Republic of Kenya

THE NATIONAL FOOD SAFETY POLICY 2013

Table of Contents

Foreword

Food safety is central to public health, poverty reduction and sustainable development. Access to safe food is a fundamental right as prescribed in Article 43 as read with article 46 of the constitution of Kenya. Over the years concerted efforts and initiatives have been directed at addressing improvement of food safety. The situation surrounding eating habits in Kenya has changed dramatically over the past 20 years. New and evolving technologies have been developed and implemented to generate novel types of foods, including foods derived from modern biotechnology. The distribution systems have become much broader enhancing accessibility to a wider variety of foods from all over the world. Other challenges include the emergence of new food-borne pathogens, even as known pathogens become more resistant or virulent, hence increasing susceptibility to food-borne infections.

Several unfortunate events affecting food safety have occurred in the recent past. These include outbreaks of Rift Valley Fever, cholera, aflatoxin poisoning (aflatoxicosis) and pesticide residues on fruits and vegetables, which have led to loss of lives, adversely affecting trade and the general economy. As a result of increased public awareness of such threats, food safety issues have become a growing concern to many people.

Through this policy, the Government of Kenya envisages to establish a National Food Safety Authority and an Integrated Food Control System that will harmonize operations and enhance coordination and guarantee consumer protection. Such a system will enhance the roles of the various ministries, institutions and stakeholders in the food chain.

Successful interpretation and implementation of this policy document is expected to improve the food safety standards in the country leading to substantial health benefits to our people.

James W. Macharia
Cabinet Secretary
Ministry for Health

Preface

The development of the National Food Safety Policy involved and took into account the views and priorities of key stakeholders. This input was achieved through wide consultations in a series of workshops, meetings, retreats and professional fora involving development partners, private sector groups, communities and teaching and research institutions.

The policy envisages an effective and efficient food safety system that is geared to secure access to safe and quality food for all, thus reducing morbidity and mortality rates arising from food borne illnesses/diseases.

Needless to say, a good policy and regulatory environment will improve access to safe and quality food and facilitate trade. It is expected that all players in the food safety continuum will provide the necessary infrastructure for the successful implementation of the National Food Safety Policy.

Prof. Fred H. K. Segor
Principal Secretary
Ministry of Health

Contaminant	Any biological or chemical agent, foreign matter, or other substances not intentionally added to food that may compromise food safety or suitability
Feed	Any single or multiple material, whether processed, semi-processed or raw, which is intended to be fed directly to food producing animals.
Food	Means any substance, whether processed, semi processed or raw, which is intended for human consumption, and includes drink, chewing gum and any substance which has been used in the manufacture, preparation or treatment of "food" but does not include cosmetics or tobacco or substances used only as drugs.
Food handler	Any person who directly handles packaged or unpacked food, food equipment and utensils or food contact surfaces and it therefore expected to comply with food hygiene requirements
Food hygiene	All condition and measures necessary to ensure the safety and suitability of food at all stages of the food chain.
Food premises	Any facility where food is processed, prepared, packaged, stored, served or sold. Typical premises will include food factories, kitchens, canteens and catering operations, restaurants, and fast food establishments
Food safety	All measures to ensure that food will not cause harm to the consumer when it is prepared and/or eaten according to its intended use.
Foodborne disease	A general term used to describe any disease or illness caused by eating contaminated food or drink. Traditionally referred to as food poisoning.
Hazard	Anything microbiological, chemical or physical that can cause harm to a consumer. A microbiological hazard means the unacceptable contamination, growth or survival of a pathogenic microorganism, and/or the unacceptable production or persistence in food of a microbiological toxin.
Risk analysis	A process consisting of three components: risk assessment, risk management and risk communication.
Risk	Is the probability of an illness as a result of a hazard occurring in a food. Although a pathogen may represent a serious hazard, if it is unlikely to occur in a food (or at low numbers), then the risk to the consumer is very small. The risk to consumers is also influenced by the dose, so the more consumed the more likelihood of a health hazard.
Street vended-food/ street food	Foods prepared and/or sold by vendors in streets and other public places for immediate consumption or consumption at a later time without further processing or preparation. This definition includes fresh fruits and vegetables which are sold outside authorized markets for immediate consumption.

