

**SPECIAL ISSUE**

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REPUBLIC OF KENYA

**KENYA GAZETTE SUPPLEMENT**

**MURANG'A COUNTY BILLS, 2020**

**NAIROBI, 20th February, 2020**

**CONTENT**

Bill for Introduction into the County Assembly of Murang'a—

	PAGE
The Murang'a County Avocado Production, Processing and Marketing Bill, 2020.....	1





**THE MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING BILL, 2020**

**ARRANGEMENT OF CLAUSES**

*Clause*

**PART I – PRELIMINARY**

- 1—Short title and Commencement.
- 2—Interpretation.
- 3—Object and Purpose of the Bill.
- 4—Application

**PART II—ADMINISTRATION**

- 5—Establishment of the Directorate.

**PART III—REGISTRATION OF NURSERY OPERATORS**

- 6—Nursery registration
- 7—Application for registration or renewal.
- 8— Conditions for granting nursery certificate.
- 9—Revocation of certificate of registration
- 10—Nursery operators' statistical returns.
- 11—Approved planting material or seed source.
- 12—Mother plants, mother block and nursery establishment.
- 13—Good agricultural practices.

**PART IV—REGISTRATION OF DEALERS**

- 14—Registration of traders, retailers, transporters and distributors.
- 15—Registration of growers and associations.
- 16—Issue of Licenses.
- 17—Tree felling permits.
- 18—Permits for transportation of Avocado produce
- 19—Dealer/ Manufacture statistical returns.
- 20—Renewal of certificate of registration or licenses.
- 21—Licensing and registration fee.
- 22—Revocation, suspension or varying of certificate of registration or license or permit.

- 23—Decision on registrations.
- 24—Additional information.
- 25—Imposition of further terms, conditions and restrictions.
- 26—Certificate of registration not transferable.
- 27— Compliance with quality standards.
- 28—Imports or Exports compliance with the standards.
- 29—Contracts between grower or dealer or manufacturer.
- 30—Mediation Committee
- 31—Compliance with contracts between two parties.
- 32—Traceability of produce and products.
- 33—Traceability of records.
- 34—Contravention of this part.

#### **PART V—HARVESTING, PROCESSING AND MARKETING PROVISIONS**

- 35—General provisions.
- 36— Marketing through collection centers.
- 37—Inspectors.

#### **PART VI—MISCELLANEOUS PROVISIONS**

- 38— Protection from personal liability.
- 39— General penalty.

**THE MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING BILL, 2020**

**A Bill for**

**AN ACT of the County Assembly of Murang'a to provide for the development, regulation and promotion of the Avocado industry, and for connected purposes**

**ENACTED** by the County Assembly of Murang'a as follows—

**PART I— PRELIMINARY**

**Short title**

1. This Act may be cited as the Murang'a County Avocado Production, Processing and Marketing Act, 2020, and shall come into operation by the effective date as the Governor may, by notice in the Gazette, appoint.

**Interpretation.**

2. In this Act, unless the context otherwise requires –

“agent” means a person appointed in writing by the Executive Member in charge of Agriculture to carry out specific duties and functions in the avocado subsector on behalf of the County;

“authority” means the Agriculture and Food Authority established by Section 3 of the Agriculture and Food Authority Act, 2013;

“authorized officer” means an authorized officer within the meaning of this Act;

“avocado” means the fruit of the cultivars which are grown from the species *Persea Americana* Miller;

“buyer” means a person engaged in buying avocados for processing and packaging for resale in the local or export market;

“certificate” means a document issued by the County Government for a specified purpose;

“certificate of origin” means a document issued by a competent authority from a County of origin confirming the origin of the avocado produce or product;

“Collection Centre” means centres/places designated and registered by the county government of Murang'a to serve as buying stations of produce, warehouses, packaging houses, pick-up points and meeting points for farmers and growers, cooperatives and associations and includes large scale grower's farms;

“Executive Committee Member” means the member of the County Executive Committee responsible for matters relating to Agriculture;

“dealer” means a person, company, co-operative society, association of persons or firm engaged in collecting, transporting, storing, distributing, processing, buying or selling avocado produce, products or by-products and includes exporters, importers, processors and agents;

“directorate” means the Murang'a County Avocado Production, Processing and Marketing Directorate established under this Act;

“entity” includes a company, corporation, firm, partnership, association, society, trust or other organization, whether incorporated or not;

“export” means to take avocado produce and products to a place outside Kenya;

“grower” means a small or large scale avocado farmer;

“import” means to bring into Kenya avocado produce or products from another country;

“Inspector” means an agricultural officer appointed in writing by the Executive Committee Member in charge of Agriculture under section 36;

“license” means a written document issued by the County Government of Murang'a as proof of compliance with the legal requirements for conduct of business in the avocado plant or fruit business in Murang'a County;

“licensee” means a person who holds a license granted under this Act;

“licensing Authority” means the official County Government body that registers, grants licenses, and issues permits;

“locality” means a city, municipality, town, urban area, Sub-County or ward as the case may be unless where the context otherwise provide to the contrary;

“manufacture” means processing of avocado produce and products and includes grading, packaging, labeling and distribution of avocado products for sale;

“manufacturer” means a processing firm that transforms avocado produce/products to various end user products;

“mature fruit” means a developed avocado to such an extent that there is proper completion of the ripening process which is determined

through the dry matter content or other prescribed indices by the Executive Committee Member;

“mother block” means selected plants established for the purpose of obtaining clean planting, grafting and budding material;

“mother plant” means a tree that has been identified and approved by the County Government as a source of planting, grafting or budding material;

“nursery” means a site approved by the Licensing Authority where seedlings are grown;

“package” means the container, receptacle or wrapper in which avocado product is contained;

“person” includes an individual, company, firm, association or a corporation;

“plantation” means a grower with ten acres or more under avocado crop;

“produce handling facility” means an area where produce is assembled for purposes of grading, sorting, packaging or storage and includes collection centres, pack houses, cold stores, supermarkets, retail and wholesale markets and grading sheds;

“producer” means a person or a group of persons who commercially cultivate the avocado crop in Murang'a County and includes both smallholder and plantation produce;

“record” means written or electronic data or information relating to a process or procedure;

“rootstock” means the part of a plant which forms the root system of the plant, and into which a scion cultivar is grafted or budded;

“scion” means a detached shoot or bud used in vegetative propagation in the process of grafting or budding;

“small holder” means a grower with less than ten acres under avocado crop;

“stakeholder” means any person involved directly or indirectly in the avocado industry;

“traceability” means ability to track avocado produce and products from production to the final consumer and vice versa;

“transporter” means a person who is engaged in transportation of avocado produce or product;

“vendor” means any person who sells avocado to processors or the market, but does not include a grower who sells his own avocado;

### **Object and the Purpose of the Act.**

3. The purpose of this Act is to provide guidelines for the regulation of the avocado crop production standards, processing and marketing and to provide for—

- (a) conditions for registration and/or licensing of horticulture nursery operators, avocado produce dealers and avocado growers;
- (b) contract guidelines between avocado producers and dealers;
- (c) quality assurance in crop produce standards, processing and marketing of avocado fruits and products;
- (d) enforcement of standards;
- (e) promotion of best practices in crop produce standards, transportation, storage, processing and marketing of avocado fruits and products;
- (f) mechanisms to ensure adequate and sustainable supply of affordable quality avocado crop produce and products;
- (g) mechanisms for provision of incentives to avocado growers and other value chain actors;
- (h) promotion and marketing of avocado;
- (i) sustainability of the avocado sector in Murang'a; and
- (j) application forms and procedures for registration and licensing.

