



**LEGAL NOTICE NO.....**

**LIVESTOCK ACT, 2023**  
*(No. of 2023)*

**LIVESTOCK (BEE INDUSTRY) REGULATIONS, 2023**

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*Regulation*

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## LIVESTOCK ACT, 2023

(No...of 2023)

### LIVESTOCK (BEE INDUSTRY) REGULATIONS, 2023

IN EXERCISE of the powers conferred by section ... of the ... Act, ... the Ministry of Agriculture, Livestock and Fisheries, State Department of Livestock makes the following Regulations—

### LIVESTOCK (BEE INDUSTRY) REGULATIONS, 2023

#### PART I — PRELIMINARY

Citation.

1. These Regulations may be cited as the Bee Industry Regulations, 2023.

Interpretation.

2. (1) In these Regulations, unless the context otherwise requires—

“**accessories**” means aiding or accompanying equipment in the beekeeping value chain

“**Act**” means the Livestock Act, 2023;

“**apiary**” means a bee yard or place where bees are kept in hives;

“**Appointing authority**” means an organization or agency authorized under the law as such

“**bee equipment**” means all equipment, appliances and accessories used in the bee industry and includes any apparatus, tools, machine, or other device used in the handling of bees, bee products, and include hives, smokers, veils, gloves, hive tools, extractors, as well as any container of bees or bee products which may be used in an apiary or in transporting bees and their products;

“**batch**” means a quantity of honey or hive product obtained under identical circumstances

“**bee disease**” means any infectious or contagious disease that is pathogenic or parasitic and affects the egg or the larval, pupal or adult stages of bees or any other such disease declared to be a bee disease by the Cabinet Secretary;

“**bee health**” means the general wellbeing of bees or bee colonies with regard to presence or absence of disease-causing organisms, pests, predators and residues;

“**beekeeper**” means a person who keeps and manages bees or owns an apiary;

“**bee industry**” means persons who are in the aggregate or collectively involved in the promotion, production, processing, marketing or distribution of beekeeping products, equipment, accessories or services in the country;

“**bee product**” means any product derived from the bee.

“**bee reserve**” means area of natural habitat reserved through gazettelement for conservation of bees;

“**blossom honey**” or nectar honey is honey that comes from nectar of flowers.

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

“**bee colony**” means a hive of bees and its components of combs and brood;

“**establishment**” means any bee equipment manufacturing unit, bee product processing and value addition unit, bees and bee product traders;

“**hive**” means a log hive, box hive, Kenya top bar hive, Langstroth hive or any other structure, natural or artificial, or any part thereof, which social bees live and rear their young ones.

“**hive product**” means a bee product or any other resource collected by the bees

“**honey**” means the natural sweet substance produced by bees from the nectar of plants or from secretions of living parts of plants or excretions of plant sucking insects on the living parts of plants, which the bees collect, transform by combining with specific substances of their own, deposit, dehydrate, store and leave in the honey comb or pot to ripen and mature;

“**honeydew honey**” is honey that comes mainly from secretions of living parts of plants or excretions of plant

sucking insects or living parts of plants. The colour varies from very light brown or greenish to dark brown;

“**Industry**” means the Bee Industry;

“**inspector**” means a person appointed pursuant to Section 19(1);

“**licensing officer**” means any person authorized in writing by the Director to issue establishment licenses under these Regulations;

“**lot**” means a quantity of food, produced, under identical conditions, during a particular time interval and usually from a particular processing line or other critical processing unit.

“**packaging material**” means containers such as cans, bottles, cartons, foil, film, metal, paper, wax paper and clothe. Or any other approved material as such

“**person**” means any person, company, corporation, co-operative society or union, group or association involved in beekeeping activities;

“**Principal Secretary**” means the Principal Secretary for the time being responsible for matters relating to beekeeping;

“**processor**” means a person who adds value to a bee product;

“**Quality assurance officer**” means a person appointed pursuant to section 19(2);

“**register**” means a register of bee value chain actors keepers maintained pursuant to section 18 ;

“**Service provider**” means a person engaged in the provision of services to the bee industry;

“**trader**” means a person or organization whose business is buying and selling goods and services along the beekeeping value chain

Objectives

**3.** The objectives of these Regulations shall be to provide for—

- (a) Enhanced capacity of the national government to coordinate, regulate and set research agenda in the bee industry;
- (b) Enhanced capacity of the county government to manage and develop the bee industry;
- (c) sustainable existence and safety of bees by effective management of the environment for enhanced pollination;
- (d) improved production and quality of bee products and other hive products and bee equipment
- (e) promotion of value addition, marketing and commercialization, of bee industry;
- (f) networking platform in bee industry;
- (g) contribute to social and economic development, nutrition and food security, employment and wealth creation and improved livelihoods; and
- (h) sustainable diagnosis and management of bee pests and diseases.

**PART II—ESTABLISHMENT AND GOVERNANCE OF THE KENYA BEEKEEPING INDUSTRY ADVISORY COMMITTEE**

Establishment of the Kenya Bee Industry Advisory Committee

**4.** The Kenya Bee Industry Committee is hereby established.

Composition of the Committee

**5.** (1) The Cabinet Secretary shall appoint the Committee that shall comprise—

- (a) a chairperson from persons who are members of the Committee by virtue of paragraph (b).
- (b) two persons representing private sector from any of the following private sector industry categories—
  - (i) bee keepers
  - (ii) service providers
- (c) four persons representing the National Government, namely—

- i. the Director responsible for Livestock Production or his alternate;
  - ii. the Director responsible for Veterinary Services or his alternate;
  - iii. the Director of the state agency responsible for apiculture research or his alternate;
  - iv. the head of a public apiculture training institution.
- (d) three persons representing County Governments nominated by the Council of Governors; and
  - (e) the Director responsible for Livestock Production shall provide secretariat services to the Committee

(2) The appointment of any member of the Committee shall be by notice published in the Gazette followed by a letter of appointment issued by the Cabinet secretary.

