

**FERTILIZERS & ANIMAL FOODSTUFFS ACT**

**CHAPTER 345**

**Fertilizers and Animal Foodstuffs (Fertilizers), Regulations 2021**

**Arrangement of Regulations**

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# FERTILIZERS & ANIMAL FOODSTUFFS ACT

## CHAPTER 345

IN EXERCISE of the powers granted under section 19 of the Fertilizers and Animal Foodstuffs Act, the Cabinet Secretary for Agriculture, Livestock, Fisheries and Cooperatives makes the following regulations;

### Fertilizers and Animal Foodstuffs (Fertilizers), Regulations 2021

#### PART 1: PRELIMINARY

- Citation 1. These regulations may be cited as the Fertilizers and Animal Foodstuffs (Fertilizers), Regulations 2021
- Interpretation 2. In these regulations, unless the context otherwise requires—
- “**Approved fertilizer**” means fertilizer and Fertilizer raw materials listed in Part 1 of the First Schedule to these regulations;
- “**Board**” means the Fertilizer and Animal Foodstuffs Board of Kenya established by section 2A; of the Act;
- “**Custom fertilizer blend**” means a blend produced on request by a customer for own use and is not ordinarily offered for sale in the market, and the quality and safety of the product to the consumer and environment is assured by the blender;
- “**Dealer**” means a retailer or distributor of fertilizers;
- “**Director**” means the County Director responsible for Agriculture at the County Department of Agriculture;
- “**Distributor**” means dealer who supplies fertilizers to retailers or his agent;
- “**Fertilizer Blend**” means a fertilizer obtained by mixing of several approved fertilizers or fertilizer raw materials by physical or chemical reaction;
- “**Kenya Standard**”- means a specification, a code of practice, declared under the standards Act, Chapter 496;
- “**Manufacturer**” means a person who processes, granulates, compounds, produces, mixes, blends or alters the composition of fertilizer or fertilizer raw materials
- “**Manufacturing**” means making a fertilizer product using a chemical reaction of the primary, secondary or micro-nutrients and includes production of fertilizer blends;

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**“Port of entry”** means a place designated under the Kenya Revenue Authority Act as entry or exit points into and from Kenya, where imports and exports may be processed;

**“Production”** means using manufactured fertilizer or fertilizer materials to produce fertilizer through a physical process;

**“Retailer”** means a dealer who sells fertilizers to the final consumer;

Scope

3. (1) These regulations apply to all importation, manufacture, production, distribution and retailing of fertilizers or fertilizer raw materials including agricultural lime;
- (2) These regulations shall not apply to;
  - a) organic fertilizers, manure, compost, wood ash, gypsum or refuse.
  - b) a person temporarily storing fertilizer for purposes of application in the farm.

Objects and purpose

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4. The objects and purpose of these regulations is to give effect to the provisions of the Fertilizers and Animal Foodstuffs Act;
  - a) Regulation of importation, manufacturers, production, distribution and retailing of fertilizers and fertilizer raw materials
  - b) Regulation of marketing and distribution of fertilizers and fertilizer raw materials
  - c) Licensing of importers, manufacturers, producers, distributors and retailers in the fertilizer industry
  - d) prescription of approved fertilizers and their standards
  - e) prescription of inspection and analysis of fertilizers and fertilizer raw materials

## **PART II: APPROVED FERTILIZERS AND FERTILIZERS STANDARDS**

Approved fertilizers

5. (1) The fertilizers listed in the First Schedule shall be the approved fertilizers for purposes of this Regulations;
- (2) No person shall import, manufacture, produce, market, distribute or retail any fertilizer unless such fertilizer is an approved fertilizer;
- (3) The Board may by notice in the Gazette amend the First Schedule;
- (4) Any person who contravenes these regulations commits an offence;

Approval of fertilizers

6. (1) Any Person who intends to have a fertilizer approved shall apply for

its approval in Form 1A prescribed in the Second Schedule of these regulations,

- (2) An application for approval shall be accompanied by:
  - a) a certificate of analysis issued by an accredited laboratory indicating the quality parameters as provided by the Kenya standards;
  - b) information on the suitability of the fertilizer and use;
  - c) appropriate fee set out in the Fourth Schedule to these regulations;
  - d) any other such information that the Board may deem necessary;
- (3) The Board shall within 90 days of receiving an application shall by gazette notice amend the First Schedule;
- (4) Whenever the Board deems necessary on account of information provided in regulation 1(b) that it may be necessary to subject the fertilizer intended for approval, the Board may require sample of the fertilizer and field trials to determine fertilizer efficacy and safety.
- (5) The requirement under this regulation shall not apply;
  - a) to importation, manufacture or production of fertilizers for research purposes provided that the importer, manufacturer or producer notifies the Board in writing;
  - b) Custom blends;