### **Application**

4. This Act shall apply to avocado crop produced, processed and marketed and/or imported into and out of Murang'a County.

## **PART II ADMINISTRATION**

### **Functions of the Directorate**

5. (1) There is established the Avocado Production, Processing and Marketing Directorate which shall be an office in the County Public Service.

(2) The Directorate shall be headed by a Director who shall be appointed by the County Public Service Board.

(3) The Directorate shall—

- (a) ensure implementation of this Act, in accordance with its provisions as relates to the avocado industry;



- (b) regulate the production, post-harvest handling and marketing of avocado produce and by-products;
- (c) provide advisory and regulatory services on matters related to the industry to the County Government for planning purposes;
- (d) collect, collate data and maintain a database on the avocado industry;
- (e) promote the production, processing, grading, storage, collection and transportation of all avocado produce and products destined for markets;
- (f) advise on general avocado industry agreements and contracts;
- (g) vet contracts entered into between growers and other stakeholders or among other stakeholders in the avocado industry;
- (h) mediate and arbitrate disputes arising between growers and/or other actors in the avocado industry;
- (i) initiate, promote and enforce quality standards for products and by-products, during processing, labeling, grading, packaging, transportation and storage of produce and by-products.
- (j) in consultation with the Executive Committee Member in charge of Agriculture and other key stakeholders, the Directorate may set and announce the minimum guaranteed farm gate prices.

(4) In addition to subsection (3), the Directorate shall —

- (a) enhance the technical capacity for the County Government Officers and other stakeholders;
- (b) advise on research priorities in the avocado industry;
- (c) collect and administer avocado levies and fees to enhance development and research in the subsector;
- (d) coordinate in consultation with the Department responsible for international trade, matters of international protocols and conventions;
- (e) appoint agents for the implementation or performance of any of the functions of the Directorate; and
- (f) perform such other functions as may be assigned by the Governor or the Executive Committee Member in charge of Agriculture.

### **PART III—REGISTRATION OF NURSERY OPERATORS**

#### **Nursery Registration.**

6. (1) A person shall not establish or operate a nursery or a mother block in any area unless the person has adequate knowledge and is registered with the County Government.

(2) A nursery operator shall register with the relevant County Government agencies dealing with sanitary and phytosanitary matters.

**Application for registration or renewal**

7. (1) A person who intends to operate a nursery or mother block shall make an application for registration to the County Government as set out in Form A of the First Schedule.

(2) The County Government shall issue a certificate of registration to a successful applicant.

(3) The certificate of registration of a nursery operator as set out in Form B in the First Schedule shall—

- (a) remain in force until the thirty first of December following the date of issue unless earlier cancelled;
- (b) only be applicable for a specified inspected area; and
- (c) not be transferable to any other person.

(4) The nursery operator shall avail the certificate of registration to the County Government for verification whenever requested.

**Conditions for granting nursery certificate.**

8. A person shall be issued with a certificate of registration for a nursery, under Section 6 upon the inspector —

- (a) visiting the site and being satisfied that the site is suitable for establishment of a nursery; and
- (b) being satisfied that the nursery operator or the operator's agent has adequate knowledge of nursery management and production techniques.

**Revocation of certificate of registration**

9. The relevant County Government may revoke, suspend or vary a certificate of registration issued to a nursery or a mother block operator if that operator—

- (a) fails to comply with the provisions as set out in this Act or the conditions set out in the certificate of registration.
- (b) commits an offence under the Act or any other written law in respect of the activity for which they have been registered.

**Nursery operators statistical return.**

10. Every registered nursery operator shall, not later than the fifteenth day of the first month of every year, complete and submit to the County Government, statistical returns as set out in Form C of the First Schedule.

**Approved planting material or seed source.**

11. (1) Every person operating a nursery shall procure planting materials or seeds from sources approved by the relevant County Government agencies.

(2) A person who contravenes the provision as set out in Section 10 (1) commits an offence.

**Mother plant, mother block or nursery establishment.**

12. A mother plant, mother block or nursery shall be established in accordance with such guidelines as shall be issued by the Executive Committee Member.

**Good agricultural practices**

13. Every grower shall comply with the guidelines for good agricultural practices and product processing as set out in the Fourth Schedule particularly in—

- (a) production;
- (b) site selection;
- (c) spacing;
- (d) soil and water analysis;
- (e) records and document control;
- (f) traceability;
- (g) hygiene and cleanliness; and
- (h) workers' welfare among others.

**PART IV— REGISTRATION AND LICENSING OF  
PRODUCTION, PROCESSING AND MARKETING AVOCADO  
DEALERS**

**Registration of Traders, Retailers and Dealers**

14. (1) A person who intends to trade, retail, transport, distribute or warehouse avocado products in bulk shall make an application for registration to the County Government as set out in Form D1 of the First Schedule.

(2) The County Government shall issue a certificate of registration to successful applicants under paragraph (1) as set out in Form E1 of the First Schedule.

### **Registration of growers and associations.**

15. (1) All small-holder growers, for purposes of accessing economies of scale, shall have the freedom to register with an association registered by the County Government under this Act.

(2) All associations, common interest groups, community based organizations and co-operatives dealing with avocados shall apply to the County Government for registration as set out in Form D3 (A) of the First Schedule.

(3) The County Government shall issue a certificate of registration to associations, common interest groups, community based organizations and co-operatives as set out in Form E2 of the First Schedule.

(4) All avocado plantation growers shall apply to the County Government for registration as set out in form D3 of the First Schedule.

(5) The County Government in consultation with the Agriculture and Food Authority shall issue a certificate of registration to plantation growers as set out in Form E3 of the First Schedule.

(6) All associations, common interest groups, community based organizations and co-operatives dealing with avocados shall maintain a register in such format as set out in Form D3 (B) of the First Schedule.

(7) All entities registering small holder growers shall forward annual returns to the County Government, in such a manner as the Licensing Authority may prescribe and shall be submitted by thirtieth of January every year.

