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13th September, 2021



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REPUBLIC OF KENYA

MINISTRY OF AGRICULTURE, LIVESTOCK, FISHERIES AND
CO-OPERATIVES

EXPLANATORY MEMORANDUM ON COFFEE GENERAL AND
EXCHANGE REGULATIONS, 2019

AND

REPORT ON COFFEE STAKEHOLDERS CONSULTATIVE MEETINGS
ON THE PROPOSED COFFEE REGULATIONS.


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ABBREVIATIONS

AFA	Agriculture Food Authority
AG	Attorney General
CAN	Calcium Ammonium Nitrate
CAP	Cherry Advance System
CDU	Central Depository Unit
CEC	County Executive Committee
CEX	Commodity Exchange
CMA	Capital Market Authority
CD	Coffee Directorate
CoG	Council of Governors
Coop Bank	Cooperative Bank of Kenya
CSIC	Coffee Sector Implementation Committee
CRI	Coffee Research Institute
ICT	Information Communication Technology
CCE	Kenya Cooperative Coffee Exporters
DSS	Direct Settlement System
KCCD	Kenya Cooperative Coffee Dealers
KCTA	Kenya Coffee Traders Association
KES	Kenya Shilling
KCPA	Kenya Coffee Producers Association
KPCU	Kenya Planters Cooperative Union
MOALF	Ministry of Agriculture Livestock Fisheries
MOU	Memorandum of Association
NCE	Nairobi Coffee Exchange
NPK	Nitrogen Phosphorous (Kalium) Potassium
NSE	Nairobi Securities Exchange
SCAE	Specialty Coffee Association of Europe
STABEX	Stabilization Fund
PS	Principal Secretary
WRS	Warehouse Receipt System

EXPLANATORY MEMORANDUM TO THE CROPS (COFFEE) (GENERAL) REGULATIONS, 2019

PART I

Name of the Statutory Instrument	The Crops (Coffee) (General) Regulations 2019
Name of the Parent Act:	The Crops Act, 2013
Enacted Pursuant to	Section 40 Crops Act No 16 of 2013
Name of Ministry	Agriculture, Livestock, Fisheries and Irrigation
Department	State Department of Crops Development
Agency	Agriculture and Food Authority (Coffee Directorate)
Gazetted on	2019
Tabled on	2019

PART II

1.The Purpose of the Crops (Coffee) (General) Regulations, 2019

The object and purpose of the Regulations is to give effect to section 40 of the Crops Act, 2013, provide for licences to be issued by the licensing authorities, the obligations of licence holders and service providers and the protection and regulation of their interests along the coffee value chain; the recognition of the grower of coffee as the owner of coffee until the coffee is sold and paid for, and the protection of growers' rights along the value chain.

The Regulations also provide for a transparent and timely clearing and settlement of coffee proceeds to the growers and service providers, the collection and maintenance of data related to coffee, the improvement of coffee standards, increased production, and the regulation of the coffee industry in Kenya.

2.Legislative Context

The Crops Act, 2013 empowers the Cabinet Secretary responsible for matters related to agriculture to make regulations necessary or convenient for carrying out or giving effect to the Act. The Crops (Coffee) (General) Regulations, 2019 are therefore issued to give effect to the provisions of the Act.

3.Policy Background

The Kenyan Government has always taken cognizance of the strategic role the coffee industry plays towards economic empowerment of the people. Currently the coffee industry contributes

about KShs.20 billion to the national economy and it is grown by over 700,000 smallholder farmers and about 3,200 estates spread across 31 counties. However, in the last two decades the industry has encountered a number of challenges which have eroded its economic importance the national economy and loss of job opportunities. Some of the challenges in the subsector include; high cost of production, obsolete coffee processing technology, fluctuating coffee prices, aging coffee community, low farmer's earnings from coffee despite its premium quality, delayed coffee payments, mismanagement and inefficiencies in cooperatives, restrictive coffee laws among others. The challenges have resulted to a decline in land under coffee and production to about 40,000 tons compared the highest production of 128,926 tons in 1988/89.

In light of these challenges and given the economic, social and political importance of coffee in the national economy, His Excellency the President, Uhuru Kenyatta, appointed the National Task Force on Coffee Sub-Sector Reforms on 4th March 2016. The mandate of the Task Force was to review the entire coffee value chain and identify areas requiring interventions such as production, processing and marketing of coffee; examine the existing policy, institutional, legislative and administrative structures and systems in the coffee industry; and recommend comprehensive reforms among other key issues. The Taskforce submitted its report to the President on 10th June, 2016.

One of the key recommendations of the National Task Force Report was to undertake review of the existing coffee industry legislation and align them to the Crops Act, 2013 and the Constitution 2010. In line with this recommendation the Cabinet Secretary for Agriculture published the Coffee (General) Regulations, 2016 as Legal Notice No. 120 in Kenya Gazette Supplement No. 105 dated 27th June 2016. These Regulations were challenged in court and subsequently a High Court judgment was delivered in Nairobi dated 28th July, 2017. The Judgment, among others, declared the said rules as unlawful mainly due to lack of adequate public participation and consultations, and further ordered the Cabinet Secretary Ministry of Agriculture to ensure that lawful regulations were promulgated speedily.

Pursuant to this judgment, the Coffee General Regulations of 2016 were revised after extensive consultations with farmers and other key stakeholders, culminating with the Coffee General Rules, 2019.

The promulgation of the Regulations will be critical to the regulation and revival of the coffee industry resulting in stability and great benefit to coffee farmers, service providers and other key stakeholders along the coffee value chain. Due to its widespread nature, the revived coffee industry will contribute higher incomes to farmers, offer employment to youth, and contribute towards agro-processing and trade. All these contributions will go a long way towards the achievement of the Jubilee Government Big Four agenda and the agriculture sector development strategy.

Before the enactment of the Crops Act, 2013, the coffee sector was regulated by the now repealed Coffee Act. The regulations that are currently in force were formulated under the

repealed Coffee Act. There is need to align these existing regulations to the Crops Act, 2013 and also the Constitution which devolved agriculture to county governments. Further, the current Regulations have exceeded the time limit set by section 21 of the Statutory Instruments Act which provides that a statutory instrument stands automatically revoked after ten years of its commencement; the regulations currently in use were enacted in 2002. Notably, section 42 (2) of the Crops Act provides that subsidiary legislation issued under the repealed law such as the Coffee Act would only continue to be in force up to 30th June 2013. There is therefore a lacuna in law in the coffee subsector.

4. Consultations Outcome

The Crops (Coffee) (General) Regulations, 2019 have taken into account the views of the key personnel at the Ministry of Agriculture Livestock and Fisheries most significantly the Coffee Directorate under Agriculture and Food Authority, the Ministry of Industrialization, Trade and Co-operatives, the National Treasury and Planning, coffee co-operative societies and unions, coffee farmers, the Capital Markets Authority, the Attorney General and the Nairobi Coffee Exchange.

Extensive consultations were held with other key stakeholders in the coffee industry. Twenty five public meetings/workshops were held between October 2017 and November 2018 spread across the various counties and involved the participation of farmers (both small scale and large scale), Co-operative society and Union officials, various service providers, millers and marketing agents and traders, researchers and national government officials, Governors, County Executive Members in charge of agriculture, cooperatives and Trade, and other county government officials. Consultations were also held with members of parliament from coffee growing areas and the Senate Committee on Agriculture, the National Assembly Committee on Delegated Legislation, the Senate Committee on Delegated Legislation, banks and other public institutions. Written memoranda were also received from various stakeholders. A report detailing the list, venue, dates and details of the consultations is annexed to this memorandum.

The views received from the consultations were considered in preparing the final version of the Regulations. The analysis of the views and opinions expressed during the consultations indicated that about 85% of the proposals contained in these Regulations mainly in regard to coffee production, processing, quality assurance, licensing were agreeable to most stakeholders. For the remaining set of regulations which were contested, a phased approach has been adopted to ensure these regulations are implemented in a period of one year to give affected stakeholders time to adjust and to ensure there will be no disruptions in the sub-sector.

The stakeholder consultation process was spearheaded by the Coffee Sector Implementation Committee (CSIC).

5. Guidance

The Ministry of Agriculture, Livestock, Fisheries and Irrigation most significantly the Coffee Directorate, the management of the Nairobi Coffee Exchange, and county governments will sensitize their officers for adherence to the objectives of accountability and efficiency in the management of the coffee sub sector. The National government will offer capacity building and technical assistance to county governments where requested.

The Coffee Directorate and county governments together with other stakeholders in the industry will organize and roll out a farmer/public awareness and information campaign to educate the coffee farmers on the new regulations and the changes that will occur.

The Ministry will also engage key stakeholders such as Parliament, the National Treasury and Planning, the Capital Markets Authority and the Ministry of Industrialization, Trade and Co-operatives whose participation and cooperation remains instrumental in the successful implementation of the key aspects of these Regulations.

6. Impact Assessment

An impact assessment was undertaken by Tegemeo Institute of Agricultural Policy and Development of Egerton University and the outcome of the assessment is outlined below.

6.1 The impact on Fundamental Rights and Freedoms

The Regulations are pro-growers and in particular they emphasize the property rights and freedoms of coffee farmers to their property. The Regulations clearly states that coffee belong to the farmers until it is sold, and the farmers as the property owners, have a right to choose whom to do business with. This is a fundamental shift to align the Regulations with Article 40 and 43 of the Constitution. These Regulations also address the fundamental rights of farmers to just and timely pay-outs for their coffee and the management of farmer institutions such as cooperatives. However, in order to enjoy economies of scale and joint processing and marketing, small scale farmers are forced to be members of coffee cooperatives in their locality. This may subject them to exploitation especially when such co-operatives are inefficient. This may lead to violations of their rights and freedoms, but the Regulations have provided an option of such farmers to consider forming and being licenced as alternative associations. The full regulatory impacts to these Regulations are elaborated in the attached regulatory impact report.

6.2 The impact on the Private Sector

Coffee production, processing and marketing are essentially private sector business. The Regulations clearly recognizes and promotes this principal. The implementation and enforcement

of the Regulations will lead to a more vibrant coffee subsector from production to consumption. This will generate many positive benefits to the coffee farmers, service providers and other private sector players. The envisaged positive impacts such as higher incomes, business growth, value addition and employment are elaborated in the impact report attached to this memorandum.

6.3 The impact on the public sector

The Regulations will ensure that there is better regulation in the sub-sector and this will create the necessary stability which is an impetus for investments, growth, job creation, social order and security. Furthermore, the delineation of roles and functions between the National and County governments will align the sub-sector to the constitutional requirements while promoting service delivery. Growth in the sub-sector will also enhance public revenue from licences, fees and taxes thereby contributing towards the growth and development. Nevertheless, for the growth in the subsector to be fully realised, the public sector will be required to offer support to the industry in form of inputs, extension, training and capacity building. This will require allocation of more budgetary resources especially in the period immediately after the approval of these Regulations.

7. Review of the Regulations

The Ministry of Agriculture, Livestock and Fisheries shall monitor the application and compliance to the Crops (Coffee) (General) Regulations, 2019. This will be done through the reports and of returns prepared at regular intervals. In addition, the implementers of the Regulations will carry out regular monitoring and evaluation of the specific provisions of these Regulations with the aim of initiating any legislative amendments as may be necessary on an annual basis.

8. Contact Person

The contact person at the Ministry of Agriculture, Livestock and Fisheries is the Cabinet Secretary, Mr. Kiunjuri, or Ms. Isabella Nkonge, Interim Director General of the Coffee Directorate.

**EXPLANATORY MEMORANDUM TO THE CAPITAL MARKETS ACT(COFFEE EXCHANGE)
REGULATIONS, 2019**

PART I

Name of the Statutory Instrument:	The Capital Markets (Coffee Exchange) Regulations, 2019.
Name of the Parent Act:	The Capital Markets Act, Cap 485A
Enacted Pursuant to:	Section 12 (1)(ka) of Cap 485A
Name of the Ministry/ Department:	National Treasury and Planning and Capital Markets Authority
Gazetted on:, 2019
Tabled on:, 2019

PART II

1.The Purpose of the Capital Markets (Coffee Exchange) Regulations, 2019

The purpose of the Regulations is to provide for the establishment of coffee exchanges, give directives, principles and conditions for trading of clean coffee at an exchange; and ensure the trading is conducted in a secure, stable and transparent manner in an environment of fair competition.

2. Legislative Context

The Finance Act, 2016 amended the Capital Markets Act and empowered the Capital Markets Authority to manage commodity exchanges including spot commodities. Coffee is one of the key spot commodities in the country and it is currently traded at the Nairobi Coffee Exchange, an auction center managed by the Agriculture and Food Authority (AFA) in line with the Crops Act, 2013. Coffee is also sold through direct sale known as the second window. Under the Coffee Exchange Regulations, 2019 provision is made for incorporation of the exchange and for regulation by the Capital Markets Authority in compliance with the requirements set under the Capital Markets Act, 2016. The Act empowers the Cabinet Secretary in charge of Finance to

formulate rules and regulations as may be necessary to regulate, inter alia, spot commodity trading and commodity markets.

3. Policy Background

The coffee industry plays an important role in the social-economic development of Kenya. About 700, 000 families are involved in coffee production and draw their livelihood from coffee earnings. A total of approximately 114,500 Ha of land is dedicated to coffee production.

Auctioning as one of the modes of selling Kenya coffee which began in the 1930s. The Nairobi Coffee Exchange (NCE) was established under the Coffee Rules as a system for auctioning coffee and was initially run by Coffee Auctions Limited (KCA) as the manager/auctioneer. KCA was a subsidiary of the Coffee Board of Kenya (now Coffee Directorate). The Board was the statutory body with the mandate to regulate and also market Kenya coffee. Later the marketing function of the Board was removed through amendment of the Coffee Act in 2001.

Whereas the Nairobi Coffee Exchange Trading Rules 2012 and the Coffee (General) Rules 2012 established the Management Committee of the Exchange, NCE itself has remained an amorphous entity, under the Agriculture and Food Authority (AFA).

The Coffee Sub Sector Implementation Committee (CSIC) has made efforts to upgrade the operations of the Exchange, incorporate it as a legal entity, and have it regulated under the Capital Markets Authority in line with the recommendations of the National Task Force of Coffee Sub sector reforms. The roadmap to the transformation of NCE have been hampered by the NCE's lack of legal status. The Exchange's lack of legal status has also hampered its ability to undertake other statutory obligations.

The purpose of the Coffee Exchange Regulations, 2019 is to provide general principles for coffee exchanges to enable them to fulfil the requirements for exchanges set by the Capital Markets Act. The Regulations give a guidance on the rules and obligations exchanges should formulate and adopt, issues of coffee sampling, procedures of selling coffee at the auction, settlement of coffee sales proceeds and resolution of disputes relating to coffee trade and to align the management of the Exchange to the amendments made to the Capital Markets Act, 2016 that brought commodity exchanges under the regulation of the Capital Markets Authority.

