

ACCESSING THE EAC MARKET-KENYA'S PLANTS IMPORT REQUIREMENTS

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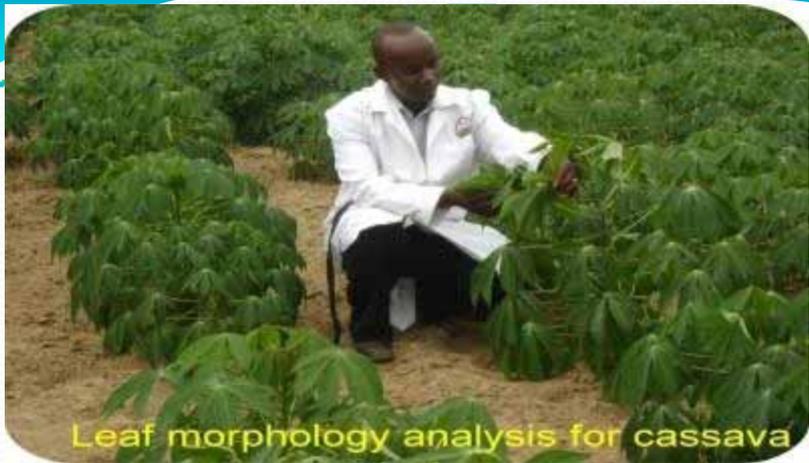
Kenya Plant Health Inspectorate Service

(KEPHIS)

- **Kenya's National Plant Protection Organisation(NPPO)**
- **A state corporation under Ministry of Agriculture, Livestock and Fisheries**
- **Established under the State Corporations Act (Cap 446)**
- **Commenced operation in Nov. 1997**
- **Regulates agricultural sector through the application/enforcement of SPS measures**

KEPHIS' Mandate

- **Coordinate all matters relating to crops pests and disease control**
- **Establish service labs to monitor the quality and levels of toxic residues in plants, soils, crop and animal produce**
- **Administer plant breeders rights**
- **Undertake inspection, testing, certification, quarantine control, variety testing and description of seeds and planting materials**
- **Undertake grading and inspection of plants and plant produce at the ports of entry/exit**
- **Develop and implement standards for both locally produced and imported seeds**
- **Approve all importation and exportation of licenses for plants and seeds**



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Legal Framework

The National legislations that provide the authority for KEPHIS operations include but not limited to:

- ▶ **Cap 324- The Plant Protection Act**
- ▶ **Cap 325- The Suppression of Noxious Weeds Act**
- ▶ **Cap 326- The Seeds and Plant Varieties Act**
- ▶ **Cap 319- The Agriculture Produce (Export) Act**
- ▶ **Others (The Fertilizer and Animal Foodstuffs Act, Cap 345 and The Pest Control Products Act, Cap 346)**
- ▶ **The crops Act, 2012**
- ▶ **KEPHIS Act, 2011**

Plant Import Regulations in Kenya

- Imports which are made under permit:

Plants that carry little risk, imports permitted from clearly defined areas of the world where risk free after risk assessment.

- Importation through quarantine facility:

Import carries a risk of introducing dangerous organisms.

- Importations which are prohibited

The material poses risk of introducing pest and disease that can cause serious damage to the agriculture and environment. Materials may be imported after approval by KSTCIE

- Pest Risk Analysis (PRA) done for prohibited plants and also for new import requests

Plant Import Regulations in Kenya

All plant material and regulated articles including those for use in the nurseries

- **Apply for Plant Import Permit (PIP) from KEPHIS (details import conditions)**
- **For seed also notice to import seed (Form SR14)**
- **NPPO of the country of origin issue Phytosanitary Certificate based on inspection to certify conditions in PIP are met**
- **All plant materials/ regulated items to be declared at point of entry (non compliance leads to product rejection)**
- **It is an offence not to comply with phytosanitary regulations**