### **Issuing of license**

16. (1) A person who intends to process avocado produce or products shall make an application for a license to the County Government as set out in Form D5 of the First Schedule.

(2) The County Government shall issue a license to successful applicants under paragraph (1) as set out in Form E4 of the First Schedule

(3) The license issued under this Act shall remain in force until the thirty first of December following the date of issue, unless earlier cancelled.

### **Tree felling permit**

17. (1) A person who intends to fell an avocado tree shall make an application for a permit to the County Government as set out in Form D4 A of the First Schedule.

(2) The County Government shall issue a permit for the felling of an Avocado tree as set out in Form E5 of the First Schedule.

(3) The permit issued under this regulation shall expire at the specified dates indicated on the permit.

**Permit for transportation of avocado produce.**

18. (1) A person who intends to move avocado produce shall make an application for a permit to the County Government as set out in Form D4 B of the First Schedule.

(2) No person shall move or cause to be moved any avocado produce without a movement permit issued by the County Government.

(3) The County Government shall issue a permit for the movement of raw avocado produce as set out in Form E6 of the First Schedule.

(4) A movement permit for avocado produce shall be issued by the County of origin.

(5) A person who contravenes any of the provisions of this section commits an offence.

**Dealer/Manufacturer statistical return.**

19. Every dealer and manufacturer of avocado produce shall file annual returns to the County Government as set out in Form F of the First Schedule not later than the tenth day of the first month after the end of the year.

**Renewal of certificate of registration or licenses.**

20. (1) Every annual certificate of registration or license granted under this Bill shall expire on the thirty first of December following the date of issue unless earlier cancelled.

(2) Applications for renewal shall be made to the licensing authority before such deadline as the County Government may set.

(3) Notwithstanding the provision of subsection (2) above, a late application may be made upon payment of a penalty as may be set by the County Government from time to time.

**Licensing and registration fee.**

21. Every dealer or manufacturer shall pay a licensing or registration fee as prescribed in the Second Schedule.

**Revocation, suspension or varying of registration or license or permit**

**22.** (1) The Executive Committee Member in charge of Agriculture may revoke, suspend or vary a certificate of registration, license or permit issued to a dealer or manufacturer if they—

- (a) contravene the provisions of this Act;
- (b) fail to comply with this Act or the conditions set out in the certificate of registration, license or permit; and
- (c) commit an offence under the Act or any other written law in respect of the activity for which they have been registered, licensed or permitted.

(2) A person who contravenes sub section (1) commits an offence and shall on conviction be liable to imprisonment for a term not exceeding one year or to a fine not exceeding one million shillings or to both.

(3) Before a certificate of registration, license or a permit is revoked, suspended or varied, the certificate, license or permit holder shall be given notice of the intention to revoke, suspend or vary the certificate or license or permit.

(4) The notification referred to in subsection (3) shall be sent to the registered entity, licensee or permit holder by registered post.

(5) Where a certificate of registration, license or permit is revoked, suspended or varied under this Act, the holder shall not be entitled to any claim from the County Government for any compensation or any damages accruing from such revocation.

(6) A person who is aggrieved by the decision in respect of a grant, refusal, renewal or variation of a license may appeal to the Executive Committee Member within thirty days from the date on which the applicant received notice of the decision.

**Decisions on registration.**

**23.** (1) The Licensing Authority in considering an application for any registration, licensing or renewal under this Act, shall make a decision within sixty days after receipt of an application for registration, licensing or renewal.

(2) Where an application for renewal of registration or license is made, the registration certificate or license shall be deemed to continue in force until the application for renewal is determined.

**Additional information.**

24. The Licensing Authority may require an applicant to supply such additional information as it may consider necessary in relation to the application for registration, license or renewal.

**Imposition of further terms, conditions and restrictions.**

25. The County Government may at any time, by written notice to dealers vary any terms, conditions, restrictions or impose further terms, conditions or restrictions.

**Certificate of registration not transferrable.**

26. A certificate of registration, license or permit issued under this Act shall not be transferrable to another entity and shall be applicable only to a farm, nursery or premise which has been inspected.

**Compliance with quality standards.**

27. All avocado produce or products offered for sale shall comply with the relevant national, regional and international standards and protocols and where applicable food safety and hygiene requirements and sanitary and phytosanitary requirements.

**Compliance with Quality standards**

28. (1) An importer shall, where applicable, furnish the County Government with clearance documents from the relevant government agencies responsible for standards, biosafety and sanitary and phytosanitary before making an application for clearance.

(2) Every exporter shall comply with the relevant laws, regulations, protocols and standards of the avocado products.

(3) Any importer or exporter who provides false information required under this Act shall be guilty of an offence and liable to the penalties prescribed under section 37 of the Crops Act 2013.

**Contract between grower or dealer or manufacturer.**

29. (1) A registered dealer or manufacturer shall —

(a) sign a contract with the grower and register such contract with the County Government as set in the Third Schedule; and

(b) notify the County Government and the authority of any dealer, manufacturer or grower who breaches any contract within thirty days.

(2) Any person who contravenes the provisions of subsection 29 (1) commits an offence.

**Mediation Committee**

**30.** (1) There is established a Mediation Committee to handle disputes arising between growers, dealers and manufacturers.

(2) The committee shall comprise of—

- (a) the Executive Committee Member or one person delegated to by the Executive Committee Member;
- (b) one person representing the Agriculture and Food Authority;
- (c) the Director Avocado Production, Processing and marketing Directorate; and
- (d) one official of the avocado apex body nominated in writing.

(3) The committee may co-opt not more than two other members nominated by the authority in writing who in their opinion possess knowledge and experience likely to be beneficial to the committee.

#### **Compliance with contract between two parties.**

**31.** A registered dealer may be required to furnish the County Government with a copy of the contract signed between the dealer, grower or manufacturer upon being required to do so by a person duly authorized in writing by the County Government.

#### **Traceability of produce and products.**

**32.** Every manufacturer and dealer shall develop, implement and monitor a detailed traceability system to track and trace the history and location at all stages of production, processing and distribution of the avocado produce and products.

#### **Traceability Records.**

**33.** Every grower, manufacturer or dealer shall maintain traceability records relating to the produce and products for at least two years.

#### **Contravention of this part.**

**34.** A person who contravenes provisions of this part commits an offence.

### **PART V—HARVESTING, PROCESSING AND MARKETING PROVISIONS.**

#### **General Provision**

**35.** (1) Avocado produce and products shall be harvested, sorted, graded, packaged, transported and stored in accordance with the guidelines set out in the Fourth Schedule and the specific National or International avocado produce standards and protocols.



