



LEGAL NOTICE NO.

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

THE LIVESTOCK) (POULTRY INDUSTRY REGULATIONS, 2023

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SCHEDULE

THE LIVESTOCK ACT

*(No. of ***** 2023)*

IN EXERCISE of the powers conferred by section 126 of the Livestock Act, 2023, the Cabinet Secretary for Agriculture and Livestock Development, makes the following Regulations—

THE LIVESTOCK (POULTRY INDUSTRY) REGULATIONS, 2023

PART I: PRELIMINARY

Citation. **1.** These Regulations may be cited as the Livestock (Poultry Industry) Regulations, 2023 and come into force on such date as the Cabinet Secretary may, by notice in the Gazette, appoint.

Interpretation. **2.** In these Regulations, unless the context otherwise requires—

“Act” means the Livestock Act, 2023;

"auxiliary structure" – means Egg storehouse, fumigation chambers, equipment storehouse, feed storehouse, incinerator and decomposition pit;

“Authority” means the Livestock Inputs and Products Regulatory Authority established under section 8 of the Act;

“Board” means the Livestock and Livestock Products Marketing Board established under section 35 of the Act;

“broiler” means a bird of the species *Gallus gallus* bred for meat production;

“brand” means a type of poultry product manufactured by a particular company under a particular name;

“breed” means poultry of the same species that has identifiable residual genotypic, phenotypic and external characteristics that distinguish it from other breeds;

“breeder” means a person who breeds poultry for either maintaining or increasing the current flock or for selecting specific individuals for improvement in one or more characteristics like size, weight, egg production, meat quality, behaviour, plumage, comb type or a combination of factors;

“By-product” means parts of poultry carcasses and can contain bones, blood, head, feet, feathers, offal and undeveloped eggs;

“Cabinet Secretary” means the Cabinet Secretary responsible for livestock matters;

“chick” means the young one of poultry that is less than or equal to twenty-one days old;

“County Director of Livestock Production” means a person in charge of livestock production at a county;

“dry litter” means a mixture of bedding material and poultry manure arising from the housing of poultry and with a dry matter content not less than 55%;

"existing house" means a house erected prior to the Inception Date;

“extension services” means the delivery of livestock information to farmers for improvement of poultry production productivity;

“feed formulation” means the process of quantifying the amounts of feed ingredients that need to be combined to form a single uniform mixture (diet) for poultry that supplies all their nutrient requirements;

"flock" means groups of poultry in a house, being of one age, of one species;

“free range” means a system for keeping livestock in which the animals are allowed to run free over a field or an area of land. For poultry it means the birds have free access to an outside area during the daytime but are usually housed at night;

“hatchery” means a facility for hatching eggs under artificial condition and chick processing;

"house" – means structure or part thereof, including a shed, serving to raise poultry;

"Inspector" means an officer appointed by the Authority as an inspector in accordance with section 21 of the Act;

“layer” means a hen that lays egg;

“Livestock Marketing Information Systems” means a system that collects, analyses and distributes marketing information on livestock and livestock products;

“Ministry” means the Ministry in charge of livestock matters;

"new house" – means house erected following the inception of these Regulations;

“poultry” means chicken, duck, ostrich, goose, turkey, quail, pigeon, guinea fowl, and any wild bird domesticated for human consumption, commercial or other purposes and includes any other bird which the Cabinet Secretary may, by notice in the Gazette, declare from time to time to be poultry; and for the avoidance of any doubt “poultry” includes poultry products;

“Poultry Association” means a legal entity composed of farmers, breeders, processors of poultry and poultry products;

“Poultry Industry” means any activity that involves the breeding, production, processing, marketing, or distribution of poultry and poultry products;

“Poultry Operator” means any farmer, person or organization engaged in any poultry operation;

“poultry operation” means any business undertaking in poultry whether for business or other purpose and includes poultry breeding, production, buying and selling, processing, storage, transportation and distribution;

“poultry processing” means the act of converting any poultry and poultry products from one form to another;

“poultry product” means a carcass or parts of a carcass of poultry, and any product consisting of parts of, or derived from poultry such as eggs;

“pure and wholesome” means free of contaminants and beneficial to poultry;

“sterilization” means the process of making something free from bacteria or other living microorganisms;

“treatment” means Biological, chemical, or mechanical method(s) employed to remove pollutants from poultry wastes;

“value addition” means the process of adding value to a poultry product through special processing, marketing or manufacturing;

“poultry waste” means by-products generated during production of poultry and include: manure, feathers, infertile egg, litter, dead bird, egg shells and membrane; and

“waste management” means the activities and actions required to manage waste from its inception to its final disposal.

Objects and
purpose of the
Regulations.

3. The objects and purpose of these Regulations is to prescribe matters as are contemplated by or necessary for giving full effect to provisions of the Act relating to the poultry industry, including—

- (a) organization and improved coordination of the poultry industry;
- (b) reduction of duplication and overlap of functions among institutions involved in the regulation of poultry industry;
- (c) registration of poultry, breeders and poultry associations;
- (d) increased production and productivity of safe and quality poultry and poultry products;
- (e) safe handling, storage, value addition and efficient distribution of poultry products;
- (f) improved market access of poultry and poultry products;
- (g) establishment of systems for collection of integrated real time data for poultry value chain;

- (h) sustainable financing of the industry;
- (i) promote private sector investment in the poultry industry;
- (j) enhance capacity building of industry Actors; and
- (k) any other such purpose that may be in furtherance of these regulations.

