

Legal Notice No.....

PLANT PROTECTION (GENERAL) REGULATIONS, 2020

IN EXERCISE of the powers conferred by section 53 of the Plant Protection Act, 2020 the Cabinet Secretary for Agriculture Livestock, Fisheries and Cooperatives makes the following Regulations.

PART I—PRELIMINARY	
1. These regulations may be cited as the Plant Protection (General) Regulations, 2020	Citation
<p>2. In these regulations— In these Regulations, unless the context otherwise requires—</p> <p>“Authorized Officer” Means the Managing director of Kenya Plant Health Inspectorate Service</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 pests</p> <p>“Inspection” Official visual examination of plant materials to determine if pests are present or to determine compliance with phytosanitary regulations.</p> <p>“Plant Material” means Plants, Plant Products and other regulated articles;</p> <p>“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;</p>	Interpretation

“inspector” means a suitably qualified person appointed or authorized under the Plant Protection Act, 2020.

“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 measure” means any legislation or official procedure for the prevention of the introduction or spread of pests;

“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;

“plant quarantine procedures” means procedures followed for importation of risk-associated materials that require quarantine;

“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;

“quarantine station” means an official station for holding plants, plant products regulated articles under quarantine;

“regulated article” means any packaging, conveyance, container, soil and other organism, object or material capable of harbouring or spreading pests, that requires phytosanitary measures;

“Service” means Kenya Plant Health Inspectorate Service;

	<p>“treatment” means an officially authorized procedure for the killing, removal or rendering of pests inactive or infertile;</p> <p>“Pest free areas” means an area in which a specific pest is absent as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained by The Service</p> <p>“Areas of low pest prevalence” means an area, whether all of a country, part of a country, or all or parts of several countries, as identified by the competent authorities, in which a specific pest is present at low levels and which is subject to effective surveillance or control measures</p>	
	<p>3. These Regulations shall apply to the prevention of the establishment, spread and management of pests within Kenya.</p>	<p>Scope of application</p>
	<p>4. (1) The purpose of these regulations is to provide for the protection of plant health, safe movement and trade in plants, plant produce and other regulated articles in Kenya and pest management.</p> <p>(2) Without prejudice to the generality of sub regulation (1), these Regulations shall provide for:-</p> <ul style="list-style-type: none"> a) Prevention of establishment and spread of pests; b) Domestic Quarantine; c) Pest surveillance and reporting; d) Establishment of Pest Free Areas and Areas of low pest prevalence; e) Nursery phytosanitary Certification; f) Pest management; g) Plant Clinics 	<p>Purpose of the regulations</p>
	<p>PART II - COUNTY AND NATIONAL PLANT HEALTH EMERGENCY RESPONSE UNITS</p>	
	<p>5. (1) The County plant health emergency response unit (CPHERU) set out in Section 30 of the Plant Protection Act shall comprise of: -</p> <ul style="list-style-type: none"> a) County Executive Committee Member (CECM) in charge of Agriculture (Chair); 	<p>Membership of County Plant Health Emergency Response Unit</p>

	<ul style="list-style-type: none"> b) County Director of Agriculture (Secretary); c) Representative of the Service; d) Private sector representative; e) Representative of Kenya Agricultural and Livestock Research Organization; f) Representative of Agriculture and Food Authority; g) Representative from Institutions of higher learning; h) The committee can co- opt any other member as need arise. 	
	<p>6. (1) The CIPHERU shall where there is an outbreak of a new pest or pest of concern in the County: -</p> <ul style="list-style-type: none"> a) Develop a County Plant health emergency plan; b) Implement early warning and rapid response strategies as provided for under the Act; c) Coordinate rapid response to pest incursion and outbreaks; d) Determine pests of concern to the County and put in place adequate measures for management. e) Enact legislation for implementation of County plant health emergency plan; f) Mobilization of resources for implementing early warning system and emergency response to target pests; g) Develop Public awareness plan for target pests. <p>(2) Where national emergency has occurred the CIPHERU shall implement strategies developed by the National Plant Health Emergency Response Unit (NIPHERU) at the County level.</p> <p>(3) Inform the Cabinet Secretary and the Service of measures for eradication and prevention of spread of pests including domestic quarantine of new pests and pests of concern instituted in the County.</p>	<p>Functions of the CIPHERU</p>
	<p>7. 1) The CIPHERU shall be convened by the CECM in charge of Agriculture at least twice a year or in the event of a pest incursion within the County.</p>	<p>Conduct of business of CIPHERU</p>

