and Phytosanitary certificate and</p> <p>(b) On the official designated points of entry for the importation of plant, plant product or regulated article.</p> <p>(3) The information in 2 above shall be availed in print, electronic or any other form or manner that ensures access and use by intending applicants.</p>	
<p>9.</p>	<p>(1) A person who intends to import plants, plant product and other regulated articles shall apply for a Plant Import Permit to the Service as provided for in form PPR 4 set out in the Second Schedule or any other appropriate application with PPR 4 information captured.</p> <p>(2) An application shall be accompanied by: -</p> <p>(a) A description of the intended import or a proforma invoice for commercial import;</p> <p>(b) Approval from other relevant competent authorities or Kenya Plant Health Committee for Imports and Exports where applicable;</p> <p>(c) Proof of payment of the prescribed fees as set out in the Third Schedule.</p> <p>(3) The Service shall issue to the importer, a plant import permit or biological import permit for plants, plant parts, plant products and other regulated articles indicating the import requirements as set out in the plant import requirements register as prescribed in PPR 5 or PPR 6 set out in the Second Schedule.</p> <p>(4) Where there are no import requirements set out in the plant import requirements register the person intending to import the plant, plant product or other regulated article shall apply for a pest risk analysis to be</p>	<p>Issuance of Plant Import Permit and Biological Import Permits</p>

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	<p>carried out by the service as prescribed in Regulation 5 (2).</p> <p>(5) The Plant Import Permit or Biological Import Permit issued under sub regulation (3) shall be valid for a period of six months and can only be used once.</p> <p>(6) The Service shall cancel a Plant Import Permit or Biological Import Permit where with reasonable evidence finds that the application contravenes the provisions of these regulations.</p> <p>(7) Where a Plant Import Permit or Biological Import Permit is cancelled, the service shall inform the holder of the Plant Import Permit of the cancellation in writing.</p>	
10.	<p>(1) Where quarantine conditions are prescribed in the issued Plant Import Permit or Biological Import Permit, the Service shall issue a corresponding Q-label as prescribed in form PPR 7 set out in the Second Schedule upon payment of the prescribed fee set out in the Third Schedule.</p> <p>(2) The importer shall affix the Q-label on the consignment before importation into Kenya.</p>	Plant import permits and Biological Import Permits under quarantine conditions.
11.	<p>An importer shall notify the Service of the impending arrival of a consignment of plants, plant products and other regulated articles within seven days prior to the expected date of arrival.</p>	Notification of impending arrival of consignments
12.	<p>(1) All persons shall declare any plants, plant products and other regulated articles imported or in their possession at points of entry to an inspector on arrival.</p> <p>(2) Without prejudice to sub regulation (1) all courier service operators shall declare any plants, plant products and other regulated articles at points of entry to an inspector.</p>	Declaration of arrival of plants, plant products and other regulated articles
13.	<p>(1) All persons in possession of plants, plant products and other regulated articles landing or entering into Kenya shall declare them in the passenger declaration form issued by the relevant authority and present</p>	Accompanied consignments/ checked in baggage

	<p>the form and declared plants, plant products and regulated articles to a KEPHIS inspector at the customs area.</p> <p>(2) The purser/captain/pilot of a vessel or an aircraft or driver of a passenger vehicle shall make the following announcements to disembarking passengers on at least two occasions;</p> <p>“Please note that it is strictly prohibited to take into Kenyan territory fruits, flowers, seeds, plants, parts of plants and other regulated articles from this aircraft, ship, vessel or vehicle unless accompanied with a valid Plant Import Permit and Phytosanitary Certificate. Please declare any fruits, flowers, seeds, plants, parts of plants and other regulated articles in your possession at the customs area. Your cooperation will be greatly appreciated.”</p>	
	<p>14. (1) The importer or owner of a consignment of Plants, Plant products and other regulated articles shall avail them at a designated point of entry and shall arrange the consignment in a manner determined by the Service, to allow ease of inspection and sampling.</p> <p>(2) Without prejudice to sub regulation (1) any plants, plant products and other regulated articles sourced through online sales or mail or any other related service from international origin shall be presented to the inspector at the point of entry for phytosanitary inspection.</p> <p>(3) Any plants, plant products and other regulated articles which is the subject of these regulations introduced into Kenya shall be clearly labelled in English or Swahili indicating: -</p> <ul style="list-style-type: none"> a) Name and address of the consignor; b) Name and address including telephone contacts of the consignee; c) Country of origin; d) Type and quantity of commodity. <p>(4) A person shall not remove or cause to be removed a consignment of imported plants, plant products and other regulated articles from the</p>	<p>Inspection and Clearance of consignments at the points of entry</p>

designated points of entry without clearance by the Service.

(5) A person shall not open or cause to open containers or packages of imported consignments in sub regulation (1) above without approval of the service.

(6) The service shall inspect all plants, plant products and other regulated articles within fourteen working days, upon clearance, where necessary by other agencies at the designated points of entry.

(7) The Service may, where necessary, draw samples from the imported consignment for testing to ascertain compliance with import requirements.

(8) The importer or owner of the consignment shall meet inspection and testing fees as prescribed in the Third Schedule.

(9) Where the consignment of plants, plant products and other regulated articles complies with the import requirements as provided in the Plant Import Permit the Service shall clear and release the consignment to the importer.

(10) Without prejudice of sub regulation (9) above plants, plant products and other regulated articles imported under quarantine shall be subject to the provisions of post entry quarantine monitoring.

(11) Where the consignment of plants, plant products and other regulated articles fails to comply with provisions in the Plant Import Permit the Service shall intercept the consignment and may order for the treatment and release, the destruction or order the consignment to be shipped back to the exporting country at the importer's cost.

(12) The Service shall issue an interception notice to the importer whose consignment is intercepted. The interception notice shall be as provided for in form PPR 8 set out in the Second Schedule

(13) Where necessary, pending investigation and decision making, the Service may hold the consignment at designated points for a period not exceeding six months, at the importer's cost.

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	<p>(14) Any person who contravenes the provisions of sub regulation (4) commits an offence, and upon conviction, liable to the penalties prescribed in the Act.</p>	
	<p>15. The Service shall notify the competent authority of the exporting country in the prescribed format as provided for in form PPR 9 set out in the Second Schedule when the consignment of plants, plant products and other regulated articles: -</p> <ul style="list-style-type: none"> a) fails to comply with Kenya’s import requirements; b) lacks relevant documentation; c) is prohibited from entry into the territory of Kenya. 	<p>Interception Notification</p>
	<p>16. (1) All packaging or padding used in transportation of commodities imported in Kenya shall comply with prescribed phytosanitary requirements under these regulations.</p> <p>(2) Where the packaging material is wood, it shall comply with the provisions of the Act and the regulation for wood packaging material.</p>	<p>Packaging material</p>
	<p>17. (1) An inspector shall in collaboration with relevant competent authorities at the point of entry enter into a carrier, vessel, aircrafts, yachts, dows, truck, container or passenger vehicle, without warrant and inspect, search and examine such receptacles or carriers for phytosanitary risks.</p> <p>(2) Where phytosanitary contamination is detected, the inspector may by written order direct, or require the treatment of the carrier, vessel, aircrafts, yachts, dows, truck, container or passenger vehicle through treatment method as shall be prescribed by the Service.</p> <p>(3) Where phytosanitary risk is detected on plants, plant products and other regulated articles, an inspector may intercept and require the destruction or disposal of any fruits and vegetables, plant pests, plant products, plants, soil or other articles, without liability to the Service for such seizure, detention, destruction or disposal as provided for in these regulations.</p>	<p>Phytosanitary inspection and management of carriers, international garbage and waste water</p>

	<p>(4) The operator / owner of sea vessels, aircrafts, yachts, dhows trucks container or any other conveyances of international origins shall dispose off waste water, garbage of plants, plant products or regulated articles from sea vessels, aircrafts, yachts, dhows trucks container or any other conveyance in a manner that shall not endanger or expose the country to phytosanitary risks.</p> <p>(5) The Service shall in collaboration with other relevant regulatory agencies monitor the waste water, garbage storage and disposal mechanisms of the sea vessels, aircrafts, yachts, dhows trucks container or any other conveyance to ascertain that there is no phytosanitary risk.</p> <p>(6) Any person who fails to dispose off international garbage of plants, plant products or produce in a manner that prevents phytosanitary risk commits an offence.</p>	
<p>PART III- PHYTOSANITARY DECONTAMINATION OF USED VEHICLES, MACHINERY AND EQUIPMENT</p>		
	<p>18. (1) All Used Vehicles, Machinery and Equipment, imported into or imported and transiting through Kenya whether whole, disassembled or parts shall be required to undergo phytosanitary decontamination by an authorized person prior to shipment to Kenya at the importers cost.</p> <p>(2) Where Used Vehicles, Machinery and Equipment are imported from countries where no persons have been authorized to perform phytosanitary decontamination, they shall be required to be decontaminated upon arrival and inspection carried out at the importers cost.</p> <p>(3) Where Used Vehicles, Machinery and Equipment destined for export from Kenya are required by the importing country to undergo phytosanitary decontamination, they shall be decontaminated by an authorized person according to the importing country requirements at the exporters cost.</p> <p>(4) Without prejudice to sub regulation (1) above, where an importer fails</p>	<p>Requirement for decontamination of Used Vehicles, Machinery and Equipment</p>

	<p>to decontaminate the imported Used Vehicles, Machinery and Equipment sourced from countries where persons have been authorized to perform phytosanitary decontamination, the phytosanitary decontamination shall be carried out upon arrival and a penalty of two thousand shillings levied in addition to inspection fee set out in the Third Schedule.</p> <p>(5) Without prejudice to sub regulation (1), (2) and (3) above, the cost of decontamination shall be inclusive of the respective amount set out in the Second Schedule and shall be payable to The Service by the authorized persons.</p>	
	<p>19.(1) The Service may authorize qualified persons to perform phytosanitary decontamination on Used Vehicles, Machinery and Equipment at the point of origin prior to their importation into Kenya or in a transshipment port.</p> <p>(2) Without prejudice to sub regulation (1) above, The Service may authorize qualified local persons to perform phytosanitary decontamination of Used Vehicles, Machinery and Equipment at the port of entry.</p> <p>(3) The Service may in collaboration with relevant authorities set up decontamination facilities for decontamination of Used Vehicles, Machinery and Equipment.</p> <p>(4) The Service shall develop procedures to guide authorization of persons to perform phytosanitary decontamination.</p>	<p>Authorization of persons to perform phytosanitary decontamination of Used Vehicles, Machinery and Equipment</p>
	<p>20.(1) Any person who wishes to be authorized to undertake phytosanitary decontamination of Used Vehicles, Machinery and Equipment shall apply to The Service for authorization in Form PPR 10 set out in the Second Schedule accompanied by the prescribed fee set out in the Third Schedule.</p> <p>(2) Upon receipt of the application, The Service shall assess the applicant's facility to ascertain its suitability for authorization.</p> <p>(3) Where the applicant meets the requirements, The Service shall issue a Certificate of Authorization to the applicant as set out in Form PPR 11 in the Second Schedule.</p>	<p>Application for Authorization of persons to carry out decontamination of Used Vehicles, Machinery and Equipment</p>