4. Consultations Outcome

The Capital Markets Authority is represented at CSIC. Initially, CSIC formulated the amendments as the Nairobi Coffee Exchange Rules, 2019 taking into account the views of the key stakeholders. These included personnel at the Nairobi Coffee Exchange, the Ministry of Agriculture Livestock and Fisheries most significantly the Coffee Directorate under Agriculture Food Authority, the National

Treasury and Planning and the Capital Markets Authority who are versed with the operational aspects of the Exchange. Other key stakeholders that were consulted include the Office of the Attorney General and Department of Justice, Coffee Co-operative Societies, estates and individual coffee farmers. Many coffee farmers expressed shock that NCE which handles coffee auctions was not a corporate entity. It was also difficult to incorporate NCE because shareholding structure and value of shares were difficult to determine. NCE proposed that the CMA formulates general regulations to guide all exchanges. CSIC was guided by the Kenya Commodity Exchange Feasibility Report prepared by Stalwart Management Consultancy Limited submitted to the Ministry of East African Affairs, Commerce and Tourism. CSIC also benchmarked with the East African Tea Traders Association and the tea auction ecosystem in Mombasa.

As detailed in the Explanatory Memorandum to the Crops (Coffee) (General) Regulations, 2019, extensive joint consultations were held with farmers and other key stakeholders in the coffee industry where both the Coffee General Regulations, 2019 and the Coffee Exchange Regulations, 2019 were presented and discussed. Twenty five public meetings/workshops were held between October 2017 and November 2018 spread across the various counties, and involved the participation of farmers (both small scale and large scale), Co-operative society and Union officials, service providers, millers, marketing agents and traders, researchers and national government officials, Governors, County Executive Members in charge of agriculture, cooperatives and Trade, and other county government officials. Consultations were also held with members of parliament from coffee growing areas and the Senate Committee on Agriculture, the National Assembly Committee on Delegated Legislation, the Senate Committee on Delegated Legislation, banks and other public institutions. Written memoranda were also received from various stakeholders. A report detailing the list, venue, dates and details of the consultations is annexed to this memorandum.

The stakeholder consultation process was spearheaded by the Coffee Sub Sector Implementation Committee (CSIC).

5. Guidance

The Capital Markets Authority is the body mandated by law to regulate spot commodity trading including the trading in coffee at NCE. However, the Ministry of Agriculture Livestock and Fisheries most significantly the Coffee Directorate under AFA regulates the production, processing and direct sales of the coffee as well as the licensing of many of the players in the coffee value chain including some of those who come to the trading floor. Consequently, both CMA and AFA will sensitize their officers on the new regulations for adherence to the objectives of accountability and efficiency in the management of the Exchange and the smooth transition to the new order. The Ministries will also engage key stakeholders such as Parliament, the National Treasury and Planning, the Capital Markets Authority and the Ministry of Industry, Trade and Co-operatives whose participation and cooperation remains instrumental in the successful implementation of the key aspects of these Regulations.

6. Impact Assessment

An impact assessment was undertaken by Tegemeo Institute of Agricultural Policy and Development of Egerton University and the outcome of the assessment was that the reform of the coffee sector will have a positive impact in the coffee industry. These Regulations also address the fundamental rights of farmers to just and timely pay-outs for their coffee sold at the exchange and are therefore farmer-centric. The establishment of coffee exchange as a commodity exchange will enable the coffee sub-sector to have a transparent spot market where price discovery will be made. Secondly, the establishment of the exchange will be in line with global commodity trading and will allow the exchange to be under the CMA oversight. The incorporation of the exchange as legal entity will allow it to have mandate to conduct its business and adhere to other statutory obligations.

The fundamental rights of coffee farmers and other stakeholders will not be infringed upon as they will continue to have a choice of either offering their coffee to the exchange or sell through direct sales, as is the case at the moment. It is anticipated that when fully functional the exchange will be able to attract more private sector players and investments. This will offer the much needed competition, transparency, better prices and eventually lead to development and use of the advanced commodity trading instruments such as warehouse receipts and futures.

The Regulations will ensure that there is better regulation in the coffee trade and this will create the necessary stability and impetus for investments, growth, job creation and eventually the development of coffee commodity exchanges in the country. The lessons learned from the coffee exchange will be vital in the formulation of regulations for other commodities and development of commodity exchanges.

7. Review of the Regulations

The Capital Markets Authority shall license coffee exchanges and brokers and monitor the application and compliance to the Capital Markets (Coffee Exchange) Regulations, 2019. This will be done through the reports prepared at regular intervals. In addition, the implementers of the Regulations will carry out regular monitoring and evaluation of the specific provisions of these Regulations with the aim of initiating any legislative amendments as may be necessary on an annual basis.

8. Contact Person

The contact person at the National Treasury and Planning is the Cabinet Secretary, Mr. Henry Rotich, or the Chief Executive of the Capital Markets Authority, Mr. Paul M. Muthaura

REPORT ON COFFEE STAKEHOLDERS CONSULTATIVE MEETINGS ON THE PROPOSED COFFEE REGULATIONS.

EXECUTIVE SUMMARY

One of the recommendations of the National Task Force Report on Coffee Reforms was to undertake a review of the existing coffee industry Regulations and align them to the devolved agriculture sector, the Crops Act, 2013 and the Constitution 2010. The Coffee (General) Regulations, 2016 were published as Legal Notice No. 120 in Kenya Gazette Supplement No. 105 dated 27th June 2016. These Regulations were challenged in court and subsequently a High Court judgment was made in Nairobi dated 28th July, 2017. The Judgment, among others, declared the said rules as unlawful mainly due to lack of adequate public participation and consultations.

It is noted that, prior to this ruling the National Taskforce on Coffee Reforms had consulted with the following public institutions, namely; Agriculture and Food Authority, Nairobi Coffee Exchange, Commodity Fund, Export Processing Zone, Capital Market Authority, Kenya Roads Boards, Coffee Research Institute, cooperative societies and unions together with their leaders and farmer members. The Task Force had also received forty seven (47) memoranda from thirty one (31) coffee growing counties, who included the coffee cooperative societies, companies, individuals and public institutions.

After the ruling, and in line with the Statutory Instruments Act of 2013, the Coffee Subsector Implementation Committee engaged the experts and coffee stakeholders through extensive consultations to review and improve the proposed Coffee General Regulations, 2016. Expert advice on addressing issues raised in the court ruling was sought from the Attorney General Office, The National Treasury, Parliament, State Departments of Agriculture and Cooperatives, State Corporations, County Governments, Tegemeo Institute of Agriculture Policy, Nairobi Coffee Exchange (NCE), East Africa Tea Trades Association (EATTA), Boresha Initiative, Ethiopian Coffee Authority, the International Coffee Organization(ICO) and individuals where need arose.

The committee wrote in advance to the County Governments with requests to invite and facilitate stakeholders to attend the consultative meetings at centralized venues. The stakeholders who were not able to attend were given a second charge at a venue of their choice. Additionally, the committee sent invitations through the State Departments of Cooperatives and Agriculture,

websites, emails, radio announcements, media interviews, and press releases encouraging those with interest to attend meetings or submit reports and memoranda.

During the consultative meetings, the stakeholders were taken through the draft Coffee General Regulations and the Exchange Rules and were given adequate time to present their views and discuss the draft at the venues and dates indicated in this report. The stakeholders included; farmers, county and national government officials, societies, unions, traders and lobby groups. A total of twenty five (25) consultative meetings were held in which 2087 participants from the 31 coffee growing regions attended.

Consultations were also held with the Senate Standing Committee on Agriculture, Livestock and Fisheries, members of Senate and of Parliament (MPs) from coffee growing regions and Committees on Delegated Legislation of National Assembly and the Senate. The feedback from the consultative meetings, memoranda, review of reports on benchmarking and press releases were considered in compiling this report and the key issues requiring further interrogation were discussed during the committee meetings and incorporated while drafting the regulations. This report provides an overview of the issues discussed during the consultative meetings towards fulfilling the High Court judgment on *The Coffee (General) Regulations, 2016* in Nairobi dated 28th July, 2017.

1.0 Introduction

The Coffee Sub-sector was once a steady and reliable source of livelihood for Kenyans and enjoyed prominence due to its premium quality yet the industry is currently bedeviled by a lot of challenges. Following the unprecedented challenges, the President appointed a National Taskforce on Coffee Subsector Reforms vide Gazette Notice 1332 of 4th March 2016 to review the entire coffee value chain and identify required interventions. The Taskforce on completion of its mandate presented a comprehensive report with detailed recommendations on interventions needed to transform the coffee subsector to a vibrant industry.

The President on 30th September 2016 appointed the Coffee Sector Implementation Committee (CSIC) through the Gazette Notice No. 7745 to coordinate the implementation of coffee the reforms recommended in the Report which were grouped under 8 key pillars namely: Coffee Legal Reforms, Coffee Subsidy Program, Establishment of Coffee Cherry Advance Payment System, Modernization of Nairobi Coffee Exchange (NCE), Youth Involvement in Coffee Sub-sector and

Promotion of Local Coffee Consumption, Institutional Support, Marketing of Kenyan coffee and Coffee Audit of Debts and Debt Waivers.

2.0 The Coffee (General) Regulations, 2016

- a) Soon after the gazettment of *The Coffee (General) Regulations, 2016* published as Legal Notice No. 120 in Kenya Gazette Supplement No. 105 dated 27th June 2016, three parties of the coffee stakeholders challenged the Regulations in court. The judgment was on two consolidated judicial review applications where the applicants were, the Council of County Governors and Mr. Harrison Munyi in his capacity as the chairman of New National Farmers' Association who had moved to court seeking:
- b)) An order of Prohibition directed against the 1st and 2nd Respondents, prohibiting them and their agents, employees and servants from implementing *The Coffee (General) Regulations, 2016* published as Legal Notice No. 120 in Kenya Gazette Supplement No. 105 dated 27th June 2016
- c) An order of Certiorari to remove and bring to this honorable Court for purpose of quashing and to quash *The Coffee (General) Regulations, 2016* published as Legal Notice No. 120 in Kenya Gazette Supplement No. 105 dated 27th June 2016.
- d) An order of Certiorari to quash the report of National Task Force on Coffee Sub-Sector Reforms contained in Kenya Gazette Notice supplement Notice No. 105, legislative supplement No. 49, legal notice No. 120 Gazetted on 27th April 2016.
- d) An order of Prohibition to prohibit the 1st, 2nd and 3rd Respondents implementing a report of National Task Force on Coffee Sub-Sector Reforms, contained in Kenya Gazette Supplement Notice No. 105, Legislative Supplement No. 49, and Legal Notice No. 120. Gazetted on 27th April 2016 till the Applicant's application herein is heard and determined.

In the High Court judgment in Nairobi dated 28th July, 2017, Justice G .V. Odunga having considered the applications made the following orders:

- a) A declaration that *The Coffee (General) Regulations, 2016* published as Legal Notice No. 120 in Kenya Gazette Supplement No. 105 dated 27th June 2016 are unlawful.
- b) An order compelling the 1st Respondent to ensure that lawful regulations are promulgated within 30 days of the first sitting of the next Parliament.
- c) In default of compliance, an order of Prohibition shall be issued directed against the 1st and 2nd Respondents, prohibiting them and their agents, employees and servants from implementing *The Coffee (General) Regulations, 2016* published as Legal Notice No. 120 in Kenya Gazette Supplement No. 105 dated 27th June 2016.
- d) In further default, an order of Certiorari shall issue removing into this Court for purpose of quashing and quashing *The Coffee (General) Regulations, 2016* published as Legal Notice No.120 in Kenya Gazette Supplement No. 105 dated 27th June 2016.
- e) Additionally, and in default an order of Certiorari shall issue to quash the report of National Task Force on Coffee Sub-Sector Reforms contained in Kenya Gazette Notice supplement Notice No. 105, legislative supplement No. 49, legal notice No. 120 Gazetted on 27th June 2016.
- f) Similarly, in default an order of Prohibition to prohibit the 1st, 2nd and 3rd Respondents implementing a report of National Task Force on Coffee Sub-Sector Reforms, contained in

g) As this was public interest litigation, there will be no order as to costs.

In pursuant of this judgment, the Coffee Subsector Implementation Committee started stakeholders' consultations who included experts and diverse groups of stakeholders and individuals in the coffee industry. The consultations took cognizance of the specific areas of concern that were raised in court by the ex-parte applicants, and in particular, the county governments, coffee growers' associations' organizations and any other issues that arose from the consultations. The consultations involved office discussions, visits, and plenary meetings.

The Committee also received written memoranda sent or delivered in hard copies, press releases and from the electronic media. The inputs from the stakeholders were incorporated in the Regulations, and the revised Regulations availed in hard copies or emailed to the respective stakeholders for further input or comment through Agriculture and Food Authority and Ministry of Agriculture and Irrigation websites.

The Committee conducted stakeholder's consultation meetings from 23rd October 2017 in twenty five (25) venues selected on the basis of centrality, population of stakeholders and area under coffee to discuss issues noted that required consensus. The issues raised were considered when making amendments to the Coffee (General) Regulations, 2016 and in the Nairobi Coffee Exchange Rules 2012. A total of 2087 attended the consultations who included; farmers, society committee members, coffee unions, estates, associations, traders, county and national government officials, service providers and other commodity officials and associations.

The Committee consulted the East African Tea Traders Association (EATTA) based in Mombasa twice to get clarity on how the Nairobi Coffee Exchange can be modernized using the EATTA Auction model, initiating Direct Settlement System (DSS) and incorporation of the exchange to be a body corporate. Additionally, the Committee consulted Tea Brokers East Africa, Stanbic Bank and Equity Bank who provide brokerage and DSS services to the tea industry. In its second visit to EATTA, the Committee was in the company of two stakeholders in the coffee sub sector, namely Nairobi Coffee Exchange (NCE) and the Kenya Coffee Producers Association to help them gain better understanding of the direct settlement system for the tea industry and its application in the coffee sub sector.

Additionally, the Committee consulted Members of Parliament from coffee growing area to give their views of the Coffee General Regulations and the Nairobi Coffee Exchange Rules, Parliament Secretariat and Committee on Delegated Legislation on the requirements to legislate the Regulations and Rules. Below is a summary of issues noted, recommendations and comments.

3.0 Consultation with Government Ministries, Institutions and Private Sector

The committee sourced advice from the following sources that enriched knowledge on drafting *The Coffee (General) Regulations, 2016 and the Exchange Rules*.

NO	Name of institutions	Issue Consulted on
1.	State Department of Agriculture /Agriculture and Food Authority	Crops Act 2013 in relation to Coffee (General) Regulations.