(3) The Committee may co-opt not more than three persons at any time to serve as co-opted members on such terms and conditions of co-option as the interests of the Committee may require.

Qualifications for appointment as chairperson or Committee member

6. (1) To qualify for appointment as Chairperson a person—

- (a) Be an expert in beekeeping or a livestock production related field;
- (b) hold a relevant academic qualification;
- (c) satisfy the requirements of Chapter Six of the Constitution and any other written law; and
- (d) meet any other requirements which the Cabinet Secretary may prescribe from time to time

(2) A person qualifies to be a Committee Member if the person-

- (a) Meets the requirements of subsection (1)(c); and



(b) Satisfies such other qualification requirements as the Cabinet Secretary may prescribe from time to time.

(3) Members of the Committee from the public sector shall not qualify to be appointed chairperson of the Committee and sub-committees.

(4) No action or decision of the Committee shall be voided by the discovery later that a person who was not duly qualified to be chairman or a member of the Committee under this section participated in the action or decision taken by the Committee.

Sub-committees of the Committee

7. (1) The Committee shall establish sub-committees as may be necessary for execution of its responsibilities.

(2) In establishing sub-committees, the Committee shall—

- (a) provide terms of reference for each sub-committee and general conditions within which it shall operate;
- (b) appoint chairperson of each sub-committee;
- (c) specify powers of co-opting any other persons to a sub-committee; and
- (d) monitor its progress from time to time

Tenure, vacation of and removal from office

8. (1) The chairperson of the Committee shall serve as Chairperson for a period of three consecutive years from the date of appointment and is, subject to satisfactory performance, eligible for reappointment for a similar final term.

(2) Subject to the approval of the Cabinet Secretary, a person who has previously served as chairperson of the Committee for whatever period of time may not qualify for reappointment as chairperson.

(3) A member of the Committee other than those referred to in 5 (c) shall serve in the position of member for a period of three consecutive years from the date of appointment and is, subject to satisfactory performance, eligible for reappointment for a similar final term.

(4) A member of the Committee other than those referred to in 5 (c) may vacate office if the member—

- (a) for whatever reason, resigns in a written notice of resignation addressed to the Cabinet Secretary;
- (b) is incapacitated by prolonged physical or mental illness or is otherwise unable to discharge the functions of a member; or
- (c) completes his term of office and he is not eligible for reappointment or he declines reappointment.

(4) A Committee member shall be removed from office if the member—

- (a) (a) became member contrary to the provisions of this Regulations or any other written law;
- (b) violates the provisions of Chapter Six of the Constitution and Article 232 thereof

(c) is removed from office by the appointing or nominating authority on recommendation of the Committee or otherwise;

- (a) has been absent from three consecutive meetings of the Committee without any satisfactory reason;
- (b) is convicted of a criminal offence that amounts to a felony under the law or is sentenced by a court of law to a term of imprisonment exceeding six months;
- (c) breaches a code of governance to which persons of his category are subject;
- (d) becomes bankrupt or makes any arrangement or enters into composition with his creditors generally;
- (e) is declared by a competent court unfit to hold public office or otherwise becomes prohibited from holding office of Advisory Committee member by reason of any written law;

(f) becomes of unsound mind;

(g) is declared an enemy alien

(5) As soon as a person ceases to be a member of the Committee, the secretary shall notify the Chairperson of the Committee of the cessation of membership and upon notification the Chairperson shall request the nominating authority in writing to make a replacement without undue delay;

(6) a person serving as a replacement shall so serve for the remainder of the period of time of the member being replaced unless reappointed in accordance with this Regulations in his own right at the expiry of the remainder period.

Responsibilities of the  
Committee

**9.** The responsibility of the Committee shall be to advise the Cabinet Secretary on;

(a) strategy on the promotion and development of the beekeeping industry

(b) formulation and implementation of relevant policies at national or county level to promote the bee industry;

(c) collection, analysis and maintenance of data on the industry

(c) bee health—

(e) enforcement of standards for the industry which are consistent with national as well as international standardization requirements for purposes of, inter alia, quality assurance and product safety;

(f) measures for the regulation of beekeeping service provision, processing, marketing, beekeeping equipment manufacturing, and products for purposes of quality assurance;

(g) regulations, in collaboration with other relevant agencies, training, agenda setting for beekeeping research and facilitation of research-extension liaison and on the whole promote the science of beekeeping by educational or other means;

- (h) liaison with appropriate authorities for the protection, development and management of beekeeping resources including resource mapping and monitoring
  - (i) In collaboration with other stakeholders promote bee pollination for increased seed germination, plant and crop productivity
  - (ii) market access for bee and hive products through effective supply chain development and value addition initiatives,
  - (iii) best practices including a code of practice for the beekeeping industry and enforcement
  - (iv) any other responsibilities conferred by the Cabinet Secretary under this Regulations or any other written law or those which are necessary for the attaining of the objectives of the Advisory Committee.

Remuneration of  
Committee members

**10.** The members of the Committee shall be paid such remuneration and allowances as per existing Government regulations.

