REPUBLIC OF KENYA

Ministry of Health and Ministry of Agriculture, Livestock & Fisheries

RE: INVITATION FOR STAKEHOLDERS’ MEMORANDUM ON REGULATING FOOD SAFETY IN KENYA

Food safety is critical for the health and wellbeing of all Kenyans and is in line with the Constitutional mandate of consumer protection. The Ministry of Health in conjunction with the Ministry of Agriculture, Livestock and Fisheries seeks to provide a workable proposal for the regulation of food safety in the country. In this regard we propose the following:

a) Regulation of food safety will remain separated from the regulation of human medicines and devices; and veterinary medicines and devices.

b) The two Ministries will jointly review the existing laws to accommodate the regulatory regimes and proposals in order to provide for an enhanced food safety system. The scope of the respective regulatory agencies in matters of Food safety standards, Environment, Agriculture and Health will be clearly defined in the proposed legislation for better coordination and effectiveness.

c) The two Ministries will review to strengthen the laws regulating human medicines and devices (Pharmacy and Poisons Act Cap 244), and veterinary medicines and devices (Veterinary Surgeons and Veterinary Paraprofessionals Act of 2011) to support the food safety system agenda.

d) The two Ministries will review the draft National Food Safety Policy to inform the legislative proposals. The overall goal of the Policy is to establish and maintain a rational, integrated farm-to-fork food safety system that harmonizes inter-agency efforts, minimizes inter-agency conflict and overlap, establish a coordination mechanism. This will ensure the protection of public safety and food trade consistent with World Trade Organization (WTO) agreement on the Sanitary and
Phytosanitary (SPS) Protocol measures and other international requirements.

e) The two ministries in consultation with stakeholders will review the Food, Drugs and Chemical Substances Act Chapter 254 to provide for a national food safety agency with oversight and coordinating role for all agencies involved in food safety and a regulatory mandate for food safety in all areas that are currently unregulated. The review will establish a coordination mechanism with other food safety agencies.

f) The two Ministries have appointed a Joint A Taskforce has been established to deliver an acceptable food safety policy and law during the year FY 2019/20.

The advertisement therefore serves to invite all stakeholders on food safety to make presentations to the Joint Secretariat of the Taskforce to inform:

1. The review and finalization of the draft Food Safety Policy
2. The review of the Food Drugs and Chemical Substances Act Cap 254 and related laws to establish a national food safety agency.

The Draft Food Safety Policy and the Food Drugs and Chemical Substances Act Cap 254 are on the two Ministry’s websites:

www.kilimo.go.ke / www.health.go.ke
Feedback should be received by C.O.B 30th September 2019.

Clarification can be sought through mobile number 0572508193 and correspondence to be addressed to respective Principal Secretary relevant to the subject and sent: Email: kenyafoodsafetyagency@gmail.com