Application. **4.** These Regulations shall apply to all poultry and poultry products in Kenya or imported into Kenya.

PART II: REGISTRATION OF POULTRY AND PREMISES

Registration. **5.** A poultry operator may be registered by the County Government where located.

Compulsory
Registration. **6.** (1) A poultry operator keeping birds for commercial purposes shall keep a register of poultry in Form PR1 set out in the First Schedule.

Voluntary
Registration. **7.** A poultry operator keeping birds for other purposes other than commercial purposes may keep a register of their registered poultry in Form PR1 set out in the First Schedule.

Objects and
purposes of
registration. **8.** The objectives and purposes of registration shall be—

- (a) planning for food security and nutrition;
- (b) service delivery such as advice and notification of disease outbreak, financing, market access and negotiation;
- (c) capacity building; and
- (d) recording and data capture for planning purposes.

County Director of
livestock
production to keep
a register of poultry
farms. **9.** (1) Each County Director of livestock production shall—

- (a) keep an accurate, up-to-date and reliable register of poultry in the county in Form PR3 set out in the second Schedule.
 - (b) enter accurate and up-to-date information from the registers in their custody into a digital database,
- (2) The register in sub-regulation (1) shall be inform PR2 set out in the First Schedule.
- (3) The register may be a manual or digital form, and be available at all times to the Ministry, upon request.

PART III: POULTRY HOUSING AND EQUIPMENT

Design, Location and construction of poultry housing.

10. (1) A person rearing poultry shall ensure that the house is located, designed and constructed in a manner that meets set requirements of poultry housing, biosecurity and the environment such that—

- (a) housing should be located and constructed to provide adequate drainage for the site;
- (b) housing should be designed to house a single species and a single production type;
- (c) provides sufficient ventilation and light and is free from odour for the flock;
- (d) must not have sharp edges that may cause injury to the birds or workers;
- (e) provide adequate space in line with recommended stocking density for poultry;
- (f) house must be easily cleaned and disinfected;
- (g) housing must keep off. predators, vermin, rodents and wild animals and minimise insect infestations;
- (h) poultry housing should be located at least 30 meters from a road connecting Poultry Farms for poultry of different species or ages;
- (i) housing is located a distance of at least 12 meters from another Poultry Farm for poultry of the same species, or age;
- (j) a poultry house is located a distance of at least 300 meters from another Poultry Farm for poultry of a different species, or age; and
- (k) any existing laws on bio security shall apply.

(2) Notwithstanding sub regulation (1), the Authority may subscribe relevant standards.

Specification of housing.

11. (1) There shall be different specification for housing of different flocks.

(2) The specification for housing of different flocks shall be in Form PR4 set out in the Third Schedule

Auxiliary structures.

12. (1) Auxiliary structures used to store feed, eggs or other material, should be constructed and maintained to prevent the entry of wild birds, rodents and arthropods.

(2) Auxiliary structures used for egg storage should be constructed and include provisions for temperature control, proper ventilation, egg grading, storage trays, set up for record management and any other requirements as per existing laws.

Equipment.

13. (1) The Ministry and County Government shall ensure the innovation and acquisition of modern and technologically advanced poultry equipment through collaboration with research institutions, informal sectors such as “Jua Kali” and through importation.

(2) In consultation with relevant stakeholders, the Authority shall from time to time, evaluate and approve equipment to be used in the country.

Importation of Equipment.

14. (1) Equipment shall only be imported into the Country if—

- (a) it is tested, inspected and is free of disease, as per existing laws;
- (b) increases productivity;
- (c) is not obsolete in the Country of Origin;
- (d) adheres to standards of animal welfare as per international standards and existing laws; and
- (e) Adheres to any other standards as enumerated in existing laws.

Registration and licencing of dealers in equipment.

15. A person shall not conduct any business as a dealer in poultry equipment unless they are—

- (a) registered and has a certificate of registration; and
- (b) holds a current license issued by the Authority to operate as such.

(2) The Authority, shall charge such fee for registration and licensing as the Cabinet Secretary shall approve.

(3) Any person that contravenes this Regulation commits an offence.

Hygiene.

16. Farmers, breeders, producers, processors shall take all appropriate measures to—

- (a) keep clean and, where necessary after cleaning, disinfect in an appropriate manner equipment, containers, crates and vehicles used for producing, preparing, grading, packing, storing and transporting poultry and poultry products;
- (b) use clean water whenever necessary to prevent hazardous contamination;
- (c) prevent, as far as possible, animals and pests from causing hazardous contamination to equipment;
- (d) store and handle wastes and hazardous substances separately and securely so as to prevent hazardous contamination to equipment; and
- (e) adhere to any other existing laws as to hygiene and bio security of equipment.

