

Food Safety Policy and Regulations Review in Kenya

SUREFOOD PROJECT

November 2023

Background

This policy review involves analysis of existing policies, regulations on food security and safety and their effectiveness and efficiency in ensuring that food supplied by urban markets is safe, nutritious and affordable. The review include both national and county policies, strategies and regulations and establish the gaps and challenges in their implementation.

In the past, urban and peri- urban agriculture, livestock and fisheries activities did not receive adequate attention by policy makers since it was regarded as an insignificant cultural practice associated with rural life. However, the complexity of urban life coupled with high poverty levels has led to increased agricultural activities in the urban and peri-urban areas, and it is now a livelihood strategy. Urban and peri- urban agriculture, livestock and fisheries activities therefore, play a crucial role towards improved livelihoods of the urban poor.

A review of the policies shows that while there has been good effort to enact policies that provide for food safety and quality, their effectiveness has been hampered by inadequate implementation. For instance, the Urban and Peri – Urban Agriculture Livestock and Fisheries (UPALF) sector's development has been constrained largely by weak implementation of existing laws and regulations; which have resulted to environmental pollution; inappropriate crop and livestock production technologies; inadequate market infrastructure and information; compromised food safety and compromised ecosystem integrity due to land use changes.

The review covers policy and institutional frameworks for engaging the key players in the sector critical to the achievement of the policy objectives. These include the Public Health Act Cap, the Crops Act, the Crops (Food Crops) Regulations, the Crops (Irish Potato) Regulations, the Crops (Horticulture) Regulations, Agriculture, Livestock and Fisheries Policy, Fisheries Act, Animal Diseases Act, the National Food and Nutritional Security Policy amongst others.

The review notes that despite the obvious benefits to be gained from UPALF it is noteworthy that there is inadequate and uncoordinated policy and legal framework to guide its development. Review of legislations has not sufficiently kept pace with the development of UPALF activities leading to conflict between agricultural activities and other urban land use. There is also inadequate support for UPALF activities and insufficient sensitization of key decision makers at the county level on the need for integration of UPALF activities in county government plans.

The summary and recommendations note that there is need to develop and implement a regulatory framework that is supportive of UPALF development (as prescribed under Section 53(1) of the Urban Areas and Cities Act No. 13 of 2011)

Enforcement of existing legislations that relate to matters of the sector such as pesticide and fertilizer usage, animal feedstuffs, animal rights, food safety and environmental management should also be prioritized, and the coordination and building of partnerships among the enforcement agencies in order to maximize synergies is crucial.

These key stakeholders to be involved include the departments responsible for matters relating to agriculture, livestock development, fisheries, public health, environment, and lands and urban planning.

Policy Reviews

1. CROPS (FOOD CROPS) Regulations

Enacted: 2019

Developers: Ministry of Agriculture, Livestock and Fisheries, in consultation with the Agriculture and Food Authority and the County Governments,

Purpose: To promote the development and regulation of food crops and food produce.

Relevant provisions and clauses

The regulations make provision for the assurance of the safety and quality of food crops and food products, marketing of food crops and food produce and the promotion of best practices in production, transportation, storage and processing of food crops and food produce; **incl Clause 4 (2)**

Part IV of the regulations provide for assurance of the safety and quality of food crops and food produce and highlights:

- The prohibition of a grower to cultivate food crops in an infected area (Includes a description for 'infected area').
- In this regulation, "infected area" means a site that poses a risk of contamination to food produce and includes a site for — (a) the disposal of garbage or industrial waste; (b) sanitary waste management; (c) mining activities; and (d) oil or gas extraction.
- Responsibility of County governments in collaboration with relevant government departments /agencies to fence off to prevent access to such sites.
- Liability of person who contravenes this - fine not exceeding five hundred thousand or to imprisonment for a period not exceeding one year or both.
- Seizure and detainment of the food crop grown in an infected area.
- Routine sampling and testing of food crops by the authority and produce to determine that food crops and food produce are contaminated as a result of being grown on an infected area.

Harvesting and post harvesting handling of food crops or produce.

A grower or a dealer shall sort, grade, package, label, transport, store or process a food crop or food produce in accordance with the standards prescribed in the Standards Act.

