

LEGAL NOTICE.....

THE CROPS ACT

(No. 16 of 2013)

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

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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, 2013, the Cabinet Secretary for Agriculture, Livestock and Fisheries in consultation with the Authority and the County Governments, makes the following Regulations—

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

PART I—PRELIMINARY

- Citation. 1. These Regulations may be cited as the Crops (Fibre Crops) Regulations, 2019.
- Interpretation. 2. In these Regulations, unless the context otherwise requires—
- No. 16 of 2013. “Act” means the Crops Act, 2013;
- “application” means an application for classing, inspection, license, permit, registration or variation of the same as the case may be;
- No. 13 of 2013. “Authority” means the Agriculture and Food Authority established under section 3 of the Agriculture, Fisheries and Food Authority Act, 2013;
- “base grade” refers to a selected grade of cotton lint based on lint quality formulated by the Authority in consultation with the relevant stakeholders to be used by buyers as basis for contracts, premium or discounts;
- “Board” means the Board of the Authority.
- “Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to agriculture;
- “classing” means quality assessment by the Authority of every bale of cotton produced by ginneries;
- Cap 490. “co-operative society” means a society registered under the Co-operative Societies Act;
- “cotton” means the plant *Gossypium hirsutum* or other species of *Gossypium* or its hybrids or seeds thereof;

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“cotton lint” means ginned seed cotton;

“cotton seed” means cotton seed produced from seed cotton after ginning;

“cotton seed milling factory” means mechanical crushing of cotton seed for the production of cotton seed oil, cotton seed cake or any other by-products;

“cotton textile milling factory” means any premise for converting cotton lint into cotton yarn, woven fabrics or other finished cotton fibre products;

“County Executive Committee (CEC) Member “ means the member of the County executive committee for the time being responsible for matters relating to agriculture in fibre crops growing counties;

“County Government” means the County Government provided for under Article 176 of the Constitution but for the purposes of these Regulations is limited to fibre crops growing counties;

“dealer” includes ginners, cotton seed millers, marketing agents, exporters, importers, sisal spinners, cotton textile millers, handloom weavers, sisal processors, sisal fibre buyers, seed cotton buyers and fibre transporters ;

“Directorate” means the Directorate of Fibre Crops established by the Authority under section 11 of the Agriculture and Food Authority Act, 2013;

“fibre buying agent” refers to a person appointed by a licensed fibre dealer through a contract deposited with the Authority to buy fibre on behalf;

“fibre crops” refers to either sisal or cotton for the time being;

“fibre crops products” refers to seed cotton, cotton seed, cotton lint, cotton seed cake, hulls, cotton seed meal, linters, sisal fibre, twines, ropes, textiles, yarns and finished fibre items;

“fibre processing” refers to decortication, brushing, baling, weaving (in case of sisal), ginning, baling, cotton textile milling (in case of cotton lint) and sisal spinning;

“ginner” means a person registered and licensed to separate seed cotton into lint and cotton seed;

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“ginnery” means a factory where seed cotton is separated into lint and cotton seed.

“grade A” means seed cotton of superior quality as approved by the Authority;

“grade B” means seed cotton of lower quality as approved by the Authority;

“grower” means any person who is cultivating sisal or cotton in Kenya and includes both smallholder and plantation;

“grower entity” means farmers organizations and include; grower cooperative, association or company;

“handloom weaver” means a person, company or co-operative that makes fabrics or fabric items by interlacing threads made from cotton lint or sisal fibres passing in one direction with others at right angles;

“infected area” means an area declared to be an infected under section 31 of the Act;

“inspector” means an officer appointed by the Authority under section 27 of the Act;

“inspection service charge” means a fee charged as a per centum of the value of exported, locally spinned sisal fibre or tow for its quality assessment by the Authority;

“licensee” means a person issued with a license by the Authority under these regulations;

“licensing authority” means the Authority or the County Government as the case may be;

“marketing agent” means a person, company or co-operative authorized by the Authority to buy, sell, dispose, export, or import fibre and fibre products;

“mechanical lint sample cutter” refers to a device installed at the bale press to cut a standard sample for purposes of lint testing and classing.

“person” includes an individual, company, association or any other body of persons whether incorporated or otherwise;

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“plantation cotton grower” means any person with more than twenty hectares under cotton, and for the purposes of this regulation includes a co-operative society whose members have, in aggregate, more than twenty hectares under cotton;

“plantation sisal grower” means a person with more than twenty hectares under sisal, and for the purposes of this regulation includes a co-operative society whose members have, in aggregate, more than twenty hectares under sisal;

“planting seed” means cotton seed used to grow cotton;

“premise” includes any building or structure registered for collection, storage and processing of fibre crops under these Regulations;

“registration” means entering details of any person dealing in fibre crops in the Authority’s records in prescribed format;

“seed cotton buyer” means a person registered and licensed to purchase cotton under the provisions of these Regulations;

“sisal” means the plant *Agave sisalana* or other species of *Agave* or its hybrids or seeds there of;

“sisal fibre buyer” means a person authorized to buy sisal fibre produced in Kenya for the purposes of the domestic market only;

“sisal factory” means any premises or designated shed for processing of sisal or sisal fibre;

“sisal fibre” means processed, machined or carded fibre and tow and any other substance or by-product derived therefrom;

“sisal grading” means categorizing the sisal fibre into various grades as approved by the Authority;

“smallholder cotton grower” means a person with not more than twenty hectares under cotton;

“smallholder sisal grower” means a person with less than twenty hectares under sisal or a co-operative society whose members have in aggregate less than twenty hectares under sisal;

“sisal spinning factory” means any premise for converting sisal fibre into

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twine, yarns, cords or any other sisal fibre machine weaved products; and

“unwashed sisal fibre” means sisal fibre that has been extracted without introduction of water during the process of decortication.

Scope and Purpose of the Regulations.

3. The purpose of these Regulations is to provide guidelines for the regulation, promotion and development of the fibre crops and in particular to provide for:-

- (a) application processing procedures and forms for fibre crops;
- (b) procedures and conditions for registration and licensing of dealers for fibre crops;
- (c) guidelines on contracts between stakeholders;
- (d) issuance of permits for movement of fibre crops and its products;
- (e) such other matters as may be deemed necessary for effecting these Regulations.

Application.

4. These Regulations shall be applicable to fibre crops and its products in Kenya.

PART II—FUNCTIONS OF DIRECTORATE

Functions of the Directorate.

5. (1) The Directorate shall in consultation with the County Governments—

- (a) facilitate formulation of general and specific policies for the development of the fibre crops sub-sector in liaison with the ministry responsible for agriculture;
- (b) provide guidelines and standards for the establishment of collection centers in viable areas to serve as buying centers, grading, pick up points, data collection and meeting places for farmers and growers co-operatives and other users as may be defined by the directorate from time to time;
- (c) facilitate marketing and distribution of fibre and fibre products through monitoring and dissemination of market information including identifying and monitoring local demand and supply of fibre and fibre products, domestic market matching, overseas market intelligence and promotion activities;
- (d) develop, standardize and disseminate training materials on fibre crops;
- (e) build capacity of County Governments staff and fibre industry

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stakeholders with a view to enhance their knowledge across the fibre crops value chains;

- (f) recommend general industry agreement between farmers and processors of fibre crops and any other players;
 - (g) set standards for acquisition of high quality planting materials;
 - (h) establish and maintain an up-to-date database and disseminate information on fibre crops for planning purposes;
 - (i) in collaboration with stakeholders, provide pricing guidelines for fibre with regard to quality and international market scenario;
 - (j) register and license dealers of fibre and fibre crops products.
- (2) the directorate shall—
- (a) advise the Board and stakeholders on matters related to fibre crops subsector;
 - (b) establish and enforce standards in grading, sampling and inspection, tests and analysis, specifications, units of measurements, code of practice and packaging, preservation, conservation and transportation of fibre crops to ensure health and proper trading;
 - (c) establish linkages with various governments including County Governments and private institutions for the conduct of studies and research designed to promote the production, marketing and processing of fibre and fibre related products;
 - (d) promote and advise on strategies for value addition prior to export of fibre and fibre crops products from Kenya;
 - (e) devise and maintain a system for regularly obtaining information on current and future production, prices and movement in trade, to determine and effect a balanced distribution of fibre and fibre crops products by means of inter trading or intra-trading amongst the established markets;
 - (f) regulate dealers in fibre and fibre crops products;
 - (g) regulate the export and import of fibre and fibre crops products;

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- (h) set standards for processing, classing, grading and enforce compliance with such standards and monitor compliance with international standards;
- (i) collect and administer any levies that shall be imposed by the Cabinet Secretary with respect to fibre and fibre crops products as set out in section 32 of the Act;
- (j) in consultation with the National Biosafety Authority, advise the Government on the introduction, safe transfer, handling and use of genetically modified species of fibre crops in the country;
- (k) Prescribe the maximum period within which fibre crops growers are to be paid for crop delivered and penalties for delayed payments;
- (l) perform any other relevant function with respect to fibre crops that ensures compliance with the Act;

PART III—REGISTRATION AND LICENSING PROVISIONS

Registration of cotton and sisal growers.

- 6. (1) A smallholder cotton or sisal grower may, register with a co-operative society or company to which the grower delivers seed cotton, sisal or sisal fibre or an association recognized by the Authority;
- (2) An entity intending to register smallholders' cotton and sisal growers shall apply for registration to the County Executive Committee Member in the respective County in Form AFA/FCD/COUNTY A001 as set out in the First Schedule.
- (3) The respective County Government shall keep records of all cotton and sisal growers and provide such information to the Authority annually using Form AFA/FCD/COUNTY C001 as set out in the Third Schedule.
- (4) A plantation grower may apply for registration to the County Executive Committee Member in the respective County by providing such information as may be required from time to time in Form AFA/FCD/COUNTY A002 as set out in the First Schedule;
- (5) The Authority in collaboration with the County Governments shall maintain a register of plantation growers and entities registering

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smallholder grower to capture;

- (a) the full names of the fibre crop factory;
- (b) the date of submission of annual returns of registered growers by the fibre crop factory;
- (c) the particulars of numbers of registered growers, area planted with fibre crop or variations of these particulars; and
- (d) any other particulars the Authority may deem necessary.

(6) All plantation growers and grower entities shall submit annual returns at the end of every production period.

(7) The County Executive Committee Member of the respective County shall not later than the 15th day of January in every year submit to the Authority updated registers of entities registering growers of fibre crops.

(8) The County Executive Committee Member in the respective County shall issue a certificate of registration to the plantation growers and entities registering smallholder growers in Form AFA/FCD/COUNTY B001 as set out in the Second Schedule;

(9) Any change in particulars supplied for purposes of registration shall be notified to the entity registering the grower or to the County Government as the case may be, and in writing within sixty days.

(10) The entity registering growers under paragraph 6 (1) and (2) shall enter into contract with processors and marketing agents licensed by the Authority as set out in the Fourth Schedule.

(11) The registration of growers under section 6 of these Regulations shall be free.

Registration of fibre
crops dealers

7. (1) A person dealing in fibre (ginners, cotton seed millers, marketing agents, exporters, importers, sisal spinners, cotton textile millers, sisal processors, sisal fibre buyers, seed cotton buyers and fibre transporters) shall apply for registration to the Authority as prescribed in Form AFA/FCD A001 of the First Schedule.

(2) The applicant in 7 (1) shall provide such documents to prove dealership or engagements in fibre industry before registration as prescribed by the Authority from time to time.

(3) The Authority shall issue to the applicant a registration certificate as prescribed in Form AFA/FCD B001 of the Second Schedule and maintain an up to date register.

Requirements for
issuance of license

8. (1) A person requiring a license to conduct fibre business shall apply to the

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(new and renewal)

relevant licensing Authority and fulfill the requirements as prescribed in the application forms and any other conditions as may be imposed by the relevant licensing Authority

(2) No person shall deal in fibre and fibre crops products without a valid license from the licensing Authority.

(3) A person who contravenes regulation 8 (2) commits an offence.

(4) In applying for the relevant licenses the applicants will be required to:

(i) In case of a renewal, submit an application form at least 30 days before the expiry of the current license and provide the following documents:-

- a) Dully filled application form or a written application letter (*whichever is applicable*),
- b) Certified copy of business trading permit from the respective county government
- c) Copy of valid tax compliance certificate of the entity from Kenya Revenue Authority,
- d) Recent letter of guarantee or recent bank statements from an approved bank,
- e) Inspection report from the licensing Authority (where applicable),
- f) Annual marketing and/or production returns for the previous year and season for sisal and cotton respectively,
- g) Copy of contract for source of fibre, cotton seed or seed cotton (*whichever is applicable*).

(ii) In case of new applicant, submit an application form with the following documents and allow for maximum of 90 days for processing:-

- (a) Dully filled application form or a written application letter (*whichever is applicable*);
- (b) Certified copy of Memorandum and Articles of Association,
- (c) Names of at least one company director, copies of ID/passport and PIN,
- (d) Valid certificate of good conduct for at least one of the Director(s) of the company,
- (e) Certified copy of business trading permit from the respective county government,
- (f) Certified copy of Certificate of Incorporation/Certificate of registration,
- (g) Copy of valid tax compliance certificate of the entity from Kenya Revenue Authority,
- (h) Recent letter of guarantee or recent bank statements from an approved bank,

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- (i) Inspection report from the relevant licensing Authority (where applicable),
- (j) Copy of contract for source of fibre, cotton seed or seed cotton, (whichever is applicable).