(2) The County government shall in collaboration with the Horticultural Crops Directorate ensure that produce and products for the domestic market conform to quality standards in line with the provisions of this Act.

(3) The Executive Committee Member shall in consultation with the Horticultural Crops Directorate provide the standards on horticulture to the County Government who shall be responsible for enforcement of the standard on produce and handling facilities at the local market.

(4) Horticultural Produce that does not conform to the set national and international standards or has not met phytosanitary requirements and has been declared so by the relevant authority, shall be dealt with as follows —

- (a) seizure, detention and destruction of non-compliant products at the cost of the offender to ensure food safety;
- (b) marked not for export where produce is identified by an inspector to contain pest and diseases listed as quarantine by an importing country and escorted to the farm source at the cost of the offender; and
- (c) surcharged for non-compliance due to erroneous documentation which shall not be more than 50 % of the total value of the product.
- (d) notwithstanding the provisions provided for above the Executive Committee Member in charge of agriculture shall

(5) Every grower and dealer shall harvest and/or buy avocado when the produce is physiologically mature for the intended use.

(6) The County Government shall zone Murang'a County into three ecological zones namely—

- (a) Upper
- (b) Middle; and
- (c) Lower zones,

which shall inform the start of the harvesting season.

(7) The County Government shall through a Gazette Notice prescribe the harvesting seasons and confer dates for the different avocado produce for various ecological zones and shall have power to impose a total ban on harvesting to control harvesting of immature avocado fruits.

(8) Every grower and dealer shall harvest and/or buy their avocado produce within the prescribed harvesting seasons, conferred dates and according to the ecological zones.

(9) All premises for storage and processing of avocado produce and products shall comply with the provisions of the Public Health Act and national, regional and international food safety and quality standards and protocols where applicable.

(10) All avocados on transit shall be packed in crates or refrigerated vehicles to avoid damages.

(11) A person who disposes avocado rejects without approved authority from the county government commits an offence

(12) A person who contravenes the provisions of subsections (1), (2) (4) (5) (8) and (9) above commits an offence and is liable to a fine of two million shillings or a jail term of two years.

### **Marketing through Collection Centres**

**36.** (1) The growers may market their produce through Collection Centres established in accordance with the guidelines issued by the County Government from time to time.

(2) The Collection Centres may be used as —

- (a) sites for bulking and grading avocado produce and products to achieve marketable volumes;
- (b) centres for collective bargaining, negotiation and signing of contractual agreements between producing clusters and traders;
- (c) points for lodging disputes and arbitration of disputes between aggrieved parties;
- (d) centres of information dissemination on prices, markets and other technologies on avocado industry improvement; and
- (e) centres for acquisition and distribution of agricultural inputs, provision of advisory services, credit and other agricultural services.

### **Inspectors**

**37.** (1) The Executive Committee Member in charge of agriculture shall through a notice in the Gazette, appoint persons in the County Public Service as inspectors for a period not exceeding three years.

(2) The inspectors shall serve in the County and/or the Sub County Surveillance Units established to carry out inspections in compliance with this Act.

(3) A person appointed in the surveillance unit under subsection (2) shall not, while being so appointed, engage in any business connected with the production, export, sale or distribution of avocado produce in Murang'a County.

(4) Sub county Surveillance units shall be responsible to the County Surveillance units and shall work in close collaboration with the county executive in discharging their functions.

(5) A person appointed as an inspector shall—

- (a) be a Kenyan citizen;
- (b) meet the requirements of Article 10 and Chapter 6 of the Constitution;
- (c) in exercise of their powers of entry and inspection, be guided by the provision of section 28, 29 and 30 of the Crops Act 2013.

#### **PART VI—MISCELLANEOUS PROVISIONS.**

##### **Protection from Personal Liability.**

**38.** An action, claim, demand and liability shall not lie with the County Government or any of its officers or other persons appointed or authorized to perform any function under this Act in respect of anything done or omitted to be done by them in good faith in the exercise of or performance of any power, authority or duty conferred or imposed by them under this Act.

##### **General Penalty.**

**39.** A person who contravenes any provision of this Act for which no specific penalty is prescribed, commits an offence and is liable, on conviction, to a fine not exceeding five hundred thousand shillings or to imprisonment for a period not exceeding two years or to both.

**FIRST SCHEDULE**  
**COUNTY GOVERNMENT OF MURANG'A.**  
**MURANG'A COUNTY AVOCADO PRODUCTION,**  
**PROCESSING AND MARKETING ACT, 2020**  
**FORM A**

Serial No.....

**APPLICATION FOR REGISTRATION OF A NURSERY OR  
MOTHER BLOCK**

*(To be filled in triplicate)*

**PART I**

1. Full name of Applicant .....

2. PIN No.....

ID No.....

3. Postal Address.....Tel.....Email.....

4. Sub-County.....Ward.....

Sub -location.....

5. L.R. No/ Street Name .....

6. Type of planting material to be produced:

<i>Variety</i>	<i>No. of Seedlings</i>	<i>Source of Seed and Scion</i>

Applicant's signature.....Date.....

**PART II —FOR OFFICIAL USE**

Inspector's Remarks .....

**Recommended /not recommended**

*Inspector's Name*.....*Signature*..... *Date*.....

**Approved/Not Approved by:**

CEC in charge of Agriculture/Director:

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

**Terms and conditions for registration.**

1. Application for registration shall be made to the County government.
2. Successful applicants shall pay prescribed fees to the County government.
3. The applicant shall demonstrate proof of adequate knowledge in nursery management.
4. The nursery operator shall submit quarterly returns to the Licensing Authority.
5. The nursery operator shall ensure all planting material has been inspected and approved by an authorized officer from the County government.
6. The nursery operator shall comply with the guidelines on nursery management as issued by the Licensing Authority from time to time.

**OFFICIAL STAMP.**

**COUNTY GOVERNMENT OF MURANG'A  
MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING ACT, 2020**

**FORM B**

**Serial No.**.....

**CERTIFICATE OF REGISTRATION OF A NURSERY**

Name .....

Postal Address .....

Is/are registered to operate a.....Avocado nursery for the year.....

**Located at:**

Ward .....Sub location ..... Location.....

Sub County..... LR No/ Street Name .....

The following planting materials will be produced:

Types number of planting stock .....

.....

Registration No. ....

Signed.....

Date:.....

**CEC in charge of Agriculture**

**OFFICIAL STAMP.**

**Terms and Conditions:**

1. This certificate is valid for one year following the date of issue unless cancelled earlier.
2. This certificate is not transferable.
3. All planting material shall be sourced from approved sources.
4. A nursery operator shall ensure that the planting material has been inspected and a phytosanitary certificate issued by the relevant government agency before sale of the planting material.
5. All certified planting materials not sold within one year of certification, will be subjected to re-certification.