Transporters are to ensure that the vehicle used to transport a food crop or food produce complies with the Traffic Act and a person who contravenes commits an offence and is liable, on conviction, to a fine of five hundred thousand shillings, or to imprisonment for a period of one year,

Certification of warehouses.

A person operating a warehouse shall store the food crops or food produce in the person's custody under conditions that are not detrimental to the safety and quality of the food crops or food produce.

The Authority shall inspect all warehouses to ensure that they are in compliance with these Regulations.

Sampling and testing of food crops and food produce.

The regulations give the Food Authority shall randomly sample, test and analyse any food crops or food produce in collection centers, markets, warehouses or food processing plants to ensure that it conforms to the food safety and quality requirements provided under the Act, these Regulations or any other written laws.

A person may notify the Authority of any food crops or food produce that the person suspects to be contaminated and is being offered for sale.

A dealer that has a warehouse may sample, test and analyze all the food crops and food produce when purchasing and during storage to ensure that the food conforms to the food safety and quality requirements provided under the Act, these Regulations or any other written laws.

Under the Regulations, the Authority has power to seize and detain, any food crops or food produce that do not conform to the food safety and quality requirements provided under the Act, these Regulations or any other written laws.

Traceability

With regard to traceability, the regulation mandates the Authority in consultation with relevant stakeholders to develop and build the capacity of every dealer to implement a traceability system for food crops and food produce in their custody.

Every dealer shall ensure that they maintain records of the person from whom they obtained the food crop or food produce in their custody; and to establish and maintain a distinct traceability code for the food crop or food produce in their custody.

The system set up for traceability shall ensure that a food crop or food produce that does not conform to the food safety and quality requirements be identified and located for removal from the supply chain if necessary.

The crops inspectors appointed by the Authority shall carry out inspections of food crops and food produce to ensure they conform to the food safety and quality requirements provided under the Act, these Regulations or any other written laws.

Training Programs

The regulations mandate the Authority to consult with County Government, shall initiate and coordinate training programs for growers and dealers to enable them to implement these Regulations.

Marketing

These regulations stipulate that the maximum weight for the packaging of each single unit of a food crop shall be fifty kilograms and the traders are prohibited from dealing in food produce that is not packed in conformity with the regulations. The market or collection center should have infrastructure and facilities that ensure food safety and hygienic environment including but not limited to –

- (a) a waste management system
- (b) a hygiene and sanitation area
- (c) access to utilities like water and electricity
- (d) access to loading or offloading ramps
- (e) access by persons living with disability and
- (f) an adequate drainage system.

2. CROPS (IRISH POTATO) Regulations

Enacted: 2019

Developers: Ministry of Agriculture, Livestock and Fisheries, in consultation with the Agriculture and Food Authority and the County Governments,

Purpose: To guide the promotion, development and regulation of production and trade in Irish potatoes

Relevant Provisions and Clauses

Registrationⁱ

Enacted: 2019

Developers: Ministry of Agriculture, Livestock and Fisheries, in consultation with the Agriculture and Food Authority and the County Governments,

Purpose: To guide the promotion, development and regulation of production and trade in Irish potatoes

The following persons and entities are required to register with the County Government in which they operate—

- (a) Processors;
- (b) Marketing agents;
- (c) Dealers;
- (d) Collection centers; and
- (e) Warehouses or stores.

Buying and Selling of Irish Potatoes

The selling and buying of Irish potatoes for commercial purposes shall be done in collection centers and designated markets; and dealers, processors and exporters shall collect Irish potatoes from producers at a registered and designated collection center.

A dealer, processor and exporter may collect Irish potatoes from a medium or a registered and designated market; and the selling and buying of Irish potatoes for home consumption may be done through a collection center, medium or designated market.

Quality assurance

With regard to the safe use of pest control products; a grower of Irish potatoes is required to ensure the safe use, storage and disposal of pest control products in accordance with the Good Agricultural Practices as prescribed by the Authority from time to time; and to use pest control products registered for use in the Irish potato production and handling by the Government agency for the time being responsible for pest control products.

Marketing requirements

The management committee of the collection centers and dealer shall ensure that Irish potatoes are—

- sorted, graded, packaged, labelled, transported, and stored following good practices prescribed by the Authority from time to time and in accordance with existing national, regional and international standards;
- Removed from any area after packaging in clean and intact food grade material that allows for aeration and maintenance of produce quality;
- Packaged and clearly labelled indicating the Irish potato variety, date harvested, collection center and county of origin;
- Offered for sale only in collection centers or markets designated by the county government; and
- Stored in an inspected and registered facility.