- (5) (i) The application made under 8 (1) shall be vetted by the licensing Authority.
- (ii) Upon approval under 8 (4) (ii) and before granting the license, the Authority shall publish the proposed grant in the Gazette for at least 30 days.
- (iii) The Authority may after considering the objections, if any, grant the license applied for, subject to such terms and conditions as may be specified therein.

Late license application

- (6) Every fibre crop dealer shall conspicuously display the license within the premises and produce it at the request of an Inspector.
- (7) The Authority may consider late license applications upon an applicant giving reasonable cause for the delay, and upon approval of such application the applicant shall pay a penalty of fifty per cent of the fees payable.

Licensing of cotton and sisal fibre buying store.

- 9. (1) The Authority shall establish and enforce standards for setting up and operating cotton and sisal fibre buying stores.
- (2) A person who intends to erect or operate a cotton or sisal fibre buying store for the purpose of storing seed cotton or sisal fibre shall make an application to the County Executive Committee Member in the respective County for licensing in Form AFA/FCD/COUNTY A003 as set out in the First Schedule.
- (3) A person shall not erect or operate a cotton or sisal fibre buying store for the purpose of storing seed cotton or sisal fibre without a buying store license issued by the County Executive Committee Member in Form AFA/FCD/COUNTY B002 as set out in the Second Schedule.

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Licensing of seed
cotton and sisal
fibre buyers

10. (1) A person who intends to purchase seed cotton or sisal fibre across counties shall make an application for licensing to the Authority as prescribed in Form AFA/FCD A002 as set out in the First Schedule.
- (2) The applicant in 10 (1) shall provide a valid copy of license(s) of buying store(s) from the respective County government indicating where the fibre shall be stored during purchasing.
- (3) The Authority shall evaluate the applications under 10 (1) and issue the license as prescribed in Form AFA/FCD B002 as set out in the Second Schedule.
- (4) A person who intends to purchase and dispose seed cotton or sisal fibre within a County only shall make an application for licensing to the County Executive Committee Member in the respective County for licensing.
- (5) No person shall buy or sell unprocessed sisal leaf produced in Kenya.

Obligations of
seed cotton and
sisal fibre buyers

11. (1) A licensed seed cotton and sisal fibre buyer shall:
 - (a) conspicuously display in the local dialect, Kiswahili and English, the prices offered per unit weight of each grade of seed cotton or sisal fibre at all times when the premises are open for business;
 - (b) use cotton or any other material that has been recommended by the Authority to pack seed cotton from time to time;
 - (c) submit monthly standard buying reports by 15th of every month and annual purchases and sales report for the preceding year by 15th January to the licensing Authority in Forms AFA/FCD C001(a) and AFA/FCD C001(b) as set out in the Third Schedule;
 - (d) display standard sample boxes (grade A and B for cotton) and sample grades for sisal as approved by the Authority and keep each grade separately;
 - (e) use kilograms as unit of measurement and display weighing scales that have been properly calibrated, serviced, inspected and approved by the County department responsible for Weights and Measures;
 - (f) store fibre at licensed fibre stores for purposes of preserving quality;
 - (g) issue original receipts to every grower and retain the duplicates in respect of all the purchases;
 - (h) buy fibre at a price guided by recommended pricing formula.
 - (i) make payments to farmers within seven days upon delivery of

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produce.

(2) A person who contravenes any of the obligations in 11 (1) commits an offence.

Licensing of
marketing agents

12. (1) A person who intends to buy, receive, sell or dispose otherwise fibre and fibre products for purposes of export or import shall apply for fibre marketing agent license to the Authority using Form AFA/FCD A003 as set out in the First Schedule.

(2) The applicant under section 12(1) shall provide documentary proof for source of fibre in such a manner as may be determined by the Authority.

(3) The Authority shall evaluate the applications under 12(1) and upon approval issue a Marketing Agent license as prescribed in Form AFA/FCD B003 as set out in the Second Schedule.

(4) A marketing agent exporting for other fibre dealers shall be paid by the fibre dealer a maximum commission of two point five percentum of free on board value.

(5) A licensed marketing agent shall complete a monthly purchases and sales report of the preceding month and forward to the Authority on or before the fifteenth day of each month using the prescribed Form AFA/FCD C002 as set out in the Third Schedule.

Requirements for
ginning, cotton
seed milling and
sisal factories
licenses.

13. (1) A person shall not gin seed cotton, mill cotton seed, process sisal leaf or fibre, brush and bale fibre unless;

(a) is a holder of a ginning license (in case of seed cotton), cotton seed milling license (in case of cotton seed) or a sisal factory license (in case of sisal) issued by the Authority;

(b) proves that the ginnery, cotton milling factory, sisal factory, brushing equipment or bale press has been inspected and certified by the Authority to operate as such; and

(c) has contractual arrangement for the provision of raw materials with grower co-operatives, associations, company or as may be required by the Authority.

(d) makes an undertaking in writing to submit monthly reports to the Authority.

(2) Ginneries, cotton seed milling factories and sisal factories operators may offer fibre and cotton seed processing services to the smallholder farmers, farmer entities or licensed buyers provided the contract for the services is registered with the Authority.

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Issuance of ginning, cotton seed milling and sisal factory licenses.

14. (1) A person who intends to operate a ginnery, cotton seed milling factory, sisal factory, brushing equipment or bale press shall make an application for licensing as set out in Form AFA/FCD A004(a) for seed cotton, Form AFA/FCD A004(b) for cotton seed milling and Form AFA/FCD A005 for sisal as set out in the in the First Schedule

(2)The Authority after receiving applications under regulation 14 (1) shall consider the applications and upon approval issue a ginning license in Form FCD B004(a), cotton seed milling license in Form AFA/FCD B004(b) or a sisal factory license in Form AFA/FCD B005 as set out in the Second Schedule.

(3) A ginning license, cotton seed milling license or sisal factory license shall entitle the holder to gin and bale cotton lint, mill cotton seed or decorticate, brush and bale sisal in the premises specified in the license and in accordance with conditions relating to machinery, plant, storage accommodation and output that may be imposed in the license.

(4) All ginners, cotton seed milling factory and sisal factory operators issued with a ginning, cotton seed milling factory and sisal factory license shall submit monthly and annual reports to the Authority with a copy to the County Government using Forms AFA/FCD C003(a) and C005(a) for seed cotton ginning, Forms AFA/FCD C003(b) and C005(b) for cotton seed milling and Forms AFA/FCD C004 and C006 sisal as set out in the Third Schedule;

(5) Sisal factory licenses issued under 14 (1) shall be categorized based on the source of fibre as follows:-

- a) The holder to process own leaf exclusively.
- b) The holder to process own leaf as well as others.
- c) The holder to process bought fibre.

Obligation of cotton ginners, cotton seed milling and sisal factory operators

15. (1) Every ginner, cotton seed milling factory and sisal factory operator as applicable shall:

- (a) maintain and operate the machinery in a manner that will not cause deterioration or damage to the seed cotton, cotton lint or cotton seed and sisal fibre handled;
- (b) ensure that all seed cotton delivered to the ginnery is correctly graded and shall keep all Grade A cotton and the lint and all Grade B cotton and the lint separate from each other and from any other seed cotton;
- (c) Ensure that all processed sisal fibre is correctly graded and

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categorized as stipulated in the sisal grading definition in the Fifth Schedule

- (d) keep all seed cotton, cotton seed, cotton lint and sisal fibre which has been salvaged from damage by fire or water separate from all other seed cotton, cotton seed, cotton lint and sisal fibre
- (e) any fibre salvaged from 15 (1) (d) be processed and handled in accordance with instructions from the Authority;
- (f) in lint baling, a mechanical lint sample cutter shall be installed and maintained in the bale press as prescribed by the Authority;
- (g) keep the ginnery, cotton seed milling factory and sisal factory and its precincts in a clean and sanitary condition;
- (h) maintain all reasonable precautions to prevent accidents and fires;
- (i) every ginnery, cotton seed milling factory and sisal factory operator offering processing and storage services for smallholder farmers, farmer entities or licensed buyers shall take out insurance cover against fire and other risks.
- (j) produce cotton lint free from all seeds or parts of seeds or other substances which ought to be removed by the process of ginning;
- (k) register with the Authority all contracts entered into with the grower cooperatives, associations or company.
- (l) maintain appropriate loading equipment such as fork lifts, trolleys and weighing facilities or any other accessories recommended by the Authority for purposes of loading, movement and weighing of fibres.

(2) Where any machinery within a ginnery or sisal factory is being maintained or used in such a manner as to cause deterioration or other damage to cotton seed or fibre handled in the ginnery or factory, the Authority may suspend the ginning license or sisal factory license until it is satisfied that the cause of such deterioration or damage has been rectified.

(3) A person who contravenes any of the obligations in 15 (1) commits an offence.

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Requirements for exporting sisal.

16. A person exporting sisal fibre shall ensure that:

(1) Sisal fibre for export is baled in fifty, one hundred, two hundred or two hundred and fifty kilogram bales and fastened in such manner as prescribed by the Authority. The bales shall be labeled legibly and indelibly with the following information: product name, grade, quality mark, mark of the grower, country of origin, bale number, date of production (baling) and bale net weight in kilograms.

(2) All sisal fibre, other than unwashed sisal fibre, shall be graded according to the grades specified in the Fifth Schedule of these Regulations.

(3) Unwashed sisal fibre shall be sold by sample.

(4) Sample of unwashed sisal fibre in 16 (3) shall be drawn from the bales and deposited with the Authority as reference for dispute that may arise thereafter.

(5) The method of sampling shall be as guided by the Authority from time to time.

Requirements for cotton baling.

17. (1) All cotton lint shall be baled in standard size and weights of one hundred and eighty five kilograms upto two hundred and twenty kilograms and fastened in such manner as prescribed by the Authority;

(2) The bales shall be labelled legibly and indelibly with the following information: product name, quality mark, client number or mark of the grower, year of crop harvest (date of production), lot number, bale number, bale net weight in kg, type of gin, cotton variety and country of origin as may be prescribed by the Authority from time to time. Where ink is used for labelling, it should not penetrate to the lint to avoid its contamination.

Licensing of sisal spinning and cotton textile milling factories.

18. (1) Every cotton textile milling and sisal spinning factory upon commencement of these Regulations, shall apply for a sisal spinning or cotton textile milling factory license using Form AFA/FCD A006 as set out in the First Schedule.

(2) The Authority shall upon satisfaction that the licensing stipulations have been met, issue the applicant a sisal spinning or a cotton textile milling factory license as prescribed in Form FCD B006 as set out in the Second Schedule.

(3) A person applying for license under 18 (1) shall demonstrate backward linkages with ginneries, sisal factories and grower entities for the supply

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of seed cotton, lint and sisal fibre by entering into contracts as provided for in regulation 48 (2) in the Fourth Schedule.

- (4) All licensed sisal spinners and cotton textile millers shall submit monthly reports to the Authority using Form AFA/FCD C007 as set out in the Third Schedule.

Cotton lint classing.

19. (1) Every ginner shall before offering lint for sale apply to the Authority for cotton lint classing in Form AFA/FCD A007 as set out in the First Schedule.
- (2) Every ginner shall draw one sample from each bale as per the lint sample collection protocol issued by the Authority from time to time.
- (3) A service charge for cotton classing shall be payable to the Authority as prescribed from time to time.
- (4) The Authority shall analyze and classify the samples delivered within seven working days after receiving the samples under 19 (2) and after the analysis and classing issue cotton lint classing report in Form AFA/FCD C008 as set out in the Third Schedule.
- (5) Cotton classing service charges shall be paid to the Authority on or before the services are rendered.

Export and import permits.

20. (1) A person shall not export or import cotton lint or sisal fibre, cotton seed cake, cotton seed meal and linters unless the person has a valid marketing agent license and is in possession of an import or export permit issued by the Authority.
- (2) A person who intends to export or import the products in (20)(1) shall apply for permit to the Authority by filling Form AFA/FCD A008 in case of cotton lint, AFA/FCD A009 in case of sisal and AFA/FCD A010 in case cotton seed/seed cake/cotton seed meal and linters.
- (3) The Authority shall, within a maximum of five working days after receiving an application in 20 (2), consider the application and upon approval issue an export/ import permit as set out in Forms AFA/FCD B007, B008 and B009 as the case may be and as set out in the Second Schedule.
- (4) Every licensed exporter/importer of cotton lint, linters, sisal fibre, cotton seed cake and cotton seed meal shall file monthly returns together with copies of the bill of lading to the Authority as set out in Form AFA/FCD C002 in the Third

The Crops (Fibre Crops) Regulations, 2019

Schedule.

Registration of
seed merchants.
Cap 326.

21. (1) A person who by way of trade or business produces, purchases or otherwise acquires, sells, exposes, keeps, stores or advertises for sale any cotton seeds purported to be tested and certified shall be registered with Kenya Plant Health Inspectorate Services (KEPHIS) as provided for under the Seeds and Plant Varieties Act.

(2) No persons shall engage in activities under 21 (1) unless registered with the Authority.

Requirements for
cotton seed for
planting.
Cap. 326

22. (1) All cotton seed for planting shall be dusted, packed, labeled, transported, delivered, stored and sold to growers in accordance with the provisions of the Seeds and Plants Varieties Act.

(2) Subject to any other written law, Kenya Agricultural Research and Livestock Organization, registered propagators of vegetative planting material or its authorized agents operating laboratories or tissue culture units under their supervision, is responsible for issuance of breeders seed or multiplication to any seed merchant or grower.

(3) An agent intending to introduce a new cotton seed variety shall comply with the guidelines from Kenya Plant Health Inspectorate Service or any other relevant government agency.

Requirements for
cotton seed and
sisal planting
material

23. The County Government shall create awareness and ensure information is disseminated in order that seed merchants are aware of the quantity and quality of cotton seed and sisal planting material required for each planting season.