**COUNTY GOVERNMENT OF MURANG'A  
THE MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING ACT, 2020.**

**FORM C**

**Serial No.....**

**NURSERY OPERATOR STATISTICAL RETURNS FORM**

***(To be completed in triplicate)***

1. Name of the Nursery operator .....
2. ID No/ VAT Certificate No. .... PIN Certificate No. ....
3. Telephone/Mobile number ..... Postal Address .....  
Town .....

4. Location of the nursery: Ward .....Sub-location ...Location.....

Sub County .....

5. Period of returns: .....to.....

**6. Declaration:**

<i>Crop</i>	<i>Variety</i>	<i>Number of seed- lings raised within the period</i>	<i>Number of seedlings sued/sold/ distributed</i>	<i>Balance of is-seedlings</i>	<i>Average price of a seedling sold over the period (KES)</i>

I declare that the information given above is accurate and complete.

Name.....

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

**7. FOR OFFICIAL USE ONLY:**

Name of the officer who verified the records

.....

Date .....

Signature

.....

**Official Authority/County Government Stamp**

**NB :** This form must be filled and submitted to the County Government not later than the fifteenth day of the first month of every year.

**COUNTY GOVERNMENT OF MURANG'A**

**THE MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING ACT, 2020.**

**FORM D (1)**

Serial No.....

**APPLICATION FOR REGISTRATION OF TRADERS,  
RETAILERS, TRANS- PORTERS AND DISTRIBUTORS OF AVOCADO  
PRODUCE**

*(To be filled in triplicate)*

1. Full name of Applicant .....

2. Postal Address.....PIN No / ID. No. ....

3. Registered Office.....

L. R. No. .... Street .....

Tel. No. .... E-mail .....

4. Place where the premise is located:

Ward ..... Sub-location .....

Location..... Sub County.....

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

Details of the Buying Centres/Warehouses

<i>Buying Centre Name/No</i>	<i>Volume handled (metric tons)</i>	<i>Location</i>	<i>Street/Avenue/ Village</i>	<i>Contact Person</i>	<i>Mobile No.</i>

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

1. Type of dealership e.g. Trader/Retailer/ Transporter/Distributor (Specify)

.....

2. Types of Produce/ Products .....

3. Sources of supply for Produce .....

4. Destination for Produce .....

**Declaration**

I declare that the information given above is accurate and complete.

Name.....

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

**FOR OFFICIAL USE.**

**County Government Approval**

**Checked by:**

Sub County Agricultural Officer /Authorized Officer

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

**Approved by:**



CEC in charge of Agriculture

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

**Official Stamp/Seal.**

**Terms and Conditions:**

1. When considering an application for registration as a dealer the Licencing Authority shall satisfy itself that the applicant has complied with requirements and in condition as set out in part A, B and C of the Fourth schedule, applicable national & international Standards, Code of Practice and any other legal requirements.
2. The dealer shall produce such documentary evidence for the purchases and deliveries to support the statements made above.
3. A dealer shall pay the prescribed registration fees to the Licencing Authority.
4. The dealer shall provide a copy of the contract signed with the buyer/ processor.
5. The dealer shall provide a copy of signed contract with the growers.
6. This certificate is valid until the thirty first day of the calendar year.

**COUNTY GOVERNMENT OF MURANG'A.**  
**MURANG'A COUNTY AVOCADO PRODUCTION, PROCESSING AND**  
**MARKETING ACT.**

**FORM D 3(A)**

Serial No. ....

**APPLICATION/RENEWAL FOR REGISTRATION OF GROWERS AND ASSOCIATIONS.**

**(To be filled in triplicate)**

1. Full name of the entity .....

2. Postal Address .....

3. Registered Office.....

L. R. No. .... Street .....

Tel. No. .... E-mail .....

4. Location of premise /collection centre:

Village/area..... Ward..... Sub-County.....

5. Number of growers/traders in the group.....Acreage under production.....

6. Directors/Officials

<i>Name</i>	<i>ID/Passport No</i>	<i>Pin No</i>	<i>Tel No</i>

**Attach copies of registration certificate, ID/Passport of officials/Directors and tax compliance certificate.**

7. Types of Produce/Products .....

**Declaration.**

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

Chairman/Director.....Signature..... Date .....

Secretary..... Signature .....

Date .....

Treasurer..... Signature.....

Date .....



Member	ion	No.			hone	Trees	Exit

6. Directors/Officials

Name ID/Passport No PIN No.  
Tel No.

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

**Attach copies of registration certificate, ID/Passport of officials/Directors and tax compliance certificate.**

**Declaration.**

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

Chairman/Director.....Signature.....  
Date  
.....Secretary.....Signature.....  
..... Date ..... Treasurer.....  
Signature..... Date .....

**COUNTY GOVERNMENT OF MURANG'A.  
MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING ACT  
FORM D4 A**

**Serial No; .....**  
**APPLICATION FOR TREE FELLING PERMIT OF  
AVOCADO.**

**PART A: TO BE FILLED BY APPLICANT**

Name ..... ID. No.....  
Plot No.....Village.....Sub location.....Ward.....  
Constituency..... Sub  
County..... County.....  
No. of trees requested to be felled ..... Variety..... Average Age  
(Yrs.) .....  
Reason or purpose of  
felling.....

Balance of trees (Number): Young.....  
 Mature.....  
 Planting configuration (Tick): .....  
 Orchard..... Line/Boundary.....  
 Random.....  
 No. of seedlings to be planted.....  
 Signature..... Date.....

**PART B: TO BE FILLED BY WARD AGRICULTURAL OFFICER.**

I confirm that I have visited the said site and have found the following conditions to be correct: (Tick where appropriate)

- a) The tree(s) is/are senile/ past productive age/disease-infested/damaged by calamity/change of use/cause hazard to life or property.
- b) The orchard is overcrowded and thinning is necessary for improved productivity.
- c) I have given the applicant technical advice on Good Agricultural Practices on how to take care of the remaining trees and/or seedlings to be planted.
- d) The applicant will plant at least three (1) quality seedlings for every tree felled and I will ensure that he/she does that.

**Approved/Not approved**.....

**Reasons/Recommendations**.....

Name.....  
 Signature.....Date..... **Official Stamp.**

**PART C: TO BE FILLED BY SUB COUNTY AGRICULTURAL OFFICER.**

Based on the information given above on **PART A**, and **B**, I approve/disapprove the issue of the permit to fell ..... (number) trees.

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

**OFFICIAL STAMP.**

**COUNTY GOVERNMENT OF MURANG'A.  
MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING ACT**

**FORM D4 B**

Serial No; .....

**APPLICATION FOR A MOVEMENT PERMIT AVOCADO.**

**PART A: TO BE FILLED BY APPLICANT.**

Name ..... ID. No.....