	<p>(2) Without prejudice to sub regulation (1) any member of CIPHERU may in writing request the CECM in charge of Agriculture to convene a meeting to discuss a pest emergency.</p>	
	<p>8. (1) The National Plant Health Emergency Response Unit (NPHERU) set out in the section 30 of the Plant Protection Act shall comprise of:-</p> <ul style="list-style-type: none"> a) Principal Secretary in the Ministry of Agriculture in Charge of crops b) Head of Plant Protection Services Division c) Managing Director- Kenya Plant Health Inspectorate Service d) Chief Executive Officer -Pest Control products board e) Director General-Kenya Agricultural and livestock research organization f) Director General -National Museums of Kenya g) Director General –Kenya Wildlife Services h) Managing Director- Kenya Forest Research Institute i) Representatives from universities j) Representative of the Council of Governors k) Co -option of any other two relevant specialists 	<p>Membership of NPHERU</p>
	<p>9. (1) The National Plant Health Emergency Response Unit (NPHERU) shall be convened by the Permanent Secretary upon the request of the Service or any member in the event of a pest incursion in any part of the country.</p> <p>(2) Without prejudice to (1) above the NPHERU shall meet at least once a year.</p> <p>(3) The National Plant Health Emergency Response Unit (NPHERU) shall implement its mandate as provided for under the Act.</p>	<p>Operations of NPHERU</p>
	<p>PART III - PREVENTION OF ESTABLISHMENT, SPREAD AND MANAGEMENT OF PESTS</p>	
	<p>10.(1) All persons shall report the occurrence of new pests or pests of concern to the County Executive Committee Member in charge of</p>	<p>Pest Reporting, Early warning, rapid</p>

<p>Agriculture or the Service through form PPGR 1 as set out in the first schedule.</p> <p>(2) The CECM responsible for Agriculture may in collaboration with Service verify and analyse the pest report and prescribe phytosanitary measures for control.</p> <p>(3) Where a pest is deemed new or of concern the CECM in charge of Agriculture shall may in collaboration with the service verify the information on the pest report by farm visit and inspection.</p> <p>(4) A sample of the pest or plants infected by the pest may be taken and sent to the service for confirmation where the pest cannot be identified in the field.</p> <p>(5) The CECM in charge of Agriculture may convene a CIPHERU meeting to develop rapid response systems for eradication new pests and management of pests of concern to prevent spread and establishment of the new pests and control where eradication has failed.</p>	<p>response and eradication of new pests</p>
<p>11.(1) Where it is established that the pest is new to the County the CIPHERU may prescribe rapid pest control measures for eradication of the pest including:</p> <ul style="list-style-type: none"> a) Mass trapping b) Chemical sprays c) Rogueing and destruction on infected material d) Physical control e) Biological control f) Adoption of integrated pest control measures g) Declare an area to be under quarantine <p>(2) Every occupier or, in the absence of the occupier, every owner of land shall implement prescribed phytosanitary measures for the eradication, containment and or control of the regulated pest prescribed by the CECM in charge of Agriculture.</p>	<p>Eradication of pests</p>

PLANT PROTECTION (GENERAL) REGULATIONS, 2020

	<p>(3) CECM responsible for Agriculture may in collaboration with Service implement the prescribed phytosanitary measures where the land occupier fails to implement the prescribed measures.</p> <p>(4) The CIPHERU shall review the pest status from time to time and where eradication is no longer tenable shall prescribe measures for management of the pest.</p> <p>(5) The CECM in charge of Agriculture shall provide prescribed pest management measures to the farmers within the County.</p> <p>(6) The CIPHERU shall monitor the pest status and may institute more stringent measures where the pest is not managed or review the measures where the pest has been brought under control.</p>	
	<p>12. The CECM in charge of Agriculture shall through writing inform the authorized officer of the service of the new pests, pests of concern and measures instituted to eradicate or control the pest.</p>	<p>Information of the Service of a new pest occurrence in the County</p>
	<p>13. (1) Where there is emergence of a pests of concern in the County the CIPHERU shall evaluate the pest of concern and if:-</p> <ul style="list-style-type: none"> a) The pest causes economic damage beyond acceptable thresholds; b) Is spreading beyond farmers capacity to manage the pest; c) Was previously a pest of concern and had been put under control but has re-emerged; <p>(2) The CIPHERU shall develop a County Plant health emergency plan for the specific pest of concern;</p> <p>(3) The CIPHERU shall prescribe phytosanitary measures for the management of the pest.</p> <p>(4) The CECM in charge of Agriculture shall provide prescribed pest management measures to the farmers within the County.</p>	<p>Management of pests of concern</p>
	<p>14. (1) The County Executive Committee Member responsible for Agriculture in consultation with the CIPHERU, in cases of occurrence of a new pest or</p>	<p>Domestic quarantine in cases of new pest or pests of concern</p>

