

THE CROPS (IRISH) POTATO REGULATIONS 2019 IMPLEMENTATION GUIDE



REPUBLIC OF KENYA
Ministry Of Agriculture &
Livestock Development



AGRA
Sustainably Growing
Africa's Food Systems



ACKNOWLEDGEMENT

The National Potato Council of Kenya (NPCK), on behalf of farmers and the industry, extends its sincere gratitude to the Ministry of Agriculture and Livestock Development (MoALD) and the Agriculture Food Authority (AFA) for their commitment and support in improving the potato policy environment. Their efforts led to the development of potato regulations that offer clear guidelines at all stages, from production to marketing. We also extend our gratitude to partners such as CIP and KALRO for their dedication and support during the development of these regulations.

Special thanks to the NPCK team lead by the CEO and policy department for the overall coordination and compiling of this document. We would also like in a Special way to thank AGRA for its diverse contributions including financial support through the Kenya Sustainable Potato Initiative Project.

We also extend much gratitude to the governments of potato-producing counties and the County Agriculture Caucus, for their support and their valuable inputs. These counties: Bomet, Bungoma, Elgeyo Marakwet, Kiambu, Laikipia, Meru, Nakuru, Nandi, Narok, Nyandarua, Nyeri, Taita-Taveta, Trans-Nzoia, Uasin Gishu, West Pokot have been very instrumental in development and implementation of the potato regulations.

Additionally, IFDC, Solidaridad, SNV have played a significant role in supporting development of implementation mechanism and creation of this guide. With the combined efforts of all these partners and others working in the industry, NPCK is optimistic about the potato industry's growth and transformation.



Solidaridad



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A. INTRODUCTION

The food crops sub-sector has largely been unregulated since Kenya attained independence and the development of the Crops (Irish Potato) Regulations, 2019 is considered a key milestone. These regulations were largely premised on the necessity for a supportive policy and regulatory environment to address some constraints facing the subsector. This will go a long way to improve potato industry standards and operations when fully implemented. The regulations largely provide for; the registration of growers and all the value chain players for purposes of data collection to facilitate, packaging of Irish potato produce which should be done in clean food-grade material in a maximum weight of 50kgs per single unit package, sorting of all potatoes for trade, grading, packaging, labeling, transported and stored as per national, regional and international standards. These regulations further make provisions for the appointment of national and county inspectors to enforce implementation.

B. REGULATIONS OBJECTIVES

1. Facilitate Registration and Licensing of Irish Potato Dealers
2. Ensure Quality Assurance and Safety
3. Establish and enforce Standards for Grading and Inspection
4. Set Specifications for Measurement, Packaging, and Sale
5. Support Preservation and Fair Trade Practices
6. Promote Best Practices Across the Sector

C. PROVISION OF THE REGULATION

1. Registration of growers, associations, dealers, and Irish Potato Collection Centres
2. Registration of processors, marketing agents, warehouses or stores, importers, and exporters of Irish potatoes
3. Quality assurance and marketing of Irish potato
4. Establishment and enforcement of standards in grading, specification on units of measurement
5. Transportation of the crop to ensure the health and proper trading, packaging, and sale of Irish potatoes
6. Promotion of best practices in the Irish potato subsector



1. REGISTRATION OF GROWERS, GROWERS ASSOCIATIONS, DEALERS AND COLLECTION CENTRES

1.1. Registration of growers

Every potato grower is encouraged to register with the county government where farming of Irish potato is being done.

Why register as a grower?

- For purpose of data collection which will enhance county production planning
- A certificate of registration issued – can be used to obtain loans

How to register

- Apply for registration with the County Department of Agriculture
- Fill in the prescribed registration form (FORM A)
- Pay a registration fee of **KSH. 500**

Other guidelines

- A smallholder grower may register with a grower association,
- No double registration with grower association for the same land.
- A grower may also register with an existing collection center as an alternative



FORM A	(r. 5(1))
THE CROPS (IRISH POTATO) REGULATIONS 2018	
COUNTY GOVERNMENT OF.....	
APPLICATION FOR REGISTRATION OF GROWERS	
Part 1: Particulars of the Applicant	
1. Full name of Applicant:.....	
2. Postal Address:.....Postal Code.....Town:.....	
Tel/Mobile No:.....Email:.....Website:.....	
Physical address: Building.....Street:.....Town:.....	
County:.....Sub County:.....Ward:.....	
Village:.....Hectares:.....	
I confirm that I shall abide by the requirements of the Food (Food Crops General) Regulations, 2016.	
Applicant's signature:.....Date:.....	
Part 2: Approval by County Government	
FOR OFFICIAL USE	
Crops Inspector remarks	
.....	
.....	