Stakeholder  
organization

**11. (1)** In collaboration with relevant Government research institutions, universities, private sector institutions, stakeholders or any other person, whether local or foreign, the Advisory Committee may carry out, initiate, support, facilitate, co-ordinate or host research or surveys in matters of or relating to development, production, processing, distribution, sale or handling of quality and safe hive products and may collate and disseminate findings from such research or surveys or any information related thereto to the stakeholders for the promotion of the beekeeping industry in Kenya.

(2) In consultation with the relevant government agencies, the Advisory Committee shall take all necessary steps to safeguard and protect research findings and any patentable findings arising from the research carried out, initiated, supported, facilitated, co-coordinated, hosted or otherwise undertaken pursuant to subsection (1) and the Government's industrial property rights related thereto in

accordance with the provisions of the Industrial Property Act [No. 3 of 2001].

### **PART III—DEVELOPMENT AND PROMOTION OF THE BEE INDUSTRY**

Role of County Governments

**12.**(1) The Committee may collaborate with any County Government for purposes of integration of Committee activities or measures into County Integrated Development Plans (CIDPs) for reasons of promoting and developing beekeeping activities in that County.

(2) In collaboration with experts, consultants and the beekeepers, the County government shall encourage and assist individual beekeepers to form beekeeping associations or strengthen existing ones.

(3) Upon formation of associations, each one of them shall be encouraged to register as is provided under this Regulation and such associations may include but shall not be limited to any community-based organizations, common interest groups, or primary cooperative societies or any such organizations by whatever name called.

(4) Together with such other national organizations relevant to the bee industry as the Committee may identify, the Committee shall take steps to encourage or assist such organizations to form a national beekeeping umbrella organization for value chain players.

(5) In collaboration with the Committee and National government the County shall undertake the following;

- (a) Maintain, update and share a register of beekeepers for purpose on collecting data on production, technologies, capacity building and information for policy issues such registration should not attract any fee/charges.
- (b) Sensitization training and extension services to bee value chain actors.
- (c) Surveillance of bee value chain actors on compliance to these regulations.
- (d) Establishment, maintenance and conservation of bee reserve areas.

Development through  
beekeeping research

**13. (1)** In collaboration with relevant Government research institutions, universities, private sector institutions, stakeholders or any other persons, whether local or foreign, the Committee shall support research in matters relating to development, production, processing, distribution, sale or handling of quality and safe hive products.

(2) In consultation with the relevant government agencies, the Committee shall take all necessary steps to safeguard and protect research findings and any patentable findings arising from the research carried out, initiated, supported, facilitated, co-coordinated, hosted or otherwise undertaken.

(3) The Committee shall support the mobilization of funds for beekeeping research

Contractual  
agreements

**14. (1)** There shall be, for the purposes of this Regulations, agreements to be known as the bee industry agreements negotiated between producers of bee products and processors or buyers of bee products and other hive products;

(2) Without prejudice to the generality of paragraph (sub section 1), the matters to be provided in the agreements shall include—

(i) a commitment by the processors or buyer that they will only buy their raw bee products from their local beekeepers group unless there be inadequacy of the bee products from such farmers in which case the processors or buyer shall be free to source from elsewhere but in strict observance of the laws governing importation of bee products.

(ii) terms and conditions under which the bee products shall be produced by the beekeeper to be acceptable to the processor or buyer, on one hand, and terms and conditions under which the beekeeper shall accept to sell to the processor, on the other hand, and such terms may include the price, and shall set forth the rights and obligation of parties to the agreement;

- (iii) a formula for determining the price to be paid by the processor for the bee or other hive product, which may include any factor related to the sale.
- (iv) the role of the Committee and the County Government in the execution of the agreements;
- (v) the granting of powers to the Committee to impose penalties prescribed in the agreement for the contravention of, or failure to comply with any term of the agreement;
- (vi) An indication of the inputs and credit the processor may be willing to extend to the beekeeper.

Quality, safety, health  
and fiscal control  
measures

**15. (1)** All bee and any hive products produced or processed locally or imported in the country shall comply with the prevailing—

- (a) If upon re-inspection any processed honey or hive product is found to have become unfit for human consumption, the original mark of approval shall be removed or quality standards as set by the agency for the time being responsible for the setting of standards as well as requirements of the law as to packaging and labeling, storage, distribution, wholesale and retailing and the setting and enforcement of duties of producers and operators designed to enhance quality control;
- (b) safety and public health standards as set by the agency for the time being responsible for public health;
- (c) animal welfare as set by the agency for the time being responsible for animal welfare matters;
- (d) environmental issues as set by the agency for the time being responsible for environmental matters;

- (e) bee health issues as set by the body for the time being responsible for animal health matters; and
- (f) import duties, tariffs and taxes as set by the body for the time being responsible for imposition and collection of government taxes and duty

(2) The committee shall from time to time and in consultation with the relevant agencies and Cabinet Secretary, enforce such other measures as shall be necessary for and other purposes of quality and safety assurance in the beekeeping industry.

(3) The committee shall ensure existence and implementation of the Residue Monitoring plan for Honey and other bee products.

(a) Honey other bee products shall be practically free from inorganic and organic matters foreign to its composition, such as insect debris, brood or grains of sand, dirt, scum or any other extraneous matter when it is offered for sale or is used in any product for human consumption.

(b) Honey and other bee products shall not have contaminants such as veterinary drugs, pesticides and heavy metals above the maximum residue limits as prescribed for the time being in existing legislations. In cases where residues and substances above the critical limits are detected, the consignment shall be condemned for domestic and export marketing, and destroyed.

(c) Honey and other products judged unfit for human consumption shall be incinerated as by way of disposal or as in accordance with existing legislations.

