

PLANT PROTECTION (IMPORTATION) ORDER

[Cap. 178 (1948). Sub. Leg., G.N. 277/1950, G.N. 289/1954, L.N. 634/1960, L.N. 665/1961, L.N. 325/1962, L.N. 211/1965, L.N. 276/1965, L.N. 186/1967, L.N. 5/1968, L.N. 286/1988.]

ORDERS UNDER SECTION 8

1. This Order may be cited as the Plant Protection (Importation) Order.

2. (1) Subject to this Order—

- (a) no plant; and
- (b) no seed of any plant specified in the First Schedule,

shall be imported into Kenya except under and in accordance with the conditions of a permit previously obtained from, and signed by, the Director of Agriculture or an officer of the Ministry of Agriculture authorized by the Director of Agriculture for the purposes of this Order.

(2) Notwithstanding the provisions of this paragraph but subject to the provisions of any other written law, any plant and the seeds of any plant may be imported without a permit if such plant was grown in and is exported from Tanzania or Uganda or such seeds were taken from such plant:

Provided that this subparagraph shall not apply in respect of any plant or the seeds of any plant specified in the Second Schedule.

3. All applications for permits shall state—

- (a) the full name and address of the applicant;
- (b) the name and address of the person or firm from whom the plants or seeds are to be obtained;
- (c) the names and quantities of the plants or seeds to be obtained;
- (d) the name of the farm or estate on which the plants or seeds are to be planted and the district in which it is situated.

4. No plant shall be imported except through one of the following ports or places of entry—

- (a) Mombasa;
- (b) Kisumu;
- (c) Nairobi.

5. All plants, seed and fruit, other than canned or bottled fruits imported, shall be examined by an inspector:

Provided that, in the case of any plant, seed or fruit specified in the Third Schedule, the inspector may, if he is satisfied that such plant, seed or fruit is being imported for consumption, processing, manufacture or any purpose other than propagation, dispense with inspection, and thereupon, notwithstanding the provisions of paragraph 2, no permit shall be required for importation.

6. The inspector may—

- (a) direct, authorize or carry out the disinfection or treatment of any plant and of any article believed by him to be infected or infested with or in any way carrying a pest or disease, or likely to infect any plant with a pest or disease;

[Subsidiary]

- (b) direct, authorize or carry out the immediate destruction of any imported plant or article which on inspection appears to be infected or infested with or in any way carrying any pest or disease where, in the opinion of an inspector, disinfection or treatment is impracticable or will not be a complete safeguard, or the delay caused by disinfection or treatment would give rise to the risk of the introduction or spread of any pest or disease; and
- (c) direct, authorize or carry out the disinfection or fumigation of any vessel, vehicle or aircraft which in the opinion of the inspector is harbouring any pest or disease, or an article likely to infect any plant with a pest or disease.

7. (1) Any package or parcel containing any plant or seed imported otherwise than by post shall be delivered to an inspector by the Commissioner of Customs and Excise.

(2) Any package or parcel containing any plant or seed imported by post shall be delivered to an inspector by the Managing Director of the Kenya Posts and Telecommunications Corporation.

(3) After examination and treatment as provided in subparagraphs (1) and (2), the package or parcel shall, except where such package, parcel, plant or seed has been destroyed under the instructions of such inspector, be returned by such inspector to the Commissioner of Customs and Excise or the Managing Director of the Kenya Posts and Telecommunications Corporation, as the case may be, for delivery to the addressee.

8. No compensation shall be payable in respect of any package, parcel, article, plant or seed destroyed or damaged in any treatment required to be carried out under this Order.

9. The Director of Agriculture may require imported plants to be detained in quarantine or in special nurseries or places approved by him, for such period as he may think fit.

10. The importation of all species of fruit trees and fruit grown in or consigned from Japan, China, Korea or Manchuria is prohibited.

11. No plant or part of any plant of the order *Gramineae* (except seeds) intended for use as fodder shall be imported.

12. No living insects or invertebrate animals in any stage shall be imported except by virtue of a permit previously obtained from and signed by the Director of Agriculture and under the conditions stated in such permit.

13. Any person who contravenes or fails to comply with any of the provisions of this Order shall be guilty of an offence and liable to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding two months.

FIRST SCHEDULE

[Paragraph 2.]

Maize	<i>Zea Mays.</i>
	<i>Abelicea</i> spp.
Conifer	<i>Abies</i> spp.
	<i>Acer pseudoplatinus.</i>
Conifer	<i>Acmopyle</i> spp.
<i>Quercus</i> spp.	<i>Acorns.</i>
Conifer	<i>Actinostrobus</i> spp.
Baobab	<i>Adansonia</i> spp.