1.2 Registration of Growers' Associations

The potato regulation encourages small-scale growers to be members of an association and be issued with certificate of registration. These associations include cooperatives, farmer groups, unions, and any other legal entity that comprises Irish potato farmers.

Why growers' association?

- Members have control over the collection centers
- Associations are better positioned to attract partnerships and investments
- The Growers' Association can lobby the county for support

Requirements

- Every growers' association shall apply for registration with the respective county government where their Irish potato is grown
- Duly Filled form as prescribed in the regulation (FORM B)
- Registration fee of KSH. 1,000.



REGULATIONS 2019 IMPLEMENTATION GUIDE

THE CROPS (IRISH POTATO) REGULATIONS, 2018

APPLICATION/RENEWAL FOR REGISTRATION OF IRISH POTATO GROWERS ASSOCIATION/COLLECTION CENTRES/WAREHOUSES OR STORES

(To be filled in triplicate with a copy to County Government)

Part 1: Category of application (Tick one)

<input type="checkbox"/> Applications for New registration	<input type="checkbox"/> Application for Renewal of registration
--	--

Part 2: Applicant's Details (To be filled by all Applicants)

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:.....



2. REGISTRATION OF DEALERS

(PROCESSORS, TRANSPORTERS, COLLECTORS, BUYERS, SELLERS, MARKETING AGENTS AND IMPORTERS & EXPORTERS)

2.1 Registration of dealers

Requirements

- Register with the respective county governments in their county of operation
- Fill in the prescribed registration forms issued by the Department of Agriculture
- Pay registration fee of **KSH. 1,000**
- Registration is renewable

Benefits

- Certificate of registration which is issued once
 - Information stored in the AFA data base for planning
- Penalty for not registering
- Fine not exceeding 5 Million,
 - Jail term not exceeding 3 years or both

FORM C (r. 7(2))

THE CROPS (IRISH POTATO) REGULATIONS, 2018

APPLICATION/RENEWAL FOR REGISTRATION OF IRISH POTATO PRODUCE TRANSPORTERS, COLLECTORS, BUYERS, SELLERS, MARKETING AGENTS AND PROCESSORS (To be filled in triplicate with a copy to County Government)

Part 1: Category of application (Tick one)

<input type="checkbox"/> Applications for New registration	<input type="checkbox"/> Application for Renewal of registration
--	--

Part 2: Applicant's Details (To be filled by all Applicants)

1. Full name of Applicant:

2. Registered office: L. R. No.

Postal Address: Postal Code

Town: 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



2.2 Registration of Importers and Exporters

Exporters and Importers are required to register with Agriculture and Food Authority (AFA) through the online platform (AFA IMIS PORTAL <https://imis.afa.go.ke/afa/>) to obtain License. National Potato Council of Kenya is ready to assist wherever required.

Requirements for Exporters/Importers

- An original copy of importation or exportation and customs entry or exit documentation
- An import or export permit for shipment of the specific consignment
- Evidence of payment of duties and levies
- A certificate of origin and contact details of the exporters and importers from whom they procured
- Other permits, licenses, and certificates as to the quality and standards of the produce.

Fee requirements

- Paying KSH. 50,000 for an importer
- For an exporter fee of KSH. 20,000 is applicable

Penalty for failure to register

- Fine not exceeding 5 Million, a jail term not exceeding 3 years, or both.



AGRICULTURE AND FOOD AUTHORITY
THE CROPS (IRISH POTATO) REGULATIONS 2018
APPLICATION/RENEWAL FOR REGISTRATION OF IRISH
POTATO IMPORTER AND EXPORTER.