Plot No..... Ward..... Sub location.....

Location..... Sub

County.....

Reason or purpose of transporting .....

**Source of produce.**

Ward.....Sub Location.....Location.....Sub

County.....

Date ..... of ..... movement

.....Time.....

.....

**Destination**

County.....

**TO BE FILLED BY THE SUB COUNTY AGRICULTURAL OFFICER**

Based on the provisions of Murang'a County Avocado Production, Processing and Marketing Act, I

approve/disapprove the issuance of the permit to move raw avocado produce .

Name.....Signature.....

Date.....

**OFFICIAL STAMP.**

**COUNTY GOVERNMENT OF MURANG'A.**  
**MURANG'A COUNTY AVOCADO PRODUCTION, PROCESSING**  
**AND MARKETING ACT**

Serial No.....

**FORM D5**

**APPLICATION FOR GRANT/RENEWAL OF A**  
**MANUFACTURING LICENSE**

*(To be filled in triplicate)*

1. Full name of Applicant .....

2. Postal Address.....

3. Registered Office..... L. R. No. ....

Street ..... Tel. No.

E-mail .....

4. Place where the premise is located:

Town/Street..... Ward..... Sub-  
County.....

5. Directors Name	ID/Passport No	Citizenship
Shares .....	.....	.....
.....	.....	.....
.....	.....	.....

**(Attach copies of certificate of registration/incorporation, ID/Passport of Directors, tax compliance certificate and current Single Business Permit)**

6. Types of Produce/ Products

7. Sources of supply for Produce

8. Destination for Products

**Declaration**

I declare that the information given above is accurate and complete.

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

**FOR OFFICIAL USE**

**Authority Approval**

**Checked by: Authorized Officer**

Name..... Signature.....

Date .....

**Approved by: Head of Directorate**

Name..... Signature.....

Date .....

**OFFICIAL STAMP/SEAL**

**Terms and Conditions**

1. When considering an application for registration as a manufacturer the Licensing Authority shall satisfy itself that the applicant has complied with requirements and in condition as set out in part A, B and C of the Fourth schedule, applicable national & international Standards, Code of Practice and any other legal requirements.
2. The manufacturer shall produce such documentary evidence for the purchases and deliveries to support the statements made above.
3. A manufacturer shall pay the prescribed registration fees to the Licensing Authority.
4. This certificate is valid annually.



**COUNTY GOVERNMENT OF MURANG'A  
MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING ACT.**

**FORM E (1)**

Serial No.....

**CERTIFICATE OF REGISTRATION OF PRODUCE AND/OR  
PRODUCT DEALER**

Name ..... Postal Address:  
.....

Tel..... Email..... L.R. No.  
..... Street:.....

is hereby registered as a dealer of Avocado produce and products under these  
Regulations for the following:

.....  
.....

**Category:**

Trader:  
.....

Retailer:  
.....

Transporter:.....

Distributor:  
.....

Marketing  
.....

Agent:

Others  
.....

(specify):  
.....

Registration number: .....

Date of Registration: .....

The registration expires on :

Signed: .....

Name .....

**(CEC in charge of Agriculture)**

**OFFICIAL STAMP/SEAL**

**Terms and Conditions**

1. This Certificate is issued subject to compliance with the provisions of the Crops Act 2013.

**COUNTY GOVERNMENT OF MURANG'A.  
MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING ACT.**

**FORM E (2)**

**Serial No;** .....

**CERTIFICATE OF REGISTRATION OF GROWERS OR  
ASSOCIATIONS**

Name: .....

Postal

Address:

Tel.....

Email.....

L.R.

No.

Street:

is hereby registered as a grower or association under this Act for the following crops:

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

**Category:**

Grower: .....

Association: .....

Common Interest Groups: .....

Community Based Organizations: .....

Co-operative:.....

Others (specify): .....

Registration number: ..... Date of Registration:

The registration expires on: .....

Signed: .....

Name : .....

**(CEC in charge of Agriculture)**

**OFFICIAL STAMP/SEAL**

**COUNTY GOVERNMENT OF MURANG'A.  
MURANG'A COUNTY AVOCADO PRODUCTION, PROCESSING  
AND MARKETING ACT.**

**FORM E (3)**

**Serial No;**

**CERTIFICATE OF REGISTRATION OF A PLANTATION  
GROWER**

Name: .....

Postal Address: ..... Tel. .... Email.....

L.R. No. .... Street: ..... is hereby

registered as a Plantation Grower under this Regulation for the following crop(s):

Crop	Acreage
------	---------

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

Registration number: .....

Date of Registration: .....

The registration expires on : .....

Signed: .....

Name : .....

**(CEC in charge of Agriculture)**

**OFFICIAL STAMP/SEAL**

**COUNTY GOVERNMENT OF MURANG'A.  
MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING ACT.**

**FORM E (4)**

Serial No.....

**LICENSE FOR A  
MANUFACTURER/EXPORTER/IMPORTER OF AVOCADO  
PRODUCE AND PRODUCTS**

Type of License: .....  
(Grant /renewal)

License No: .....

This License is issued to  
..... of  
Postal Address ..... and authorizes the said entity to carry on  
the business of.....at the premise situated at  
.....for the period of  
..... beginning on the .....day of .....and ending  
on the .....

(Both days inclusive).

Issued on the .....day of .....

Signed:.....

Name: .....

**This License is granted subject to the provisions of the Crops Act  
2013 and to the conditions below:**

- i) This license is not transferrable.
- ii) Manufacturers/importers/exporters shall pay the applicable fees.
- iii) This license is valid until the thirtieth day of June next following the date of issue, unless earlier cancelled.

**COUNTY GOVERNMENT OF MURANG'A.  
MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING ACT.**

**FORM E (5)**

**Serial No;**

**PERMIT FOR FELLING OF AVOCADO TREES.**

Name of permit holder : .....

Postal Address: ..... Tel: .....

Type of tree crop: .....

Number of trees to be felled: .....

Date of felling/harvesting: .....

Village:

.....  
.....

Location:.....

.....

Sub ..... county :

.....

County:

.....

L.R.

No.:

.....

Date ..... of ..... issue:

.....

Signed:

.....  
.....

**County Director of Agriculture/ Authorized Officer**

**Terms and Conditions**

This permit is valid for the specified date(s) and number of trees

**COUNTY GOVERNMENT OF MURANG'A.**

**MURANG'A COUNTY AVOCADO PRODUCTION, PROCESSING AND MARKETING ACT.**

**FORM E (6)**

**Serial No;**

**MOVEMENT PERMIT FOR AVOCADOS.**

Name : .....

Postal Address : ..... Tel:.....

Type of Avocados: .....

Weight of Avocados (Tonnes): .....