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	<p>(4) Where an applicant intends to operate more than one phytosanitary decontamination facility of the same nature, each facility shall be assessed independently, and a Certificate of Authorization shall be issued in respect of each facility.</p> <p>(5) Where The Service refuses to grant a Certificate of Authorization, it shall inform the applicant of such refusal in writing and give reasons for the refusal.</p> <p>(6) A Certificate of Authorization shall be valid for thirty-six months from the date of issuance and shall not be transferrable.</p> <p>(7) The Service shall keep a register of authorized persons.</p> <p>(8) A person who contravenes any of the provisions of these regulations commits an offence.</p>	
	<p>21.(1) All persons intending to import Used Vehicles, Machinery and Equipment shall have them decontaminated at the country of origin by a person authorized by The Service or upon arrival where no persons are authorized in the country of origin and details of the decontamination provided in the decontamination certificate at the importers cost.</p> <p>(2) The authorized persons shall upon decontamination issue: -</p> <ul style="list-style-type: none"> a) a phytosanitary decontamination certificate to the importer as provided for in PPR 12 set out in the Second Schedule; and b) attach a phytosanitary decontamination label to the Used Vehicles, Machinery and Equipment, as provided for in PPR 13 set out in the Second Schedule. 	<p>Decontamination and Decontamination certificate and sticker</p>
	<p>22.(1) The importers of Used Vehicles, Machinery and Equipment shall notify The Service on the arrival of Used Vehicles, Machinery and Equipment and present the decontamination certificate to The Service.</p> <p>(2) Without prejudice sub regulation (1) above, where a decontamination certificate is not available the importer shall provide the following information to The Service :-</p>	<p>Notification of arrival of Used Vehicles, Machinery and Equipment</p>

	<p>a) Consignor and Consignee name and contact details; b) Country and port of origin; c) Shipment details; d) The number and type of each vehicle or item of machinery or equipment (including spare parts); e) Nature of use of the vehicles, machinery and equipment; f) Unique identity information of the Used Vehicles, Machinery and Equipment</p> <p>(3) The Service may request any other information that is useful for better implementation of these regulations.</p>	
	<p>23. (1) The Service shall inspect imported Used Vehicles, Machinery and Equipment at the point of entry to evaluate the compliance to phytosanitary certification requirements.</p> <p>(2) Where the Used Vehicles, Machinery and Equipment are found to be compliant to requirements set out in these regulations and no pests are found there in, the Used Vehicles, Machinery and Equipment shall be cleared by The Service.</p> <p>(3) Used Vehicles, Machinery and Equipment which is the subject of these regulations which arrive at the point of entry without a decontamination certificate from an exporting country where The service has not authorized persons to perform decontamination shall be subjected to destination decontamination by authorized persons at the importers' cost.</p> <p>(4) Used Vehicles, Machinery and Equipment decontaminated in (3) above shall be inspected by The Service after decontamination.</p> <p>(5) Where upon inspection, Used Vehicles, Machinery and Equipment are found not to have undergone phytosanitary decontaminated and are originating from a country where persons have been authorized to perform phytosanitary decontamination, The Service shall: -</p> <p>a) Intercept the Used Vehicles, Machinery and Equipment;</p>	<p>Inspection for phytosanitary compliance of Used Vehicles, Machinery and Equipment</p>

	<p>b) Issue the importer with an interception notification set out in Form PPR 7 of the Second Schedule with instructions for decontamination of the intercepted Used Vehicles, Machinery and Equipment;</p> <p>(6) The importer within 48 hours of notification of interception or unloading from the craft or vessel at the place of first arrival in Kenya shall have the Used Vehicles, Machinery and Equipment intercepted in (5) decontaminated by an authorized person and obtain a treatment certificate which shall be presented to The Service.</p> <p>(7) The Service shall ascertain that the decontamination has been carried out through inspection for compliance and shall if done release the Used Vehicles, Machinery and Equipment.</p>	
	<p>24.(1) Where The Service shall, upon inspection, finds that the Used Vehicles, Machinery and Equipment that were decontaminated at the point of origin do not meet the phytosanitary certification requirements or harbour pests or contain other regulated articles,</p> <p>a) Intercept the Used Vehicles, Machinery and Equipment;</p> <p>b) Issue the importer with an interception notification set out in Form PRR 7 of the Second Schedule with instructions for decontamination of the intercepted Used Vehicles, Machinery and Equipment;</p> <p>c) Notify the authorized person of the non-compliance and require corrective action and may revoke the authorization.</p> <p>(2) Non-compliance shall be addressed as provided in regulation 10 (6) and (7).</p>	<p>Non-compliance</p>
	<p>25. The Service shall periodically audit the authorized persons to ascertain that phytosanitary certification requirements are maintained.</p>	<p>Audit of off shore authorized persons</p>
<p>PART IV – POST ENTRY PLANT QUARANTINE</p>		
	<p>26.(1) A person who intends to hold plants, plant products and other regulated articles that are subject to quarantine regulation shall apply to the Service for approval of the facility intended to hold such plants, plant</p>	<p>Approval of post entry plant quarantine</p>

products and regulated articles using a prescribed form PPR 14 set out in the Second schedule.

(2) All applications shall be accompanied by proof of payment of the prescribed fees as set out in the Third schedule.

(3) The Service shall carry out an audit of the facility to assess whether the facility meets the physical and operational requirements outlined in form PPR 15 set out in the Second Schedule.

(4) An application shall be approved if the facility meets the requirements set out in form PPR 15 set out in the Second Schedule.

(5) In case of rejection the service shall notify the applicant of the outcome of the audit within 7 working days of the audit and may re-audit the facility upon reapplication.

(6) The Service shall issue an approval certificate as provided for in form PPR 16 set out in the Second Schedule within 7 working days of successful audit which will be valid for 12 months from the date of issuance or as may be prescribed by the Service.

(7) Upon the lapse of 12 months, the service shall carry out a recertification audit.

(8) Post approval audit of the facility for verification for compliance with the requirements shall be undertaken by the Service quarterly or as may be deemed necessary by the Service.

(9) The Service may cancel facility registration if the facility has contravened the requirements set in sub regulation 3 or any other provisions under these Regulations and notify the quarantine facility of such revocation in writing and give reasons for the revocation.

(10) Where the facility is no longer in operation, the facility owner / operator shall be required to notify the Service in writing and surrender their certificate of registration.

(11) Upon receipt of the certificate of registration, the Service shall cancel

	<p>the certificate which will render the facility invalid as an approved quarantine facility.</p>	
	<p>27.(1) All plants, plant products and regulated articles imported where quarantine measures are prescribed shall be delivered and held in a designated post entry quarantine facility as stipulated in the permit.</p> <p>(2) Where plants, plant products and regulated articles imported under quarantine are delivered into an approved post entry quarantine facility, the importer or owner shall hold them within the facility and not move it without the approval of the Service.</p> <p>(3) Plants, plant products and regulated articles held under quarantine shall be monitored periodically by the Service to evaluate compliance to the requirements, and asses the status of regulated pests.</p> <p>(4) The Service may collect samples of plants, plant products and regulated articles held under quarantine for further testing, where necessary, at the cost of the importer or owner.</p> <p>(5) During the quarantine period or upon completion of the quarantine period where the plants, plant products and regulated articles are found to have regulated pests of concern, the Service shall, at owner’s cost, order for: -</p> <ul style="list-style-type: none"> a) treatment of the plants, plant products and regulated articles; and/or b) destruction of the plants, plant products and regulated articles; or c) Decontamination of the quarantine facility. <p>(7) The Service shall determine the duration within which the plant, plant product or other regulated article shall be held under quarantine.</p> <p>(8) Where in the opinion of the Service, the plants, plant products and regulated articles held in the quarantine facility do not pose any risk or are free from regulated pests, the Service shall, by written notice served on the importer or owner of the quarantine facility, lift the quarantine status</p>	<p>Post entry quarantine monitoring of plants, plant products and regulated articles held under quarantine</p>

	of the plants, plant products and regulated articles.	
	PART V — EXPORT CERTIFICATION	
	<p>28.(1) The Service shall maintain and update a register of exporters of plants, plant products and other regulated articles in the form of a nominal roll.</p> <p>(2) Persons intending to export plants, plant products and other regulated articles shall make an application to the Service as provided for in form PPR 17 set out in the Second Schedule.</p> <p>(3) Persons intending to export plants, plant products and other regulated articles, where applicable, shall present the following documents to the Service;</p> <ul style="list-style-type: none"> a) Export licenses or registration documents from any relevant regulatory agency; b) Company registration certificate; c) Kenya Revenue Authority PIN certificate and copies of the identification documents of the directors; d) Signed contract with growers (where applicable); e) Details of the physical location of facilities; and f) Details of the physical location of the farm(s), crops under production, acreage and market destination (where applicable). <p>(4) The Service shall evaluate the application and may carry out audits of the exporter`s facilities to evaluate the systems put in place to ensure compliance with export requirements.</p> <p>(5) All applications under sub regulation (2) above shall be accompanied by proof of payment of the prescribed fees.</p> <p>(6) All applicants who meet the requirements shall be entered in the Service`s nominal roll and issued with a unique identification number.</p> <p>(7) Where the Service finds that an exporter no longer meets the requirements that were a prerequisite for being entered into the nominal roll, the service shall notify the said exporter and may be removed from</p>	Nominal roll of exporters

