THE DAIRY INDUSTRY (RETURNS, REPORTS AND ESTIMATES) REGULATIONS, 2020

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation
3. Application
4. Objects of the Regulation
5. Requirement of dairy business operator to render return, report and estimates
6. Protection of information
7. Offence and Penalty by business operator
THE DAIRY INDUSTRY ACT

(Cap. 336)

IN EXERCISE of the powers conferred by section 19 (n) of the Dairy Industry Act, the Cabinet Secretary for Agriculture, Livestock and Fisheries on the advice of the Kenya Dairy Board makes the following Regulations—

THE DAIRY INDUSTRY (RETURNS, REPORTS AND ESTIMATES) REGULATIONS, 2020

<table>
<thead>
<tr>
<th>Citation</th>
<th>1. These Regulations may be cited as the Dairy Industry (Returns, Reports and Estimates) Regulations, 2020.</th>
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<tr>
<td>Interpretation</td>
<td>2. In these Regulations, unless the context otherwise requires-</td>
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<td>Cap 336</td>
<td>“Act” means the Dairy Industry Act;</td>
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<td>“Board” means Kenya Dairy Board as established under the Dairy Industry Act;</td>
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<td>“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to dairy industry;</td>
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<td>“dairy business operator” means a person who handles dairy produce for business but does not include primary producers;</td>
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<td>“estimate” means quantity arrived at for the purpose of projecting the performance of the dairy operations over a defined period;</td>
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<td>“report” means a written account submitted to the Board by a dairy business operator as prescribed by the Board;</td>
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<td>“return” means a record of the actual operations of the dairy business operator over a defined period submitted to the Board.</td>
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<td>Application</td>
<td>3. These Regulations shall apply to all matters relating to rendering of returns, reports and estimates by dairy business operators.</td>
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<td>Objects of the Regulation</td>
<td>4. The objects of these Regulations are —</td>
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<td>(a) to provide mechanisms for rendering returns, reports and estimates by dairy business operators to the Board;</td>
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<td>(b) to provide mechanisms for the Board to receive data and information for planning purposes</td>
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5. (1) A dairy business operator shall; not later than the tenth day of the month following that of production, file with the Board, returns relating to the production.

(2) A return under sub regulation (1) shall be filed in Form A as set out in the schedule and shall indicate the quantity and source of the milk and be accompanied by a duly stamped certificate of declaration verifying the contents thereof.

(3) Where the Board is of the opinion that it is necessary for a dairy business operator to file any further documents, the Board shall so direct in writing and the dairy business operator shall file the required particulars within the time stipulated in the instrument issued by the Board or such other reasonable time as agreed between the parties.

(4) On a need basis, the Board may require the dairy business operator to submit a written report or estimate.

6. All information obtained through the application of this regulation shall be handled in accordance with the provision of the Data Protection Act, 2019 or any other relevant law that may come into force from time to time.

7. A dairy business operator who —
   (a) willfully neglects to submit a return, report or estimate;
   (b) fails to supply any particulars required by an order or direction specified in regulation 3; or
   (c) knowingly or recklessly submits incorrect return, report or estimate; or
   (d) supplies any such particulars, containing a matter which is materially false, commits an offence and is liable on conviction to a fine not exceeding ten thousand shillings or to an imprisonment for a term not exceeding three months, or both.
1) This form must be completed by all dairy business operators
2) This form must be completed and sent to the Board not later than the tenth (10th) day after the month of production.

Name……………………………………………
Regulatory Permit No………………………………….

Milk Statistics for the month of: ____________________

Total milk intake/Production

IN LITRES/KILOGRAMS

Dairy Produce

a) Pasteurized Milk Litres ____________________
b) UHT Milk Litres ____________________
c) Fermented Milk(Litres) i. Lala ____________________
   ii. Yoghurt ____________________
d) Butter KG ____________________
e) Ghee KG ____________________
f) Cheese Mozzarella ____________________
   Other Fresh Cheese ____________________
g) Cream (Kg) ____________________
h) Milk Powder i. Skim Milk Powder ____________________
   ii. Whole Milk Powder ____________________
i) Condensed Milk ____________________
j) Ice Cream ____________________
k) Milk Shake ____________________
l) Flavoured Milks ____________________
m) Others (Specify) ____________________

SOURCE OF MILK

Indicate source of milk Indicate:
Indicate Volumes:

DECLARATION

I/We declare that the above information is correct

NAME:_________________________________ ADDRESS:___________________________________________

SIGNATURE & STAMP: ____________________ DATE:____________________________________________

(if the signature is on behalf of the Limited Company or Estate, this must be stated)

FOR OFFICIAL USE ONLY

Litres at ______ cents per litre Kshs: ______ plus Penalty for late return Kshs: ______

Kshs ____________________ Total Kshs ____________________

Amount Received in Words ____________________________________________________________

Debit Note No.____________________________  Receipt No.________________________________

Officers Name_____________________________ Signature___________________ Date_____________________

_________________
Dated the …………………………………………………………………………………………………..2020

Peter Munya

Cabinet Secretary for Agriculture, Livestock, Fisheries and Co-operatives