Importation
requirements for
cotton seed and
sisal planting
material.

24. (1) A person shall not import, breed or multiply cotton seed or sisal planting material into the country, without a permit issued in writing by Kenya Plant Health Inspectorate Service and any other relevant government agency.

(2) All imported seed and sisal planting materials shall be accompanied by a phytosanitary certificate and an international orange certificate from the International Seed Testing Association and shall meet quarantine requirements as provided for under the Plant Protection Act.

(3) Cotton seeds or sisal planting materials which are not accompanied by a Phytosanitary certificate as required by paragraph (2) shall be destroyed by Kenya Plant Health Inspectorate Service or any other relevant government agency.

Exportation of
sisal planting
materials

25. (1) A person shall not export sisal planting material without a permit issued by the Authority.

(2) A person in 25 (1) shall apply for sisal planting material export permit as per Form AFA/FCD A011 in the First Schedule and upon approval the Authority shall issue the applicant with a permit as prescribed in Form AFA/FCD B010 of the Second Schedule.

The Crops (Fibre Crops) Regulations, 2019

Licensing of commercial sisal nurseries owners.

26. (1) The Authority shall liaise with the relevant government agencies in developing standards for establishment of nurseries for the production of sisal planting materials.
- (2) A person shall not establish a commercial sisal nursery unless licensed by the respective County Government.
- (3) A person who intends to establish a commercial sisal nursery shall apply for licensing to the County Executive Committee Member in the respective County in Form AFA/FCD/COUNTY A004 as set out in the First Schedule.
- (4) The respective County Executive Committee member shall license a person to operate a commercial sisal seedling nursery provided the person has:
- (a) Kenya Plant Health Inspectorate Services certification.
 - (b) Certifies requirements of CAP 326 and any other relevant statute.
- (5) The County Executive Committee Member in the respective County shall consider the applications and upon approval issue a license in Form AFA/FCD/COUNTY B003 upon payment of one thousand shillings as set out in the Second Schedule.
- (6) A licensed commercial nursery operator shall on or before the fifteenth day of July in each year complete and forward to the County Executive Committee Member in the respective County an annual return in Form AFA/FCD/COUNTY C002 in the Third Schedule in respect of the preceding year.

Registration of marks.

27. (1) An owner of a sisal plantation, or a sisal grower entity shall apply in writing to the Authority for registration of growers mark used in respect of the plantation or the grower entity as prescribed in Form AFA/FCD A012 of the First Schedule.
- (2) A ginner or cotton grower entity may apply in writing to the Authority for registration of ginner's marks or grower's marks as the case may be as prescribed in Form AFA/FCD A012 of the First Schedule.
- (3) The Authority shall, within thirty days of receiving applications in 27 (1) and (2) consider the application and upon approval issue a Certificate of Registration of the Mark(s) as set out in Form AFA/FCD B011 in Second Schedule.
- (4) Where the owner of a sisal or cotton bale consignment has registered a mark under these Regulations, such owner shall use the mark(s) clearly imprinted on all packages of produce destined for export.

The Crops (Fibre Crops) Regulations, 2019

(5) The Authority may refuse to register any mark if in its opinion such mark is identical with any other registered mark, or if such mark nearly resembles another mark as to be likely to deceive, or if it is of the opinion that some other owner by reason or prior usage has a greater claim to the registration of that or similar mark.

Labeling of bales

28. A ginner, sisal plantation and fibre grower entity shall label their bales according to the guidelines on labeling of bales as prescribed in these regulations 16(1) and 17 (2) or as guided by the Authority from time to time.

Seed cotton movement

29. (1) The movement of the seed cotton shall comply with the transportation guidelines and other requirements as provided by the Authority for purposes of adherence to standards and quality assurance from time to time.

Movement permit for sisal fibre.

30. (1) A dealer shall apply for sisal fibre movement permit to the County Executive Committee Member detailing the source, destination and quantity as prescribed in Form AFA/FCD/COUNTY A005 in the First Schedule for the purposes of moving each consignment.

(2) The County Executive Committee Member shall within two working days of receiving application under regulation 30 (1) consider the application and upon approval, issue a movement permit in Form AFA/FCD/COUNTY B004 as set out in the Second Schedule.

(3) The movement permit in regulation 30(1) shall only apply for inter-county sisal fibre movement and will be issued by the County of origin and the fee payable shall be determined by the respective County Government.

(4) The movement of sisal fibre shall comply with the transportation guidelines and any other requirements as provided by the Authority for purposes of adherence to standards and quality assurance from time to time.

Setting up of a new fibre factory

31. (1) A person intending to set up a new factory dealing in fibre shall submit an application for setting up the factory or letter of comfort to the Authority as set out in Form AFA/FCD A014 in the First Schedule for consideration to ensure availability of raw materials, capacity utilization and compliance to quality requirements for licensing.

(2) The Authority shall consider the application and issue a letter of comfort if the proposal is viable as set out in Form AFA/FCD B013 in the Second Schedule.

Revocation, varying and non-assignment of registration certificates,

32. (1) Certificates, licenses and permits issued by the Authority or the respective County Government may be revoked if the terms and conditions of issuance, the provisions of the Crops Act, 2013, these Regulations and any other relevant laws are contravened.

The Crops (Fibre Crops) Regulations, 2019

permits and licenses.

(2) The licensing Authority may at any time of the validity of license, permit or a registration certificate :

- (i) Vary the conditions of the license, permit or registration certificate
- (ii) Impose conditions or further conditions on the license, permit or registration certificate

(3) Except with written permission from the Authority or the respective County government, all certificates of registration, permits or licenses issued under these Regulations are not to be assigned or transferred to another person.

(4) Where a license, permit or registration certificate issued under these regulations is revoked or suspended, the holder shall not be entitled to claim from the Authority or Government for any compensation or any damages occurring as a result of such revocation or cancellation.

PART IV – FIBRE TRADE AND MARKETING

Cotton and sisal fibre pricing.

33. (1) The Authority shall in consultation with the County Governments and other sisal and cotton industry stakeholders, set a formula for pricing of fibres through a select committee.

(2) The committee in regulation 33 (1) shall draw its membership from fibre farmers' representatives, ginners, cotton textile millers, sisal spinners, marketing agents, fibre growers' entities and the Authority.

(3) The pricing formula for the fibres shall be reviewed from time to time on need basis.

Sale of seed cotton and sisal fibre.

34. All seed cotton and sisal fibre from smallholder growers shall be sold at licensed fibre buying stores.

Cotton grading.

35. Every seed cotton grower shall before offering for sale, grade all seed cotton intended for sale into Grade A and Grade B as prescribed by the Authority.

Prohibition against mixing cotton grades.

36. A person shall not mix—

- (a) any other seed cotton with Grade A or Grade B seed cotton; or
- (b) any un-merchantable cotton with graded cotton.

The Crops (Fibre Crops) Regulations, 2019

Seed cotton
buying dates.

37. The Authority in consultation with the respective County Government shall:
- (a) fix a date in each year when seed cotton buying shall commence and end in any specified area; and
 - (b) declare the unit of weight to be used for the purpose of weighing seed cotton in any specified area.

PART V – QUARANTINE

Declaration of cotton and sisal quarantine area.

38. The Cabinet Secretary may in consultation with the Authority and the County Government if considered necessary for the purpose of preventing the outbreak or spread of any sisal or cotton insect pest or disease declare any area to be a sisal or cotton quarantine area by order in the Kenya *Gazette* in accordance with section 31 of the Act , and may in any such order:
- (a) prohibit or regulate the planting in such area cotton seed or sisal planting material and any other crop specified in the order known to harbor insect pest or diseases of cotton or sisal;
 - (b) prohibit the removal of any seed cotton, cotton seed, sisal leaf, sisal fibre or any plant or any article which in his opinion is likely to harbor insect pests or diseases of cotton or sisal from such area without a permit in writing issued by the Authority;
 - (c) require any person to remove from any place or to destroy any seed cotton, sisal leaf and cotton or sisal refuse in that person's possession or control within the cotton or sisal quarantine area for the time specified in the notice;
 - (d) require any cotton or sisal plants, cotton or sisal residues or any other plant specified in the order to be uprooted and burned by the person possessing or having control over the same, within such area; or
 - (e) require any grower within the area to harvest sisal leaf or seed cotton where in their opinion the seed cotton or sisal leaf is infected with cotton or sisal insect pest or disease.

PART VI – INSPECTION AND COMPLIANCE

Appointment of inspectors.

39. (1) The Authority shall appoint qualified persons to be inspectors to carry out inspections of all fibre crops and their products at the ginneries, sisal factories, spinning factories, other dealer premises and in relevant areas as may be determined by the Authority from time to time for quality assurance and compliance to requirements of the Act and these Regulations;
- (2) A person appointed as an inspector under regulation 39 (1) shall—
- (a) hold a minimum of a diploma in agriculture or related field from a recognized institution;

The Crops (Fibre Crops) Regulations, 2019

(b) have the relevant expertise and experience in agriculture.

(3) The Authority may appoint inspectors under regulation 39(1) by notice in the Kenya gazette.

(4) In the exercise of the powers of entry and inspection, an inspector shall be guided by the provision of sections 28 and 29 of the Act.

Functions of inspectors

40. (1) Without prejudice to the generality of regulation 39 (3) and for purposes of these Regulations, an inspector shall;

- (a) monitor raw cotton handling, grading, sampling and inspection, units of measurement, cotton ginning, decortication of sisal leaf and handling of sisal leaf and fibre for safety and quality control purposes;
- (b) Monitor and enforce compliance to codes of practice;
- (c) Carry out surveillance at entry points and in areas where cotton and sisal and their products are traded to monitor movements for compliance to standards, these regulations and any other written law.
- (d) ensure compliance with any other provisions of these Regulations;

(2) A person appointed as an inspector under regulation 39 (1) shall not, while being so appointed, engage in any business connected with the production, export, sale or distribution of cotton, cotton products, sisal and sisal fibre in Kenya.

Powers of entry and inspection.

41. (1) A person authorized in writing by the Authority may at all reasonable times and upon production of such authority—

- (a) enter any land or buildings occupied by the holder of a certificate issued under this Act, or a person registered under these Regulations;
- (b) make such inspection and enquiries as the person may deem necessary for ascertaining whether the provisions of these Regulations or the terms and conditions of the respective registration and license are being complied with;
- (c) require any person found thereon to give such information as the authorized person may require;
- (d) make enquiries or carry out a search to ascertain if these Regulations are being complied with;
- (e) demand the production of a license or certificate for examination;

The Crops (Fibre Crops) Regulations, 2019

(f) seize and remove any article or thing in respect of which the inspector has reasonable grounds for believing that an offence under the Act or these Regulations is being or has been committed; or

(g) carry out any other function under these Regulations.

(2) The owner or occupier of or any person on land or in premises or a vehicle which is entered under regulation 41 (1) shall render such reasonable assistance as may be required by the inspector.

Obstruction of inspectors.

42. A person who hinders or obstructs an Inspector, refuses, unreasonably delays or fails to comply with a requirement under regulation 41 commits an offence.

Degraded sisal.

43. (1) Any sisal which is degraded by an Inspector may be reprocessed by the sisal plantation and held for re-inspection or if railed as of the grade to which it has been degraded, shall be marked in red.

(2) Any disagreement between an owner of a sisal consignment and Inspector as to the grade of any sisal inspection shall be reported to the Authority for arbitration.

Sisal inspection service charge

44. (1) A sisal inspection service charge at a rate of zero point seven five percentum of the gross free on board value per ton of all imported and exported sisal fibre and tow shall be charged to all marketing agents dealing in sisal imports and exports.

(2) A sisal spinning mill or factory shall pay to the Authority an inspection service charge for the fibre received in the factory at a rate of zero point seven five percentum of the fibre value.

(3) Sisal inspection service charges shall be paid to the Authority before the services are rendered for import and export consignments.

(4) Every licensee licensed under regulation 18 for purposes of sisal spinning and other processing shall cause to be paid all sisal inspection service charges on or before the fifteenth of the following month for which the charges are due.

(5) The Authority shall upon receiving application for sisal inspection by a marketing agent through Form AFA/FCD A0013 as set out in the First Schedule, issue after inspection of the consignment a sisal inspection certificate and a sisal inspection report in Forms FCD B012 and C009 as set out in the Second and Third Schedules respectively.

PART VII— FINANCIAL PROVISIONS

- Imposition of levies
45. (1) The Cabinet Secretary in consultation with the Authority may, with the approval of Parliament imposes a levy to be levied on all cotton and by products at the point of import or export in accordance with section 32(1) of the Act.
- (2) The Cabinet Secretary shall, upon the advice of the Authority, at any time by notice, alter the rate of the levy imposed under regulation 45 (1) above and such altered rate shall come into force on such date, not being less than two months from the date of the notice, as may be specified in the notice.
- (3) Levies charged on all imported finished textiles products shall be at the rate of two point five percentum of the free on board value.
- (4) A person who fails to pay the amount due in respect of any levy imposed under this regulations commits an offence.

PART VIII – GENERAL PROVISIONS

- Notice
46. (1) Where any person fails to comply with any order made pursuant to these Regulations, the Authority shall give fourteen days’ notice of its intention to take the measures necessary to comply with the order.
- (2) A person who fails to comply with the order shall without prejudice to any other penalty which may have been prescribed for failure to comply with the order be liable to pay all the costs incurred by the Authority in the execution of the order.
- Surrender of certificate of registration, permit or license.
47. (1) If a certificate of registration, permit or license is revoked under these Regulations, the holder shall immediately surrender it to the Authority or to the respective County Government as the case may be.
- (2) A certificate of registration, permit or license surrendered under regulation 47 (1) shall cease to have effect.
- (3) All revoked licenses, certificates or permits shall be published in a circular to all stakeholders.