<p>pest of concern in the County, may:-</p> <ul style="list-style-type: none"> a) declare an area to be under quarantine; b) impose temporary restrictions and additional phytosanitary measures in cases of occurrence of a new pest or pest of concern; and c) lift quarantine restrictions where the situation changes. <p>(2) Without prejudice to the provisions of (1) in cases of occurrence of new pests or pests of concern in more than one County including trans boundary pests, the Service may in consultation with the County Executive Committee Members responsible for agriculture undertake measure prescribed in (1 (a), (b) and (c)) above.</p>	
<p>15. (1) In cases of plant health emergencies and where quarantine measures need to be put in place, the Cabinet Secretary in consultation with the National Plant Health Emergency Response Unit shall:</p> <ul style="list-style-type: none"> (a) By notice in the Gazette Declare an area to be under quarantine and impose temporary restrictions and additional phytosanitary measures in cases of occurrence of a new pest or pest of concern; and (b) Notify, in writing, the County Executive Committee Member responsible for Agriculture of the affected County Government of the quarantined area and the temporary restrictions and additional phytosanitary measures imposed. <p>(2) The National Plant Health Emergency Response Unit shall review the effectiveness of the phytosanitary measures imposed and status of the spread of pest in the quarantined area from time to time and advise the Cabinet Secretary on lifting of the quarantine status or imposition of additional measures.</p> <p>(3) The Cabinet Secretary shall, by regulation, establish procedures for</p>	<p>Domestic quarantine in cases of pest emergencies</p>

	<p>better carrying into effect of the provisions of the subsections above.</p>	
	<p>16.(1) The service may in collaboration with the County(s) conduct regular surveillance to monitor the population dynamics of the regulated pest.</p> <p>(a) The Service shall develop protocols that are crop and pest specific for monitoring population dynamics of the target regulated pest.</p> <p>(b) The service may recommend to the Cabinet Secretary responsible for Agriculture to:-</p> <ul style="list-style-type: none"> i) expand the area declared as infected if the regulated pest(s) has spread to other regions; ii) reduce the boundaries of the area declared to be infected by the regulated pest if the pest has been eliminated in some of the infected areas. iii) Revoke the quarantine status of the area if the pest has been eradicated. 	<p>Monitoring of domestic quarantine areas</p>
	<p>17.(1) The Service may develop phytosanitary measures to mitigate spread of regulated pests through movement, Research, cultivation of plants, plant products and other regulated articles from an area declared as infected by:</p> <ul style="list-style-type: none"> a) Regulating research and production of propagation material at the site. b) Testing for regulated pests on plants, plant products and other regulated articles meant for propagation purposes before distribution c) Inspecting and approval of commercial propagation sites d) Prohibiting propagation of certain crops for set periods in infected areas as provided for in the Act. e) In collaboration with the County(ies) enforcing implementation of recommended phytosanitary measures by owners/occupiers. <p>(2) (a) All persons moving germplasm through or from areas infected with regulated pests shall seek approval from the Service which shall require such material to be grown under quarantine provisions</p>	<p>Restriction of movement of material infected with Regulated pests</p>

	<p>(b) The Service shall ascertain pest freedom of materials in sub regulation (2) (a) through testing before release of such material from the quarantine</p>	
	<p>PART IV- SURVEILLANCE AND PEST REPORTING</p>	
	<p>18. The County Government shall periodically carry out pest surveillance to:- a) Determine pest status in the County or in an area within the County; b) Develop appropriate pest management measures.</p>	<p>County Surveillance</p>
	<p>19. (1) The Service may in collaboration with County Governments undertake surveillance in areas under cultivation such as fields, plantations, nurseries, gardens, green houses and in wild flora, at points of entry and exit and in areas where plant products in storage or on transit. (2) The Service shall conduct surveillance to: a) determine pest status in the country or in an area; b) detect new pests introduced in an area; and c) develop appropriate phytosanitary measures. d) develop and or update Pest list e) develop appropriate phytosanitary measures for import and export certification</p>	<p>National Surveillance</p>
	<p>20. (1) The Service is the national centre for coordination of surveillance which include consolidation, storage and retrieval of data from surveillance activities. (2) In carrying out of surveillance activities: - a) the general public and producers shall report any new pests to the Service; b) Government, research, educational, private institutions and any other relevant institution shall share pest survey reports and may conduct joint surveys with the Service. (3) The Service shall develop national surveillance protocols in line with international standards for use during surveillance activities.</p>	<p>Coordination of surveillance activities</p>
	<p>21.(1) A person who discovers the presence of a new pest previously not</p>	<p>New pest reports to the Service</p>

