



# **The Kenya Food Control System**

Presented by: -

Mr. Robert M. Kilonzo  
and  
Dr. Moses Gathura

# Presentation Outline



1. Policy, Legal and Regulatory Framework for Food Control in Kenya
2. Institutional Framework for Food Control (NFSCC)
3. Control Programmes: Conception and Content
4. Inspection Services
5. Analytical Services
6. Non Regulatory Approaches : Information, Communication and Education/Training

# Policy, Legal and Regulatory Framework for Food Control in Kenya



- The Kenyan food safety control system is multi- sectoral in approach and is embodied in various statutes implemented by various Government ministries/departments and regulatory agencies.

# Cont.. Regulatory Framework



Currently the responsibility for national food safety control is shared among the different government ministries and agencies. There are 22 legislations for food safety and quality under the various Acts of parliament, implemented by the different agencies.

# The National Food Safety Policy

- The overall objective of this policy is to establish and maintain a rational, integrated *farm-to-fork* food safety system;
- Harmonizes inter-agency efforts;
- Minimize inter-agency conflict and overlap;
- Ensure the protection of public safety and food trade in a manner consistent with WTO/SPS and other international requirements;
- This policy addresses food safety concerns in the broad areas of legislation, institutional framework, monitoring and evaluation, traceability, resources, information, education and communication.

# The Proposed National Food Safety Authority

- The Policy envisages establishment of a National Food Safety Authority through an Act of Parliament.

*The Roles of the Authority will include: -*

- Undertake risk assessment;
- Protection and promotion of human health;
- Facilitate the orderly development of the food industries as well as fair practices in food trade;
- Fulfil the international obligations, particularly those that arise of Kenya's membership (e.g. in World Trade Organization);
- Coordinate all the existing food control infrastructure and services and redefine their roles in order to eliminate areas of overlap and conflict.

# National Food Safety Coordinating Committee (NFSCC)

- The National Food Safety Coordination Committee (NFSCC) is a multi-sectoral committee which was initiated by various government agencies/institutions who are players in the food chain.
- Chair: Ministry of Agriculture  
Secretariat: Ministry of Public Health and Sanitation.
- The NFSCC is responsible for coordinating all food safety activities in the country.

# The NFSCC

- **Members of NFSCC:**

Department of Veterinary Services, Department of Livestock Production, Department of Fisheries, Kenya Bureau of Standards, Kenya Plant Health Inspectorate Services (KEPHIS), National Public Health Laboratory Services (NPHLS), Government Chemist, Kenya Medical Research Institute (KEMRI), University of Nairobi, Tea Board of Kenya, Coffee Board of Kenya, Kenya Agricultural Research Institute (KARI), Kenya Dairy Board, Pest Control Products Board, Ministry of Local Government, National Biosafety Authority (NBA).

- **Co-opted Members**

World Health Organization (WHO), Food and Agricultural Organization of the United Nations (FAO), and UNIDO.



# ToR of NFSCC



- Harmonize and Coordinate the implementation of food safety activities including food and feed analysis, inspection, enforcement and education.
- Coordinate formulation of food safety policy involving all stakeholders across the food chain.
- Develop and utilize a transparent decision-making process based on scientific evidence on issues related to food safety.
- Coordinate Information, Education and Communication of issues related to Food Safety.
- Provide information and advices to consumers to enable them make informed choices.

# ToR of NFSCC



- Coordinate, monitor and audit food safety activities including food analysis, inspection, enforcement and education.
- Identify legislative needs for effective national food safety systems.
- Develop emergency preparedness strategies related to food safety.
- Identify capacity building needs for implementation of an effective national food safety system.
- Strengthen linkage with research institutions and international bodies on issues related to Food Safety.

# SPS, INFORSAN and CODEX



- Kenya has a National SPS Committee which is responsible for articulation of SPS measures
- The National Codex Executive Committee, The National SPS Committee and the National Food Safety Coordination Committee are the points of convergence of all government regulators
- Kenya has a national focal point contact person for INFORSAN and is responsible for rapid communication of information pertaining food safety events

# Food Safety Regulation in Kenya

## (3)

SL	AGENCY	LAWS
1	Department of Public Health	Public Health Act Cap 242(Rev.2002) Food Drugs Chemical Substances Act Cap 254(Rev. 2002) Radiation Protection Act Cap243 Liquor Licensing Act Cap 121 Traditional Liquor Act Cap 122 Meat Control Act Cap 356(Rev. 1980)
2	Government Chemists Department	Food Drugs and Chemical substances Act Cap 254 Liquor licensing Act Cap 121 Traditional Liquor Act Cap 122 Pharmacy and Poisons Act Cap 244
3	National Public Health Laboratories	Food Drugs and Chemical Substances Act cap 254
4	KEMRI	Science and Technology (Amendment) Act, 1979
5	Pharmacy and Poisons Board	Pharmacy and Poisons Act Cap 244
6	Department of Veterinary Services	Meat Control Act Cap 356 Animal Health Act Cap 364 Fertilizer and Animal Feedstuff Act Cap 345 Dairy Act Cap 336 Crop Production and Livestock Ordinance Act Cap 321
7	Department of Fisheries	Fisheries Act Cap 378
8	Pest Control Products Board	Control Products Act Cap 346

# Food Safety Regulation in Kenya

## (4)

SL	AGENCY	LAWS
9	Plant Health Inspectorate Services	Agricultural Act Cap 318 Plant Protection Act Cap 324 Agricultural Produce Act Cap 319 Seed and Plant Variety Act Cap 326 Suppression of Noxious Weeds Act Cap 325 Fertilizer and Animal Feedstuff Act Cap 345 Control Products Act Cap 346
10	Agricultural Research Institute	Legal Notice under Science and Technology Act Cap 256
11	Horticultural Crops Development Authority	Legal notice under Cap 318
12	Department of Crop production	Cap 318, Cap 319, Cap 320, Cap 321
13	Bureau of Standards (KEBS)	Standards Act Cap 496
14	National Council for Science and Technology	Science and Technology Act Cap 256
15	Dairy Board	Dairy Act Cap 336 Public Health Act Cap 242
16	Coffee Board of Kenya and Coffee research Foundation	Coffee Act No. 9 of 2001
17	The National Biosafety Authority	Biosafety Act 2009

# Control Programmes : Conception and Content

- Food safety surveillance is implemented according to the specific legal provision.
- Examples are: Aflatoxin Management Programme, Antimicrobial Resistance (AMR) in meat value chain.
- Food recall is a task done by both the private sector and the government. The recall is usually mandatory, coupled with public sensitization and participation.

# Inspection Services



- Inspection services are carried out by the government regulatory bodies and no third party involvement. Each government player along the food chain is responsible for official inspection as provided by the law establishing the agency.
- Inspections are either routine, programmed or unannounced official checks depending on the objective of the inspection. However, inspections are done to confirm whether the producer's system is adhering to set standards and practices, and whether internal control programmes are based on HACCP principles.

# Cont..... Inspection Services

---

- The government regulators perform both the import control activities/domestic food control activities and export control activities including certification.



# Analytical Services



- Official analytical services are provided by government laboratories. However, in cases of lack of capacity, private laboratories both locally and foreign are used.
- The government laboratories are part of government ministries or government parastatals.

# Non Regulatory Approaches : Information, Communication and Education/Training

- Food commodity specific programmes are designed to support the private sector comply with set food safety requirements, e.g. the support given to maize millers in the aflatoxin management programme.
- During food safety incidents, messages are provided to local communities in local languages through mass media.
- Several local universities do offer certificate courses on food safety including the recent Master of Science course on Food Safety and Quality