PART IV: BREEDS AND BREEDING

- Registration of breeding poultry. **17.** Every poultry breeder shall identify and register breeding animals such as grandparent and parent stock with the Authority.
- Registration and licensing of poultry breeders and Hatcheries. **18.** (1) A person shall not conduct any business as a poultry breeder unless that person—
- (a) is registered and has a certificate of registration; and
 - (b) holds a current license issued by the Authority to operate as such.
- (2) The Authority, shall charge such fee for registration and licensing as the Cabinet Secretary shall approve.
- (3) A person shall not operate a hatchery unless licenced in accordance with the existing law.
- Cancellation of the licence. **19.** (1) The Authority may, alter, suspend or revoke the license if in its opinion a condition of the license has been contravened or not complied with.
- (2) Before the Authority alters, suspends or revokes a license, it shall give the person a 14 days' notice to make representations.
- Breeders register. **20.** The Authority shall maintain a poultry breeder's register.
- Breeding programmes. **21.** The Ministry shall in collaboration with County Governments and other institutions implement poultry breeding programmes.
- Rights and obligations of poultry breeders. **22.** (1) A poultry breeder is entitled to any intellectual property that may arise from their breeding activities and to be recognized as a creator of breeds and custodian of their animal genetic resources.
- (2) Participate in the identification of research needs with respect to their genetic resources;
 - (3) Participate in the identification of research needs with respect to their genetic resources;
 - (4) Where a breeder is a member of an association, they shall, adhere to all aspects of the Association on any matter concerning livestock breeding;
 - (5) Report to the Authority any suspicious matter, activity or circumstances likely to affect or actually affecting breeding; and
 - (6) Keep all and proper records and registers concerning breeding as is required by these regulations
- Conservation of genetic resources and records of breed characteristics. **23.** (1) The Ministry shall in collaboration with County governments and other institutions—

- (a) undertake conservation of poultry genetic resources; and
 - (b) undertake characterization, inventory of indigenous poultry breeds and keep proper records of the breeds' characteristics.
- (2) The Authority shall further monitor the utilization of imported and local poultry genetic resources intended for breed improvement.

PART V: POULTRY FEEDS

Quality of Poultry Feed.

24. (1) Poultry feeds must comply with standards relating to their quality and must be;

- (a) pure and wholesome;
 - (b) produced under clean conditions;
 - (c) free of harmful substances; and
 - (d) labelled appropriately in compliance to the standards.
- (2) The quality of poultry feed shall be in accordance with the provisions of the veterinary public health Act and the Fertilisers and animal foodstuffs Act and any other existing laws.

Feed Formulation.

25. Any person that deals with feed formulation shall, ensure that—

- (a) they are qualified or have access to a person who is a qualified animal;
- (b) nutritionist is engaged on such terms of service as the business can afford, to be responsible for matters of quality control in the poultry feed;
- (c) has, as part of a quality control system, access to an accredited laboratory with adequate staff and equipment;
- (d) has a quality control plan in writing and implemented, and that such a plan includes, in particular and at a minimum, checks on the critical points in the manufacturing process, sampling procedures and frequencies, methods of maintains documentation relating to the raw materials used in final feed products in order to ensure traceability, which documentation must be availed to an inspector upon demand for no longer than may be reasonable in the circumstances so as to limit inconvenience to the operations;
- (e) takes samples of ingredients and of each batch of products manufactured and placed on the market, or of each specific portion of production in the case of continuous production, in sufficient quantity using a pre-established procedure; and
- (f) keeps the samples sealed and labelled for easy identification, ensures that they are stored under conditions which prevent any adulteration or abnormal change in their composition, and readily avails them for inspection for such period as is necessary to ensure traceability.

Proper Storage of poultry feed.

26. (1) Processed poultry feeds shall be separated from unprocessed feed materials and additives in order to avoid any cross-contamination of the feeds.

(2) Poultry feed shall be stored—

(a) in suitable containers and shall be stored in auxiliary housing designed, adapted and maintained in order to ensure good storage conditions; and

(b) in such a way as to be easily identifiable, in order to avoid any confusion or cross-contamination and to prevent deterioration.

(3) Containers and equipment used for the storage, conveying, handling and weighing of poultry feed shall be kept clean, and traces of detergents and disinfectants shall be minimized.

(4) Any spoilage shall be minimized and controlled to reduce pest invasion, and where appropriate temperatures shall be kept at optimum levels to avoid condensation and spoilage and conducive environment for mould growth.

PART VI: POULTRY WASTE DISPOSAL AND MANAGEMENT

Treatment of poultry waste.

27. All poultry waste shall be treated before disposal.

Use of treated poultry waste on Land.

28. (1) The use of treated poultry waste on land shall adhere to the following requirements where appropriate and shall not be stored within—

(a) 100 metres of lakes;

(b) 40 metres of any other waterway, including open areas of water, open field drains or any drain which has been back filled to the surface with permeable material such as stone/aggregate;

(c) 50 metres of a borehole, spring or well;

(d) 250 metres of a borehole used for a public water supply; or

(e) 50 metres of exposed cavernous or karstified limestone features (such as swallow holes and collapse features)

(2) The poultry litter must be spread at the time of next application on the field in which it is stored. The storage period must be no longer than 180 days.

Sterilization of Poultry by Products.

29. (1) Any poultry by products that can be used for animal feed shall pass through a sterilization process as per set standards and existing laws.

(2) After sterilization, every precaution shall be taken to prevent re-infection of the sterilized product and it shall be packed at the sterilizing plant in new bags.

(3) No vehicle or vessel which has been used for the conveyance of unsterilized substances derived from poultry carcasses shall be used for the transport of sterilized poultry products unless it has been first disinfected with a disinfectant solution.

Disposal of poultry carcasses.