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

	<p>the nominal roll and services offered by the Service ceased.</p> <p>(8) Upon the request by the exporter and re-evaluation of corrective measures the Service may re-enter the exporter in the nominal roll.</p>	
	<p>29.(1) Any person who intends to export plant, plant products and other regulated articles shall be required to comply with market requirements of the importing country as provided for in import permits, import requirements and other relevant regulations.</p> <p>(2) Any person who intends to export plant, plant products and other regulated articles shall apply in writing to The Service for pre-export certification in line with market requirements of the importing country.</p> <p>(3) The Service shall carry out verification for compliance with market requirement and issue certificates, reports or other documentation required where applicable.</p>	<p>Compliance with market requirements</p>
	<p>30.(1) The Service shall undertake scheduled inspection/audits where applicable and may undertake other farm / facility system audits for compliance to export market requirements.</p> <p>(2) The service shall develop a schedule for inspection/audits based on market requirements and inform the farm /facility of the audits.</p> <p>(3) In undertaking the farm audits, the service shall: -</p> <ul style="list-style-type: none"> a) Verify documented procedures for compliance. b) Verify the technical capacity of staff. c) Inspect produce for compliance. <p>(4) An inspection/audit report shall be issued after the inspection/audit as prescribed in form PPR 18 set out in the Second Schedule.</p> <p>(5) Where the inspection/audit report confirms that the farm /facility meets the export market requirements, the farm/ facility shall be authorized to export.</p> <p>(6) Where the inspection/audit report indicates that the farm /facility does not meets the export market requirements, the farm/ facility shall not be</p>	<p>Farm/facility inspections/audit for export market compliance</p>

<p>authorized to export and shall be required to put in place measures prescribed by the inspector and may notify the service of the corrective action and request for re-audit.</p>	
<p>31.(1) An exporter prior to export of any plants, plant product or other regulated article shall apply to the service for exit point inspection in the format provided for in the electronic form or as provided for in form PPR 19 set out in the Second Schedule.</p> <p>(2) The exporter shall avail a commercial invoice and packing list for commercial consignments and a description of the consignment for other consignments to an inspector for verification of the consignment prior to inspection.</p> <p>(3) Treatment reports, certificates of analyses and field inspection reports shall be provided at the point of inspection, where applicable.</p> <p>(4) The exporter shall avail the plant, plant products and other regulated articles intended for export at the points of inspection or such other place as the Service may consider convenient not later than three hours before the inspection.</p> <p>(5) All documents provided in sub regulation (2) above shall match details of the physical consignment intended for export.</p> <p>(6) The Service shall undertake an inspection and may take samples where necessary, of the plant, plant products and other regulated articles intended for export to verify compliance to export market requirements.</p> <p>(7) An inspector shall approve for export a consignment of plants, plant products and other regulated articles if the said consignment meets the export market requirements and issue a phytosanitary certificate in the prescribed format as provided for in the format PPR 20 as set out in the Second Schedule or through electronic means.</p> <p>(8) Where electronic phytosanitary certificates (ephyto) are applicable, the certificates will be transmitted electronically to the relevant authority of</p>	<p>Inspection at points of exit</p>

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

<p>the importing country.</p> <p>(9) An inspector may reject a consignment of plants, plant products and other regulated articles if the said consignment fails to comply with the export market requirements.</p> <p>(10) Where a consignment is rejected in sub regulation (9) above, the inspector shall issue a rejection notice to the exporter in the prescribed format as provided for in form PPR 21 set out in the Second Schedule indicating the non-compliance</p>	
<p>32. (1) Any person who is dissatisfied with the outcome of inspection in regulation 29, may appeal to the Service for re-inspection upon payment of the requisite fees set out in the Third Schedule.</p> <p>(2) Upon receipt of the appeal, the service shall constitute a team of two inspectors different from the one who carried out the initial inspection to reinspect and determine the phytosanitary status of the consignment.</p> <p>(2) For perishable commodities such reinspection shall be done within 12 hours of the appeal.</p> <p>(3) The findings of the re inspection in sub-regulation 1 above shall be final.</p>	<p>Appeal against outcome of an inspection</p>
<p>33.(1) An exporter shall apply for mandatory re-inspection if :-</p> <p> a) If consignment compliance duration is expired as prescribed.</p> <p> b) If the consignment were not stored in designated facilities.</p> <p>(2) Re-application shall be done by the exporter as provided for in regulation 29.</p>	<p>Mandatory Re-inspection of consignments</p>
<p>34.(1) Where plants, plant products and other regulated articles which have been approved for export and issued with a Phytosanitary Certificate do not exit the country within twenty four hours to seven days depending on the commodity type as listed in form PPR 22 set out in Second Schedule the:-</p> <p> a) Phytosanitary Certificate issued shall be deemed invalid;</p>	<p>Validity of Phytosanitary Certificate for fresh produce and other plant products</p>

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

	<p>b) Exporter shall apply for re-inspection, as provided for and pay the prescribed fees set out in the Third Schedule.</p>	
	<p>35. (1) The Service may cancel a Phytosanitary Certificate where there is reasonable evidence exporter contravenes the provisions of these regulations, including the following but not limited to:-</p> <ul style="list-style-type: none"> a. the consignments are not stored in an approved facility; or b. an inspector requires them to be re-inspected; or c. the phytosanitary integrity of the consignment has been tampered with; or d. the consignment has not been exported within the stipulated time. 	<p>Cancellation of a phytosanitary certificate</p>
	<p>36.(1) Where a consignment imported for re-export is repacked or split up, but its Phytosanitary integrity is not lost; the Service shall issue a phytosanitary certificate for re-export.</p> <p>(2) Where a consignment imported for re-export: -</p> <ul style="list-style-type: none"> a) loses its phytosanitary integrity; b) is processed; c) is exposed to infection or infestation by a pest; <p>The Service shall consider the consignment as if it were being exported from Kenya and shall be inspected and a phytosanitary certificate issued.</p> <p>(3) A re-export consignment shall be accompanied by its original phytosanitary certificates or a certified copy in addition to the re-export phytosanitary certificate.</p>	<p>Consignment for re-export</p>
	<p>37.(1) The Service shall not issue a phytosanitary Certificate or a re-export phytosanitary certificate to an importer where a consignment of plants, plant products and other regulated articles is in transit through Kenya and the consignment has not been exposed to infestation or contamination by pest.</p> <p>(2) Where the consignment of plants, plant products and other regulated articles in transit is handled in such a manner that it loses its integrity or</p>	<p>Consignment in transit</p>

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

	<p>is exposed to infection or infestation by pest, it shall be considered as a consignment for export and shall be inspected and a Phytosanitary Certificate shall be issued in accordance to these Regulations.</p>	
	<p>38.(1) Subject to this regulation, packaging materials for consignments of plants, plant products and other regulated articles shall be:</p> <ul style="list-style-type: none"> a) unused and clean; or b) designed for multiple use and if previously used must be cleaned and re-conditioned; or c) sufficiently strong to withstand the handling ordinarily incurred during transit to the final destination; and d) otherwise appropriate to the consignment of plants, plant products and other regulated articles. <p>(2) Exportation of unlabelled consignments of plants, plant products and other regulated articles is prohibited.</p> <p>(3) The label shall contain -</p> <ul style="list-style-type: none"> a) name of the exporter; b) description of produce; c) net weight; d) has a phrase as "Produce of Kenya"; <p>(4) Without prejudice to the provisions of sub regulation (3) the label shall: -</p> <ul style="list-style-type: none"> a) not be ambiguous or unclear; b) satisfies any particular requirements under this regulation relating to the application of trade descriptions; and e) satisfies any requirements of the importing country. 	<p>Packaging material and Labelling</p>
	<p>39. (1) All persons producing plants and plant products for export shall ensure that the plants and plant products meets the set pesticide residue limits in accordance to codex, national and importing country's requirements where applicable.</p>	<p>Monitoring for pesticide residues and heavy metals</p>

	<p>(2) The Service shall put in place a risk based multi annual control plan for pesticide residues and heavy metals sampling plan, analysis and monitoring to ensure that the pest / plant growth management/ preservative / protective measures put in place by persons producing plants plant products and other regulated articles for export are within the thresholds of codex, national or importing countries requirements for maximum pesticide residues levels or maximum levels.</p> <p>(3) The Service may conduct targeted sampling for analysis where it has reason to believe that the requirements in sub regulation (1) are not met in plants, plant products and other regulated articles to acquire residue data on selected plants and plant products not covered during monitoring.</p> <p>(4) The Service shall source samples in sub regulation (2) from production, processing and storage facilities for laboratory analysis.</p> <p>(5) Monitoring and testing for pesticide residues and heavy metals shall be at the cost of persons producing or trading locally or internationally.</p>	
	<p>40.(1) The Service shall undertake monitoring of agricultural produce for compliance with national, regional and international requirements of plant protection product residues and heavy metal contaminants and contaminants of concern in export produce and in planning consider: -</p> <ul style="list-style-type: none"> a) The production areas; b) The marketing volumes; c) The range of plant protection products in use; d) Importing countries requirements; e) Results from previous monitoring programs; f) Any other relevant information with respect to risks from plant protection product residues, heavy metal contaminants and other contaminants of concern. <p>(2) The Service shall undertake monitoring of agricultural produce for</p>	<p>Implementation of export and import monitoring</p>

	<p>compliance with national and international requirements of plant protection product residues and heavy metal contaminants and contaminants of concern in imported produce and in planning the monitoring program, consider:</p> <ol style="list-style-type: none"> a) The designated points of entry to Kenya b) Types of plants, plant products and other regulated articles c) The volumes of import d) The number of importers e) Results from previous monitoring programs 	
	<p>41.(1) Where during monitoring it is found that there is non-compliance or upon notification of interception by the importing country, the Service shall notify the exporter of such within 48 hours and may temporarily restrict exports by the exporter.</p> <p>(2) The exporter shall undertake an investigation to come up with a root cause analysis and corrective actions and communicate the same to the Service within 7 days of receipt of notification from the Service.</p> <p>(3) An inspector shall evaluate the feedback provided in sub regulation 2.</p> <p>(4) A farm systems or documentation audit shall be carried out by the Service to evaluate the corrective actions put in place by the exporter at the exporter’s cost.</p> <p>(5) The export certification system shall be reinstated upon compliance.</p> <p>(6) Without prejudice to the generality of the foregoing, the Service reserves the right to temporarily suspend its Services to the exporter due to non-compliance.</p>	<p>Corrective action following non-compliance during monitoring or interception by the importing country</p>
	<p>42.(1) Any person who exports plants, plant products and other regulated articles without having them inspected and certified for phytosanitary compliance by the Service commits an offence.</p> <p>(2) Any person who obstructs resists or hinders an inspector in the lawful exercise of his powers or duties under this regulation commits an</p>	<p>Offences</p>

offence.