The Crops (Fibre Crops) Regulations, 2019

Contracts
between parties.

48. (1) The Authority may enter into contracts with other stakeholders for purposes of developing fibre crops.

(2) A registered dealer may enter into contracts with fibre crops growers or other dealers and shall not sponsor growing of fibre crops for trading without informing the Authority and the relevant County Government in writing, and any production agreements sponsored shall be regulated by a contract as set out in the Fourth Schedule.

(3) A registered dealer shall be required to produce a copy of the contract upon demand by a person duly authorized in writing by the Authority or relevant County Government.

(4) A person shall not enter into contract under regulation 48 (2) and (3) unless licensed by the Authority.

(5) Any contract under these Regulations that is not verified and registered by the Authority shall not be enforceable.

(6) A fibre dealer who has entered into contract with other entities and deposited it with the Authority, the contract shall be considered while issuing licenses of ensuing applicants for transparency and to avoid conflicts.

General penalty.

49. A person, who contravenes any provision of these Regulations or commits an offence for which no penalty is prescribed, shall be liable, on conviction, to a fine not exceeding twenty thousand shillings, or to imprisonment for a period not exceeding six months, or to both.

The Crops (Fibre Crops) Regulations, 2019

Fees.

50. (1) All services rendered under these Regulations including application for permits or licenses and issuance of permits, licenses, inspection certificates, cotton classing reports shall be subject to payment of fees prescribed by notice in the Gazette as shall be determined from time to time by the Authority or the respective County Government.

(2) The fees accruing from services rendered in regulation 50 (1) shall be collected as follows;

(a) Fees from nursery operators, movement permits and dealers with operations restricted to County and fibre buying stores shall be paid to the relevant County Government.

(b) Fees from seed cotton buyers, sisal fibre buyers, marketing agents operating across the Counties, ginneries and sisal factories operators, sisal spinning factories, cotton textile milling factories, cotton seed millers; sisal inspection charges and cotton classing services shall be paid to the Authority.

(3) The fees collected at any level of Government shall be used in the development of fibre crops in accordance with the Act.

Revocation of
Rules and
Regulations

51. The Cotton (General) Regulations, 2007 and all Sisal Industry Rules are hereby revoked.

FIRST SCHEDULE

APPLICATION FORMS

FORM AFA/FCD/COUNTY A001/ Year

(r. 6(2))

THE COUNTY GOVERNMENT
OF.....

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR REGISTRATION OF FIBRE CROPS GROWERS' CO-OPERATIVE SOCIETIES, ASSOCIATIONS, COMMON INTEREST GROUPS, COMMUNITY BASED ORGANISATIONS

A – Particulars of Applicant (New/Renewal - *delete as appropriate*):

1. Name of the entity.....
Postal Address.....

2. Registered Office.....
L. R. No. Street
Tel. No. Fax No.
E-mail Website
3. Location of premises: Village/area..... Ward.....
Sub-County..... County.....
4. VAT Registration No PIN
5. Year of Registration
6. Registration No.

(Attach copies of company incorporation certificate, ID of officials/Directors and registration certificate)

B – Particulars of the crop

7. Crop details:

Crop (Sisal/Cotton)	Number of growers (<i>attach certified copy of list of names</i>)	Total area (Hectares)	Total production for previous year (Tons)

8. Date of submission of annual returns

9. Declaration

We hereby declare that the particulars which we have given are true and accurate to the best of our knowledge and information.

Chairman/Director.....Signature..... Date

Secretary.....Signature.....Date

Treasurer.....Signature..... Date

Official Stamp

FOR OFFICIAL USE

Approved by:

County Executive Committee (CEC) for Agriculture

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

Comments (*Recommended/Not recommended*)

.....
.....
.....

Official Stamp

REQUIREMENTS

1. Provide full list of growers.
2. The applicant shall produce such documentary evidence as requested to support the statements made above.
3. When consideration an application for registration of an Association the Authority, shall require the applicant to submit:-
 - (i) Registration Certificate.
 - (ii) Constitution of the Association.
 - (iii) For growers proof of membership of at least fifty growers.
 - (iv) Approved minutes for election of office bearers.

FORM AFA/FCD/COUNTY A002/ Year

(r. 6(4))

THE COUNTY GOVERNMENT OF

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR REGISTRATION OF A FIBRE CROPS PLANTATION GROWER

A – Particulars of Applicant (New/Renewal - delete as appropriate):

1. Full name of applicant.....
2. Postal address..... Postal code.....Town.....
3. Telephone No.....E-mail.....Website.....
4. Physical address:
Building.....Street.....Town.....
5. Certificate of Company Incorporation No.....
6. VAT Registration No. PIN
7. List Names and Identity card Nos. for Directors (Attach list)
8. Provide Passport Nos. and Work Permits for Directors for Foreign based Companies
(Attach list)

B – Particulars of Land Parcel

1. L.R. No. or No's.....
2. County.....
3. Sub County.....
5. Ward.....
4. Village.....

Crop grown (sisal/cotton)	Total area (Hectares)	Total production for previous year (Tons)

Declaration

We hereby declare that the particulars which we have given are true and accurate to the best of our knowledge and information.

Applicant or his duly authorized agent.....

Signature..... Date

FOR OFFICIAL USE

Approved by:

County Executive Committee (CEC) for Agriculture

Name Signature.....

Date.....

Comments (*Recommended/Not recommended*)

.....
.....
.....

Official Stamp

REQUIREMENTS

1. Provide full list of out growers (*where applicable*).
2. The applicant shall produce such documentary evidence as requested to support the statements made above.

FORM AFA/FCD A001/ Year

(r. 7(1))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR REGISTRATION AS A FIBRE CROPS DEALER

Part A: Applicant's Details (New/Renewal - delete as appropriate)

1. Full name of Applicant:
2. Registered office..... L. R. No.
 Postal Address: Postal CodeTown..... Tel/Mobile No:..... Email:..... Website:.....
 Physical address: Building Street:..... Town:.....
 County..... Sub County..... Ward.....
 Village.....
 Company details (where applicable):
 Certificate of Company Incorporation /Registration No:
 List Names and Particulars of Directors/Officials (Attach copies of ID)

3. Branch offices (if any)

	Town	Location	Address
1.			
2.			
3.			

Part B: CATEGORY OF DEALER (Tick as appropriate)

1. Check as appropriate

- Cotton textile milling
 Fibre buyer
 Marketing agent
 Sisal factory
 Ginner

The Crops (Fibre Crops) Regulations, 2019

- Cotton seed miller Sisal spinning factory
 Others (specify)

2. Check one

<input type="checkbox"/> Individual Ownership	<input type="checkbox"/> Cooperatives/ Associations	<input type="checkbox"/> Company	<input type="checkbox"/> Others (specify)
---	--	----------------------------------	---

I/We certify that I/we have read and understood the Crops Act, 2013 and the regulations made thereunder

Date..... Official rubber stamp

Name of authorized officer: Signature:

REQUIREMENTS

1. The Applicant shall produce documentary evidence as requested to support the statements made above.
2. This registration is made free of charge.

FORM AFA/FCD/COUNTY A003/ Year

(r. 9(2))

THE COUNTY GOVERNMENT OF.....

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR FIBRE BUYING STORE LICENSE

Part A: Applicant's Details

1. Full Name of Applicant (New/Renewal - *delete as appropriate*):
.....
2. Registered Office..... L. R. No.....
Postal Address: Postal Code.....
Town.....
Tel/Mobile No:..... Email:..... Website:.....
3. Business Permit No.
4. State Fibre Crops to be handled.....
5. Store Capacity (tons).....

Part B: details of the buying store

Application is hereby made to operate a fibre crops buying store for the purposes of collection, storage or selling of seed cotton or sisal fibre located at:-

1. Physical Address: Building Street:
Town:
2. County..... Sub County
Ward..... Village
3. Company details (where applicable):
 - Certificate of Company Incorporation/ Registration Certificate No.
 - List Names and Particulars of Directors/Officials (*Attach copies of ID*)
4. VAT Registration/Personal Identification Number (PIN)
5. Name and Address of Owner of the Premises. (*Attach list*)

I hereby certify that the above information is correct to the best of my knowledge.

Name..... Signature of applicant.....

Date..... Official Rubber Stamp

FOR OFFICIAL USE

Approved by:

County Executive Committee (CEC) for Agriculture

NameSignature.....

Date.....

Comments (*Recommended/Not recommended*)

.....
.....
.....

Official Stamp

REQUIREMENTS

The buying store must be:-

1. Accessible to the farmers
2. be constructed to allow for adequate ventilation, lighting, effective produce inspection and made of acceptable materials;
3. Free from any leakages from the roofs and walls
4. Have a concrete floor or made of material that will allow easy cleaning to avoid contamination of the fibres
5. Provided with firefighting equipment or any other recommended alternative.
6. Provide letter of commitment to take out insurance cover for 3rd party produce stored awaiting payment to the smallholder growers
7. The intended premises must be inspected and approved for fibre storage.

FORM AFA/FCD A002/ Year

(r. 10(1))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR LICENSE AS A SEED COTTON/SISAL FIBRE BUYER

Applicant's details (New/Renewal - delete as appropriate):

1. Full name of Applicant
2. Postal Address.....
3. Physical Address.....
4. VAT Registration No PIN
5. Year of Incorporation of Company and Registration No.
6. Season.....

Location of premises:

1. L. R. No. Street
2. Tel. No. Fax No.
E-mail Website
3. Village Ward.....
4. Sub-County..... County.....

Operation Arrangements /Areas of Operation where applicable:

- (i) Source of Fibre
 - i. Name of buying store(s) include LR Nos.....
 - ii. Name of Operator of the store (s)
 - iii. National ID number of operator(s).....
- (ii) List sisal farms or ginneries and estimated volumes
 - a)
 - b)
 - c)
- (iii) The estimated total volume in (tons).....
- (iv) Financial Arrangements:
Provide evidence for financial arrangements with your bank.

Producer Price:

GRADE A will be Kshs.....per kg and

GRADE B will be Kshs. per kg.

For sisal fibre (*state grade and unit price per Kilogram*)

.....
.....

Ginning/decorticating Arrangement:

I/We also confirm that I/We have my/our own ginnery/factory (Name) or

I/We have contract with M/S to use his/their ginnery/factory
(Name) (attach copy of ginning/factory contract).

Contractual arrangements:

I/We confirm that I/We have a contract to purchase seed cotton/sisal fibre from
.....Cooperative/Association/Company in
..... County/Region (attach copy of contract).

Declaration:

I/We hereby declare that I/We shall abide by the regulations governing the purchase of seed
cotton/sisal fibre as issued and as will be directed by the Authority from time to time.

.....

Name of Buyer: Signature

Date:

Office Stamp

FOR OFFICIAL USE

Approved by:

Authorizing officer's Name Signature.....

Designation.....

Date

Official Stamp.....

REQUIREMENTS

The applicant must fulfill the following:

1. The applicant (if not a ginner) must ensure that the designated ginner/sisal spinning factory holds a valid license
2. Avail proof of ginning, brushing and baling arrangements from a licensed dealer.
3. Attach a list of cotton/sisal fibre buying agents with the following details (where applicable);
 - Name of agent;
 - ID number of agent;
 - Phone number of agent; and
 - Area of operation (Name of Buying Store).
4. Pay a non-refundable application fee for Kshs. 1000.00
5. Provide letter of commitment to take out comprehensive insurance cover for 3rd party produce stored awaiting payment to smallholder growers.
6. Any other requirements that may be prescribed by the Authority from time to time

FORM AFA/FCD A003/ Year

(r 12(1))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR LICENSE AS A FIBRE CROPS MARKETING AGENT

A Particulars of Applicant (New/Renewal - *delete as appropriate*):

1. Full name of Applicant
2. Postal Address.....
3. Business Permit Number..... (*attach a copy*).
4. Physical Address.....
5. Certificate of Incorporation.....
6. Provide certified copies Articles and Memorandum of Association.
7. List Names and National Identity card Nos. for Directors (*Attach copies*)
8. Provide Passport Nos. and Work Permits for Directors for Foreign based Companies (*Attach copies*)

I/We of P.O. Box and holders of business License No. (*copy attached*) issued in..... (*Name of County*) wish to apply for license as a cotton lint/linters/sisal fibre/cotton seed/cotton seed cake/cotton seed meal for the period to

Application made for:

Tick whichever is applicable

- Overseas market
- Domestic Market

B. Areas of Operation where applicable:

(i) Source of Fibre

- iv. Name of buying store(s) include LR Nos.....
- v. Name of Operator of the store (s)
- vi. National ID number of operator(s).....

(ii) List sisal farms or ginneries and estimated volumes

- a)

The Crops (Fibre Crops) Regulations, 2019

- b)
- c)

3. Financial Arrangements:

I/We confirm that I/We have financial arrangements with our bankers and the same can be confirmed by my/our bankers* of P.O. Box (*provide evidence).

4. Ginning/brushing/baling Arrangement:
(others specify)

- a) Ginnery/sisal factory location.....

5. Contractual arrangements:

Contract with M/S

Applicant's Name Sign

Date.....

FOR OFFICIAL USE

Checked by:

Name..... Signature.....

Date.....

Comments (*Recommended/Not recommended*)

.....
.....
.....

Approved by:

Authorizing officer's Name Signature.....

