



LEGAL NOTICE NO.....

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

THE CROPS (PYRETHRUM) REGULATIONS, 2024

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DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024

THE CROPS ACT, 2013

(No. 16 of 2013)

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

THE CROPS (PYRETHRUM) REGULATIONS, 2024

PART I-PRELIMINARY

Citation. **1.** These Regulations may be cited as the Crops (Pyrethrum) Regulations, 2024.

Interpretation. **2.** In these Regulations unless the context otherwise requires—

No.16 of 2013. “Act” means the Crops Act 2013;

No. 13 of 2013. “Authority” means the Agriculture and Food Authority established under section 3 of the Agriculture and Food Authority Act, 2013;

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

“County Executive Committee Member (CECM) means the member of the County Executive Committee for the time being responsible for matters relating to agriculture in pyrethrum growing counties.

“commercial nursery operator” means a person who propagates pyrethrum planting material for sale;

“crops inspector” means a person appointed as an inspector in accordance with section 27 of the Act;

“dealer” includes commercial nursery operators, pyrethrum aggregators, processors, formulators, exporters and importers;

“Directorate” means a directorate of the Authority established under section 11, of the Agriculture and Food Authority Act, 2013 to deal with pyrethrum matters;

“Export” – means to take or cause pyrethrum and or pyrethrum products to be taken out of the Kenya Customs territory or to an export processing zone.

“Export permit” means authorization by the Authority to take out of the Kenya customs territory or to an export processing zone pyrethrum and or pyrethrum products;

“export or import consignment” means quantity declared by applicant;

“grist” means ground pyrethrum dry flowers;

“grower” means a person who cultivates pyrethrum for flowers;

“Import permit” means authorization by the Authority to bring in the Kenya customs territory or to an export processing zone pyrethrum and or pyrethrum products;

“Import” – means to take or cause pyrethrum and or pyrethrum products to be taken into the Kenya Customs territory or to an export processing zone;

“processor” means a person issued with a license under these regulations to extract pyrethrins from pyrethrum flowers or other products;

“person” includes an individual, a company, an association, cooperative society or a corporate body;

“pyrethrum” means the plant or part of the plant of *Chrysanthemum* spp or of any inter-specific hybrid involving this species or of any progeny of such hybrid;

“Pyrethrum aggregator” means a person licensed under these regulations to collect dry pyrethrum flowers on behalf of a licensed pyrethrum processor;

“pyrethrum extract” means an active ingredient obtained or derived from pyrethrum flower by treatment or processing;

“pyrethrum product” means any product, extract or substance obtained or derived from pyrethrum by any treatment or processing and not including grist; and

“Seed merchant” means a person registered under regulation 9 of the Seeds and Plant Varieties (seeds) Regulation.

Purpose.

3. (1) The purpose of these Regulations is to guide the promotion, development and regulation of pyrethrum and pyrethrum products.
- (2) Without prejudice to the generality of the sub-regulation (1), the purpose of these regulations is to provide for—
 - (a) promote best practices in the production, collection, grading, storage, transportation, processing, marketing and warehousing of pyrethrum and pyrethrum products;
 - (b) enhance productivity and income of pyrethrum farmers and other value chain actors;
 - (c) enhancement of quality and safety of pyrethrum and pyrethrum products;
 - (d) enhancement of growth and development of the sub-sector;
 - (e) attract investment opportunities and improve the efficiency of agribusiness services in the pyrethrum industry;

PART II—REGISTRATION AND LICENSING

Registration of a dealer

4. (1) No person shall operate as a pyrethrum dealer without a valid certificate of registration from the Authority
- (2) A dealer shall apply for registration to the Authority in Form PY1, as set out in the First Schedule.
- (3) The Authority shall issue a certificate of registration to a dealer in Form PY2, as set out in the First Schedule within 14 working days.
- (4) Before issuing a certificate of registration to a dealer, the Authority shall satisfy itself that the applicant has complied with the requirements set out in the application for certificate of registration.
- (5) A person who contravenes regulations 4(1) shall be liable upon conviction to a penalty under section 16(4) of the Act.

Licensing of Commercial Nursery Operator

5. (1) A commercial nursery operator shall not operate without a license from the respective County Government.
- (2) The application to operate a commercial nursery shall be made on Form PY3 set out in the First Schedule.
- (3) The County Government shall issue commercial nursery with a license in Form PY4 set out in the First Schedule within 14 working days upon payment of the prescribed fee in the Third schedule.

(4) The County Government shall not issue a licence unless an inspector has visited and inspected the site and has confirmed that the applicant complies with the following requirements—

- (a) the land is suitable for propagating pyrethrum;
- (b) the site is well served with a reliable quality water source for irrigation;
- (c) the site is accessible for inspections and collection of planting material;
- (d) the land is gently sloping and the soil type is of good drainage and does not allow water logging; and
- (e) the applicant has basic knowledge of nursery management.

(5) A commercial nursery operator shall make available the license to the County Government and the Authority whenever requested.

(6) A licensed commercial nursery operator shall submit biannual returns to the County Government and the Authority as set out in Form PY5 not later than the tenth day of the first month after the end of the half.

(7) A person who operates a commercial nursery as such without being licensed in accordance with these regulation commits an offence.

(8) The County Government may at any time revoke the license if the provisions of these regulations have been contravened or on the advice of the Authority on non-conformance to standards.