**Place of origin:**

Village/Area: ..... Location: ..... Sub-county:

**Destination**

Village: ..... Location: ..... Sub-county: .....

County: .....

Mode of transport:..... Registration number:.....

Date of movement: ..... Time:

Date of issue: .....

Name:.....

Signed :.....

**Authorized Officer/Sub-County Agricultural Officer.**

**Terms and Conditions**

*This permit is valid for the specified quantity and date(s).*

**COUNTY GOVERNMENT OF MURANG'A.**

**MURANG'A COUNTY AVOCADO PRODUCTION, PROCESSING AND MARKETING ACT.**

**FORM F**

**DEALER/MANUFACTURER STATISTICAL RETURN FORM**

*(To be completed in triplicate)*

Return for the quarter..... Year .....

**PART A**

1. Name of Dealer/Manufacturer : .....
2. Postal address: ..... Code : ..... Town: .....
3. Telephone No: ..... Fax: .....
4. Email: ..... Website: .....
5. Company registration certificate No. : .....
6. VAT certificate No. : .....
7. Business Location (premise):  
 Street/Area..... Ward  
 Sub-location ..... Location  
 Sub County .....
8. Dealer/Manufacturer License or Certificate number: .....
9. License or Certificate expiry date: .....
10. Category of Dealership/Manufacturer:.(specify): .....

**11. PART B (to be filled by local traders, transporters, distributors)**

<i>Product/Produce</i>	<i>Unit of measure (Specify)</i>	<i>Quantity traded/handled</i>	<i>Total value of produce/product (KES)</i>

**PART C (To be filled by exporters/importers)**

<i>Product/Produce</i>	<i>Country of origin</i>	<i>Country of Destination</i>	<i>Unit of measure (Specify)</i>	<i>Quantity handled during the month</i>	<i>Quantity handled during the month</i>

**NB: Attach copies of KRA export/import entries and bill of lading**

**PART D (To be filled by manufacturer)**

Product/Produce	Unit of measure  Specify)	Quantity handled		Total value of produce (KES)		Quantity exported (if any)		Value of export (KES)		Export destination country	
		aw material	processed	aw material	processed	aw material	processed	aw material	processed	aw material	processed

**NB: Attach copies of KRA export entries and bill of lading**

### Declaration

I declare that the information given above is accurate and complete.

Name: .....

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

### **OFFICIAL COMPANY STAMP/SEAL**

### **12. FOR OFFICIAL USE ONLY**

Checked By: ..... Designation: .....

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

### **Terms and Conditions**

Every dealer/manufacturer shall, not later than the tenth day of the first month of financial year complete and submit statistical returns to the Licensing Authority.



SECOND SCHEDULE

COUNTY GOVERNMENT OF MURANG'A

MURANG'A COUNTY AVOCADO PRODUCTION, PROCESSING AND MARKETING ACT, 2020

AVOCADO INDUSTRY FEE AND LEVIES

REGISTRATION AND REGISTRATION PERMIT/LICENSES AND REGISTRATION CERTIFICATES	AND REGISTRATION FEES (KSH)	RENEWAL FEES (KES)	VALIDITY PERIOD
<b>Nursery Operators</b>			
Associations, Cooperative Societies, Community Based Organizations, Common Interest Groups.	As set out in the prevailing Finance Act.	As set out in the prevailing Murang'a County Finance Act.	1 Year.
Plantation Growers	As set out in the prevailing Murang'a County Finance Act.	As set out in the prevailing Murang'a County Finance Act.	1 Year
<b>Produce/Product Dealers</b>			
Traders/Retailers/Marketing Agents/Warehouseman.	As set out in the prevailing Murang'a County Finance Act.	As set out in the prevailing Murang'a County Finance Act.	1 Year
Transporters/Distributors	As set out in the prevailing Murang'a County Finance Act.	As set out in the prevailing Murang'a County Finance Act.	1 Year
<b>PERMITS.</b>			
Movement permit: Avocado produce.	As set out in the prevailing Murang'a County Finance Act.		Annual
Permit for felling tree crops.	As set out in the prevailing Murang'a County Finance Act.		Annual
<b>LICENSES</b>			
Manufacturers	As set out in the prevailing Murang'a County		

	Finance Act.		
Cottage Processors (Gross turnover of KES 5,000,000 and below per year) and new applicants.	As set out in the prevailing Murang'a County Finance Act.	As set out in the prevailing Murang'a County Finance Act.	Annual
Established/Big Processors (Gross turnover of more than KES 5,000,000 per year).	As set out in the prevailing Murang'a County Finance Act.	As set out in the prevailing Murang'a County Finance Act.	Annual
Importers	As set out in the prevailing Murang'a County Finance Act.	As set out in the prevailing Murang'a County Finance Act.	Annual
Exporters	As set out in the prevailing Murang'a County Finance Act.	As set out in the prevailing Murang'a County Finance Act.	Annual
LEVIES	As set out in the prevailing Murang'a County Finance Act.		
Export levy on raw produce (except those prohibited under section 43 of Agriculture and Food Authority Act 2013)	As set out in the prevailing Murang'a County Finance Act.		

**THIRD SCHEDULE**

**COUNTY GOVERNMENT OF MURANG'A.**

**MURANG'A COUNTY AVOCADO PRODUCTION, PROCESSING AND MARKETING ACT.**

**GUIDELINES FOR CONTRACTUAL AGREEMENT BETWEEN A GROWER, DEALER AND OR MANUFACTURER IN THE AVOCADO INDUSTRY:**

AGREEMENT made this ..... Day of ..... two Thousand and.....

**BETWEEN:** ..... of ..... a registered

**DEALER/MANUFACTURER** (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 Avocado 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.

**WHEREAS**

- a) The dealer/manufacturer is duly registered under these regulations and
- b) The grower has requested the dealer/manufacturer to provide services referred to below and the dealer/manufacturer has agreed to provide such services to the grower upon the terms and conditions appearing hereinafter.

**NOW IT IS HEREBY AGREED BETWEEN THE PARTIES AS FOLLOWS;**

**AIMS AND OBJECTIVES OF CONTRACTS**

The guidelines shall:

- (i) Act as a memorandum of understanding between the grower and dealer/manufacturer of Avocado produce.
- (ii) Serve as a guideline for the grower and dealer/manufacturer in order to conduct good business practices, which will be mutually beneficial and help promote the well-being of the Avocado industry in Murang'a.
- (iii) Act as guideline or framework to development of a legally binding contract to be executed by the grower and dealer/manufacturer.