30. Poultry carcasses shall be disposed of as regulated by Cap 364 of the Animal diseases Act without prejudice to its future amendments.

Value addition to poultry waste.

31. The Ministry, County Governments, poultry Associations shall encourage and build capacity for the use of Poultry waste for renewable energy such as biogas.

PART VII: TRANSPORTATION OF POULTRY AND POULTRY PRODUCTS

Transportation of poultry.

32. Live birds shall be transported in accordance with the Prevention of Cruelty to Animals Act, Animal welfare and protection bill, Animal health Act and any other existing laws without prejudice to their amendments.

Responsibilities of owners of poultry.

33. (1) The responsibilities of the owners during transportation of poultry shall be—

- (a) ensure the general health, overall welfare and fitness of the animals for the journey;
- (b) ensure compliance with any required veterinary or other certification as per existing laws; and
- (c) guarantee the presence of a poultry handler competent for the species being transported during the journey with the authority to take prompt action;

Responsibilities of transporters of poultry.

34. The responsibilities of the transporter during transportation of poultry shall be—

- (a) ensure the presence of an adequate number of poultry handlers during loading and offloading;
- (b) ensure that equipment and veterinary assistance are provided as appropriate for the transportation of poultry and choosing appropriate vehicles for poultry transportation;
- (c) ensure that properly trained staff are available for loading/offloading of animals;
- (d) ensure adequate competency of the driver in matters of animal welfare for the species being transported incase a separate animal handler is not assigned to the truck;
- (e) develop and keep up-to-date contingency plans to address emergencies (including adverse weather conditions) and minimise stress during transport;
- (f) producing a journey plan which includes a loading plan, journey duration, itinerary and location of resting places;

(g) keep records of all poultry transported; and

(h) ensure the welfare of the poultry during the actual transportation.

Specifications of transportation.

35. (1) Poultry fit for transport should be carefully loaded into clean cages or crates.

(2) The minimum cage and crate dimensions are 8 inches wide, 12 inches deep, and 10 inches tall per bird.

(3) Cages or crates should be well ventilated and of sufficient height to allow the bird to stand.

(4) Cages or crates should have rigid floors and be designed in order to prevent any part of the bird from protruding during travel.

(5) Sharp edges, hinges or latches should not protrude into the cage.

(6) Locking mechanisms, to prevent the birds from escaping during transportation, should be fitted.

(7) Cages or crates should be transported in an upright position to protect the birds from the wind, dangerous temperatures, and inclement weather.

Prohibition.

36. (1) Poultry shall not be transported—

(a) by holding their head, neck, wings or tail;

(b) transport birds in bags;

(c) transport birds with their legs tied;

(d) transport birds in the trunk of a car; and

(e) mix mature males or different species of poultry in a single crate or cage during transport.

(2) Any person that contravenes this Regulation commits an offence.

Transportation of poultry products.

37. Poultry products shall be transported in accordance with public health Act, veterinary public health Act, Meat Control Act and any other existing laws without prejudice to their amendments.

PARVIII: MARKETING OF POULTRY AND POULTRY PRODUCTST

Market Requirements.

38. (1) The Board in collaboration with the Ministry and County Governments shall—

(a) identify market needs and trends in the poultry industry; and

(b) ensure that all poultry and poultry products offered for export) shall conform to the set international and national labelling and packaging standards.

(2) All produce shall be offered for sale in markets designated by the county governments where they are in existence.

(3) The National Government shall provide for anti-dumping measures in accordance with existing treaties and agreements.

(4) A person who contravenes the provisions of this regulation commits an offence and shall be liable on conviction to a fine not exceeding fifty thousand shillings or imprisonment for a period not less than six months, or both.

Market infrastructure and poultry yards.

39. (1) The County Government shall designate and licence Markets and poultry yards for the purposes of trading in poultry and poultry products as set out in the Fourth Schedule.

(2) Designated market places shall promote the principles of animal welfare as provided for in international and national standards.

Marketing information system.

40. The Ministry in collaboration with the County Government shall establish a marketing information system subject to the Act.

Branding and grading of poultry products.

41. (1) The County Governments and poultry associations shall encourage the grading of poultry products in accordance with size, weight, quality/grade description, country of origin and production systems for egg products to ensure international, regional and national competitiveness.

(2) The County Governments and poultry associations shall encourage the grading of poultry products in accordance with weight, quality/grade description, country of origin and production systems for poultry meat products to ensure international, regional and national competitiveness.

(3) All export produce packaging material shall be branded as produce of Kenya.

Promotion.

42. The Board in collaboration with the Ministry shall co-ordinate stakeholders, including County Governments, farmers, breeders, producers, processors and buyers at national and international events for the purpose of promoting Kenya poultry and poultry products in accordance with the Act.

PART IX: POULTRY ASSOCIATIONS

Formation of poultry associations.

43. (1) Every farmer, breeder, processor or producer of poultry and poultry products may subscribe to a local, national or international poultry association and declare it in the Fifth Schedule.

(2) County governments shall maintain up-to-date registers of all poultry associations, dealers in their jurisdiction and share the information with the Ministry and Authority upon request.