2.	Attorney General	Legal opinion on interpretation and response to issues raised in the court cases.
3.	Parliament Secretariat for Committee on Delegated Legislation	Legislation requirements on fulfillment on court directive on stakeholders' participation.
4.	Members of Parliament from coffee growing counties	National and county governments role in promoting coffee productivity and the proposed regulations
5.	State Department of Cooperatives	Cooperatives Act, Regulations and Coffee Cooperatives Development, issues relating to coffee production, processing, marketing, value addition and corporate governance.
6.	The National Treasury	Funding of coffee subsidy and establishment of stabilization fund. Incorporation of the Coffee Exchange
7.	Council of Governors	Devolved functions of county governments and collaborations in revitalizing the coffee sector.
8.	Tegemeo Institute of Agriculture Policy	Impact assessment on Coffee General Regulations.
9.	County governments	Role of national and counties governments on devolved functions related to coffee and corroboration between the two levels of government
10.	KALRO - Coffee Research Institute	Revitalization of the industry increase coffee production and quality.
11.	Capital Markets Authority	Exchange Rules, Operations of exchange and Direct Settlement System, licensing of players
12.	Nairobi Coffee Exchange	Coffee (General) Regulations, Exchange Regulations upgrading, modernization of Coffee Exchange and coffee marketing
13.	East Africa Tea Traders Association	Experience on the Tea industry model on Direct Settlement System Operationalization of DSS and its ecosystem
14.	Kenya Tea Development Agency	Small farmers aggregation under the DSS Digitization of the data capture and management, information dissemination
15.	ICT Authority	Data management through digitization of coffee cooperative societies to enhance efficiency and transparency.
16.	Ethiopian coffee industry	Regulatory framework, cash payment system, modernization of the commodity exchange, warehousing system and the best practices in coffee trade.
17.	International Coffee Organization	International marketing, standards and regulations governing coffee trade.
18.	Boresha Initiative	Advocacy and lobbying for farmers interests
19.	Senate Standing Committee on Agriculture	The proposed Coffee General Regulations and Exchange Rules.

20.	Parliament Committees on Delegated Legislation	Procedures to legislate coffee regulations as stipulated in Statutory Instruments Act
21	Stalwart Management Consultancy Ltd	Kenya Commodity Exchange Feasibility Study.
22	Nairobi Coffee Exchange Management Committee	Operationalization of the Exchange Regulations and the DSS, and licensing by CMA
23	Kenya Coffee Producers Association	Security of coffee, DSS operations and farmer representation
24	Council of Governors	Shared functions, licensing and corporation in implementation of the Regulations
25	Inter-Governmental Relations Technical Committee and Ministry Of Devolution	Resolution of the disputes between the two levels of government on licensing and other functions.

4.0 Stakeholders Consulted, Venues and Dates

The following stakeholders who included farmers, county and national government officials, societies, unions, traders and parliamentarians, associations and consultants in various disciplines as need arose were consulted in the venues and dates indicated below.

Venue	Date	Counties/Group	Contact	Attendance
Agriculture and Food Authority Headquarters	23.10.2017	All Coffee Stakeholders meeting at AFA head office, Nairobi.	Invitation through the Gazette and press releases.	123
Naivasha-Enashipae	29.01.2018 30.01.2018	Governors and their CECs from coffee growing counties.	Invitation by letters and press releases	52
Nairobi-Azure	21.02.2018	Chief Executive Committee Members and Chief Officers from coffee growing counties,	Invitation by letters	62
CRI Kenya Coffee College-Ruiru	28.02.2018	National Coffee Cooperative Union members.	Invitation by letters	43
Mabanga Agricultural Training Centre Bungoma County	02.05.2018	Bungoma, Kakamega, Busia, Trans Nzoia, West Pokot.	Invitation by letters	63
Nakuru Agricultural Training Centre	02.05.2018	Bomet, Nandi, Kericho, Nakuru, Baringo, Uasin Gishu.	Invitation by letters.	47
Chuka-Tharaka	02.05.2018	Embu, Tharaka Nithi,	Invitation by	54

Venue	Date	Counties/Group	Contact	Attendance
Nithi County		Meru.	letters.	
Kisii Agricultural Training Centre	03.05.2018	Kisii, Nyamira, Migori, Homa Bay.	Invitation by letters.	123
CRI Kenya Coffee College-Ruiru	03.05.2018	Kiambu, Machakos, Makueni.	Invitation by letters.	98
Kerugoya-Kirinyaga County	03.05.2018	Kirinyaga, Muranga and Nyeri.	Invitation by letters.	115
CRI Kenya Coffee College-Ruiru	04.05.2018	Millers, warehousemen, marketing agents, traders, Nairobi Coffee Exchange, farmer associations.	Invitation by letters.	71
Murang'a (Union Hall)	08.05.2018	Murang'a.	Invitation by letters.	80
Nyeri (YMCA)	08.05.2018	Nyeri.	Invitation by letters.	48
Trans Nzoia	28.5.2018	Trans Nzoia and West Pokot	Invitation by letters.	87
Nandi Hills	28.5.2018	Nandi county	Invitation by letters.	136
Mombasa	28-29 th May 2018	East Africa Tea Traders Association (EATTA Benchmarking with tea industry, tea brokers, a buyer representative and the auction	Visit by Committee	15
	and 28 th May 2019		Visit by Committee, NCE and KCPA	20
Mombasa	29 th May 2018	Stanbic and Equity Banks	Visit by Committee	5
Nairobi – Intercontinental Hotel	13.6.2018	Senators and Members of Parliament in coffee growing region invitation by letters	Invitation by letters	31
Kipkelion Coffee Mills, Kericho County	29 th June 2018	Senator, Members of Parliament, Members County Assembly, County Executive Committee Members, union leaders and individual coffee farmers	Invitation by letters	669
Kutus, Kirinyaga County	30 th June 2018	All coffee stakeholders in Kirinyaga County through press release	Invitation by letters and Radio announcement	140

Venue	Date	Counties/Group	Contact	Attendance
Nairobi-Intercontinental Hotel	1 st August 2018	Committee on Delegated Legislation of National Assembly	Invitation by letters	30
Parliament Buildings	5 th July 2018	Senate Committee on Agriculture	Invitation by letters	9
Mombasa-Whitesands Hotel	26 th -29 th September 2018	Committee on Delegated Legislation of the National Assembly	Invitation by letters	10
CPA Room, Parliament Buildings	14 th November 2018	Senate Standing Committee on Delegated Legislation	Invitation by Senate	11
Naivasha Simba Lodge	29 th April to 1 st May 2019	NCE, Kenya Coffee Producers Association (KCPA), COG and IGRTC	Invitation by letters	15
TOTAL 25				2,157

5.0 Key Issues Noted from the Consultative Meetings.

	Regulation/Rule	Issue raised	Proposed recommendations	How the issue has been addressed
1.	Regulation 2 Definition of grower	Recognition of cooperative society, coffee farmer and estate as grower is not in the Crops Act. Remove the word association in the definition of grower as this will encourage amorphous groups.	Amend the Crops Act 2013 to include definition of grower Amend the Regulation to remove reference to associations	Definition of grower as the person who cultivates coffee is appropriate and retained in the regulation Associations retained and definition made clearer as they were intended to accord growers the constitutional right of association.

	Regulation/ Rule	Issue raised	Proposed recommendations	How the issue has been addressed
2.	Regulation 5(c) County Government function to issue pulpung station license	Process of licensing of pulpung station by Counties will be very cumbersome. Some Counties submitted there should be no licensing. Grower as the owner of coffee should be free to deal with it as he/she deems fit	The National and County Governments can collaborate in licensing.	Issuance of pulpung station licenses is a devolved function of the Counties. Capacity building of Counties is recommended. Regulation retained- County to issue the pulpung station licence
3.	Second Schedule: Pulpung station licensing requirement of 2 acres or 20,000kg of cherry annual production.	Licensing of farmers to operate pulpung station (2 acres or 20,000kg cherry will weaken the cooperatives. Some counties submitted that classification of growers by their land size should be deleted. Cooperatives should not be given monopolies.	All the counties and traders recommended that the earlier requirement of 5 acres be maintained.	Amended the regulations to retain licensing of pulpung stations at a minimum of 5 acres or 20,000kgs cherry annual production.
4.	Third Schedule: Obligation of license holder:- The 85:15 rule of capping cooperative societies' expenses at maximum 15% of the net and payment to farmers Minimum of 85%.	The capping of cooperative societies expenses at maximum of 15% of the net earnings from coffee sales and payment to farmers a minimum of 85% cannot be achieved uniformly across the societies due to differences in production and operational capacities.	Retain the 80:20 ratio until productivity increases and society data capture by State Department of Cooperatives is finalized and implemented. Currently the 20% caters for only society expenses from net sales received. The State Department of Cooperatives should strive to enforce the 80:20 ratio Circular	Amended the Third Schedule to incorporate 80:20 ratio as it is currently effected through a Circular from the Commissioner for Cooperatives. The 20% is to be on gross sales and include factory operations, milling, and warehousing and brokerage fees expenses.
5.	Regulation 25 of Coffee General Regulation repeated in Coffee Exchange Regulations Rule 43 of NCE Rules Direct settlement system (DSS)	DSS was regarded as good initiative in some Counties as it will reduce the timelines for coffee payments. However the concept of DSS was received with mixed reaction from sections of farmers in Nyeri, Kirinyaga and Tharaka Nithi Counties as to its	DSS will address delayed payments, bring transparency and eliminate unnecessary players in the value chain. Consider addressing the issue of 14 days within which to remit farmers proceeds currently done by the marketing agents and	Removed Rule 25 of General Regulations and retained it under Rule 38 in the Exchange Regulations. NCE Rules substantially amended. The previous CDU terminology was rephrased to read DSS for clarity and more understanding. The DSS was found to

Regulation/ Rule	Issue raised	Proposed recommendations	How the issue has been addressed
	value, while the marketing agents have reservations regarding its effective implementation.	ability of societies to pay farmers without delays. Marketing agents, traders said issue was not delay in payments. Recommended the development of a coffee policy and strategy to increase production.	have value and is retained with a proviso for a transition period of one year for establishment of the necessary infrastructure and capacity building of growers.
	Some participants were concerned that the DSS will lengthen the coffee chain as it is not clear on the timelines for payment to the farmers; currently the law stipulates 14 calendar days payment after an auction. Concerns that the Regulation may not provide safety of proceeds as it are not guaranteed in the DSS.	Pilot the DSS before rolling it out.	A transitional period of one year has now been provided for to enable finalization of the processes necessary for DSS and digitization of systems to be put in place. Provision added for the DSS provider to remit coffee proceeds to the growers and their service providers within 10 working days of an auction. The body and the 3 rd schedule of the Exchange Regulations have obligations for the DSS provider including safety of records and deposits.
	Stakeholders need a clarification on the administration fee in the DSS and who will bear the cost.		The CSIC benchmarked with tea industry clearing and settlement system to establish its operation, security features and cost structure. The Committee noted that DSS providers in the Tea Industry make money through overnight lending hence nil transactions processing costs.
	Involvement of commercial banks in the lending business will weaken the rural SACCOs.	Considerations of the rural SACCOs who serve a majority of the members and have farmers' profiles in the disbursement of	The provision is made for licensed financial institutions and SACCOs are among financial institutions.

Regulation/ Rule	Issue raised	Proposed recommendations	How the issue has been addressed
		proceeds to farmers.	
	The DSS service will weaken and kill the Coffee cooperatives.	Considerations for the DSS to facilitate coffee cooperatives recovery of advances and inputs lend to members	The regulations provide that coffee cooperatives submit accurate and timely claims to the DSS provider through the exchange for settlement.
	Payment of individual member by DSS not possible for now.	Payment from DSS should be done to the cooperative society and not to the smallholder farmers directly. However, estate growers can be paid immediately DSS is activated.	Payment via DSS for members of cooperative societies will be progressively done as growers' data is supplied by cooperatives to DSS. A transition period is provided for.
	Who will Sign a Contract with DSS?		The contract with DSS to be signed by NCE and appointed Commercial Banks. Millers will sign agreements with respective growers for milling and brokers will sign agreements for brokerage services and relaying of sales information to the DSS. Milling agreement and contractual obligations of licence holders and service providers are now provided for in the Schedules
	The regulations have not addressed the dispute under DSS		Disputes under the General Regulations shall be handled using alternative disputes resolution mechanisms with final recourse to the courts (R.40). However those that involve trading may be referred to the Capital Markets Tribunal established under the

	Regulation/ Rule	Issue raised	Proposed recommendations	How the issue has been addressed
				Capital Markets Act. See Rules 32 and 43 of the Exchange Regulations. The term 'contracted' added to include the DSS in dispute resolution under Rule 40 of the General Regulations.
		Some section of growers do not want to be included in the DSS	Introduce participating and non-participating growers to give growers options	Transition period is provided for to enable parties to put the systems in place.
6.	Regulation 10(c)) Grower miller to perform marketing function.	The farmers expressed mixed reaction on role of marketing agent being shifted to miller.	Traders and some farmers would like the marketing agent function retained in the regulations.	The function of grower miller expanded in the regulations and in the schedules to include the option to own coffee. Broker introduced as an option for sale of coffee at the exchange and agent introduced as an option to offer coffee under direct sale. The Exchange, and the DSS also have a role in marketing to protect growers' interests.
		Growers and grower millers will be too many to participate in the auction floor	Introduce a broker to perform the role of agent for the growers who opt to use an agent	Defined the word broker and agent. Introduced them in the regulations.
		The remittance by marketing agents is currently efficient without delays if the 14 days regulation is enforced.		The proposed period for remittance is reduced to five working days.
		Not all millers have sufficient volumes to access the auction noting that there may be small mills established	Introduce minimum tonnage to access the auction by millers marketing coffee.	The Regulations have provided that the Exchange will be regulated by CMA and develop rules for fair and properly supervised trading practices approved by CMA and ensure that reasonable access to the auction is given to all licence

	Regulation/ Rule	Issue raised	Proposed recommendations	How the issue has been addressed
				holders. The exchange is proposed to be progressively upgraded to deal with more licence holders.
		Need to competitively identify Marketing agents to enhance competition.	Millers to advertise for competition at least more than five to be evaluated.	Cooperative societies to appoint millers and other service providers competitively as provided by the Schedules and Rule 22 of the General Regulations. Criteria for society to choose a miller are given and obligations are provided under the Third Schedule.
		Change of financial regulations to pave way for commodity exchanges to be under Capital Market Authority.	Millers to publish their milling tariffs and other charges per year.	Publication of tariffs and other charges by millers is provided for in the regulations.
7.	Regulation 16 Third Schedule Obligations of licensees	Why regulate farmers- service providers contracts some of which include providing financial services.		Amended the Regulations/Schedules to emphasize that only regulated financial institutions are authorized to provide financial services. This is provided for in the 3 rd Schedule of the General Regulations.
8.	Regulation 22(4) Commercial miller to ensure that grower or representative is given reasonable notice to be present at the milling process	What constitutes reasonable notice Difficult to implement		To retain the provision. The duty of the miller is to give reasonable notice of the milling time to the grower to promote transparency when milling and marketing coffee. Grower has the option to attend or not to attend once notified.
9.	Rule 40(7) Noted bids of coffee offered in auction hall.	Noted coffee reoffered for sale at a subsequent auction might fetch lower prices.	Negotiation working well but need to involve the grower.	Rule retained for transparency under Rule 25 of the General Regulations, with provision for disclosure of reserve price on the trading floor for confirmed bids and

