



REGULATORY SYSTEMS IN KENYA & EAC KEBS PERSPECTIVE

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MANDATE

- KEBS is a statutory organization established under the standards Act Cap 496 of the laws of Kenya.
 - Standardization & Conformity Assessment
 - By; Standards Developments, Quality Assurance, Quality Assurance, Metrology and Testing.
- Legal notice No.78 on inspections of imports implemented thro' Pre-export Verification of Conformity program (PVoC) at source (country of origin)

ACTIVITIES OF QUALITY ASSURANCE & INSPECTION

Quality Assurance & Inspection

The main objective of Quality Assurance and Inspection is to ensure that products (local and imported) in the Kenya market comply to the quality requirements of Kenya standards or approved Standards.

This is done through a series of activities as follows:

- ✓ Enforcement of Standards in the local industries
- ✓ Pre-Export Verification of Conformity (PVoC)
- ✓ Destination Inspection at Entry Points

PRODUCT CERTIFICATION SCHEMES

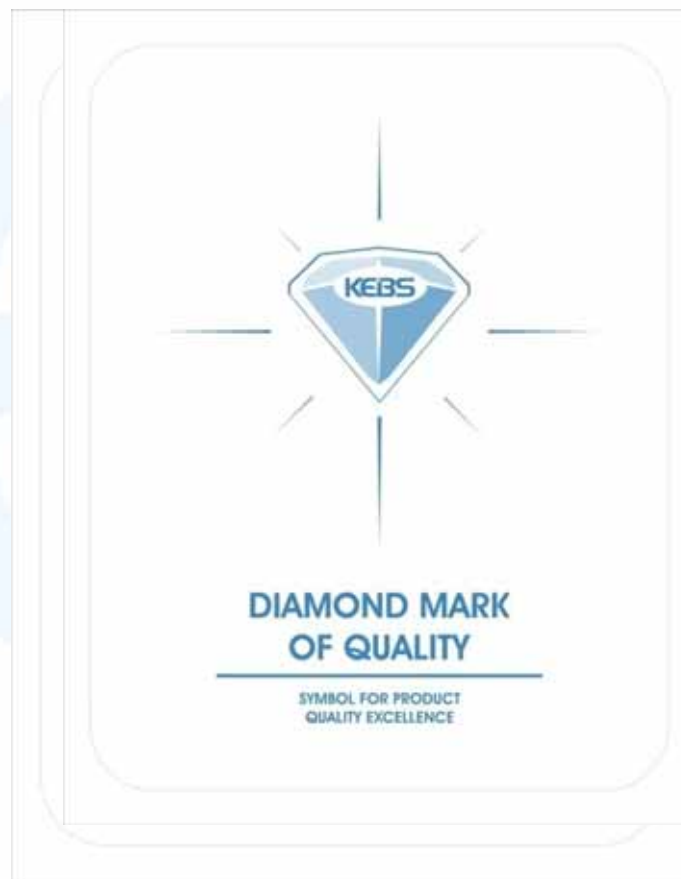
Output of Standards implementation is through the following quality Marks:

- (i) Diamond Mark of Quality (D/Mark) – Voluntary and is a Mark of Excellency – Applicable for Local and Imported Goods.
- (ii) Standardization Mark (S/ Mark) on local products
- (iii) Import Standardization Mark (ISM/ Mark) on imported products

DIAMOND MARK OF QUALITY

This is a voluntary quality mark scheme. It is an excellence Mark of quality based on a rigorous process/scheme involving process assessment, testing, (3 complying samples over a period of one year), and payment of fee on fulfillment of the requirements.