Transportation of Irish Potatoes.

The Regulations prescribe that transportation for Irish potatoes for commercial purposes shall in natural and synthetic fiber sacks, molded plastic boxes, sawn wooden boxes and paper or plastic film sacks or in such other manner as may be prescribed by the Cabinet Secretary in consultation with the Authority from time to time.

A person transporting Irish potatoes shall ensure that the vessel used for transportation does not lead to deterioration caused through moisture loss, rain, greening, or physical damage or contamination and complies with instructions provided by the Authority from time in accordance with the existing national, regional and international standards. The contravention of the regulations leads to an offence.

Crop inspectors

The Authority shall appoint Inspectors to carry out inspections on compliance with standards, guidelines and legislation on Irish potato produce to regularly undertake surveillance and inspections to ensure that producers, dealers, importers, exporters and processors of Irish potato produce adhere to these Regulations, conditions of registration and guidelines.

The county governments may appoint inspectors to monitor activities associated with Irish potato production, dealing, handling and processing, to ensure compliance with these Regulations within the respective county.

3. THE CROPS (HORTICULTURAL CROPS) Regulations

Enacted: 2020

Developers: Ministry of Agriculture, Livestock and Fisheries, in consultation with the Agriculture and Food Authority and the County Governments,

Purpose: To guide the promotion, development and regulation of production and trade in horticultural products

Relevant provisions and clauses

The regulations mandate every county government to facilitate the development of market infrastructure to support the implementation of national standards.

Safe Production and handling of horticultural produce

The regulations prohibit any person from using water or fertilizer that contains microbial or chemical contaminants for production of horticultural crops. It requires that water used for post-harvest and processing of horticultural produce shall be of potable quality.

Every county government shall ensure that all collective centers retail and wholesale, food stores and pack houses are provided with sanitary facilities.

Produce Handling and Grading at the facility:

Horticultural produce shall be harvested at the right stage of maturity for the intended use and shall be handled by personnel with skills and knowledge of food stuffs.

Horticultural produce is required to be harvested in the morning or early in the day and during cool parts of the day and kept under a shade, be protected from dust and other contaminants, and appropriate harvesting equipment and containers shall be used for harvesting horticultural produce.

The produce shall be harvested using clean crates or clean buckets, and shall be sorted and graded at appropriate and produce unfit for the market shall be separated from marketable produce at the field level.

The regulations provide for collection sheds to be constructed for receiving produce at the level and should be designated to allow:

- Floors, doors, wall surfaces made with materials which are easy to clean and disinfect.
- Potable water and sanitation facilities
- Waste disposal facilities.
- Traceability details of any produce that is collected.

Minimum Conditions for Produce handling Facilities

The processing and packaging of horticultural produce shall be carried under clean and safe conditions as set out in the National Horticultural Standard and the Public Health Act. The working areas and premises of a production facility are required to be kept free of waste materials.

Any person who is within produce handling shall wear protective clothing at all times, and any hand used equipment or grading table shall be rust proof and easy to clean.

4. Public Health Act Cap 242

An Act of Parliament to make provision for securing and maintaining health.

Purpose

This Act concerns the protection of public health in Kenya and lays down rules relative to, among other things, food hygiene and protection of foodstuffs, the keeping of animals, protection of public water supplies, the prevention and destruction of mosquitos and the abatement of nuisances including nuisances arising from sewerage. The Act establishes the Central Board of Health and a district health management board in each district. It also establishes and defines functions of health authorities. The functions of the Board shall be to advise the Minister upon all matters affecting the public health. The Minister may make Rules concerning port health matters.

Part X of the Act addresses the Protection of Food stuffs. Specifically,

Construction and regulation of buildings used for storage of foodstuffs – Section 127 provides;

(1) All warehouses, go-downs or buildings of whatever nature used for the storage of foodstuffs shall be constructed of such materials and in such manner as shall in the opinion of the medical officer of health render such warehouse, go- down or building rat-proof.