FIRST SCHEDULE—*continued*

Bengal quince	<i>Aegle</i> spp.
Horse chestnut	<i>Aesculus</i> spp.
Conifer	<i>Agathis</i> spp.
Sisal	<i>Agave</i> spp.
Tung	<i>Aleurites</i> spp.
	<i>Alnus</i> spp.
Cashew	<i>Anacardium</i> spp.
Groundnut	<i>Arachis hypogeeae</i> .
Conifer	<i>Araucaria</i> spp.
Bunya-bunya pine	} <i>Arceuthobium</i> spp.
Monkey puzzle	
Conifer	<i>Athrotaxis</i> spp.
	Aquatic plants.
	<i>Avena</i> spp.
Birch	<i>Baphia</i> spp.
Barbery	<i>Berberis</i> spp.
	<i>Bernoullia</i> spp.
Birch	<i>Betula</i> spp.
	<i>Bombacaceae</i> .
	<i>Bombacopsis</i> spp.
	<i>Bombax</i> spp.
	<i>Boscia</i> spp.
Conifer	<i>Callitris</i> spp.
	<i>Calophyllum</i> spp.
	<i>Calycophyllum</i> spp.
	<i>Camptostemon</i> spp.
Indian hemp	<i>Cannabis</i> spp.
Chillies	<i>Capsicum</i> spp.
Hornbeam	<i>Carpinus</i> spp.
	<i>Carya</i> spp.
	<i>Caryocar</i> spp.
Spanish chestnut	<i>Castanea</i> spp.
	<i>Casuarina</i> spp.
	<i>Catostemma</i> spp.
Java Mahogany	<i>Cedrela</i> spp.
Conifer	<i>Cedrus</i> spp.
Kapok	<i>Ceiba</i> spp.
Conifer (Japanese Yew)	<i>Cephalotaxus</i> spp.
Conifer	<i>Chamaecyparis</i> spp.
	<i>Chloroxylon</i> spp.
Pyrethrum	<i>Chrysanthemum cinerariifolium</i> .
Camphor	<i>Cinnamomum</i> spp.
Citrus	<i>Citrus</i> spp.
Coconut	<i>Cocos nucifera</i>
	<i>Coelostegia</i> spp.

[Subsidiary]

FIRST SCHEDULE—continued

Coffee	<i>Coffea</i> spp.
Kola	<i>Cola</i> spp.
Conifers	<i>Coniferae</i> .
	<i>Cordia</i> spp.
Conifer (Japanese cedar)	<i>Cryptomeria</i> spp.
	<i>Cullenia</i> spp.
	<i>Cumngia</i> spp.
Conifer	<i>Cunninghamia</i> spp.
Conifer (Cypress)	<i>Cupressus</i> spp.
Dodder	<i>Cuscuta</i> spp.
	<i>Cyclobalanopsis</i> spp.
Star grass	<i>Cynodon dactylon</i> (Indian strain)
Conifer	<i>Dacrydium</i> spp.
	<i>Dialycarpa</i> spp.
	<i>Dicarpidium</i> spp.
Conifer	<i>Diselma</i> spp.
Beans	<i>Dolichos</i> spp.
<i>Durio</i> spp.	<i>Durian</i> .
Aquatic plant (Water hyacinth)	<i>Eichhomia</i> spp.
Oil palm	<i>Elaeis</i> spp.
Millet	<i>Eleusme</i> spp.
	<i>Ensete</i> spp.
	<i>Eriodendron</i> spp.
Cocaine	<i>Erythroxylum coca</i> .
Blue gum	<i>Eucalyptus</i> spp.
Cloves	<i>Eugenia</i> <i>caryophyllata</i> .
Conifer	<i>Eutacta</i> spp.
Birch	<i>Fagus</i> spp.
Conifer	<i>Fitzroya</i> spp.
	<i>Flindersia</i> spp.
Conifer	<i>Fokienia</i> spp.
Ash	<i>Fraxinus</i> spp.
Conifer	<i>Frenela</i> spp.
Mauritius hemp	<i>Furcraea</i> spp.
	<i>Gragrebira</i> spp.
Soya bean	<i>Glycine</i> spp.
Cotton	<i>Gossypium</i> spp.
	<i>Grevillea</i> spp.
Grasses	<i>Gramineae</i> .
	<i>Gyranthera</i> spp.
	<i>Hampea</i> spp.
Sunflower	<i>Helianthus</i> spp.
	<i>Hemiptelea</i> spp.
Conifer	<i>Hesperopeuce</i> spp.