(3) The respective County Government may register a poultry association based on the following conditions—

(a) duly registered as an association under existing laws;

(b) geographical area;

- (c) Bye laws, constitution that provides for membership, voting rights, rights and obligations of members including the right to join or leave the association; and
 - (d) finance/ principal officers of the association, submit certificate of registration as legal entity, number of members.
- (4) The County governments shall maintain up-to-date registers of all poultry associations and share the information with the Ministry for planning purposes and capacity building.
- (5) No fee shall be charged for the registration of poultry associations by County Governments.

Objects of Poultry Associations

44. (1) Poultry associations may be formed for the purpose of promoting the economic and social interests or well being of its members and shall have the power to do all things necessary to achieve the said purpose and in particular, but without prejudice to the generality of the foregoing, it shall have the power to —

- (a) contribute to policy development by working with the County and National Government Ministry in charge of livestock markets;
- (b) provide extension services and training facilities in partnership with the County/ National Government to their members so as to equip them with skills, knowledge and technology essential for the advancement of the poultry industry;
- (c) organise a wide variety of events and discussion groups;
- (d) expand poultry production amongst its members;
- (e) make available supplies and daily necessities including other facilities required for progressive poultry production;
- (f) provide mechanization facilities and services necessary in modernizing poultry production and processing processes;
- (g) provide credit facilities and services and to promote greater investment in poultry production, processing and other economic pursuits;
- (i) promote, encourage, facilitate and offer services for savings;
- (j) data preservation of poultry production, breeding and any other relevant data;
- (k) provide marketing services, storage, cooling facilities, warehousing and other facilities;
- (l) operate and provide transportation facilities to enhance marketing and related operations;
- (l) establish and operate processing plants and complexes necessary for processing of poultry products;
- (m) promote value addition;

- (n) facilitate capital formation and investment among members or member-units through the establishment of companies or equity participation in trading and business ventures;
- (o) promote and stimulate group action through various community projects and facilitate leadership development;
- (p) provide social services, educational and recreational facilities to enhance the social advancement and wellbeing of their members;
- (q) encourages farmers to keep flock register;
- (r) facilitate storage tanks for poultry waste;
- (s) pricing of poultry and poultry products.

PART X: CAPACITY BUILDING AND EXTENSION SERVICES

Knowledge and skills Management.

45. (1) The Authority shall—

- (a) in collaboration with the Ministry, identify gaps in capacity building of industry actors through the entire value chain; and
- (b) the Authority shall set standards for the delivery and regulation of extension services.

(2) The Ministry shall—

- (a) establish a training curriculum and offer technical assistance in training to the County Governments.
- (b) support and facilitate knowledge and modern skills transfer in poultry production and processing.
- (c) the County Government shall establish a capacity building program and provide extension services to industry actors in the value chain.

PART X1: TECHNOLOGY

Acquisition, innovation, importation, improvement and transfer of technology.

46. (1) The Ministry shall collaborate with partners and stakeholders to develop and promote production, marketing and processing technologies and innovations along the poultry industry value chain.

(2) The Ministry, County Governments, poultry associations and stakeholders shall encourage innovation of technology.

(3) Technology shall only be imported into the Country if the technology—

- (a) is tested, as per existing laws;
- (b) increases productivity;
- (c) is not obsolete in the Country of origin;

(d) adheres to standards of animal welfare as per international standards and existing laws; and

(e) adheres to any other standards as enumerated in existing laws,

(4) The achievements of improved technology shall belong to the improving party in accordance with existing laws on intellectual property.

Promotion of technology use.

47. The Ministry, County Governments and poultry associations shall promote the use of technology and offer capacity building for the use of novel technology.

Establishment of technology and service delivery hubs

48. The County Governments in collaboration with the Ministry, development partners and private sector may establish technology dissemination and services delivery hubs.

PART XII: FINANCING THE POULTRY INDUSTRY

Public private partnerships and revolving fund.

49. (1) The National Government and County Governments shall actively seek public private partnerships to fund the industry aimed at increasing productivity and ensuring innovation and modernization of the industry.

(2) A County Government may facilitate establishment of a revolving fund to finance the industry in their respective jurisdictions.

(3) The Counties shall make legislation to provide for the establishment of the revolving fund.

(4) All monies received in form of donations, grants from government departments, commodities fund and development partners shall be paid into the revolving fund.

Conducive environment.

50. The National Government shall provide a conducive environment that encourages the banks, private firms, micro finance institutions, development partners, the cooperative societies, the non-governmental organizations and the community-based organizations to advance more credit to poultry farmers.

Financing by poultry associations.

51. Poultry associations shall extend credit to its members.

PART XIII: POULTRY INSPECTORS

Appointment of inspectors.

52. Inspectors shall be appointed by the Authority in consultation with County Governments in accordance with the qualifications as established by the Authority, to be inspectors for the purposes of these regulations.

Training of inspectors.

53. (1) The Authority shall develop training curriculum and offer regular training to poultry inspectors to ensure effective carrying out of their duties.

(2) A prospective poultry inspector shall undergo mandatory training on inspections recommended by the Authority before being appointed.

Gazettement of inspectors.

54. The Authority shall publish in the Gazette all poultry inspectors who have successfully undertaken the mandatory training within thirty days upon completion of the training.

Identification of inspectors.

55. An inspector shall at all times while carrying out their duties, identify themselves using a designated identification certificate issued to them by the Authority, attesting to their designation.

Functions of inspectors.

