



LEGAL NOTICE NO.....

THE CROPS ACT, 2013
(No. 16 of 2013)

THE CROPS (MIRAA) REGULATIONS, 2021

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THE CROPS ACT, 2013

(No. 16 of 2013)

IN EXERCISE of the powers conferred by section 40 of the Crops Act, No. 16 of 2013, the Cabinet Secretary for Agriculture, Livestock, Fisheries and Cooperatives, in consultation with the Agriculture and Food Authority and the County Governments, makes the following Regulations—

THE CROPS (MIRAA) REGULATIONS, 2019

PART I – PRELIMINARY

- | | |
|-----------------|---|
| Citation. | 1. These Regulations may be cited as the Crops (Miraa) Regulations, 2021. |
| Interpretation. | 2. In these Regulations unless the context otherwise requires— |
| | “Act” means the Crops Act, No.16 of 2013; |
| | “aggregator” means a person who buys, collects or sells miraa and miraa products to retailers and or exporters; |
| No. 13 of 2013. | “Authority” means the Agriculture and Food Authority established under section 3 of the Agriculture and Food Authority Act, 2013; |
| | “Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to agriculture; |
| | “Codes of practice” means the Miraa (khat) Industry- Codes of practice |

“commercial nursery operator” means a person who propagates miraa planting material for sale;

“commercial transporter” means a person who transports miraa at a fee;

“County Government” shall have the meaning assigned to it under Article 176 of the Constitution;

“dealer” includes aggregators, commercial transporters, vendors, holding facility owner, exporters and importers;

“designated point;” means an area set aside for sale of miraa by the respective County Government;

“Directorate” means a directorate of the Authority established under section 11, of the Agriculture and Food Authority Act, 2013 to deal with miraa matters;

“exporter” means a person licensed by the Authority to export miraa or miraa products;

“export permit and import permit” means a permit issued under part II of these regulations to export/import miraa or miraa products;

“export or import consignment” means quantity declared by applicant of the permit;

“grower” means a person who cultivates miraa and includes a person who enters into an agreement with the owner of the farm to harvest miraa at a consideration;

“growers’ associations” includes any association, common interest group, community based group, co-operative union, self-help group of miraa growers or any other legal entity of miraa growers;

“importer” means a person licensed by the Authority to import miraa;

“crop inspector” means an inspector appointed under the Act and where applicable includes a county inspector;

“Levy” means a levy imposed under these regulations

“License” means a license issued under this regulation

“Licensing authority” means the Authority or the County Government as the case maybe.

“person” includes an individual, a company, an association, cooperative society or a corporate body;

“miraa” means the plant or part of the plant of *Cathus* genus known botanically as *Catha edulis* or of any inter-specific hybrid involving this species or of any progeny of such hybrid;

“miraa products” means any product, extract or substance obtained or derived from Miraa by any treatment or processing;

“vendor” means a person who sells miraa for consumption at a point designated by the County Government; and

“Field holding facility” means an area designated for bulking, handling, storage and stock control and packaging on regular and sustainable basis to ensure that all produce conform to relevant quality and food safety standards

Object and purpose.

3. (1) The purpose of these Regulations is to guide the development, promotion, and regulation of miraa for the benefit of the miraa growers and other stakeholders in the miraa industry.

(2) Without prejudice to the generality of the sub-regulation (1), the purpose of these Regulations is to provide for—

- (a) procedures and conditions for registration of dealers;
- (b) procedures, terms and conditions for the issuance of licences and permits under these Regulations;
- (c) issuance of export and import permits;
- (d) collection and maintenance of data related to miraa;
- (e) compliance and enforcement of miraa standards to ensure quality assurance and safety; and
- (f) promotion of best practices in production, grading, transportation sorting, packaging and packing of miraa.
- (g) Guidance on contracts between buyers and growers of miraa
- (h) Assurance of safety and quality of produce and products
- (i) Marketing of Miraa produce and products

- (j) Such other purposes as may be necessary for effecting the provision of this Act.

PART II—REGISTRATION AND LICENSING

Licensing of a
Miraa
Commercial
nursery operator

- 4.** (1) A person shall not establish or operate a Miraa commercial nursery in any area unless the person has a valid licence from the respective County Government.
- (2) A Miraa Commercial Nursery operator shall apply for a licence from County Government where they intend to establish the nursery in Form Mr1 as set out in the First Schedule.
- (3) The County Government shall issue an annual licence to a successful applicant within five working days in Form Mr2 as set out in the First Schedule.
- (4) Before issuing a licence to a commercial nursery, the County Government shall satisfy itself that the applicant has complied with the Act, these Regulations and any other relevant law.
- (5) A commercial nursery operator shall submit annual returns to the County Government as set out in Form Mr3 not later than the tenth day of the first month after the end of the financial year.
- (6) A person who operates a commercial nursery as such without license in accordance with this regulation commits an offence.

Registration of
growers'
associations.

- 5.** (1) All smallholder growers for purposes of accessing economies of scale may register with a growers' association registered by the Authority under these Regulations.
- (2) The growers' associations shall apply to the Authority for registration as set out in the first schedule in form Mr4.
- (3) The Authority shall issue a certificate of registration to growers' associations in form Mr5 as set out in the first Schedule.
- (4) The growers' associations shall submit updated particulars of their members to the Authority annually.

Registration and
licensing of a
aggregator.