Designation..... Date

REQUIREMENTS

1. Undertaking to furnish the Authority with monthly marketing returns (*Provide Annual Marketing Returns for the year ending*)
2. Pay a non-refundable application fee of Kshs 1000.00 (*for new applicants*)
3. Provide letter of commitment to take out comprehensive insurance cover for 3rd party produce stored awaiting payment to smallholder growers.
4. Any other requirements that may be prescribed by the Authority from time to time

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR GINNING LICENSE

1. Particulars of Applicant (New/Renewal - delete as appropriate):

I/We of P.O. Box and holders of Business Permit No. (attached) issued by County Government wish to apply for license as a ginner (s) for the period.....

2. Ginning operation:

The estimated total volume of the crop I/We expect to gin is kgs of Grade A seed cotton and kgs of Grade B seed cotton.

Average bale weight..... Kg

Bale size in metres (LxWxH)

Type of gins (single/double) roller/saw

Number of operating gins

Lint cutter installed: () Yes () No

3. Contractual arrangements:

I/We confirm that I/We have a contract for supply of Kgs of lint to (buyer).

I/We confirm that I/We have a contract with Entity Cooperative/Associations/ for supply of seed cotton.

4. Application Fee:

I/We enclose a cheque/cash for Kshs. 1,000/= being non-refundable application fee for license as a seed cotton ginner.

5. Declaration:

I/We hereby declare that I/We shall abide by the regulations governing the ginning of seed cotton.

The Crops (Fibre Crops) Regulations, 2019

Applicant's Name..... Sign

Designation.....Date.....

FOR OFFICIAL USE

Checked by:

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

Comments (*Recommended/Not recommended*)

.....
.....
.....

Approved by:

Authorizing Officer's NameSignature.....

Designation.....Date

REQUIREMENTS

1. Undertakes to furnish the Authority with monthly returns (supply of raw materials and sale of lint and cotton seed in the prescribed format)
2. The ginner shall maintain and work the ginnery in a proper manner and in such a way as to maintain cotton quality standards.
3. The ginner shall ensure that all raw cotton delivered to the ginnery is correctly graded and shall keep all Grade A seed cotton and the lint therefrom separate from the other.
4. The ginner shall keep seed cotton, cotton seed and cotton lint which may be salvaged from damage by fire or water, separate from other seed cotton, cotton seed and cotton lint and shall gin the seed cotton and bale the cotton lint in accordance with conditions of the certificate.
5. The ginner shall not later than 15th day of January of the following year, produce annual report of the previous year to the Authority in the prescribed FORM AFA/FCD C006 (a).
6. The ginner is prohibited from buying and or ginning improperly graded cotton.
7. The ginner shall ensure that lint bales are labeled in the format prescribed by the Authority.
8. The ginner shall ensure that lint bales are stored in proper conditions as prescribed by the Authority from time to time
9. The ginner shall collect lint samples as provided for in the cotton lint sample collection protocol provided by the Authority.

The Crops (Fibre Crops) Regulations, 2019

10. The ginner shall ensure that all bales produced are properly weighed and clearly labeled as prescribed by the Authority.
11. The ginner shall provide a valid certificate of registration from the Kenya Cotton Ginners Association
12. Every ginner shall ensure that all non-infected cotton is ginned first and that no infected cotton is ginned before the requirement of seeds for planting is determined by the Authority are met.
13. Ginners shall use cotton or any other material recommended by the Authority to pack lint bales, cotton seed and cotton samples.
14. Compliance with Statutory requirements, including but not limited to, Environmental Impact Assessment report/NEMA certificate, Safety and Occupational Health Certificate.
15. Provide letter of commitment to take out comprehensive insurance cover for 3rd party produce stored awaiting payment to the smallholder growers
16. Any other requirements that may be prescribed by the Authority from time to time

FORM AFA/FCD A004 (b) / Year

r.13 (2))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR COTTON SEED MILLING LICENSE

1. Particulars of Applicant (New/Renewal - delete as appropriate):

I/We of P.O. Box and holders of Business Permit No. (attached) issued by County Government wish to apply for license as a cotton seed miller for the period.....

2. Milling operation:

The estimated total volume of the cotton seed I/We expect to mill is kgs of Grade A and kgs of Grade B.

3. Contractual arrangements:

I/We confirm that I/We have a contract for supply of Kgs of cotton seed from (State sources).

4. Application Fee:

I/We enclose a cheque/cash for Kshs. 1,000/= being non-refundable application fee for license as a cotton seed miller.

5. Declaration:

I/We hereby declare that I/We shall abide by the regulations governing the industry.

Applicant's Name..... Sign

Designation.....Date.....

FOR OFFICIAL USE

Checked by:

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

The Crops (Fibre Crops) Regulations, 2019

Comments (*Recommended/Not recommended*)

.....
.....

Approved by:

Authorizing Officer's NameSignature.....

Designation.....Date

REQUIREMENTS

1. Undertakes to furnish the Authority with monthly returns (supply of cotton seed and sale of by-products therein in the prescribed format)
2. The cotton seed miller shall not later than 15th day of February of the following year, produce annual report of the previous year to the Authority in the prescribed Form AFA/FCD C005 (b).
3. Compliance with Statutory requirements, including but not limited to, Environmental Impact Assessment report/NEMA certificate, Safety and Occupational Health Certificate.
4. Provide letter of commitment to take out comprehensive insurance cover for 3rd party produce stored awaiting payment to the smallholder growers
5. Any other requirements that may be prescribed by the Authority from time to time

FORM AFA/FCD A005/ Year

(r. 13 (2))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR SISAL FACTORY LICENSE

A. PARTICULARS OF APPLICANT (New/Renewal - *delete as appropriate*):

I/We of P.O. Box wish to apply for a license to operate a sisal factory for the period fromto

B. FACTORY PARTICULARS

1. Source of Raw Material to Process (indicate as appropriate):-

- (a) The holder to process own leaf exclusively.
- (b) The holder to process own leaf as well as others.
- (c) The holder to process bought fibre

2. Type of Decorticator.....

3. Number of Decorticators Capacity (Tons).....

4. Year of Installation

5. Number of Raspadors..... Capacity (Tons) State Number of Drums
Single () Double () (*tick as appropriate*)

6. Decortication Process Dry () Wet ()
(tick as appropriate)

7. Type and Source of Power (state the H.P).....

8. Source of Water: River () Bore Hole ()
(tick as appropriate)

Any other specify.....

Capacity of Drying Lines (Kg/Tons)

9. Construction Details of Drying Lines.....

10. Number and Capacity of brushing machines (Tons per day)

The Crops (Fibre Crops) Regulations, 2019

11. Number of Baling Presses and capacity (Weight per Bale and Tons per day) Capacity (Tons).....

12. Contractual arrangements:

I/We confirm that I/We have a contract for supply of Kgs of sisal fibre to (buyer).

13. Declaration:

I/We hereby declare that I/We shall abide by the regulations governing the decortication of sisal

Name Signature

Designation..... Date:

Official Stamp

FOR OFFICIAL USE

Checked by:

Name..... Signature..... date.....

Comments (*Recommended/Not recommended*)

.....
.....
.....

Approved by:

Authorizing Officer's Name Signature.....

Designation..... Date

Official Stamp

REQUIREMENTS

1. The factory owner shall maintain and work the factory in such a way as to maintain sisal quality standards.
2. The factory owner shall ensure that all sisal fibre is correctly graded and stored separately.

The Crops (Fibre Crops) Regulations, 2019

3. Every licensee shall submit a letter of undertaking to remit monthly and annual returns and shall submit the same to the Authority in the prescribed format.
4. Payment of a non-refundable application fee of Kshs 1,000.00
5. The factory owner shall ensure that sisal bales are stored in proper conditions as prescribed by the Authority from time to time.
6. Compliance with Statutory requirements, including but not limited to, Environmental Impact Assessment report/NEMA certificate, Safety and Occupational Health Certificate.
7. Provide letter of commitment to take out comprehensive insurance cover for 3rd party produce stored awaiting payment to the smallholder growers
8. Any other requirements that may be prescribed by the Authority from time to time

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

**APPLICATION FOR SISAL SPINNING OR COTTON TEXTILE MILLING FACTORY
LICENSE**

A – Particulars of Applicant (New/Renewal - delete as appropriate):

- i. Name of Sisal Spinning/Cotton textile milling factory.....
- ii. Name of applicant.....
- iii. Certificate of Company Incorporation No.....
- iv. Postal address.....
- v. Email..... Telephone number.....
- vi. List Names and Particulars of Directors (Attach list)
- vii. Addresses of Directors.....
- viii. Telephone No of Directors
- ix. Passport/National ID and Work Permits (if applicable)

B – Physical Address

- i. L.R. No. or No's.....
- ii. Ward.....
- iii. Sub County.....
- iv. County.....

C – Particulars of the Spinning factory

- i. Number of Spinning units (stating make and type)
.....
.....
- ii. Number of spindles Speed of Spindles
- iii. Number of combing units
- iv. No. of pin row, pressure head, and winding displacement.....
.....
- v. Type and source of power.....
- vi. Source of Water: Stream () Bore Hole () Well ()

The Crops (Fibre Crops) Regulations, 2019

(tick as appropriate)

Any other specify.....

D - Raw materials

- a) Source of fibre (cotton lint or sisal)
- b) Quantity raw material used per month/year (tons).....
- c) List of products;
 - i. From cotton lint
 - ii. From sisal fibre

Note; Attach copies of contracts for source of raw materials and market destinations for finished products

FOR OFFICIAL USE

Checked by:

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

Comments.....

.....

.....

Approved by:

Authorizing Officer's Name.....Date Signature.....

Official Stamp

REQUIREMENTS

1. Undertaking to furnish the Authority with monthly and annual returns (supply of raw materials and sale of finished products) in the prescribed format.
2. Payment of a non-refundable application fee of Kshs 1,000.00
3. Any other requirements that may be prescribed by the Authority from time to time.

FORM AFA/FCD A007/ Year

(r .19 (1))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR COTTON LINT CLASSING

1. Applicant information

Name:.....

Address:.....

Telephone:.....Email:.....

2. Consignment information

Number of samples

Sample (s) Lot Numbers:

Sample Condition:

Cotton Variety: Type of Ginning: [ROLLER] [SAW]

3. Classing services required

a) Official High Volume Instrument Classing parameters:-

- | | | |
|-----------------------------|-----------------------|------------------------|
| (i) Micronaire | (ii) Strength | (iii) Length (UHML) |
| (iv) Length Uniformity (UI) | (v) Colour grade (Rd) | (vi) Colour grade (+b) |

b) Extraneous matter, contamination and ginning assessment

Mode of results dispatch:

I/We hereby declare that the samples of the above mentioned lot/lots were drawn and sealed, under our responsibility in accordance with the sampling protocols as prescribed by the Authority and were delivered to the Authority's laboratory as being truly representative of the lot(s) referred to.

REQUIREMENTS

1. The applicant shall pay ksh.150 per sample that is sent for classing
2. Classing results are based on sample(s) provided.
3. Results shall be released upon full payment for classing service.
4. The Laboratory reserves the right to withhold sample remnants for verification purposes.

Client's Signature: Date:

FOR LABORATORY USE:

Received by: Date:

Classing report ready by (date):

Checked by:

Authorizing Officer's Name.....

Signature.....

Date

FORM AFA/FCD A008/ Year

(r. 20(2))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR LINT/LINTERS EXPORT/IMPORT PERMIT

Marks(s).....

Overseas Contract No. Date Quantity in contract

Local Contract No. Date

Name of Licensed Marketing Agent License No.

Validity: From.....To.....

Address.....

GRADE As per HVI Report	QUANTITY IN METRIC TONS	PRICE F.O.B PER TON US \$	FREIGHT US \$	INSURANC E US\$	TOTAL VALUE (US \$)	TOTAL VALUE (KSHS)

1. Financial Arrangements:

I/We confirm that I/We have no problems with financing and the same can be confirmed by my/our Bankers of P.O. Box (*attach evidence*)

2. Contractual arrangements:

- a) Source of lint (ginnery, merchants etc)
- b) Export destination/Origin for supply oftons of lint

3. Declaration:

I/We hereby declare that I/We shall abide by the regulations governing the cotton lint Export/Import as issued by the Authority from time to time and satisfy conditions for lint exporters/importers shown overleaf.

Signature.....

Date..... **Official**

Stamp

FOR OFFICIAL USE

Checked by:

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

Comments

.....
.....

Approved by:

Name Signature Date

REQUIREMENTS

1. Lint quality report issued by the Authority to be provided for every consignment.
2. Lint exporter/importer must file returns with the Authority within thirty days from the date of issue of Export/import permit. The information should include the buyer's name, weight of bales sold, and the type, price and delivery period, source of lint and destination or Country of origin
3. An exporter/Importer shall ensure that all cotton designated for export shall comply with Kenyan standards on quality, safety and hygiene, sanitary and Phytosanitary (SPS) regulations, and maintain the relevant documents for inspection by the Authority.

FORM FiCD A009/ Year

(r. 20 (2))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR SISAL FIBRE EXPORT/IMPORT PERMIT

Marks(s).....

Overseas Contract No. Date Quantity in contract

Local Contract No. Date

Name of Licensed Marketing Agent License No.

Validity: From.....To.....

Address.....

GRADE	QUANTITY IN METRIC TONS	PRICE F.O.B PER TON US \$	FREIGHT US \$	INSURANC E US\$	TOTAL VALUE (US \$)	TOTAL VALUE (KSHS)
1						
A						
2						
3L						
3S						
UG						
SSUG						
Tow 1						
Tow 2						
Uncarded flume tow						
Carded flume tow						
UHDS						
Total						

Country of destination/Origin Date of shipment

Vessel.....