Grain Product Inspection Procedures



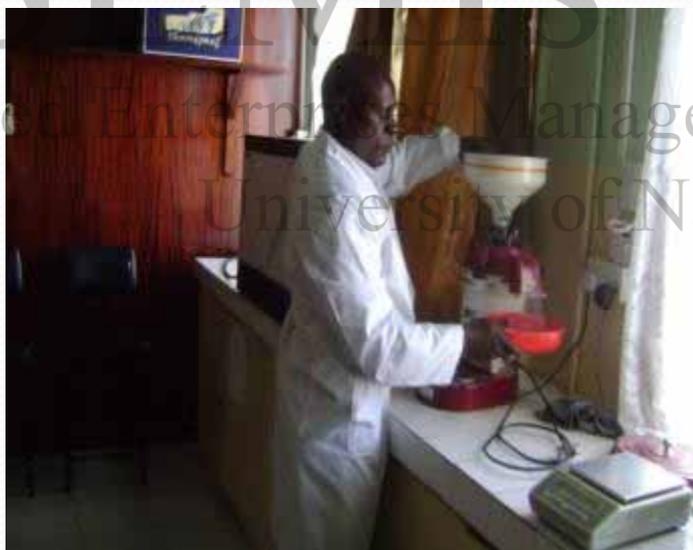
- Import and Export Product Identity/ Traceability.
- **Inspection procedures**
 - ✓ Inspection request
 - ✓ Document verification
 - ✓ Payment for inspection fee (import permit)
 - ✓ Actual inspection
 - ✓ Entry / advice / Rejection
 - ✓ Phytosanitary cert. for exports



Grain Sampling and Testing



- Bulk Grain sampling
- Bagged / containerized Grain sampling
- Grain Testing;
 - Moisture content compliance
 - Aflatoxin / mycotoxins
 - GMO / LMO presence



Import requirements-Maize(corn) Cont..

- Grain for consumption imported under Permit
- Permit shall include the following conditions:-
- Additional declaration as follows:
- Downy mildew, *Peronosclerospora maydis* (Racib.) C. Shaw (Synonym *Sclerospora maydis*) does not occur in the country of production or the grains were produced in a place of production free from Downy mildew, *Peronosclerospora maydis* (Racib.) C. Shaw (Synonym *Sclerospora maydis*);
- The grains shall be free from storage pests
- Fumigation required

Import requirements-Maize(corn) Cont..

- ▶ True seeds
- ▶ Permit shall include the following conditions:-
- ▶ Additional declaration as follows:
Sclerospora graminicola, *Schroot* and *Peronosclerospora sacchari*
Stewart's disease/Bacterial wilt of maize, *Pantoea stewartii*,
Pseudobacterium stewartii, Maize chlorotic mottle virus, sugarcane mosaic virus and *Cephalosporium maydis* are not known to occur in the country of origin.
- ▶ OR
- ▶ (ii) The seed was harvested from fields which have been inspected during active growth and found to be free from systemic form of *Xanthomonas stewartii*, *Erwinia stewartii*, *Pseudobacterium stewartii*, visible signs of Maize chlorotic mottle virus, sugarcane mosaic virus and *Cephalosporium maydis*
- ▶ Seeds should be free from Loose smut *Ustilago* (syn. *Ustilago maydis* (DC)
- ▶ c)The seed was treated with fungicidal and systemic insecticides before dispatch

Import requirements-Rice

- True seeds imported under quarantine
- Exclusion of seed-borne nematodes, bacterial, fungal and viral diseases of rice including: *Ditylenchus angustus* (Syn. *Ditylenchus angustus* , *Aphelenchoides besseyi*, (Syn . *Aphelenchoides oryzae*)
- *Trichoconiella padwickii*, (Syn *Alternaria padwickii* ,*Tilletia barclayana* *Sclerophthora macrospora* *Monographella nivalis*, (Syn *Microdochium nivale* *Cochliobolus sativus*, *Thanatephorus cucumeris* Syn *Thanatephorus praticola* ,*Balansia oryzae-sativae*, *Burkholderia glumae*, *Xanthomonas oryzae*, *Pseudomonas fuscovaginae*

Import requirements-Rice Cont..