Acronyms

AU – African Union

CAC – Codex Alimentarius Commission

CBS – Central Bureau of Statistics

COMESA – Common Market for Eastern and Southern Africa

DVS – Department of Veterinary services

EAC – East African Community

ECOWAS – Economic Community for West African States

ERS – Economic Recovery Strategy

EU – European Union

FAO-Food and Agricultural Organization

HACCP – Hazard Analysis Critical Control Point

IEC – Information Education and Communication

ILRI – International Livestock Research Institute

IPPC – International Plant Protection Convention

KARI – Kenya Agricultural Research Institute

KEFSA – Kenya Food Safety Authority

KEBS – Kenya Bureau of Standards

KEPHIS – Kenya Plant Health Inspectorate Services

KEMRI – Kenya Medical Research Institute

MDGs – Millennium Development Goals

NEPAD – New Partnership for African Development

NFSCC – National Food Safety Coordination Committee

OIE – Office International des Epizootics

RIA – Regulator Impact Assessment

SADC – Southern African Development Community

SIDA- Swedish International Development Agency

SPS – Sanitary and Phytosanitary Measures

WHO – World Health Organization

WTO- World Trade Organization

1.0 EXECUTIVE SUMMARY

The Kenyan food safety control system is multi-sectoral in approach and is embodied in various statutes implemented by various Government ministries/departments and regulatory agencies. The coordination mechanism among these institutions is currently inadequate. This has created inefficiencies in the national food safety control system resulting in recurrence of food related hazards, rejections of food shipments by importing countries and other undesirable consequences.

The overall objective of this policy is to establish and maintain a rational, integrated *farm-to-fork* food safety system that harmonizes inter-agency efforts, minimizes inter-agency conflict and overlap, and ensures the protection of public safety and food trade in a manner consistent with WTO/SPS and other international requirements.

This policy addresses Food Safety concerns in the broad areas of legal and regulatory framework, information, education and communication; traceability; infrastructure and Capacity; Emerging and re-emerging food safety challenges; validation, inspection, certification and self assessment; institutional framework, mandates and capacities'; Monitoring and Evaluation. The National Food Safety policy envisages protecting and promoting consumer health while facilitating the orderly development of the food industries as well as fair practices in food trade. The policy will also help Kenya to fulfil the international obligations, particularly those arising from membership in the World Trade Organization. Further, through the implementation of this policy, all the existing food control infrastructure and services will be effectively coordinated to eliminate areas of overlap and conflict.

The Government will develop a participatory implementation plan for this policy. Developing this plan will provide an important step towards ensuring that the actions outlined in the policy are addressed systematically and effectively. This will be achieved through the establishment of a National Food Safety Authority and an Integrated Food Control System to harmonize operations and enhance coordination.

The implementation plan will also embrace performance measures for the actions and initiatives outlined in the policy, which can then be used to gauge the overall progress towards effective and efficient food safety management system in Kenya.

While this policy provides for the official food safety control mechanisms, the responsibility of food safety rests with all players along the food chain.

2.0 INTRODUCTION

The production and consumption of food is central to any society, and has economic, social and environmental consequences. Protection of human, animal and plant health in today's global food market is a challenge that must be addressed through internationally recognized health and food safety systems. Such systems should ensure that consumers are informed and protected from the risk of food borne illnesses. These systems should ensure that foods and feeds are produced, handled, stored, processed and distributed in a safe manner and are wholesome and fit for consumption; and that labelling provides truthful and reliable information.

In Kenya, the food safety control system is multi sectoral in approach and is embodied in various statutes implemented by various Government ministries/ departments and regulatory agencies. The coordination mechanism among these institutions is currently inadequate. This has created overlaps of mandates with ensuing inefficiencies in national food safety control. Food safety needs to be organized in a more co-ordinated and integrated way to deliver a high level of public health and consumer protection in accordance with both local and international requirements. There is need for the establishment and maintenance of a rational, integrated *farm-to-fork* food safety system that harmonizes inter-agency efforts, minimizes inter-agency conflict and overlaps, and ensures the protection of public safety in a manner consistent with the Sanitary and Phyto-sanitary Agreement of the World Trade Organization (WTO/SPS) and other international requirements.