(2) Where any warehouse, go- down or building intended for the storage of foodstuffs aforesaid has fallen into a state of disrepair, or does not in the opinion of the medical officer of health afford sufficient protection against rat invasion by reason of the materials used in the construction of the same being defective, the medical officer of health may by written notice require the owner to effect such repairs and alterations as the notice shall prescribe within a time to be specified in the said notice, and if such requirement is not complied with the health authority may enter upon the

premises and effect such repairs and alterations, and may recover all costs and expenses incurred from the owner.

(3) Where in the opinion of the medical officer of health and foodstuffs within a warehouse, go-down or building are insufficiently protected, the owner thereof shall observe all written instructions and directions of the medical officer of health within a time to be specified in the said notice for the better protection of the same: Provided that in the case of any prosecution under this section the court may in its discretion acquit the accused if it is satisfied that all reasonable steps have been taken to exclude rats having regard to all the circumstances of the case.

Prohibition of residing or sleeping in kitchens or food stores (Section 128)

(1) No person shall reside or sleep in any kitchen or room in which foodstuffs are prepared or stored for sale.

(2) If it appears to the medical officer of health that any such kitchen or room is being so used contrary to the provisions of this section, or that any part of the premises adjoining the room in which foodstuffs are stored or exposed for sale is being used as a sleeping apartment under such circumstances that the foodstuffs are likely to be contaminated or made unwholesome, he may serve upon the offender or upon the owner of the house, or upon both, a notice calling for such measures to be taken as will prevent the improper use of such kitchen and premises within a time to be specified in the notice, and if such notice is not complied with the party upon whom it was served shall be guilty of an offence.

With regard to Public Water Supplies, Meat, Milk and other products of Food

PART XI of the Act refers to the duty of local authority to protect water supplies and to take all lawful, necessary and reasonably practicable measures—

(a) for preventing any pollution dangerous to health of any supply of water which the public within its district has a right to use and does use for drinking or domestic purposes (whether such supply is derived from sources within or beyond its district); and

(b) for purifying any such supply which has become so polluted, and to take measures (including, if necessary, proceedings at law) against any person so polluting any such supply or polluting any stream so as to be a nuisance or danger to health.

Sale of unwholesome food prohibited (Section 131)

(1) No person shall sell or expose for sale or import or bring into any market or have in his possession without reasonable excuse any food for man in a tainted, adulterated, diseased or unwholesome state, or which is unfit for use, or any food for any animal which is in an unwholesome state or unfit for their use, and any medical officer of health, veterinary officer, sanitary inspector, meat inspector or police officer of or above the rank of Inspector may seize any such food, and any magistrate on the recommendation of the medical officer of health, a sanitary inspector or a veterinary officer may order it to be destroyed, or to be so disposed of as to prevent it from being used as food for man or animal as the case may be.

(2) No person shall collect, prepare, manufacture, keep, transmit or expose for sale any foodstuffs without taking adequate measures to guard against or prevent any infection or contamination thereof.

Seizure of unwholesome foods (Section 132)

Any medical officer of health, or other person duly authorized by the health authority in writing, may, at any time between the hours of 6 a.m. and 6 p.m., enter any shop or premises used for the sale or preparation for sale or storage of food to inspect and examine any food found therein which he has reason to believe is intended to be used as human food, and should such food appear to such officer to be unfit for such use he may seize the same, and any magistrate may order it to be disposed of as in section 131; the proof that such food was not exposed or deposited for any such purpose shall rest with the person charged. [L.N. 256/1963, Fourth Sch., L.N. 41/1970, Sch.]

Penalty respecting unwholesome food (Section 133)

Any person in whose possession there is found any food liable to seizure under section 131 or section 132 shall further be guilty of an offence and liable to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding three years or to both.