Consignee

Notify Address

The Crops (Fibre Crops) Regulations, 2019

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

Date Signed

Official stamp.....

FOR OFFICIAL USE ONLY

Checked by

Name..... Date Signature

Approved by:

Name Signature.....

Date

REQUIREMENTS

1. Sisal inspection certificate issued by the Authority to be provided for every consignment.
2. Sisal fibre exporter/importer must file returns with the Authority within thirty days from the date of issue of Export/import permit. The information should include the buyer's name, weight of bales sold, and the type, price and delivery period, source of sisal fibre and destination or Country of origin.
3. An exporter/Importer shall ensure that all sisal fibre designated for export shall comply with Kenyan standards on quality, safety and hygiene, sanitary and Phytosanitary (SPS) regulations, and maintain the relevant documents for inspection by the Authority.

FORM AFA/FCD A010/ Year

(r. 20(2))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION AND PERMIT FOR COTTON SEED/CAKE/MEAL EXPORT/IMPORT

1. Particulars of Applicant:

Name of Applicant

Address.....

Marketing Agent License No..... of20.....

hereby apply for a Cotton seed/cake Export/Import Permit fortons of.....season.

Destination Country/Country of Origin Details

.....

Destination Country/Country of Origin	Quantity (MT)	FOB Value

2. Declaration:

I/We hereby declare that I/We shall abide by the regulations and By-laws governing the cotton seed/cake export as issued from time to time and satisfy export conditions for cotton seed/cake shown overleaf.

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

Official Stamp

FOR OFFICIAL USE

Checked by

Name Date..... Signature

Approved by:

Authorized Officer

Signature.....Date

REQUIREMENTS

1. Clearance certificate by Kenya Plant Health Inspectorate Service where applicable
2. Exporters shall execute the export/import permit issued for each consignment and make monthly returns to the Authority in the prescribed format.

FORM FiCD A011/ Year

(r. 25 (2))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR EXPORT OF SISAL PLANTING MATERIAL PERMIT

Name.....

Address.....

Quantity (number) of seedlings Variety of seedlings

Value of seedlings

Source Destination

Date of shipment.....Consignee

Reasons for exportation.....

.....

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

Date

Signed

Official stamp.....

FOR OFFICIAL USE ONLY

Checked by

Name..... Date Signature

Approved by:

NameSignature.....

Date

FORM AFA/FCD/COUNTY A004/ Year

(r. 26(3))

THE COUNTY GOVERNMENT OF

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR A COMMERCIAL SISAL NURSERY LICENSE

1) Applicant's Information

Name of Applicant (New/Renewal - *delete as appropriate*):

.....

Address:

Postal.....

Email

Telephone:

Where the applicant is a company or co-operative society, supply the Authority with:

(i) A certified copy of certificate of incorporation/registration;

(ii) A certified copy of memorandum and articles of association/ constitution;

a) Names and address of Directors.....

b)

c)

2) Nursery Information

Ward.....Village/Road.....

Sub County:

County:

L.R No/Plot No

REQUIREMENTS

The licensing requirements for a commercial sisal nursery license shall be as follows:

1. A certified copy of title deed or leasehold agreement
2. Individual National ID/Passport No, Pin Numbers and certificate of good conduct

The Crops (Fibre Crops) Regulations, 2019

3. The applicants must show compliance to phytosanitary requirements through certification by KEPHIS
4. Demonstrate adequate knowledge and technical competence in nursery management (training certificate from the Authority) of the sisal crop.
5. Reliable source of water
6. Accessibility of nursery site for inspection and materials transportation.
7. Nursery operators shall remit returns to the Authority on an annual basis
8. Nursery operators shall maintain records of source of bulbils, No. of bulbils raised and sold.
9. Any other requirements that may be prescribed by the Authority from time to time.

Name of applicant.....

Signed: Date:

Official Stamp.....

FOR OFFICIAL USE

Approved by:

County Executive Committee (CEC) for Agriculture

Name Signature.....

Date.....

Comments (*Recommended/Not recommended*)

.....
.....
.....

Official Stamp

FORM AFA/FCD A012/ Year

(r. 27(1), (2))

THE AGRICULTURE FISHERIES AND FOOD AUTHORITY

THE FIBRE CROPS REGULATIONS, 2019

APPLICATION FOR REGISTRATION OF GROWER/GINNER MARKS

A. Particulars of Applicant (New/Renewal - delete as appropriate):

I/We of P.O. Box wish to apply for registration grower/ginner mark(s)

i. Name of Sisal Plantation/ginnery/cooperative society (tick as appropriate)

.....

ii. Where the applicant is a company or co-operative society, supply the Authority with: Names and address of Directors

.....
.....
.....

iii. Give desired Mark (s):

.....
.....
.....
.....
.....

I/We _____ declare that the information furnished above is true to the best of my knowledge and belief.

Date..... Signature

Official stamp.....

FOR OFFICIAL USE

Checked by:

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

Comments.....
.....
.....

Approved by:

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

Comments.....
.....
.....

REQUIREMENTS

The mark(s) shall be registered subject to the following conditions:-

1. The applicant is the producer of the fibre for which the mark(s) registration is being sought
2. There are no similar or conflicting mark(s) that have been registered with the Authority before

FORM AFA/FCD/COUNTY A005/ Year

(r. 29(2)30(1))

THE COUNTY GOVERNMENT
OF.....

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR SISAL FIBRE MOVEMENT PERMIT

Full name of Applicant/Company:.....

Apply to move

.....
(Specify product, grade, variety and quantity where applicable)

From

(Specify location and county)

To.....

(Specify destination location and county)

Reasons for Movement

.....
.....
.....

Requested Validity period: from..... to.....

(Specify dates)

Truck/Trailer Reg. No.....

(others specify)

I _____ declare that the information furnished above is true to the best of my knowledge and belief.

Name of Applicant..... ID No.....

Date..... Signature

Official stamp.....

FOR OFFICIAL USE

Approved by:

County Executive Committee (CEC) for Agriculture

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

Comments (*Recommended/Not recommended*)

.....
.....
.....

Official Stamp.....

REQUIREMENTS

Movement's permits shall be granted subject to the following conditions:

1. A transporter shall ensure that the sisal fibre is transported in a manner that does not damage the quality of fibre as per the Authority's Transportation Guidelines.

FORM AFA/FCD A013/ Year

(r. 43(4))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR SISAL INSPECTION

Fibre Crops Directorate
P. O. Box 81764
MOMBASA
Tel: 041-2224325/2009528

a) Please issue inspection certificate for tons of
Sisals Grade Mark
Export Permit No. Date
Destinations Date of shipment
Agent

Signed Date

(Store Keeper)

FOR OFFICIAL USE ONLY

b) This request is authorized/not authorized
Remarks

Signed Date

(Officer in charge)

c) Bales Inspected

Date Time

Inspection Report No.

Inspection Certificate No.

Signed Date

(Sisal Inspector)

FORM AFA/FCD A014/ Year

(r. 31(1), (2))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

APPLICATION FOR SETTING UP A NEW FACTORY/LETTER OF COMFORT

To
The Director General,
AFA

A Particulars of Applicant

1. Full name of Applicant/Name of business enterprise..... apply
for a Letter of Comfort for setting up of
..... (type of proposed fibre factory) situated on LR No.:.....

2. Postal Address

3. Physical Address

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

- (a) the Memorandum and Articles of Association;
- (b) the Certificate of Incorporation/Registration;
- (c) the profiles of the investor(s), directors and their IDs/Passports;
- (d) a copy of the project profile or feasibility study showing the implementation period, factory design, programme for sustainable production on raw materials, quantities of raw materials available for processing.
- (e) program of implementation and operation dates; and
- (f) evidence of financing and land ownership for the project.

5. The authorized share capital of the fibre factory is Kshs./US\$:

6. The intended capital investment of the fibre factory is Kshs./US\$.....

Declaration

I/We hereby declare
that the particulars which I/We have given are true and accurate to the best of my/our knowledge and
information.

Applicant or his duly authorized agent.....

Signature..... Date

FOR OFFICIAL USE

Checked by:

Name..... Signature.....

Date.....

Comments (*Recommended/Not recommended*)

.....
.....
.....

Approved by:

Authorizing officer's Name Signature.....

Designation..... Date

SECOND SCHEDULE

REGISTRATION CERTIFICATES, PERMITS AND LICENSES

FORM AFA/FCD/COUNTY B001/ Year

(r. 6(8))

THE COUNTY GOVERNMENT OF

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

FIBRE GROWER REGISTRATION CERTIFICATE

THIS IS TO CERTIFY that..... of postal address
.....of County, LR No.....has been duly
registered as a fibre crops plantation grower/grower entity to grow and maintain.....hectares of
sisal/cotton on the land parcel specified herein in accordance with section 15 of the Crops Act, 2013.

Sign..... Date.....

County Executive Committee (CEC) for Agriculture

Official Stamp

This Registration certificate is not transferable

FORM AFA/FCD B001/ Year

(r. 7(3))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

DEALER'S REGISTRATION CERTIFICATE

THIS IS TO CERTIFY that..... of postal
addressof County, LR
No.....has been duly registered as ato deal
in..... by the Agriculture and Food Authority
in accordance with section 16(1) of the Crops Act, 2013

Dated this day of 20.....

Signature.....

Agriculture and Food Authority

Official Stamp

FORM AFA/FCD/COUNTY B002/ Year

(r. 9(3))

THE COUNTY GOVERNMENT OF.....

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

FIBRE CROPS BUYING STORE LICENSE

License is hereby granted to M/S..... of P.O. Box to:-

- (i) Buy and store seed cotton for the period starting to (*License year*)
- (ii) Buy and store sisal for the period starting to (*License year*)

Situated at L.R No/Plot No..... Ward

Sub-County County.....

Issued this day of 20

Fee Kshs..... Receipt No. Dated

Signed..... Date.....

County Executive Committee (CEC) for Agriculture

Official stamp

TERMS AND CONDITIONS

The holder of this license must ensure that the store is:-

1. Maintained to allow adequate ventilation, lighting, effective produce inspection
2. Free from any leakages from the roofs and walls
3. Provided with serviceable firefighting equipment or any other recommended alternative.
4. Used for the purpose for which is the licensed is granted

This license is not transferable

FORM AFA/FCD B002/ Year

(r.10 (3))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

SEED COTTON/SISAL FIBRE BUYING LICENSE

License is hereby granted to M/s..... of P.O. Box to buy seed cotton/sisal fibre during..... season ending on..... at buying store in County. The cotton/sisal fibre so purchased shall be ginned/brushed and baled/spinned at Ginnery/sisal factory (.....others specify)

Issued at this.....day of..... 20.....

Fees Kshs..... Receipt No. Dated

SignedDate

For Agriculture and Food Authority

Official Stamp

TERMS AND CONDITIONS

The holder of this license must fulfill the following:

1. Ensure that all the authorized cotton/sisal fibre buying agents (*whose names, Identity Card numbers and telephone numbers are listed on the reverse of this license*) adhere to all the provisions relating to fibre buying as provided for under these regulations;
2. The store from where the fibre is stored is maintained as provided for in these Regulations.
3. Any other requirements that may be prescribed by the Authority from time to time

The Crops (Fibre Crops) Regulations, 2019

This license is not transferable

FORM AFA/FCD B003/ Year

(r.12(3))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROP) REGULATIONS, 2019

FIBRE MARKETING AGENT LICENSE

THIS IS TO CERTIFY that of P.O. Box
..... has been licensed and
authorized to buy, receive, sell or dispose otherwise fibre and fibre products for purposes of export or
import (..... *state the product*) ;

License valid until.....

FEES KSHS..... RECEIPT NO.....DATED

Signature.....Designation.....

Date:

Agriculture and Food Authority (AFA)

Official Stamp

(This license is not transferable)

FORM AFA/FCD B004 (a) / Year

(r. 14 (1))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

GINNING LICENSE

License is hereby granted to M/s of P.O. Box to gin and bale cotton during the season starting to at LR. No. by means of (roller/saw) gin and press to provide bales weighing between 185 and 220 kilograms net.

Issued at this day of 201.....

FEES KSHS..... RECEIPT NO.....DATED

Signed **Date:**

AGRICULTURE AND FOOD AUTHORITY (AFA)

Official Stamp.....

(This license is not transferable)

The Crops (Fibre Crops) Regulations, 2019

FORM AFA/FCD B004 (b) / Year

(r. 14 (1))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

COTTON SEED MILLING LICENSE

License is hereby granted to M/s of P.O. Box to mill cotton seed during the season starting to at LR. No.

Issued at this.....day of..... 201.....

FEES KSHS..... RECEIPT NO.....DATED

Signed **Date:**

AGRICULTURE AND FOOD AUTHORITY (AFA)

Official stamp.....

(This license is not transferable)

FORM AFA/FCD B005/ Year

(r. 14 (1))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROP) REGULATIONS, 2019

SISAL FACTORY LICENSE

THIS IS TO CERTIFY thatof P. O.
Box.....has been licensed and authorized to process
.....sisal leaf/bale and press sisal fibre..... at LR.
No.....

License valid fromto.....

FEES KSHS..... RECEIPT NO.....DATED

Signed **Date:**

AGRICULTURE AND FOOD AUTHORITY (AFA)

Official Stamp

FORM AFA/FCD B006/ Year

(r. 18 (2))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

SISAL SPINNING OR COTTON TEXTILE MILLINGFACTORY LICENSE

THIS IS TO CERTIFY that

of Postal Addresshas been licensed and authorized to process bought/own
fibre at LR. No.

This license is valid from.....to.....

FEE KSHS..... RECEIPT NODated

Dated this day of 20.....