- Seed treatment with appropriate chemical/hot water treatment to exclude pests of rice including:
Trichoconiella padwickii, (Syn *Alternaria padwickii*).

Milled polished and parboiled rice

- Permit
- Permit shall include the following conditions:-
 - a) Phytosanitary Certificate (International model or its equivalent)
 - b) Additional declarations as follows:-

All insects have been killed by appropriate treatment before dispatch.

Import requirements-Wheat

True seeds

- ▶ Permit shall include the following conditions:
 - The parental materials were produced in an area free from *Urocystis agropyri*, Karnal bunt-*Tilletia indica* Mitra , *Tilletia controversa*, *Tilletia tritici* , yellow slime disease *Rathayibacter tritici* (syn. *Corynebacterium tritici*, *Anguina tritici* ,*Sclerophthora macrospora* , *Pseudomonas fuscovaginae*, *Pseudomonas syringae* pv. *syringae* , *Rathayibacter tritici*, *Xanthomonas translucens* pv. *translucens* are not known to occur in the country of origin/area of production/place of production.
 - The seed was treated with a appropriate seed dressing before dispatch
- ▶ (NB: Details to be stated on Phytosanitary Certificate).

Import requirements-Wheat cont...

- **Unmilled grain for consumption-imported under permit**
- **Permit conditions include:-**
- **The grains were produced in an area free from *Urocystis agropyri* (Preuss) (syn. *Urocystis tritici* Korn.), Karnal bunt-*Tilletia indica* Mitra,**
- **Free from storage pests and noxious weed seeds**
- **Kenya has an agreement on facilitation of importation of wheat from USA into Kenya. restricts importation to areas where APHIS is able to certify compliance with Kenya's requirements**

Import requirements- Lentils

- Grain
- Permit shall include the following conditions:
- a) Phytosanitary certificate (International model or its equivalent).
- b) Additional declaration as follows:
- *Trogoderma granarium* (khapra beetle) and other pests and seeds have been killed by appropriate treatment before dispatch
- True seed
- Permit shall include the following conditions:
- Phytosanitary certificate (International model or its equivalent).
- The seed was produced in an area where Pea seed-borne mosaic virus, *Fusarium oxysporum* f.sp. *lentis* (vascular wilt of lentil), *Ditylenchus dipsaci* (stem and bulb nematode) are not known to occur
- OR
- The seeds were inspected during active growth and found free from Pea seed-borne mosaic virus, *Ditylenchus dipsaci* (stem and bulb nematode)
-

Import Requirements-Peas

Grain for processing or consumption

- **Permit shall include the following conditions:-**
- **Phytosanitary Certificate (International model or its equivalent)**
- **(i) The consignment should be imported as split peas**
- **(ii) The grains were fumigated with appropriate chemicals before dispatch, details of which should be indicated in the phytosanitary certificate.**

Import Requirements-Peas Cont..

True seeds

- Permit shall include the following conditions:-
- Phytosanitary Certificate (International model or its equivalent)
- b) Additional declarations as follows:-
- i) The seed was harvested from fields which have been inspected during active growth and found to be free from virus Bean yellow mosaic virus, Cucumber mosaic virus, Peanut mottle virus, Pea seed-borne mosaic virus, Peanut stunt virus, Tobacco streak virus, Broad bean wilt virus, Pea early-browning virus ii) *Pseudomonas syringae* pv. *pisi* (Sackett) Young *et al.* (syn. *Pseudomonas pisi* socket, *Chlorobacter pisi* (Sackett) Patel & Kulkarni 1951)), *Heterodera glycine* and *Rhodococcus fasciens*(syn. *Corynebacterium fascians*) are known not to occur in the country of origin.

Import Requirements-Peas Cont..