- 6.** (1) No person shall carry out business as a Miraa aggregator without a registration certificate from the Authority.
- (2) A person who contravenes regulation 6(1) commits an offence and shall on conviction be liable to imprisonment for a term not exceeding three years or to a fine not exceeding five million shillings or both

- (3) A person who intends to be a Miraa aggregator shall apply for registration to the Authority in Form Mr6 as set out in the First Schedule.
- (4) The Authority shall issue a certificate of registration to a successful applicant in Form Mr7, within seven days of the application as set out in the First Schedule.
- (5) A registered Miraa aggregator under sub regulation (3) shall apply for a licence to the respective County Government as set out in Form Mr8 in the first schedule.
- (6) The County Government shall issue a licence to a registered Miraa aggregator in Form Mr9 in the first schedule after satisfying itself that the set requirements have been met.
- (7) The County Government shall submit to the Authority a list of licensed Miraa aggregators annually.
- (8) A Miraa aggregator shall submit annual returns to the respective County Government in Form Mr10 as set out in the First Schedule not later than the tenth day of the first month after the end of the financial year.

Registration and licensing of a Miraa commercial transporter.

7. (1) A person shall not carry out business as a Miraa commercial transporter without a registration certificate from the Authority.
- (2) A person who contravenes regulation 7(1) commits an offence and shall on conviction be liable to imprisonment for a term not exceeding three years or to a fine not exceeding five million shillings or both
- (3) A person who intends to be a Miraa commercial transporter shall apply for registration to the Authority in Form Mr11 as set out in the First Schedule.
- (4) The Authority shall issue a certificate of registration to a successful Miraa Commercial Transporter in Form Mr12 as set out in the First Schedule.
- (5) A registered Miraa commercial transporter under sub regulation 3 shall apply for a licence to the respective County Government in Form Mr13 as set out in the first schedule.
- (6) The County Government shall before licensing or renewing the license of a Miraa Commercial transporter satisfy itself that the applicant has complied with these Regulations and Miraa (khat) Industry- Code of Practise

- (7) The County Government shall issue a license in the form of a sticker to a registered Miraa Commercial Transporter in Form Mr14 as set out in the First Schedule.
- (8) All licensed Miraa Commercial transporters shall display the stickers on the front windscreen of their vehicles while transporting miraa.
- (9) The County Government shall submit to the Authority a list of licensed commercial transporters annually.
- (10) A commercial transporter who contravenes the registration and transportation provisions of this regulation commits an offence.

Licensing
issuance of a
Miraa vending
permit

- 8. (1) No person shall carry out business as a Miraa vendor without a license from the respective County Government.
- (2) An applicant for a Miraa vending license shall apply to the respective County Government in Form Mr15 as set out in the First Schedule.
- (3) The County Government shall before issuing a license to a Miraa vendor shall satisfy itself that the applicant has complied with these Regulations and Miraa (Khat) industry- Code of Practice.
- (4) The County Government shall issue a license to successful applicant in Form Mr16 as set out in the First Schedule.
- (5) The County Government shall submit to the Authority a list of licensed Miraa vendors annually.
- (6) Vendors shall sell miraa at designated points.
- (7) A person who contravenes the provisions of regulation 8 commits an offence.

Revocation or
suspension of
license

- 9. (1) The licensing authority may revoke or suspend a license issued under this part if:
 - (a) the conditions of issuance of the license are contravened or not complied with or
 - (b) the licensee or an employee of the licensee commits an offence under the Act or in respect of the licensed activity under ant written Law
- (2) The holder of the license shall immediately surrender a license to the Authority or the County executive committee member as the case may be if

the license is revoked under sub-regulation (1) or the purpose for which it is issued or ceases, and it shall cease to have effect forthwith.

- a) Fails to comply with these Regulations or the conditions set out in the license; or;
- b) Commits an offence under the Act, these Regulations or any other written law in respect of the activity for which they have been registered.

(3) A person who contravenes regulations 9(1) shall be liable upon conviction to a term not exceeding three years or a fine not exceeding five million shillings or to both

Transferability of licence or registration certificate

10. A license or a permit issued by the Authority or the County Government under these Regulations shall not be transferable to third parties.

Registration of a Miraa exporter and an importer.

11. (1) A person shall not carry out business as a Miraa exporter or importer of miraa without a registration certificate from the Authority.

(2) A person who intends to carry on the business of importing and exporting of miraa shall apply to the Authority for registration in Form Mr17 as set out in the First Schedule.

(3) The Authority shall issue a Miraa exporter or Importer certificate of registration to a successful applicant in Form Mr18, within 7 days as set out in the First Schedule.

Licensing of a Miraa exporter

12. (1) A registered Miraa exporter under sub regulation 11(3) shall apply to the Authority for a licence in Form Mr19 as set out in the First Schedule.

(2) The Authority shall issue a licence to a registered Miraa exporter in Form Mr20 as set out in the First Schedule within thirty days and upon payment of a fee as set out in the Third Schedule.

(3) A person who contravenes the provisions of this regulation commits an offence.

Licensing of a Miraa importer.

13. (1) A registered importer under sub regulation 11 (3) shall apply for a licence to the Authority in Form Mr21 as set out in the First Schedule.

(2) The Authority shall issue a license to a registered importer in Form Mr22 in the first schedule within thirty days and upon payment of a fee as set out in the third schedule.

(3) A person who contravenes the provisions of this regulation

commits an offence.