Authorized Officer

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

AGRICULTURE AND FOOD AUTHORITY

Official Stamp.....

FORM AFA/FCD B007/ Year

(r. 20 (3))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

COTTON LINT/LINTERS EXPORT/IMPORT PERMIT

This Permit is hereby granted to M/s..... of P.O. Box
And holder of a Marketing Agent Licence No.....to
 export/import cotton lint as listed below;

GRADE As per HVI Report	QUANTITY IN METRIC TONS	PRICE F.O.B PER TON US \$	FREIGHT US \$	INSURANCE US\$	TOTAL VALUE (US \$)	TOTAL VALUE (KSHS)

Country of destination/origin Date of shipment

Vessel.....Consignee

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

Signed Date.....

Agriculture and Food Authority (AFA)

Official Stamp.....

This permit is not transferable

FORM AFA/FCD B008 / Year

r. 20 (3)

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

SISAL FIBRE EXPORT/IMPORT PERMIT

This Permit is hereby granted to M/s..... of P.O. Boxand holder of a Marketing Agent License No..... overseas/local contract No.....to export/import sisal fibre of marks and grades listed below;
Marks.....

GRADE	QUANTITY IN METRIC TONS	PRICE F.O.B PER TON US \$	FREIGHT US \$	INSURANCE US\$	TOTAL VAUE FOR BASIS US \$	TOTAL VAUE FOR BASIS KSHS
1.....						
A.....						
2.....						
3L.....						
3S.....						
S.C.W.F						
UG						
SSUG...						
Tow 1						
Tow 2						
Uncarded Flume Tow						
Carded Flume Tow						
UHDS						
Total						

Country of destination/origin Date of shipment

Vessel.....Consignee

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

The Crops (Fibre Crops) Regulations, 2019

Signed Date.....

Agriculture and Food Authority (AFA)

Official Stamp.....

This permit is not transferable

FORM AFA/FCD B009/ Year

(r. 20 (3))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

COTTON SEEDS /SEED CAKE/SEED MEAL EXPORT/IMPORT PERMIT

This Permit is hereby granted to M/s..... of P.O. Boxand holder of a Marketing Agent License No to export/import cotton seed/seed cake/seed meal/linters as listed below;

PRODUCT DESCRIPTION	QUANTITY TONS	UNIT PRICE (USD)	TOTAL VALUE (USD)

Country of destination/origin Date of shipment

Vessel.....Consignee

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

Signed Date.....

Agriculture and Food Authority (AFA)

Official Stamp.....

The Crops (Fibre Crops) Regulations, 2019

This permit is not transferable

FORM AFA/FCD B010/ Year

(r. 25 (2))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

SISAL PLANTING MATERIAL EXPORT PERMIT

This Permit is hereby granted to M/s.....
of P.O. Box to export sisal planting material as listed below;

Quantity (number) of seedlings Variety of seedlings

Value of seedlings

Source Destination

Date of shipment.....Consignee

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

Signed Date.....

Agriculture and Food Authority (AFA)

Official Stamp.....

This permit is not transferable

FORM AFA/FCD/COUNTY B003/ Year

(r. 26 (5))

THE COUNTY GOVERNMENT
OF.....

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

COMMERCIAL SISAL NURSERY LICENSE

This is to CERTIFY that Of P.O. Box is
licensed and authorized to establish and operate a Commercial Sisal Nursery On Ha of
land at;

Location:Sub location..... Village/Road.....

Division: County.....

L.R. No. or Plot No:

FEE KSHS..... RECEIPT No.Date

Date:Signature

County Executive Committee (CEC) for Agriculture

Official Stamp.....

This license is not transferable

FORM AFA/FCD B010/ Year

(r. 27 (3))

**THE AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FIBRE CROPS) REGULATIONS, 2019
CERTIFICATE OF REGISTRATION OF MARK(S)**

This is to certify that M/s (*name of sisal
plantation, ginnery, cooperative society, association or company*) of P. O. Box

has registered the following growers' mark(s):

1.
2.
3.

Registering Officer

Date: Signature

Agriculture and Food Authority (AFA)

Official Stamp

FORM AFA/FCD/COUNTY B004/ Year

(r. 29 (3)30(2))

THE COUNTY GOVERNMENT
OF.....

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

SISALFIBRE MOVEMENT PERMIT

M/s..... is hereby authorized to move sisal
fibre fromto.....

(Specify county of origin and destination)

Truck/ Trailer. Reg. No.....

This permit is valid for the transportation of the consignment of tones of
.....Crop Produce.

Validity period:

From (date)to (date)

Issued by

Name:Signature

Date Official Stamp.....

County Executive Committee (CEC) for Agriculture

This movement permit is not transferable

FORM AFA/FCD B012/ Year

(r. 43(4))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

SISAL INSPECTION CERTIFICATE

The Assistant Commissioner
Customs & Excise Department
P.O. BOX 90603
MOMBASA.

The tons of Kenya Sisal fibre marked.....and shown on the
Export Permit No.....of..... has been duly inspected by this office vide reports
Nos:.....

.....and found SUITABLE for export in accordance
with provisions of The Crops Act, 2013 and the Fibre Crops Regulations, 2019, of the Laws of Kenya

Issued at Mombasa this day of\20.....

SISAL INSPECTOR Signature.....

Official Stamp.....

This Certificate is not transferable

FORM AFA/FCD B013/ Year

(r. 31(2))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

LETTER OF COMFORT

(Authority Letterhead)
.....

(Applicant's /Company (address))

Dear

RE: LETTER OF COMFORT

..... (name of applicant entity) has demonstrated its commitment and fulfilled all requirements to the setting up of a new fibre factory in Kenya.

The Authority is satisfied that applicant will —

- (a) carry out a detailed project study to facilitate environmental impact assessment;
- (b) organize and contract fibre growers for raw material supply;
- (c) install process equipment that will match current Kenyan standards;
- (e) successfully apply for a fibre factory operating license at the appropriate stage; and
- (f) execute the project within the next two years after which this letter of comfort shall be invalid.

The Authority is satisfied with the intentions of setting up of (*name of the factory*) as indicated in the application.

Yours faithfully,

.....

DIRECTOR GENERAL
Agriculture and Food Authority

This Letter is not transferable

THIRD SCHEDULE

REGISTERS, RETURNS AND REPORTS

FORM AFA/FCD/COUNTY C001/ Year

(r. 6(3))

THE COUNTY GOVERNMENT OF

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

REGISTER OF GROWERS

A. ANNUAL REGISTER OF GROWER COOPERATIVE SOCIETIES, COMPANIES, ASSOCIATIONS

S/No	Name of entity	Certificate Number	Number of registered growers	Area planted with the sisal/cotton			
				Sisal	cotton		
				Nursery	immature	mature	
1.							
2.							
3.							
4.							

B. ANNUAL REGISTER OF SISAL PLANTATIONS

Date of registration	Registration No	Registered name of plantation	Plantation address	Name of owners	Registered address of owners	Registration marks	Remarks

FORM AFA/FCD C001 (a) / Year

(r.11(1) (c))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROP) REGULATIONS, 2019

MONTHLY/ANNUAL SEED COTTON BUYING REPORT

To: Director General
 AGRICULTURE AND FOOD AUTHORITY (AFA)

Name of seed cotton buyer.....
 License Year
 Month Ending/Year Ending

Buying store	PURCHASES				DELIVERIES TO GINNING FACTORY STORE			Balances (Kgs)
	Grade	Purchases of previous Month/Year (Kgs)	Purchases this Month/Year (Kgs)	Total purchases to date (Kgs)	Deliveries to previous Month/Year (Kgs)	Deliveries this Month/Year (Kgs)	Total Deliveries to Month/Year (Kgs)	

LABOUR	MEN	WOMEN
Permanent employees
Casual employees
Totals

Name of licensed Buyer

Name of Authorized agent.....

Signature of licensed buyer

Date Official stamp

CC. County Executive Committee (CEC) for Agriculture
County.

FORM AFA/FCD C001 (b) / Year

(r. 11(1)(c))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

MONTHLY/ANNUAL SISAL FIBRE BUYING AND SALES REPORT

To: Director General

AGRICULTURE AND FOOD AUTHORITY (AFA)

Name of sisal fibre buyer:

License Year

Month Ending/Year Ending

Purchases to previous Month/Year (Metric Tons)	Purchases current month/Year (Metric Tons)	Cumulative purchases (Metric Tons to date)	Sales this Month/Year (Metric Tons Sold)		Balance at the warehouse in Tons
			Locally	Exported	

LABOUR

MEN

WOMEN

Permanent employees

Casual employees

Totals

Name of licensed Buyer

Name of Authorized agent.....

Signature of licensed buyer

Date

Official stamp

CC. County Executive Committee (CEC) for Agriculture

.....County.

FORM AFA/FCD C002/ Year

(r. 12(6) 20(4))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

MONTHLY FIBRE PURCHASES AND SALES RETURNS REPORT FOR MARKETING AGENT

Name of Marketing Agent:

License Year

Month Ending

Fibre/Product Traded(fill separate form for each product)

Grade	Tons	USD/Kshs. Per ton	Total value in USD/Kshs	Consigner/Consignee	Destination/Origin

Name of Marketing Agent

Signature

Date

Official stamp

FORM AFA/FCD C003 (a) / Year

(r. 14(3))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

MONTHLY GINNING REPORT

To: Director General
Agriculture and Food Authority (AFA)

Name of Ginnery:

License Year

Month Ending

Grade AR.....tons. Grade BR.....tons

Ginning to previous Month (Metric Tons)	Ginning current month (Metric Tons ,	Total Tons Ginned to date	Tons Sold	Balance at the ginnery in Tons

LABOUR

MEN

WOMEN

Permanent employees

Casual employees

Totals

Ginnery Manager Name

Signature Date

Official Stamp

cc. County Executive Committee (CEC) for Agriculture

.....County

FORM AFA/FCD C003 (b) / Year

(r. 14(3))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

MONTHLY COTTON SEED MILLING REPORT

To: Director General
Agriculture and Food Authority (AFA)

Name of Cotton Seed Milling Factory:

License Year

Month Ending

Grade AR.....tons. Grade BR.....tons

Milling to previous Month (Metric Tons)	Milling current month (Metric Tons ,	Total Tons Milled to date	Tons Sold	Balance at the factory in Tons

LABOUR	MEN	WOMEN
Permanent employees
Casual employees
Totals

Mill Manager Name

Signature Date

Official Stamp

cc. County Executive Committee (CEC) for Agriculture
.....County

FORM AFA/FCD C004/ Year

(r. 14(3))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

SISAL MONTHLY FIBRE PRODUCTION AND STOCK RETURN

To: Director General
Agriculture and Food Authority (AFA)

Name of Plantation/

Plantation grower mark

Production for the month of20.....

	NO.1	A	NO.2	3L	3	UG	TOW1	TOW2				Total
(a) Stock unsold brought forward from previous Month												
(b) Production of fibre during the month in tons												
TOTAL (a+b)												
(c) Fibre Exported during month												
(d) Fibre Sold locally												
TOTAL (c+d)												

LABOUR

MEN

WOMEN

Permanent employees

Casual employees

Fibre Crops Regulations, 2019

Totals

Prepared by:

Plantation/Factory Manager

Name.....

Signature.....

Date.....

Official Stamp

cc. County Executive Committee (CEC) for Agriculture

.....County

FORM AFA/FCD C005 (a) / Year

(r. 14 (3))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

ANNUAL RETURN OF COTTON PURCHASED AND GINNED

To: Director General
Agriculture and Food Authority (AFA)

Name of Ginnery

Crop Season (Year)

Date of filling returns

Ginning/Seed cotton buying License No.

Name of Buying centers	TOTAL DELIVERIES OF RAW COTTON	
	Grade A Kgs	Grade B Kgs
Total Deliveries		
Add Last year's Stock b/f		
Total (available for ginning)		
TOTAL (seed cotton ginned in the year)		
Balance carried forward		

Estimated a/cotton involved in fire or

Water damage AR.....KGS BR KGS

Weight of a/cotton salvaged..... AR.....KGS BR.....KGS

Any other s/cotton e.g. cleaner waste

Fibre Crops Regulations, 2019

Etc	AR	KGS BR	KGS
Estimated a/cotton left in the buying			
Centers after closing the ginneries.....	AR	KGS BR.....	KGS
No. of bales produced	AR.....	BLS BR	BLS
Bale weight (185/200/220 kgs)			
Bales sold.....	AR.....	BLS BR	BLS
Weight of lint sold	AR	KGS BR	KGS
	Add SD	Kgs Less SD	KGS
	Add Samples	Kgs Add samples	Kgs
	Add salvage	Kgs Add salvage	Kgs
	Add loose lint	Kgs Add loose lint	Kgs
	Total net kgs	AR BR	BR
Weight of seed produced	AR	Tons BR	Tons
Weight of seeds sold	AR	Tons BR	Tons
Wight of seeds requisitioned for			
Planting	AR	Tons BR	Tons
Any other lint not included in the above e.g. Sweeping lint from			
Cleaner waste cotton etc	AR.....	Kgs BR	Kgs.

Ginnery Manager

Name (Signature).....

Date.....

Official Stamp

cc. County Executive Committee (CEC) for Agriculture

.....County

FORM AFA/FCD C005 (b) / Year

(r. 14 (3))

THE AGRICULTURE AND FOOD AUTHORITY
THE CROPS (FIBRE CROPS) REGULATIONS, 2019

ANNUAL RETURN OF COTTON SEED PURCHASED AND MILLED

To: Director General
Agriculture and Food Authority (AFA)

Name of Milling Factory

Crop Season (Year)

Date of filling returns

Cotton Seed Milling License No.

