

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

Progress report for June 2021

A major milestone during the month of June was the successful engagements with special interest groups through virtual meetings on the draft food safety policy and bill. There were also various efforts by PS Boga's office to resolve the disengagement by health ministry in the legislative process.

Meetings

- a. **June 08, 2021:** I attended a one- day meeting of select members of the Sector Working Group (SWAG). This was preceded by the presentation of the draft Food safety bill ad policy to the agriculture SWAG, a step required towards the progression of the two documents. Present in the SWAG meeting were the Chair Agriculture CEC's Caucus, Albert Mwaniki, a representative of the Council of Governors, JASCOM, and the taskforce secretariat. After making their input, SWAG cleared the document for county-level consultations. They requested for clarity on existing laws once the proposed bill comes into effect. They also proposed for a meeting to discuss in detail the mandates of various institutions, to effectively deal with duplication of mandates.
- b. **June 10, 2021** I held a meeting with Dr Andrew Edewa of TMEA, to discuss the sensitization of members of National Assembly's Committee of Agriculture on both the food safety policy and bill. Also discussed were highlights on the points of divergence with health ministry on food safety governance and alignment with international best practices. Note: TMEA offered financial support to the sensitization activity, after a request by PS Boga.
- c. **June 18, 2021** I participated at the sensitization meeting held at English Point Marina, Mombasa County for the National Assembly Committee of Agriculture. Committee members agreed to support the draft food safety bill in parliament. The meeting was convened by PS Boga. PS Kimtai of livestock and members of the task force secretariat were also present.
- d. **June 19, 2020** I held a meeting with the taskforce secretariat to discuss details of the county consultations, including: logistics, tasking of various teams, and composition and mobilization of stakeholders at County level.
- e. **June 23, 2021.** I participated in the first stakeholder consultation meeting for special interest groups. This was a virtual meeting and targeted sector associations, such as Cereal Millers Association (CMA), Retail and Trade Association of Kenya (RETRAK), Kenya Branding Agency, Society of Crop Agribusiness Advisors, Kenya Institute of Food Science and Technology, amongst others. Stakeholders were generally happy with the progress made in both the policy and bill. Key proposals to improve the bill further included:

- I. Increased participation and recognition of the private sector roles in the bill, e.g. in the food safety committee.
- II. Provision for self-regulation on some aspects of food safety.
- III. Provision of clarity on how existing laws touching on food safety shall be handled.
- IV. Provide direction on how existing bills and policies at County level that are related to food safety shall be handled.
- V. Speed up the legislative process as the bill was long overdue for improving food safety in the country.
- VI. Provide clarity on the location of the office of the food safety controller.
- VII. The role of KEBS required to be enhanced in the first schedule.
- VIII. There was need to provide adequately for capacity building of small FBOs even before considering punitive measures for non-compliance.
- IX. Competent Authority needed to be defined.
- X. Duplication of mandates must be adequately addressed in the bill.

The full report was to be handed over by the Secretariat. It is still awaited.

- f. **29 June, 2021.** I participated in the second stakeholder meeting for special interest groups that targeted industry practitioners. Their comments included:
 - I. There was need to clarify whether the roles for various competent authorities in the bill reflected the current state or the proposed amendments.
 - II. International Livestock Research Institute (ILRI) was willing to work with the government in implementing the policy and bill
 - III. There was need for more clarity on who would be responsible for risk analysis.
 - IV. There was need to provide clarity on a dispute resolution mechanism.
- g. I also held several meetings, mainly virtual, with PS Boga and the secretariat to deliberate on upcoming activities.
- h. **Update meetings and calls with FAEA and USDA during the month of May:** I participated in update calls that focused on reviewing pending activities and receiving progress from PS Boga on efforts to address matters around the KFSA Bill that is in the National Assembly.

2. Deliverables

- a. Undertook consultations with special interest groups, a key deliverable in the road map for developing the food safety Policy and Bill
- b. Revised the road map further after engagements with task force secretariat
- c. Provided technical input on several occasions as required by the PS's office.
- d. Gathered content on various food safety aspects to inform various discussions that were taking place within the month.

3. Challenges

- a. The MOH team continued to pursue the KFDA Bill.

4. Way forward

- a. Undertake County consultations
- b. Continue to provide technical backstopping in the sensitization of relevant committees of Parliament.
- c. Prepare for the taskforce meeting to input stakeholder comments on the policy and bill
- 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.