Renewal of
licenses

14. (1) All licenses issued under these regulations shall remain in force until the thirtieth of June next following the date of issue unless earlier cancelled

(2) An application for renewal under these regulations shall be made to the Authority or the County Government as the case maybe, not later than the first day of the month of June in which the current license is due to expire.

(3) An importer or exporter of Miraa shall apply to the Authority for the renewal upon payment of fee as set out in the Third Schedule.

Issuance of a
Miraa export
permit.

15. (1) An exporter of miraa and miraa products shall not export miraa and miraa products unless they have a valid export permit issued by the Authority.

(2) An exporter of miraa and miraa products shall apply to the Authority for an export permit for each exported consignment in Form Mr23 as set out in the First Schedule.

(3) The Authority shall within two days after receiving an application in 15(2), consider the application and upon satisfying itself the requirements have been met and payment of the prescribed fee in the Third Schedule issue an export permit in Form Mr24 as set out in the First Schedule.

(4) The Authority shall not issue a permit if an exporter is in contravention of the provisions of the Act or any regulations made thereunder.

(5) A person who contravenes provisions of this regulation commits an offence.

Issuance of a
Miraa import
permit

16. (1) An importer of miraa and miraa products shall not import miraa and miraa products unless they have a valid import permit issued by the Authority.

(2) A Miraa importer shall apply to the Authority for a pre-import permit for the intended import product in Form Mr 26 set out in the First Schedule.

- (3) The Authority shall upon satisfying itself shall issue a pre-import permit as set out in Form Mr27 in the First Schedule.
- (4) A holder of a pre-import permit shall apply to the Authority for an Import permit for each consignment of miraa and miraa product in Form Mr28 as set out in the First Schedule.
- (5) The Authority shall within two days after receiving an application in 16(4), consider the application and upon satisfying itself the requirements have been met and payment of the prescribed fee in the Third Schedule issue an import permit in Form Mr29 as set out in the First Schedule.
- (6) Imported Miraa and miraa products shall be through designated ports by a licensed importer.
- (7) The Authority shall not issue a permit if an importer is in contravention of the provisions of the Act or any regulations made thereunder.
- (8) A person who contravenes provisions of this regulation commits an offence.

Revocation or suspension of Miraa export or import permit

- 17.** The Authority may revoke or suspend the import or export permit if an importer or exporter contravenes the provisions of the Act or any Regulations made thereunder.

Miraa Export and Import quarterly returns.

- 18.** A Miraa exporter or importer shall submit quarterly returns to the Authority in Form Mr30 as set out in the First Schedule.

PART III — PRODUCTION AND QUALITY ASSESSMENT OF MIRAA

Quality of planting materials.

- 19.** (1) A commercial nursery operator shall—
- (a) supply quality planting material in accordance with the Miraa (khat) Industry -code of practice; and
 - (b) keep accurate records of distributed planting materials and shall produce such records on demand for purposes of inspection.
- (2) A person who contravenes sub regulation (1) commits an offence.

Site selection

- 20.** (1) Site selection for production of miraa shall be in conformity to the set standards as prescribed in the codes of practice
- (2) A person who contravenes sub regulation (1) commits an offence.

Quality assurance for production,

- 21.** (1) In the case of irrigation in miraa production, the water used shall be as prescribed in the codes of practice.

Quality assurance for harvesting and postharvest handling of miraa

- 22.** (1) Water used for postharvest handling of miraa shall be potable water
- (2) All produce handling facilities such as pack houses, stores and collection centers, working areas and designated shall be kept free of waste materials.
- (3) The packaging shall be designed to suit the transport handling system and have capacity to meet market requirements.
- (4) The package weight of the produce should not exceed fifty kilograms.
- (5) Miraa produce shall not be stored or transported together with other produce, which may contaminate them or otherwise adversely affect their quality.
- (6) Vessel for transport shall be built and equipped to ensure maintenance of optimal temperatures and hygiene to prevent damage, contamination and spoilage of produce.
- (7) Dealers handling the produce must be healthy, protected and trained on produce handling.
- (8) Quality assurance for handling, packaging, transportation harvesting and postharvest handling produce under this section shall be in accordance with the codes of practice

(9) A person who contravenes regulations 22 and 23 commits an offence.

Capacity
building/training

23. (1) The Authority in consultation with the County Executive Committee Member shall initiate and coordinate training programmes for service providers, growers and dealers to enable them implement these regulations

(2) The Authority in consultation with County Executive Committee Member and relevant stakeholders shall develop codes of practice to facilitate safe production and handling of produce as per the regional and international standards.

Contracts

24. (1) A dealer in miraa may;

(a) enter into contract with a miraa grower or grower association and register the contract with the County Government and a copy submitted to the Authority as set out in the Second Schedule

(b) indicate in the contract the price payable to the grower based on the agreement between the two parties.

(c) pay growers for the Miraa delivered within seven days

Traceability

25. (1) The Authority in consultation with relevant stakeholders shall develop and build capacity for implementation of a traceability system for both export and locally consumed miraa produce.

(2) A dealer in miraa shall—

(a) Ensure that the miraa produce and products can be traced to the source by providing details in accordance with traceability requirements provided by the Authority from time to time;

(b) Establish and maintain a distinct traceability code for every source of their produce and products

(c) Put in place a system that ensures that miraa produce and product failing to meet food safety standards and requirements can;

(i) be identified and located for removal from the supply chain if necessary; and

(ii) be withdrawn from the supply chain, in consultation with the Authority, due to immediate health risk

- (3) A person who contravenes the provisions of regulations 25 commits an offence.