Rules for protection of food (Section 134)

The Minister, on the advice of the board, may make rules regarding all or any of the following matters—

- (a) the inspection of dairy stock and of animals intended for human consumption
- (b) the taking and examination of samples of milk, dairy produce, meat or other articles of food and the removal or detention, pending examination or inquiry, of animals or articles which are suspected of being diseased or unsound or unwholesome or unfit for human consumption
- (c) fixing standards of cleanliness of milk, including the conveyance and distribution of milk and the labelling or marking of receptacles used for the conveyance of milk
- (d) the veterinary inspection of dairy stock
- (e) the inspection and examination of, and the regulation, inspection and supervision of the manufacture, preparation, storage, keeping and transmission of, any article of food intended for sale or for export

(f) prohibiting the importation of any article of food which is not clean, wholesome, sound and free from any disease or infection or contamination

5. Nairobi City County Urban and Peri – Urban Agricultural, Livestock and Fisheries Policy (2015)

Nairobi City County has experienced rapid urbanization as a result of rural-urban migration. Urbanization comes with increased urban population leading to increased demand for food, improved infrastructure and other services. The policy recognizes that the population affected by extreme poverty and hunger include those living in urban and peri-urban setups.

Urban and peri-urban agriculture, livestock and fisheries activities are some of the initiatives for addressing food security, income generation, environmental among other challenges. The challenges that face the UPALF sector are associated with; land use, crop, fish and livestock production, technology development and dissemination, markets and marketing, safety of UPALF practices and products, environmental pollution and provision of support services. In addition, there is inadequate legal and regulatory framework to govern the sector. These shortcomings have led to underdevelopment of the sector. The Urban and Peri-urban Agriculture, Livestock and Fish

The overall objective of Urban and Peri-urban Agriculture, Livestock and Fisheries (UPALF) Policy is to promote and regulate sustainable UPALF sector development to improve incomes, food security, create employment and reduce poverty to enhance living standards; with focus on land use, public health and environment.

The policy gives a clear direction for sustainable development of the UPALF and underscores the importance of public-private sector partnerships in accelerating growth in the sector. All the proposed interventions in the policy have been supported by an appropriate legal framework and that has received the support of all stakeholders for its successful implementation.

Water

Sources of water for UPALF include rainwater, county water systems, boreholes/shallow wells, domestic wastewater, water pans and sewer lines. According to Urban and Peri-urban Agriculture Project UPAP Baseline Survey, 2012, 33.4% of urban and peri-urban farmers use water from boreholes and shallow wells for irrigation while 4.3% used sewage water in Nairobi City County. According to this survey, 4.3% farmers use untreated sewage water in Nairobi. This exposes agricultural workers and their families, handlers, consumers of products and those living near the areas to health risks.

Aquaculture, Crop and Livestock Production

The production of crops, rearing of livestock and aquaculture is characterized by inadequate coordination, support services and regulation. This has led to UPALF production malpractices and its adverse effects leading to unrealized UPALF potential.

Markets and Marketing

However weak market organizational structures in Nairobi City County are not conducive to the marketing of UPALF produce. In the county, the market infrastructure is poorly maintained and lacks basic facilities including cold storage, sanitation, and reliable power supply. Whereas all formal

produce markets belong to the Nairobi city county government, the facilities for slaughter of live animals and fish processing in the Nairobi City County are privately owned.

Safety of UPALF Practices and Products

There are various predisposing factors to health risks associated with the UPALF activities and products. These risks include use of contaminated water, grey water, sewage and industrial effluent laden with heavy metals and air pollution; crop, livestock and fish production in and around dumpsites. The UPAP Survey Baseline shows that, 33.4% urban and peri-urban farmers use water from boreholes for irrigation while 4.3% use sewage water in Nairobi City County.

Livestock products may be unsafe as a result of possible feeding on contaminated feeds, poor slaughter hygiene, uninspected products, unhygienic handling of products and inadequate management of animal health. There is a tendency of close cohabitation of human and animals which poses health risk of zoonotic diseases. Excessive use of agro chemicals leads to environmental pollution, food and feed contamination and health risks to the producers and consumers. The survey further showed that only 47% apply good agricultural practices while 70% practice safe use of pesticides.

Markets and Marketing

There is need for efficient and properly organized markets and marketing systems to ensure a sustainable UPALF sector. Markets and marketing of UPALF products are faced by many challenges including:

- Market information asymmetry among various stakeholders along the value chain
- Unregulated market agents such as brokers and middlemen
- Few and weak producer organizations limiting self-regulation and benefits from economies of scale v. Inaccessibility to niche markets. vi. Inadequate value addition of UPALF products vii. Inadequate market infrastructure without the necessary facilities like cold storage, water and electricity.