FIRST SCHEDULE—*continued*

Rubber	<i>Hevea</i> spp.
	<i>Hippocastanum</i> spp.
Barley	<i>Hordium</i> spp.
Aquatic plant (Water rice)	<i>Hottonia</i> spp.
Hop	<i>Humulus</i> spp.
	<i>Hura</i> spp.
	<i>Hygroryza</i> spp.
Walnut	<i>Juglans</i> spp.
Juniper	<i>Juniperus</i> spp.
Conifer	<i>Keteleeria</i> spp.
African mahogany	<i>Khaya</i> spp.
Beans	<i>Lablab</i> spp.
	<i>Lahia</i> spp.
Conifer	<i>Laricopsis</i> spp.
Conifer	<i>Larix</i> spp.
Sweet Pea	<i>Lathyrus</i> .
Lentils	<i>Lens</i> spp.
Conifer	<i>Libocedrus</i> spp.
Aquatic plant (Water snow flake)	<i>Limnanthemum</i> spp.
Flax and Linseed	<i>Linum</i> spp.
	<i>Lithocarpus</i> spp.
	<i>Lolium rigidum</i> .
	<i>Lolium temulentum</i> .
	<i>Loranthus</i> spp.
	<i>Lovoa</i> spp.
Tomato	<i>Lycopersicum</i> spp.
	<i>Maba</i> spp.
Conifer	<i>Macrobiota</i> spp.
	<i>Mahonia</i> spp.
Mango	<i>Mangifera</i> spp.
Cassava	<i>Manihot</i> spp.
	<i>Matisia</i> spp.
	<i>Maxwellia</i> spp.
Lucerne	<i>Medicago</i> spp.
	<i>Melanorrhoea</i> spp.
	<i>Melilotus</i> spp.
	<i>Mesua</i> spp.
Conifer	<i>Metasequoia</i> spp.
Conifer	<i>Microbiota</i> spp.
Conifer	<i>Microcachrys</i> spp.
Mimosa	<i>Mimosa</i> spp.
	<i>Montezuma</i> spp.
	<i>Mora</i> spp.
Banana	<i>Musa</i> spp.
	<i>Myrmecodendron</i> spp.

Plant Protection

[Subsidiary]

FIRST SCHEDULE—continued

Tobacco	<i>Neesia</i> spp.
	<i>Neobuchia</i> spp.
	<i>Nicotiana</i> spp.
	<i>Ochroma</i> spp.
	<i>Odostemon</i> spp.
Olive	<i>Olea</i> spp.
Prickly pear	<i>Opuntia</i> spp.
	<i>Ornantes</i> spp.
	<i>Ornus</i> spp.
Rice	<i>Oryza</i> spp.
	<i>Ostrya</i> spp.
	<i>Pachira</i> spp.
	<i>Panicum</i> spp.
Millet	<i>Papaver somniferum</i> .
Opium poppy	<i>Paradombeya</i> spp.
	<i>Passiflora</i> spp.
Passion fruit	<i>Pennisetum</i> spp.
Millet	<i>Persea</i> spp.
Avocado	<i>Phaseolus</i> spp.
Beans	<i>Ptherosphaera</i> spp.
Conifer	<i>Phoenix</i> spp.
Date palm	<i>Phoradendron</i> spp.
Mistletoe	<i>Phormium</i> spp.
New Zealand Flax	<i>Phragmites</i> spp.
Grass	<i>Phyllocladus</i> spp.
Conifer	<i>Picea</i> spp.
Conifer	<i>Piper nigrum</i> .
Pepper	<i>Pistia</i> spp.
Aquatic plant (Water Lettuce)	<i>Pisum</i> spp.
Pea	<i>Pochota</i> spp.
	<i>Podocarpus</i> .
Conifer	<i>Pongamia</i> spp.
Indian beech	<i>Pontederia</i> spp.
Aquatic plant	<i>Populus</i> spp.
Poplar	<i>Prumnopitys</i> spp.
Conifer	<i>Pseudolarix</i> spp.
Conifer	<i>Pseudotsuga</i> spp.
Conifer	<i>Pterocarpus</i> spp.
	<i>Pterocarya</i> spp.
	<i>Quararibea</i> spp.
Oak	<i>Quercus</i> spp.
Buckthorn	<i>Rhamnus</i> spp.
	<i>Rhus</i> spp.
Castor	<i>Ricinus</i> spp.
Aquatic plant	<i>Roripa</i> spp.