Inspectors

26. (1) The Authority shall appoint inspectors to carry out inspections of miraa produce and products to ensure they conform to these regulations, national, regional, international standards and any other stipulated requirements as provided in the Act

(2) The county governments shall nominate County inspectors and forward to the Authority for appointment and gazette in order to ensure compliance with these regulations within the respective county government.

(3) A person appointed as a crops inspector and county crops inspector under these Regulations shall -

(a) have the following minimum qualifications from a university or institution recognised in Kenya —

(b) Bachelor's Degree in Agriculture or related field or

(c) Diploma in Agriculture; and with two years' experience in extension service work.

(d) Comply with the provisions of the Article 6 and 232 of the Constitution of Kenya and the Public Officer's Ethics and Integrity Act, 2012.

(4) The inspector appointed under this regulation shall undergo a mandatory training on inspections offered or recommended by the Authority before gazette.

(5) The Authority shall gazette all inspectors who have been appointed under (4) successfully undertaken the mandatory training within thirty days upon completion of the training.

(6) The Authority shall develop training curriculum and offer regular trainings of the inspectors to ensure effective carrying out of their duties.

(7) A person who purports to carry out the functions of an inspector without having been duly appointed through a gazette notice commits an offence and shall be liable upon conviction to penalties prescribed in Section 37 of the Act.

Inspection and
verification

27. (1) The Authority shall;

(a) conduct inspections and compliance audits to grower associations and dealers from time to time to ensure compliance to these regulations.

(b) provide feedback to the industry players on non-conformity and build the capacity for corrective measures pursuant to inspections and audits undertaken

(2) The inspector shall;

(a) monitor activities associated with miraa production, dealing, handling and processing to ensure compliance with these regulations;

(b) regularly undertake surveillance and inspections to ensure that growers and dealers of miraa produce and products adhere to the law, these regulations, the terms and conditions of registration and requirements that may be issued by the Authority from time to time.

(c) carry out periodic auditing of food safety management systems implemented by dealers.

(3) An inspector who has reasonable grounds may enter any land, premises or stop and enter into a vessel used for holding or transporting of miraa produce and products for purposes of ascertaining that it conforms to the requirements of this regulation or for the performance of the functions or powers conferred under the Act or any other written law.

Compliance to
standards

28. (1) Miraa produce in the field holding facility shall be randomly sampled, tested and analysed by the Authority in collaboration with County Government and relevant agencies from time to time to ensure conformity to Miraa(Khat) Industry – code of Practice.

(2) The Authority from time to time shall inspect the site and produce to ensure conformity to food safety and quality standards as prescribed in the Miraa (Khat) Industry –Code of Practice;

(3) The Authority shall satisfy itself that Miraa dealers have adequate knowledge of national, regional and international market requirements.

(4) The Authority may revoke or suspend a license if the license holder contravenes the provision of regulations 28.

Non- Compliance
to standards

29. (1) Miraa produce that does not conform to the codes of practice and has been declared so by the relevant Government agency, shall be dealt with as follows—

- a) Non-compliant produce due to Food safety reasons shall be seized, detained and destroyed at the cost of the offender;
- b) Miraa produce presented using forged export or import documents shall be destroyed upon interception and the company suspended from export dealership for one year.

PART IV—GENERAL PROVISIONS

Pricing formula
committee.

30. (1) There shall be a miraa pricing formula committee (herein after referred to as “the Committee”) to determine the formula of miraa comprising of the following members appointed by the Cabinet Secretary—

- (a) one representative from the ministry for the time being responsible for matters related to agriculture;
- (b) two representatives from the Authority;
- (c) two County Executive Committee Members for agriculture nominated by the Council of Governors;
- (d) three growers’ representatives nominated by the growers’ Association;
- (e) two representatives of traders nominated by the traders’ Association;
- (f) one representative from the ministry for the time being responsible for matters related to trade.

(2) The committee members shall, in their first meeting called by the Authority, elect the officials and agree on the procedures of conducting their meetings.

(3) Data presented at the Committee meetings shall be verified by the Authority or other certified professionals or their bodies.

(4) The Authority shall provide secretariat services to the Committee.

(5) The Committee may whenever necessary co-opt experts to provide technical advice.