	<p>reported in Kenya shall notify the service and provide a report prior to publication as prescribed in form PPGR 2 set out in the First Schedule and a specimen of the pest where applicable.</p> <p>(2) The Service upon receipt of the new pest report shall acknowledge the receipt of the notification within 7 working days.</p> <p>(3) Where the pest report is accompanied with more than one laboratory diagnostic confirmation reports the service shall evaluate the status and may approve the pest report for publication.</p> <p>(4) The service shall in collaboration with other agencies evaluate the pest report and shall confirm the identity of the pest and status within a period of 2 months.</p> <p>(5) The service shall upon confirmation of the pest identity notify the person of the outcome and approve publication.</p> <p>(6) Where the confirmation of pest identity and status is not conclusively determined, the service shall notify the person of the outcome and ask for more information for further evaluation.</p> <p>(7) The person may submit further information to the service for evaluation and approval.</p> <p>(8) The service may in line with international obligations report occurrence of news pests in the country to trading partners.</p>	
	<p>PART V - ESTABLISHMENT OF PEST FREE AREAS AND AREAS OF LOW PEST PREVALENCE</p>	
	<p>22.(1) The Service in collaboration with the County Government and relevant stakeholders may establish pest free areas and areas of low pest prevalence as pest risk management options for meeting phytosanitary requirements for domestic and export markets.</p> <p>(2) The Service in collaboration with the County Government and relevant stakeholder may, identify and delimit specific areas/farms/production units as pest free areas and areas of low pest prevalence with officially</p>	<p>Establishment of pest free areas and areas of low pest prevalence.</p>

	<p>recognised boundaries, core-areas and buffer zones where applicable.</p>	
	<p>23.(1) The specified area and buffer zones shall be free of target pest. (2) The Service in collaboration with the County Government and or stakeholder shall determine: - a) The priority crops; b) The target pest; c) Geographical area; d) Phytosanitary measures and where applicable infrastructure; (3) The Service in collaboration with the County Government undertake a survey to determine the baseline target pest population dynamics. (4) The Service in collaboration with the County Government and or stakeholder shall inform the target producers of the requirements. (5) Producers within the specified areas shall apply phytosanitary measures to ensure pests in the production area are reduced to zero or appropriately acceptable levels. (7) Producers shall establish a system and quality control checks for monitoring pest population dynamics and effectiveness of phytosanitary measures in place as prescribed by the Service. (8) Producers shall put in place a traceability system with codes.</p>	<p>Requirements of pest free areas and areas of low pest prevalence.</p>
	<p>24. The County Governments shall: - a) Enforce movement restriction of pest host products and other operational procedures into the core area and buffer zones. b) Develop and implement a public awareness campaign within the pest free areas and areas of low pest prevalence. c) Collect and analyze target pest data within the PFA/ALPP. d) Identify, verify and preserve target pest specimen within the pest free areas and areas of low pest prevalence. e) Maintain the pest free areas and areas of low pest prevalence status following the declaration through management of target pest</p>	<p>County Government roles</p>

	<p>and enforcement of operational aspects.</p> <p>f) Monitor target pest populations through regular surveillance and document findings and share the findings with the Service.</p> <p>g) Develop and implement measures to support value chain actors to put in place traceability mechanisms.</p> <p>h) Enforce implementation of a corrective action plan once the target pest is detected within the pest free areas and areas of low pest prevalence, within a prescribed period.</p>	
	<p>25. (1) The Service shall monitor the pest status of the target pest in areas/farms/production units identified as provided for in these Regulations.</p> <p>(2) All actors undertaking any prescribed measure in pest free areas or areas of low pest prevalence shall document all such activities and give periodic returns to the Service.</p> <p>(3) The Service shall develop a periodic official review process on the effectiveness of the pest free areas and areas of low pest prevalence by external experts/individuals not directly involved in the process.</p>	<p>Monitoring of pest free areas and areas of low pest prevalence</p>
	<p>26.(1) The Service shall approve the pest free places area and area of low pest prevalence once all the requirements have been met and notify trading partners where applicable.</p> <p>(2) The Service shall suspend the pest free area or area of low pest prevalence status once the target pests are detected and notify trading partners where applicable.</p> <p>(3) The Service shall ensure corrective action is undertaken before re-instatement of the pest free areas or areas of low pest prevalence status.</p>	<p>Approval and revocation of pest free areas and areas of low pest prevalence</p>
PART VI - NURSERY PHYTOSANITARY CERTIFICATION		
	<p>27.(1) A person shall not offer for sale plant propagation material except it has undergone phytosanitary certification as provided for in these regulations.</p>	<p>Phytosanitary Certification of propagation materials</p>