Fertilizer standards

7. (1) No person shall import, manufacture, produce, distribute or retail fertilizer unless it meets approved Kenya Standards.
- (2) No person shall import, manufacture, produce, distribute or retail fertilizer with prohibition of certain substances and the limitation of percentages of certain substances as prescribed by approved Kenya Standards or limits set by the Board based on risk assessment undertaken from time to time;
- (3) A person who contravenes sub-regulation (1) and (2) commits an offence;

### **PART III: LICENSING**

Licensing of Importer of fertilizer or fertilizer raw materials

8. (1) No person shall import fertilizer or fertilizer raw materials without a valid license issued by the Board.
- (2) An application for a license to import fertilizer or fertilizer raw materials shall be made to the Board in Form 1B of the Second Schedule to these regulations and shall be accompanied by the appropriate fees set out in the Fourth Schedule to these regulations.
- (3) Upon the receipt of an application for a license to import fertilizer or fertilizer raw materials, the Board shall verify that the applicant meets the requirements as prescribed in the application Form.

- (4) Where an applicant meets the requirements, the Board shall issue the license as prescribed in Form 2A Third Schedule within 7 days.
- (5) Where an applicant does not meet the specified requirements and the Board declines to issue a license, the Board shall give reasons in writing thereof within 14 days.
- (6) An applicant whose application has been declined under sub regulations (5) upon addressing the reasons for rejection, may re-submit the application for consideration.
- (7) Where the Board is satisfied that the reasons for declining to issue a license have been adequately addressed, the Board shall issue a license within 7 days
- (8) A person who contravenes sub-regulation (1) commits an offence.

Licensing of manufacturer, producer or distributor of fertilizer

- 9. (1) No person shall manufacture, produce or distribute fertilizer without a valid license issued by the Board.
- (2) An application for a license to manufacture, produce or distribute fertilizer shall be made to the Board in Form 1C of the Second Schedule to these regulations and shall be accompanied by the appropriate fees set out in the Fourth Schedule to these regulations.
- (3) Upon the receipt of an application for a license to manufacture, produce or distribute fertilizer, the Director shall verify that the application meets the requirements as prescribed in the application Form.
- (4) Where an application meets the requirements, the Director shall recommend to the Board to issue the license and submit the application form to the Board for consideration.
- (5) Where the Director has recommended the issuance, the Board may issue a license as prescribed in Form 2B of the Third Schedule within 14 days.
- (6) Where the Director declines to recommend the applicant, reasons shall be given in writing thereof within 14 days.
- (7) An applicant whose application has been declined under sub regulations (6) upon addressing the reasons for rejection, may re-submit the application for consideration.
- (8) Where the Director is satisfied that the reasons for declining to recommend the issuance of a license have been adequately addressed, he will recommend to the Board the issuance of a license in accordance with sub-regulation (5).
- (9) A person who contravenes sub-regulation (1) commits an offence.

- License of retailers by County Governments
10. (1) No person shall retail fertilizer without a valid license issued by the County Government.
- (2) Every County Government shall issue license to retailers in accordance with County legislations.
- (3) Each County shall maintain a register of licensed retailers and share returns on the same with the Board.
- (4) Any person who contravenes sub-regulation (1) commits an offence.
- Transferability of license
11. (1) No person to whom a license has been issued by the Board shall lend, sell or dispose the license to other persons.
- (2) A person who contravenes sub-regulation (1) commits an offence.
- Renewal of a license
12. (1) Every holder of a license issue by the Board under the Act desiring to renew shall at least 30 days before the expiry date make an application to the Board using Form 1B or 1C in the Second Schedule and pay such fees set out in the Fourth Schedule to these regulations as the case may be;
- (2) The renewal of a license shall be in accordance with procedures set out in regulation 8 and 9;
- Validity period of licenses
13. A license issued by the Board under the Act shall unless suspended or cancelled be valid for 12 months from the date of issue.
- Suspension and revocation of licenses
14. (1) The Board may suspend a license to import, manufacture, produce or distribute where the Board is satisfied that there has been violation of the Act or these regulations or upon recommendation by the Director.
- (2) The Board shall before suspending a license, give a written notice to the licensee:
- a) On the intention to suspend the license stating the reasons
- b) Furnish licensee with the grounds for suspension to be clarified or addressed in a period of 21 days from the date of receipt of the notice
- c) Require the licensee to comply with the Act and the regulations
- (3) The Board shall revoke a license where a licensee fails to comply with a notice to suspend at the expiry of 21 days.
- (4) Where a license is revoked, a new application may be submitted in line with regulations 8 and 9.