| | |
|---|---|
| Units of measurement. | 31. Miraa produce offered for sale shall be measured in kilograms. |
| Imposition of fees by county government | 32. A County Government shall not impose any fees on miraa contrary to section 17 (3) of the Act. |
| Imposition of Levies | <p>33. (1) The Cabinet Secretary may by a notice in the gazette impose a levy on miraa produce or products.</p> <p>(2) The levy imposed shall be at a rate of two shillings per kilogram of Miraa produce imported or exported,</p> <p>(3) There shall be a levy imposed on;</p> <p style="padding-left: 40px;">(a) miraa products destined for export based on Free on Board (F.O.B) value at a rate two percent</p> <p style="padding-left: 40px;">(b) Imported miraa products at a rate of four percent of the customs value.</p> <p>(4) The levy due under paragraph 3 shall be remitted to the Authority not later than the tenth day of the month following the month during which the levy was due.</p> <p>(5) Any levy imposed under this regulation which remains unpaid shall be recovered by the Authority, as a civil debt due to it from the person by whom it is payable.</p> <p>(6) A person who fails, neglects or otherwise refuses to pay or remit the regulatory levy on time as provided under these regulations shall, where directed by the Authority in writing, in addition to paying the regulatory levy;</p> |
| Fees | <p>34. (1) The fees payable for licenses, renewal of licenses and permits under these regulations shall be as set out in the Third Schedule and may be reviewed from time to time</p> <p>(2) Any charges on traded produce on transit shall be charged once at the point of exit in the County of origin.</p> <p>(3) No other such charge shall be instituted on the same consignment as it traverses across counties</p> |
| General penalty. | 35. A person who commits an offence under these Regulations for which no penalty is prescribed, shall be liable, upon conviction, to a fine not exceeding five hundred thousand shillings, or to a term of imprisonment for a period not exceeding one year or to both in accordance with section 37 of the Act. |

FIRST SCHEDULE: FORMS

FORM Mr1

(r. 4(2))

The County Government of.....

Serial No. County code/Miraa/

Application for a Miraa Commercial Nursery Operator Licence

1. Personal Information

Name of Applicant:

Address:

Postal

Email.....

Telephone:

2. Attach;

- (a) A copy of certificate of incorporation and memorandum and articles of association or constitution or registration;
- (b) A copy of CR12
- (c) Copies of IDs/Passports for directors
- (d) KRA pin certificate
- (e) Valid single business permit
- (f) Copy of title deed / lease hold/ contract
- (g) Evidence of payment

2. Nursery Location

i) County.....ii) Sub-County

iii) Ward

L.R No or Plot No

I/We hereby certify that the above information is true and accurate to the best of my or our knowledge and belief.

Signature:Date:

FOR OFFICIAL USE

Checked by:

SCAO Name..... Signature.....Date.....

Comments (Recommended or Not recommended)

Approved by:

CDA Agriculture: Name Signature.....Date

Official Stamp.....

Minimum requirements for establishment and operating miraa nursery

- 1) High standards of field hygiene shall be maintained
- 2) The seedlings shall be protected from diseases and pests
- 3) The area shall be free from organic and inorganic litter
- 4) There shall be clear separation of operation (soil treatment, soil mixing and potting, seedling area, hardening area and dispatch)
- 5) Reliable source of clean water
- 6) The Nursery layout shall be secured from animals and other pests
- 7) The layout shall be East to West orientation, gentle slope and allows for good drainage
- 8) Nursery seedlings shall be labeled with the seedling type and date of planting.
- 9) Seedlings ready for dispatch shall be tagged or labelled appropriately indicating the seedling variety
- 10) Distribution records of the nursery showing buyer's name, County, Sub County, ward, postal address and varieties purchased shall be maintained.
- 11) Nursery license shall be displayed.
- 12) The nursery shall be located 50 meters away from the main crop to prevent cross over of pests and diseases.
- 13) Personnel working in the nursery shall have basic training in nursery management

The County Government of.....

Commercial Miraa Nursery Licence

Serial No. County code/Miraa/.....

This is certify that..... of postal address.....having a commercial nursery at..... County. LR No. has been duly licensed by the Directorate in accordance with section (20) of the Crops Act, 2013. This licence is valid from.....to.....

Terms and Conditions:

- 1. A Commercial Nursery Operator shall -
 - a) Propagate planting material from accredited source
 - b) Demonstrate the source of planting material
 - c) Comply with the Miraa (Khat) code of practice
 - d) Issue a receipt for all sales of vegetative planting materials and indicate on the receipt the name of the registered grower
 - e) File annual returns to the County Government

ISSUED on this Day of20.....

CEC Agriculture: Name Signature.....

Official Stamp.....

The County Government of.....

Serial No. County code/Miraa/

Commercial Nursery Annual Returns

Name of the commercial Nursery.....

Postal Address.....

County..... Sub-County..... Ward.....

Telephone.....

E-mail.....

Crop Year.....Period.....

Variety/Clone..... Balance brought forward.....

Quantity of planting material Available (No).....

Quantity sold during the period (No).....

Prepared By: Signature:

Designation: Date:

Official Stamp



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Application for Registration of Miraa Growers’ Association

A – Particulars of Applicant

1. Name of applicant
2. Registration No.....
3. Address.....
4. Telephone No.....
5. County Sub-County
- Ward

B. Particulars of Members in the Association (attach list)

This shall include;

| Name | ID | Tel.No. | Age | Sex | LR.No | Ownership | Geolocation(XY) | Farm Size(Ha) | Farmed area(Ha) | Farming system (Rainfed/Irrigated) | Crop | Variety | Certification |
|------|----|---------|-----|-----|-------|-----------|-----------------|---------------|-----------------|------------------------------------|------|---------|---------------|
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |

Date.....Signature.....

Applicant or it’s duly authorized agent

FOR OFFICIAL USE:


Approved/Rejected.....

Comments.....

Name of signatoryDate.....

DesignationSignature.....

FORM Mr5 (r. 5(3))



AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Growers' Association Registration Certificate

Certificate No

Serial No. MPICD/Miraa/

Grower Association Registration No

This Certificate of registration is granted to of P.O. Box
.....inbuilding/street
WardSub-CountyCounty in the Republic of Kenya.