(d) All processed honey and hive products shall be re-inspected, even though previously inspected and passed, by inspectors as often as may be necessary to ascertain that the honey or hive products are fit for human consumption.

#### **PART IV—MANAGEMENT AND CONTROL OF THE INDUSTRY**

Registration authority

**16.** (1) The secretary of the Advisory Committee shall be the registration authority for the purposes of any



registration required by this Regulation and shall establish and operate a registration system in accordance with the provisions of section 17(1).

(2) Without limiting the authority of the Advisory Committee under subsection (1), the Advisory Committee may designate one of its officers on such terms and conditions of designation as it may deem fit to, on behalf of the Advisory Committee, deal with all matters of registration under this Regulation.

(3) The officer designated under subsection (2) shall be sufficiently qualified in matters of beekeeping and shall serve under the general direction of the Committee.

(4) The registration officer shall keep a register for every matter requiring registration under this Regulation in such manner and form as the Advisory Committee shall prescribe.

(5) The Advisory Committee shall have power to prescribe

- (a) the procedure for making and processing applications for registration;
- (b) the forms to be used for registration;
- (c) the certificate of registration to be issued upon registration;
- (d) terms and conditions, where necessary, to which acceptance of registration and issuance of the certificate may be subject;
- (e) reasons that may lead to refusal of registration, revocation or suspension of registration and certificate of registration issued thereof or the reinstatement of registration and certificate and the procedure thereof;
- (f) procedure for replacement of a lost, defaced or mutilated certificate of registration or the surrender thereof; and
- (g) for any other matters connected therewith or related thereto which may require prescription pursuant to this section.

(h) The Advisory Committee shall charge such fee for registration as the Cabinet Secretary shall approve.

Requirement  
registration

for

**17.** (1) Any person involved in trade across the beekeeping value chain shall only do so upon registration by the Advisory Committee.

(2) No business other than beekeeping and operations thereto related shall be conducted at the premises, place or facility specified in the application for registration and certificate of registration thereby issued, nor shall the equipment or plant specified therein, be used to do any other business unless the other business is closely related to the beekeeping business and the Advisory Committee has granted permission in writing thereof;

(3) The applicant shall pay such fee for registration as the Advisory Committee may determine from time to time.

(4) Any person who contravenes the provisions of this section commits an offence and shall, on conviction, be liable to a fine not exceeding one hundred thousand shillings or to imprisonment for a period not exceeding six months, or both.

(5) Every person registered under this section shall conduct his bee industry business in accordance with these regulations made there under.

Application of the  
beekeeping registration  
system.

**18.** The beekeeping registration system established by the Advisory Committee pursuant to subsection (1) of section 15 shall apply—

- (a) subject to this Regulations, to all persons involved in the beekeeping trade in the country;
- (b) throughout the country unless otherwise modified by a decision of the Advisory Committee to apply to special or unique circumstances in any part of the country; and
- (c) to any activity pertaining to beekeeping unless it is an activity exempt by the Advisory Committee from the application of this Regulation.

Maintenance  
register

of **19.** (1) The Advisory Committee shall maintain an up-to-date register for all bee industry value chain actors

(2) The register shall contain such information on every registered bee value chain actor as the Advisory Committee may prescribe from time to time.

(3) Without prejudice to the generality of subsection (2), the register shall, in respect with every registered bee value chain actor, state—

(a) the name and address of the bee value chain actor,

(b) the location of his apiary, beekeeping activity, or premise

(c) the nature of his beekeeping activities indicating whether or not the beekeeper is an importer of bees or bee products or any other hive product,

(4) A register maintained pursuant to this section may be subject to correction by the Advisory Committee itself if the error to be corrected is more than clerical and by the registration officer if it is clerical and the officer shall keep a written record of any errors corrected pursuant to this subsection.

(5) An alteration under subsection (4) may be made by the Advisory Committee on its own motion or at the written request of an interested party so long as the request has merit.

(6) The Advisory Committee may, upon inquiry, cause to be removed from the register the name of any bee industry value chain actor who—

(a) has died or otherwise ceased to exist;

(b) upon the determination by the Advisory Committee, obtained registration through fraudulent means; or

(c) has, for whatever reason, surrendered his registration certificate to the Advisory Committee or withdrawn from or otherwise terminated his beekeeping operations.

(7) A register maintained under this section shall be open to scrutiny by any interested person on such terms and

conditions of as the Advisory Committee may prescribe from time to time.

## **PART V—LICENSING**

Licensing Authority

**20.** (1) The Advisory Committee shall be the licensing authority for purposes of any licenses required under this regulation;

(2) Without limiting the authority of the Advisory Committee under (a), the Advisory Committee may designate one of its officers as a licensing officer to deal with all matters of licensing under this regulation

Requirement for valid license.

**21.** No person shall operate a bee industry establishment without a valid license.

Establishment license

**22.** (1) Any person who wishes to operate an establishment shall apply to the Advisory Committee for an establishment license.

(2) An application for a license under these regulations shall be in the prescribed form set out in 1<sup>st</sup> Schedule.

(3) On receiving an application for an establishment license made under paragraph (b), the licensing officer may, if he is satisfied that the applicant has fulfilled the requirements of these regulations, and on the advice of the inspector, issue a license to the applicant upon payment of the appropriate fee

(4) A license issued under paragraph 3 shall be in the form set out in the Fourth schedule and shall be valid for one year from date of issue.

(5) Where the Advisory Committee orders any establishment closed in accordance with these regulations any license issued in respect there to shall cease to have effect.

