

FAEA-Kenya Food Safety Legislation Drafting and Review of Food Safety Policy

Progress report for May 2021

In May, I focused mainly on providing backstopping to the taskforce, as they prepared for consultations at various levels on the food safety policy and bill.

Meetings

- a. **May 07, 2021:** I had a virtual meeting with Dr Hung Nguyen, Co-Leader, Animal and Human Health Program, and Flagship Leader Food Safety, A4NH. He has vast experience in the food safety governance structuring in Vietnam and provided input into the process. The food safety governance structure adopted in Vietnam consists of a coordination mechanism that brings together various agencies that have food safety functions. The Vietnam's case has similarities with the Kenya model and faced similar challenges, such as institutions wanting to cling on to mandates. I requested for a subsequent meeting with the PS Boga and a possible presentation to the task force. This meeting was put on hold, to await PS resumption from his leave.
- b. **May 3, 5, 13, 2021** – I held several meetings Lucy Njenga, the chair of the taskforce, to discuss details on the next steps in the roadmap, and budgets and any modifications based on progress made so far. A revised road map was developed and shared with FAEA/USDA. Key amongst the adjustments on the road map was the addition of an activity to sensitize the Council of Governors (CoG) on the food safety bill making process and rationale. An extra task force meeting was also added, as well as budget addition to support the launch of the new policy. Other discussions held were the approaches for stakeholder consultations (which are proposed to be virtual), approaches to engaging with the Sector Working Groups (SWAG) and County consultations, which the secretariat recommended be physical and would take place after clearance from SWAG.
- c. **May 3, 2021:** I met with the Royal Danish Embassy at Kempinski, Nairobi, Kenya. Lucy Njenga, Christopher Wanga and Edward Kiema of the taskforce secretariat were also present in the meeting, to learn more about the work that the Danish Embassy was doing, including the Multiannual National Control Plan (MANCP). Members of the MANCP, through their consultant, Finn Clemmensen (DVFA), presented 10 principles of inspection that underwent validation in a meeting of representatives of competent authorities, including, KEPHIS, PCPB, AFA, KEBS, and Public Health. The Danish Embassy team requested for the incorporation of the inspection principles in the food safety bill.
- d. **May 11, 2021:** A follow-up Virtual meeting to receive comments from the MANCP was held. The main consultant presented their comments on the draft Food safety bill in the meeting and provided detailed comments in tracked changes on the bill, for consideration. The documents were received by the task force and were also shared with FAEA/USDA.

- e. **May 28, 2021:** I had a physical meeting with PS Boga and Lucy Njenga . This meeting was called primarily to emphasize on the need to engage more with parliament and to receive an update from Lucy on the outcome of the SWAG meeting. The PS updated us on his efforts to seek support for legislative sensitization with an aim to encourage informed parliamentary discussions on the bill. Lucy informed that the SWAG had cleared the policy for County consultations but had requested that the SWAG members be given a separate sitting to make their input on the bill before stakeholder engagements. Since the proposed meeting was not covered in the roadmap, the PS committed to look for funding support for the meeting.
- f. **Update meetings and calls with FAEA and USDA during the month of May:** I updated FEAE and USDA on the progress on the roadmap and changes, the efforts by PS Boga's office to address the parallel process by the Ministry of Health and other related processes.

2. Deliverables

- a. I updated the roadmap and budgets after consultations with the Secretariat.
- b. I developed a matrix of food safety governance in select countries, to support the PS Boga's efforts in sensitizing high-level GOK officials on justification for abandoning co-regulation of food and drugs.
- c. I prepared a list of stakeholders to guide consultations and assisted draft letter for inviting stakeholders. The stakeholders include industry players, sector associations and development partners.

3. Challenges

- a. The timelines for initiating stakeholder and County engagements had to be moved several times to accommodate the availability of the SWAG members, who should give clearance ahead of County consultations.
- b. The MOH team continue to pursue the KFDA Bill.

4. Way forward

- a. Prepare for County consultations (actual meetings and schedules), in close collaboration with the secretariat.
- b. Provide backstopping to the taskforce in sensitizing relevant committees of parliament.
- c. Participate in the SWAG meetings
- d. Continue regular engagements with the PS Boga's office to ensure smooth roll out of planned activities and timely resolution of any emerging issues.
- e. Continue to monitor parallel processes, especially the private member KFDA Bill, currently in Parliament.

5. Other significant happenings:

- **International Finance Corporation (IFC) Food safety forum 11-12 May 2021:** I rapportuerd for IFC during their forum, whose theme was “building resilient food safety systems, from farm to fork”. PS Boga was one of the key guests and gave an update of the Kenya process to develop a food safety policy and bill, as a key milestone in addressing food safety concerns in the country.
- **Support for Sensitization by TMEA:** PS Boga has leveraged support from TMEA to sensitize the parliament, to ensure that the relevant committees of both the Senate and the National Assembly objectively debate the food safety bill once its tabled in parliament. The intervention is also aimed at stalling parallel process such as the private member’s KFDA bill that is currently before parliament.