This Certificate is issued subject to compliance with section 15 of the Crops Act, 2013.
ISSUED this Day of20.....

Signed.....
Director General
Agriculture and Food Authority



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Application for Registration of Miraa Aggregator

Serial No: MPICD/MIRAA/.....

.....hereby applies for registration.

Ward.....Sub-County County.....

Physical location of the business premise.....Postal Address.....

Telephone E-mail.....

Where the applicant is a registered business entity, they should supply the Authority with:-

- (a) A copy of certificate of incorporation and memorandum and articles of association or constitution or registration;
- (b) a copy of CR12
- (c) copies of IDs/Passports for directors
- (d) KRA pin certificate
- (e) Valid single business permit

FOR OFFICIAL USE:

Director:

NameSignature.....Date.....

Comments (Recommended or Not recommended)

.....



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Certificate of Registration of Miraa Aggregator

Certificate No

This Certificate of registration is granted to of P.O. Box
.....inbuilding/street
WardSub-CountyCounty in the Republic of Kenya.

This Certificate is issued subject to compliance with section 15 the Crops Act, 2013.

ISSUED this Day of20.....

Signed.....
Director General
Agriculture and Food Authority

The County Government of.....

Application for Miraa Aggregators Licence

1. Personal Information

Name of Applicant (new/Renewal):.....

.....

Address:

Postal

Email.....

Telephone:

2. Attach;

- i. A copy of registration certificate from the Authority
- ii. A copy of certificate of incorporation and memorandum and articles of association or constitution or registration;
- iii. A copy of CR12
- iv. copies of IDs/Passports for directors
- v. KRA pin certificate
- vi. Valid single business permit
- vii. A copy of health certificate
- viii. Evidence of payment

3. Physical location of the business premise:-

i) County.....ii) Sub-County

iii) Ward

I/We hereby certify that the above information is true and accurate to the best of my or our knowledge and belief.

Signature:Date:

FOR OFFICIAL USE

Checked by:

SCAO

Name

.....Signature.....Date.....

Comments (Recommended or Not recommended)

Approved by:

CDA Agriculture: Name Signature.....Date

Official Stamp.....

The County Government of.....

Miraa Aggregator Licence

License No.

This is certify that..... of postal address..... has been duly licensed as a Miraa Aggregator by the Directorate in accordance with section (20) of the Crops Act, 2013.

This License is valid for.....to.....

Terms and Conditions:

An aggregator shall –

- (a) File annual returns to the County Government
- (b) Comply with the Public Health Act;
- (c) Comply with the Miraa (Khat) code of practice
- (d) Submit annual returns to the respective County Government

ISSUED this Day of20.....

CEC Agriculture: Name Signature.....Date

Official Stamp.....

County Government of

Serial No. County code/Miraa/

Licence Number.....

Miraa Aggregator's Annual Returns

Name.....

Postal Address.....

Physical Location.....

Telephone.....

E-mail.....

Financial Year

| Source | | | | Destination | |
|---------------------------------|---------------|--------------|-----------------|-----------------------------|----------|
| Location (County/Sub-county) | Agent/Farmers | Quantity(kg) | Estimated Value | Agent (exporter, vendor) | Location |
| | | | | | |
| | | | | | |
| | | | | | |

Prepared By: Signature:

DesignationDate:

Official Stamp:



AGRICULTURE AND FOOD AUTHORITY

MIRAA , PYRETHEUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Application for Registration of a Miraa Commercial Transporter

Applicant’s Name..... hereby applies for registration as a miraa commercial transporter of

Address:

PostalEmail.....

Telephone:

Physical location:-

i) County.....ii) Sub-County

iii) Ward

Attach:-

- i. A copy of certificate of incorporation and memorandum and articles of association or constitution or registration;
- ii. A copy of CR12
- iii. copies of IDs/Passports for directors
- iv. KRA pin certificate
- v. Valid single business permit

FOR OFFICIAL USE:

Director:

NameSignature.....Date.....

Comments (Approved/Rejected)

.....

ISSUED this Day of20.....



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Certificate of Registration for a Commercial Transporter

Certificate No

This Certificate of registration is granted toof
 P.O. Boxinbuilding/street
 WardSub-CountyCounty in the Republic of Kenya.

This Certificate is issued subject to compliance with section 15 the Crops Act, 2013.

ISSUED this Day of20.....

Signed.....

Director General

Agriculture and Food Authority

The County Government of.....

Serial No. County code/Miraa/

Application for a Miraa Commercial Transporter Licence

1. Personal Information

Name of Applicant

Postal address..... Email.....

Telephone..... Registration Certificate Number

2. Vehicle registration number

3. Vehicle chassis number

4. Vehicle Model/Type

Attach:-

- i. A copy of registration certificate from the Authority
- ii. KRA pin certificate
- iii. A copy of logbook
- iv. A copy of certificate of incorporation and memorandum and articles of association or constitution or registration;
- v. A copy of CR12
- vi. copies of IDs/Passports for directors
- vii. Valid single business permit

I/We hereby certify that the above information is true and accurate to the best of my or our knowledge and belief.

Signature:Date:

FOR OFFICIAL USE

Checked by:

SCAO

NameSignature.....Date.....

Comments (Recommended or Not recommended)

Approved by:

CDA Agriculture: Name Signature.....Date

Official Stamp.....

The County Government of.....

Miraa Commercial Transporters Licence

License No;.....