	<p>(2) Any person intending to offer for sale propagation material shall apply to the Service for nursery / propagation facility phytosanitary certification as provided for in form PPGR 3 set out in the first schedule.</p> <p>(3) Registration by County Government and other relevant competent authorities shall be a prerequisite for nursery phytosanitary certification.</p>	
	<p>28.(1) The Service shall carry out inspection to ensure that the nursery/ propagation facility owner or operator: -</p> <ul style="list-style-type: none"> (a) has put in place phytosanitary measures to assure plant health and prevent spread of pests; (b) has sourced mother plants/scions from phytosanitary certified sources; and (c) Keeps records for traceability of all plants for planting traded in. <p>(2) Further to the provision in sub-section 1 above, inspection shall take into consideration export requirements in cases where the product are for export;</p> <p>(3) Samples not limited to water, growing media, manure, plant tissues, diseased material and insect pests may be taken for laboratory testing.</p> <p>(4) Testing and Certification shall be subject to payment of the prescribed fees.</p>	<p>Nursery / propagation facility certification</p>
	<p>29.(1) Upon satisfactory compliance with the requirements, a nursery / propagation facility shall be issued with a nursery/ propagation facility phytosanitary certificate as provide for in form PPGR 4 set out in the first schedule.</p> <ul style="list-style-type: none"> (2) The certificate shall be valid for a period of 12 months. (3) The service in collaboration with the County shall regularly monitor the nursery/propagation facility to ensure implementation of Phytosanitary measures. <p>(3) Upon lapse of the certification period the nursery/ propagation facility operator shall apply for re-certification through the prescribed form PPGR</p>	<p>Nursery / propagation facility certificate</p>

	3 as provided for in the first schedule.	
	30. Every nursery/ propagation facility owner or, in the absence of the owner, every nursery/ propagation facility operator shall be required to take any phytosanitary measures the inspector considers necessary for the eradication, reduction or prevention of the spread of any pest which an inspector may by notice in writing order him to take, including treatment or the destruction of plants, whether the same are infected with pests or not.	Phytosanitary measures for propagating the material
	31. The Service shall revoke nursery/ propagation facility phytosanitary certificate where the phytosanitary measures prescribed by the inspector have not been undertaken.	Revocation of the nursery phytosanitary certificate
	32. (1) The Service shall control the development and production of high-risk plant material and other regulated articles through:- a) Developing a program for permitting and tracking plant pests that may be a threat to the health of the public, animals, or plants, or to animal or plant products through agricultural bioterrorism. b) Maintaining a list of high risk pests considered a significant threat to public, animal, or plant health. c) Registering all entities that possess, use, or transfer agents or toxins deemed a threat to public, animal, or plant health d) Having mechanisms for handling detected high risk pests to prevent escapes and unauthorized access. (2) Any person handling high risk material without prior notice to the Service shall have committed an offence.	Handling and regulation of high-risk materials
	PART VII – PLANT CLINICS	
	33. (1) The County Governments and other stakeholders may establish plant clinics for farmer advisory on pest management. (2) The County Governments shall keep a register of all the plant clinics established within their counties.	Plant Clinics

	<p>(3) The established plant clinics may submit samples to the Service for confirmation.</p> <p>(4) The Service in collaboration with other stakeholders may carry out capacity building of plant health experts offering services at the plant clinics at County level.</p>	
	<p>34. Plant health advisors who will offer services at the plant clinics shall have the following minimum qualifications: -</p> <p>a) A certificate in Agriculture or relevant discipline.</p> <p>b) Two years' experience in the same field.</p>	<p>Qualifications of Plant health advisors</p>
PART VIII - ORGANIC CERTIFICATION		
	<p>35.(1) The Service shall be the competent authority for Kenya on matters of organic certification for plants and plant products.</p> <p>(2) All persons intending to certify their plants and plant products as organically produced shall be certified by the authorized certification bodies.</p> <p>(3) All producers of organic produce shall ensure that the plants and plant products certified as organic shall have been produced in adherence to organic farming practices as provided for in national and international standards.</p> <p>(4) The Service shall inspect the organically produce plants, plant products and regulated articles against phytosanitary requirements before export.</p>	<p>Adherence to Organic certification standards</p>
	<p>36.(1) The Service shall authorize persons to be organic certification bodies for the carrying out of inspection and certification in the field of organic production in accordance with the national and international organic certification provisions.</p> <p>(2) Any entity wishing to be designated as an organic certification body shall apply to the Service through form PPGR 5 as set out in the First schedule.</p> <p>(3) The application in sub regulation (2) shall be accompanied by</p>	<p>Authorization of organic certification bodies</p>