Registration of
Pyrethrum
grower.

6. (1) A grower may apply for registration to a processor licensed under these Regulations in Form PY6 as set out in the First Schedule for purposes of—

- (a) Data capture and maintenance; and
- (b) Provision of extension services.

(2) Upon registration under sub-regulation (1) the processor shall issue a certificate of registration to the grower in Form PY7 as set out in the First Schedule within two working days.

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

(4) The processor shall share the information obtained in sub-regulation (1) with the Authority and the respective County Government.

- (5) A grower shall not register with more than one processor in respect of the same parcel of land under which they have grown pyrethrum.
- (6) The register referred to in sub regulation (3) shall be prima facie proof that a person is a registered pyrethrum grower.
- (7) A processor shall avail the particulars of such registration to the Authority and the respective County Government in Form PY8 as set out in the First Schedule.
- (8) Any change in the particulars supplied by the grower for purposes of registration in accordance with this regulation shall be notified to the processor, County Government and the Authority in writing by the grower.
- (9) Where the processor has reasonable cause to believe that a person whose particulars are so recorded has ceased to be a grower, it may, after giving that person and the Authority one month's notice in writing, remove the name of such person from the register and inform the County Government and the Authority.
- (10) A grower may sign a contract with the processor where they are registered to deliver pyrethrum flowers.
- (11) A contracted grower shall only sell pyrethrum flowers to that processor.
- (12) All processors shall register their farmers upon commencement of this regulations.

Registration of
growers'
Associations

- 7.** (1) The Authority shall register and maintain a register of all entities registering small holder growers.
- (2) All entities registering smallholder growers shall register with the Authority in Form PY9 as set out in the First Schedule.
- (3) The Association shall cause to be kept particulars of growers registered under it and file annual returns to the respective County Government and the Authority.

Issuance of
pyrethrum
aggregator's
Licence

- 8.** (1) No person shall operate as a pyrethrum aggregator without a license from the respective County Government.
- (2) An application for a pyrethrum aggregator's license in sub-regulation 8(1) above shall be made to the County Government using Form PY10 set in the First Schedule.

(3) The County Government shall issue the license to the applicant after satisfying itself that the requirements in Form PY10 above have been met using Form PY11 set out in the First Schedule within 30 days.

(4) The County Government may at any time revoke the license if the registration Certificate has been revoked or the provisions of these regulations have been contravened.

(5) A pyrethrum aggregator shall submit quarterly returns to the County Government in Form PY12 as set out in the First Schedule not later than the tenth day of the first month after the end of that quarter.

Issuance of a Certificate of Compliance for a Pyrethrum processor.

9. (1) A dealer who intends to set up a new processing facility for Pyrethrum shall apply for a Certificate of Compliance to the Authority in Form PY13 set out in the First Schedule.

(2) The applicant shall carry out a feasibility study that provides information on —

- a) socio-economic impact;
- b) environmental safe guards;
- c) technical capacity;
- d) source of raw material (nuclear farms, contracted growers, pyrethrum agent);
- e) processing capacity of the proposed facility;
- f) target product(s); and
- g) target markets.

(3) The Authority shall evaluate the feasibility report and undertake an inspection and shall if satisfied with the report and the outcome of the inspection, issue a letter of no objection to the applicant in PY14 as set out in the First Schedule within thirty days from the date of receipt of the application.

(4) Where the Authority is not satisfied with feasibility report or the outcome of the inspection, the Authority shall reject the application and within fourteen days from the receipt of the application notify the applicant of the reasons for rejection in writing.

(5) The letter of no objection shall authorize the applicant to commence installation of a processing plant and developing raw materials through establishing crop or contracting out growers or engaging a pyrethrum aggregator.

(6) The letter of no objection shall be valid for one year and upon evaluation of the installation progress, the Authority may renew the letter of no objection once.

(7) The Authority may revoke a letter of no objection issued under sub-regulation (3) above if —

- a) the applicant made material misrepresentation or a false declaration in the application;
- b) the letter of no objection was otherwise obtained by corruption or fraud;

- c) a condition of the letter of no objection has been breached and no remedial measures have been made; or
- d) the applicant has contravened the provisions of the Crops Act or these Regulations.

(8) Before revoking the letter of no objection under subregulation (7), the Authority shall give the applicant a twenty-one days' notice to show cause why the letter of no objection should not be revoked and the Authority's decision in the matter shall be final.

(9) The applicant shall notify the Authority for inspection upon completion of installation of the processing plant and compliance with the conditions in the letter of no objection in Form PY15 as set out in the First Schedule

(10) Upon successful inspection, the Authority shall at least thirty days before granting a certificate of compliance under these Regulations, give notice of the proposed grant in the Kenya Gazette and in such other manner in accordance with section 20 of the Act.

(11) The Authority shall issue a successful applicant with a certificate of compliance in Form PY16 as set out in the First Schedule upon payment of a fee as set out in the Third Schedule.

Issuance of a
Pyrethrum
Processing
Licence.

10. (1) A person shall not process Pyrethrum and Pyrethrum product without a valid compliance certificate from the Authority and a valid licence from the respective County Government.

(2) A person intending to process Pyrethrum and Pyrethrum product shall apply for a licence to the respective County Government in Form PY17 as set out in the First Schedule.