This license is granted to and authorizes **vehicle reg. no.**to transport miraa in the Republic of Kenya.

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

This Certificate is issued subject to compliance with section 15 the Crops Act, 2013.

ISSUED this Day of20.....

Terms and Conditions:

A commercial transporter shall -

- a) Comply with the Miraa (Khat) Industry - code of practice;
- b) Comply with the Public Health Act;
- c) Comply with the Traffic Act;
- d) Obtain and keep a receipt showing the source of produce, quantity and destination;
- e) Submit annual returns to the respective County Government.

Signed.....

CO Agriculture: Name Signature.....Date

Official Stamp.....

The County Government of.....

Serial No. County Code/Miraa/

Application for a Miraa Vending Licence

1. Personal Information

Name of Applicant

Postal address..... Email.....

Telephone: Certificate Number

Attach:

(i)A copy of single business permit from the County Government

(ii)A copy of health certificate

2. Physical location of the business premise:

i) County.....ii) Sub-County

iii) Ward (iv)Street/Avenue

I hereby certify that the above information is true and accurate to the best of my knowledge and belief.

Signature:Date:

FOR OFFICIAL USE

Checked by:

SCAO

Name

.....Signature.....Date.....

Comments (Recommended or Not recommended)

Approved by:

CDA Agriculture: Name Signature.....Date

Official Stamp.....

The County Government of.....

Vendors Licence

Licence No.....

This is certify that..... of postal address..... has been duly licensed as a Miraa Aggregator by the Directorate in accordance with section (20) of the Crops Act, 2013.

This License is valid for.....to.....

Terms and Conditions:

A vendor shall -

- a) Comply with the Public Health Act;
- b) Sell at a designated point.
- c) Comply with the Miraa (Khat) Industry-code of practice

ISSUED this Day of 20.....

Signed.....

CEC Agriculture: Name Signature.....Date

Official Stamp.....



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Application for Registration of Miraa Exporter/ Importer

Serial No: MPICD/MIRAA/.....

.....hereby applies for registration.

Ward.....Sub-County County.....

Physical location of the business premise.....Postal Address.....

Telephone E-mail.....

Attach;

- i. A copy of certificate of incorporation and memorandum and articles of association or constitution or registration;
- ii. a copy of CR12
- iii. copies of IDs/Passports for directors
- iv. KRA Pin Certificate

FOR OFFICIAL USE:

Checked by:

Director:

NameSignature.....Date.....

Comments (Recommended or Not recommended)

.....

Approved by:

Director General: Name Signature.....Date

Official Stamp.....



**AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE**

Certificate of Registration for Miraa Exporter/ Importer

Certificate No

This Certificate of registration is granted to of P.O. Box
.....inbuilding/street
WardSub-CountyCounty in the Republic of Kenya.

This Certificate is issued subject to compliance with section 15 the Crops Act, 2013.

ISSUED this Day of20.....

Signed.....
Director General
Agriculture and Food Authority



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Application for Miraa Export Licence

Serial No: AFA/MPICD/

Personal Information

Name of Applicant

Postal address..... Email.....

Telephone:

Miraa Exporter Registration Certificate Number

Attach:-

- i. A copy of certificate of incorporation or registration or of Memorandum and articles of association or constitution;
- ii. CR12
- iii. Copies of IDs/Passport of directors
- iv. A copy of registration certificate from the Authority
- v. A copy of single business permit from the County Government
- vi. A copy of tax compliance certificate
- vii. A copy of lease agreement or title deed or license for the pack house

FOR OFFICIAL USE:

Checked by:

Head of Directorate:

NameSignature.....Date.....

Comments (Recommended or Not recommended)
.....

Approved by:

Director General: Name Signature.....Date

Official Stamp.....



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Miraa Export Licence

License No.

This is certify that..... of postal address..... has been duly licensed as a Miraa Exporter by the Directorate in accordance with section (20) of the Crops Act, 2013.

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

Terms and Conditions:

An exporter shall -

- a) Maintain a record of all exports i.e. volumes, destination.
- b) Submit quarterly returns to the Authority.

ISSUED this Day of20.....

Signed.....

Director General

Agriculture and Food Authority



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Application for Miraa Import Licence

Serial No: AFA/MPICD/.....

Personal Information

Name of Applicant

Postal address..... Email.....

Telephone:

Miraa Import Registration Certificate Number

Attach:-

- i. A copy of certificate of incorporation or registration or of Memorandum and articles of association or constitution;
- ii. CR12
- iii. Copies of IDs/Passport of directors
- iv. A copy of registration certificate from the Authority
- v. A copy of single business permit from the County Government
- vi. A copy of tax compliance certificate

FOR OFFICIAL USE:

Checked by:

Director:

Name Signature.....Date.....

Comments (Recommended or Not recommended)

.....

Approved by:

Director General: NameSignature.....Date

Official Stamp



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

MIRAA IMPORT LICENSE

Serial No: AFA/MPICD/.....

License No.

This is certify that..... of postal address..... has been duly licensed as a Miraa Exporter by the Directorate in accordance with section (20) of the Crops Act, 2013.

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

Terms and Conditions:

An exporter shall -

- a) Maintain a record of all imports i.e. volumes, source.
- b) Submit quarterly returns to the Authority.

ISSUED this Day of20.....

Signed.....