(3) Any person who fails, within the time required by an inspector, to remove any produce from any place of inspection, reception or shipment whenever such removal is so required commits an offence.

(4) Any person who wilfully applies to plants, plant products and regulated articles intended for export a phytosanitary certificate or invoice or label or warranty given in their relation to any plants, plant products, other than the plants, plant products and regulated articles, shall be guilty of an offence and liable to the penalties prescribed by these regulations.

(6) Any person who with intent to deceive issues a written warranty or invoice, label or phytosanitary certificate or notification in respect of plants, plant products and regulated articles intended for export shall, if such written documents falsely describe them or are false in any other material particular, be guilty of an offence and liable to the penalties prescribed by these regulations.

PART VI– AUTHORIZATION OF ENTITIES

43.(1) Any person who intends to undertake phytosanitary treatment of plants, plant products and other regulated articles shall apply to the Service for designation of the facility.

2) Any person intending to treat wood packing material shall comply with set phytosanitary requirements as provided for in the Plant Protection (Wood Packaging Materials) Order, 2019.

(3) An application under subsection (1) above shall be in Form PPR 23 set out in the Second Schedule and shall be accompanied by —

- a) a certified copy of the certificate of incorporation or business registration certificate;
- b) details of the location of the phytosanitary treatment facility;
- c) a premises license from Pest Control Products Board where

Designation of Phytosanitary treatment facilities

pesticides are used during treatment and

d) the prescribed fee.

(4) All applicants shall ensure that they comply with the physical and operational requirements specific to the type of phytosanitary treatment facility of interest as provided by the Service.

(5) Upon receipt of the application, the Service shall assess the applicant's phytosanitary treatment facility to ascertain its suitability.

(6) During the assessment under sub regulation (3), the Service shall assess —

a) whether the applicant has appropriate physical and operational requirements for the phytosanitary treatment facility of interest;

b) whether the applicant has systems for tracing back treated plants, plant products and other regulated articles to the phytosanitary treatment facility and maintains a record of the same;

c) approval under any other relevant Government regulations; and

d) any other matter which the Service deems appropriate.

(7) If satisfied that the applicant's phytosanitary treatment facility complies with the physical and operational requirements to competently undertake the phytosanitary treatment, the Service shall issue a Certificate of Authorization to the applicant in Form PPR 24 set out in the Second Schedule.

(8) Where an applicant intends to operate more than one phytosanitary treatment facility of the same nature, each facility shall be assessed independently, and a Certificate of Authorization shall be issued in respect of each facility.

(9) Where the Service refuses to grant a Certificate of Authorization, it shall inform the applicant of such refusal in writing and give reasons for the refusal.

(10) A certificate of authorization shall: -

	<p>a) be valid for twelve months from the date of issuance;</p> <p>b) not be transferrable.</p> <p>(11) An operator of a phytosanitary treatment facility may apply for renewal of the certificate of authorization at least one month before its expiry in Form PPR 18 set out in the Second Schedule.</p> <p>(12) On receipt of an application for renewal, the Service shall —</p> <p>(a) follow the procedures outlined under sub regulation (6) above;</p> <p>(b) renew the certificate or notify the operator that his application is rejected.</p> <p>(13) If, in the opinion of the Service, an operator —</p> <p>a) does not undertake the phytosanitary treatment as required;</p> <p>b) does not comply with any provisions of this regulations,</p> <p>the Service shall give the operator seven days to correct the non-conformance.</p> <p>(14) If the operator fails to correct the non-conformance within the period stipulated in sub regulation (13), the Service shall, by notice in writing, suspend or cancel the operator's certificate.</p> <p>(15) An operator who intends to terminate his operations shall notify the Service thirty days before the termination of operations.</p> <p>(16) Upon receipt of the notice under sub-regulation (15), the Service shall cancel the authorization of the operator.</p> <p>(17) For purposes of this paragraph, an operator who fails to renew a certificate of authorization within thirty days from the date of expiry shall be deemed to have terminated his operations.</p> <p>(18) The Service shall keep a register of approved operators.</p> <p>(19) A person who contravenes any of the provisions of these Regulations commits an offence.</p>	
44.	(1) The Service shall undertake monitoring and assessments on the authorised entities and inspectors to ensure that standards of practice are	Post – authorization monitoring

	<p>maintained.</p> <p>(2) The Service shall develop described protocols for the implementation of this regulation</p>	
PART VII – INSPECTORS		
	<p>45.(1) Persons appointed as Service inspectors under section 50 shall possess a minimum of a degree in general agriculture or related disciplines from a recognized institution.</p> <p>(2) The Service shall publish in the Gazette -</p> <p>(a) the names of The Service inspectors; and</p> <p>(b) the names of persons whose ceases to be Service inspectors.</p>	<p>Qualifications of Service Inspectors</p>
	<p>46. (1) The Service shall publish in the Gazette -</p> <p>(a) the names of the inspectors authorized under section 50 of the Act; and</p> <p>(b) the names of persons whose authorization is withdrawn.</p> <p>(2) The Service shall specify the scope and aspects of authorized activities for inspectors in the instruments of appointment.</p> <p>(3) A person authorized under this regulation shall be issued with proof of identification.</p> <p>(4) Authorization may be withdrawn in cases of misconduct</p> <p>(5) A person authorized shall meet the following requirements:-</p> <p>a) Possess a minimum of a degree in general agriculture or related disciplines from a recognized institution.</p> <p>b) Be a nominee of the private or public institutions.</p> <p>(6) Qualifying applicants shall undergo training and assessment by the Service on areas appropriate to their authorization.</p> <p>(7) The Service shall undertake monitoring and assessments of authorized inspectors to ensure that standards of practice are maintained.</p>	<p>Authorization of inspectors</p>
PART VIII – MISCELLANEOUS		
	<p>47. Any person who is importing or exporting seed shall, in addition to these</p>	<p>Importation and</p>

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

	Regulations, comply with the requirements of the Seed and Plant Varieties Act Cap. 326.	exportation of seeds
	48.A person in charge of a point of entry shall assist the inspector in the performance of their function and exercise of their powers under these Regulations by providing such facilities and assistance as the Service may require to implement these Regulations.	Authorities to assist and co-operate in minimizing threats from risks
	49.The service shall give reasons for any of its decisions to any person affected.	Fair administrative action
	50.All persons shall pay fees and charges for Services rendered under these regulations in accordance with the provisions of the Third Schedule of these regulations	Fees and charges
	51.A person who contravenes any of the provisions of these Regulations whose penalty has not been prescribed commits an offence and is liable on conviction to a fine not exceeding two million shillings or to a term not exceeding two years, or both.	Offences and penalties

FIRST SCHEDULE

List of regulated articles

1. plants and plant products used for planting, consumption, processing, or any other purpose;
2. storage facilities;
3. packaging materials including dunnage;
4. conveyances and transport facilities;
5. soil, organic fertilizers and related materials;
6. organisms capable of harbouring or spreading pests;
7. Used Vehicles, Machinery and Equipment;
8. research and other scientific materials;
9. travellers' personal effects moving internationally;
10. international mail including international courier services;
11. pests
12. Biological control agents;

SECOND SCHEDULE

Form PPR 1

(R. 5(3))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Application for Pest Risk Analysis for Import of Plant, Plant products and other Regulated Articles

<p>1. Details of Applicant Name/ Organization:</p> <p>Address: Postcode: Phone: E-mail:</p>	<p>2. Pest Risk Analysis General Parameters a) Scientific& Common name of the product: b) Country/ countries of origin: c) Quantity/ Volume:</p>
<p>3. Product Type (select one or more where applicable) a) Processed/ Non-processed; b) Living/ non- living; c) Genetically modified/ non-genetically modified Seed/plant/ soil d) Culture / non-culture e) Other</p>	<p>4. Product processing (if applicable) a) If seed b) If plant c) Processing refinement: d) Specify treatment details</p>
<p>5. Product Origins (please state if question not relevant) a) Source location (by country, origin & locality) b) Production method, Certification scheme and / or accreditation type?</p>	<p>6. End Use (select one or more where applicable) Human consumption / Processing/ Stock feed/ Pet food/ Fish food/ Seeds for sowing/ Nursery stock/ Multiplication/ Post-entry Quarantine/ Therapeutic/ Fertilizers/ In-vivo</p>
<p>7. End Destination (select &/or specify) a) Rural/urban b) Multiple locations/ single c) Specify County& / or region (PRA defined area)</p>	<p>8. Entry (circle one or more) Ship/ Air/ Ground transport/ Rail/Other</p>
<p>9. The importation frequency of plants, plant products and other regulated articles requested</p>	<p>10. General Comments (any further general comment or notes that need to be made, please make here)</p>

Form PPR 2

(R. 5 (6))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Technical Information Requirement for Pest Risk Analysis (PRA)

1. Plant and Plant Product

- 1.1 Common name;
- 1.2 Scientific (genus & species/strain/variety/cultivar) name;
- 1.3 Countries that have already imported from the same source;
- 1.4 Plant part to be imported (whole plant/seed/cutting/sapling/budwood/bulb/fruit etc.);

2. Production Area

- 2.1 Place of production on map (country and province); Unique characteristics of the production area in terms of pests or diseases; Maps of the production regions, pest free areas, etc.; Length of time commodity has been grown in production area; Status of growth of production area (i.e., acreage expanding or stable); and Physical and climatological description of the growing area.
- 2.2 Production and Export (tons/year);

3. Cultivation practices

- 3.1 Harvest method and time; time of the year when the produce is harvested and exported
- 3.2 Plant protection measures (to control and eradicate the pests);

4. Description of all pests and diseases /Pest List (separately for all the pests)

- 4.1 Scientific & Common name;
- 4.2 Pest biology;
- 4.3 Plant parts affected;
- 4.4 Pest life stages associated with each plant part attacked
- 4.5 Location of pest (in, on, or with commodity)
- 4.6 Symptoms;
- 4.7 Distribution and pest free areas;
- 4.8 Pest status (prevalence);
- 4.9 Current strategies for pest management:
 - Cultural practices;
 - Biological (use of biological control agents, resistant varieties, crop

- skipping...);
- Chemical (type, method, time and number of pesticide use...)
- Database and reference

5. Certification program by the NPPO

6. Information about post-harvest transit and processing

- 6.1 Method of packaging;
- 6.2 Inspection procedure;
- 6.3 Post-harvest treatment;
- 6.4 Conditions and security of storage place.