(6) Any person who operates, permits or causes to be used any establishment without valid license commits an offence and shall be liable to a fine not exceeding fifty thousand shillings or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

**PART VI—GENERAL CONDITION ON APIARY SITING AND ESTABLISHMENT**

Apiary siting and establishment

**23.** (1) A person setting up an apiary should do so in consultation with the beekeeping office

(2) A person shall not place a hive or leave a hive containing bees within thirty meters of a property line separating the land on which the hive is placed or left from and occupied as a dwelling.

(3) A person shall not place a hive or leave a hive containing bees within two hundred meters of a public amenity such as schools, hospitals, highways, community centers, public parks or other place of public assembly or recreation.

(4) Where the county executive committee member responsible for livestock is satisfied that the keeping of bees or a number of beehives in a certain place is public nuisance or a danger to public health or public safety, the county executive member responsible for livestock may—

- (a) Declare the premises to be unsuitable for beekeeping;
- (b) Order the beekeeper to remove the hive to a site approved by county executive committee member.

Safeguarding of bees from harmful chemicals

**24.** (1) The committee in collaboration with County Governments shall sensitize bee keepers and other value chain actors on harmful effects of pesticides and other chemicals to bees when applied within the locality of apiaries and within the hives.

(2) The Committee in collaboration with County Governments and stakeholders shall promote safe use pesticides including integrated pest management practices and non-chemical methods of pest control.

**PART VII— GENERAL CONDITION FOR BEE EQUIPMENT MANUFACTURING UNIT**

Requirements of the bee equipment manufacturing unit.

**25.** (1) Each establishment shall provide the following—

- (a) Working areas should be of sufficient size, for work to be carried out under adequate hygienic conditions. The design and layout shall be subject to approval by the Advisory Committee;
- (b) All machines should be in good working condition.
- (c) Woodworking machines should be fitted with efficient and well-maintained local exhaust ventilation systems to remove sawdust or chips that are produced.
- (d) Electric power cords should be above head level or in the floor in such a way that they are not tripping hazards.
- (e) The work area should be kept free of clutter, clean, well swept, and well lit. Spills should be cleaned up immediately. Floor areas should be level and non-slip. Keep the area free from water and moisture.
- (f) The raw materials used for manufacturing the hives should be;
- (g) Free from organic and inorganic contaminants; well cured in case of timber, right gauge for metallic materials.

(2) The Advisory Committee shall from time to time and in consultation with the relevant agencies enforce measures as shall be necessary for purposes of assessing adherence to approved bee equipment set standards.

## **PART VIII—GENERAL CONDITION FOR HONEY REFINERIES**

Requirements for  
honey refinery

**26.** An establishment shall be located in an area, which is reasonably free from objectionable odours, smoke, dust and other contaminants. Adequate dust-proof accessways connecting the establishment with public roads shall be available. The establishment must be completely separated from any other buildings used for industrial, commercial, agricultural, residential or other purposes. An environmental impact assessment report shall be submitted in accordance with existing environmental laws for the time being before approval and construction is done.

Conditions of  
conducting retail  
business in official  
premises.

**27.** If a retail business is carried on within the official premises of the establishment, customers shall have access only to the room or rooms where such business is conducted and shall be excluded from the rest of the establishment.

Working area  
requirements.

**28.** Working areas should be of sufficient size, for work to be carried out under adequate hygienic conditions. The design and layout shall be subject to approval by the Advisory Committee.

Conditions for  
honey handling  
areas

**29.** In areas where honey and other bee products are handled, prepared and refined there shall be—

- (a) Waterproof flooring, which is easy to clean and disinfect and laid down in such a way as to facilitate the drainage of water.
- (b) Walls that have smooth surfaces and are easy to clean, durable and impermeable.
- (c) Walls that have smooth surfaces and are easy to clean, durable and impermeable.
- (d) Ceiling of recommended height and of roof linings that are easy to clean.
- (e) Doors made of durable materials that are easy to clean
- (f) Adequate ventilation.
- (g) Adequate natural or artificial lighting
- (h) An adequate number of facilities for cleaning and disinfecting hands
- (i) Taps that are not hand operable in workrooms and lavatories
- (j) Single-use hand towels

(2) The buildings shall be completely rodent-proofed;

(3) The waste disposal system must be of adequate size and comply with general and local regulations;

Conditions for export premises

**30.** No person may construct an export premises without first making an application to and obtaining the approval of, the Advisory Committee

Sample collection

**31.** (1) Samples of honey, water, or any other article in the establishment shall be taken at the expense of the management of the establishment, as often as may be deemed necessary for the efficient conduct of the inspection.

(2) The Advisory Committee shall from time to time and in consultation with the relevant agencies and Cabinet Secretary, enforce such other measures as shall be necessary for purposes of quality and safety assurance in the beekeeping industry.

## **PART X— INSPECTION AND ENFORCEMENT**

Appointment of inspectors

**32.** The Cabinet Secretary in consultation with the Committee shall appoint any apiculture officers, public health officers and veterinary officers, zoologists or any other duly qualified persons for the purpose of these regulations.