**OBLIGATIONS OF THE GROWER AND DEALER/MANUFACTURER  
TERMS AND CONDITIONS.**

**THE ESSENTIAL ELEMENTS THAT A CONTRACT SHALL HAVE  
INCLUDE:**

- (a) Quantity and quality of produce to be supplied at a particular time and contract prices;
- (b) Seed and other Inputs;
- (c) General Accepted Production Practices;
- (d) Record Keeping;
- (e) Field support and Training;
- (f) Harvesting and Post-Harvest Practices;

- (g) Inspection and Grading;
- (h) Packaging Supply and Procedures;
- (i) Conditions of Collection or Delivery;
- (j) Rejected Produce;
- (k) Payment terms including maximum payment period and Mechanism;
- (l) Penalties;
- m) Termination Clause; and
- (n) Natural Calamities and No-Commercial Risks (Force majeure).

**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/Manufacturer  
Grower

Name: ..... Name: .....

Date: ..... Date: .....

Witness: ..... Witness: .....

Date: ..... Date: .....

Witness: ..... Witness: .....

Date: ..... Date: .....

**FOURTH SCHEDULE**

**COUNTY GOVERNMENT OF MURANG'A.**

**MURANG'A COUNTY AVOCADO PRODUCTION, PROCESSING AND MARKETING ACT.**

**PART A**

**MINIMUM REQUIREMENTS FOR FIELD HANDLING AND GRADING OF AVOCADO PRODUCE.**

1. High standards of field hygiene shall be maintained during harvesting operations.
2. All harvested produce **SHALL** be at the right stage of maturity for intended use.
3. Harvested produce shall be protected from adverse weather conditions.
4. Appropriate harvesting equipment and well trained man power shall be used for harvesting Avocados.
5. Produce unfit for marketing shall be separated from marketable produce at the field level.

6. All produce shall be sorted and graded as appropriate.
7. Physical handling of produce shall be minimized at all stages.
8. The collection center shall—
  - (a) be accessible to both buyers and farmers;
  - (b) be designed to allow for a store, an office, working area and an appropriate cooling facility where applicable;
  - (c) have floors, doors, wall surfaces made of impervious, non-toxic, washable materials, which are easy to clean and disinfect;
  - (d) be constructed to allow for adequate ventilation, lighting, effective produce inspection and made of acceptable materials;
  - (e) have adequate water and toilet facilities;
  - (f) have waste disposal facilities; and
  - (g) have clear documentation procedures and document control systems.

## **PART B**

### **MINIMUM CONDITIONS APPLICABLE TO PROCESSING FACILITY.**

1. All processing and packaging must be carried out in a clean, hygienic and safe condition as set out under the provisions of the Public Health Act, Cap. 242 and the Occupational Safety and Health Act, No. 15 of 2007 or any other applicable legislation.
2. The working areas and premises shall be kept free of waste materials.
3. Any person in the processing facility shall wear protective clothing at all times
4. All hand used equipment and grading tables shall be rust proof and easily cleaned.
5. The floor layout shall allow for smooth flow of produce with adequate separation of raw materials and finished products
6. The floors, doors and wall surfaces shall be made of impervious, non- absorbent, non-toxic washable materials which are easy to clean and disinfect.
7. The processing facility shall have adequate ventilation, temperature control and lighting.
8. All machinery used in the processing facility shall conform to the provisions of the Public Health Act, Cap. 242 and Occupational Safety and Health Act, No. 15 of 2007 or any other applicable legislation.
9. The processing facility shall be designed and constructed to prevent entry of domestic animals, rodents, insects, birds, dust and any other unwanted animals.

10. Prominent signs shall be displayed forbidding smoking, eating or drinking within the facility.

11. All packaging materials shall be kept off the floor in clean dry storage areas free from risk of contamination.

12. The traceability of all produce shall be documented throughout the process chain.

### **PART C**

#### **MINIMUM REQUIREMENTS FOR PACKAGING, TRANSPORTATION AND STORAGE**

1. The packaging shall protect the produce and products from mechanical and physiological damages to minimize loss of quality.

2. The packaging shall be designed to suit the transport handling system and have capacity to meet market requirements.

3. The packaging material used shall be able to contain the produce and products, enabling the required quantity to be handled as one unit.

4. Avocado produce and products shall during storage and transport be kept at the prescribed temperature and humidity levels for each produce and product.

5. Avocado produce and products shall not be stored or transported together with other produce and products, which may contaminate them or otherwise adversely affect their quality.

6. Vehicles for transport shall be built and equipped to ensure maintenance of optimal temperatures to prevent damage and spoilage of produce and products.

7. Persons handling the produce and products must be healthy, protected and trained on produce and product handling.

**FIFTH SCHEDULE**

**MURANG'A COUNTY AVOCADO PRODUCTION,  
PROCESSING AND MARKETING ACT.**

**MINIMUM LICENSING REQUIREMENTS**

1. Duly filled application form (Grant/Renewal).
2. Copy of Certificate of Incorporation or Registration Certificate (Grant).
3. Copy of duly signed Articles and Memorandum of Association or CR 12 (Grant).
4. Copies of ID or Passports of Company Directors & Valid Work Permit where applicable (Grant).
5. Copy of valid County Government's Single Business Permit (Grant/Renewal).
6. Copy of KRA's PIN Certificate for the company (Grant).
7. Copy of valid KRA's Tax Compliance Certificate (Grant/Renewal).
8. Copy of valid NEMA's Environmental Impact Assessment or Environmental Audit Certificate where applicable (Grant/Renewal)
9. Copy of Public Health's Food Drugs and Chemical Substances License where applicable (Grant/Renewal)
10. Facility Inspection report.
11. Food Safety Certification (where applicable.)

**Note: In the event of change in directorship of a company, updated CR12 and Copies of ID'S or passport & valid work permit shall be submitted to the Directorate.**

## **MEMORANDUM AND OBJECTS OF REASON**

The Bill seeks to implement Part 2 (1) (a) of the Fourth Schedule of the Constitution on crop husbandry by providing for the development, regulation and promotion of the avocado industry.

**Part 1** of the Bill provides for preliminary provisions. The part provides that the objects of the Bill is to provide guidelines for the regulation of avocado crop production standards, processing and marketing of the avocado fruit.

**Part II** of the Bill provides for administration which involves establishment of the County Avocado Production, Processing and Marketing Directorate which shall be headed by a Director.

**Part III** of the Bill provides for registration of nursery operators who shall be regulated and supervised by the County Government.

**Part IV** of the Bill provides for registration of dealers who shall be regulated and supervised by the County Government. The part also provides for licensing, quality standards and traceability.

**Part V** of the Bill provides for harvesting, processing and marketing provisions. The part also establishes collection centres and creates the post of inspectors.

**Part VI** of the Bill provides for miscellaneous provisions. The part provides for protection from liability and general penalty.

Dated the 18th February, 2020.

**CHARLES KAHORO RUGA,**  
*Chairperson Agriculture, Livestock and Fisheries.*