56. (1) Inspect infrastructure such as the architectural design and construction of poultry housing.

(2) Inspection of poultry registration records.

(3) Inspect poultry waste management.

(4) Inspect poultry and poultry products.

Duties of inspectors

57. (1) A person appointed as an inspector shall comply with the Constitution and the Public Officer's Ethics Act and maintain confidentiality.

(2) Every inspector shall maintain, in such a manner as the Authority shall prescribe, a record of their work.

Powers of inspectors.

58. (1) Inspectors shall have power to—

(a) enter any premises where any article to which these regulations apply is prepared, preserved, packaged, stored or conveyed, examine any such article and take samples thereof, and examine anything that is used or capable of being used for such preparation, preservation, packaging or storing or conveying;

(b) stop or search or detain any aircraft, ship or vehicle in which an inspector believes that poultry, poultry products, inputs and equipment are being conveyed and to examine any such article and take samples thereof;

(c) open and examine any receptacle or package which contains any article to which these regulations apply;

(d) examine any books, documents, or other records found in any place mentioned in paragraph (a) that the inspector has reason to believe contain any information relevant to the enforcement of these regulations with respect to any article to which these regulations apply and make copies thereof or take extracts therefrom;

(e) direct that any part of premises which an inspector has power to enter, or anything in such premises, shall be left undisturbed for so long as is reasonably necessary for the purpose of any test or inspection; and

(f) seize and detain for such time as may be necessary any article by means of or in relation to which he believes any provision of the regulations apply.

Obstruction of inspectors.

59. A person who hinders obstructs an inspector in the exercise of their duties under these regulations if—

- (a) fails to comply with a lawful order made by an inspector;
- (b) refuses an inspector entry upon any land or into any premises or vessel which he is empowered to enter;
- (c) impersonates an inspector;
- (d) refuses an inspector access to records or documents kept pursuant to the provisions of the Act or regulations;
- (e) misleads or gives wrongful information to an inspector; or
- (f) removes, alters or interferes in any way with articles seized under the Act or this regulations without the authority of an inspector, commits an offence.

Impersonation of inspector.

60. A person who carries out the functions of a poultry inspector without having been duly appointed by the Authority commits an offence and shall be liable, on conviction, to a fine of five hundred thousand shillings, or to imprisonment for a period of one year, or to both.

PART XIV—MISCELLANEOUS PROVISIONS

Digitization.

61. (1) The Ministry, County Governments, farmers, breeders, producers and processors shall digitize their operations for efficient service delivery and information dissemination.

(2) The digitization process shall detail—

- (a) multiple parties can access a common system;
- (b) flow of data takes place seamlessly across the value-chain;
- (c) the system is safe and secured and protected against unauthorized entry or access;
- (d) access to the system is properly regulated and monitored; and
- (e) the records are not lost, destroyed or tampered with, and in the event of any loss or destruction, sufficient back-up is available in a secure place.

(3) The digitization referred to in sub-regulation (1) shall require the conversion of the entire value chain into a digital platform based on automation, computerization, integration across the value-chain and digital instrument usage including storage and inventory management.

(4) The digitization referred to in this regulation shall be put in place within a period of twelve months from the date of commencement of these Regulations.

- Automation. **62.** The Ministry and County Governments shall encourage farmers, breeders, producers and processors and any other industry actors to automate for increased productivity.
- Information and data sharing. **63.** The County Governments shall share the information on registered poultry farms, market access with the Ministry on a monthly basis or other agreed timelines.
- Value Addition. **64.** The Ministry shall offer technical assistance and capacity building to County Governments and other stakeholders to ensure value addition of poultry products.
- Use of Forms. **65.** The Ministry in consultation with the County Government or vice versa as the case may be, may make such modifications, alteration or additions to the prescribed Forms from time to time to enable effective use of the forms including their use electronically.
- Offences. A person who commits an offence under these Regulations, for where no penalty is provided, shall be liable upon conviction, to a fine not exceeding five hundred thousand shillings or to a term of imprisonment not exceeding one year or to both

SCHEDULE

FIRST SCHEDULE

(r.6 (1)) (r. 7)

FORM PR1

COUNTY GOVERNMENT OF.....

Compulsory Poultry Registration Form - Keeper of Birds for Commercial Purposes

Use this form to register flocks for commercial purposes. You must do this within one month of keeping birds at your site. You can choose to register flocks kept for other purposes than commercial purposes by completing the Voluntary Poultry Registration Form - (PR2).

The law applies to:

Birds you keep captive for any period of time.

flocks made up of different species, such as chickens, ducks, turkey, guinea fowl, ostrich, geese or any other birds kept for:

- the consumption of meat and eggs or other commercial purposes.
- restocking game birds, or
- breeding for the three purposes above

You must complete this form if you are in charge of the day-to-day care of the poultry (**the keeper**). You must complete all fields marked with an * or add 'N/A' as appropriate.