	Regulation/ Rule	Issue raised	Proposed recommendations	How the issue has been addressed
				where no competitive offers are given on the trading floor after disclosure coffee to be withdrawn and re-offered for sale at a subsequent auction.
10.	Licensing of local roaster.	The proposal of introducing the local roaster licenses to attract youth welcomed Rule 24(1) may provide loophole that can be exploited by unscrupulous persons who regulate this local roaster? Coffee theft may increase.	To address mechanism in licensing local roasters, coffee for roasting to be sold by licensed millers.	Retain roaster's license and allow sourcing of clean coffee from grower miller and the exchange.. Introduced roaster obligations under the 3 rd schedule of the General Regulations to tighten control.
11.	Quality assurance	Grading of coffee to involve the farmer as there are cases of swapping coffee grades without the notice of farmers.	Farmers to be present when coffee being milled, cupped and graded to enhance transparency.	Retained regulation 22(4) that require the miller to notify the grower on the date of the milling of the coffee and added obligations of miller to include timely submission of milling and out turn statements.
		Cooperative do not have qualified liquorers The regulations do not address the quality of coffee; majority of the farmers having pulping unit licenses produce low quality coffee.	Cooperatives to have qualified liquorers. There is also a need to have a capacity building on coffee quality and grading in cooperatives.	There is provision in the regulations (22(9) for growers to do prior independent sample analysis to curb swapping and National and County governments to collaborate in establishment of coffee cupping laboratories.
12.	Digitization of coffee cooperatives and information sharing.	The ICT status of cooperatives is very limited and the few who have ICT facilities have low capacity to manage them.	Counties to assist in procuring, installing computers and digital weigh scale as well as training of users.	Introduced a transition period of one year to accord growers and their service providers time to establish the requisite ICT infrastructure as spelled out Rule 38 of the General Regulations.
		Farmers lack real time information to make decisions.	Sharing of key coffee information like auction prices, potential market is recommended.	Digitization is provided for under Rule 38 of the General Regulations to facilitate information sharing. Upgrading of the

	Regulation/ Rule	Issue raised	Proposed recommendations	How the issue has been addressed
		There are too many organizations collecting farmers' information/data Management system.	Establish a centralized data management platform.	exchange is meant to address this concern and among the functions of an exchange is dissemination of market information to growers.
13.	Warehouse Receipt System (WHRS).	There were concerns of how warehouse receipt system is to operate and the fear of using it for multiple borrowing.	There is need to establish system to track borrowing when Warehouse Receipt System becomes operational.	Retained and developed mechanisms for operationalizing the WRS in Coffee Exchange.
14.	Nairobi Coffee Exchange (NCE) legal status.	Strengthening the NCE is long overdue	CSIC to fast track the modernization of the NCE	NCE Rules changed to Coffee Exchange Regulations to provide general guidelines for coffee exchanges. One of the requirements is incorporation and regulation by CMA.
		NCE should copy the model of East Africa Tea Trade Association which is owned by producers to control the brokers (marketing agents).	This will enhance competition.	
		Who will monitor the receipts of sales proceeds as proposed by Rule 43 and 44.	Insure that the receipts of sales proceeds process is transparent.	Rules revised. DSS provides transparency in the coffee sales transactions and payment of proceeds. Exchange and DSS provider given obligations under the general regulations (R.25(10))
		Reduce government representation in the board of NCE.	Ensure the NCE Board is farmer centric.	The Coffee Exchange Regulations provide for coffee exchanges to be corporate entities under the Capital Markets Act and other relevant laws and their basic requirements.

	Regulation/ Rule	Issue raised	Proposed recommendations	How the issue has been addressed
15.	Borrowing on behalf of coffee growers from authorized and regulated financial institutions (3 rd Schedule of General Regulations).	The borrowing from the miller/marketing agent should not be curtailed as they offer unsecured loans with relative ease. There was a feeling that marketing agent /miller understand the farmers better and there is guarantee loan recovery from the proceeds.	The financing model of miller/agent to be optional to the grower but should be transparent.	Retain regulation which requires that millers lend under regulated entities under 3 rd Schedule (B11)-Miller to establish regulated subsidiary company to provide credit facilities to grower associations
16.	Coffee security Regulation 4 and 5.	Security of coffee is a concern now that the coffee is being harvested. How will the security of coffee be dealt with.	The Agriculture Food Authority (Coffee Directorate) to increase field inspection and compliance staff and the Counties to complement.	This is indeed a County and National Government function. Counties to be involved in capacity building and supported to enforce the Regulations.
17.	Assumption of risk Rule 47 of NCE Rules.	The provision states that the coffee remains with the farmer until it is paid for and this will introduce extra costs to the farmer which were initially borne by the warehouseman.		The property right of the coffee is vested in the farmer until the purchaser pays the farmer even though the warehouseman has custody of the coffee.
18.	Licensing under the General Regulations	Agriculture is a devolved function and national government should cede county functions and licensing to county governments	Share functions to the Constitution	General Regulations amended. County functions: Registration of growers and growers' institutions, issuance of nursery certificates, pulping station, milling, warehouse and roaster's licences and movement permits for coffee until purchase. National Government functions: Licences for buyers, liquerers, cupping labs, warehouseman, permits for purchased coffee, and imports and exports.

6.0 General Issues Noted From Meetings and Memoranda

The following were the general issues, noted, suggested or expressed by stakeholders during the consultation meetings which have been considered when drafting *The Coffee (General) Regulations, 2018*.

a) Consultations.

Stakeholders thanked the government through H.E the President for recognition plight of coffee farmers, appointing the National Taskforce on Coffee Reforms and the Coffee Sector Implementation Committee. The stakeholders particularly the farmers would like the spirit of holding consultations, farmer educating and sensitization to be sustained in future for a better understanding of the regulations and the impact after they are legislated.

b) Gender and Youth Empowerment.

The stakeholders requested that both women and youth be included in the entire coffee value chain as recommended in the Taskforce Report. They suggested that an affirmative action be put in place to effect their appointment to respective committees. The stakeholders noted that youth prefer quick payments and any intervention like the cherry advance can attract them into coffee business. They recommended the committee to explore on how other countries involve the youth in the coffee chain.

c) Miller's tariffs:

Farmers are suspicious of the tariffs set by millers as they are unrealistic and think that millers may be swapping coffee samples. They proposed that all coffee tariffs needs to be standardized and publicized for transparency.

d) Subsidized Farm Inputs:

Farmers noted that accessibility and affordability of farm inputs is necessary to increase coffee production. They further noted that the current fertilizer procurement and distribution is cumbersome and time consuming and would like a review of the process. They suggested that counties pool resources together to secure the affordable fertilizer for coffee farmers.

e) Coffee Varieties:

Stakeholders from Busia and Siaya were concerned that Robusta coffee has not been covered by the taskforce in the report yet it is one of the varieties of coffee as set out in the 5th Schedule of the *The Coffee (General) Regulations, 2016*. Farmers are concerned on non-availability of Ruiru 11 coffee seedling in most of the counties and when its available, the cost per kilogram is high. It was explained that Coffee Research Institute is not receiving funds from the National Government to produce the seedlings. The County and National Governments were requested to fund the production and subsidize price of coffee seedlings to farmers.

f) Capacity Building:

Majority of the farmers and staff in the coffee subsector lack basic skills to produce and manage coffee at processing level and expressed the urgency of training farmers staff and management committees in the cooperative societies as one of the interventions to increase production.

g) Coffee value chain competitiveness:

The Kenyan coffee value chain has lost its competitiveness to others sectors like real estate, tea, dairy, avocados, macadamia etc. In order to reverse the threats, there is need to support increased production, coffee subsidy and introduce coffee price stabilization fund.

h) Stabilization of the Cooperative Societies:

It was noted that some farmers migration from one cooperative society to another that is destabilizing societies especially where farmers were given farm inputs and loans decided to abscond. The stakeholders' proposals were that an integrated data management system be put in place and societies formulate by-laws that enhance good corporate governance and the county governments enforce the compliance.

i) Coffee working group:

Stakeholders recommended the formation of County Coffee working Groups at county level to assist in formulating county coffee policies and guidelines for implementation of any reforms in the sector. It was proposed that small and medium coffee estates be encouraged to form associations so as to benefit from economies of skills.

j) National Coffee Strategy:

There were concerns that the coffee subsector lacks a national coffee development strategy to address the coffee issues. Such a strategy would provide an enabling environment to coordinate production and marketing of coffee.

k) Coffee Revolving Fund and Minimal Price

Stakeholders request the national and county governments to initiate a coffee revolving fund to stabilize the coffee prices and for procurement of inputs. Farmers would like to have a guaranteed minimal price per kilogram of cherry set by the government than is to be cushioned through a price stabilization fund.

7.0 Annexes

Annex 1: Stakeholders Consultations Meetings Photos

The following photos were taken in some of the venues where the committee met stakeholders.

Chairman of CSIC Prof. Kieyah addressing stakeholders in Kerugoya, Kirinyaga



Coffee traders at CRI Kenya Coffee College presenting their submissions on the Regulations



Coffee stakeholders following the presentation of regulations in Nakuru



Coffee stakeholders from Kiambu, Machakos and Makueni Participating in the Meetings to review the Coffee General Regulations.



Stakeholders attending validation meetings in Kisii



Stakeholders attending a validation meeting in Bungoma



Coffee stakeholders attending a validation meeting in Chuka-Tharaka Nithi



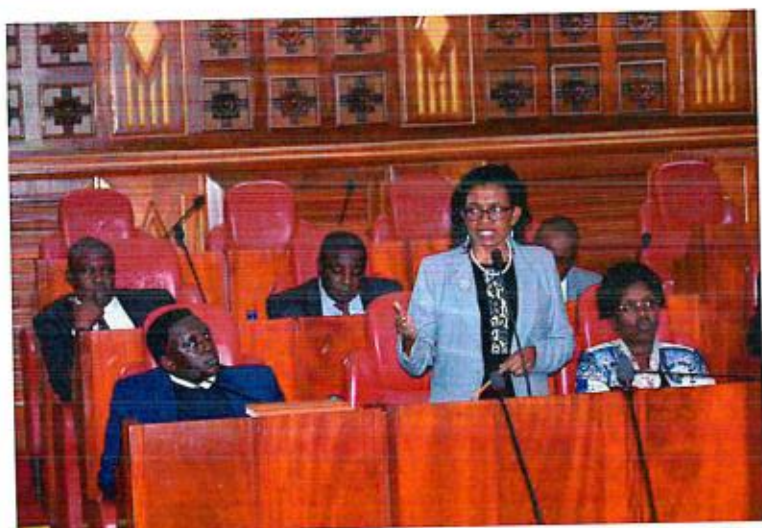
Prof Kieyah (Above and below) addressing Coffee stakeholders attending a validation meeting in Kipkelion-Kericho



Hon. Gichimu, MP for Gichugu (below and above) and some CSIC Members and stakeholders attending a validation meeting in Kutus-Kerinyaga



CSIC members' consultative meeting with Members of Senate Standing Committee on Agriculture at Parliament Buildings



CSIC consulting with Counsel from National Assembly



Hon. Gladys Shollei and Prof. Kieyah (below) and in a consultative meeting with Delegated Committee of Parliament on Coffee General Regulations



Mrs Mary Mungai addressing the National Coffee Platform Stakeholders in Nairobi.



COG members making a presentation to CSIC and County Executive Officers



SAROVA WHITESANDS
BEACH RESORT & SPA
MOMBASA



**JOINT RETREAT FOR CSIC AND COMMITTEE ON DELEGATED LEGISLATION ON COFFEE REGULATIONS, 2018
AND COFFEE EXCHANGE RULES, 2018 AT SAROVA WHITESANDS BEACH RESORT & SPA, MOMBASA
25TH - 29TH SEPT 2018**

Annex 2: Consultative Meeting with Governors from Coffee Growing Counties on the Implementation of Coffee Sub-Sector Reforms 29-30th January 2018.

Role of County Governments in Implementing Coffee Reforms

The aim of the presentation was to highlight the key areas of interest that County Governments can support the coffee reform agenda. The reforms would heavily depend on the level of harmonization of the functions by the two levels of governments in the coffee subsector.

Coffee Legislation

The thematic area focused on legislation and the Memorandum of Understanding (MOU). The following issues were discussed—

1. The view of the county governments with regard to the sharing of licensing and licenses between the counties and AFA/National government.
2. The view of the county governments on the distribution of the functions between the county governments and AFA/National government.
3. The views of the county governments with regard to the MOU.
4. Other areas of cooperation to be included/amended in the MOU.
5. The view of the county governments on payment system of coffee proceeds directly to farmers through Direct Settlement System.
6. The view of the County Governments on the reform of the trading system at the coffee exchange and the change to Commodities Exchange.

The following proposals were agreed upon—

- (a) The funding obligations provided for under clause 4.1 of the MoU- it was resolved that the clause be deleted as it was ambiguous;
- (b) The specific functions of the signatories to the MoU were not clear- it was agreed that the MoU will act as a framework for engagement with the counties which will enter into specific contractual agreements with the signatories on coffee matters relatable to the signing county;
- (c) The members agreed that the specific governors of each of the coffee growing counties be signatories to the MoU.
- (d) Members adopted division of functions between the National government and the county government.

It was proposed that the National Government/AFA be only issuing liquoring and independent cupping licenses and the counties to issue other licenses. Another proposal was for the national government to issue trader's license, and the commercial milling and commercial warehouseman's license because the latter two usually operate across several counties.

Cross cutting Issues.

- a) Development of national coffee policy and strategy
- b) Environmental issues
- c) Youth involvement in coffee along the value chain
- d) County legislation along the coffee value chain

Annex 3: Response -Kirinyaga County Co-Op Union Memorandum Dated 27th July 2016

Grower Definition:

They challenged the recognition of the individual coffee grower as the grower of coffee. However, the provision is in line with the Constitution which recognizes and protects individual/private property rights under Article 40. Coffee belongs to the person who grows it. This protection includes Co-ops where they grow their own coffee crop. Any other person is a service provider under a contract for service.

However, the rules also recognize Co-ops as an association of coffee growers. See the definition of association where cooperatives are included.

Therefore, it is not correct to state that the Co-operative society is not recognized as a grower at all in the regulations. It has not only been correctly defined as an association of growers, it is further recognized as a grower for purposes of obtaining a grower miller's licence.

Pulping Station

There was no intention to commercialize pulping. The term "commercial" was removed

Obligations of Pulpers

1. **Digitization:** The country is moving towards digitization of services in this IT age. Gradual change is envisaged in digitization and credible, transparent record keeping, security for coffee is required.
2. **Borrowing:** The proposed cherry advance will take care of the growers' need for funds. They are not being deprived of finances, they are changing from borrowing through the Co-op to getting direct advances. The regulation of money lending financial institutions is now introduced.

Movement Permits

The purpose of the permits is to curb coffee theft and to ensure that only owners of coffee or their authorized agents move coffee. The intention of nearest miller was to cut down on heavy transport costs. However, to ensure that quality of the coffee is maintained by the miller, the rules have been amended to provide for competitive procurement of miller and other service providers by cooperatives and other entities representing growers.

Pooling of Farmers for Marketing

There was a misunderstanding. The intention was to enable two or more growers who qualify to get a licence, to be able to join together for purposes of economies of scale to apply to the licensing authority for one licence to carry any of the activities for which a licence is issued, such as pulping, milling, roasting etc. There is no affront to the right to property. Rather, the provision expands the right to property and the freedom of association to enable growers to enjoy these rights jointly.