(3) The County Government shall consider the application made under sub-regulation (2) and within fourteen days of receiving the application, issue to a successful applicant a licence in Form PY18 as set out in the First Schedule upon payment of a fee as set out in the Third Schedule or reject the application and indicate the reasons in writing.

(4) An applicant whose application has been rejected in sub regulation (3) may within seven days resubmit the application after addressing the reasons raised in the rejection.

(5) Upon resubmission of a satisfactory application under sub-regulation the County Government shall issue the applicant a licence within fourteen days.

(6) A Pyrethrum processor shall submit quarterly returns to the Authority in Form PY19 as set out in the First Schedule.

(7) The respective County Government shall maintain a register of licensed processors.

(8) A person who contravenes these regulations commits an offence and upon conviction shall be liable to penalty in accordance with section 19 of the Act.

Issuance of
Pyrethrum
formulators
licence

- 11.** (1) A person shall not operate as a pyrethrum formulator without a license from the Authority,
- (2) An application for a formulator's license in 11(1) above shall be made to the Authority using Form PY20 set in the First Schedule.
- (3) The Authority shall issue the license to the applicant after satisfying itself that the requirements have been met using Form PY21 set out in the First Schedule within 30 days.
- (4) The Authority may at any time revoke the license if the registration Certificate has been revoked or the provisions of these regulations have been contravened.
- (5) A formulator shall submit quarterly returns to the Authority as set out in Form PY22 not later than the tenth day of the first month after the end of that quarter

Contract
between
processors,
pyrethrum
aggregators and
growers.

- 12.** (1) A grower may enter into a contract with a processor or a pyrethrum aggregator.
- (2) The contract in sub regulation (1) above shall have the following minimum requirements;
- a) indicate in the contract the price payable to the grower based on the pyrethrins content;
 - b) provide that the growers shall be paid within thirty days from the date of collection of flowers, and
 - c) Provide terms and conditions of terminating a contract
 - d) Physical address of all parties,
 - e) Validity of the contract,
 - f) Collection and delivery point,
 - g) Transfer of ownership timelines,
 - h) Conditions for breach of contract,
 - i) Timelines for review of the terms and conditions contract
 - j) Dispute resolution clause

DRAFT

k) Exit clause/termination of contract,

(3) A copy of the contract in sub regulation (1) above shall be delivered to the CECM of the respective County Government.

(4) Provided that a pyrethrum aggregator and processor may enter into an agreement with another pyrethrum aggregator or processor in the event a pyrethrum aggregator or processor is unable to buy flowers from its contracted growers.

(5) A pyrethrum aggregator or processor who enters into an agreement as provided in sub-regulation 4 above shall ensure that the terms and conditions of the contract with growers are reflected in the new contract.

Licensing of
Pyrethrum
Exporters
and importers.

13. (1) No person shall export or import pyrethrum and or pyrethrum products without being licensed by the Authority.

(2) A registered exporter or importer shall apply to the Authority for an export or import license or renewal in Form PY23 as set out in the First Schedule.

(3) The Authority shall issue an export or import license upon satisfying itself that the applicant has met the set requirements in Form PY24 as set out in the First Schedule and has paid applicable fee as set out in the Third Schedule within 14 working days.

Issuance of an
Export/ Import
Permit.

14. (1) An exporter or importer shall not export or import pyrethrum or pyrethrum products unless they have a valid import or export permit issued by the Authority.

(2) A licensed Exporter or Importer in regulation 13 shall apply to the Authority for an export or import permit for each consignment electronically or in Form PY25 as set out in the First Schedule.

(3) The Authority shall within two working days after receiving an application in (2), consider the application and upon satisfying itself the requirements have been met issue an export/import permit in Form PY26 as set out in the First Schedule.

(4) An export or import permit issued in sub regulation (3) above shall be valid for one month.

(5) An exporter or importer shall submit quarterly returns to the Authority as set out in Form PY27 not later than the tenth day of the first month after the end of that quarter.

(6) A person who contravenes this regulation commits an offence.

Appeals for registration and licenses

15. (1) An applicant for registration or licensing who is aggrieved by the decision of the licensing authority in respect of the grant, refusal for renewal, variation or revocation or the conditions imposed thereof may appeal to the Cabinet Secretary for review of the decision.

(2) The appeal shall be in writing and be delivered to the Cabinet Secretary in writing within thirty days from the date of notification of the decision by the Authority.

(3) The Cabinet Secretary shall consider the appeal and give written feedback to the affected party within forty days from the date the notification is received.

Revocation of Licenses

16. The licensing authority as the case may be may revoke or suspend the licenses if a commercial nursery operator, pyrethrum aggregator, processor, formulator, exporter or importer contravenes the provisions of the Act or these Regulations.

Decision on Registration and Licensing, fees, Validity and Renewals

17. (1) The Authority shall after considering an application for registration of a dealer and license applications for processors, export and import make a decision within sixty days after receipt of a duly completed application.

(2) The County Government shall after considering an application for nursery operator and license make a decision within thirty days after receipt of a duly completed application.

(3) There shall be payable for the issuance of licenses such fees as prescribed under the Third Schedule.

(4) Registration certificates and licenses issued under these Regulations shall remain in force until the thirtieth of June next following the date of issue unless earlier cancelled

(5) An application for renewal of a license under these Regulations shall be made to the Authority or County Government as the case maybe, not later than the first day of the month of June in which the current license is due to expire.