Currently the population is approximated to be 38.6 million people with an annual growth rate of 2.8% and about a million visitors each year. It is important that the quality of Kenya's food supply meets the highest safety requirements to satisfy domestic and international demands. The Government of Kenya, therefore, prioritizes successful implementation of the food safety policy. This policy will compliment several existing national policies in providing a framework for safe, sustainable and ethical food production.

Food trade is important to the Kenyan economy. The food industry is a leading sector with an annual production worth almost Ksh 183.6 billion (Statistical abstract 2006 CBS). The food industry is one of the largest employers of the Kenyan population with close to a million employees, of which 30% are in small and medium enterprises. On the other hand, the agricultural sector has an annual production of about Ksh 261 billion and provides the equivalent of 0.7 million formal full-time jobs and 3.7 million small and medium enterprise sector jobs (ERS 2003-2007) It is estimated that 75% of the Kenyan population is gainfully employed in food and feed production (ERS2003- 2007). In 2006, exports of agricultural products, particularly food, which account for 67% of all export products, earned the country Ksh 129 billion in foreign exchange (Economic Survey -2006). The economic importance and the universal requirements of food dictate a prime interest in food safety as a whole, and in particular by public authorities.

The rural urban migration in Kenya has contributed to an increase in street vended, ready to eat and convenience foods, urban and peri-urban farming. This has exerted pressure on the provision of services including safe water and sanitation posing a risk to public health. Urban and peri-urban farming may lead to microbial, chemical and heavy metal contamination of food.

The Kenyan food safety control systems have been under unprecedented pressure during outbreaks of food-borne illnesses. Kenya has experienced outbreaks of Rift Valley Fever, cholera, aflatoxin poisoning/aflatoxicosis which have led to loss of lives and adversely affected trade and the general economy. The framework for rapid alerts/response and risk analysis is underdeveloped.

Historically, food control systems have been developed on a sectoral basis. However, the increasing emergence of regional economic blocs, increased globalization of trade, developments in farming and food processing, and new handling and distribution patterns require a more holistic approach.

An effective food safety policy must recognize the inter-linked nature of food production. It requires assessment and monitoring of the risks to consumer health associated with raw materials, farming practices and food processing activities; it requires effective regulatory action to manage this risk; and it requires the establishment and operation of control systems to monitor and enforce the operation of these regulations.

This policy Paper on Food Safety outlines a comprehensive guideline needed to enhance the national food safety control systems making it more relevant to changing trends in the food industry. It recommends the creation of a strengthened Kenya Food Safety Control System.

3.0 SITUATION ANALYSIS

3.1 International Food Safety Framework

Food safety systems, nationally and globally are faced with various challenges that hinder safe production and trade facilitation.

The international framework as regards food safety has developed significantly through enhanced role of three international bodies namely; Codex Alimentarius Commission, (CAC) Office International des Epizootics (OIE) and the International Plant Protection Convention (IPPC).

The Codex Alimentarius Commission (CAC) was formed as a joint FAO/ WHO program in 1961. It is a collection of internationally recognized standards, codes of practice, guidelines and other recommendations relating to foods, food production and food safety. The Commission is mandated to ensure consumer health and fair practices in food trade. These are achieved through the development of standards and guidelines through expert committees, namely Joint Meeting for Pesticide Residues, (JMPR), and Joint Expert Committee on Food Additives, (JECFA), adhoc, General Subject and commodity committees. Consultants may be engaged in the Codex processes.

Office International des Epizootics (OIE) was established following outbreaks of Rinderpest in Europe. Its main task has been; global dissemination of information obtained from members on outbreaks of animal diseases; collection, analysis and dissemination of scientific information on animal diseases control; technical and institutional support to developing countries in their efforts to build capacity to control animal diseases, and setting standards that countries can use to protect themselves against the introduction of disease, pests or pathogens.