Diamond Mark Symbol

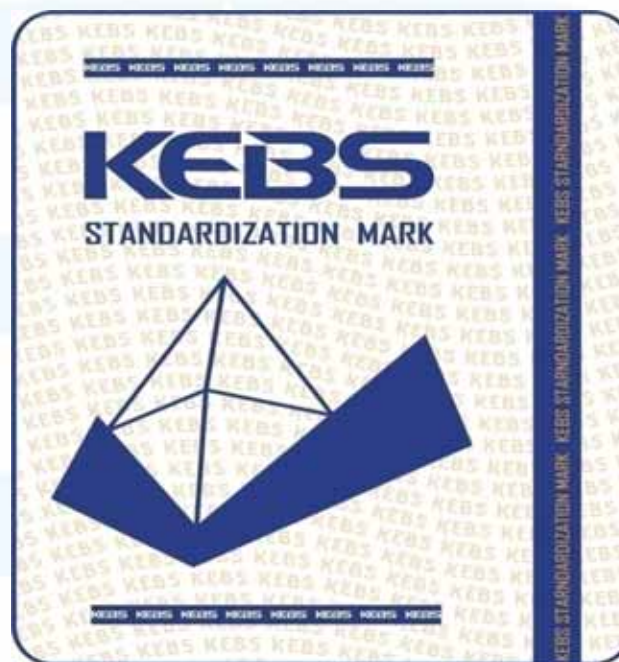


STANDARDIZATION MARK (S-MARK)

Is a legal mandatory Marking requirement for all goods manufactured in Kenya as per the **Standards Act Cap 496, Part II, and Section 10** of the Laws of Kenya which states:

To acquire the mark, manufactured goods are expected to meet minimum quality requirements as specified in the various Kenya/Approved Standards. **Currently, 6203 products have been certified**

Standardization Mark Symbol



IMPORT STANDARDIZATION MARK - (ISM)

- This is a mark applied on imported products that impact on Health and Safety e.g. Foods
- Importers apply to the KEBS by attaching the Certificates of Conformity. For products without Certificates of Conformity compliance on local testing is also used to issue the Mark.
- Upon confirmation of the documents, a soft copy of the ISM Mark is issued to the importer.



Import Standardization Mark Symbol

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➤ Complaints from Importers and other stakeholders for rejection of goods which the Government (through KRA) had already collected duty & taxes (time, reimbursement of taxes etc.)

KEBS



THE PVoC PROGRAMME

- To address these challenges KEBS proposed a Conformity Assessment Programme (PVoC), which is provided for by section 2.2 and article 5 of WTO/TBT Agreement.
- KEBS was mandated through Legal Notice No. 78 of 15/07/2005, to carry out inspection in the country of origin/supply.
- The PVoC programme does not cover all goods/products imported into the country other than those found to have a bearing on Health, Safety and Environmental impact.

- To execute the programme KEBS has appointed four inspection companies i.e. **Intertek International, SGS, Bureau Veritas, China Certification & Inspection Company (CCIC) and JEVIC, QISJ, ATJ** for motor vehicles.
- They share operations in 18 regions. Each region has a minimum of 2 Inspection Agencies.

PVoC Objectives

Key Objectives:

- To ensure that substandard and/ or counterfeit goods, with significant effect on the health, safety and the environment, are stopped at source (i.e. Country of Origin).
- To ease difficulties encountered under destination inspection and offer a more efficient and effective mode of inspection.

Inspection / Verification- Procedure

The key elements undertaken in PVoC are:

- Physical inspection prior to shipment.
- Sampling, testing and analysis in accredited laboratories.
- Audit of product processes.
- Documentary check of conformity with regulations and Assessment of conformity to standards.
- The exporter is expected to meet the costs.

The standards are normally applied according to the following priority list:

- Kenyan (KS-)
- International (ISO- / IEC- Codex-)
- National of the Exporting country

PVoC Routes and Fees

There are three routes to obtain a CoC:

Route A: Consignment Physical inspection & Testing of goods from not established source.

Route B: Product Registration for goods certified to known QMS systems.

Route C: Licensing of manufacturers who can demonstrate the existence of a QMS in their production/manufacturing

In both routes band C the sources of the goods are established / known.

REGIONAL STANDARDS

Under the EAC Standardization, Quality Assurance, Metrology & Testing Act, 2006

Regional standards are being harmonized to allow free flow of goods in the region.

Published EAC Standards are therefore the basis of inspection for this good and exporters should take notice of the same.

- **Testing and licensing:** To be calculated on a case by case basis.

- **Royalties to KEBS :**
 - (i) Used Cars – 34 USD per M/V
 - (ii) Consignments – 15% of Inspection fee charged

SIMILAR STANDARDS PROGRAMMES

Similar programme is currently being implemented by the following countries:

- Uganda
- Tanzania



THANK YOU