

LEGAL NOTICE No. 192

THE PEST CONTROL PRODUCTS ACT

(Cap. 346)

THE PEST CONTROL PRODUCTS (FEES AND OTHER
CHARGES) REGULATIONS, 2024

ARRANGEMENT OF REGULATIONS

Regulation

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SCHEDULE: FEES

THE PEST CONTROL PRODUCTS ACT

(Cap. 346)

IN EXERCISE of the powers conferred by section 15 of the Pest Control Products Act, the Cabinet Secretary for Agriculture and Livestock Development, after consultation with the Pest Control Products Board, makes the following Regulations—

THE PEST CONTROL PRODUCTS (FEES AND OTHER CHARGES) REGULATIONS, 2024

1. These Regulations may be cited as the Pest Control Products (Fees and Other Charges) Regulations, 2024. Citation.
2. In these Regulations, unless the context otherwise requires—
“disposal” means any operation to neutralize and destroy undesired, obsolete, and pesticide-related wastes. Interpretation.
3. The object of these Regulations is to provide for fees and levies for the pest control products sector. Object of the regulation.
4. (1) The fees payable to the Board in relation to services rendered by the Board pursuant to their mandate under the Act shall be as set out in the Schedule. Fees.
(2) The fees chargeable under sub-regulation (1) shall be cumulated in case of a combination of businesses in category I set out in the Schedule.
5. (1) The charges for supervision services rendered by the Board shall be as set out in the Schedule. Charges.
(2) For purposes of this regulation, supervision shall include accreditation of pre-registration trial centres and disposal of non-compliant pest control products.
(3) In this regulation, “accreditation” means designating competent persons or an institution to be officially recognized by the Board as having the capacity and competence to undertake biological efficacy trials, physiochemical, toxicological, ecotoxicological, and residue studies.
6. (1) The Board shall identify and enter into an agreement with a registered national association comprising of manufacturers, formulators, re-packers, importers, consultants, distributors, farmers and users of pest control products to support self-regulation and product stewardship. Agreement with a registered national association.
(2) Each pest control product imported into Kenya shall be charged an import fee of two per centum free on-board value of all imports.
(3) Thirty per centum of the import fee charged under sub-regulation (2) shall be paid directly to the association referred to in sub-regulation (1) for the following activities, as agreed with the Board—
(a) sensitisation of the public on the responsible use of pest control products through product stewardship programmes;

- (b) support and maintenance of the National Poison Information Centre;
- (c) facilitating the responsible management of sustainable pest control solutions for improved agricultural production, public health and environmental protection;
- (d) promotion of safe disposal of obsolete and expired pest control products, pest control product waste and empty pest control containers;
- (e) enhancement of sector linkages among key actors in the pest control products sector;
- (f) facilitating the development and enforcement of the industry's standards by facilitating strategic collaborations within the industry and with the relevant actors; and
- (g) development and up-scaling of innovative agricultural solutions towards increased productivity, public health and environmental wellbeing.

7. The Pest Control Products (Fees and Other Charges) Regulations, 2024, are revoked.

Revocation.
L.N. No. 102 of
2024.

SCHEDULE

FEES AND OTHER CHARGES

(r.4(1))

I. INSPECTION AND CERTIFICATION FEES

	FEE CATEGORY	Annual License Fees (Ksh.)
A	Application Fee	1,000
B	Retail	2,000
C	Supermarkets (Domestic Class Pesticides) General Wholesalers (Domestic Class Pesticides)	4,000
D	Spray Service Providers	1,000
E	Distribution	8,000
F	Wholesale	8,000
G	Agents	8,000
H	Commercial Trainers and Consultants	10,000
I	Re-packing	10,000
J	Formulation Manufacture	30,000
K	Commercial Pest Control Operators	4,000
L	Warehousing, Storage and Use	10,000
M	Other businesses dealing with pest control products not covered under (A) – (L)	8,000
N	Penalty on late renewal of premises licenses	10% of the applicable renewal premises license certification fee per year.

II. CHANGE OF AGENT

	FEE CATEGORY	Annual License Fees (Ksh.)
	Change of agent (per product)	40,000

III. DISPOSAL OF PEST CONTROL PRODUCTS

	FEE CATEGORY	AMOUNT (Ksh.)
A	License fee for disposal facility, by the Board	Ksh. 10,000
B	Cost of disposal per kg on products seized by the Board	Ksh 100 per kg
C	Supervision for disposal of products taken directly to disposal facility by the client	5% of cost of disposal payable to the disposal facility

IV. REGISTRATION OF PEST CONTROL PRODUCTS

	FEE CATEGORY	AMOUNT (<i>Ksh.</i>)
A	Application for registration for 5 years (<i>Per product</i>)	75,000
B	Label extension (<i>Per product</i>)	30,000
C	Renewal of certificate of registration for 3 years (<i>Per product</i>)	45,000
D	Penalty on late renewal of certificate of registration (<i>Per product</i>)	10% of the applicable renewal fee per year.
E	Penalty on late fulfillment of the conditions of the notification of approval of registration (<i>Per product</i>)	10% of the applicable registration fee
F	Application for temporary registration for a period not exceeding 1 year (<i>Per product</i>)	20,000
G	Application for emergency registration for 1 year (<i>Per product</i>)	20,000
H	Certificate of Registration fee (<i>Per product</i>)	10,000
I	Application for experimental permit of new products (<i>Per product</i>)	10,000
	Resubmission of an Application (<i>Per product</i>)	10,000
	Application for label extension trial permit (<i>Per product</i>)	10,000
	Application for additional manufacturing/formulation site (<i>Per product</i>)	10,000
J	Change of Trade Name (<i>Per product</i>)	20,000
K	Application fee for accreditation of institutions	10,000
L	License /accreditation of institutions	25,000 per year or 70,000 per three years
M	Training of Company employees/ consultants and other stakeholders	10,000 per day, per group of not more than 50 persons
	Training of students from training institutions	5,000 per day per group of not more than 50 persons.
N	Training other countries on pest control products management.	USD. 1,000 per day, per group of not more than 20 persons

V. IMPORT & EXPORT OF PEST CONTROL PRODUCTS

	Imports	(Per product (Ksh.))
A	Imports of less than Ksh. 150,000 in value	2,000
B	Imports of Ksh. 150,000 and over in value	2% of Free on Board (F.O.B.) Value (70% to the Board) and (30% to the association under regulation 6)
C	Exports of any amount	1,000

VI. PEST CONTROL PRODUCTS BOARD LABORATORY AND OTHER CHARGES

	FEE CATEGORY	AMOUNT (KSH)
A	Analysis of formulated and technical grade Pest Control Products	2,500 per sample for each active ingredient
B	Pesticide residue analysis	20,000 per sample
C	Elemental analysis	1,000 per each element
D	Courier services for efficacy trial samples	500 for all samples below 5kg and 100 for every extra Kg
E	Microbiological analysis	3,000 per sample
F	Any other service(s) outside workplan upon request by client.	Applicable government official rates; on recovery basis

Made on the 18th November, 2024.

ANDREW KARANJA,
Cabinet Secretary for Agriculture and Livestock Development.