International Plant Protection Convention (IPPC) operates under the auspices of FAO. It was created as part of an international treaty with the aim of preventing spread and introduction of pests of plant and plant products and to promote appropriate measures for control. The Standards set by the this body are implemented through the International Standards for Phytosanitary Measures (ISPMs)

The linkages among these organisations, that is CAC, OIE and IPPC in relation to trade were formalised following the WTO/SPS Agreement where Kenya is a signatory.

Regionally, Kenya is a member state of AU, EAC COMESA and NEPAD. These trading blocks draw membership from the countries in the region. There is therefore need for the member countries to harmonise their Food Safety Systems so as to facilitate free trade among themselves. Currently, EAC and COMESA are in the process of harmonising Food safety standards in line with WTO/SPS.

3.2 Kenya Food Control System

The Kenya national food safety system is managed by various agencies under different ministries and laws. This is with an ultimate aim of promoting public health, protecting the consumer against health hazards and enhancing economic development.

Each agency operates independently to fulfill the function for which it was established. However, the activities at each level require integration into a coordinated system. This necessitated the formation of the National Food Safety Coordination Committee. An elaborate food safety management system exists in the supply chain that targets the export market and the medium to high-income consumers. This may be attributed to consumer awareness and income levels.

The threat of food-borne diseases is the main cause of loss of consumer confidence in the food safety management system. There have been cases of prevalence of food borne illnesses. Food borne diseases remain a problem in Kenya with over 70% of all episodes of diarrhea being attributed to ingestion of contaminated food and water. The most prevalent diseases are typhoid, dysentery and gastroenteritis. Others include aflatoxin poisoning, brucellosis and cholera. Generally, attention given to food borne illnesses is more of reactive rather than pro-active. This has led to re-occurrence of food borne illnesses impacting negatively on public health and food/feed trade. In addition, available statistics are not well-documented and processed for use in decision-making.

Laboratories are an essential component of a food control system. The establishment of laboratories requires considerable capital investment in infrastructure, operation and maintenance. Therefore, careful planning is required to achieve optimum results. Most laboratories in the country are not accredited and are limited in scope of analysis. There is inadequate capacity in terms of human resource, equipment, and skills development to cope with emerging issues. The Kenyan National Accreditation Service (KENAS) is the sole National Accreditation Body for Kenya and offers accreditation schemes such as Testing and Calibration Laboratories (ISO 17025:2005), Medical Laboratories (ISO 15189:2007), Veterinary Laboratories (ISO 17025:2005) OIE, Certification (ISO 17020) and Inspection (ISO 17021) KENAS is affiliated to the International Laboratory Accreditation Cooperation (ILAC) and International Accreditation Forum (IAF).

5

4.0 SCOPE OF THE FOOD SAFETY POLICY

This food safety policy encompasses all those involved in the food chain from farm to fork. In recognition of the vast number of actors involved in the food supply chain and who play a major role in the achievement of the objectives of this policy, a consensus building process has been used in the development and realisation of the policy. The success of this policy and its implementation is dependent on all actors along the food chain taking responsibility to ensure consumers have access to safe food. The Government has an overarching role of ensuring that the objective of safe food is achieved.

5.0 POLICY STATEMENT ON FOOD SAFETY

The Government of Kenya recognizes the right of its people to safe food. The Government of Kenya will ensure safe food trade practices in a manner consistent with World Trade Organization/Sanitary and Phytosanitary measures (WTO/SPS) and other international requirements to safeguard consumers through the realisation of the objectives of this policy.

6.0 GOAL AND OBJECTIVES

6.1 Goal

The overall goal is to establish and maintain a rational, integrated farm-to-fork food safety system that harmonizes inter-agency efforts, minimizes inter-agency conflict and overlap, and ensures the protection of public safety and food trade consistent with WTO/SPS and other international requirements.

6.2 Policy Objectives

i. To update existing legislations to be in tandem with the current food safety requirements.

ii. To establish data bank on Food Safety issues and improve on Information, Education and Communication.

iii. To strengthen systems that will ensure traceability from farm to fork.

iv. To strengthen Laboratory infrastructure, human resource capacity and management systems to comply with national and international food safety requirements.

v. To institute systems that will enhance Kenya's risk analysis capacity.

vi. To establish systems that mitigate emerging and re-emerging food safety challenges.

vii. To strengthen mechanisms validation, inspection, certification and self-assessment for food safety practices along the food chain and institute early warning mechanisms to prevent food hazards.

viii. To strengthen existing institutional capacities and linkages and facilitate public/private sector partnership.

ix. To harmonize and strengthen coordination, enforcement and functionality of the existing National Food Safety control system.

