

FAEA-Kenya Food Safety Legislation drafting and review of Food Safety Policy

Progress report for October 2020

In the month of October, we focused on fine-tuning the roadmap and understanding related efforts taking place in the country. PS Boga, and his team at Agriculture also had meetings with representatives from ministry of health, to update them on progress with FAEA.

1. Meetings

- a. Meeting with Peter Owoko (Secretariat member) at Kilimo House on September 14, 2020 to review the budget and firm up roadmap

- I. Discussed:

- i. The submission of detailed budgets including footnotes to provide clarity/justification on budget items.
 - ii. Submission of a list of staff members nominated to the taskforce.
 - iii. Submission of roadmap.
- II. The Secretariat requested that participating staff be paid Perdiems based on the Kenya's Salaries and Remuneration Commission (SRC) guidelines. The guidelines were submitted alongside the roadmap, budgets and list of task force members.

- b. Virtual call with CABI-15 October 2020

- I. The meeting was to introduce FAEA's work with Government of Kenya (GOK) with an aim to identify areas of synergy in supporting SPS matters in the country. PhytoSolutions, an affiliate of CABI, has been sub-contracted to undertake an assessment of aspects of the SPS environment in the EAC region. The TRASE project has a strong inclination to building capacity on SPS matters and we requested to be considered as a potential partner at a later date when capacity needs from the FAEA-GOK process are clearer.
- II. PhytoSolutions, in their assessment noted the fragmented mandates on SPS issues in Kenya, and the need to improve coordination between food safety regulatory authorities, through the national SPS committee and the enhancement of risk assessment capabilities, amongst other interventions.

- c. Participation in EAC – SPS Partners meeting on October 22, 2020

The meeting was convened by USAID's OEGI Office and USDA's TRASE program to understand who was doing what in the EA region, identify gaps, and areas for synergy and collaboration.

Presentations were made by programs implementing SPS related activities. The meeting was opened by Ryan Scott, Agricultural Counselor, USDA-FAS. There was a strong focus by players on enhancing capacity and improving operational efficiency of SPS activities. The FAEA support is at the infant stages in Kenya, and

therefore we listened in. There was a proposal to have such meetings take place on a regular basis. A program for the meeting, Ryan Scott's opening remarks and meeting outcomes (readout) are attached.

- d. Meeting with Annette Omwoyo, Kenya Law Reforms Commission/drafter for food safety bill- October 27, 2020
 - I. The meeting was aimed at understanding the history and anchoring of the food safety legislation processes in Kenya. Annette explained that previous initiatives on the development of the Food Safety Bill were supported by the WHO, even though this process was not concluded. In the meantime, The Food and Chemicals Act (attached) is an important reference for Kenya's food safety activities.
 - e. Follow up call with David Wafula, East African Community Secretariat- 28 Oct 2020
The meeting was to share FAEA's activities with regards to supporting Kenya's review of food safety policy and legislative drafting and confirm that processes were not conflicting those of EAC, Kenya being a member state. David confirmed that there was no food safety policy for the EAC. A request was made to David to share the EAC SPS framework, as a reference document during the consultative process for Kenya.
 - f. Update calls with PS Boga and Secretariat focusing on discussions on the roadmap, budgets, and taskforce members-various days of the month.
2. Deliverables
 - a. Roadmap, budget and list of task force members sent to the FAEA Executive Director through the office of the PS Boga.
 - b. Proposal on potential partners to drive the process forward: This was discussed with Kennedy (USDA-FAS) to advise on the best approach, and the suggestion was further exploration with individual agencies/programs by FAEA and FAS/Nairobi. Potential partners that come to mind include USAID programs in EA, and USDA's TRASE program.
3. Challenges
 - a. Wide consultations required before roadmap could be firmed up and signed off, resulting into a delay.
 - b. Differing views amongst health task force members on how the process should move forward.
4. Follow up from engagements and recommendations
 - a. Continue engagements with PS Boga and taskforce secretariat.
 - b. Initiate local preparations for the first taskforce meeting, once process is cleared by the FAEA Executive Director.

- c. Get more information on SPS activities that are taking place in the country (as well as the region).
 - d. There is need to consider a guest speaker at the early stages of the process to provide insights on successful models of anchoring food safety functions, in order to enrich deliberations on the Kenya process.
5. Other happenings:
- a. The Food and Agriculture organization of the United Nations (FAO) is set to develop a new food safety strategy, which is to serve as an international guidance, policy and advocacy platform for decision makers. The approach is also meant to provide advice on managing emerging /unforeseen global challenges. It will be of interest to understand how this blends with our activities.
 - b. In line with providing clarity on SPS issues in the country, there are efforts to re-define the mandates of Competent Authorities such as the Kenya Bureau of Standards (KEBS), Kenya Plant Health Inspectorate Services (KEPHIS), Agriculture and Food Authority (AFA), amongst others. Further information on this will be provided in the course of November.
 - c. The EAC is in the process of developing harmonized guidelines for registration of pesticides in the region. Piloting the process is taking place with five products from private sector, and is scheduled to be concluded next year. The EAC is encouraging submissions from other private sector players, with a possibility of considering their dossiers for registration. This information and follow up may come in handy for Elanco and others with similar products for use in the EAC region.
 - d. The Building Bridges Initiative (BBI) report – that is spearheaded by President Uhuru Kenyatta and Hon. Raila Odinga, the leader of opposition, has new recommendations amongst them being the harmonization of multiple, conflicting and overlapping food safety controls through a single Act of parliament that should establish a national Food and Drugs Authority. PS Boga has however given an assurance that the statement will not affect the ongoing process or its outcome.