Direct Settlement System

The role of Direct Settlement System (DSS) is to receive and separate money payable to respective payees and pay them directly. This is why it is important to agree on payments for services at the commencement of the service contracts. CDU is now renamed DSS. Time of one year from the operationalization of the Rules has now been allowed to put the DSS support systems in place.

DSS provider will not be one bank but several accredited banks, that meet the given criteria for selection and the grower can appoint his/her preferred bank for these purposes. CMA role in the operations of the exchange including the DSS are enhanced in the revised rules.

Annex 4: Traders Memorandum presented at Coffee Research Institute on 4 May 2018.

THIRD SCHEDULE

1) RULE 16

Pulping Stations Licenses

- a) No authority to handle farmers money as payments will be done by DSS (CDU)
- b) Limiting borrowing from financial institutions on actualization of DSS.

2) RULE 21

- a) Authorization of pulping stations to hull coffee parchment and buni.
- b) Digitalization of weighing machines

3) RULE 24

- c) Authorizing societies to do direct sale and selling coffee for local roasting

4) RULE 25

- a) **Concern:** Removal of Marketing Agency remove but from the above their role still remains

Their role has been transferred to Millers, brokers(optional), agents(optional) DSS, collateral manager, NCE and warehousemen.

5) RULE 25 (5) AND (6) contradicts Rule 22 (13), 25 (1-4) and Rule 7 (j) and (k)

6) Collateral manager- the General Rules and NCE trading rules are in conflict with this rule.

7) Rule 10 and Rule 32 (5) and (6) on liquorer licensing

- 3) Rules 22 warehousing the intention is ok but logistics required to implement may make it difficult to implement.

9) NCE Trading Rules

- a) **Receipt Of Sales Proceeds** –Who will monitor sales proceeds Rule 44

- b) What marginal money? Rule 43 (15) (b) who does it apply to? – Who absorbs the cost of the above commitments?

(These concerns have been addressed in amendments)

- c) **Proposed Regulations and Trading Rules** are meant to address the sales proceeds and settlement of proceeds and by so doing created loopholes to be exploited for the detriment of the sector as the role are spread across institutions thus adding bureaucracies.

- d) **What role is the NCE envisaged to play?** NCE given too much functions and in its current status cannot be expected to perform any better but creates a mega bureaucracy experienced in the past. (Obligations of an exchange have been added in the body of the Regulations)

e) Rules 54 of NCE entrenches it as a regulator.

A Bill of Lading contains proprietary/confidential information which most exporters will find difficult to share with the NCE?

(General guidelines for incorporation of exchanges and operations have been given)

10) General Comments

- Need to have a sound coffee policy which has been the hindrance. (National Coffee Policy being developed)
- Sector beset by old rules which increase cost of doing business (Regulations are important to create predictability and a level playing field)
- New regulations should be thought through putting into account the impact in the industry but not for knee jacking as the case is presently.
- The regulator is weak in enforcing the regulations

Annex 5: Commercial Coffee Millers and Marketing Agents Association

Thematic Area	Issues	Propose Forward	Way
Rule 7(3) , 2 and Rule 24(1) and 2	Obligation of pulping license has introduces a loop hole that can be exploited by unscrupulous persons. The Combination of these rules allows illegal activities to thrive	Other legal entities are allowed Constitutionally. Enforcement to prevent abuse.	
CDU	Is the CDU settlement account held by the grower or can also be held on behalf of the grower?	Initially, accounts to be on behalf of grower until the systems are fully in place.	
Obligations of License holder vis Warehouse man's Obligation:	Is it practical to expect the warehouseman to play quasi regulatory role? Are they expected to be answerable to the grower without any contractual obligations	Obligations of warehouseman in schedule 3 are introduced. They are implied in every service contract.	
Eighth Schedule:	This schedule is a direct copy of the Bollore logistics warehouse warrant, their company structure included. Other warehouse have different organizations structure	Companies are free to modify the form.	
Requirement relating to Coffee Milling	As per the current proposal the former role of the marketing agency is now seemingly split amongst millers, direct settlement provider, NCE, warehouse man, clearing house and collateral manager (most of whom) have no contractual obligations to grower. How will these new institutions be financed? Who will absorb the	Obligations introduced for service providers in the Coffee General Regulations.	

	resulting additional cost.	
	Rule 22(5) & (6) contradicts rule 22(13), 25(1),(2),(3),(4) and 7(j) and (k)	Amendments have addressed the concerns
	Rule 22(4) might be very difficult to implement	Notice to grower is not difficult to give.
Licensing	Rules 10(b) and Rules 32(3) and (5) amongst others, introduce a new holder "Liquourer" who are required to renew their license annually	Annual changed to three years subject to capacity
	Who will monitor the receipts of sale proceeds as proposed by rule 44. What margin monies are referred to under rule 43(15)b and who does apply to?	Exchange, DSS provider given roles to monitor under the regulation of CMA. Penalties introduced for traders and roasters who default.
	As proposed rules have placed numerous roles and responsibilities on NCE most of which they are ill suited. Placing all these functions under one body will create mega bureaucracy and based on past experience with similar institutions, stakeholders know exactly what to expect	Roles are now shared and obligations are introduced with penalties for default. The exchange will be regulated by CMA.

Annex 6 : Press: Issues Raised in Standard Newspaper Dated 23rd May 2018

An article contained in the Standard newspaper dated 23rd April 2018 raised a number of issues related to the ongoing reforms in the coffee industry among other sub sector issues.

The following clarifications are accorded-

No	Issue Raised	Response
1.	Foreigners tighten grip on coffee trade as farmers lose	Under the national trade laws Kenya is an open economy and foreign firms are free to invest in Kenya and bring in the much-needed foreign exchange. Foreign investors are subjected to equal treatment like any other local investor along the coffee value chain. There isn't any form of discrimination against local firms or foreign firms. Foreigners have do not have any undue advantage over the local firms so as to have a grip on coffee trade.
2.	Multinationals (6) tilting commodity prices leaving small holder farmers to earn peanuts.	Multinational or foreign firms to compete for coffee at an open bidding process where those who offer the highest prices buy the coffee. Provision is made in both the General and the Exchange Regulations for the exchange to give access to all persons licensed to trade.
3.	Coffee prices at auction only a fraction of the of the market	The coffee prices realized at the Kenya action are among the highest prices when compared with other mild Arabica of countries such as Colombia, Guatemala which produce

No	Issue Raised	Response
	prices –	similar mild coffees. The % of the earnings remitted to farmers depends on the farmers' productivity and the efficiency and economies (or diseconomies) at the same growers' institutions.
4.	Coffee pricing committee	The Government recommended establishment of a coffee pricing committee which was rejected by farmers and the reviewed regulations no longer contain the committee. Nevertheless, its objective was to give growers indicative prices based on global price trends, local price trends and the quality of coffee on offer. It was intended to disseminate information to enable grower negotiate better when undertaking direct sales or fixing of reserve prices. Sharing of market information is now given as a responsibility of the exchange.
5.	Control of value chain from bean to the consumers' table through sub subsidiaries of multinational controlling 70% of the beans.	The licensing of players has clearly articulated that certain license categories cannot be held by one company e.g a trader cannot be a commercial miller, warehouseman, broker or agent a cannot be a coffee dealer (exporter). These provisions have been made for separation of roles. None of the licensed companies is allowed to handle the coffee at its cherry stage but they await such coffee at the milling or marketing stage at which growers voluntarily contract the service providers competitively. The performance of coffee dealers/exporters at the auction is depended on their market access abilities and financial muscle to pay for coffee purchased.
6.	Too much regulation has in the coffee sector has erected unnecessary barriers to entry which is a perfect environment for price manipulation.	The regulatory framework ensures respective players keep to their roles and comply with the coffee standards and the industry code of practice. It is because of this that Kenya coffee is of the highest quality in the world and continues to attract premium prices. Recent efforts to open up cherry buying was declined.
7.	Farmers getting the shortest end of the stick as their producer reaches the market with multiple prices	Farmers in Kenya continue to receive among the highest coffee prices globally. The millers and marketing agents' services summed up amount to not more than 3% of the gross sales - on average. The handling of the net 97% of the auction gross sales depends on the growers' institutions governance structures. Efficient societies pay up to 95% of the 97% net sales from the marketing agents.

No	Issue Raised	Response
8.	Two of every three beans produced from Kenya in 2016/2017 were bought by multinationals	The coffee produced in Kenya is sold through the NCE or direct sales. Growers are free to sell their coffee at any of the traditional, specialty or emerging markets and the Coffee Directorate should always facilitate such sales. However, there are a number of large global companies which have invested for a long time and deal in substantial volumes of coffee from all the global coffee production countries. The companies do not directly source for coffee but have established networks. Nevertheless, growers can clinch lucrative direct sales with thousands of roasters situated in coffee consuming countries (Germany, USA) provided they organize themselves into large units which can sustain the supply.
9.	Delay of coffee payments for a whole year.	The delays in the release of coffee payments is systemic as coffee takes almost 9 months from flowering to cherry ripening, then the primary processing takes 3 months, the secondary milling takes about a month, the marketing begins in January to about May every year. Unlike tea, coffee is paid for after an average of not less than 6 months. The National Task Force on coffee reforms has proposed a cherry advance model to help reduce the systemic delays. The Meru county government is piloting the cash model whose success will inform other County Governments. The Regulations have now proposed faster and more transparent payments through the DSS.
10.	Scramble for Kenya coffee is still alive	Kenya coffee is unique in its quality and produces a superior cup. It is used for blending coffees from other origins which may of different qualities. To protect the Kenya coffee Regulations now propose that any person who blends Kenya coffee with other coffees must declare the percentage of the Kenya coffee in that blend.
11.	Coffee thefts at growers' institutions	The Task Force Report established that coffee thefts were a problem affecting cooperative societies and made a number of recommendations - take up of insurance cover, CCTV installations, enhancing guards, alarms installation, avoidance of parchment accumulation. Security is a responsibility of growers who should liaise with the security agencies and take the said security measures.
12.	Central Depository Unit(CDU)	The purpose of the proposed CDU, now renamed Direct Settlement System (DSS), is to ensure transparency and efficiency in receipt of coffee sales, settlement and disbursement of coffee proceeds. In addition, the DSS will shorten the value chain and eliminates the need for prohibitive requirement of USD 12 million bank guarantees as security for millers. The DSS will enable the grower miller to access the auction without requirements for a guarantee as they will not handle coffee funds. Growers without a milling license may access the auction through brokers or

No	Issue Raised	Response
		undertake direct sale. The DSS guarantees prompt payment to coffee growers including all service providers within five working days. The DSS, does not lock out the cooperative societies but shall ensure timely and efficient release of coffee proceeds and recovery of any financial obligations.
13.	Suspension of proposed Coffee Regulations 2016 after gazettelement for public participation	The High court suspended the previously proposed regulations after gazettelement in 27 th June 2016 following litigations by three parties. A High court ruling made on 28 th July 2017 directed that further consultations are held and the regulations promulgation process is completed. The Coffee Sector Implementation Committee (CSIC) consulted stakeholders and have since reviewed the regulations and incorporated the stakeholders' views. The Committee further conducted stakeholder validation meetings from May 2018 to November 2018 which have informed further amendments to both the Coffee General and Exchange Regulations.
14.	Shortening of value chain and difficult in the licensing process	The Task Force report recommended the scrapping of the commercial marketing agent (CMA) licence and transfer of the CMA role to the miller, broker and the proposed DSS. The DSS will receive proceeds and recover the growers' financial obligations and convey the net to the growers' accounts on the 80:20 as proposed in the new regulations. The DSS eliminates the prohibitive bank guarantee which many growers could not raise and therefore were not able to access the auction.
15.	Farmers to receive 40% of the selling price advance for cherry deliveries.	The Task Force report acknowledged the systemic delays in coffee payments and proposed cash payments against cherry delivery at 40% of the selling price or Ksh15/kg cherry whichever is the higher. The recommendation is intended to ensure farmers carry on with their lives without financial handicap and that the systemic delays are shortened.
16.	Smallholder farmers have limited capacity to process and market their coffee -farmers with less than 1500 bushes can only access markets through a cooperative society, a miller and a marketing agent.	Small holder coffee growers are organized into cooperative societies so as to have them enjoy economies of scale. The coffee is wet processed at the primary factories and conveyed to grower owned mills or commercial mills for secondary processing in readiness for marketing. Growers collectively bargain for competitive prices at the auction or through direct sales. Growers who own 5 acres of mature coffee (2700 bushes) are free to obtain a coffee estate license to wet process and market their own coffee. Now the requirement has added 20,000 Kgs annual coffee production as an alternative qualification. % acres is retained.
17.	Meager earnings by growers from the coffee growing business.	Amount of earnings by growers depend on their productivity, efficiency of the cooperative society, the quality of coffee and the prevailing market prices. Most of the time farmers with high productivity high quality with efficiently managed societies break even. These are the factors which ought to

No	Issue Raised	Response
		be addressed.
18.	Cash crop plunge over the years	The reform measures are intended to encourage growers to increase coffee production.
19.	National Task Force recommendations	H.E. the Head of State appointed a National Task Force which conducted a study and made a number of recommendations which are aimed at addressing various challenges facing the coffee industry. Some of the recommendations seek to address systemic delays in coffee payments, coffee marketing, high cost of production, and poor governance at growers' institutions.
20.	Highest coffee grades by pass the auction - 15% of coffee leaving mills for the export market, leaving lower grades for the auction	The Coffee General Rules and the Coffee Exchange Trading Rules allow growers to access the overseas markets directly or through their appointed commercial marketing agent (CMA). The CMA most of the time accesses the overseas markets on the behalf of the farmer and with the farmers approval through direct sales contracts. The direct sales prices are always higher than the auction. The Direct sales contracts are registered with the Coffee Directorate.
21.	Control of value chain from farm to warehousing and export.	The Coffee Regulations 2002 restrict companies in the business of milling from obtaining the marketing licences. Companies in the business of milling or marketing cannot be also coffee dealers (exporters). This ensures separation of roles and eliminates conflict of interest.

Annex 7: Newspaper Articles in Daily Nation of 3rd April 2018

1. Introduction

The two articles contained comments on various issues regarding the ongoing coffee sub sector reforms. Following is a response on the various issues raised on the separate dates: -

3 rd April 2018 Article		
No	Issue	Comments
1.	Coffee monthly payments rejected as proposed by the task force report	The Task Force Report has taken cognizance of the systemic delays in coffee payments and proposed advance or initial payments to shorten such delays. Such payments are again not mandatory in the regulations being proposed.
2.	Implementation of contentious reforms /issues	The Coffee Sub Sector undertook consultations on the contentious issues such as establishment of the coffee pricing committee and it was removed and appropriate amendments have been introduced to the proposed coffee regulations
3.	Implementation of cash model in Meru County.	The implementation of the cash model in Meru is an initiative of the county whose objective is address the systemic delays in coffee payments. The County Government leadership has fully consulted and walked with coffee cooperative societies and coffee estates who are in agreement. The Meru initiative

3 rd April 2018 Article		
No	Issue	Comments
		is also voluntary. The Meru County leadership resonates with the Task Force report and CSIC thinking.
4.	Comparison of the envisaged coffee industry cash model with the Tea Model	The Tea model has served the Tea industry well and other sub-sector such Dairy, Macadamia, and Bananas have adopted the cash model and they are doing well. It is only in coffee where the average age of a farmer is over 65 years.
5.	Article states ' <i>The Coffee Directorate should wait for harmonization of contentious reforms before implementing them</i> ' by Harrison Munyi	The Coffee sub sector Reforms are not being undertaken by the Coffee Directorate. It is the Coffee Sub Sector Implementation Committee (CSIC) which is driving the reforms in line with the recommendations contained in Task Force Report and feedback from past consultations. The CSIC was appointed by H.E the Head of State.
6.	Agreeing on all reforms	The CSIC has carried out validation consultative meetings in West, Central Rift, Mt Kenya and all coffee growing counties in Kenya and shared the amended regulations. This has gone a long way towards ensuring that most issues are agreed upon.