Part 1: Category of application (Tick one)

<input type="checkbox"/> Importer	<input type="checkbox"/> Exporter
<input type="checkbox"/> Applications for New registration	<input type="checkbox"/> Application for Renewal of registration

Part 2: Applicant's Details (To be filled by all Applicants)

1. Full name of Applicant:

2. Registered office: L. R. No.

Postal Address: Postal Code:

Town: Tel/Mobile No:

Email: Website:

Physical address: Building: Street: Town:

County: Sub County: Ward:

Company details (where applicable):
Certificate of Company Incorporation/Registration No. List Names and Particulars of Directors/Officials (Attach copies of ID)

2.3 Registration of warehouses and store

All the warehouses must register with county government. All collection centers for ware potatoes must be registered and designated by respective county governments. Warehouse and stores must also be registered by the county governments upon;

Requirements

- Apply for registration with the County Department of Agriculture
- Filling in the prescribed application form (FORM E)
- Payment of the registration fee of KSH. 1,000

Yes "		No "			
Warehouse No.	Capacity (tonnes)	LR/Plot No	Physical Location	Street Name/No	County
1					
2					

2.4 Registration of Collection Centres

All collection centers for ware potatoes must be registered and designated by respective county governments. Growers' Associations and large-scale growers can register a collection Centre with the county department of agriculture while smallholders can register with an existing collection centre.

Purpose of the collection centre

- Will serve as a place for grading, sorting, weighing, storage, and packaging of Irish potatoes.
- The selling and buying point of Irish potatoes for commercial purposes.
- Pick up points and meeting points for farmers, grower's cooperatives, and associations.

Requirements

- a. Fill in a prescribed registration form
- b. Pay a registration fee of **KSH. 1,000**

Penalty for non-compliance

- a. Fine not exceeding 5 Million,
- b. Jail term not exceeding 3 years, or both.

How a collection center should be?

- a. Must have in place a management committee
- b. Must have a list of all registered members
- c. Should have by laws governing the operations of the collection centre and safeguard growers' interests.

A Crops inspector can access the collection center at any reasonable moment to inspect for compliance.



2.4.1 Collection Centre Establishment

The regulations require that trading of potato only takes place in collection centers and designated markets.

Requirements:

- a. The county government registers and designate collection centers, factors to consider;
 - o Convenience of the growers
 - o Accessibility by the buyers
 - o Supportive infrastructure
 - o Security
- b. Be in compliance with standards prescribed by the relevant competent authorities, national, regional and international best practices.
- c. Growers' associations and large-scale growers can register a collection centre
- d. Smallholder growers can register with an existing collection centre and be issued with a certificate of registration.
- e. The collection centers will serve as buying stations for Irish potato, packaging houses, pick up - points and meeting points for farmers, grower's cooperatives and associations.
- f. The collection centre should ensure the safety and protection of the growers produce at all times.

2.4.2 Collection Centre Management

Must have a management committee, failure attracts fine not exceeding KShs. 5 Million, jail term not exceeding 3 years or both.

Role of the Committee

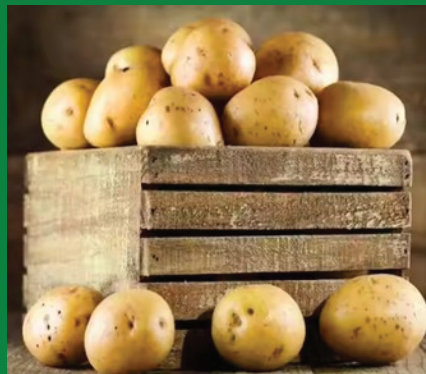
- a. Ensures that potatoes are sorted, graded, packaged, labeled, transported and stored following good practices and set standards.
- b. Ensures potato are packaged in clean, intact food-grade material that allows for aeration and maintenance of quality

Preferred materials

- o Natural and synthetic fiber sacks
- o Molded plastic boxes
- o Sawn wooden boxes
- o Paper or plastic film
- c. Ensuring that each package of potatoes sold are labeled