	<p>payment of the prescribed fees set out in the Second Schedule.</p> <p>(4) The Service shall evaluate the application and authorize the certification body if it meets requirements for Authorization.</p> <p>(5) The Service may where necessary inform importing countries of the designated certification bodies.</p>	
	<p>37.(1) The Service shall a keep a register of the organic certification bodies and the register shall be open for public inspection upon payment of the prescribed fee set out in the Second Schedule.</p> <p>(2) The organic certification bodies shall provide quarterly returns of the certified entities with clear traceability to the Service.</p>	<p>Monitoring of organic certification bodies</p>
	<p>38.The Service shall revoke the organic certification authorization certificate where the conditions prescribed by the service have not been met.</p>	<p>Revocation of the authorization certificate</p>
	<p>PART IX – AUTHORIZATION OF LABORATORIES</p>	
	<p>39.(1) For the purposes of enforcing the provisions of the Act and these Regulations, the Service may authorize competent laboratories to undertake diagnostic and/ or analytical tests on behalf of the Service.</p> <p>(2) Any person who intends to undertake diagnostic and/ or analytical tests on behalf of the Service shall apply to the Service for authorisation using form PPGR 6 set out in the first Schedule.</p> <p>(3) Upon receipt of the application and payment of prescribed fees, the Service shall assess the applicant's documentation to ascertain its suitability.</p> <p>(4) To be eligible for authorization the Service shall assess the following:-</p> <ul style="list-style-type: none"> a) That the entity is legally established and operated under law; b) That the entity has the capability and technical competence in performing the tests against the relevant standards; c) That the entity is accredited by an internationally recognised accreditation body, where applicable. <p>(5) The Service shall issue an authorization certificate in form PPGR 7</p>	<p>Authorization and rights and obligations of competent laboratories</p>

	<p>specifying the relevant scope of testing and measurement to compliant laboratories, which is valid for one year and is not transferrable.</p> <p>(6) The authorised laboratory shall notify the Service of any changes including changes to its accreditation status which may significantly impact the laboratory’s capacity to provide tests or measurements for which they are authorised.</p> <p>(7) The authorised laboratories shall: -</p> <ul style="list-style-type: none"> a) Adhere to the terms and conditions under which the laboratory is authorised; b) Adhere to the national laws and regulations; c) Provide the Service with updates in accordance with these regulations. <p>(8) An authorised laboratory shall issue a report / certificate of analysis of any material submitted to it under these regulations.</p> <p>(9) The results of any analysis made by the laboratory shall be open to inspection by all interested parties.</p>	
	<p>40.(1) The Service shall undertake monitoring and assessments on the authorised laboratories to ensure that standards of practice are maintained.</p> <p>(2) The Service shall revoke the authorization of a laboratory where the provisions of these regulations are not adhered to.</p>	<p>Post – authorization monitoring</p>
<p>PART X – COUNTY INSPECTORS</p>		
	<p>41.(1) Persons appointed as County inspectors under section 43 (4) shall meet the following requirements: -</p> <ul style="list-style-type: none"> a) Possess a minimum of a diploma in general agriculture or related disciplines from a recognized institution. b) Have undergone training and assessment by The Service in pest and disease identification and management. c) Requirements of Chapter 6 of the constitution of Kenya 2010. 	<p>Qualifications of County Inspectors</p>