Safety of the UPALF Practices and Products

Consumers in most urban and peri-urban areas in Nairobi City County rely on urban markets for their food needs. As a result of this phenomenon, products from UPALF areas find ready market which in most cases is not regulated. Monitoring of safety standards along the value chain is inadequate.

The health of the consumers revolves around safety and quality of the food products they consume and the environmental safety measures undertaken, among other things. Exposure of the farmers and consumers to risks associated with use of contaminated food and water, agro-inputs, industrial effluent and untreated sewage is a matter of concern. The products resulting from unregulated UPALF activities may employ unsafe practices food safety continuum which may not be safe for human consumption and impact adversely on human health and the environment.

6. National Food and Security Policy

The new Food and Nutrition Security Policy (FNSP) provides an overarching framework covering the multiple dimensions of food security and nutrition improvement. It is framed in the context of basic human rights, child rights and women's rights, including the universal 'Right to Food'.

The policy underlines the Government of Kenya's strong commitment to reducing hunger and malnutrition. This includes efforts to build self-reliance to reduce chronic food insecurity, as well as measures to assist those in need when emergencies occur. Linking relief with longer-term development efforts helps mitigate the potential impact of future emergencies.

This policy acknowledges that the National Food and Nutrition Security Policy (NFNSP) addresses these concerns by providing framework for ensuring that safe and high-quality food is available to all Kenyans, at all times, by creating public awareness on relevant issues, and by setting, promoting and enforcing appropriate guidelines, codes of practice, standards and a regulatory framework.

Chapter 3 of the draft National Food and Nutrition Security Policy 2011, addresses food safety and quality. The objective of the policy is to ensure safe high-quality food.

Inadequate and poor implementation of the existing regulations and policies has led to the following food safety issues that need to be addressed;

- i. Lack of awareness and strict observance of Good Agricultural Practice (GAP), Good Manufacturing Practice (GMP) and Good Hygiene Practice (GHP).
- ii. Use of unsafe water for production and handling of products at various points along the value chain.
- iii. Discharge of industrial effluent and sewage into open posing great hazard to the crops, livestock and human due to high microbial levels and heavy metals.
- iv. Emissions that pose a risk of contamination to food produce and over reliance on off-farm fodder, commercial feeds and manure whose source and safety may not be guaranteed.
- v. Lack of traceability of crop, fish and animal products.
- vi. Sale of adulterated and contaminated food and livestock products
- vii. Consumer organizations are few and weak.
- viii. Co-ordination amongst regulatory institutions however has been weak.
- ix. Inadequate resources and technical capacity to manage effective surveillance has led to quality inefficiencies and exposure to food safety risks for domestic consumers.
- x. Weak linkages among researchers, extension service providers, regulatory agencies and other stakeholders
- xi. Limited resources for investment in research and technology dissemination.

Conclusions

Food safety in horticultural produce in the domestic market is an area that needs strategic interventions. The value chain approach to food safety and quality recognizes that the responsibility for the supply of safe produce is shared by all operators involved in production, processing, trade and consumption of food, including regulatory support.

There are twenty (20) Acts of Parliament that govern food safety and the responsibility of ensuring food safety is shared amongst seventeen (17) government ministries and regulatory agencies. The National Food Safety Co-ordination Committee was therefore established as an inter-ministerial body to increase food safety and quality awareness and initiate revision and harmonization of the relevant Acts of Parliament.

A national commitment to healthy and safe food systems goes beyond regulations; it requires an integrated approach by public and private sector actors. As private sector companies strive to produce safe and quality produce, government should provide appropriate guidelines and surveillance led by the Horticultural Crops Directorate (HCD), Department of Public Health (DPH), Ministry of Agriculture Livestock and Fisheries (MOALF-Crops Department) and Kenya Plant Health Inspection Services (KEPHIS).

Recommendations

Coordination

Robust and sound national governance and appropriate and coordinated food safety surveillance systems are required across the food chain in order to translate standards and regulations into effective food control systems.

Sensitization and Awareness

For the legal and policy frameworks and policies to be effective, public awareness on relevant issues, setting, promoting and enforcing appropriate guidelines, codes of practice standards, and regulations is relevant.

Both public and private sector should promote enhanced awareness and adoption of practices to prevent and mitigate such hazards.

Promote formation of new consumer organizations and strengthen the existing ones for advocacy and sensitization of consumers to make informed choice about food safety.

Create awareness and strict observance of Good Agricultural Practice (GAP), Good Manufacturing Practice (GMP) and Good Hygiene Practice (GHP).

Market Organization

Markets should progressively be organized and formalized, and resources and manpower provided to support the realization of food safety. Training and certification schemes guided by Part II of the Code of Practice for the Horticulture Industry- Fruits and Vegetables KS 1758: 2016 will help the formalization of the sector.

Consumer Protection

There is need to establish appropriate protocols to protect consumers in the domestic market from eating produce contaminated with pesticide residues, heavy metals and harmful micro-organisms. Both public and private sector should promote enhanced awareness and adoption of practices to prevent and mitigate such hazards.

Strengthening of Surveillance Systems

Surveillance of food systems through inspection and testing services is essential to ensuring that players in the value chains comply with policies and regulations and that the risks of foodborne diseases are managed effectively.

Storage Facilities

Investing in storage and cold chain facilities will reduce produce perishability and improve hygiene conditions, therefore maintaining quality and minimizing food safety risks related to food spoilage.

Establish mechanisms to ensure regular and effective inspection and control of the use of agrochemicals and veterinary drugs.

Use of Water

Develop and implement a system that ensures safe use of wastewater and guidelines for growing crops.

Enforcement

Develop mechanisms for coordinated enforcement of product safety requirements, and traceability.

Enforcement of industrial toxic and chemical waste regulation through Environment Management Coordination Act (EMCA) to curb discharge of industrial effluent into the open and to ensure food safety.

Strengthening research

Promote and strengthen linkages and networking between research institutions, extension service providers and other stakeholders.

Use of technology

Develop and disseminate appropriate technological packages that are demand driven and beneficiary led.

Food Safety Implementation Framework:

Policy Concern	Action to be Taken	Responsible	Time Frame	Funding source
Policy, Legal and Regulatory framework	<ul style="list-style-type: none"> i. Policies are in place problem but there is noted a gap in implementation. ii. Review, development and implementation of legal framework that is supportive of production and marketing of safe food products in the County. iii. Develop an urban food security and safety strategy. iv. Formation of a Multi sectoral team comprising of CSS, inspectorate, public health officers, agriculture inspector, market masters and market committee to check for traceability of food, quality assurance in the markets. v. Synergize multi sector structures to work as a team. In some instances, the MS structure creates conflict where e.g., trade and health, a trade staff will see opportunity in numbers while 	<p>Nairobi County Government; -BHO -Health sector -Market committee -Market masters</p> <p>National Government; -AFA -NGAO</p> <p>Political class; -MPs -MCAs</p>	2024-Continuous Process	National and Nairobi County Government

	<p>the health staff looks at safety of food.</p> <p>vi. Recommend quarantine of the food transporters e.g., lorries to have the food items tested before being released for sale.</p> <p>vii. A written and stamped document from the source of food to accompany the lorry.</p> <p>viii. Develop SOPs on food safety for market management that will guide how food is received, inspected, stored, handled and merchandized.</p> <p>ix. Development of a food safety database to monitor and track the progress.</p> <p>x. Benchmarking with other counties</p> <p>xi. Partnerships between county and national government regulatory bodies</p>			
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Coordination/Collaboration	<ul style="list-style-type: none"> i. Have a multi-agency team and elect a rotational chair including the director of public prosecution. The multi sector agency will ensure implementation existing legal frameworks that touch on safe food products in order to maximize synergies. ii. Mapping of stakeholders & food sources. 	Nairobi County Government, AFA, National Government	2024-Continuous Process	National and Nairobi County Government
Awareness on food safety and sensitization of sale and consumption safe food products	<ul style="list-style-type: none"> i. Promote and build capacity of good agricultural practices and safe handling of food products. ii. Create awareness and sensitization from production, processing, distribution, traders and consumers on food safety. iii. All food handlers to (including mama mbogas) to be sensitized and issued with a health certificate. iv. Educate consumers on food handling and what to check it for, the labelling and packaging. v. Conducting random sampling and testing of foodstuffs in the market. vi. Storage practices to be adopted for different foods. 	Nairobi County Government (public health, environment, water, administration, Agriculture, Trade, Planning) AFA, HCDA, PCPB, Consumer Organizations	2024	Nairobi County Government Development Partners

Develop and enforcement of food safety Standards	<ul style="list-style-type: none"> i. Formation of a multi-agency team for coordinated enforcement of food safety, traceability and standards. ii. Put in place mechanism to curtail use of wastewater for crop production. iii. Enforcement of industrial and Public Health Act to curb the discharge of industrial effluent in the open and ensure food safety. iv. Regular market monitoring to ensure food standards are followed in the markets 	Nairobi County Government (public health, environment, water, administration, Agriculture, Trade, markets Planning) AFA, HCDA, PCPB,	2024	
Waste Management	<ul style="list-style-type: none"> i. Promote investments and innovations in market waste management through public-private sector players. ii. Food waste management through having a circular economy – using waste as a raw material to produce other products. iii. Education on good practices and waste segregation and waste management for the whole chain iv. Provision of marked bins for all markets v. Regulation and registration of all waste handlers vi. Provision of structures or cages for waste disposal vii. Timely collection and disposal of waste 	Nairobi County Government (public health, environment, water, administration, Agriculture, Trade, markets Planning) AFA, HCDA, PCPB,	2024	Nairobi County Government Development Partners

Physical Market Development	<ul style="list-style-type: none"> i. Modernize, expand existing and build additional markets to meet the rising food market needs. ii. Rehabilitation of current markets to factor in food safety measures iii. Invest in cold storage facilities in the markets. iv. Use of PPEs for food handlers and waste collectors v. Feasibility study and public participation on the location/site for the new markets. vi. Adequate sanitary facilities- toilets with running water vii. Handwashing facilities should have running water and soap. 	Nairobi County Government, Market supervisors, Market masters Vendors MCAs MPs Opinion leaders Community leaders Regulatory bodies	2024	Nairobi County Government, Donors, Development partners CDF
Technology	<ul style="list-style-type: none"> i. Promote innovative market technologies such as single use packages and branding to enhance food safety. ii. Virtual (tele market) food vendor market iii. Develop key food safety messages shared with stakeholders 	Nairobi County Government Market supervisors, Market masters Vendors MCAs MPs Opinion leaders Community leaders Regulatory bodies	2024	Nairobi County Government, Donors, Development partners CDF

Consumer reporting feedback mechanism	<ul style="list-style-type: none"> i. Develop a feedback system where consumers can raise food safety issues and feedback. ii. Create awareness on social accountability by enhancing consumer/community participation. iii. Consumer service desk iv. Award best performing markets. Introduce score card to help with rating. The best markets can be recommended to the public. 	Nairobi County Government Market supervisors, Market masters Vendors MCAs MPs Opinion leaders Community leaders Regulatory bodies	2024	Nairobi County Government, Donors, Development partners CDF
Food Traceability system	<ul style="list-style-type: none"> i. Develop a traceability system that include registering all the food suppliers, source of food delivered (method of food production and transportation to the market) ii. Form a TWG on food traceability. iii. Form a committee with the Agriculture CECs that supply food to Nairobi 	Nairobi City County: Markets and Trade, Food production within Nairobi: Food and Agriculture, Food supply from outside Nairobi: Markets and trade	2025	NCCG TWG/ Save the children
Medical test and certification	<ul style="list-style-type: none"> i. Food handlers and suppliers should undergo a medical test. ii. Form a TWG for medical test and certification. 	Nairobi city County Public health department/Lab oratory department/Enf orcement officers/	On going/Routi ne	NCCG: TWG/ Save the children

Develop a food surveillance system	<ul style="list-style-type: none"> i. The food surveillance system linked to competent laboratories to test food products and enable response to be taken enhancing consumption of safe foods. ii. Procurement of lab reagents for existing food labs iii. Procurement of surveillance equipment's: i.e., aflatoxin testing equipment's and reagents iv. Build and equip County/Sub-County food laboratories. v. Facilitate the enforcement officers to procure food samples for surveillance. vi. Conduct capacity/sensitization building on food handling and hygiene systems. vii. Promote use of vegetable/fruits shredders viii. Develop a digital surveillance app to be used at the point of entry. ix. Form a TWG for food surveillance 	National government Nairobi City County: Food and agriculture/public health/Nutrition Save the children	On going/Routine	NCCG Multisectoral approach/Save the children
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