7.0 POLICY ISSUES AND INTERVENTIONS

Most food safety challenges facing the country could be attributed to the management system's inability to detect potential risks and gaps, share information, plan together and identify appropriate strategies for collaborative management of food safety in the supply chain and protect the consumer. Due to poor coordination within the food supply chain, Kenya has faced challenges in areas such as legal and regulatory framework, information, education and communication; traceability; infrastructure and capacity; emerging and re-emerging food safety issues; validation, inspection, certification and self-assessment; institutional framework and monitoring and evaluation

Policy Issue No. 1: Legal and Regulatory Framework

In Kenya, the food safety control system is multi sectoral in approach and is embodied in various statutes implemented by various Government ministries/ departments and regulatory agencies.

Challenges

(i) Inadequate coordination in the enforcement of various Acts of parliament that cover the entire food chain.

(ii) Overlapping roles and responsibilities due unclearly understood mandates in the operations of the food control system resulting to ambiguity and weaknesses in inspection and analysis.

(iii) Some of the Acts have not been updated to keep abreast with the changing local and international trends. Attempts to carry out piecemeal reviews have not resolved the food safety challenges that prevail.

(iv) Emerging issues such as Street vended foods have not been formally recognized in the various legislative frameworks.

Policy interventions

The government will put in place a coordination mechanism by establishing a National Food Safety Law. Current laws and regulations pertinent to food safety will be reviewed to provide clearly defined mandates in the food control system. The Food Control laws will be reviewed and where appropriate, revised and updated to address emerging issues.

Although the functioning of food safety control systems is information intensive, the general public awareness on food safety is insufficient.

Challenges

(i) Underdeveloped, underutilised and not well coordinated system of generating, collecting, collating and rapid dissemination of food safety information. Therefore, general Public awareness on Food Safety is insufficient.

(ii) Ineffective curricula development and implementation covering emerging food safety issues by relevant training institutions. This is as a result of weak linkages between research, regulatory agencies, training institutions and industry.

(iii) Weak and ineffective communication network amongst the stakeholders, thereby, compromising effectiveness of risk communication to consumers. The food safety chain is long and complex, and includes regulatory agencies, farmers, fisher folk, processors, traders, supermarkets, wholesalers, retailers, manufacturers, importers, caterers, street vendors and consumers. Each of the stakeholders has various interests and mandates, hence the need for a well-established and coordinated communication network.

Policy interventions

The Government will establish data bank on information in the food control system. Food safety training will be prioritised and made relevant by strengthening linkages with industry and integrating the same in the national curricula. Stakeholders, especially SMEs involved in food production, processing and handling will be empowered by receiving education on food safety systems and implementation of food safety standards.

The Government will also establish a communication network with an effective information dissemination system. The proposed Kenya Food Safety Authority will develop a communication framework to address pertinent issues regarding food safety.

Traceability is the ability to trace and follow food, feed, and ingredients through all stages of production, processing and distribution. The identification of the origin of feed and food ingredients and food sources is of prime importance for the protection of consumers, particularly when products are found to be faulty. Traceability facilitates the withdrawal of foods and enables consumers to be provided with targeted and accurate information concerning implicated

products. The requirement for traceability is limited to ensuring that all food and feed business operators are at least able to identify the immediate supplier of the product in question and the immediate subsequent recipient. Traceability has become an important component in marketing and is a risk management tool in case of a food safety concern. It should be applicable to the final product as well as the inputs. In Kenya, traceability awareness and globalization is well established for export products and some targeting high end consumers. This is not the case for locally consumed products thereby compromising Food Safety Risk Management. There is also limited market access due to stringent consumer demands for traceability as a result of increased consumer awareness and globalization.