Section 1: Keeper Details

*Title (tick): Mr Mrs Miss Ms Other (specify)

*Surname: *Forename:

*Address:

*Postcode:

*Telephone No.: *Mobile No.:

*Email address:

Section 2: Occupier

Give details of the person/company that rents or owns the site(s) where you keep poultry (if different to Section 1)

*Business activity:

Farmer/ Breeder Hobbyist/Pet owner Poultry Company

Trading name (if applicable):

*Title (tick): Mr Mrs Miss Ms Other (specify)

*Surname: *Forename:

*Address:

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(If different to Section 1)

*Postcode:	
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*Telephone No.:

--

*Mobile No.:

--

*Email address:

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*Name and address of each site where you keep poultry If this differs from Sections 1 or 2	*Name and address of the owner of the site If this differs from Sections 1 or 2	*Name and address of the poultry owner If this differs from Sections 1 or 2

Section 4: Details of the Birds Kept

List every species separately

*Species (such as chicken, turkey, guinea fowl,	*Number of birds You Usually	*Production details State what the birds are kept for.	*Husbandry System Refer to the	*Farm management system	*Do your stocking arrangements change during	*Do the birds have access to	*Name of the site(s) where you keep

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quail, ostrich, Ducks and any other species)	Keep	Refer to the choices below this table	choices below this table	Refer to the choices below this table	the year? If yes, complete Section 5	the open air?	each species	

Production Details	
Egg Laying	Reared for meat
Breeding for egg laying	Showing
Growing pullets up to point of lay	Hobby/ pet
Breeding for Meat	

Husbandry System
1. Indoors only - Floor
2. Indoors only - Caged
3. Both Indoors and Outdoors
4. Outdoors only - Penned/Paddock
5. Outdoors only - Caged

PRODUCTION SYSTEM	DEFINITION
Intensive	Your birds are generally indoors with no outside access. You keep birds at a higher stocking density than 25kg/m2
Semi Intensive	Birds are typically housed and fed in a shelter but are allowed to free range during the day.
Free Range	Birds are allowed to roam freely outdoor rather than being confined to a shelter or a building. Birds should be housed at

	night to protect them from predators and adverse weather condition.
Organic	You're registered with a Kenya approved organic control body..

Section 5: Other Relevant Information

If you supply or grow poultry for another business, provide its business name, address and contact details:

Do you own or operate a hatchery? Yes No

List other livestock you keep (cattle or other bovines, sheep, goats, pigs and deer including livestock kept as pets)

Section 7: Declaration

I confirm that the information given in this registration form is correct:

*Signature

*Name in

BLOCK LETTERS

*Date

Keep your details up to date

You must contact the County Government within **one month** if:

- a) you no longer keep or own poultry
- b) the contact information you gave changes
- c) the size of your flock changes by 20%
- d) you change the species you keep

Submit your completed form

You have the following options:

Email a scanned copy to

Post the form to:

Stamp	Name:		Date Received:		WS ID:	
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FORM PR 2

r. (9(2))

COUNTY GOVERNMENT OF

Voluntary Poultry Registration Form - Keeper of Birds for other purposes other than commercial purposes

Use this form if you keep birds for other purposes than commercial purposes even if you keep them as pets. If you keep birds for commercial purposes, you must complete the Compulsory Poultry Registration Form - (PR1). You are breaking the law if you do not register birds kept for commercial purposes.

In completing this form you agree to the County Government contacting you in the event of disease outbreaks in your area. You also agree to the County Government giving you advice and information on biosecurity and animal disease control. Your details may be shared with other government departments.

The law applies to:

Birds you keep captive for any period of time.

flocks made up of different species, such as chickens, ducks, turkey, guinea fowl, ostrich, geese or any other birds kept for:

- the consumption of meat and eggs or other commercial purposes.
- restocking game birds, or
- breeding for the three purposes above

You must complete this form if you are in charge of the day-to-day care of the poultry (**the keeper**). You must complete all fields marked with an * or add 'N/A' as appropriate.

Section 1: Keeper Details

*Title (tick): Mr Mrs Miss Ms Other (specify)

*Surname: *Forename:

*Address:
*Postcode:

*Telephone No.: *Mobile No.:

*Email address:

Section 2: Occupier

Give details of the person/company that rents or owns the site(s) where you keep poultry (if different to Section 1)

*Business activity:

Farmer/ Breeder

Hobbyist/Pet owner

Poultry company

Trading name (if applicable):

*Title (tick):

Mr

Mrs

Miss

Ms

Other (specify)

*Surname:

*Forename:

*Address:
(If different to
Section 1)

*Postcode:

*Telephone No.:

*Mobile No.:

*Email address:

<p>*Name and address of each site where you keep poultry</p> <p>If this differs from Sections 1 or 2</p>	<p>*Name and address of the owner of the site</p> <p>If this differs from Sections 1 or 2</p>	<p>*Name and address of the poultry owner</p> <p>If this differs from Sections 1 or 2</p>

Section 4: Details of the Birds Kept

List every species separately

*Species (such as chicken, turkey, guinea fowl, quail, ostrich, Ducks and any other species)	*Number of birds You Usually Keep	*Production details State what the birds are kept for. Refer to the choices below this table	*Husbandry System Refer to the choices below this table	*Farm management system Refer to the choices below this table	*Do your stocking arrangements change during the year? If yes, complete Section 5	*Do the birds have access to the open air?	*Name of the site(s) where you keep each species	

Production Details	
Egg Laying	Reared for meat
Breeding for egg laying	Showing
Growing pullets up to point of lay	Hobby/ pet
Breeding for Meat	

Husbandry System
5. Indoors only - Floor
6. Indoors only - Caged
7. Both Indoors and Outdoors
8. Outdoors only - Penned/Paddock
5. Outdoors only - Caged

PRODUCTION SYSTEM	DEFINITION
Intensive	Your birds are generally indoors with no outside access. You keep birds at a higher stocking density than 25kg/m ²
Semi Intensive	Birds are typically housed and fed in a shelter but are allowed to free range during the day.
Free Range	Birds are allowed to roam freely outdoor rather than being confined to a shelter or a building. Birds should be housed at night to protect them from predators and adverse weather condition.
Organic	You're registered with a Kenya approved organic control body..