Annex 8: Press Release: A Joint Statement by Chairmen of Embu County Coffee Co-Operatives; in Daily Nation of 6th April 2018

The following were the responses from Coffee Sector Implementation Committee (CSIC) on the various issues raised;

Coffee Sector Implementation Committee's Response

	Issue	Committee's Response
1.	Reference to the Coffee Rules 2016	Reference to the said Rules may imply that the same Rules are being upheld. The Rules have substantially been reviewed following further consultations and feedback from stakeholders. Now we have a revised set of Coffee General Regulations for 2018 which are subject to ongoing stakeholder consultations. The meetings took place in May 2018 in the coffee growing regions.
2.	Conservatory orders made by the Nyeri Court in 2016	There were two other related cases filed in Nairobi High Court in which a judgment was given in July 2017 which required the parties to engage in further consultations in the making of the coffee rules. This judgement was communicated to the High Court in Nyeri. Since then the committee has conducted various stakeholder consultations in compliance with the court order, a process which is now

		completed. The petitioners in the cases are some of the stakeholders whose responses to the proposed regulations were captured on newspaper articles and taken into account by CSIC..
3.	Appointment of the Coffee Sub Sector Implementation Committee(CSIC)	The CSIC was appointed not only to implement the Task force report but has a broader mandate which includes consideration of contentious issues raised by stakeholders. In its consultations, the committee has engaged all the stakeholders along the coffee value chain without bias.
4.	Consultations for regulations validation	The CSIC has not targeted friendly groups but sought to consult stakeholders along the entire value chain during the validation of the reviewed regulations. West, Central and Eastern coffee growing regions were targeted for the validation exercise.
5.	Publication of the Nairobi Coffee Exchange Trading Rules in February 2018	The Committee has not published the revised Nairobi Coffee Exchange Rules as construed in the advert. The rules have been reviewed and validated by stakeholders. They have also been presented to the relevant Committees of Parliament for perusal and approval before such publication can be done.
6.	Permitting alternative groups to operate cherry processing activities	One of the objectives of the review was to align the regulations to the Constitution and other applicable laws and the Constitution guarantees freedom of association to all Kenyans including growers. In order to preserve the public order and promote collective arrangement for farmers, the central role of farmer's cooperatives is acknowledged. Additionally, the regulator has been empowered by the amended regulations to curb coffee theft and other malpractices.
7.	Central Depository Unit (CDU).	The purpose of the proposed CDU, now renamed Direct Settlement System (DSS), is to ensure transparency and efficiency in receipt of coffee sales, settlement and disbursement of coffee proceeds. In addition, the DSS will shorten the value chain and it eliminates the need for prohibitive requirement of USD 12 million bank guarantee as security for grower millers. The DSS will enable grower miller to access the auction without requirements for a guarantee. The DSS guarantees prompt payment to coffee growers including all service providers once the relevant information is furnished to the DSS provider through the exchange.
8.	Coffee Pricing Committee(CPC)	In the revised regulations, the Committee has removed the proposed coffee pricing committee in response to submission by stakeholders.
9.	Unique role played by Cooperative societies	The Committee acknowledges that cooperative societies play a key role beyond primary coffee processing. The reforms are not in any way diminishing these roles of cooperative societies such as advancing school fees and medical expenses against anticipated sales. The societies shall therefore

		continue with these roles and through the DSS such moneys will be recovered and remitted to the societies accounts. In this regard the societies will continue to prepare the Payment Calculation requests (PCR) to enable processing of payments to the coffee growers and their service providers.
10	County Governments to mobilize Growers for Coffee Marketing	This was one of the contentious issues and the rule 24(2) was amended by removing it. However the committee recognizes the Constitutional mandate vested in the Counties in regard to Agriculture and Cooperative Management and have provided for the functions of each level of government in the General Regulations.

General Observation

The committee notes that the issues raised by the Embu Union chairpersons as concerns have been addressed since 2016 and much is being implemented as recommended in eight pillars of the Task Force Report. The committee encouraged Embu Cooperatives societies' continued participation in the consultations and validation of the regulations.

Annex 9: Consultative Meetings County Executive Committee Members, Chief Officers and County Directors of Agriculture, County Directors of Cooperatives from Coffee Growing Counties on 21st February 2018

An Overview of:

- a) The Draft Coffee (General) Regulations, 2018
- b) The Draft Nairobi Coffee Exchange Rules, 2018

Purpose of the Review

The purpose of the review of the Regulations is to:

- (a) to give effect to section 40 of the Crops Act, 2013;
- (b) to provide for licences to be issued by the licensing authorities;
- (c) to provide for the obligations of licence holders and service providers, and the protection and regulation of their interests along the value chain;
- (d) recognize the grower of coffee as the owner of coffee until the coffee is sold and paid for;
- (e) provide for protection of growers' rights along the value chain;
- (f) provide for a transparent and timely clearing and settlement of coffee sales proceeds to the growers and service providers;
- (g) provide for the collection and maintenance of data related to coffee;
- (h) ensure improvement of coffee standards, increased production and support; and
- (i) regulate the coffee industry in Kenya.

Key Highlights of the Coffee General Regulations

Part 1 – Preliminary

This part contains the preliminary provisions of the Regulations including the citation and commencement, interpretation and purpose of the Regulations.

Part II – Functions of the Authority and the County Governments

Regulations 4 and 5 clearly spell out the roles of the Agriculture and Food Authority vis-à-vis the County governments. The Authority shall issue coffee trade and manufacturing licenses, develop and promote strategies for the coffee industry and develop the coffee industry standards and code of practice. The county governments shall issue licenses for coffee nurseries, pulping stations, and local roasters, issue movement permits, offer extension services and register coffee growers for data collection among others.

Part III – Registration and Licensing

This Part contains provisions on registration of growers, registration of dealers, types of licenses to be issued by the County Government and the Authority, licensing procedures, duration of licenses, and obligations of licensees as well as provisions relating to movement permits and dispute resolution on licensing.

Licenses/Certificates proposed to be issued by County Governments include:

- a) Registration of growers
- b) Coffee nursery certificate
- c) Pulping station license
- d) Miller's licenses
- e) Warehouse licence
- f) Coffee roaster's license
- g) Movement permit for coffee before purchase

Licenses/Certificates proposed to be issued by AFA

- a) Warehouseman's license
- b) Coffee liquorer license
- c) Independent cupping laboratory license
- d) Coffee buyer' license
- e) Coffee import permit
- f) Movement permits for purchased clean coffee
- g) Registration of direct sales contracts,
- h) Certificate of Origin and certificate of quality

Part IV – Production and Processing

This part relates to notification of planting or uprooting coffee; development and enforcement of a coffee industry code of practice and standards on coffee production, processing and marketing; certification of Kenyan coffee; guidelines on seedlings and requirements on milling to ensure maximum production of high quality coffee in Kenya. KARLO or its authorized agents are to issue certified coffee seeds or seedlings. Others to obtain certification from relevant statutory bodies. The role of NACOSTI is acknowledged.

Part V - Coffee Trading and Marketing

- a) This part contains provisions relating to coffee trading, direct sales, management of the Coffee Auction, preparation of sales catalogues, coffee warehousing, export and import of coffee.

- b) Coffee shall be traded through auction at the Exchange and direct sales. Persons with access to the auction are coffee traders, local roasters and grower millers. Brokers who may be appointed by the grower for sale of coffee at the exchange. Agents may also be appointed for direct sale. This will reduce the number of players in the value chain and also allow the farmer to participate in the process. Marketing agent's license is abolished. The appointment of the broker and the agent is optional.
- c) Proceeds of the sale of coffee by auction shall be deposited in the Direct Settlement System managed by the Exchange and this will eliminate delays in payment to the farmers and also create transparency in the auction process.

Part VI - Quality Assurance

Provision of inspections by the Authority and the County Government on coffee farms, mills, warehouses among others, prohibition against removal of labels or seals from packets of coffee and surveillance within coffee growing counties. The Authority and county governments shall collaborate in the enforcement of coffee industry standards along the value chain, for purposes of quality assurance. The Authority may develop training curriculums, conduct examinations and jointly issue certificates for coffee liquorers, in consultation with accredited universities of higher learning, and industry stakeholders. The Authority is given liberty to inspect and to sample coffee at any stage of the value chain for analysis to ascertain the pesticides residue levels and ascertain quality.

Part VII – General Provisions

This part contains provisions on dispute resolution between persons licensed or registered under these regulations, prohibition of alteration of licenses and certificates, information sharing, a general penalty for contravention with the Regulations and transitional provisions.

4.0 Certificate and License Fees

Category	Amount (KES.) USD	Payment
Application Forms	Nil	Licensing Authority
Growers Registration	Nil	County Government
Nursery Certificate	KES 1,000	County Government
Pulping Station licence	KES 1,000	County Government
Grower's miller licence	KES 10,000	County Government
Commercial Coffee Millers licence Over 10,000MT CC	USD ,2,000	County Governments
5000-9,999MT CC	USD 1,000	
3,000-4,999	USD750	

Less than 3000MT CC/NEW	USD500	
Roaster's Licence		County Government
Over 1000 Bags	KES10,000	
500- 999 bags	KES 7,500	
100 - 499 bags	KES 5,000	
Less than 100 Bags /New	KES 2,500	
Coffee Commercial Warehouse Licence Over 200,000 bags 50,000- 99,000 bags Less than 50,000bags /New	USD 1,000 USD 750 USD 500	County Government
Buyer Over 10,000 bags annual purchases 5,000 – 9,999 bags annual purchases 1,000 – 4,999 bags annual purchases Less than 1000 bags purchases/New licence	USD 500 USD 350 USD 250 USD 100	Authority
Parchment/Buni coffee movement permit (per leaf)	Free	County Government
Clean coffee movement permit from County of origin (per leaf)	KES100	County Government
Clean coffee movement permit for coffee exports (per leaf)	USD 1	Authority
Late application fee	10% of the license fees	Licensing authority
Independent Cupping Center	KES 20,000	Authority
Liquorer's practicing licence fees	KES 2,000	Authority
Processed coffee import permit	Ksh10,000	Authority
Warehouse man's licence	Ksh 2,000	Authority

APPLICATION, LICENSING AND ANNUAL FEES FOR COFFEE EXCHANGES AND COFFEE BROKERS UNDER THE COFFEE EXCHANGE REGULATIONS

Coffee Exchange

Application fees..... Kshs. 2,500

Licensing fees (once).....Kshs. 2,500,000/-

Annual regulatory fees.....Kshs. 2,500,000/-

Coffee Broker

Application fees.....Kshs. 2,500/-
Licensing fees (once)..... Kshs. 50,000/-
Annual regulatory fees..... .Kshs. 50,000/-

Issues Arising on:

Licensing

- a) County representatives indicated that they wanted all the licenses/certificates except trading, liquoring and cupping licence to be issued by the Counties
- b) Some county representatives felt that the licenses were too many and could be combined into one business permit/license allowing the licensee to pulp, mill, roast coffee and establish restaurants

Other Subsequent Proposals

- a) Issuance of warehouseman and milling licenses by AFA but subject to clearance by counties and sharing of license fees.
- b) Remove the express prohibition against sale of cherry and parchment trading (amend rules 22 (4) and (5)).
- c) Central Depository Unit to be renamed Centralized Settlement System (CSS) as it is not a depository by a settlement system for coffee proceeds of sale. Changed to Direct Settlement System.
- d) Registration of dealers by the Authority (Rule 7(5)) and submission of returns by dealers to Authority was proposed by AFA, but was not agreed by the County Governments. It is an unresolved issue.

Annex 10: Consultative Meeting with National Coffee Cooperative Union Ltd on 28th February, 2018 at Coffee Research Institute (Ruiru)

The NACCU presentation emphasized on:

- a) Ensuring that there are small scale coffee farmer focused laws and regulations are governing the coffee sub sector.
- b) The need for the government to address coffee subsidy program to jumpstart increased production of coffee and requested for support for at least 2 years.
- c) The current coffee processing facilities require rehabilitation, staff capacity building and security to stop frequent coffee thefts.
- d) Farmers requested the Government to support the establishment cherry advance payment system and allocation of adequate funds.

- e) The farmers support the modernization of Nairobi Coffee Exchange (NCE) and networking it to the counties on real time and having a representation in the NCE upon its transformation into a body corporate.
- f) The industry should start appreciating the involvement of youth and women in implementation of reforms recognize them in decision making along coffee value chain and having a succession plan for takeover from the aging coffee farmers. Women requested for automatic membership to Unions based on family coffee farms. So as to reap benefits of training, subsidy, and cherry advances leadership roles directly.
- g) Farmers requested the national and county government to allocate adequate funds in their annual budgets to facilitate production, processing, marketing, value addition and promotion of local coffee consumption.
- h) The Unions would like the national and county governments to support institutions involved in coffee research, service delivery to farmers, enforcing regulations and infrastructure development.
- i) The farmers would like to have a coffee minimum guarantee price which should be above the documented cost of production to address the fluctuation of prices.
- j) The unions appeal for removal of the one billion shilling security guarantee to grower marketers so that they can actively participate in coffee marketing.
- k) The unions appeal to Ministry of Agriculture, Livestock Development and Fisheries through AFA to included union representatives in sector working groups, marketing of coffee and for benchmarking with successful models coffee actors in and outside Kenya.
- l) The national and county governments to address the governance concerns in coffee cooperative societies where non-performing entities can be de-registered or merged.

Recommendations:

- 1) CSIC to embark on capacity building farmers and unions along the value chain through training and sensitization on various issues of their concern.
- 2) The stimulus for farmers to support coffee reforms is prompt payment to farmers which can be through cherry advance payment, provision of stabilization funds and input subsidy programs.
- 3) Coffee cooperative societies and unions should be empowered to trade locally and externally by ensuring that the General Coffee Regulations are farmer centric.
- 4) The unions advocate the establishment of coffee cupping units in the counties/region for quality assessment and stakeholder training to appreciate quality of products offered to the markets. They requested CSIC and county governments to fund the initiative.
- 5) The CSIC to establish a farmers empowerment financing model to facilitate access credit, NHIF and payment to farmers
- 6) The national and county governments to address leadership and governance issues in coffee cooperative societies and unions which are contributing squabbles that affect coffee production and marketing.
- 7) The participants requested the county and national government to fund coffee extension services and ensure that the regulation on cherry hawking/trading is enforced to avoid coffee thefts.