- ▶ OR
- ▶ iii) The seed was harvested from field which has been inspected during active growth and found to be free from *Pseudomonas syringae* (syn. *Pseudomonas pisi* socket), *Heterodera glycines* and *Rhodococcus fasciens* (syn. *Corynebacterium fascians*).
- ▶ (iii)The seeds were treated with appropriate fungicides against the following pathogens before dispatch *Uromyces viciae-fabae* J. Schröt. (1875); *Alternaria brassicae* (Berk.) Sacc.; *Ascochyta pisi* Lib; *Colletotrichum truncatum*; *Verticillium dahlia*; *Erysiphe pisi* var *pisi* (Vanha) Weltzien; *Sclerotinia sclerotiorum* (Lib.) de Bary; *Cochliobolus sativus* (S. Ito & Kurib.); *Didymella pinodes* (Berk. & Bloxam) and *Choanephora cucurbitarum* (Berk. & Ravenel); *Phoma pinodella* (L.K. Jones); *Gibberella avenacea* R.J. Cook; *Cochliobolus lunatus* R.R. Nelson & Haasis and *Choanephora cucurbitarum* (Berk. & Ravenel)

Import Requirements-Beans

True seed- USA

- ▶ Quarantine
- ▶ The seed was harvested from fields that have been inspected during active growth and found to be free from *Curtobacterium flaccumfaciens* pv. *flaccumfaciens* (Hedges) Collins & Jones (syn. *Corynebacterium flaccumfaciens* (Hedges) Dowson and other details as per the Bilateral Agreement between KEPHIS and APHIS
- ▶ The seed was harvested from fields that have been inspected during active growth and found to be free Peanut Stunt Virus, Tobacco streak virus, Broad bean wilt virus, Soybean mosaic virus, Tobacco etch virus, Tobacco necrosis virus, Southern bean mosaic virus, Tobacco Mosaic Virus, Tobacco rattle virus. *Ditylenchus africanus*
- ▶ Need to screen the list confirm if beans are main hosts

Import Requirements-Beans Cont..

- Whole grain for consumption, processing and commercial samples
- Prohibited from Bulgaria, Hungary, Mexico, Yugoslavia, Australia and the United States of America and all countries where *Curtobacterium flaccumfaciens* pv. *flaccumfaciens* (Hedges) Collins & Jones (syn. *Corynebacterium flaccumfaciens* (Hedges) Dowson) occurs.

Import Requirements-Peanuts

- Vegetative propagating material and true seeds-Quarantine
- Reason: Exclusion of rusts, nematodes and virus diseases of groundnuts
- Unshelled nuts for consumption- Permit
- Permit shall include the following conditions:-
 - a)Additional declarations as follows:
 - The consignment is free from *Caryedon serratus* (Olivier) (syn. *Caryedon ganogra* F., *Bruchus serratus* Olivier, *Careydon sicutensis* (Pic), *Caryedon acaciae* auct., *Caryedon fuscus* (Goeze),
 - AND
 - The whole consignment together with the packing material was fumigated with appropriate fumigant.
- (NB Details to be stated on the Phytosanitary Certificate).

Grain Production

| Production in different years (MT) | | | | | | |
|-------------------------------------|---------|---------|---------|---------|---------|---------|
| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| Maize | 2.9 M | 2.5 M | 1.8 M | 2.8 M | 3.6 M | 2.8 M |
| wheat | 288,642 | 229,200 | 252,000 | 225,000 | 442,000 | 320,000 |
| Rice | 63,240 | 37,198 | 36,000 | 43,000 | 55,000 | 60,000 |
| Sorghum | 54,316 | 99,000 | 130,000 | 130,000 | 167,000 | 175,000 |

Sources; Tegemeo institute. Egerton, NCPB, MOA, food security portal, USDA, FAO, 2009a, KARI.