Non-Transferability of certificates of registrations, licenses and permits Applications may be made electronically

18. A license, certificate of registration and permits issued under these Regulations shall not be transferrable.

19. An application for registration or a licence and the submission of returns under this part may be made in electronic format.

**PART III — PRODUCTION AND QUALITY ASSESSMENT OF
PYRETHRUM AND PYRETHRUM PRODUCTS**

Quality
Assessment and
payments for
Pyrethrum
Flowers

- 20.** (1) The processor shall appoint a qualified officer to inspect all pyrethrum flowers received for quality.
- (2) The person appointed under sub regulation (1) shall issue a goods received note showing a grower the net weight of the pyrethrum received.
- (3) The analysis of pyrethrum flowers to determine the pyrethrins content shall be carried out by a person appointed by the processor.
- (4) Payments for flowers delivered shall be based on pyrethrins content.
- (5) Payments shall be made within thirty days from the date of collection of flowers.

Appointment of
Crop inspectors.

- 21.** (1) The Authority shall, by notice in the gazette, appoint inspectors to carry out inspections of pyrethrum and pyrethrum products.
- (2) The County Government may nominate crop inspectors for appointment by the Authority through gazette.
- (3) The inspectors appointed in sub regulation 1 shall to carry out inspections to check for compliance with these regulations and the Act.
- (4) A person appointed as an inspector under 23(1) shall—
- a) be a Kenyan citizen;
 - b) satisfy the requirements of Chapter Six of the Constitution;
 - c) hold a diploma in agriculture or agriculture related field with a minimum of two years of relevant experience or
 - d) hold a Bachelors' degree in agriculture or agriculture related field from a recognized institution with one-year relevant experience, and
 - e) undergone training in relevant course in inspection.

Inspection and
verification

- 22.** (1) The Authority shall;
- (a) conduct inspections and compliance audits to grower associations, pyrethrum aggregator, processors, formulators importers and

exporters from time to time to ensure compliance to these regulations.

(b) provide feedback to the industry players on non-conformity and build the capacity for corrective measures pursuant to inspections and audits undertaken

(2) The inspector shall;

(a) Monitor activities associated with pyrethrum production, dealing, handling and processing to ensure compliance with these regulations;

(b) Regularly undertake surveillance and inspection to ensure that growers, commercial nurseries, pyrethrum aggregators, processors, formulators, exporters and importers of pyrethrum and pyrethrum products adhere to the law, these regulations, the terms and conditions of registration and requirements that may be issued by the Authority from time to time.

(3) An inspector who has reasonable grounds may enter any land, premises or stop and enter into a vessel used for holding or transporting pyrethrum and pyrethrum products for purposes of ascertaining that it conforms to the requirements of these regulations, national and international standards or for the performance of the functions or powers conferred under the Act and these regulations.

PART IV—GENERAL PROVISIONS

Validity of
licenses

23. All licenses issued under these Regulations shall remain in force until the thirtieth of June next following the date of issue, unless earlier cancelled.

Pricing Formula
Committee.

24. (1) There is hereby established a pyrethrum Pricing Formula Committee (hereinafter referred to as “the Pricing Committee”) to determine the formula for pricing of pyrethrum and pyrethrum products comprising of the following members appointed by the Cabinet Secretary—

- (a) One representative from the ministry responsible for matters related to agriculture;
- (b) one representative from the ministry responsible for matters related to trade;
- (c) one representatives from the Authority;
- (d) one representatives from Council of Governors representing pyrethrum growing counties;
- (e) two persons representing pyrethrum growers appointed by the

- apex body in writing;
- (f) one person representing pyrethrum commercial nursery operators,
 - (g) two representatives of the pyrethrum processors
 - (h) one representative of the pyrethrum aggregators
 - (i) one representative of the pyrethrum formulators.
- (2) The secretariat of the committee shall be provided by the Authority;
- (3) The Committee may when necessary co-opt experts to provide technical advice.
- (4) The members of the committee shall, at its first meeting;
- (a) elect the chairperson from the members appointed under paragraph 1(e), (f), (g), (h) or (i) and
 - (b) set the procedures for conducting meetings of the Committee.
- (5) The Committee shall consider the following parameters in developing the pyrethrum pricing formula —
- (a) the supply and demand forces;
 - (b) the cost of production;
 - (c) any other prevailing factors.
- (6) The members of the committee in sub- regulation 1(e), (f), (g), (h) and (i) shall serve for a term of three years non-renewable.
- (7) Data presented at the Committee meetings shall be verified by the Authority or other certified professional or their bodies. s

Pyrethrum Levy

- 25.** (1) There shall be a Pyrethrum levy on exported and imported pyrethrum and pyrethrum products.
- (2) The levy shall be utilized for promoting crop development, capacity building, and marketing activities within the pyrethrum sector.
- (3) The export levy for raw pyrethrum and processed pyrethrum products shall be at a rate of two per centum of the FOB value.
- (4) The import levy on raw pyrethrum and processed pyrethrum products shall be at a rate of two per centum and three per centum of the customs value respectively.

- (5) The levy due under paragraph (2) and (3) shall be remitted to the Authority not later than the tenth day of the month following the month during which the levy was due.
- (6) Any levy imposed under this regulation which remains unpaid shall be recovered by the Authority, as a civil debt due to it from the person by whom it is payable.
- (7) A person who fails, neglects or otherwise refuses to pay or remit the regulatory levy on time as provided for under these regulations shall, where directed by the Authority in writing, in addition to paying the regulatory levy pay an interest of 5% of the amount due for each month or part thereof which the amount due remains unpaid.