Details in a label

- o Potato variety
- o Date of harvesting
- o Collection centre
- o County of origin
- o Weight in Kg



Mandates of collection centre operators

- a. Issue to a buyer a certificate of produce for each consignment bought for commercial purposes from the centre
- b. Keep and maintain an up-to-date register of its members and forward a copy to the respective county government by 31st December yearly

2.4.3 Effective Management of Collection Centers

2.4.3.1 Governance

Good management of the collection center is key to sustainable operation. The pillars of successful governance are:

- a. Rules of law
- b. Moral integrity
- c. Transparency
- d. Participation
- e. Responsibility and accountability
- f. Effectiveness and efficiency.

Governance decisions should provide guidelines for management.

The needful for sustainable collection center

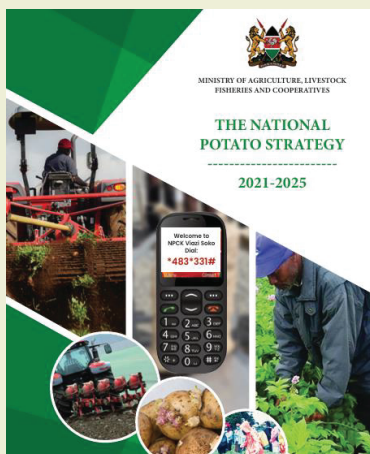
- a) Have a management committee to manage the center
- b) Have a policy, by-laws
- c) Rules of membership
- d) Have a clear center management structure
- e) Develop a responsibility matrix
- f) Have clear work procedures
- g) Training of workers

Essential Records that must be updated

- a) Growers register
- b) Delivery records
- c) Dispatch records
- d) Cleaning records
- e) Inspection records
- f) Training records

Important documents

- a) Constitution
- b) Standard operating procedures



2.4.3.2 Infrastructure

The design and construction of the collection centers i.e. the building, location, equipment and other associated facilities should ensure effective hazard controls and product quality preservation. Well-designed, properly operated packing facilities can help reduce pathogen contamination and minimize chemical and physical hazards associated with handling, packing and storage activities.

Infrastructure Requirements

- a. Accessible by road
- b. Provide adequate parking and loading area
- c. Away from waste disposal
- d. Preferably fenced to exclude animals and secure the produce
- e. Not in a marshy area or prone to flooding
- f. Has hygiene facilities in place (toilets and hand washing facilities)
- g. Facility is oriented to avoid direct sun rays on potato
- h. Facilities is designed and/or constructed for easy cleaning and sanitation procedures;
- i. Packing and storage areas are separated;
- j. Should be well aerated

All floors should be oriented to avoid water accumulation in the collection centre



Galaxy A15

3 QUALITY ASSURANCE AND MARKETING OF IRISH POTATO

3.1 Produce Handling

Produce handlers can be sources of microbial, chemical and physical contamination due to poor personal hygiene (wearing dirty clothes, nails not trimmed, dirty hands etc.) and inappropriate clothing and physical contamination of produce from handlers' personal belongings (jewelry, rings, watches etc.)

The operations at the collection centre may include Receipt, inspection, sorting and grading, packaging, storage and transport of the Irish potato to the required station/point. The stages are detailed below:

1. Grading and Sorting
2. Receipt stage
3. Weighing and Packaging



3.2 Grading and Sorting

Grading involves dividing products into lots/groups which have similar characteristics in shape and size, type, weight, quality among other features.

Sorting is the process of separating a product that is heterogeneous (mixed) based on characteristics such as by size, shape as well as quality to have a product that has consistent features (homogenous).

Traceability is the ability to track any product including food through all stages of production, processing and distribution (including importation and at retail) or rather throughout the supply chain. The committee and dealers should ensure that packaged Irish potato produce are labeled with the following details:

- a. Variety,
- b. Date of harvest
- c. Name of Collection Centre,
- d. County of origin

The Irish Potato regulations (2019) mandates the management committee of the collection centres and dealers to oversee sorting, grading and labelling of Irish potato produce meant for commercial purposes by all the farmers.