PLANT PROTECTION (GENERAL) REGULATIONS, 2020

42. (1) The County Government shall publish in the Gazette - (a) the names of the appointed County inspectors under section 43 (4) of the Act; and (b) the names of County inspectors whose appointment is withdrawn.		Gazettement of County Inspectors
43. (1) County Inspectors shall:- a) Pest Monitoring in the County; b) Creating awareness and capacity building of farmers in pest management; c) Pest surveillance in the county and in collaboration with the service; d) Establishment of pest free areas in collaboration with the service; e) Nursery inspection;		Function of County Inspector
PART XI – MISCELLANEOUS		
44.No suit, prosecution or other legal proceeding shall lie against any inspector or his assistant for anything done in good faith and without negligence done under this Regulation.		Protection of inspectors
45.All persons shall pay fees and charges for Services rendered under these regulations in accordance with the provisions of the Second Schedule of the Act.		Fees and charges
46.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

Form PPGR 1

(R. 10(1))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Pest reporting form

INFORMANT'S INFORMATION	
a) Name	
b) Address	
c) Telephone/Email address	
d) Date	
Category: (i) farmer (ii) student (iii) researcher(iv) general public (v) Regulator	
Institution:	
INFORMATION ON AREA WHERE PEST WAS DETECTED	
GPS Coordinates	Administrative location
Latitude	County
Longitude	Sub-County or Constituency
Altitude (m)	Location or Ward
Nearest town or shopping centre	
Map of the areas (<i>Where applicable</i>)	
PEST INFORMATION	
Pest identify a) common name	b) Scientific name (where applicable)
Date (period) when pest was observed	
Host(s) or articles	
Parts affected	
Pest status	
<i>For researchers only</i>	
Provide a research abstract (attach)	

PLANT PROTECTION (GENERAL) REGULATIONS, 2020

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Form PPGR 2

(R. 20(1))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Manuscript Publication notification Form

PUBLICATION INFORMATION	
a) Name of Applicant	
b) Address	
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d) Date	
Applicant Category: (i) Student (ii) Researcher(iii) Regulator (iv) Other (Please specify)	
Manuscript title:	
Manuscript Authors:	
Author(s) Institution (s):	
Corresponding Author	
Provide a research abstract (attach)	
What initiated the study?	
Pest distribution outside Kenyan territory	
PEST INFORMATION	
Pest identify	
a) Scientific name	
b) Common name	
Diagnostic method (s) used	
Diagnostic protocol (attach)	
Verification expert (s)	
Surveillance period	
Host(s) or articles	
Parts affected	
Pest status	
Pest impact	
GPS locations Latitude/Longitude/Altitude where pest has been detected (Attach)	

PLANT PROTECTION (GENERAL) REGULATIONS, 2020

Voucher specimens (Attach)	
For official use only (KEPHIS)	
Received by (Name of receiving officer):	Station:
Date:	Sign:
Action taken:	
Managing Directors remarks: (i) Approved for publication (ii) Conditional approval (specify conditions) (iii) Not Approved (give reasons)	

Form PPGR 3

(R. 26(2))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Application for Nursery Phytosanitary Certification

1. I, _____ (print or type owner/proprietor's name), in accordance with Kenyan laws required, hereby apply to operate a business as a nursery, plant dealer or a plant broker in the Kenya.
2. _____

Firm name - as it will appear on license
3. Circle ALL that applies to your business/operation in the box below. Do you want this information listed in future printings of KEPHIS Directory of Certified Nurseries, Licensed Plant Dealers, and Licensed Plant brokers?
 Yes _____ No _____

Type of Business	Type of product(s) produced or sold	Sales Structure
A. Nursery (Growing Plants) B. Plant Dealer (Selling Plants) C. Plant Broker D. Landscape Contractor E. Greenhouse F. Public/Government Agency	1. Bedding Plants/Annuals 2. Bulbs 3. Christmas Trees - Cut 4. Christmas Trees - Live 5. Cut Flowers/Greens 6. Fruit Trees 7. General/Ornamental Nursery Stock 8. Herbaceous Perennials 9. Interior Plants 10. Native Plants 11. Small Fruit 12. Sod 13. Vegetable Transplants	I. Wholesale II. Re-Wholesale III. Retail IV. Mail Order

4. Business mailing address: _____
5. Addresses of additional sales locations in Kenya. Provide complete address, manager's name, telephone number, and information requested in questions 6-12. Use a separate sheet of paper if necessary:- _____