General penalty. **26.** A person who commits an offence under these regulations for which no penalty is provided for, shall be liable, upon conviction, to the penalty provided under section 37 of the Act.

DRAFT CROPS (PYRETHRUM) REGULATIONS 2024

FIRST SCHEDULE- FORMS

FORM PY1

(r. 4(2))



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Pyrethrum Dealer Registration Application Form

Serial No: AFA/MPICD/.....

I/ We of Ward.....Sub-County
..... County.....Postal Address.....Telephone
..... E-mail..... LR. No/..... Town.....
street..... hereby apply for registration to be a: (tick as appropriate)

- i. Aggregator []
- ii. Formulator []
- iii. Processor []
- iv. Exporter []
- v. Importer []

Attach;

- a. A copy of certificate of incorporation
- b. CR12
- c. Copies of IDs/Passports of the Directors
- d. Copy of KRA pin certificate of the company

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

Name:Signature.....Date:

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Pyrethrum Dealer Certificate of Registration

Certificate No

This is to certify that of
P.O. Box LR. No..... in..... Ward..... Sub-
County.....County.....is duly registered in the Republic of Kenya as
a..... (insert appropriately);

ISSUED this Day of 20.....

Signed.....
Director General,

Agriculture and Food Authority

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024

The County Government of.....

Serial No. County code/Pyrethrum/....

Pyrethrum Commercial Nursery Operator’s Licence Application form

1. Personal Information

Name of Applicant:

Postal Address.....

Email.....

Telephone:

2. Nursery Information

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

iii) Ward

L.R No or Plot No

Attach;

- a. Copy of certificate of incorporation or registration,
- b. CR12 where applicable,
- c. Copies of IDs/Passports of the director(s),
- d. KRA pin Certificate of the company,
- e. Copy of title deed(s)/lease hold/contract

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

Name: Signature:Date:

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024

County Government of.....

Pyrethrum Commercial Nursery Operator’s Licence

Serial No: AFA/MPICD/----

THIS IS TO CERTIFY that of postal address ofcounty, LR. No. has been duly registered as Pyrethrum a Commercial Nursery Operator to propagateacres of pyrethrum seedlings/clonal crop on Land parcel specified herein in accordance with these regulations.

This licence is valid from.....to.....

Terms and Conditions:

A Commercial Nursery Operator shall -

- a) Propagate planting material from a certified source
- b) Issue a receipt for all sales of planting materials
- c) File annual returns to the County Government

ISSUED on this Day of20.....

CECM Agriculture: Name Signature.....

Official Stamp.....

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024

County Government of.....

Serial No.: AFA/MPICD/.....

Pyrethrum Commercial Nursery Returns

Name of Nursey Operator License No.

Postal Address.....Physical Location

Telephone..... E-mail.

Month/Year.

S/NO	Location of Nursery	Variety (drop down P4, K218, K235, Clone)	Number of seedlings produced	Number of seedlings in stock	Quantity of seedlings sold during the period

Returns submitted by:

Signature:

Designation:

Date:

Official Stamp

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024

Name of Pyrethrum Processor

Pyrethrum Grower Registration Application Form

Application is hereby made to grow hectares of pyrethrum on the land parcel specified in Part B below-

A - Particulars of Applicant

- 1. Name of grower
- 2. National Identify Card No / Passport No.
- 3. Address.....
- 4. Telephone No.....

B – Particulars of Land

- 1. L.R. No. or No's.....
- 2. Location.....
- 3. Ward.....
- 4. Sub-County.....
- 5. County.....

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

FOR OFFICIAL USE:

Processor:

..... Date.....

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

For:
(Name of Processing Company)

DRAFT CROPPING (PYRETHRUM) REGULATIONS, 2024

Certificate No.

Grower Registration Certificate

Serial No: AFA/MPICD/----

THIS IS TO CERTIFY that of P.O. Box
LR No.....in WardSub-Countyhas been duly
registered as a pyrethrum grower to grow and maintainacres of pyrethrum in the Republic of
Kenya on theday of ... /...20...

This Certificate is issued subject to compliance with the Crops Act (2013) and conditions as
are stipulated herein.

Terms and Conditions:

A Grower shall –

- a. Register with only one processor at a time
- b. Store and transport dry pyrethrum flowers in gunny bags,
- c. Store dry pyrethrum flowers at room temperature,
- d. Deliver pyrethrum flowers to a processor within one month after harvesting
- e. Not deliver pyrethrum flowers to any other processor other than the one
appearing on this certificate.

ISSUED this Day of20.....

Signed.....

Licensed processor

DRAFT CROPS (PYRETHRUM) REGULATIONS 2024

Particulars of Growers Register by the Processors

Name of processor

License No. Period

Date	Registration no	name	Phone no	ward	Sub-county	county	acreage	Variety/clone	

Declaration

I/we declare that the information given above is accurate and complete

Prepared by

Name Sign Date

MD/CEO Sign Date

Official Stamp

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Growers Association Registration Application Form

Application is hereby made for registration of Smallholder
Pyrethrum Association located in County, Sub-
county..... wardLocations Sub-location.