7. Export program (policy/activity)

- 7.1 Trading partners;
- 7.2 Existing procedure for issuing phytosanitary certificates (including additional declaration)

Form PPR 3

(R. 7 (2))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Application for Registration of Importer

1. Name of Applicant.....
1. Details of National Identity Card/ Passport No/
2. Certificate of Incorporation No. (Attach copy)
3. Tax Compliance Certificate from KRA (Attach copy)
4. List Names and Particulars of Directors (Attach Copy of ID of one of the Directors)
5. Postal Address.....
6. Location of Business
 - a. Town.....
 - b. Street/Road.....
 - c. Telephone No.....
 - d. E-mail address.....
9. Details of produce to import.....
10. Source of Produce.....

<p>FOR OFFICIAL USE</p> <p>Received.....</p> <p>Decision of NPPO.....</p> <p>.....</p> <p>Date</p> <p>Signature/Stamp.....</p> <p>Managing Director</p>
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Form PPR 4

(R. 9 (1))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Plant Import Permit Application

1. Plant Import Permit Application Form

I/We hereby apply to import PLANTS/PLANT PARTS as described below in accordance with the terms laid down in the Plant Protection Act and Regulations made there in

Name and Address of Applicant		Name and Address of Importer		
Name and Address of Exporter				
PRODUCT DETAILS				
Name of Plants	Botanical Name	Description (seed, cutting, fruit, strain, variety, cultivar, unprocessed, fresh, frozen, cooked)	Number of packages	Quantity Declared
Please attach additional pages if you require more space to complete this section KEPHIS cannot issue an import permit until the scientific name is provided				
Country of Origin/production	Country of export		Intended use of the plants/plant part	
Other Details				
a) Product preparation (Reshipments treatment, virus and disease testing) where applicable attach statements and certificates				
b) Is the commodity genetically manipulated or does it contain genetically manipulated material? If Yes provide details (test certificates, etc)				
Signature of the applicant:			Date:	
FOR OFFICIAL USE ONLY				
Application received	Premises inspected by	Approved	Rejected	
Permit issued by: Name		Date	Signature	

2. Biological Importation Permit Application Form

Date:	
Name and address of applicant:	
Name and address of agent in exporting country	
Classification of material (e.g. bio-control, biofertiliser, organic fertiliser, soil amendment)	
Source of material (country)	
Country of origin of organism	
Country exporting into Kenya	
Purpose for importation	
Quantity	

NB: Attach document/letter of authorization from KSPHTCIE committee

PPR 5

(R. 9 (3))

REPUBLIC OF KENYA
KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)
PLANT IMPORTATION PERMIT

Date

The importer must furnish the supplier with a copy of this import permit before plants, plant products or regulated articles are dispatched.

*Permission is hereby granted to . _____

of. _____

to import from _____

the following _____

subject to the following conditions:

- 1) All _____ to be the produce of and grown in _____
- 2) The consignment shall be inspected by the Service on arrival at the point of entry in Kenya
- 3) The Service may direct or authorize treatment, destruction, or refuse entry and return of the consignment to country of origin at the cost of the owner.
- 4) Plant or plants parts must be entirely free from soil, chaff and/or leaf mould.
- 5) Each consignment shall be accompanied by an original copy of this import permit and phytosanitary certificate (International model or its equivalent) from country of origin.

Additional Declarations:

Failure to furnish the required certificates may result in prohibition of entry of the plants, plant products and regulated articles.

5: **Packaging** the following materials must **not** be used: banana leaves, maize, rice, sorghum, palm, wheat straw soil or leaf mould. if any other plant residue is used as packaging material, the consignment must be accompanied by a certificate stating: all seeds, pathogens and insects have been killed before use of the material either by heating to 180F / 83C for ten minutes or by chemical treatment (N.B:- Details to be stated on the phytosanitary Certificate).

6: **Where wood packaging is used, it shall be compliant to the provisions of the plant protection (wood packaging material) order 2019**

This permit is valid for six months from date of issue but maybe cancelled at any time by the Service or by the officer issuing the permit on his behalf.

Official Stamp

(Signed)

For Managing director

"Import of genetically modified material will require clearance from the National Biosafety Authority in compliance with the Biosafety Act"

**The permission hereby granted is additional to any permission or licence required under any other law.
Full name and address of supplier to be stated.*

PPR 6

(R. 9 (3))

REPUBLIC OF KENYA
KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)
BIOLOGICAL IMPORTATION PERMIT

Date:

Permit No:

One copy of this permit must be furnished by the importer to the supplier before the biological shipment is dispatched:

Permission is hereby granted to

To import from:

The organism described below:

1. Genus, Species, Author-
2. Type of Parasite/regulated article:
3. Predator of weed..... ..
Predator of insect...
- Stage(s) shipped:
4. Dates originally field collected
5. Location (Nearest Town, province,/ State, Country)
6. Original host (Genus, Species, Author).

7. Stage/part attacked... ..
8. a) Intended host if different from original
9. b) Other alternative hosts
10. Laboratory host (If different from original host)
- To be tested in the lab against ...
11. Host plant of host pest...

Intended use

Intended Host

Type of release study

A. Immediate field Release

B. Lab. Culture with Eventual field release

C. Lab. Culture with Study of evaluation only:

12. A statement of where the biological agent has already been used and the degree of success attained

13. Importation of the organism is subject to the following conditions:

i) The supplier must provide documents endorsing that an authorised officer of the plant protection service examined the shipment and were found to be to the best of his knowledge free from any undesirable species (hyperparasites pest insects of predators, weed seeds, etc.)

ii) The consignment to be inspected on arrival and the importing authority reserves the right to treat, destroy, or refuse the importation)

14. All packing material must be entirely free from soil, live plant material, leaf mould and must be autoclaved before discarding

*The permit is valid for six months from the Date of Issue, and may be cancelled at any time by the Director of Agriculture or by the officer issuing the permit on his Behalf

Signed

Official Stamp

(Signed)

For Managing director

* Permission hereby granted is additional to any permission or licence required under any other law

PPR 7

(R.10 (1))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Q Label

PLANT MATERIAL

PERMIT No.

URGENT NOTICE to all Officials of Customs, Post Office, Airways and
Plant Protection Services

Please forward this parcel with the least possible delay to:

OFFICER-IN-CHARGE-PLANT QUARANTINE STATION - MUGUGA

P. O. BOX 49421 NAIROBI.

TEL: 0154-32715, MOB: 0734 330017

FOR

MANAGING DIRECTOR

KENYA PLANT HEALTH INSPECTORATE SERVICE

PPR 8

(R. 14 (12))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

NOTIFICATION OF INTERCEPTION OF A CONSIGNMENT

1. CONSIGNOR	
a) Name:	
a) Address:	
b) Country:	
2. CONSIGNEE	
a) Name:	
b) Address:	
c) Country:	
3. Country of export:	Country of origin:
4. Port of entry:	
5. Mode of transport:	Vessel No.:
6. IDENTIFICATION OF CONSIGNMENT:	
a) Type of document:	
b) Document No.	
c) Date of issue:	
7. DESCRIPTION OF CONSIGNMENT:	
a) Botanical name of plant, plant product or other object:	
b) Class of commodity:	
c) Net mass/volume/no of units:	
8. REASON (S) FOR INTERCEPTION:	
a) Reason:	
b) Scientific name of harmful organism:	
c) Extent of contamination:	
9. STATUTORY MEASURES TAKEN:	
a) Measures:	
b) Extent of measures:	
10. Place of inspection:	
11. Intercepted by (Name of Inspector):	
12. Official Stamp:	

(Signed) For Managing director

PPR 9

(R. 15)

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Notification of Interception of to an Exporting Country

1. CONSIGNOR b) Name: c) Address: d) Country:	2. INTERCEPTION FILE REF/
3. CONSIGNEE d) Name: e) Address : f) Country:	4. Notifying Authority: KENYA PLANT HEALTH INSPECTORATE SERVICE
5. Country of export:	6. Country of origin:
7. Port of entry:	8. Mode of transport:
9. IDENTIFICATION OF CONSIGNMENT d) Type of document: e) Document No. f) Country: g) Date of issue: h) Place of issue :	10. DESCRIPTION OF CONSIGNMENT a) Botanical name of plant, plant product or other object: b) Class of commodity: c) Net mass/volume/no of units:
11. REASON (S) FOR INTERCEPTION d) Reason: e) Scientific name of harmful organism: f) Extent of contamination:	
12. STATUTORY MEASURES TAKEN c) Measures: d) Extent of measures:	13. FREE TEXT
14. INFORMATION ON THE INTERCEPTION a) Place/checkpoint : b) Official Service: c) Date:	15. SENDER OF MESSAGE a) Kenya Plant Health Inspectorate Service, P.O. Box 49592 Nairobi Tel: 0206618000/0709891000 b) General Manager Phytosanitary Services c) Signature: d) Date of interception : e) Date of notification :

Form PPR 10

(R. 20(1))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Application for Registration/ or Renewal of a Phytosanitary Decontamination Facility

1.Name/Address of the Applicant/operator Telephone & E-mail:	2. Application Date:
3. Phytosanitary measure:	() Fumigation () Vacuum; () Hot Steam treatment () Controlled atmosphere () others : _____(specify)
4. Type of application	() New () Renewal
5. Location and physical address of Facility (County/Town/Ward/Road)	
6. Type of Used Vehicles, Machinery, Equipment and Accessories for decontamination	
7. Current certificate number (incase of renewal) and date on which the Facility was approved (for renewal)	
8. Relevant authority approval	
16. Any additional information	

Declaration

I hereby declare that the information given above is complete and correct to the best of my knowledge and belief.