Challenges

(i) Limited traceability systems in the food chain

(ii) Inadequate awareness by the various actors along the food chain. This has led to wrong perceptions of traceability; actors fear it may be used for purposes of taxation against them or it is the responsibility of the government.

(iii) Limited capacity for the implementation of appropriate food traceability systems.

Policy interventions

The Government will put in place guidelines to ensure traceability of food, feed and their ingredients. Information, education, communication and training to stakeholders across the farm-to-fork continuum will be enhanced. Investment in training, information technology for data capture, storage and retrieval to be used by all the stakeholders will be enhanced

Policy Issue: Scarce infrastructure and Capacity

The food safety sector is faced with limited resources to support the various operations in terms of funding, laboratory infrastructure, human resource capacity and management systems to comply with national and international food safety requirements.

Limitation in the capacity of human resource is a major constraint to food safety operations across the various agencies mandated to carry out food safety activities. This limitation is mainly in personnel numbers and skills development to cope with emerging issues.

The laboratory services provided by the regulatory agencies have limitation in scope of analysis and equipment and in some cases not up-to date with the new technologies. With the increasing trade and stringent trade requirements, demand for laboratory analysis from inspections, product certification, quality assurance and surveillance overstretch current capacity.

An effective food safety assurance system requires high investment in terms of competencies, skills, institutional development, costs of operations and maintenance, implementation of international trade agreements (WTO/SPS), infrastructure, and review of legislation. The budgetary allocation towards food safety is inadequate and not prioritized in some line ministries.

Laboratories are responsible for analysing food samples to detect, identify and quantify contaminants (such as pesticide residues or heavy metals), and for analyzing specimens from humans and foods implicated in food-borne illness outbreaks to identify the causes and sources. They also provide support for food law enforcement. The scientific information produced by food control laboratories also informs and supports policy and decision making processes related to food safety and quality, for instance to design surveillance and monitoring programmes that target priority hazards or to investigate adulteration, misleading information, fraud, consumer complaints, disease outbreaks, etc. and other emerging food safety and quality issues.

Challenges

(i) Inadequate number and types of accredited and approved laboratories. Limited scope of analysis and equipment and in some cases not up-to date with the new technologies. High investment required for an effective food assurance system in terms of competencies, skills, institutional development, costs of operations and maintenance, implementation of international trade agreements (WTO/SPS), infrastructure.

(ii) Limited human resource capacity for food safety operations across the various agencies mandated to carry out food safety activities.

(iii)Inadequate capacity to facilitate risk analysis in order to comply with the WTO/SPS agreement and effectively participate in the development of international food safety standards.

Policy interventions

The Government will: -

(a) Compile and maintain an inventory of food safety laboratories.

(b) Promote establishment of adequate number and types of accredited and approved laboratories.

(c) Make specific budgetary allocation for Food Safety and develop strategies for resource mobilization.

(d) Take a pragmatic approach and develop a cadre of scientists to interpret scientific data and assessments, and use this information for the development of national food control programmes.

(e) Strengthen capacity to undertake formal risk analysis and enhance national capacity for effective participation in international standards development

Policy Issue No 5: Emerging and Re-Emerging Food Safety Concerns

The emerging and re-emerging food safety challenges include; street vended foods, convenient and ready to eat foods, genetically modified foods and food borne illnesses (food poisoning and diseases).

Street food vending offers business opportunities for developing entrepreneurs. However, street-food vendors are often poor, with limited information on food safety requirements and therefore lack appreciation for safe food handling. Street-vended foods pose health risks of food borne-diseases to consumers.

Products designated as convenience or ready-to-eat foods are often prepared food that can be sold as hot, ready-to-eat dishes; as room-temperature, shelf-stable products; or as refrigerated or frozen products that require minimal preparation. Such foods may be a source of various pathogenic bacteria, parasites and viruses and may carry chemical contaminants due to unhygienic practices and deliberate contamination. Other predisposing factors include environmental factors, such as unsafe water, unsafe waste disposal, exposure of food to insects and dust, undercooked food, and prolonged storage of cooked food without refrigeration.

Genetically modified foods refer to foods of plants or animal origin manipulated using the molecular techniques to enhance the desired traits. Such foods require proper regulation and information for their use by consumers.