Grain Production, Import and Export in Kenya

| IMPORT (MT) | | | | | | |
|--------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Grain | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| Maize/corn | 243,600 | 1,512,000 | 608,000 | 370,000 | 250,000 | 800,000 |
| Wheat | 538,500 | 600,000 | 720,000 | 1.1 m | 1.14m | 1.4m |
| Rice | 270,000 | 350,000 | 300,000 | 300,000 | 360,000 | 400,000 |
| Sorghum | 9,000 | 58,822 | 5,000 | 5,000 | 100,000 | 50,000 |
| Total | 1,061,100 | 2,520,822 | 1,633,000 | 1,775,000 | 1,850,000 | 2,650,000 |
| EXPORT (MT) | | | | | | |
| Grain | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| Maize | 20,940 | 20,860 | 22,560 | 5,000 | 7,000 | 5,000 |
| Wheat | 2,078 | 9,000 | 5,000 | 0 | 10,000 | 10,000 |
| Rice | 1,214 | 0 | 0 | 0 | 0 | 0 |
| Sorghum | 0 | 27,000 | 25,000 | 25,000 | 25,000 | 10,000 |
| Total | 24,232 | 56,860 | 52,560 | 30,000 | 42,000 | 25,000 |

Trade with the USA Vs The World

| Commodity | Kenya's imports from the rest of the world(Value in USD thousands) 2011 | Kenya's imports from the USA (Value in USD thousands) 2011 |
|-----------|---|--|
| Lentils | 183 | 0 |
| Peas | 86 | 0 |
| Beans | 5,202 | 21 |
| Wheat | 356,186 | 9,689 |
| Maize | 124,733 | 9 |
| Rice | 141,590 | 98 |
| Sorghum | 14,619 | 2,392 |

Source: UN COMTRADE

Harmonization of quality Standards

- **The EAC and the national bureaus of standards from the five EAC countries currently collaborating to develop harmonized quality standards for 22 staple foods products. The seven main staple categories include:**
 - **Rice and rice products**
 - **Beans and similar legumes**
 - **Millet**
 - **Sorghum**
 - **Cassava**
 - **Wheat and other grains**

Harmonization of quality Standards-EAC

| Grains and flours | Pulses | Edible oils | Tubers |
|---|---|---|--|
| Maize grains* Milled maize products* Wheat grains* Wheat flour* Pearl millet grains* Finger millet grains Millet flour* Sorghum grains Sorghum flour* Rough rice Brown rice Milled rice* | Dry beans* Green grams* Seed potato Chickpeas Cowpeas Pigeon peas Dry whole peas Lentils Dry split peas Dry soybeans Faba beans Groundnuts (raw and roasted) | Edible corn oil Edible soybean oil Edible cottonseed oil Edible sunflower oil Edible groundnut oil Edible palm oil | Cassava (fresh, sweet) Dry cassava chips Cassava flour Cassava/wheat composite flour Food grade cassava starch Cassava chips Method for determination of total cyanogens in cassava Seed potato Fresh potatoes Potato crisps Frozen potato chips Fried potato chips |

Harmonization of SPS measures

- Development of an EAC-SPS protocol by the partner states.
 - The protocol's objectives are:-
 - Promoting trade in food and agricultural commodities within the Community and the Community with other trading partners ;
 - Providing for a framework for implementation of WTO SPS Agreement within the Community;
 - Strengthening the implementation of the principles of harmonization, equivalence, regionalization, transparency and risk assessment envisioned by the WTO SPS Agreement within the Community;
 - Strengthening cooperation and coordination of sanitary and phytosanitary measures and activities at national and regional level based on common understanding and the application within the Community
-
- Protocol approved by the heads of states
 - Process of Ratification of the protocol by Partner states on-going

Impact on Trade

- **International trade Important to Kenya. It is an engine in economic growth and is expected to contribute into achievement of vision 2030**
- **However, trade in agriculture carries risk of introduction of pests and diseases that can be harmful to agriculture and environment**
- **To facilitate safe trade, the government has put up institutions like KEPHIS.**
- **Import requirements provide guidelines for safe trade facilitation.**

Challenges facing enforcement of import requirements

- Emergence of new pests
- Handling capacity in terms of quarantine materials
- Inadequate import documents
- Porous border points

Required Capacity Building

- Staff Training
- Strengthening of Quarantine facility
- Pest Risk Analysis
- Treatment facilities
- Inspection Equipment

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THANK YOU

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