**PART IV: FERTILIZER AND FERTILIZER RAW MATERIAL IMPORTATION AND EXPORTATION**

- Ports of entry
15. All fertilizers to be imported into and exported from Kenya shall be through

designated ports of entry.

Importation of  
fertilizer and  
fertilizer raw  
materials

16. (1) No person shall import into Kenya fertilizers unless he has been licensed as an importer
- (2) Subject to regulations 6(5) only approved fertilizers specified in the First Schedule to this Regulations and meeting standards specified under regulation 7 may be imported
- (3) Any person who intends to import fertilizer shall notify the Board and provide the following details;
- (a) source or country of origin of fertilizer consignment;
  - (b) certificate of analysis issued by an accredited laboratory in the country of origin;
  - (c) information on the suitability of the fertilizer and use;
  - (d) any other such information that the Board may deem necessary;
- (4) Pay appropriate fee as set out in the Fourth Schedule of these regulations;

Exportation of  
fertilizers

17. (1) No person shall export fertilizers from Kenya unless he has been licensed as an exporter
- (2) Any person who intends to export fertilizer shall notify the Board and provide the following details
- a. Exporter details
  - b. Quantities exported
  - c. Country of export
  - d. any other such information that the Board may deem necessary;

#### **PART V: FERTILIZER MANUFACTURING AND PRODUCTION**

Requirements for  
establishment of a  
fertilizer  
manufacturing  
and production  
plant

18. (1) Any person intending to set up a fertilizer manufacturing or production plant shall be required to meet the following conditions;
- a) have a company registered in Kenya and have a registered office in Kenya;
  - b) be a holder of a valid license issued in accordance with these regulations;
  - c) have a feasible plan and;
  - d) comply with existing regulatory requirements for manufacturing or production including occupational safety, environment and industrial zoning.



- (2) Any person intending to set up a fertilizer manufacturing and production plant shall;
  - a) undertake to ensure that facilities and equipment shall only be used for the purpose for which it will be licensed;
  - b) provide information as may be prescribed by the Board from time to time;
- (3) Any person contravenes the provisions of these regulations commits an offence.

Raw material for the manufacturing, production and blending of fertilizers

- 19. (1) No manufacturer or producer of fertilizers shall use raw material for manufacturing, producing or blending fertilizer that have not been approved by the Board
- (2) A person manufacturing or producing fertilizer shall present to the Board a report in writing giving the following details of raw material(s);
  - (a) Source of raw material(s)
  - (b) Test results showing the chemical composition of the raw materials from an accredited lab
  - (c) A declaration that the raw material is free from or has tolerable amounts of restricted and/or deleterious material, as provided for in Kenya Standards.
- (3) The Board shall consider the information provided and if satisfied that the raw material which the information relates approve the use of the raw material.
- (4) A person who contravenes the provisions of this regulation commits an offence.

**PART VI: HANDLING (PACKAGING, LABELING AND STORAGE)**

Storage of fertilizer or fertilizer raw material

- 20. (1) A person storing fertilizer or fertilizer raw material shall ensure the safety of the handler, the environment, the integrity and quality of the fertilizer.
- (2) A person who stores fertilizer or fertilizer raw material shall ensure that any damage, leaking exuding or defective packages are removed as soon as possible after discovery of the damage and are disposed off safely in accordance with these regulations
- (3) Any person who contravenes this regulation commits an offence.

Packaging

- 21. (1) No person shall distribute, retail or store any fertilizer unless it has

been packed in accordance with the Kenya Standards.