Food-borne diseases/illnesses have a significant impact not only on health but also on economic development. Moreover, globalization of the food trade and development of international food standards have raised awareness of the interaction between food safety and export potential for developing countries.

Challenges

(i) Street vended foods which are prepared and sold under unhygienic conditions pose a major public health risk.

(ii) Genetically modified foods are perceived to cause environmental hazards, human health risks, and economic concerns.

(iii) Most ready-to-eat foods may be a source of various food contaminants due to unhygienic practices, deliberate contamination, and poor storage.

(iv) Inadequate capacity for food borne disease surveillance;

(v) Limited export trade potential of food due to low adherence to international food safety standards.

Policy Interventions

The Government will formally recognize, regularize and develop guidelines, based on the Codex Guidelines for street vended, convenient and ready to eat foods. This will safeguard health of the consumer and the operator and enhance export potential of such foods. The Biosafety Act 2009 and regulations developed thereof will address legitimate concerns related to genetically modified foods. Strengthen capacity for surveillance of emerging and re-emerging food borne diseases/illnesses

Policy Issue No 6: Validation, Inspection, Certification and Self-Assessment

Food safety system requires validation, inspection, certification and self-assessment. The systems however are underdeveloped and under-funded. This has impacted negatively on the compliance to recommended food safety practices along the food chains. The consumers and the general public are not well informed of the dangers posed by poor food safety practices during production, processing and consumption of food. This hampers information gathering and flow to enable effective monitoring.

Validation is the process that is used to demonstrate that the selected control measures are actually capable, on a consistent basis, of achieving the intended level of hazard control in a food safety control system. Validation focuses on the collection and evaluation of scientific, technical and observational information to determine whether control measures are capable of achieving their specified purpose in terms of hazard control.

The frequency of food inspection activities should be prioritised according to risk, with high-risk foods being the priority. The objective is to inspect raw materials, processes and products to determine compliance with set standards.

Food safety certification requires maintenance of proper documentation of how food is handled, stored, and its conformity to best practices in food safety. The inspection includes the physical assessment of facilities that are considered for certification.

Self-assessment should be inbuilt within the food safety system and should assist all players in the food value chain to adhere to the set standards and regulations. This is a new but critical concept that is yet to be embraced by various players along the food supply chain. In an effective self assessment food safety system, all players in the food chain are proactively involved in improvement of their systems rather than wait for inspectors to check on them.

Challenges

(i) Food safety validation, inspection, certification and self assessment systems are underdeveloped and under-funded. This has impacted negatively on the compliance to recommended food safety practices along the food chains.

(ii) Inadequate awareness on the dangers posed by poor food safety practices during production, processing and consumption of food. This hampers information gathering and flow to enable effective monitoring.

(iii)Inadequate capacity of food inspection agencies at all level

Interventions

All players in the entire food chain will be responsible for ensuring safe food to the public. The government will institute an effective food safety validation, inspection, certification and self assessment system to ensure that only safe food is available to the public. An early warning system will be developed to prevent outbreaks of food borne diseases.

The Government will promote awareness and provide guidelines on information gathering and flow along the food safety continuum. The government will strengthen food inspection agencies at all levels of the food chain to enhance compliance.

Policy Issue No. 7: Institutional Framework, Mandates and Capacities

The coordination mechanism among many institutions that deal with Food Control is currently inadequate. This has created overlaps of mandates with ensuing inefficiencies in national food safety control. Food safety needs to be organized in a more co-ordinated and integrated way to deliver a high level of public health and consumer protection in accordance with both local and international requirements

Challenges

(i) Inadequate and formalized networking including weak linkages amongst research, regulatory and enforcement institutions that deal with food control leading to inefficiencies in ensuring Food safety along the continuum.

(ii) There is insufficient scientific data to support the development of science based food safety standards, risk analysis and regulations.

Policy Interventions

The government will establish a National Food Safety Authority in order to strengthen institutional capacities, harmonize institutional frameworks and enhance linkages between research, regulatory agencies and industry. The government will strengthen Research and regulatory institutions to develop a scientific data bank that informs decision making in the food control system.