Annex 11: Consultative Meeting with Alliance of Women in Coffee (AWIC) Kenya Chapter and Youth on 28th February, 2018 at Coffee Research Institute (Ruiru)

a) Alliance of Women in Coffee

AWIC is an affiliate of International Women in Coffee Alliance and has membership from women across the coffee value chain in Kenya. AWIC supports establishment of farmers' forum free of participation by marketers, traders and have a gender perspective and youth succession angle in coffee. AWIC focuses on empowering women to produce premium coffee for specialty markets. AWIC requested amendments of the regulations to have one stop shop for all coffee licenses to enable women participate in coffee business as well as reducing current cost of licenses. It also requests for automatic membership of women into the Unions based on family ownership of Coffee.

b) Youth in Coffee

The youth would like to be involved in the coffee subsector implementation in the areas of technology adoptions in doing business and value addition. There is need to capacity build the youth and give them exposure inside and outside the country on various aspects as well as having youth mentorship programs. The youth request to be allocated at least 20% of position in the societies, unions and coffee subsector institutions so as to articulate their ideas on coffee and policy formulation favorable to them. They would also like to be supported to engage in the area of Carbon trading through the coffee bushes

A youth Mr. Peter Ndua from Ngewa of Komothai in Kiambu who resides in the United States of America reported that some youth groups have formed a group which is exploring the marketing of coffee in the U.S. He informed that there is a high demand of traceable coffees which is fetching premium coffee in the AGOA market as branded coffee. He emphasized the need to venture into the digital world of Facebook, twitter, instagram, whats up, SMS in promoting coffee agenda. The youth can be involved in actualizing the coffee reforms initiative.

c) Resolutions

- a) Farmers through NACCU agreed to support the implementation coffee reforms.
- b) National and county government to provide adequate funds to support coffee subsidy programs in their annual budgets.
- c) AFA to remove the Bank Guarantee of one billion shilling paid by the grower marketers which has been a dis-incentive for them to participate in the Auction.
- d) The General Coffee Regulations should address the issues on conflict of interest where marketing agents retain farmer's coffee for unspecified durations.
- e) CSIC to assist in promoting and strengthening NACCU as it is a lobby group for farmers on coffee matters.
- f) In order to create sanity in the coffee cooperative sector, the participants support the establishment of a central coffee database at the national and county level.

Annex 12: Lessons Learnt Study Visits, Conferences and Exhibitions

The committee visited Ethiopia, Mexico, USA, and Netherlands and interacted with coffee farmers, exporters, dealers and consumers and Kenyans in the Diaspora and exchanged views. The views arising from these interactions informed the committee during the deliberations when implementing the reforms and drafting the regulations. Some of the issues captured during the interactions include:

1) Ethiopia Coffee Industry

The overall objective of the study was to evaluate and compare the Kenya Coffee industry practices with those of Ethiopia. This comparative evaluation is expected to trigger innovative approaches of reforming Kenya's coffee production and marketing situation.

- a) The effect of climate change in some producing countries such as Brazil has resulted in decreased coffee production. The world should prepare to mitigate on a major impact of climate change expected from 2020 to 2040.
- b) The parameters considered for coffee to qualify for specialty coffee include soils, husbandry and processing practices.
- c) The demand and sale of certified coffee is on the increase. However, traders are willing to pay more for the coffee and people they know hence the need to create and sustain trading relationships.
- d) It was reported that coffee producers have not been offering quality coffees to consumers.
- e) The market forecast indicates a surplus in coffee supplies in 2017/18.
- f) The specialty coffee chapters are currently in 33 countries and demand for the coffee is growing at 15 % annually.
- g) The secret to sustaining the specialty market is to create scarcity by supplying little coffee of high quality.

2) Africa Fine Coffee Association meeting in Ethiopia

Observations and Lessons from the Conference

- a) The International Coffee Organization compiles market outlook reports for countries to customize and utilize in projecting coffee pricing in the coffee trade.
- b) Large cooperatives in Ethiopia are allowed by the government to export coffee directly.
- c) A global coffee platforms are Colombia, Ethiopia, Uganda and Tanzania where stakeholders along the coffee chain converge to deliberate of coffee issues of concern and beneficial to all.

- d) The Kenya delegation in the conference agreed to initiate the Kenya Coffee Platform.

3) Recommendations

- a) The Coffee Directorate and Coffee Research Institute should customize the International Coffee Organization market outlook reports and advice farmers and the trade regularly.
- b) Kenya should collaborate with the Ethiopian government through an MOU when modernizing the NCE and where possible engage the expertise not available in Kenya.
- c) There is need to regularly review coffee regulations.
- d) The AFCA Kenya Chapter chairman and AFA Coffee Directorate as a matter of priority should initiate the formation of Kenya Coffee Platform.
- e) The committee plan of action to implement the issues noted during the visit and conference proceedings is summarized below;

	Activity	Action	Responsibility
1	Production of planting materials	Research to work closely with farmer organizations and farmers to enhance seed productions and top working	KALRO Coffee Research Institute
2	Promote Sustainable coffee production	Undertake research geared towards sustainable coffee production	KALRO Coffee Research Institute
3	Planting shade coffee	Repackage information on shading to inform the farmers on the types of shade trees, spacing and pruning	KALRO Coffee Research Institute
4	Branding of Kenya coffee	Characterization of Kenya coffee flavours based geographical /indications locations market branded coffee.	KALRO Coffee Research Institute, trade and Coffee Directorate(AFA)
5	Cherry Advance payment	Introduce cherry advance payment to cooperative societies	State Department of Cooperatives, State Department of Crop

			Development, (commodities Fund) & Cooperative societies
6	Promoting local coffee consumption	<ul style="list-style-type: none"> -Legislate buying of coffee by retail traders -Liberalize Buni marketing to encourage local coffee roasting and consumption. 	<ul style="list-style-type: none"> -AFA Coffee Directorate -State department of cooperatives and cooperative societies
7	Coffee certification	Analyze certification programs in place, the market outlets and advice the farmers regularly.	AFA Coffee Directorate
8	Develop a concept notes for inclusion in the MOU	<p>Develop a concept note on:</p> <ul style="list-style-type: none"> -Exchange of germ plasma materials for breeding drought and disease resistant varieties, -Mass propagation of elite varieties through tissue culture -Effect of shade trees on coffee physiology -Mapping of geographical indications to facilitate branding of coffee. 	The KALRO Coffee Research Institute
9	Technology transfer	Package and disseminate new and existing technologies for immediate use by farmers and extension staff.	<p>The KALRO Coffee Research Institute,</p> <p>State department of cooperatives and cooperative societies</p>
10	Memorandum of Understanding (MOU)	Develop an MOU for cooperation with Ethiopia	<ul style="list-style-type: none"> -State department of Agriculture -Ministry of Foreign Affairs
11	Market outlook information	Provide market outlook reports and advice farmers and the trade regularly.	The KALRO Coffee Research Institute and AFA Coffee Directorate
12	Collaboration with Ethiopia Commodity Exchange.	Collaborate with the Ethiopian government when modernizing the NCE.	State Department of Agriculture

13	Direct Sale of Coffee	Review coffee regulation on coffee marketing to facilitate grower marketing agents access direct sale markets.	AFA Coffee Directorate
14	Kenya Coffee Platform	Initiate the formation of Kenya Coffee Platform.	AFCA Kenya Chapter Chairman State Department of Agriculture
15	Alternative methods of processing coffee	Research on the benefits of dry verses washed coffee in collaboration with the trade.	KALRO Coffee Research Institute
16	Upgrade processing technology	Relook at the coffee harvesting , processing and drying procedures and equipment	The KALRO Coffee Research Institute
16	Modernizing NCE	Modernize the operations of the NCE and improve the trading environment	AFA Coffee Directorate
17	Enhance flow of market information	Initiate the dissemination of market information in real-time	AFA Coffee Directorate and CE
18	Review trading rules at NCE	Introduce and enforce rules to prohibits collusion at NCE	AFA Coffee Directorate
19	Warehousing of coffee	Coordinated and regulated the Warehousing of coffee.	AFA Coffee Directorate
20	Coding samples	Adapt a coding system where the identity of the sample, sellers and buyers are known after sale.	AFA Coffee Directorate and CE
21	Improve sample room operations	Expand the sample room and regulate the maximum time for their disposal to avoid congestion.	AFA Coffee Directorate and CE
22	Liberalize Coffee Auction	-Increase number of auction days. -Introduce an auction day for local roaster.	AFA Coffee Directorate and CE
23	Farmer capacity building	Embark on farmer capacity building so to enable them operate under free market situation	The national and county governments
24	Licensing	Review the licensing in coffee chain to reduce them to a minimal	State Department of Agriculture, AFA, Coffee Directorate

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The key issues for fast tracking include:

a) Risk transfer

Farmers in Kenya bore all the risks in the coffee business unlike in Ethiopia. There is an urgent need to address mismanagement in Cooperatives Societies introduce cherry advance payment, embrace prompt payment, and facilitate data management to ensure traceability.

b) Promote sustainable coffee production

This involves regular supply of certified planting materials, introduction and management of shade trees, timely and appropriate use of inputs, availing cost effective processing technologies and involvement of the youth in coffee business.

c) Establishment of an effective data and information management system:

- (i) Establish an ICT network to facilitate easy access to information for planning and business management.
- (ii) Develop a data management platform to enhance efficiency and transparency in coffee trade
- (iii) Operationalize the warehouse receipting system

d) Upgrading of NCE

- (i) Upgrade the NCE soft and hardware
- (ii) Initiate the transition of NCE to a commodity exchange
- (iii) Provide timely information on market outlook

e) Operationalize the Coffee Rules and Regulations

- (i) Finalize and operationalize coffee regulations for ease of doing business
- (ii) Formulation of regulations to actualize the establishment of central depository unit.
- (iii) Hold consultative meetings with stakeholders when reviewing coffee regulations.

f) Financing the coffee sub-sector

- (i) Identify and engage financiers to provide affordable credit to the coffee sub-sector.
- (ii) Develop instruments required to initiate cherry advance payment.

3. Trade Exhibition at Amsterdam - Netherlands

The overall objective of participating at the **Specialty Coffee Association (SCA) of Europe** event was to promote Kenya coffee to the coffee roasters and green coffee traders so as to retain and grow Kenya's market share.

a) Lessons Learned

- (i) Need for common funding or pooling of resources will ensure consistency in the approach in the approach used for the marketing of Kenya coffee.
- (ii) Disjointed and inconsistency in the marketing of Kenya coffee not effective for the common good of the country.
- (iii) Demand for Kenya coffee mainly the specialty grades – although demand for lower grades and naturals emerging in the Middle East.
- (iv) Markets emerging for honey coffee, semi washed coffee and alternative methods for processed ripe cherries.
- (v) Diversification in the use of coffee by products including – moderately dried coffee pulps and leaves for making coffee drinks.
- (vi) Kenya has not changed its coffee marketing strategy in line with the changing trends in the International market. This includes direct relationships between the coffee producers and consumers and publicity of Kenya coffee as a unique brand.

b) Recommendations

- (i) Develop the Kenya marketing strategy to ensure the story about Kenya coffee is told to bring out its uniqueness and cultural diversity.
- (ii) Explore and conduct research on the alternative uses of coffee by products for energy drinks souvenirs.
- (iii) Explore the emerging alternatives in the primary processing of Kenya coffee – semi washed, honey coffee and fully ripe cherry sun drying.
- (iv) Ensure the Kenya booth represents the face of Kenya by ensuring that all exhibitors convey a common message for marketing of Kenya as a brand.
- (v) It is recommended that, Kenya book for World of Coffee 2019 space early enough to facilitate securing of strategic location and allow adequate time for preparations
- (vi) There is need to strengthen the cupping activity during exhibitions since consumers/buyers always make conclusive purchase decision after looking at the available alternatives depending on quality. Well profiled coffee samples are therefore required in any exhibition.
- (vii) Kenya coffee is still highly regarded round the world and it is important for Kenya to market it as that.

Annex 13: Issues Raised by COG on the Coffee General and Coffee Exchange Regulations, 2019 and Response by AFA

1. Introduction

Following a memorandum by the CoG and an advisory letter by the Attorney General on Sugar, the Authority proposed amendments to the Coffee General Regulations, 2019 as follows

NO	ISSUE RAISED BY THE COG	MINISTRY/ AFA POSITION	Remarks
1.	4(2)(a) is amended to enable Counties issue coffee commercial milling and warehousing licences	Under part II dealing with FUNCTIONS OF THE AUTHORITY AND COUNTY GOVERNMENTS the new clause 5(2)(a) is amended and has ceded the issuance of both grower and commercial milling to county governments ,	Complied with the AG advisory

NO	ISSUE RAISED BY THE COG	MINISTRY/ AFA POSITION	Remarks
2.	5(a), (b) and (c) County functions are amended to include the issuance commercial milling, coffee roasting and warehousing.	The new clause above addresses this concern as well by ceding the issuance of milling, roaster, warehousing licences to county governments	Complied with the AG advisory.
3.	Clause 8(1) provides for application of licences to the County Governments or Authority. Should be amended to remove the authority making licences a sole mandate of the county governments	The clause is amended to provide for application of licences to the licensing authority which in this case also includes the county governments receiving applications from commercial and grower millers, roasters, warehouse owners,	Complied with the AG advisory.
4.	Clause 10(1) on licensing be amended to introduce commercial milling and commercial warehousing licences by the County Governments and remove the Authority(AFA) from issuance of the same under 10(2).	The clause is amended to cede the milling, warehouses, roasting licences issuance to county governments	Complied with the AG advisory. Warehouseman licence introduced as a professional licence issued by AFA
5.	Clause 11(3) be amended to Empower counties to revoke milling and warehousing licences and the Authority to revoke traders' licences	The clause 10(3) is amended to provide for revocation of licences by the licensing authority which includes the county governments	To ensure counties revoke licences which they issue
6.	Clause 15(1) amended to mandate county governments to be the sole licensees and to issue all movement permits except the import and export permits.	The clause amended to enable county governments to move parchment, buni coffee to mills and to move clean from the county to warehouses	Complied with AG advisory
7.	Clause 28 be amended to transfer the licensing of warehouses to County Governments	The clause 28 is amended to cede the issuance of warehouse licences to county governments	To comply with the AG advisory Warehouseman's licence to be issued by AFA

CONCLUSION

The devolution of agriculture under the Constitution of Kenya and the Crops Act takes cognizance of functions exclusively for counties, functions exclusively for the national government and functions which are shared by the two levels. The national government takes cognizance of the requirement for collaboration, consultation and coordination between the two levels of government.

The licensing authority definition in the Crops Act is explicit as it refers to either the County governments or the Authority as the case may be.

23rd May 2019

Annex 14: Report of Engagement with State Agencies, NCE and KCPA on 29th April to 1st May 2019 on the Coffee General Regulations and Coffee Exchange Regulations, 2019

Introduction

The retreat was called to address the issues and concerns raised by some stakeholders on the Coffee General Regulations, 2019 and the Coffee Exchange Regulations, 2019.