- (2) No person shall open and repackage fertilizer for retail.
- (3) Any person who contravenes this regulation commits an offence.

Labeling and  
declaration of  
warranty of  
fertilizers

22. (1) Every package containing fertilizer shall have a label affixed on it which shall contain the following information;
  - a) Name of the fertilizer;
  - b) Brand of the fertilizer;
  - c) Most common usage recommendations/instructions for use (rate, type of crop to target, time of application) where applicable;
  - d) Name, address and physical location of the manufacturer/producer/importer/distributor/agent;
  - e) Nutrient guarantee/Total nutrients/Fertilizer grade;
  - f) Country of origin or manufacture;
  - g) Date of manufacture;
  - h) Expiry date;
  - i) Net weight content of the product in metric units;
  - j) Batch/Lot No.;
  - k) Handling instructions;
  - l) Storage instructions;
- (2) A person who packages fertilizer shall ensure that the packaging is labelled in accordance with sub-regulation (1) and approved Kenyan Standards;
- (3) Any person who contravenes this regulation commits an offence.

#### **PART VII: INSPECTION AND ANALYSIS**

Appointment of  
Inspectors

23. (1) The Cabinet Secretary shall by a notice in the gazette appoint Inspectors for the purpose of undertaking inspections required under the Act and these Regulations.
- (2) A person appointed as an Inspector under sub-regulation (1) shall be required to meet the qualifications provided in sub-regulation (3) and may be;
  - (a) an employee of the Board; or
  - (b) an officer nominated by the County Government; or
  - (c) an institution or entity duly authorized by the Board
- (3) A person shall qualify to be appointed as an Inspector under sub-

regulation 2(a) or (b) if they have the following qualifications;

(a) Have a minimum of a bachelor's degree in the relevant field as determined by the Board

(b) Have undergone a fertilizer inspection training conducted by a recognized institution.

(c) Has complied with the provisions of Chapter Six of the Constitution of Kenya

(d) Any other qualification determined by the Board from time to time.

Powers of  
Inspectors

24. (1) An Inspector may at any time upon presenting his identification;

a) enter any land or premises used for storage or enter into a vehicle transporting fertilizer for the purposes of ascertaining that the provisions of the Act and regulation are being abided by;

b) seize and detain any fertilizer that does not conform or appears not to conform to the standards or requirements under the Act and these regulations

c) draw a sample from any batch or consignment of fertilizer for purposes of submitting the same for testing and analysis

d) inspect any records relating to fertilizer

(2) Where an inspection has been undertaken, an Inspector shall share the inspection report with the owner upon completion of the inspection exercise.

(3) Where an Inspector reasonably believes that it may be required to ascertain the quality of a fertilizer through testing, they shall draw a requisite amount of the sample of the fertilizer in accordance with Section 9 of the Act and sampling and testing protocols provided by the Board from time to time.

(4) Where the Inspector reasonably believes that it may be necessary to ensure that the fertilizer of questionable quality is not offered for sale the provisions of section 9 of the Act shall apply.

Appointment of  
Analysts

25. (1) The Cabinet Secretary shall by a notice in the gazette appoint Analysts for the purpose of undertaking laboratory analyses required under the Act and these Regulations

(2) An Analyst appointed under these Regulations shall have the following qualifications;

a) have a minimum of a bachelor's degree in chemistry or any other related field.

b) any other qualifications as the Board may determine

Fertilizer  
Sampling and  
Analysis

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26. (1) The sampling shall be done in accordance with Kenya Standard or referenced International Standards
- (2) The analysis of fertilizer samples shall be carried out at accredited laboratories and designated by the Board
- (3) The tests shall be carried out in accordance with the sampling and testing protocols provided by the Board from time to time.
- (4) The results of each test undertaken for samples collected by the Board shall be shared with the owner within 30 days of sampling.
- (5) Where the test results from an analysis show that the quality of the fertilizer does not conform to the required standards or is no longer fit for use in crop production, the Board shall immediately seize, detain or take such necessary action including ensuring that such fertilizer is not exposed for sale or used for crop production.
- (6) Where the owner disputes the test results from an analysis, the sample referred to in section 9 of the act which was retained by the owner shall be jointly taken by the Inspector and the owner for testing in a designated or accredited laboratory at the owner's cost and the results of such tests shall be submitted to the owner within 7 days from the date of sampling
- (7) Where the test results from a repeat analysis undertaken in sub-regulation (5) confirm the quality of the fertilizer as meeting the set standards or as being fit for use in crop production, the Board shall make arrangements to defray the cost of resampling and analysis that shall have been incurred by the owner within a period of 7 days.
- (8) The Board shall immediately release seized or detained consignment of fertilizers where test results from a resampling and repeat analysis under-sub regulation (5) confirm the quality of the fertilizer as meeting the set standards or as being fit for use in crop production