Attachments

1. List of growers registered under the Association
2. Copy of certificate of registration
3. Copies of IDs of the officials

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

Name:Signature.....Date:

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024

County Government of

Pyrethrum Aggregator’s Licence Application Form

Serial No: County/....

..... of Ward.....Sub-County
..... County.....Postal Address.....Telephone
..... E-mail..... LR. No..... street

hereby apply for pyrethrum aggregator’s licence.

Attachments

- a) A copy of certificate of incorporation
- b) Copies of IDs/Passports of the directors
- c) CR12 where applicable
- d) Copy of valid Tax Compliance Certificate
- e) Contract with a licensed pyrethrum processor
- f) Copy of the certificate of registration by the Authority

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

Name:Signature.....Date:

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024

County Government of

Pyrethrum Aggregator's Licence

Serial No: COUNTY/----

License No

This is to CERTIFY THAT of
P.O. Box LR. No.....in..... Ward.....Sub-
County.....County.....is duly Licensed as a pyrethrum dealer in the Republic of Kenya
for a period of one year beginning on the Day of and ending on
..... day of (both days inclusive) for processor
.....

This License is issued subject to compliance with the Crops Act, The Crops (Pyrethrum) Regulations 2024 and the terms and conditions stipulated hereunder.

Terms and Conditions:

A dealer shall -

1. Collect flowers from contracted growers only,
2. Store and transport dry flowers in gunny bags,
3. Store dry pyrethrum flowers at room temperature,
4. Deliver pyrethrum flowers to a processor within a month after collection,
5. Pay growers for flower deliveries within thirty days from the date of collection based on pyrethrins content.
6. Submit quarterly stock returns to the County Government

ISSUED on this Day of20.....

CECM Agriculture: Name Signature.....

Official Stamp.....

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024

Serial No.: COUNTY/.....

Licence No.

Pyrethrum Aggregator's Quarterly Returns

Name of Processor Code.
 Postal Address. Physical Location.
 Telephone..... E-mail. Quarter

Date	Quantity of flowers (Kg) Aggregated	Producing County	No. of Farmers contracted	Acreage

Declaration

I/We declare that the information given herein is true and complete.

Submitted by: Designation

Signature: Date:

Official Stamp

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE
Certificate of Compliance Application Form

..... of Ward Sub-County
 County Postal Address Telephone
 E-mail LR. No street
 hereby apply for pyrethrum processor Certificate of Compliance.

- a) Proposed Location of the factory: County [] Sub-county [] Ward [] physical address []
- b) Source of raw material – Tick: Nuclear farms [] Contracted []
 Pyrethrum Aggregator []
- c) Target product(s)
- d) Processing capacity:
- i. Grinding tonnes per Month
 - ii. Extraction tonnes per Month
 - iii. Refining tonnes per Month
 - iv. Other tonnes per Month

Attachments:

- 1) A copy of certificate of incorporation/ business registration
- 2) Copy of CR12
- 3) Copy of IDs of Directors
- 4) A copy of valid single business permit
- 5) A copy of valid tax compliance certificate
- 6) Copy of title deed/leasehold certificate for the proposed site.
- 7) A copy of registration certificate from the Authority

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

Name: Signature Date:



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

AFA/MPICD/.....

.....

Current Date

.....

(Applicant's or Company (address))

Dear,

Pyrethrum Processor Letter of No Objection

..... (Name of applicant entity) has demonstrated its commitment to the implementation of pyrethrum processing project in Kenya.

The applicant has further demonstrated commitment to taking advantage of the Kenyan Investment Policies. Their processing factory shall be located on plot number(s)on Ward Sub-county County.

The applicant shall

- a) Carry out an Environmental Impact Assessment of the project,
- b) Have at least 300 acres of land under pyrethrum crop or contracted farmers with equivalent acreage,
- c) Execute the project within one year from the date of issuance after which this letter of no objection shall be invalid.

The Authority may at any time vary the conditions of the letter of no objection and impose further conditions on the applicant as it may deem necessary

Director General
Agriculture and Food Authority

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Pyrethrum Processor Notification for Inspection

Date.....

I..... (Name of applicant entity) has complied with the terms and conditions of the letter of no objection and hereby notifies the Authority for readiness of inspection.

Attached herein are;

- (a) Environmental Impact Assessment certificate,
- (b) Evidence of 300 acres of land under pyrethrum crop or contracted farmers with equivalent acreage.
- (c) Installed a processing plant,
- (d) Premises license by PCPB

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

Name: Signature..... Date:

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Serial No.: AFA/MPICD/.....

Certificate No.....

Pyrethrum Processor’s Certificate of Compliance

This License is issued to

..... of Physical Address:

..... Postal Address

Email..... Telephone:

Is hereby authorized to operate a factory for processing pyrethrum at a premises

..... located at County..... Sub-County

WardL.R. No

Beginning on the day of 20 and ending on the 30th day of June 20 ... (Both days inclusive)

This License is issued subject to compliance with Crops Act (2013) and Crops (Pyrethrum) Regulations, 2024.

Date: Signed:

*Director General
Agriculture and Food Authority*

Terms and conditions:

1. A processor shall maintain an insurance policy covering all risks related to pyrethrum processing business.
2. Collect pyrethrum flowers only from contracted growers,
3. Pay farmers’ pyrethrum flowers based on pyrethrins contract and within thirty days of collection,
4. File quarterly stock returns to the Authority.