FIRST SCHEDULE—*continued*

Almond, Apple, Apricot, Cherry, Damson, Gage, Loquat, Medlar, Nectarine, Pear, Plum, Prune, Quince, Sloe	Rosaceous fruit trees.
Conifer	<i>Sabina</i> spp.
Sugar Cane	<i>Saccharum</i> spp.
Willow	<i>Salix</i> spp.
Conifer	<i>Saxegothaea</i> spp.
Aquatic plant	<i>Saxicolella</i> spp.
Aquatic plant	<i>Schoenlandia</i> spp.
Aquatic plant	<i>Sciadopitys</i> spp.
Bombacaceae	<i>Scleronema</i> spp.
Rye	<i>Secale</i> spp.
	<i>Septotheca</i> spp.
Conifer	<i>Sequoia</i> spp.
Simsim	<i>Sesamum</i> spp.
Millet	<i>Setaria</i> spp.
	<i>Shorea</i> spp.
Potato	<i>Solanum tuberosum</i> .
	<i>Sophia</i> spp.
Sorghum	<i>Sorghum</i> spp.
Aquatic plant	<i>Sphaerothylax</i> spp.
	<i>Spirotheca</i> spp.
Conifer	<i>Steinhauera</i> spp.
Conifer	<i>Strobilus</i> spp.
Aquatic plant	<i>Stuckenia</i> spp.
Aquatic plant	<i>Susum</i> spp.
	<i>Swietenia</i> spp.
	<i>Syzygium</i> spp.
Conifer	<i>Taiwania</i> spp.
Passion fruit	<i>Tacsonia</i> spp.
Conifer	<i>Taxodium</i> spp.
Conifer	<i>Taxus</i> spp.
	<i>Tectona</i> spp.
Aquatic plant	<i>Tenagocharis</i> spp.
	<i>Terminalia</i> spp.
Conifer	<i>Tetraclinis</i> spp.
Aquatic plant	<i>Thalia</i> spp.
Tea	<i>Thea</i> spp.
Cocoa	<i>Theobroma</i> spp.
Conifer	<i>Thuja</i> spp.
Conifer	<i>Thuya</i> spp.
Aquatic plant	<i>Torrenticola</i> spp.
Conifer	<i>Torreya</i> spp.
	<i>Toxiodendron</i> spp.
	<i>Trapa</i> spp.

Plant Protection

[Subsidiary]

FIRST SCHEDULE—*continued*

Aquatic plant	<i>Trapella</i> spp.
	<i>Tribroma</i> spp.
Clover	<i>Trifolium</i> spp.
Aquatic plant	<i>Tristicha</i> spp.
Wheat	<i>Triticum</i> spp.
Conifer	<i>Tsuga</i> spp.
Conifer	<i>Tumion</i> spp.
Aquatic plant	<i>Typha</i> spp.
Aquatic plant	<i>Typhanodorum</i> spp.
Aquatic plant	<i>Udora</i> spp.
Elm	<i>Ulmus</i> spp.
Aquatic plant	<i>Ultricularia</i> spp.
Aquatic plant	<i>Vallisneria</i> spp.
Vanila	<i>Vanila</i> spp.
Aquatic plant	<i>Velophylla</i> spp.
Bean	<i>Vicia</i> spp.
Bean	<i>Vigna</i> spp.
Aquatic plant	<i>Villarsia</i> spp.
Mistleoe	<i>Viscum</i> spp.
Vine	<i>Vitis</i> sp.
	<i>Waltheria</i> spp.
Conifer	<i>Washingtonia</i> spp.
Aquatic plant	<i>Weddellina</i> spp.
Conifer	<i>Wellingtonia</i> spp.
Conifer	<i>Widdringtonia</i> spp.
Aquatic plant	<i>Wisneria</i> .
Aquatic plant	<i>Wolffia</i> spp.
Aquatic plant	<i>Wolffiella</i> spp.
Aquatic plant	<i>Xystrolobus</i> spp.
	<i>Zelkova</i> spp.
Aquatic plant	<i>Zeylanidium</i> spp.
Aquatic plant	<i>Zizania</i> spp.
Aquatic plant	<i>Zostera</i> spp.
Aquatic plant	<i>Zosterella</i> spp.

SECOND SCHEDULE

[Paragraph 2.]

[Deleted by L.N. 286 of 1988.]

THIRD SCHEDULE

[Paragraph 3.]

- Beans and peas, all Grams and Pulses (*Excluding: Lens, Phasceolus and Glycine*).
- Betel Leaves.
- Cardamon.

Cashew Nuts (processed).
Cereals (Barley. Oats. Rye, Wheat).
Chestnuts.
Cloves (dried).
Cocoa Beans (roasted).
Coconuts (without husks).
Coffee Beans (hulled).
Coir.
Copra.
Cotton Lint (clean trade samples).
Dried fruits.
Flax and Linseed. (for oil extraction).
Flax fibre.
Ginger (dried).
Groundnuts (without husks).
Hops (processed).
Jute fibre.
Linseed Cake.
Millets and Sorghum.
Mushroom Spawn.
Oil Palm (nuts for oil extraction).
Osmunda fibre (sterilized).
Pepper (Black) Pods.
Pulses.
Rice (polished, milled or parboiled).
Simsim (for oil extraction).
Sisal fibre.
Soft fruits (frozen).
Tea (processed leaves).
Walnuts.
Yam.