Source of cotton seed	TOTAL DELIVERIES OF COTTON SEED	
	Grade A Kgs	Grade B Kgs
Total Deliveries		
Add Last year's Stock b/f		
Total (available for milling)		
TOTAL (cotton seed milled in the year)		
Balance carried forward		

Mill Manager
Name (Signature).....

Date.....

Official Stamp

cc. County Executive Committee (CEC) for Agriculture
.....County

THE AGRICULTURE AND FOOD AUTHORITY
 THE CROPS (FIBRE CROPS) REGULATIONS, 2019
ANNUAL SISAL FIBRE PRODUCTION RETURN

To: Director General
 Agriculture and Food Authority (AFA)

Name of estate.....
 Postal address
 Lessees (if any)
 Postal address
 License No. Registered mark or marks.....

A. Particulars of Sisal Planted Areas in Hectares as of 30th June, 20

Period	1 Mature Areas	2 Immature Areas	3 Nursery	4 TOTALS
At the beginning of the year (1 st July)				
Area planted during the year				
At the end of the year (30 th June)				
Cumulative Total				

Harvested area

Mature sisal cut during the year ended 30th June, 20.....Hectares.....
 Mature sisal not cut during the year ended 30th June, 20..... Tons.....
 Average yield per hectares cut during the year ended 30th June, 20 Tons

B. Particulars of annual sisal fibre production (in metric tons)

Production of fibre in tons during the year ended 30th June, 20.....

Grade	NO.1	A	NO.2	3L	3S	UG	SCWF	TOW 1	TOW 2
AMOUNT (MT)									

Particulars of labour employed during the year ended 30th June 20.....

Particulars	LABOUR RECRUITED				TOTAL	
	Permanent		Casual		Men	Women
	Men	women	Men	women		
Number on roll at 1 st July, 20						
Number on roll at 30 th June, 20 ...						

Prepared by:

Factory Manager

Name Date

Signature Official Stamp.....

cc. County Executive Committee (CEC) for Agriculture

.....County

FORM AFA/FCD C007/ Year

(r.18(4))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

SISAL SPINNING OR COTTON TEXTILE MILLING FACTORY MONTHLY RETURNS

NAME OF SPINNING FACTORY/TEXTILE MILLING FACTORY

.....

RETURNS FOR THE MONTH OF YEAR.....

PART 1 – SOURCES OF FIBRE AND VOLUMES

NAME OF SUPPLIER	LOCAL (COUNTY NAME)	IMPORTS (COUNTRY NAME)	GRADE (LIST AS APPROPRIATE)	AMOUNTS (MT)	TOTAL VALUE (IN KSH)
GRAND TOTAL					

PART II – MANUFACTURE AND EXPORT OF FIBRE PRODUCTS

PRODUCTS (e.g. yarns, fabrics, ropes, twines, finished products (sacks, clothing buffing cloth Coffee Drying Cloth)	PRODUCTION (state unit of measure)	SALES			
		LOCAL		EXPORT	
		(state unit of measure)	Value (Ksh)	(state unit of measure)	Value (Ksh)
Totals					

Factory Manager

Name Date 20.....

Signature

Official Stamp

FORM AFA/FCD C008/ Year

(r. 19(4))

THE AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

COTTON LINT CLASSING REPORT

Client's Name:

Sample results submitted under Sample Received Note reference number on

..... day of 20.....

Sample Identification	Date of analysis	Origin	Micronaire	Length (UHML) (inch)	Length (UHML) (mm)	Uniformity Index (%)	Strength (g/tex)	Rd	+b	Colour grade

Remarks:

.....
.....

Disclaimer:

The above results are based on the samples received and the Authority shall not be held responsible for any claims arising from inconsistencies between the sample and the source from where the samples were drawn.

Name Signature

Date.....

Official Stamp.....

FORM AFA/FCD/COUNTY C002/ Year

(r. 26(6))

THE COUNTY GOVERNMENT
OF.....

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

ANNUAL COMMERCIAL SISAL NURSERIES RETURNS

1. Name of Nursery Operator.....
2. Nursery License No.....
3. Address: Postal
- Email.....
4. Telephone:
5. Ward: Village/Road.....
6. Sub County:County.....
7. L.R. No. or Plot No:
8. Period of returns from.....to.....
9. Sourced from: (Own Stock/ Estate / Others specify)

PLANTING MATERIAL STOCK

Variety	Available Bulbils in Nursery (No.)			Total No.	Total Area in Hectares
	Mature from previous year	Mature current Year	Newly Planted current Year		
H11648					
<i>sisalana</i>					
Others					
Total					

Fibre Crops Regulations, 2019

Variety	Area under nursery	Age (months)	Remarks
H11648			
<i>sisalana</i>			
Others			
Total			

Suckers Sales

Variety	Name of Buyer & County	Date of Sale	Code No. of Nursery	Number of Suckers sold
H11648				
<i>sisalana</i>				

Prepared by:

Name: Designation:

Signature: Date:

Stamp:

FORM AFA/FCD C009/ Year

(r. 43(4))

AGRICULTURE AND FOOD AUTHORITY

THE CROPS (FIBRE CROPS) REGULATIONS, 2019

SISAL INSPECTION REPORT

Delivered from Estate in truck No				
No. of bales delivered				
No. of tons delivered				
Bale No. inspected				
Inspected bale dated				
GRADE				
Short Length				
Bad colour				
Green stringers and / or baky runners				
Defective decortication				
Blemished fibres				
Bad brushing and /or harshness				
Tousled fibres				
Bunchy butt ends				
Knots				
Bad Packing				
Uneven heads				
Rat-tailed fibres				
Damp fibre and caking				
Tow in butts				
General condition				

Mark

Report Number

Date Inspected

Agent

Godown Number

Bales Nos.....
.....
.....

Re-baled as

Charges
..... Bales
@ Kshs.400/= each

Total Kshs.....

Remarks on external conditions.....

Remarks on quality.....

Signed Date.....

Inspector

FOURTH SCHEDULE

(r. 47(2), (3))

PART 1: GUIDELINES FOR DEVELOPMENT OF CONTRACT BETWEEN PARTIES

(To be filled in triplicate: a copy to the Authority, Association and the Grower)

These guidelines shall serve as a framework for development of contracts between value chain players in order to promote good business practices.

CONTRACT FOR(insert services) BETWEEN
.....(insert service provider) AND(insert client).

This AGREEMENT is made this Day of 20.....

BETWEEN:

.....of.....(regist
ered DEALER, (..... Others specify) Registration No.
..... hereinafter referred to as “service provider” which expression shall
where the context so admits include its successors and assignees of the one part:

AND

..... of a grower/growers’
entity of Fibre Crops (cotton/sisal) Registration No.
(.....others specify) hereinafter called the “client” which expression
shall where the context so admits include its successors and assignees) of the other part

WHEREAS

- (a) the client has requested (Services) from the service provider
- (b) the service provider having presented to the client that they have the required skills, capacity, resources, labour, personnel has agreed to provide the services as per the terms and conditions set forth in this contract.

NOW IT IS HEREBY AGREED BETWEEN THE PARTIES AS FOLLOWS;

1. Services

Parties to ensure that the following elements among other are captured in this section

- (i) Quantity and quality of produce to be supplied at a particular time and contract price:-
- (ii) Seed and other inputs:-
- (iii) General accepted production practices:-
- (iv) Record keeping:-

- (v) Field support and training:-
- (vi) Harvesting, post-harvest practices and storage:-
- (vii) Inspection and grading:-
- (viii) Packaging supply and procedures:-
- (ix) Conditions of collection or delivery:-
- (x) Rejected produce:-

2. Term

This section shall state the duration (start date and end date) of the contract and the option(s) of renewal.

3. Payments

This section shall state the cost of the service(s) or price of the produce, mode and schedule of payment.

4. Force majeure

For purposes of this contract force majeure means an event which is beyond the reasonable control of either party and makes a party's performance of its obligations impossible.

Parties to state specific calamities that would be considered as force majeure.

5. Termination

This section shall state the conditions for termination of contract by either party including notifications.

6. Breach of contract and penalties

- i. Parties to define what constitutes a breach in the contract and what remedies are acceptable to the parties.
- ii. Penalties for breach to be defined.

7. Dispute resolution

Any dispute arising between parties to this contract shall in the first instance be mediated by a committee constituted from the respective County Government and the Authority. In the event that an amicable solution is not realised either party to seek other remedies in accordance with the Laws of Kenya.

8. Law governing the contract

This agreement shall be governed by the Laws of the Republic of Kenya.

9. Annexures

This sections shall contain documents that form part of this contract e.g. copies of registration certificates, licenses, quality certificates etc.

IN WITNESS WHEREOF the parties have hereunto executed this Agreement on the day and date hereinbefore mentioned.

SIGNED for and on behalf of the service provider;

Name:

Designation

Date:

In the presence of

Name:

Designation

Date:

Signed for and on behalf of the client

Name:

Designation

Date:

In the presence of

Name:

Designation

Date:

Witnessed by CEC Agriculture
(where growers and dealer contracts
are entered):

Name.....

Signature.....

Date.....

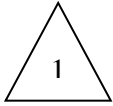
Official Stamp:

FIFTH SCHEDULE

SISAL GRADING DEFINITIONS

(r 15(c), 16(2))

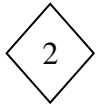
Bale Marks



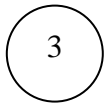
Length from 3ft. with average 3 ft. 6 in.
Free of defective decortication.
Properly brushed. Free of tow, bunchy ends, knots and harshness.
Colour: creamy white to cream

A

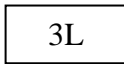
Same as Grade 1 but colour yellowish, sunburned, slightly spotted or slightly discoloured.



Length from 2 ft. 6 in. upwards. Otherwise same as Grade 1



Length from 2 ft. upwards, consisting of brushed fibre that does not conform to Grades 1, A or 2. Although minor defects in colour and cleaning are allowable, it must be free of barky or undecorticated fibre and knots.



Length from 3 ft. upwards. Otherwise the same as Grade 3

UG

Fibre that does not conform to the above-mentioned grades as regards length, colour and cleaning but minimum length 2 ft.

SSUG

Length should not be less than 60cm. This is the fibre which does not conform to standard UG grade. Colour may vary from yellowish to more darkish and blemished

SCWF

Short Clean White Fibre. Length not less than 18 in. and not more than 24 in. Otherwise same as Grade 3.

TOW 1

Pieces of fibre that comes out behind the brushing machines. Free of line fibre, cuttings, dust, dirt, sweepings, knots and undecorticated barks. Colour varies from creamy white to cream.

TOW 2

Pieces of fibre that comes out behind the brushing machines during the process of brushing. Free of line fibre, cuttings, dust, dirt, sweepings, knots and undecorticated barks. Colour of fibre may be brownish, spotted, yellowish or greenish. Black colored fibre is not allowed in this grade because this shows that it is in the process of rotting (or rotten).

Uncarded Flume
TOW

Fibre cuttings extracted from the flume channel and dried. It should be uniform

in colour of creamy white to light brown. Devoid of un-decorticated strips of sisal leaf, rotten fibre and foreign materials. It should be properly dried with a moisture content similar to other grades. Dust content not to exceed 15% when extracted by hand.

Carded

Flume TOW

Fibre cuttings extracted from the flume channel and dried. It should be the same as uncarded flume tow except the total dust content not to exceed 10%.

UHDS

Length 60cm upwards and it is fibre which comes from unwashed hand, decorticated sisal. It can be brushed or not brushed and color may be blemished, greenish, brownish and blackish but not rotten.

Notes relating to Grades 1, A, 2, 3L, 3, UG and SCWF -

- (a) All grades to be of parallel packing, no ties or knots, free of dampness and excessive baling pressure.
- (b) The word “harshness” included in the definition of Grades 1, A, and 2 only refers to fibre from which the gum has not been sufficiently extracted by cleaning, and does not apply to fibre which is coarse in texture owing to soil or climatic conditions.

SIXTH SCHEDULE

FEES FOR PERMITS, CERTIFICATES AND LICENSES

No.	Category of license/Permit	Annual Fees Kshs / USD	Issued by
1.	Grower’s Registration certificate	Nil	County
2.	Dealer’s Registration certificate	Nil	Authority
3.	Commercial sisal nurseries license	1,000.00	County
4.	Seed cotton buying store license	500.00 (per store)	County
5.	Seed cotton/sisal fibre buyer license	2,500.00	Authority
6.	Sisal fibre Movement permit	To be determined by each County	County
7.	License for Fibre Crops Marketing Agent (sisal) for exports/imports markets only	8,000.00	Authority
8.	License for Fibre Crops Marketing Agents (Cotton lint) for exports/imports markets only	USD 2,000.00	Authority
9.	License for Fibre Crops Marketing	1,000.00	Authority

Fibre Crops Regulations, 2019

	Agents (Cotton seed/cotton seed cake) for exports/imports markets only		
10.	License for Fibre Crops Marketing Agents for domestic markets only	5,000.00	Authority
11.	License fees for sisal factory authorizing the holder to process own sisal leaf exclusively	2,000.00	Authority
12.	License fees for sisal factory authorizing the holder to process own sisal leaf as well as other growers	2,000.00	Authority
13.	Cotton ginning license	2,000.00	Authority
14.	Cotton Seed Milling license	5,000.00	Authority
15.	Sisal spinning factory/Cotton textile milling factory license	5,000.00	Authority
16.	Cotton lint/sisal fibre/cotton seed/cotton seed cake export/import permits	Nil	Authority

County – County Government

Authority – Agriculture and Food Authority

Made on the....., 2019.

Hon. Mwangi Kiunjuri
Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation