



May 8, 2020

Prof. Hamadi Iddi Boga
Principal Secretary
State Department for Crop Development & Agricultural Research
Ministry of Agriculture, Livestock and Fisheries
Cathedral Road
P. O. Box 30028-00100
Nairobi, Kenya

Dear Principal Secretary Boga:

The purpose of this letter is to formally propose and receive your concurrence for the Food and Agriculture Export Alliance (FAEA) to assist the Government of Kenya in the development of its food safety law and subsequent implementing regulations. Pursuant to the FAEA sponsored visit and meetings in Washington, DC between U.S. officials and industry members, and your team of Ministry and Parliamentary colleagues in November 2019, I propose the following next steps in our engagement.

- **Step 1- Hire Consultants (June):** Upon your concurrence of this proposal, FAEA will begin immediately to hire two consultants in Kenya. The first consultant will liaise with you and other relevant Kenyan Government officials, members of Parliament, and industry stakeholders to prepare a first draft the Food Safety Law (FSL). The second consultant will represent FAEA interests in Kenya, to include acting as our liaison with food/feed safety and animal health regulatory agencies, Parliament, and industry stakeholders; submit monthly reports to FAEA on food/feed safety and animal health; facilitate the arrangement of FAEA meetings, activities, and events in Kenya; coordinate travel and logistics arrangements for Kenyan team travel to the U.S. and travel by me and FAEA consultants to Kenya; and other duties as requested. We propose hiring both consultants no later than June 15.
- **Step 2 - Draft the FSL (June - August):** The FSL drafting consultant will conduct individual and group meetings with all relevant Kenyan Government and industry stakeholders and prepare the first draft of the FSL no later than August 15. The consultant will distribute copies to FAEA, you, and other relevant Kenyan stakeholders for review and comment. FAEA will share the draft with appropriate U.S. government food and feed safety and animal health regulatory agencies and industry representatives for their comment.
- **Step 3 – Conduct Workshop in Nairobi to Finalize the FSL (September/October):** FAEA and Kenyan stakeholders will send written comments to the consultant for consideration in preparing the final draft of the FSL. FAEA will sponsor an “offsite” workshop (2-3 days) to prepare the final draft of the FSL. I will travel to Nairobi to participate in the workshop and if necessary, FAEA will hire a local consultant to be the workshop facilitator. Kenyan participants in the workshop will include a select

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group of representatives from Government, Parliament, and industry. We hope to schedule the workshop to be held immediately following the kick-off meeting for the U.S. Kenya Free Trade Agreement (FTA) that will be held in Nairobi. This will allow our workshop participants to take into consideration discussions and issues raised during the FTA meeting.

- **Step 4 – Submit Final FSL to Parliament (October/November):** The outcome of the workshop will be the final draft of the FSL which will be turned over to the appropriate Kenyan authorities to submit to Parliament for passage. FAEA can assist as necessary to help promote passage of the law.
- **Step 5 – Implement the Law and Subsequent Regulations (2021):** FAEA proposes to continue our relationship with appropriate representatives of the Kenyan Government, Parliament, and industry stakeholders after passage of the FSL. We will work with you to prepare a plan for FAEA engagement for 2021 and beyond to help ensure that the implementing regulations are science-based and do not restrict trade in food and agriculture products.

Please review the above steps and send me a response indicating your concurrence with this proposal. Feel free to offer alternative steps and/or changes in the proposed timeline.

I hope you look forward to working with FAEA over the next two to three years on this important initiative as much as I look forward to working with you and your colleagues in the Kenyan Government and industry. If you have any questions or need more information please contact me at any time.

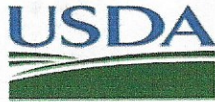
Sincerely,



Kent D. Sisson
Executive Director
Food and Agriculture Export Alliance

cc: U.S. Agricultural Counselor, American Embassy, Nairobi

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United States
Department of
Agriculture

Prof. Hamadi I. Boga
Principal Secretary,
State Department for Crop Development & Agricultural Research,
Kilimo House
Cathedral Road, Nairobi

May 11, 2020

Dear PS Boga,

Further to the successful visit to the United States, by a Kenyan delegation that you led, in November, 2019, we wish to convey a follow-up offer by Food and Agriculture Export Alliance (FAEA), to support Kenya in moving forward its food safety agenda.

As you learnt during the visit to the United States, FAEA has over the years been USDA's private sector partner in building and strengthening food safety systems in several countries around the world, including Nigeria, Morocco, and Vietnam. We are confident that they will benefit Kenya with their immense experience and capabilities.

The attached letter from Kent Session, of FAEA spells out the areas of the proposed support.

As I have indicated in our previous engagements, it is the utmost desire of the U.S. Government, to see Kenya establish a robust food safety regulatory system, that has the confidence of its citizens and trading partners. We will be glad to receive your concurrence, so that FAEA to go ahead with the next steps.

We look forward to our continued partnership.

Sincerely,

A handwritten signature in black ink that reads "Kevin L. Sage-EL". The signature is written in a cursive, flowing style.

Kevin L. Sage-EL
Agricultural Counselor
U.S. Department of Agriculture (USDA)
Foreign Agricultural Service/Office of Agricultural Affairs, U.S. Embassy, Nairobi
Tel: +254 20 363 6340

CC:

Hon. Peter G. Munya, MGH
Cabinet Secretary,
Ministry of Agriculture, Livestock, Fisheries, and Cooperatives
Kilimo House
Cathedral Road, Nairobi