Name: _____

Official stamp

Signature: _____

Date: _____

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

For Official Use		
Check list	Status	
Application Complete	Yes	No
Application details appropriate	Yes	No
Final Action Taken: <input type="checkbox"/> recommended for assessment <input type="checkbox"/> not recommended for assessment	Scrutinized by: (Signature/Name/Designation) Date: _____	

- a) a certified copy of the certificate of incorporation or business registration certificate;
- b) details of the location of the phytosanitary treatment facility;
- c) a premises license from Pest Control Products Board where pesticides are used during treatment and

Form PPR11

(R. 20(3))



REPUBLIC OF KENYA



**KENYA PLANT HEALTH INSPECTORATE SERVICE
(KEPHIS)**

**CERTIFICATE OF AUTHORIZATION OF PHYTOSANITARY DECONTAMINATION
FACILITY**

This is to certify that.....

Located at

*Whose facility has been assessed and found to comply with requirements for
Phytosanitary Decontamination facility.*

Is hereby approved for a period of one year

Commencing on

Certificate No. KEPHIS/.....

Date of Issue.....

MANAGING DIRECTOR

** Renewal is subject to
assessment by KEPHIS and Conformity to the physical and operational
requirements. Non-conformity will lead to suspension or cancellation of the
certificate.*

Form PPR 12

(R. 21(2)(a))

Republic of Kenya
The Kenya Plant Health Inspectorate Service
Phytosanitary Decontamination Certificate

Authorized company Letter Head

CERTIFICATE OF DECONTAMINATION OF USED VEHICLES MACHINERY AND EQUIPMENT

This is to certify that this used motor vehicle/machinery/equipment

Identification (chassis no/batch no/or any other unique Identification).....

Imported byof P.O BOX

Physical address.....

has been decontaminated in line with the requirements for imported used vehicles machinery and equipment and conforms to Kenya's requirements.

Certificate No.

Date of Issue.....Stamp.....

.....
DIRECTOR

Form PPR

(R. 21(2)(b))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Phytosanitary Decontamination Label



Serial No

Phytosanitary Decontamination Label

Phytosanitary Decontamination Certificate Number

Notice to all officials of customs, official entry points and plant protection authorities.

This is to certify that this used equipment, machinery, motor vehicle or regulated article has been decontaminated in compliance with all the provisions of the Plant Protection Act CAP 324 of the Republic of Kenya

Form PPR 14

(R. 26 (1))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Application for Registration/ or Renewal of Post entry Quarantine Facility

1.Name/Address of the Applicant Telephone & E-mail):	2. Application Date:
3. Type of facility:	() Open field; () greenhouse; () glasshouse; () Screenhouse; () Polyhouse and () others : _____(specify)
4. Type of application	() New () Renewal
5. Location and physical address of Facility (County/Town/Ward/Road	
6. Name of Facility Operator & Contact (Telephone & E-mail)	
7. Size of Facility (acreage or No. of production units)	
8. Type of plants/ plant products/ other Regulated Articles	
9. A brief description of facility (Enclose the diagrammatic sketch/plan of the facility). Use separate sheet	
10. Date on which the Facility was approved (for renewal)	
11. Any Additions/Modifications carried out to the Existing Facility. If 'Yes' give brief account of additions/modifications	Yes/No
12. Standard operating procedures (SOPs) in place for the operation of the facility, including, record keeping pest monitoring & sanitation practices	Yes/No
13. Trained staff operating the Facility	Yes/No
14. Any additional information	

Declaration

I hereby declare that the information given above is complete and correct to the best of my knowledge and belief.

Name: _____

Official stamp

Signature: _____

Date: _____

For Office (Accreditation Unit) Use

Check list	Status	Scrutinized by	Action by IA	Applicant comments	
Application complete	Yes	No			
Facility plan/diagram	Yes	No			
Facility SOPs	Yes	No			
Final Action Taken:			By: _____ _____ (Signature/Name/Designation)		

Form PPR 15

(R.26 (3) (4))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Physical and operational requirements for a quarantine facility

Part A. Checklist for inspection and certification of Open Quarantine Facility

1. Name of Facility:	2. Application Reg No/Date:		
3. Location and physical address of Facility (County/Town/Ward/Road)			
4:Contact Address (Telephone & E-mail)			
5. Inspected by	i) _____ Name & Designation ii) _____ Name & Designation		
6. Date of Inspection			
7. Field/block/greenhouse number			
8. Area under quarantine			
9. Name of Plant Species to be grown			
10.Details of previous crops grown			
11. Assessment criteria			
Criteria	Yes	No	Comments
Facility is distinctly located and/or isolated from similar/related crop species			
The field is enclosed around with barbed wire fencing with lockable gate to prevent any unauthorized entry			
The field is bordered around with a high density polythene film up to a height of 10 ft without any openings or gaps and /or raised around with 3-4 rows thick barrier crop to serve as insect barrier			
Suitable sign board such as 'Post entry Quarantine Area- No Entry Without Permission' is displayed near the entry gate to prevent			

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

tress passes			
The field is located in a elevated area and properly levelled with adequate drainage conditions			
The water used for irrigating the field is of good quality and appropriately treated to render it pest free.			
Soil beds are appropriately treated by pasteurization or fumigation to render pest-free			
The field is watered through a drip irrigation system, furrow, basin or bed irrigated and no overhead irrigation (sprinkler) system used.			
The field is free from weeds and refuse of previous crop, if any 24 security sufficient to prevent unauthorized access			
Standard operating procedures in place for the operation of the facility (including, record keeping pest monitoring & sanitation practices			
Staff trained			
Facility meets the requirements as listed above			
Corrective Action, if any required to be under taken /Time schedule			
Facility owner/ manager Signature: _____ Date: _____ Inspector Signature: _____ Date: _____	Corrective actions have been undertaken & verified:		

Part B. Checklist for inspection and certification of closed Quarantine Facility (Lab, Glasshouse/ Screen house/ Polyhouse)

1. Name of Facility:		2. Application Reg. No/Date:	
3. Location and physical address of Facility (County/Town/Ward/Road)			
4:Contact Address (Telephone & E-mail)			
5. Inspected by		i) _____ Name & Designation	
		ii) _____ Name & Designation	
6. Date of inspection			
7. Type of Closed Facility		()Greenhouse; ()Glasshouse; () Screenhouse; ()Polyhouse	
8. Field/block/greenhouse number			
9. Name of Plant species to be grown			
10. Other plant species within the facility			
11. Assessment criteria			
Criteria	Yes	No	Comments
Vector-proof facility			
Adequate double door entrance			
Entrance foot-bath/hand wash unit with disinfectant			
All the openings from external to internal environment are properly sealed			
Appropriate temperature, light and humidity controls exist at the facility			
Proper misting facilities for tissue culture hardening/acclimatization of transplants			
Facility (and all containers) disinfected and free of plants, debris or soil			
Soil-less medium used and pest free and /or treated soil is used.			
Separate facility for potting			
Water used is of good quality and appropriately treated to render pest free			

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

Sliding and raised benches for growing tissue culture plants			
Soil floors covered with protective material			
Security sufficient to prevent unauthorized access			
Documentation Standard operating procedures in place for the operation of the facility (including, record keeping pest monitoring & sanitation practices			
Staff training and competency satisfactory			
Facility Meets the requirements as listed above			
Corrective Action, if any required to be under taken/ Time schedule			
Facility owner/ manager Signature: _____ Date: _____ Inspector Signature: _____ Date: _____	Corrective Actions undertaken & verified:		

Form PPR 16

(R. 26 (6))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Certificate of Registration for Approved post Entry Quarantine Facility

	_____ _____ (Name of the Institute/ Organization/ Facility)	Certificate No:----- Date of issue:----- Valid up to:-----
--	--	---

CERTIFICATE OF REGISTRATION FOR APPROVED QUARANTINE FACILITY

In accordance with the provisions of quarantine Regulations, I hereby certify that the following facility has been inspected and approved for growing of imported consignment of plants, plant products and regulated articles as described below, under post entry quarantine and subject to the following terms and conditions.

Date: _____

Place: _____

(Signature/Name of Inspecting Authority)

(Signature/Name of Inspecting Authority)

1. Name and address of the Importer:

2. Location of PEQ facility (County/Town/Ward/

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

road):	
3. Type of facility (Lab, Open field/ Glasshouse/ Screen house/ Polyhouse or other facility)	
4. No. of Units & size of each Unit	
5. Total capacity (No. of propagating Units/ potting space)	
6. Name of plant species intended to be grown	
<p>:Terms & Conditions of certification:</p> <p>1. The Original Certificate of Approval shall be displayed in a prominent place at the Facility and a copy of the certificate shall be forwarded to an inspector of the Service of concerned port of entry through which the plants, plant products and regulated articles described above are to be imported to facilitate issue of import permit.</p> <p>2. The Certificate of approval is valid only up to the date indicated unless otherwise renewed.</p> <p>3. The holder of certificate shall hold valid license issued by the Service</p> <p>4. The certificate of approval granted shall be liable to be withdrawn/cancelled, if the holder of certificate is involved in making false records or does not abide by the instructions given by the Service during the course of inspection of growing plants under post entry quarantine</p>	
<p>Endorsements:</p> <p>Revalidated/suspended/cancelled on _____ by _____</p> <p>Revalidated/suspended/cancelled on _____ by _____</p>	
<p>Copy to:</p>	
<p>To:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>(Name/Address of Facility owner)</p>	<p>Ref No: _____</p> <p>Dated</p>

Rejection/Cancellation of Certification of quarantine Facilities

It is hereby informed that the PEQ facilities described here under have been inspected by KEPHIS inspectors and considered that the same will not meet the criteria laid down for certification Plant Import Order. Therefore your application is rejected for approval of Certification of Post entry quarantine facilities for growing imported plants, plant products and regulated articles due to the reasons given below:

Date: _____

Place: _____ (Signature/Name of Inspection Authority)

2. Location of PEQ facility (County/Town/Ward/Road)	
--	--

3. Type of facility (Open field/Glasshouse/Screen house/ Polyhouse)	
---	--

4. No. of Units & size of each Unit	
-------------------------------------	--

5. Total capacity (No. of propagating Units/ potting space)	
---	--

6. Name of plant species intended to be grown	
---	--

7. Reasons for Rejection/Cancellation of certification:

Copy to:

Form PPR 17

(R. 28 (2))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Application for Registration of Exporter

1. Name of Applicant.....
2. Details of National Identity Card/ Passport No/
3. Certificate of Incorporation No. (Attach copy)
4. Tax Compliance Certificate from KRA (Attach copy)
5. Export Licence Number (Attach copy)
6. List Names and Particulars of Directors (Attach Copy of ID of one of the Directors)
7. Postal Address.....
8. Location of Business
 - a. Town.....
 - b. Street/Road.....
 - c. Telephone No.....
 - d. E-mail address.....
9. Details of produce to export/import.....
10. Source of Produce.....