Duties and responsibilities of inspectors

**33.** (1) An inspector may at all reasonable times and upon giving reasonable notice, enter any land, building, premises, facility or structure where any apiary is kept and shall, unless there be compelling reason not to, proceed to

- (a) ascertain the registration status of the beekeeper (or any other player in the industry) as to whether the beekeeper or any such industry player has complied with the requirements of these regulations.
- (b) inspect the land, building, facility or structure and any hive, bee products or hive product processed therein;
- (c) inspect any beekeeping plant, equipment, vessel or other machinery used in the processing of bee products and any hive product and the processing or packaging going on there;
- (d) visit all parts of the premises, place or facility and open any vehicle, package or container found there which he believes contains any bee or hive product,



or any book, record or document pertaining to the beekeeping business found in the premises, place or facility for purposes of further inspection;

- (e) carry out hygiene surveillance in the beekeeping industry in general and in the processing of bee products in particular in collaboration with the person who for the time being is responsible for public health at the County;
  - (f) in collaboration with competent authority or any other relevant regulatory authority, carry out quality control checks in the processing of bee products in apiaries and in any marketing outlets and consequent thereupon certify the quality of bee products in conformity with the national, regional and international standards; or
  - (g) Inspect bee colonies for pests and diseases and take necessary samples for further testing.
  - (h) seize and remove from any beekeeping premises, facility, structure or vehicle any book, record or document found there at which may pertain to the processing, importation, packaging, wrapping for sale of bee products or by-product thereof which he has reasonable cause to believe affords evidence of contravention of any of the provisions of this regulation or any other written law.
- (2) If upon inspection an inspector determines that—
- (a) there is nothing wrong with the beekeeping activities, bee or hive products, equipment, facility or anything inspected, and that there is no evidence of any contravention of this regulation, the inspector shall make a record of that finding and accordingly issue a certificate of compliance prescribed by the appointing authority for that purpose for the period of inspection in question; or
  - (b) in his opinion, there is need for further examination and analysis of any aspect of the beekeeping product therein, he may take samples thereof for laboratory analysis and give the reason for his determination and, as soon as the results of the analysis are known, he shall inform the concerned party in writing of the

same including any remedial action that may be required.

(3) Any sample taken pursuant to paragraph (a)(ii) shall be so taken—

- (a) at the expense of the party concerned;
- (b) by the inspector himself with such care so as not to unduly diminish the commercial value of the bulk from which it is taken; and
- (c) in accordance with the method of sample taking prescribed in any relevant standard, in the presence of the beekeeper or concerned party and, if the parties concerned are not present for whatever reason, in the presence of any staff or agent whom the inspector reasonably determines to be in charge of the facility or premises, and in the absence of any such staff or agent, the inspector shall desist from taking the sample until further notice.
- (d) A person responsible for the premises, facility or place from which a sample is collected shall sign on the sample collection form used by an inspector to record the particulars of collection and the sample so taken shall be submitted only to an accredited laboratory for analysis.

(3) An inspector may require from any person whom he reasonably believes to be in charge or control of any premises, facility or place being inspected, to supply information or produce for inspection or for the purpose of obtaining copies thereof or extracts therefrom, any books, records, receipts, invoices, shipping bills, bills of lading, documents containing beekeeping or hive product processing instructions, operational procedures or other documents or papers which are reasonably suspected or expected to be in the beekeeper's possession the production of which will render successful inspection.

(4) In the performance of his duties under this regulation an inspector may put any relevant question to a bee industry value chain actor, his servant or agent. The servant or agent shall be obligated to fully, honestly and without undue delay furnish the answer to the question; and, where the question put requires the preparation of written answer or some prior enquiry or arrangement in order for it to be prepared and furnished, the inspector shall allow the

value chain actor, servant or agent reasonable time in the circumstances to prepare and furnish the written answer or the answer requiring prior enquiry or arrangement.

Identification of  
inspector

**34.** An inspector shall on request identify himself and produce proof of identification as an inspector.

Obstruction  
inspection

of **35.** Any person who knowingly obstructs or hinders any inspector in the exercise of his powers or the performance of his duties under this regulation commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding six months, or both.

Disease control

**36.** (1) Any person who knows that any bees owned or controlled by him are infected with, or have been exposed to any contagious or infectious disease, insects or parasitic organisms adversely affecting bees, shall at once report such fact to representative of the veterinary authority nearest to him, stating all facts known to him with reference to the said contagion, infection, or exposure.

(2) Upon receipt of a report of the existence of any bee disease or upon discovery of such disease in the course of his inspection, an inspector shall immediately report the same to the competent authority for necessary action.

(3) Without prejudice to the generality of subsection (2), the DVS may—

- (a) take such measures as are necessary to control, eradicate or prevent the spread or transmission of the disease,
- (b) order for the destruction by burning of the diseased bees including the destruction or disinfection of the equipment used in the affected apiary; or
- (c) issue quarantine orders to prevent the movement of bees or bee products from or into the area contaminated.

(4) Any person who contravenes any provision of this section commits an offence and shall, on conviction, be liable to a fine not exceeding one hundred thousand shillings or a jail term not exceeding six months.

(5) The CEC responsible for livestock matters may make operational guidelines to provide for the-

- (a) effective control of bee diseases in consultation with competent authority;
- (b) reporting and management of abandoned apiaries and escaping bees that return to the wild,
- (c) transportation of bees; and
- (d) protection of the public living or otherwise having legitimate reason to be in the neighbourhood of apiaries from the danger of bee attacks.

(6) The findings of the inspector shall be handled as stipulated under duties and responsibilities of an inspector in (2)(a and b) above

Import of bees and hive products

**37.** (1) Without limiting the effect of the provisions of paragraphs (a) and (f) of section 14(1), no person shall import—

- (a) any bee products or hive product into the country without first obtaining an import permit from the Director for the time being responsible for Veterinary Services;
- (b) bee product or any hive product which does not meet the Kenyan and international standards of quality in relation to residuals of chemicals, drugs, and heavy metals;
- (c) bees or bee brood, bee semen, larvae or queen bees from any country without import permit and an accompanying valid health certificate from the competent authority of the exporting country; and clearance from the advisory committee
- (d) Used beekeeping equipment for any purpose including research, personal use or beekeeping activities.