PLANT PROTECTION (GENERAL) REGULATIONS, 2020

6. Address of principal place of business if different from item 5:- _____
7. Contact information:
 Phone: _____
 Cell phone: _____
 E-mail: _____
 Other: _____
8. If a partnership or association, list the name and address of each partner or association officer:- _____
9. If a corporation, list the following:
 a. Date incorporated: _____
 b. State: _____
 c. FID no.: _____
 d. Address of principal office: _____
 e. Name & address of resident agent:- _____
10. If business name is an assumed name and not incorporated enclose a notarized "Doing Business As" statement.
11. Location of nursery/growing areas (not sales areas) if different from, or in addition to, principal place of business. Use a separate sheet of paper if necessary:- _____
12. Combined number of acres in nursery stock production, sales area, and landscape holding area:- _____
13. Number of meter's square feet in greenhouse space: _____
14. Please list all sources of nursery stock sold but not produced by you including liners, plugs and finished plants. (This information will be kept confidential; information is used to help in the detection of accidentally introduced quarantine pests.) Use a separate sheet of paper if necessary

Name of Firm

Address

15. _____

Signature of Applicant Title Date

FOR OFFICIAL USE ONLY:

Date Rec'd	Check No.	License Fee	Inspection Fee	License No.	Control No.	Date Approved	Date Mailed

Form PPGR 4

(R. 28(1))

REPUBLIC OF KENYA



KENYA PLANT HEALTH INSPECTORATE SERVICE

(KEPHIS)

Plant Protection Act (Cap 324)

NURSERY PHYTOSANITARY INSPECTION CERTIFICATE

This is to certify that:

Producing Assorted seedlings was inspected in accordance with the provisions of Plant Protection regulations 2020 of the Laws of Kenya and found to be virtually free from injurious pests and diseases at the time of inspection.

This certificate is valid for a period of **ONE YEAR**

Commencing on

Certificate No

Inspector/s:

Date of Issue:

MANAGING DIRECTOR

*** Renewal is subject to re-inspection by KEPHIS and Conformity to the terms of approved measure(s) is mandatory**

•KEPHIS•

PPGR 5

(R. 32 (2))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

**Organic Farming Registration Form
Application Form for Registration of Organic Certification Body**

1. Name of organic certifying body Address Telephone & E-mail:	2. Application Date:
3. Name of the contact person Telephone	
4. Location and physical address of the control body (County/Town/Ward/Road)	
5. Brief information about the control body	
6. Type of application	<input type="checkbox"/> New <input type="checkbox"/> Renewal
7. Standard operating procedures (SOPs) in place for organic farming certification	Yes/No
8. Number of trained staff on organic certification	
9. Any additional information	
<p>Declaration</p> <p>I hereby declare that the information given above is complete and correct to the best of my knowledge and belief.</p> <p>Name: _____</p> <p>Signature: _____</p> <p style="text-align: right;">Official stamp</p>	

PLANT PROTECTION (GENERAL) REGULATIONS, 2020

Date: _____					
For Official Use Only					
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 PPGR 6

(R.38(2))

Republic of Kenya

The Kenya Plant Health Inspectorate Service

Application for Authorization of a competent laboratory

1. Name/Address of the Applicant/operator: Telephone & E-mail:	2. Application Date:	
3. Nature of laboratory	<input type="checkbox"/> Analytical <input type="checkbox"/> Diagnostic <input type="checkbox"/> Reference <input type="checkbox"/> others : _____ (specify)	
4. Type of application	<input type="checkbox"/> New <input type="checkbox"/> Renewal	
5. Location and physical address of laboratory (County/Town/Ward/Road)		
6. Type of tests to be undertaken		
7. Current certificate number (in case of renewal) and date on which the laboratory was approved (for renewal)		
8. Evidence of accreditation by an internationally recognized body.		
9. Any additional information		
<p>Declaration</p> <p>I hereby declare that the information given above is complete and correct to the best of my knowledge and belief.</p> <p>Name: _____ Official stamp</p> <p>Signature: _____ Date: _____</p>		
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: _____	

Form PPGR 7

(R. 38(5))



REPUBLIC OF KENYA



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

CERTIFICATE OF AUTHORIZATION OF LABORATORIES

This is to certify that.....

Located at

Whose facility has been assessed and found to comply with requirements to perform:

- 1.
- 2.
- 3.

Is hereby approved for a period of one year

Commencing on

Certificate No. KEPHIS/.....

Date of Issue.....

.....
MANAGING DIRECTOR

**Conditions of issue*

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.

SECOND SCHEDULE**FEES AND CHARGES**

	Item	Charges (Ksh.)
1	Farm Visits	
	a) Farm visits for advice on pest control (Excluding subsistence and transport)	2,400
	b) Consultation fees for student, farmer and other clients	500
2	Nursery Inspections and Certification	
	(a) Inspection	2,000
	(b) Certification	5,000
	(c) Annual renewal of certificate	1,000
3	Organic certification	
	a) Authorization of a certification body	20,000