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024

County Government of.....

Pyrethrum Processing Licence Application Form

..... of Ward Sub-County
County..... Postal Address Telephone E-mail.....
LR. No..... street hereby apply for pyrethrum processor licence.

Attachments:

- i. A copy of registration certificate/certificate of incorporation
- ii. Copies of IDs/Passports of Directors
- iii. Copy of CR12
- iv. Copy of a valid Tax Compliance Certificate
- v. Copy of a valid Certificate of Compliance

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024

County Government of.....

Pyrethrum Processing Licence

This License is issued to of Physical
Address: Postal Address
..... Email..... Telephone:
.....

Is hereby authorized to operate a factory for processing pyrethrum at a premises
..... located at County..... Sub-County
..... WardL.R. No

Beginning on the day of 20 and ending on the 30th day of June 20 ... (Both days
inclusive)

This License is issued subject to compliance with these Regulations

Date: Signed:

Director General

Agriculture and Food Authority

Conditions:

- i. Pay growers for pyrethrum collected as per agreements
- ii. File quarterly returns to the Respective County Government

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Serial No.: AFA/MPICD/.....

Licence Number.....

Processor's Quarterly Returns

Processors Name:

Postal Address..... Physical Location. Telephone.

..... E-mail..... Quarter

Source (Own source; Aggregator; Imported)	Acres (own source)	Quantity of flowers (Kg) (Own source; Aggregator; Imported)	County /Country	Oleo Resin Quantity(kg) and value (kshs.)	PRE (50%, 25%) (kg) Quantity(kg) and value (kshs.)	Pymarc	Other products (specify) Quantity(kg) and value (kshs.)	Total Value (Kshs.)

Prepared by: Signature:

Designation Date:

Official Stamp:

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Application for A Formulator Licence

Particulars of the applicant.

Name

Postal Address Email..... Telephone:Town /
street County Sub-County Ward

LR. No Street

Attachments:

- a. A copy of certificate of incorporation and copy of IDs/Passport
- b. Copy of CR12
- c. A copy of registration certificate from the Authority
- d. A copy of single business permit from the County Government
- e. A copy of tax compliance certificate

Signed by;

Name.....Signed..... Date.....

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

Name:Signature.....Date:

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Serial No.: AFA/MPICD/.....

Processor's License. No.....

Pyrethrum Formulator Licence

This License is issued to

..... of Physical Address:

..... Postal Address

Email..... Telephone:

Is hereby authorized to operate a factory for processing pyrethrum at a premises
..... located at County..... Sub-County
Ward L.R. No

Beginning on the day of 20 And ending on the 30th day of June 20 ... (Both days inclusive)

This License is issued subject to compliance with these regulations

Date: Signed:

*Director General
Agriculture and Food Authority*

Terms and conditions:

1. A processor shall maintain an insurance policy covering all risks related to pyrethrum processing business
2. File quarterly stock returns to the Authority
3. A processing licence may be suspended where the licensee, without any good reason acceptable to the Authority, continues to default in submitting returns.

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Serial No.: AFA/MPICD/.....

Licence Number.....

Formulator Quarterly Returns

Processors Name:

Postal Address..... Physical Location. Telephone.

..... E-mail..... Quarter

Quantity of flowers(Kg)	Producing County

Prepared By: Signature:

DesignationDate:

Official Stamp:

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Application For Export [] /Import Licence []

Serial No: AFA/MPICD/

..... of Ward.....Sub-County
 County.....Postal Address.....Telephone
 E-mail..... LR. No.....

hereby apply for licence as an exporter [] and or importer [].

Attachment

- i. A copy of certificate of incorporation and copy of IDs/Passport
- ii. Copy of CR12
- iii. A copy of registration certificate from the Authority
- iv. A copy of single business permit from the County Government
- v. A copy of tax compliance certificate

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

Name:Signature.....Date:

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Pyrethrum Import / Export Licence

Serial No.: AFA/MPICD/.....

Processor's License No.....

THIS IS TO CERTIFY that of Address: Physical:
..... Postal: Email
..... Telephone: has been Licensed as a Pyrethrum
Exporter () Importer ()

License Issued on this day of 20

License Valid until 30th June of 20

Date: Signed:

Director General,
Agriculture and Food Authority

Terms and conditions:

1. There shall be no export of raw pyrethrum flowers
2. Exporters/Importers shall comply with the Act, National and international standards

Note: An export licence may be suspended where the licensee, without any good reason acceptable to the Authority, continues to default in submitting returns.

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**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Serial No.: AFA/MPICD/.....

Application for Pyrethrum Export/Import Permit

1. Applicants Details

Name of exporter Address
 Telephone No
 Email Address
 Registration certificate number Details of
 consignment (Pyrethrum Product)

2. Destination

Country of Destination / Origin Shipment Date
 Vessel
 Consignee
 Notify Address

3. Consignment Details

Contract No. Date Quantity in contract (tons).....
 Local Contract No Date

Processor Marks	Invoice No.	Type of product	No. of Packages	Net Weight (Kg)	Value of Consignment (USD/Euros)

Full name and address of buyer or consignee

Name and address of Warehouse where Pyrethrum Product can be inspected

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

Sale contract showing (contract number, contract date);

Commercial invoice showing (unit price USD/Euros, terms of payment, port and country of destination); Certificate of Analysis; and Custom entry form

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

Date.....