(2) The Cabinet Secretary shall have power to make orders published in the Gazette to regulate any other aspect of the importation of bees, bee brood, bee semen, larvae,

queen bees, hive products or bee equipment as circumstances may require and such orders may—

- (a) restrict or, for a specified period of time, impose a ban on importation of bees, bee brood, bee semen, larvae or queen bees, hive products or bee equipment of any classification or description;
- (b) authorize an inspector to detain imported bee products, bees, bee brood, bee semen, larvae or queen bees or bee equipment if it is already in the country, in any place and for any specified period of time and prescribe precautions to be taken during such detention; or
- (c) pursuant to the provisions of section 24(3) (b) and under the supervision of the Director of Veterinary Services, authorize an inspector to destroy such imported bee products, bees, bee semen, bee brood, larvae or queen bees or bee equipment without compensation to the importing person and thereafter direct the inspector to investigate the owner further for any possible legal action against him under this regulation or any other written law.

(3) Any person who contravenes any of the provisions of this section commits an offence and shall, on conviction, be liable to a fine not exceeding one million Kenya shillings or to imprisonment for a term of not less than one year or both.

## **PART XI— BEE PRODUCTS HANDLING AND HYGIENE**

Sanitation  
requirements

**38.** Each establishment shall provide the following amenities—

- (a) ample supply of potable water with conveniently placed outlets,
- (b) ample supply of hot water at not less than 82°c degrees centigrade shall be furnished and used for the cleaning of equipment, floors and other items which may be subject to contamination by remnants or spillage of honey,

(c) sufficient natural and abundant artificial light at all places for proper conduct of the work

(d) hygienic wastewater disposal system,

(e) appropriate guard against rodents and any other vermin.

Sanitary requirements. **39.** Every establishment shall be equipped with adequate sanitary facilities as prescribed in Public Health Act, Cap 242

Equipment and utensils. **40.** Equipment and utensils used for preparing, processing or otherwise handling honey shall be of such material as will make them easily cleaned and shall, be made of stainless steel, food grade plastic or other material resistant to corrosion by honey.

Garbage collection **41.** Sufficient number of suitable receptacles, for collection of garbage, filth and refuse shall be provided

First aid materials **42.** Suitable antihistamine and any other suitable first aid materials shall be provided in a readily accessible position for use.

Safety equipment **43.** Safety equipment shall be provided as per the Occupational Safety and Health Act No.15 of 2007

Bee products handling **44.** Honey and other bee products shall be practically free from inorganic and organic matters foreign to their composition, such as insect debris, brood or grains of sand, dirt, scum, or any other extraneous matter when it is offered for sale or is used in any product for human consumption.

Honey contaminants **45.** Bee products shall not have contaminants such as veterinary drugs, pesticides and heavy metals above the maximum residue limits as prescribed for the time being in existing legislations. In cases where residues and substances above the critical limits are detected, the consignment shall

be condemned for domestic and export marketing, and destroyed.

Disposal of unfit honey

**46.** Honey and other products judged unfit for human consumption shall be disposed through incineration or as in accordance with approved procedure.

Personal hygiene and Conduct

**47.** No establishment shall employ in a department where honey and other bee products are handled any person affected with communicable diseases in a transmissible stage.

Communicable diseases

**48.** No establishment shall maintain any person affected with communicable diseases in a transmissible stage in a department where honey and other bee products are handled.

Health certificate

**49.** Any person engaged in the handling of honey and other bee products in or about an establishment shall obtain a health certificate.

Notice of ill health

**50.** As soon as any person engaged in or about an establishment handling honey and other bee products becomes aware or suspects that he is suffering from a disease, in particular intestinal disorders, sore throat, cough, open or suppurating wounds, he shall forthwith file notice of this fact to the management or inspecting officer.

Protective clothing.

**51.** Any person while engaged in or about the establishment handling honey and other bee products shall wear suitable protective clothing including head covering and boots all of which articles shall be readily washable and kept as clean as is reasonably, practicable.

Personal hygiene

**52.** Any person engaged in handling of honey and other bee products in or about an establishment shall while so engaged keep as clean as may be reasonably expected by thorough and frequent washing of all parts of his person which are liable to come into contact with honey and other bee products.

## **PART XII—MISCELLANEOUS PROVISIONS**

**53.** (1) The penalty for any offence under this Regulation for which no penalty is specified may include a fine not exceeding Kshs. 100,000 (Kenya shillings one hundred thousand) or imprisonment for not more than six months or both.

(2) Without limiting the generality of subsection (1) or any section specifying an offence and penalty therefor under this Regulation, any person who —

- (a) with fraudulent intent, tampers with any sample drawn or taken for analysis or further inspection pursuant to and for purposes of these Regulations;
- (b) knowingly registers or attempt to register any name or information in a register maintained under these Regulation by willfully making or producing or causing to be made or produced, either orally or in writing, any declaration, certificate or representation;
- (c) without reasonable justification or lawful excuse obstructs, hinders or threatens a member or staff or agent of the Advisory Committee in the course of his duties under these Regulations;
- (d) submits false or misleading information or makes false representation to, or knowingly misleads a member, staff or agent of the Advisory Committee in the course of his duties under these Regulations;
- (e) knowingly makes use of, maintains or issues any false or misleading statement whether orally or in writing, record, document, declaration, marking or label in connection with the registration, processing, manufacture, importation, mixing, compounding, inspection or sale of any hive product;
- (f) sells any hive product in a container or packaging on which a false or misleading statement is written;