Section 5: Other Relevant Information

If you supply or grow poultry for another business, provide its business name, address and contact details:

Do you own or operate a hatchery?

Yes

No

List other livestock you keep (cattle or other bovines, sheep, goats, pigs and deer including livestock kept as pets)

Section 7: Declaration

I confirm that the information given in this registration form is correct:

*Signature

*Name in

BLOCK LETTERS

*Date

Keep your details up to date

You must contact the County Government within **one month** if:

- e) you no longer keep or own poultry
- f) the contact information you gave changes
- g) the size of your flock changes by 20%
- h) you change the species you keep

Submit your completed form

You have the following options:

Email a scanned copy to

Post the form to:

Stamp	Name:		Date Received:		WS ID:	
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THIRD SCHEDULE

Form PR4

Specification for housing for different flocks (r.11(2))

No	species	Production system	Stocking density/(kgm ²)
1	Breeding stock	Free range	38kg/sq.m
		Semi intensive	
		intensive	
2	broilers	Free range	27.5/sq.m
		Semi intensive	
		Intensive	38kg/sq.m
3	Layers	Free range	
		Semi intensive	
		intensive	30 kg/sq.m
4	Turkey	Free range	50 Birds per hectare

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		Semi intensive	
		intensive	6.2 kg and under-40kg/sq.m Over 6.2kg not more than 10kg- 45kg/m ² Over 10.8kg not more 13.3 kg-50kg/sq.m Over 13.3 kg- 55kg/sq.m
5	Geese	Free range	Growers-600 birds per hectare Light breeders-15 birds per hectare Heavy breeding stock-12 birds per hectare
		Semi intensive intensive	 15 birds/sq.m
6	Ducks	Free range	
		Semi intensive	
		intensive	7 birds/ m ²
7	Guinea fowl	intensive	10 birds/sq.m
8	Quail	intensive	5 birds/sq.m
9	Ostrich	Free range	100 birds per hectare in high rainfall areas

			50 birds per hectare in dry areas.
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FOURTH SCHEDULE

Requirements for Markets and Poultry Yards (r.39(1)).

All Markets and poultry yards dealing in Poultry and Poultry products shall be designed in accordance with existing international and national laws to ensure safe handling, preservation and enforcement of relevant standards. All produce facilities shall be designed to provide for access for Persons Living With disabilities (PLWD).

The designs should also provide for but are not limited to:

- I. Separate market area for live birds, pet birds, and poultry products such as eggs, feathers and other products as the case may be.
- II. Space requirement for holding pens per bird for chicken shall be 0.17m², turkey 0.47 and ducks 0.35.

- III. Weighing, cleaning, sorting, grading, display, packaging, labelling, storage and processing.
- IV. Shaded market structures,
- V. Waste management system,
- VI. Hygiene and sanitation,
- VII. Training, and information hubs facilities
- VIII. Security fence, lights and gate,
- IX. Utilities like water and electricity
- X. Loading and offloading ramps
- XI. Parking Space,
- XII. Office and ICT facilities including for inspectors
- XIII. Inspection area and facilities
- XIV. Storm water drainage.
- XV. Access roads-accelerating and decelerating roads
- XVI. Cold storage facilities

FIFTH SCHEDULE

REGULATION 29

Form BPA (r 43(1)).

COUNTY GOVERNMENT OF

APPLICATION FOR REGISTRATION OF POULTRY ASSOCIATION

To

The County Government of -----,

I/We

..... (Manager/Director(s)/agent of
.....
.....

(Name of poultry association)

1. Physical Address:.....Market.....Location Sub-
County

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

Fax:E-mail

3.. (name of agent) apply for the registration
of (name of poultry association).

5. The registered office of the Association will be at

6. Copies of the following documents are attached to this application—

- (a) the memorandum and articles of association/or partnership agreement;
- (b) the Certificate of Incorporation/Registration;
- (c) the profiles of the investor(s) and directors/principal officers;
- (d) the register of members.

7. The Head Office of the institution /Company will be situated at

8. The Principal Officers of the Company and their qualifications are:

9. The date of the end of the financial year is

Signature
.....

Registered poultry Association stamp

Applicant's Declaration

I, of Post Office Box Number
..... sincerely declare that I am a manager/director/principal
officer/duly authorized agent of
.....(name of poultry association)

AND that all the requirements of the Livestock Act and any other existing laws in respect of matters precedent to the registration of this Poultry Association and the business enterprise under other Acts and incidental thereto have been complied with, AND I make this declaration believing the same to be true.

Declared at }
} Authorized officer

Theday of 20...}

Before me:

.....

Commissioner for Oaths/Notary Public

Attach certified copies of documents only where applicable

APPLICATION SUMMARY (for official use only)

Made on the, 2023.

MITHIKA LINTURI,
Cabinet Secretary for Agriculture and Livestock Development.