.....



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Pyrethrum Export/Import Permit

Serial No: AFA/MPICD/---/-----

This Permit is granted to M/s..... of P.O. Box and authorizes the saidImporter/Exporter..... On this day of 20....

This Permit is issued subject to compliance with the Crops Act, The Crops (Pyrethrum) Regulations 2019 and conditions as are stipulated herein. It is valid for 90 days.

Product	Quantity (Metric tons)	Price F.O.B (USD)	Freight (USD)	Total Value (USD)	Total Value (USD)

County of Destination/Origin Date of Shipment
 Vessel Consignee/Consigner

This Permit is valid for 90 days from the date of issuance.

Signed.....
Director General – Agriculture and Food Authority

DRAFT CROPS (PYRETHRUM) REGULATIONS, 2024



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Licence Number.....

Exporter/Importer Quarterly Returns

Name of exporter/importer:

Postal Address.....

Physical Location.....

Telephone. E-mail.....

Year Quarter Reporting Date

Export returns

Quarter	Quantity (kg)	Value (KSh)	Destination
1			
2			
3			
4			
Total			

Import returns

Quarter	Quantity (kg)	Value (KSh)	Origin
1			
2			
3			
4			
Total			

Name:

Signature: Date:

Official Stamp:

SECOND SCHEDULE

SAMPLE AGREEMENT BETWEEN PYRETHRUM GROWER AND DEALERS

(To be filled in triplicate: a copy to the Cooperative society/union/Association/Farmer

Group, County government and the Authority)

AGREEMENT made this Day of two
Thousand and

BETWEEN:

..... of a registered
DEALER OR PROCESSOR (Registration No.) hereinafter called “dealer”
which expression shall where the context so admits include its successors and assignees of the First
part:

AND

..... of a GROWER entity of
Pyrethrum crops produce (Registration No.) hereinafter called the
“grower” which expression shall where the context so admits include its successors and assignees) of
the second part

NOW IT IS HEREBY AGREED BETWEEN THE PARTIES AS FOLLOWS;

1. Services

Parties to ensure that the following elements among others are captured in this section as per the nature
of the service(s) to be provided:

- (a) Quantity and quality of produce to be
supplied.....
- (b) Agreed price (checklist must be annexed)
- (c) Collection points and timelines for Pyrethrum
- (d) General accepted production practices;
- (e) Exit clause/termination of contract
- (f) Timelines for review of the terms and conditions of the contract;
- (g) Record keeping required by either party;
- (h) Field support and training;
 - i
 - ii
- (i) Harvesting, post-harvest practices and storage;
 - i
 - ii
- (j) Inspection and grading;
 - i
 - ii
- (k) Packaging supply and procedures
 - i
 - ii

(1) Conditions of collection or delivery;

2. Term

This section shall state the duration (start date 20 and end date 20.....) of the agreement and the option(s) of renewal.

3. Payments

This section shall state:

- (a) the cost of the service(s)
- (b) price of the produce (kg)(Annex price list)
- (c) mode of payment (cash on delivery) Yes/No (tick) other (specify)
- (d) schedule of collection of produce

4. Force majeure

For purposes of this agreement, force majeure means an event which is beyond the reasonable control of either party and makes a party's performance of its obligations impossible. Parties to state specific calamities that would be considered as force majeure.

5. Termination

This section shall state the conditions for termination of agreement by either party including notifications.

6. Breach of agreement and penalties

- (a) Parties to define what constitutes a breach in the agreement and what remedies are acceptable to the parties
- (b) Penalties for breach to be defined.

7. Dispute resolution

Any dispute arising between parties to this agreement shall be referred to the respective County Executive Member responsible for matters relating to Agriculture or the Director General Agriculture and Food Authority for resolution.

8. Law governing the Agreement

This agreement shall be governed by the Laws of the Republic of Kenya.

9. Annexures

This Clause shall contain documents that form part of this agreement e.g., copies of registration certificates, licenses, quality certificates etc.

IN WITNESS WHEREOF the parties have hereunto executed this Agreement on the day and date herein before mentioned.

SIGNED for and on behalf of the

Dealer/processor

Grower

Name: Name:

Date: Date:

Witness:Witness:

**THIRD SCHEDULE
FEES**

	CATEGORY	NEW APPLICATIONS (Kshs)	RENEWAL (Kshs)	RESPONSIBLE
1.	Commercial Nursery Operator	More than 1 acre - Ksh. 10,000 Less than 1 acre – Ksh. 5,000	More than 1acre - Ksh. 10,000 Less than 1 acre – Ksh. 5,000	County Government
2.	Pyrethrum Aggregator's License	20,000	20,000	County Government
3.	Letter of No Objection	20,000	10,000	Authority
4.	Cottage processor (Annual turnover of less than ksh. 1,000,000)	20,000	10,000	County Government
5.	Established processors (Annual turnover of Ksh.1,000,000 and above)	50,000	30,000	County Government
6.	Pyrethrum Formulator License	30,000	20,000	Authority
7.	Import license	20,000	10,000	Authority
8.	Export license	30,000	20,000	Authority
9.	Processor Inspection fees	10,000	10,000	Authority
10.	Export Permit	2% of FOB value		Authority
11.	Import Permit	3% of FOB value		Authority

Sen. Mutahi Kagwe EGH.

Cabinet Secretary for Agriculture and Livestock Development