Director General

Agriculture and Food Authority



AGRICULTURE AND FOOD AUTHORITY
MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE
APPLICATION FOR MIRAA EXPORT PERMIT

License No.:

Applicants Details

Name of exporter

AddressTelephone No

Email Address

Destination

Country of Origin.....

Country of Destination Shipment Date

Vessel

Consignor.....

Consignee

Notify address.....

Consignment Details

| Product | Quantity (Kg) | FOB Value (USD) | Total Value (USD) |
|---------|---------------|-----------------|-------------------|
| | | | |
| | | | |

Attach:

- i. Commercial invoice
- ii. Import permit

I/ We hereby certify that the information which I/we have given above is true and accurate to the best of my/our/our knowledge and belief.

Date.....

Authorized signature Stamp of Exporter

FOR OFFICIAL USE

Authentication by

Agriculture and Food Authority

Date..... Signature and Stamp.....



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

MIRAA EXPORT PERMIT

License No

This Permit is granted to of
 P.O. Boxand authorizes the company on this day of To
 export;

Consignment Details

| Product | Quantity (Kg) | FOB Value (USD) | Total Value (USD) |
|---------|---------------|-----------------|-------------------|
| | | | |
| | | | |

Country of Destination

Country of Origin

Date of ShipmentVessel

Consignee.....

Consigner.....

Notify Address.....

This permit is issued subject to compliance with the Crops Act, (2013) and conditions stipulated herein.

This Permit is valid for 90 days from the date of issuance.

Signed.....

Director General – Agriculture and Food Authority



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

APPLICATION FOR MIRAA PRE-IMPORT PERMIT

License No.:

Applicants Details

Name of importer

Address Telephone No

Email Address

Destination

Country of Origin.....

Country of Destination Shipment Date

Vessel

Consignor.....

Consignee

Notify address.....

I/ We hereby certify that the information which I/we have given above is true and accurate to the best of my/our/our knowledge and belief.

Date.....

Authorized signature Stamp of Importer

FOR OFFICIAL USE

Authentication by

Agriculture and Food Authority

Date.....

Signature and Stamp



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

MIRAA PRE-IMPORT PERMIT

License No

This Permit is granted to of P.O. Boxand authorizes the company on this day ofto import not more than 5kg of sample;

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

Consignment Details

Country of Origin

Date of ShipmentVessel

Consignee.....

Consigner.....

Notify Address.....

This permit is issued subject to compliance with the Crops Act, (2013) and conditions stipulated herein.

Signed.....

Director General – Agriculture and Food Authority



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

APPLICATION FOR MIRAA IMPORT PERMIT

License No.:

Applicants Details

Name of importer

Address Telephone No

Email Address

Destination

Country of Origin.....

Country of Destination Shipment Date

Vessel

Consignor.....

Consignee

Notify address.....

Attach;

- a) Pre-import permit
- b) Certificate of origin;

I/ We hereby certify that the information which I/we have given above is true and accurate to the best of my/our/our knowledge and belief.

Date.....

Authorized signature Stamp of Importer

FOR OFFICIAL USE

Authentication by

Agriculture and Food Authority

Date.....

Signature and Stamp



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

MIRAA IMPORT PERMIT

License No

This Permit is granted to of P.O.
Boxand authorizes the company on this day ofto import;

Consignment Details

| Product | Quantity (Kg) | FOB Value (USD) | Total Value (USD) |
|---------|---------------|-----------------|-------------------|
| | | | |
| | | | |

Country of Origin.....

Date of ShipmentVessel

Consignee.....

Consigner.....

This permit is issued subject to compliance with the Crops Act, (2013) and conditions stipulated herein.

This Permit is valid for 90 days from the date of issuance.

Signed.....

Director General – Agriculture and Food Authority



AGRICULTURE AND FOOD AUTHORITY

MIRAA, PYRETHRUM AND OTHER INDUSTRIAL CROPS DIRECTORATE

Licence Number.....

EXPORTER/IMPORTER QUARTERLY RETURNS

Name of exporter/importer:

Postal Address.....

Physical Location.

Telephone. E-mail.....

Year Quarter Reporting Date

Export returns

| Month | Quantity (kg) | Value (KSh) | Destination |
|--------------|---------------|-------------|-------------|
| | | | |
| | | | |
| | | | |
| Total | | | |

Import returns

| Month | Quantity (kg) | Value (KSh) | Origin |
|--------------|---------------|-------------|--------|
| | | | |
| | | | |
| | | | |
| Total | | | |

Name: Designation:

Signature: Date:

Official Stamp:

Note: Failure to submit returns is an offence.

SECOND SCHEDULE

REQUIREMENTS FOR A DESIGNATED AREA FOR SALE OF MIRAA

- (1) The area shall be well marked.
- (2) Shall be 100 metres away from a learning institution.
- (3) Shall be kept free from waste material.
- (4) Shall exclusively sell miraa.
- (5) Shall not sell miraa to persons under the age of 18 years.

THIRD SCHEDULE

LICENSING FEES

| NO. | CATEGORY | NEW APPLICATIONS (Kshs). | RENEWAL FEES (Kshs). |
|------------|---------------------------|---------------------------------|-----------------------------|
| 1. | Miraa Processor's License | 10,000 | 5,000 |
| 2. | Exporter license | 20,000 | 10,000 |
| 3. | Importers license | 30,000 | 15,000 |
| 4. | Export permit | 2,000 | |
| 5. | Import permit | 5,000 | |