FOR OFFICIAL USE

Received.....
Decision of NPPO.....
.....
Date

Signature/Stamp.....
Managing Director

Other conditions

1. An exporter should first obtain an Export License from the relevant Authority e.g HCD.
2. The applicant should be conversant with the Export market requirements of the destination market.
3. An Exporter shall take responsibility for compliance of his/her produce whether from his farm or out growers.
4. Consistent non-compliance may lead to de-registration.

Form PPR 18

(R. 30 (4))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Field/Facility/Produce/Process Inspection Result

Form No:

Date:

Inspector:

Name of Grower/Proprietor: Crop/Facility/Other:

Species/Variety/Process: Location:

Address/Tel. No: Contact Person:

Observations

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

Recommendations

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

Owner's/ Manager's Signature..... **Date**..... **Time**.....

Inspector's Signature (s) (i)..... **Date**..... **Time**.....

(ii) **Date**..... **Time**.....

Form PPR 19

(R. 31 (1))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Exit Point Inspection Application Form

I/We hereby apply for exit point inspection to export PLANTS/PLANT PARTS as described below in accordance with the terms laid down in the Plant Protection Act, and Regulations made there in

Name and Address of Applicant		Name and Address of Importer		
Dealers/Declared Name and address of Consignee				
Plant importation order No.				
PRODUCT DETAILS				
Name of Plants	Botanical Name	Description (seed, cutting, fruit, strain, variety, cultivar, unprocessed, fresh, frozen, cooked)	Number of packages	Quantity Declared
Please attach additional pages if you require more space to complete this section KEPHIS cannot issue an import permit until the scientific name is provided				
Area of production (Location of farm, collection area)		Point of entry	Pre-shipment treatment (Where application)	
Signature of the applicant:			Date:	
FOR OFFICIAL USE ONLY				
<u>Application received on</u>	<u>Premises inspected by</u> (Where applicable)	<u>Approved</u>	<u>Rejected</u>	
<u>Permit issued by: Name</u>	<u>Date</u>	<u>Signature</u>		

PPR 20

(R. 31 (7))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Phytosanitary Certificate

1. Name and address of exporter	2. Phytosanitary Certificate No.
3. Declared name and address of consignee	4. To Plant Protection Organization (s) of
5. Place of origin	6. Declared means of conveyance:
7. Declared point of entry	8. Distinguishing Marks
9. Number and description of packages:	10. Name of produce
11. Botanical name of plants	12. Quantity declared
13. This is to certify that the plants, plant products or other regulated articles described herein have been inspected and or tested according to appropriate official procedures.	
14. Additional declarations	
15. Disinfestation and or disinfection treatment	Place of issue: Date: Name of Inspector: Signature:
16. Chemical and temperature	
17. Duration and temperature	
18. Concentration 19. Date	
20. Any additional information	

Form PPR 21

(R. 31 (10))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Rejection Notification Form

1. Exporter: Date of inspection:
Date of Re-inspection:
2. Producer: Date of Rejection:
3. Destination country: INVOICE NO:

Through the powers conferred in the plant protection act 2021, the produce specified below has been found not to conform to the provisions of the regulations: -

Product	No. of cartons	Gross weight (kgs)	Particulars

Signed:

Inspector

Note: No financial Liability with respect to this notice shall attach to KEPHIS

PPR 22

(R. 34(1))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Schedule of validity of Phytosanitary certificates

Product	Validity period
Cut flowers	24 hours
Fresh vegetables	48 hours
Fruits shipped by air	3 days
Fruits shipped by sea	7 days
Dry produce	7 days

Form PPR 23

(R. 43(3))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Application for Registration/ or Renewal of a Phytosanitary treatment Facility

1.Name/Address of the Applicant/operator Telephone & E-mail:	2. Application Date:
3. Type of facility:	<input type="checkbox"/> Devitalisation; <input type="checkbox"/> Fumigation <input type="checkbox"/> Cold treatment; <input type="checkbox"/> Hot water treatment <input type="checkbox"/> Controlled atmosphere <input type="checkbox"/> others : _____(specify)
4. Type of application	<input type="checkbox"/> New <input type="checkbox"/> Renewal
5. Location and physical address of Facility (County/Town/Ward/Road)	
8. Type of plants/ plant products/ other Regulated Articles to be treated	
10. Current certificate number (incase of renewal) and date on which the Facility was approved (for renewal)	
11.	

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

16. Any additional information		
Declaration		
I hereby declare that the information given above is complete and correct to the best of my knowledge and belief.		
Name: _____	Official stamp	
Signature: _____		
Date: _____		
For Official Use		
Check list	Status	
Application Complete	Yes	No
Application details appropriate	Yes	No
Final Action Taken: () recommended for assessment () not recommended for assessment	Scrutinized by: (Signature/Name/Designation) Date: _____	

Form PPR 24

(R. 43(7))



REPUBLIC OF KENYA



**KENYA PLANT HEALTH INSPECTORATE SERVICE
(KEPHIS)**

**CERTIFICATE OF AUTHORIZATION OF PHYTOSANITARY TREATMENT
FACILITIES**

This is to certify that.....

Located at

*Whose facility has been assessed and found to comply with requirements for
..... treatment facility.*

Is hereby approved for a period of one year

Commencing on

Certificate No. KEPHIS/.....

Date of Issue.....

MANAGING DIRECTOR

** Renewal is subject to
assessment by KEPHIS and Conformity to the physical and operational
requirements. Non-conformity will lead to suspension or cancellation of the
certificate.*

THIRD SCHEDULE

FEES AND CHARGES

	Item	Charges (Ksh.)
1.	Identification of pest and disease in phytosanitary systems	
	Fungal identification	
	I. Fungal identification without culture	600
	II. Single identification and diagnosis of fungi requiring culturing and further investigation	
	a) Fungal culturing charges	1,800
	b) Fungal analysis using enzyme link immunosorbent assay (ELISA)	3,500
	c) PCR analysis including conventional,	3,500
	d) Realtime PCR and LAMP	4,200
	e) Other specialized techniques such as DNA barcoding, sequencing	5,000
f) Fungal count per sample	600	
2.	Bacterial identification	
	a) Identification through culturing and further investigations	2,000
	b) Bacterial identification analysis using enzyme link immuno-sorbent assay (ELISA) and immuno-fluorescence	2,300
	c) PCR analysis including conventional,	3,500
	d) Realtime PCR and LAMP	4,200
	e) Other specialized techniques such as DNA barcoding, sequencing	5,000
3.	Identification of virus, viroids and phytoplasma	
	a) Identification based on symptom expression	1,200
	b) Identification using indicator plants	2,300
	c) Serology analysis per virus	1,800
	d) PCR analysis including conventional PCR,	3,500
	e) Realtime PCR and LAMP per single virus	4,200
	f) Other specialized techniques such as DNA barcoding, sequencing	5,000
4.	Nematode identification	
	a) Nematode extraction from soil, plant tissue and other sample types	600
	b) Identification of nematode species	1,200
	c) Nematode count per sample	600
	d) Molecular identification of nematodes (e.g. by PCR and LAMP)	3,500

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

	e) Other specialized techniques such as DNA barcoding, sequencing	5,000
5.	Insect pest and mite identification	
	a) Single identification and diagnosis	600
	b) Detailed identification requiring investigative work	1,200
	c) Multiple pest species identification and diagnosis	2,300
	d) Analysis including conventional,	3,500
	e) Realtime PCR and LAMP	4,200
	f) Other specialized techniques such as DNA barcoding, sequencing	5,000
6.	Weed Science/Laboratory and Herbarium	
	a) Routine single identification and diagnosis	600
	b) Detailed single identification and diagnostic services requiring investigative work	1,200
	c) Multiple pest species identification and diagnosis	2,300
	d) Other specialized techniques such as Genetic purity test, DNA barcoding, sequencing	5,000
7.	Mycotoxin analysis in grains and related products	
	a) Total aflatoxin diagnostic test	3,500
	b) Test of Mycotoxins and aflatoxin using ELISA	3000
	c) Confirmation of Mycotoxins (e.g aflatoxin B1)	5000
	d) Moisture content analysis	1,000
8.	GMO testing, monitoring and inspections	
	1) PCR Qualitative	9,000
	2) PCR quantitative	15,000
	3) Review of applications and participation in IBC	10,000
	4) Monitoring GMO for compliance excluding subsistence and transport	10,000
	5) Inspection and escort of GMO material	10,000
9.	Germplasm exchange	
	a) Virus clean-up (batch of not more than 10 plants per accession)	10,000
	b) In vitro multiplication of pathogen free plants (per 20 plants-(batch of not more than 20 plants per accession))	4,000
	c) Charges for the use of tissue culture facilities	1,000 per day
	d) Maintenance of plants in the tissue culture laboratory (In-vitro plants, per month per accession)	500
	e) Sale of virus free plants (in-vitro - per plant)	50
	f) Sale of virus free plants (acclimatized plants - per plant)	200
	g) Maintenance of plants in greenhouse (propagating) per month, per greenhouse	3,000

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

10.	Phytosanitary Inspections	
	(a) import permit	
	i. Plant import permit - Without 'Q' label	1,000
	ii. Plant Import Permit – 'Q' Label	1,000
	iii. Biological Import Permit	1,000
	iv. Plant import permit for research	1,000
	v. Replacement of plant import permits	1,000
	vi) Conformity certificate for fruits and vegetables	1,000
	(b) Phytosanitary certificate	
	i. Phytosanitary certificate (Commercial commodities)	1,000
	ii. Phytosanitary certificate (Research material)	1,000
	iii. Phytosanitary certificate for fresh produce	1,000
	iv. Search fee for phytosanitary documents	1,000
	v. Re-export phytosanitary certificate	1,000
	vi. Amendment/Replacement of phytosanitary documents before export	1,000
	vii. Amendment/Replacement of phytosanitary documents after export	10,000
	viii. Certification of phytosanitary documents	500
	ix, Conformity certificate for fruits and vegetables	1,000
	x. Registration to Import Certification System (ICS)	10,000
	xi. Annual subscription fees for the use of ICS	5,000
	xii. Registration to export Certification System (ECS)	10,000
	xiii Annual subscription fees for the use of ECS	5,000
	xiv Health certificates	1,000
	(c) Farm inspection (farm audit) up to an hectare (excluding charge of transport)	5,000
	(d) Farm inspection fee for additional Hectare to the one in (d) above (Excluding charge of transport and subsistence)	1,000 per Hectare
	(e) Transport (Based on prevailing AA rates)	Prevailing AA rate
	(f) Subsistence allowance (Based on prevailing SRC rates per day)	No Charge
	(g) Additional charges for audits due to non-compliance/interception (excluding charge of transport)	15,000
	(h) Documentation audit due to non-compliance/interception (excluding charge of transport)	10,000
	(i) Additional charges for audits due to rejections (excluding charge of transport)	5,000
	(j) Premises/commodity inspection – Routine (Excluding transport costs and subsistence)	5,000