Requirements of Grading Area

- a. Availability of the sorting area and with adequate light
- b. Trained personnel
- c. Hygiene facilities are available
- d. Quality specifications of potato are available and understood

Key Records

- a. Quality specifications
- b. Product attributes



3.3 Receipt Stage

Inspection and verification of produce to ensure they meet the minimum requirements as per specifications and verify and record the quantity and quality aspects. Produce should also be weighed and recorded on receipt. A produce receipt procedure must be in place for efficient operation.

Considerations

a. Market specifications

- b. Personnel (training, cleanliness, behavior)
- c. Facilities /Receiving bay hygienic condition/facilities
- d. Vehicles hygienic condition systems
- e. Cleanliness of the transport container

Key records

- a. Training records
- b. Produce traceability records -Show origin
- c. Produce receipt records
- d. Produce quality report
- e. Produce receipt Standard operating procedures





3.4 Weighing and Packaging

Potato produce must be weighed when selling at the collection Centre, when traders are buying and at the consumer. The maximum weight for each single unit of package shall be 50KG. This is recommended by International Labour Organization (ILO) and World Health Organization (WHO).

Use properly calibrated, serviced, inspected and approved weighing scales by the County department of Trade i.e. Weights and Measures. Packing or Repacking of potato may happen at the collection center. At the selling point, the potato will also need to be weighed and packaged as per the requirements of the buyer. Any packaged unit for sale both at the centre and at the consumer end **MUST** be weighed and so labeled in KG.

What you need to do

- a. Use clean packaging materials
- b. Use recommended food grade packaging
- c. Label packages as per the regulations
- d. Use calibrated weighing scales for weighing potato
- e. Train Personnel on handling and hygiene

Best Practices for Weighing and Packaging

- a. Packaging surfaces and equipment are maintained to minimize produce damage and maximize accessibility for cleaning and sanitizing
- b. There is a routine cleaning for all food contact surfaces
- c. The packing area is cleaned at the end of each working day and all debris/dirt removed
- d. Containers and sacks used for packing are made of non-toxic materials that conform to the regulations
- e. Packages do not exceed 50 Kgs as per the regulation
- f. Packages are all labeled identifying the source and coded for traceability
- g. Scales are calibrated and Schedules for scale calibrations are available and documented
- h. The potato bags and containers are not used for other items that might contaminate them, such as tools, petroleum products or combustibles



Accepted ✓

4. TRANSPORT, IMPORT AND EXPORT OF IRISH POTATO

The regulations provide that all actors along the Value chain including dealers, and farmers transport Irish Potato in clean transporting vessels.

Packaging material during transport

- Natural fiber sacks
- Synthetic fiber sacks
- Moulded plastic boxes
- Sawn wooden boxes

This is meant to preserve quality, reduce deterioration and hence post-harvest losses that relate to moisture loss, rain, physical damage or contamination



5. OFFENSES AND PENALTIES

Any person who imports or exports Irish potato without a valid license issued by AFA or who fails to apply for an export or import permit for each consignment imported or exported is liable to fine not exceeding KSH. 500,000 or imprisonment for a period not exceeding one year or to both.



Supporting implementation of the regulations

- a. Working with the marketing counties for adoption and support implementation.
- b. Collaboration with the farmer cooperatives and national union for sensitization and awareness creation
- c. Mapping and supporting Traders to register associations- who will directly work with farmers
- d. Finalizing standards, traceability guidelines, and codes of practice - this will be very key in ensuring adherence to the regulations mostly handling and transportation
- e. Integrating marketing component into Viazi Soko platform, it will ensure compliance
- f. Lobby for support in generating certificate of production for the producers to reduce Cess multiple charges.
- g. The county by-laws should be reviewed to have Cess charged by weight, not per bag

ANNEXES

To download a copy of the strategy document, please use the following links;

[https://infotradekenya.go.ke/media/THE%20CROPS%20\(%20IRISH%20-POTATO\)%20REGULATIONS%202019.pdf](https://infotradekenya.go.ke/media/THE%20CROPS%20(%20IRISH%20-POTATO)%20REGULATIONS%202019.pdf)