Disposal of  
seized fertilizer

27. Where fertilizer has been seized by an Inspector in accordance with regulation 23 the Board may;
- a) dispose it off in safe manner at the cost of the owner or,
- b) bring proceedings for its forfeiture and destruction; or
- c) permit the removal thereof subject to such conditions as may be imposed by the Board

### **PART VIII: Miscellaneous Provisions**

Records and  
returns to be kept  
by persons  
manufacturing  
and producing  
fertilizers

28. (1) Every person manufacturing, producing or blending fertilizers shall be required to keep and submit records of fertilizers by types with information on production quantities, sales and stocks to the Board with copies to the relevant County Government.

- (2) Every retailer shall submit monthly returns on fertilizers sold and carry over stocks to the relevant County Government.
- (3) The records in (1) above shall be submitted on a quarterly basis.
- (4) The Board or the County Government as the case may be shall exercise such confidentiality to ensure they safeguard the information shared.
- (5) Any person who fails to keep, maintain and submit the records in this regulation shall be guilty of an offence.

Fees 29. The applicable fees under these regulations shall be as prescribed in the Fourth Schedule.

General penalty 30. (1) Where an offence is committed under these regulations and no penalty is prescribed, the offender shall be if convicted liable to the general penalty provided for under Section 16 of the Act.

# SCHEDULES

## FIRST SCHEDULE

### PART 1: LIST OF APPROVED FERTILIZERS

#### **A. Straight Nitrogenous Fertilizers**

1. Ammonium Sulphate (Sulphate of Ammonia)
2. Urea
3. Ammonium Chloride
4. Calcium Ammonium Nitrate
5. Hydrous Ammonia
6. Anhydrous Ammonia
7. Urea Ammonium Nitrate
8. Calcium Cyanamide
9. Sodium Nitrate
10. Urea Formaldehyde
11. Magnesium nitrate
12. Magnesium Ammonium Nitrate
13. Ammonium Nitrate
14. Urea Ammonium Nitrate
15. Potassium Nitrate

#### **B. Straight Phosphatic Fertilizers**

16. Single Superphosphate(SSP)
17. Double superphosphate (DSP)
18. Triple Superphosphate(TSP)
19. Rock Phosphate
20. Super phosphoric acid
21. Dicalcium phosphate
22. Phosphoric acid solution

#### **C. Straight Potassic Fertilizers**

23. Potassium Chloride (Muriate of potash)
24. Potassium Sulphate (Sulphate of Potash)
25. Potassium Schoenite

#### **D. NPK (Compound) Fertilizers**

26. Diammonium phosphate (DAP)
27. Monoammonium phosphate (MAP)
28. Ammonium Phosphate Sulphate
29. Ammonium Phosphate Sulphate Nitrate
30. Nitro phosphate

31. Urea Ammonium Phosphate
32. Ammonium Nitrate Phosphate
33. Ammonium polysulphate
34. Ammonium Phosphate
35. Nitrophosphate
36. NPK (15:15:15)
37. NPK (16:16:16)
38. NPK (17:17:17)
39. NPK (19:19:19)
40. NPK (25: 5:5)
41. NPK (23:23:0)
42. NPK (22:6:12) + TE
43. Monopotassium Phosphate
44. Potassium Nitrate
45. Potassium Magnesium Sulphate

**E. Secondary and Micronutrient Fertilizers**

46. Magnesium Sulphate
47. copper Sulphate
48. Borax
49. Ground limestone
50. Magnesia
51. Magnesite
52. Burnt lime
53. Zinc Sulphate
54. Kieserite
55. Ferrous Sulphate(hepta hydrate)
56. Chelated micronutrient fertilizers
57. Calcium Sulphate
58. Boric acid
59. Sodium borate
60. Calcium Borate
61. Boron ethanol amine
62. Boron fertilizer in solution or suspension
63. Boron frit