PLANT PROTECTION (IMPORT AND EXPORT) REGULATIONS, 2021

	(k) Inspection of Quarantine facility including greenhouse and laboratory (upto 1 ha)	6,000
	(l) Additional charges for quarantine facilities for additional hectare above (j) above	1,000
	(m) Inspection of biocontrol facilities	5,000
	n) Inspection for compliances to food safety as per SPS measures (excluding mileage and subsistence allowance)	5,000
	o) Inspection for non-compliance to food safety	20,000
	p) Sale of pasteurized soil (per kg)	25
11.	Farm visits for advice on pest control (Excluding subsistence and transport)	2,400
	Consultation fees for student, farmer and other clients	500
12.	Devitalization (Excluding subsistence and transport)	
	(a) Registration Fees of facility (Non Refundable)	5,000
	(b) Auditing and monitoring charges per audit	5,000
	(c) Annual Renewal of certificate	1,200
	(d) Training on devitalisation	2,400 per person
13.	Grading and inspection services	
	Agricultural export products/produce per entry or consignment for all articles declared for export (local or transit)	
A	Tea, coffee and other dry produce inspection	
	a) 0-34,000 kgs	5,000
	b) 34,001-280,000 Kgs	15 cents per kg
	c) Above 280,001 kgs	10 cents per kg
B	Fresh produce inspection	
	a) Flowers (0 - 2,500 kg)	600
	b) Flowers (2,501 - 10,000kg)	1,200
	c) Flowers (10,001 - 20,000kg)	2,400
	d) Flowers (Above 20,000kg)	4,700
	e) Fruits and Vegetables (0 -1,000kg)**	400
	f) Fruits and Vegetables (1,001 - 5,000kg)**	600

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	g) Fruits and Vegetables (5,001 -15,000kg)**	1,200
	h) Fruits and Vegetables (15,001 - 25,000kg)**	1,800
	i) Fruits and Vegetables (Above 25,000)**	3,600
	j) Others (0 - 2,500 kg)	600
	k) Others (2,501 - 10,000kg)	1,200
	l) Others (10,001 - 20,000kg)	2,400
	m) Others (Above 20,000kg)	4,700
	Premium services will attract an extra Kshs. 3,000 in addition to the normal charges (premium charges to inspections carried out before 8.00 am and after 6pm)	3,000
	Premium services at regional offices will attract Ksh. 3,000.00 on normal working days and Ksh. 6000.00 on weekends and public holidays in addition to the normal charges.	3,000 6,000
C	Imported of agricultural produce/products per kg for such products declared to be articles under the Act including bulk agricultural imports on transit requiring inspection at point of entry	
	0-40,000	50 cents per kg (Minimum 2,000)
	40,001-400,000	35 cents per kg
	400,001-1,000,000	25 cents per kg
	Above 1,000,000 (Bulk imports)	10 cents per kg
	Agricultural imports in sealed containers on transit per kg or metric ton	-
D		
E	Physical test/examination/inspection	
	i. Empty ship inspection/survey	10,000
	ii. Large vessel (over 10,000 MTs)	5,000
	iii. Small vessel (less than 10,000 MT) (about, dhows,	1,000
	iv. Large containers (40 ft.) inspection (each)	1,000
	v. Small containers (20ft) inspection (each)	500
	vi. Large aircrafts (each)	3,000
	vii. Small aircrafts (and balloons) (each)	1,500
F	Inspection of used vehicles and agricultural machineries	5,000

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14.	Wood Packaging Material treatment	
	a) Application fee (non- refundable)	2,000
	b) Authorization for treatment and marking fee	10,000
	c) Renewal fee (annually)	22,000
	d) Treatment 20 ft. container	6,000
	e) Treatment-dunnage, planks, wooden boxes, wedges and others	3,600
	f) Marking-Standard Pallet charges per pallet	30
	g) Marking dunnage, planks, wooden boxes, wedges and others per consignment	1,200
	h) Auditing and monitoring charges per audit	6,000
15.	Treatment of agricultural products	
	a) Inspection of imported wood packaging materials	1,000
	b) Supervision fumigation of export	5,000
	c) Supervision of fumigation of imports	5,000
	d) Supervision of Re-fumigation of product	7,500
16.	Import Non compliance	
	a) Phytosanitary non-compliance on imports	20,000-or 1% CIF value of the consignment (whichever is higher)
	b) Non-declaration of plant materials by passengers	10,000
17.	Destruction of imported non-compliant consignment	
	a. Destruction of imported non-compliant consignments	At cost
	b. Supervision of destruction due to non-compliance	10,000 or 5% CIF of the product (whichever is high)
18.	Pest Risk Analysis Charges	
	a) Conducting quick import pest risk analysis (Excluding surveillance, transport and subsistence costs)	10,000
	b) Conduction full Pest risk analysis (Excluding surveillance, transport and subsistence costs)	30,000
	c) Pest risk assessment information gathering (Excluding surveillance, transport and subsistence costs)	20,000
	d) Travel cost	At cost
	e) Visa, insurance, medical etc	At cost
	f) Transport and subsistence (According to AA and SRC rates)	AA and SRC rates
19.	Analytical Chemistry Charges	

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	a) Pesticides residue screening by LC-MS/MS and GC-MS/MS method on Fruits and vegetables	15,000
	b) Pesticides residues and PCBS on Water	15,000
	c) Pesticides residues and PCBS on Fish and animal tissue	15,000
	d) Pesticides residues and PCBS on Soil and sediments	15,000
	e) Pesticides residue screening by LC-MS/MS and GC-MS/MS method on Cereals and seeds	15,000
	f) Bulk sample analysis greater than 20	12,000
	g) Prepared samples for Instrument analysis only for 1-5 above	5,000
	h) % Active ingredient per active ingredient by GC or HPLC method on formulated pesticides products	2,500
	i) Fertilizer, manure, compost and plant tissue	
	j) Nitrogen	3,100
	k) Nitrogen as free ammonia	3,000
	l) pH	800
	m) Phosphorous	1,500
	n) Potassium	800
	o) Calcium	800
	p) Magnesium	800
	q) Sulphur	1,000
	r) Trace per element	800
	s) Carbon	1500
	t) Sodium	800
	25% reduction in cost for more than 5 samples complete quality analysis.	
20.	Soil	
	a) Analysis for fertility evaluation and fertilizer recommendation	2,000
	b) pH and CEC	400
	c) TOC	400
	d) Available cations	400
	e) Total nitrogen	400
	f) Trace element	400
	g) Analysis for irrigation suitability Water	1,500
	25% reduction in cost for more than 5 samples for irrigation suitability	
21.	Animal feeds	
	a) Calcium	1,000
	b) Phosphorous	1,500
	c) Crude oil	2,200

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	d) Crude ash	3,400
	e) Crude fiber	3,000
	f) Crude protein	2,500
	g) Moisture	800
	Total	13,800
22.	Heavy metal contaminants	
	a) Heavy metal contaminants per element	2,000
	b) Soil sampling fee for up to 2 ha. (excluding transport costs)	1,000
	c) Soil sampling fee for additional ha.	500
	d) Food Safety Audits (MRL's) Transport cost (as per prevailing AA rates)	Prevailing AA rate
	e) Food Safety Audit Fee Audit fee per day	5,000
	f) Food safety monitoring fee Agricultural exports and imports of edible commodities	20 cents per kg
23.	Micro in water and fresh produce.	
	a) E. coli	700
	b) Salmonella	1,000
	c) Shigella	1,000
	d) Staphylococcus	700
	e) pH	500
	f) Total viable count	700
	g) Coliforms	700
	h) Other pathogens	1,500
	i) PCR tests	3,000
	j) ELISA test	3,000
25.	Used Vehicles, Machinery and Equipment	
	Service	Fee in USD
	Authorization	
	a) Authorization application fee	200
	b) Authorization Annual Renewal fee	100
	Inspection	
	a) Saloon cars	20 per unit
	b) Mini buses and vans	30 per unit
	c) Buses, Lorries and trucks	50 per unit
	d) Heavy commercial machinery	100 per unit
	e) Disassembled equipment	30 per container

FOURTH SCHEDULE

	Category of Used Vehicles, Machinery and Equipment	Examples of Used Vehicles Machinery and Equipment
1.	Agricultural, forestry and horticultural	<ul style="list-style-type: none"> • Harvesters • Sawmill Machinery • Logging Trucks • Animal Transport Vehicles • Compost and Manure Trailers • Tractors • Tools. Reconditioned or field-tested Used Vehicles, Machinery and Equipment are included.
2.	Earth moving	<ul style="list-style-type: none"> • Bulldozers • Graders • Surface mining equipment. Reconditioned or field-tested Used Vehicles, Machinery and Equipment are included.
3.	Waste management	<ul style="list-style-type: none"> • Rubbish/garbage/waste trucks • Waste sorting equipment. Reconditioned Used Vehicles, Machinery and Equipment are included
4.	Deep mining	
5.	Industrial Vehicles, Machinery and Equipment used outdoors	<ul style="list-style-type: none"> • Cranes • Forklifts • Equipment used in civil works
6.	Used vehicles	<ul style="list-style-type: none"> • Cars • Vans • Trucks • buses • motorbikes • quad bikes • four-wheel drives • locomotives and engines • used parts • trailers

FIFTH SCHEDULE

Exemptions

1. New vehicles.
2. Passenger, commercial Vehicles moving under their own motive power.
3. Passenger and commercial transport vehicles operating within the EAC member states
4. Vehicles for Military
5. Vehicles imported for UN missions