8.0 POLICY COORDINATION AND IMPLEMENTATION

This policy addresses Food Safety concerns in the broad areas of legislation, institutional framework, monitoring and evaluation, traceability, resources, information, education and communication and makes the following commitments: -

8.1 Responsibilities of the Government

i. Legislative

a) Review all relevant laws and regulations to be in tandem with the changing trends in food safety and food trade. Establish a National food safety authority and an integrated food control system to harmonize operations and enhance coordination.

b) Prepare a Food Safety Act that will be responsive to Kenya's international obligations, particularly those embedded in the World Trade Organization's Agreement on the Application of Sanitary and Phytosanitary Measures;

ii. Regulatory

a) Adopt a scientific, risk-based approach to food safety that covers the continuum from farm to fork;

b) Provide standards and guidance to the food industry that ensure safe food and fair competition;

c) Provide advice, training and education in nutrition and food safety to all sectors of society;

d) Formally recognize and regulate the street vended foods and develop guidelines to safeguard health of the consumer.

e) Institute an effective food safety monitoring and evaluation system to ensure that only safe food is available to the public.

iii. Institutional Arrangements

a) Establish a food safety authority, the National Food Safety Authority, which will direct and coordinate all Government activities in the field of food safety in close collaboration with all relevant governmental and non-governmental sectors;

16

b) The National Food Safety Authority will be part of, or report to, the Ministry responsible for matters related to health.

c) Strengthen institutional capacities and harmonize institutional frameworks to enhance linkages between research and industry.

d) Strengthen capacity to undertake formal risk analysis and enhance national capacity for effective participation in international standards development.

e) Make specific budgetary allocation for Food Safety and develop strategies for resource mobilization.

f) Establish data bank and prioritise training in food safety by integrating the same in the national Curricula

8.2 Responsibilities of the National Food Safety Authority

The Government will establish a National Food Safety Authority and an Integrated Food Control System to harmonize operations and enhance coordination. The National Food Safety Authority will undertake risk assessment, and will be independent from risk management organizations.

By recognizing that consumer protection and fair trade are the country's most important issues, the Authority's roles are:-

i. Protect and promote human health;

ii. Facilitate the orderly development of the food industries as well as fair practices in food trade;

iii. Fulfil the international obligations, particularly those that arise of Kenya's membership in the World Trade Organization and

iv. Coordinate all the existing food control infrastructure and services and redefine their roles in order to eliminate areas of overlap and conflict.

8.3 Coordination Framework

The National Food Safety Authority will be a body in which ministries, actors and agencies will collaborate in planning, implementation, monitoring and evaluation of activities. The overall

coordination of all aspects of implementation of food related activities in the country will be the responsibility of the National Food Safety Authority and its actors.

9.0 MONITORING AND EVALUATION

Policy monitoring and evaluation is an integral component in the policy process. Monitoring is the act of conducting a planned sequence of observations or measurements of control parameters to assess whether a control measure is effective. Evaluation involves assessment of all aspect of the set food safety requirements on a regular basis. It also encompasses improvement and corrective actions.

An effective food safety monitoring and evaluation system should ensure that only safe food is available to the public. Development in the Food Safety systems will be effectively guided if it is closely monitored and evaluated at all levels. Results based monitoring and evaluation system will be integrated in the policy implementation plan. Monitoring and evaluation system will also be built into the national action plan and programs.

The objective of Monitoring and Evaluation (M and E) will be to ensure prudent and timely utilization of resources against set targets and to learn and document useful lessons for planning purposes.

Technical audits of the system will establish the level of success in achieving and maintaining the desired food safety status. The Audits will be carried out through risk analysis.

There are approaches which will be utilized for technical assessment which include performance contracting, compliance monitoring, quality control, evaluation of Food Safety system and use of the M and E Tool.

Voluntary peer review will be encouraged through self assessment using laid down procedures including established International Standards as well as ensuring efficient management of resources, establish a participatory monitoring and evaluation system to ensure compliance and it will also carry out periodic risk monitoring and quality control systems and carry out periodic risk analyses including the evaluation of food safety system in order to ensure that the necessary corrective measures are taken at the right time during implementation of this policy.