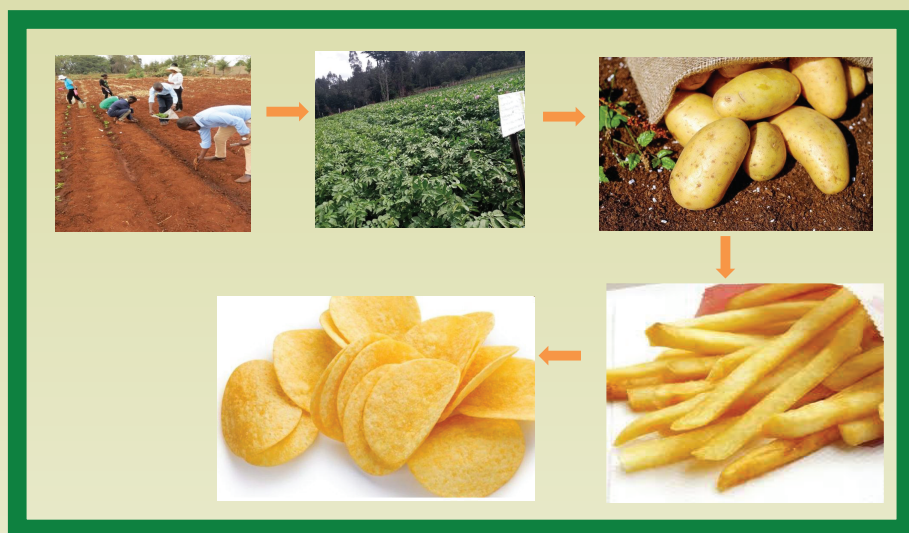
<https://npck.org/irish-potato-regulations-2019/>

<https://www.afa.go.ke/resources-legal-and-policy-documents/>

Intervention 2: Mobilization and awareness creation				
Mobilizing county officials to understand their mandate towards regulation implementation	The CECMs to lead in sensitization and awareness creation to ensure that county plays its roles; registration of dealers, aggregation centres, growers associations among other roles	Producing county governments, AFA, NPCK, Other partners	County officials from the producing counties leading in creating awareness and offering necessary support to the actors	Number of registered growers and other dealers per county
Stakeholders mobilization and awareness creation	Mobilizing industry actors on the benefits of regulations for harnessing efforts in implementation	NPCK, Counties, AFA, Other Partners	Stakeholders supporting the implementation efforts most especially processors and logistics companies	Number of stakeholders willingness to support implementation process
Drafting awareness creation material and engage media stations for mobilization	A regulations implementation guide to be developed and agree on printing for sharing with counties and the relevant stakeholders	NPCK, AFA, Counties, Industry partners	Enhanced access to the regulation information and clear understanding among the framers on the regulation components	Guide developed, printed and shared with the farmer groups and crop officers for awareness creation Number of active county websites with published
(standardized and easy to understand messages)	Social media platforms engagement and county websites for awareness creation Engage the Local leaders at ward level and sub-counties on the regulations			information on regulations Level of awareness on the regulations following social media interactions Number of awareness creation broadcasts in the local media stations
Farmer mobilization per county	Each county to lead in making farmers aware of the regulation Strengthening farmer cooperatives to fulfil their roles in marketing and awareness creation The other actors like traders also to understand the existence of the regulation	Counties, industry actors, NPCK, AFA, farmer unions and cooperatives	Self-regulating implementation due to informed policy	Number of farmer groups mobilized and trained on the regulation Number of strong and vibrant farmer cooperatives able to collectively market Farmer willingness and status of compliance to the regulation

ACRONYMS

AFA	Agriculture and Food Authority
AGRA	Alliance for Green Revolution in Africa
CIP	International Potato Center
IFDC	International Fertilizer Development Center
ILO	International Labor Law
KALRO	Kenya Agriculture and Livestock Research Organization
KG	Kilograms
MoALD	Ministry of Agriculture and Livestock development
NPCK	National Potato Council of Kenya
WHO	World Health Organization



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 All Potato producing counties

NPCK
 AFA
 NPCK
 NPCK
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Solidaridad
 AFA
 AFA
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Nyandarua County