- (g) sells or supplies any hive product which is not of the kind, nature, composition or quality described or represented at the time of sale or supply or is different in any material particular;
- (h) makes, whether within or outside Kenya, any false declaration or statement concerning beekeeping, hive product or any matter related thereto, which he knows or has reason to believe to be false or misleading, for purposes of defeating or circumventing any requirement or obligation imposed on him under these Regulations;
- (i) knowingly misleads any inspector, other officer or agent of the Committee charged with the duty of enforcing these Regulation by, inter alia, seeking information material for the exercise of any of his power or performance of his duty under these Regulations;
- (j) willfully alters or defaces any certificate, record, letter of no objection, return, consent, approval or any document needed for the purposes of these Regulations, without any lawful excuse or authority;
- (k) knowingly uses or has in his possession any forged permit, certificate, license, record, letter of no objection, return, consent, approval or any document purporting to be for the purposes of these Regulations;

commits an offence and shall, on conviction, be liable to a fine not exceeding one hundred thousand shilling or imprisonment for a period not exceeding six months or both.

(3) In the case of the distribution of adulterated hive product, a person commits an offense if the person distributes, conspires to distribute, or causes another person to distribute a commercial hive product-

- (a) that is of a composition, quantity, or quality that is below or is different from that which it is represented to possess by its label;

- (b) from which an ingredient has been omitted or extracted in whole or in part;
- (c) that is inferior or is damaged and the inferiority or damage has been concealed;
- (d) to which a substance has been added or with which a substance has been mixed or packed so as to deceptively increase its bulk or weight, reduce its quality or strength, or make it appear better or of greater value than it is;
- (e) that contains or bears a poisonous or deleterious substance that may render it injurious to people under ordinary conditions of use or when used as intended;
- (f) that consists in whole or in part of a diseased, filthy, putrid, or decomposed substance, unless the substance has been rendered harmless by sterilization or other effective process;
- (g) that is otherwise unfit for human consumption; or
- (h) that has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption applicable under the provisions of the Radiation Protection Act [Cap 243].

(4) Any person who violates any of the provisions of subsection (3) of this section commits an offence and shall, on conviction, be liable to a fine not exceeding one hundred and fifty thousand shillings or to imprisonment for a term not exceeding nine months or to both such fine and imprisonment.

## FIRST SCHEDULE

Classification of approved Hive Products

	<b>Hive Products</b>	<b>Types of Hive products</b>
1	Honey	Crude/unprocessed honey Semi refined honey Refined honey Chunk honey Creamed/granulated honey Comb honey
2	Beeswax	
3	Propolis	
4	Royal Jelly	
5	Pollen	
6	Bee Venom	
7	<b>Other products</b>	
	Bee Bread	
	Brood	
	Bees	

## SECOND SCHEDULE

**Types of Bees**

<b>honey making bees</b>	<b>Other types of bees</b>
Bee products bee	Bumble bee

Stingless bee	Carpenter bee
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**THIRDSCHEDULE – VALUE ADDED BEE PRODUCTS**

- Propolis suspension
- Propolis in soya
- Propolis ointment
- Beeswax soap
- Propolis tincture
- Beeswax body cream
- Beeswax Candles
- Beeswax lip balm
- Beeswax massage bars
- Honey candy

**FOURTH SCHEDULE**

**APPLICATION FOR OR RENEWAL OF AN ESTABLISHMENT LICENCE**

To: The Inspecting Officer.....  
 (Name of the District)

I hereby apply for an establishment licence under the **Bees Industry Regulations 2018**

Name of applicant.  
 (Owner of establishment, firm or company)

Previous Licence number and date of issue (if renewal).....

General business postal address of applicant .....  
 .....  
 .....

Tel.....Fax.....E.  
 mail.....District.....location.....

City/Town..... Estate.....Road.....

Date.....

.....  
 Signature of applicant

\*Delete whichever is not applicable

**For official use only**

The establishment to which this application relates fulfils all the requirement of the bees and hive products regulations 2005 and can be issued with a licence.

Date .....

Name.....Sign.....

**Inspecting Officer**

**FIFTH SCHEDULE  
ANNUAL ESTABLISHMENT LICENCE**

Licence ..... No.

Issued ..... to

(Name and address of owner of the establishment, firm or company)

Establishment.....

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

Date .....

Fee paid: Ksh

Name.....Sign.....

**Licensing Officer**

**SIXTH SCHEDULE  
HONEY EXPORT HEALTH CERTIFICATE**

Country of origin .....

Country of dispatch .....

Inspection body .....

*DETAILS OF HIVE PRODUCTS*

Description

Type ..... of ..... honey

Type ..... of ..... processing

Type of packaging .....

Number of packages ..... Batch No .....

Net weight .....

(Addresses) Honey processor authorized for export by the competent authority .....  
.....  
.....

*DESTINATION OF HIVE PRODUCTS*

The honey or hive products are to be dispatched

From ..... (Place of dispatch)

To .....(Country and place of destination)

Means of transport.....

Name and address of the consignor .....  
.....  
.....

Name and address of the consignee at place of destination.....  
.....

**SEVENTH SCHEDULE  
HEALTH ATTESTATION**

The honey or bee products mentioned above have been produced, handled prepared processed, packaged, identified and stored under conditions laid down in the crop production and livestock (honey) regulations 2005.

Made at.....on .....  
(place) (date)

Authorized honey inspector .....

Name in capital letters and qualifications

.....

Designation ..... Sign.....  
Competent Authority

Made on.....Date.....

Cabinet secretary  
Ministry of Agriculture, livestock, Fisheries and Irrigation