**F. Single Micro Nutrient Fertilizers**

**Compounds containing Copper**

64. Copper Sulphate pentahydrate
65. Copper oxide
66. Copper hydroxide
67. Copper oxychloride
68. Copper oxychloride suspension
69. Copper EDTA chelate
70. Copper fertilizer in dry form manufactured from 1 to 5 above
71. Copper fertilizer in solution manufactured from 1 to 5 above

72. Copper amino acid chelate

73. Copper frit

**Compounds containing iron**

74. Iron sulphate heptahydrate

75. Iron Sulphate monohydrate

76. Iron EDTA Chelate

77. Iron DTPA Chelate

78. Iron EDDHA Chelate

79. Iron amino acid chelate

80. Iron fertilizer in dry form manufactured 1 to 6

81. Iron fertilizer in solution manufactured from 1 to 6

82. Iron frit

**Compound containing manganese**

83. Manganese Sulphate monohydrate

84. Manganese oxide

85. Manganese EDTA chelate

86. Manganese amino acid chelate

87. Manganese fertilizer in dry form manufactured from 1 to 3

**Compounds containing Zinc**

88. Zinc Sulphate heptahydrate

89. Zinc Sulphate monohydrate

90. Zinc nitrate hexahydrate

91. Zinc nitrate hexahydrate solution

92. Zinc oxide

93. Zinc EDTA Chelate

94. Zinc Amino acid chelate

95. Zinc fertilizer in dry form manufactured from 1-6

96. Zinc fertilizer in solution form manufactured from 1-6

97. Zinc Frit

**G. Liquid and water soluble fertilizers**



SECOND SCHEDULE  
Board logo

THE FERTILIZER AND ANIMAL FOODSTUFFS ACT  
Fertilizers and Animal Foodstuffs (Fertilizer), Regulations 2020, CAP.345

The Managing Director/Secretary  
Fertilizer and Animal Foodstuffs Board of Kenya  
P.O Box..... Post Code.....  
NAIROBI  
E-Mail:.....  
Tel:.....  
Website:.....

APPLICATION FOR APPROVAL OF FERTILIZER  
(To be filled in Triplicate)

Part 1: Applicant's details

1. Name of Applicant(s):.....
2. Details of person or firm to be issue with registration certificate  
 Name:.....  
 Postal Address: ..... Postal Code .....Town.....  
 Tel/Mobile No:..... Email:.....  
 Website:.....  
 Physical address: Building .....Plot No.....Street:.....Town:.....
3. **Company details:**  
 Certificate of registration No:.....Attach a copy of  
 Registration Certificate and CR.12 (where applicable)
4. **Category of business for which scheduling is required (Tick as appropriate)**

- Importer Exporter
- Manufacturer
- Producer
- Distributor

**5. Fertilizer type**..... **Grade**.....  
**Source/Origin**.....

I/ We hereby enclose a cheque/Bank deposit receipt for KES..... being payment of the application fee for.....

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

SECOND SCHEDULE

Board logo

THE FERTILIZER AND ANIMAL FOODSTUFFS ACT
Fertilizers and Animal Foodstuffs (Fertilizer), Regulations 2020, CAP.345

The Managing Director/Secretary
Fertilizer and Animal Foodstuffs Board of Kenya
P.O Box..... Post Code.....

NAIROBI

E-Mail:.....

Tel:..... Website:.....

APPLICATION FOR FERTILIZER IMPORTATION FOR COMMERCIAL PURPOSE

(To be filled in Triplicate)

1. Applicant's full name and address

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

2. Full Name and Address of the importer.....

3. Importer License No: .....

4. Consignment Number: .....

5. Details of fertilizer for which license is sought:

Table with 4 columns: S/No., Fertilizer Type, Quantities, Country of origin. Rows 1-5.

6. Expected date of arrival of consignment: .....

7. Port of entry.....

8. I/We certify that information given above is correct to the best of my/our knowledge:

Signature of Authorized person:.....Position:.....

Date:.....Stamp:.....

9. I/ We hereby enclose a Cheque/Bank deposit receipt for KES..... being payment of the application fee for.....

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

**Requirements**

- Applications must be submitted *at least one month prior* to arrival of fertilizer.
- Import permit cost is valid for one consignment only.
- In every licensing year; consignment numbers will be denoted from number one being the first consignment for that year.
- All fertilizers imported must be accompanied by a Certificate of Conformity
- All fertilizers imported will be inspected by the Board on arrival
- The Board reserves the right to reject or accept the fertilizer based on its condition.

SECOND SCHEDULE

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THE FERTILIZER AND ANIMAL FOODSTUFFS ACT
Fertilizers and Animal Foodstuffs (Fertilizer), Regulations 2020, CAP.345

Part I: Application for Licensing of fertilizer manufacturers, producers and distributors

The Managing Director/Secretary
Fertilizer and Animal Foodstuffs Board of Kenya
P.O Box..... Post Code.....
NAIROBI
E-Mail:.....
Tel:.....
Website:.....

APPLICATION FOR LICENSING OF FERTILIZER, IMPORTERS,
MANUFACTURERS AND PRODUCERS.
(To be filled in Triplicate)

Part 1: Applicant's details

- 1. Name of Applicant(s):.....
2. Details of person or firm to be issue with registration certificate
Name:.....
Postal Address: ..... Postal Code .....Town.....
Tel/Mobile No:..... Email:.....
Website:.....
Physical address: Building .....Plot No.....Street:.....Town:.....

3. Company details:

Certificate of registration No:.....Attach a copy of
Registration Certificate and CR.12 (where applicable)

4. Category of business for which registration is required(Tick as appropriate)

Form with checkboxes for Manufacturer, Distributor, and Producer.

5. New Application of license [checkbox] Renewal of license [checkbox]

3. I/ We hereby enclose a cheque/Bank deposit receipt for KES..... being payment of the
application fee for.....

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

**FOR OFFICIAL USE**

**Part 3: Recommendation for Licensing by the Director**

*Recommended /Not recommended*

**Remarks by the Director**

.....  
.....

<p><b>Approval by the Board</b></p> <p><b>Approved/Not approved:</b></p> <p>Name .....Signature.....Date.....</p> <p><b>Chief Executive Officer</b></p> <p>Comments if not approved ..... ..... .....</p> <p>Official Stamp.....</p>
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**Terms and conditions**

This application must be accompanied by

1. Consideration of this application will be on condition that the applicant satisfies the Board that he is capable of complying with national standards and any other legal requirements.
2. The applicant shall produce such documentary evidence as requested to support the statements made above.
3. All fees shall be paid before this application is considered.

***The Board has the right to approve or reject this application. In case of rejection reasons will be given and the applicant can re-apply***

**THIRD SCHEDULE**

*Board logo*

**THE FERTILIZER AND ANIMAL FOODSTUFFS ACT  
Fertilizers and Animal Foodstuffs (Fertilizer) Regulations 2021, CAP.345**

**LICENSING OF FERTILIZER IMPORTERS**

License Serial No: .....

This is to certify that Ms.....located at  
.....Business Reg. no.....  
.....and having met the requirements of the Fertilizer and  
Animal Foodstuffs Act and Regulations is hereby licensed as a Fertilizer importer.

Managing Director:.....Signature.....

Date .....

Official Stamp:.....

**License is valid for one year from the date of issue:**

**THIRD SCHEDULE**

*Board logo*

**THE FERTILIZER AND ANIMAL FOODSTUFFS ACT  
Fertilizers and Animal Foodstuffs (Fertilizer) Regulations 2021, CAP.345**

**LICENSING OF FERTILIZER MANUFACTURERS, PRODUCERS AND  
DISTRIBUTORS**

License Serial No: .....

This is to certify that Ms.....located at  
.....Business Reg. no.....  
.....and having met the requirements of the Fertilizer and  
Animal Foodstuffs Act and Regulations is hereby licensed as a Fertilizer importer.

Managing Director:.....Signature.....

Date .....

Official Stamp:.....

**License is valid for one year from the date of issue:**



## FOURTH SCHEDULE

### FEES PAYABLE TO THE BOARD

S/No.	Category	Type of Fees	
		Ksh.	Remark
a.	Application Fee for Approval of Fertilizer	10,000	Payable Once
b.	License Fee as an Importer	10,000	Payable Annually
c.	License Fee as a Manufacturer/Producer	10,000	Payable Annually
d.	License Fee as a Distributor	5,000	Payable Annually
e.	Fertilizer Verification Import fee per MT	125	Per MT