The retreat was attended by representatives from the Nairobi Coffee Exchange, and the Kenya coffee Producers Association, both of whom had written to the Cabinet Secretary in charge of Agriculture and raised some issues regarding the draft regulations. Others who attended the retreat were representatives from the Ministry of Devolution, Ministry of Agriculture, the Council of Governors (COG), Agriculture and Food Authority (AFA), State Department for Co-operative Development, Intergovernmental Relations Technical Committee, Boresha Maisha, and the members of CSIC.

A. Issues Raised on the Coffee Exchange Regulations, 2019

NO	CLAUSE	ISSUE	RESOLUTION/RESPONSE BY CSIC
1.	Licensing of NCE brokers and by CMA.	What is the value of placing NCE and brokers under regulation of CMA rather than AFA?	Move informed by policy direction and is done with wide consultation. Value is market supervision, better governance, transparency and price discovery mechanisms, etc.
2.	Multiple licensing authorities for NCE, brokers, grower millers and roasters	What is the value? Can it all be done by AFA for close monitoring?	Licensing authorities are in accordance with the law (Constitution, devolution, CMA, Crops). Exchange given mandate to develop its own rules to help monitor trading
3.	NCE incorporation through share holding	Guarantee preferred	Amended Rule 4(3) to give discretion to CMA to give exemption in writing
4.	Coffee sample	Limited to 9 kgs. Allow Exchange to determine sample size.	Limitation removed

5.	Definition of Grower miller	The definition of grower to be harmonized with the contents in the Coffee General Regulations, 2019	Definition is aligned
		Licensed Grower miller to access the auction and offer the coffee to the market.	Licensed grower miller has access to the exchange and direct sale.
		Introduce a threshold for grower miller to qualify for licence.	Exchange will determine the volume and lot sizes in consultation with millers or the appointed brokers.
6.	Coffee Miller	Is commercial miller allowed to sell growers' coffee?	No. Broker (auction) or agent (direct sale) performs that function for growers who are not millers.
7.	Sample fee	Clarify whether sample fee is revenue for the exchange or remitted to growers.	Rule 24(2) deleted. Sample fees not to be part of the revenue of the exchange.
		Coffee sample money should not be revenue for the exchange as it belongs to growers. Should be paid to growers through the DSS.	Amended. Sale proceeds shall be remitted to growers by DSS
8.	Sales catalogue	Include broker in preparation.	Appointed broker included in Rule 35(1).
9.	Licensing of coffee brokers	There is no licensing schedule	A licensing fee schedule for brokers is provided for in the Exchange Regulations
10.	Dispute resolution relating to coffee trade	Introduce mechanism of dispute resolutions for infringed party to the trading floor Option of having committee appointed by the minister to settle the dispute/tribunal	Any aggrieved party over licensing is given right to appeal to the Capital Markets Tribunal. The same is now extended to parties aggrieved on the trading floor or on reference samples when the party is dissatisfied with the decision of the exchange or the licensing authority. (Rules 32 and 43).

B. Issues Raised on the Coffee General Regulations, 2019

1.	Broker	Introduce a schedule on broker	To be done by AFA
2.	Agent	Not licensed. Regulation required.	Agent has contractual obligations in 3 RD schedule. Introduced registration by AFA.
3.	Definition of agents, brokers and grower miller	Harmonize the definition in the two regulations	Already done.
		Provide the agents and grower millers to present the coffee in the auction.	Appointed brokers and grower millers present coffee at the auction.
		Let commercial millers access the auction.	Commercial millers do not access the auction.
4.	Definition of licensing authority	Remove the CMA and substitute with the Authority and the county government	Removed CMA in the definition section as it is not mentioned in the Crops Act.
5.	Inspector	The definition does not include a county inspector	A county inspector is appointed and gazette by the county public service board and hence no need to provide for it.
6.	Definition of dealer	Include the activity of roasting	Included
7.	Management of the auction	Should be left to the trading rules of the exchange.	The DSS is a new concept and provisions on its functionality in the regulations are necessary.
8.	Sale catalogue 26(1)	Include the broker ...in Consultation with Commercial Miller	Done
9.	Coffee sample definition	Not provided for.	Now provided for.
10.	Registration of coffee growers	Function of the county but address the applicability role of National government on standardization.	Provided for registration of dealers by AFA according to the Crops Act for standardization, and registration of growers as a county government function.
11.	Movement permit for clean coffee	To originate from the county –this is function of the National government. How	Movement permits to be issued by county governments except for purchased clean coffee which will be issued by AFA

		will it be actualized?	
12.	Limitation of coffee licence sec 11(1),(4)	Include roaster licence holders	Roaster now included
13.	Monthly returns by millers	Returns on milling losses undefined. Should be provided to form a basis for comparison of average milling losses between commercial and grower millers	Both the commercial and the grower miller are under obligation to provide statements on milling losses and to share all milling statements with the Authority and county government.
14.	Issue of security of the coffee	Specifically provide the functions of the national government and the county government especially in prevention of coffee theft	Rules 4 and 5 amended to reinstate the specific functions of the two levels of governments as per earlier drafts.
15.	DSS	Who appoints the DSS provider- the grower or the exchange?	The Exchange appoints the DSS provider. The grower or the grower's representative provide all relevant information on the grower to the DSS provider through the exchange. Also see 3 rd schedule.
16.	DSS	The growers to be sensitized on the DSS -remarks by KCPA	Noted
17.	Representation of farmers in apex bodies	NACCU,KCP ,SEPA	Noted

SPECIAL ISSUE



THE KENYA GAZETTE

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NAIROBI, 9th October, 2017

Price Sh. 60

GAZETTE NOTICE NO. 9975

COFFEE SECTOR IMPLEMENTATION COMMITTEE

EXTENSION OF TERM

IT IS notified for general information of the public that H.E. the President of the Republic of Kenya and Commander-in-Chief of the Kenya Defence Forces, has extended the term of the Coffee Sector Implementation Committee, for a period of one (1) year, with effect from the 10th October, 2017. The Committee shall submit its final report to H.E. the President on 10th October, 2018.

1. The Committee consists of the following—

Joseph Kieyah (Prof.)—(Chairman);

Members:

Principal Secretary, State Department for Agriculture.
Principal Secretary, the National Treasury.
Principal Secretary, State Department for Co-operatives.
Solicitor-General.
Council of Governors.
Andrew Karanja (Dr.).
Susan Maira (Ms.).
Muthoni Thiongo.
Robert Thuo.
Paul Kukuho.
Clement Kiteme—(Joint Secretary).

2. The Terms of Reference of the Committee are to:

- Co-ordinate and provide strategic leadership in implementation of the Coffee sub-sector reforms.
 - Develop a road map and action plan for the revival of coffee sub-sector focusing on production, value addition and marketing.
 - Review the current regulatory framework for the sector and propose changes to align it to current and future needs.
 - Perform any other function necessary to ensure effective co-ordination of the ongoing coffee reforms and realization of its objectives.
3. The Committee may co-opt other members whose skills and experience is necessary for the performance of its functions.

4. The Secretariat is based at the NHIF Building, Wing B, 16th Floor.
Dated the 6th October, 2017.

JOSEPH K. KINYUA,
Chief of Staff and Head of the Public Service.

GAZETTE NOTICE NO. 9976

**THE CONSTITUTION OF KENYA
THE COUNTY GOVERNMENTS ACT**

(No. 17 of 2012)

MURANG'A COUNTY

APPOINTMENT

IT IS notified for general information that the Governor, Murang'a County pursuant to part 2 of the Fourth Schedule of the Constitution of Kenya and section 6 (5) as read together with section 30 (1) (L) of the County Governments Act, has appointed a Caretaker Committee to manage water resources, water and sanitation services and all matters incidental thereto within Murang'a County consisting of the following members—

Benson Githinji Mwangi—(Chairman);

Members:

County Executive Committee Member, Water and Irrigation,
County Executive Committee Member, Finance and Economic
Planning,
Chief Officer, Supply Chain and Projects Implementation,
Joseph Nyutu Ngugi,
Maribe Wa Mwangi Maribe,
Rebecca Wanjiru Mwiegi,
Fredrick Kihuna Munyua,
Catherine Wairimu Mugo—(Secretary).

effective immediately, the Boards of the various water companies within Murang'a County shall cease to exercise any control of water resources, water and sanitation services.

WA IRLA MWANGI,
Governor, Murang'a County.



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GAZETTE NOTICE No. 9973

THE CROPS ACT

(No. 16 of 2013)

DRAFT COFFEE (GENERAL) REGULATIONS, 2017

REQUEST FOR COMMENTS ON THE DRAFT REGULATORY IMPACT ASSESSMENT REPORT AND ON THE DRAFT COFFEE (GENERAL) REGULATIONS, 2017

The Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries is in the process of promulgating Coffee (General) Regulations, 2017, as provided under section 40 of the Crops Act.

The Act requires consultation with the county governments and the public/other stakeholders to give their comments prior to enactment and implementation of regulations.

In compliance with the provisions of the Crops Act and the Statutory Instruments Act (No. 23 of 2013), the Ministry announces to the public the availability of draft Coffee (General) Regulations, 2017 and draft Regulatory Impact Statement.

The main objective of the draft Coffee (General) Regulations, 2017 is to provide for the regulation, promotion and development of the Coffee Industry in Kenya.

The Regulatory Impact Statement contains detailed information on the Coffee (General) Regulations, 2017. The draft Regulatory Impact Statement will also be subjected to independent expert review as to its adequacy.

The Constitution, Crops Act and the Statutory Instruments Act provide that the public participates in the decision-making process through submission of comments to the Ministry. It is in this spirit that we request the public to participate by submitting their comments to the Ministry through the provided address. The Ministry thereafter, will draft the final Coffee (General) Regulations, 2017 based on adequacy, socio-economic considerations and comments received by the public.

After all considerations and following approval of Parliament, the Ministry shall publish the draft Coffee (General) Regulations, 2017 which shall apply to all aspects of the Coffee Industry.

All interested persons should submit written comments on the draft Coffee (General) Regulations, 2017 and the draft Regulatory Impact Statement using the prescribed public comments form within fourteen (14) days from the date of publication of this Gazette Notice.

The draft Coffee (General) Regulations, 2017 and the draft Regulatory Impact Statement as well as public comments form can be

accessed through the following websites: www.agricultureauthority.go.ke; www.kilimo.go.ke. The draft Coffee (General) Regulations, 2017 and draft Regulatory Impact Statement are also available on request at the Coffee Directorate offices, located on 10th Floor, Coffee Plaza during normal working hours.

There shall be a public forum on 23rd October, 2017 to discuss the draft Coffee (General Regulations), 2017 and comments received to be held at Agriculture and Food Authority Offices (AFA), Tea House, Naivasha Road, off Ngong Road, Nairobi starting at 9.00 a.m.

Send your written comments to either:

The Principal Secretary, State Department of Agriculture, Ministry of Agriculture, Livestock and Fisheries, Kilimo House, Cathedral Road, Box 30028, Nairobi;

or by e-mail: psagriculture@kilimo.go.ke

The Director-General, Agriculture and Food Authority, Tea House, Naivasha Road, off Ngong Road, P.O. Box 37962-00100, Nairobi;

or by e-mail: info@agricultureauthority.go.ke

Dated the 2nd October, 2017.

WILLY BETT,

Cabinet Secretary for Agriculture, Livestock and Fisheries.

GAZETTE NOTICE No. 9974

THE COUNTY GOVERNMENTS ACT

(No. 7 of 2012)

THE COUNTY ASSEMBLY OF ISIOLO

SPECIAL SITTING

PURSUANT to the provisions of Standing Order 27 (4) of the County Assembly of Isiolo Standing Orders, the Speaker of the County Assembly of Isiolo gives notice to Members of the County Assembly and general public that a special sitting of the County Assembly of Isiolo as follows:

Friday, 6th October, 2017 Afternoon Session at 4.30 p.m. at the County Assembly Chambers.

The business before the County Assembly on the special sitting is to consider the Report of Committee on Appointment.


Dated the 5th October, 2017.

HUSSEIN HALAKE ROBA,

Speaker to the County Assembly.

PUBLIC PARTICIPATION MEETINGS

- The Attendance Lists

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 06 OCT 2021	
DAY: Wednesday	
TABLED BY:	Lom
CLERK-AT THE TABLE:	Samuel Kalama

(1)

(2)

0 : 001 2051

STAKEHOLDERS CONSULTED, VENUES AND DATES

The following stakeholders who included farmers, county and national government officials, societies, unions, traders and parliamentarians, associations and consultants in various disciplines as need arose were consulted in the venues and dates indicated below.

Venue	Date	Counties/Group	Contact	Attendance
Agriculture and Food Authority Headquarters	23.10.2017	All Coffee Stakeholders meeting at AFA head office, Nairobi.	Invitation through the Gazette and press releases.	123
Naivasha-Enashipae	29.01.2018 30.01.2018	Governors and their CECs from coffee growing counties.	Invitation by letters and press releases	52
Nairobi-Azure	21.02.2018	Chief Executive Committee Members and Chief Officers from coffee growing counties,	Invitation by letters	62
CRI Kenya Coffee College- Ruiru	28.02.2018	National Coffee Cooperative Union members.	Invitation by letters	43
Mabanga Agricultural Training Centre Bungoma County	02.05.2018	Bungoma, Kakamega, Busia, Trans Nzoia, West Pokot.	Invitation by letters	63
Nakuru Agricultural Training Centre	02.05.2018	Bomet, Nandi, Kericho, Nakuru, Baringo, Uasin Gishu.	Invitation by letters.	47
Chuka-Tharaka Nithi County	02.05.2018	Embu, Tharaka Nithi, Meru.	Invitation by letters.	54
Kisii Agricultural Training Centre	03.05.2018	Kisii, Nyamira, Migori, Homa Bay.	Invitation by letters.	123
CRI Kenya Coffee College- Ruiru	03.05.2018	Kiambu, Machakos, Makueni.	Invitation by letters.	98
Kerugoya-Kirinyaga County	03.05.2018	Kirinyaga, Muranga and Nyeri.	Invitation by letters.	115
CRI Kenya Coffee College-Ruiru	04.05.2018	Millers, warehousemen, marketing agents, traders, Nairobi Coffee Exchange, farmer associations.	Invitation by letters.	71
Murang'a (Union Hall)	08.05.2018	Murang'a.	Invitation by letters.	80
Nyeri (YMCA)	08.05.2018	Nyeri.	Invitation by letters.	48
Trans Nzoia	28.5.2018	Trans Nzoia and West Pokot	Invitation by letters.	87

Venue	Date	Counties/Group	Contact	Attendance
Nandi Hills	28.5.2018	Nandi county	Invitation by letters.	136
Mombasa	28-29 th May 2018	East Africa Tea Traders Association (EATTA Benchmarking with tea industry, tea brokers, a buyer representative and the auction.	Visit by Committee	15
	28 th May, 2019		Visit by Committee, NCE and KCPA	20
Mombasa	29 th May 2018	Stanbic and Equity Banks	Visited by Committee	5
Nairobi – Intercontinental Hotel	13.6.2018	Senators and Members of Parliament in coffee growing region invitation by letters	Invitation by letters	31
Kipkelion Coffee Mills, Kericho County	29 th June 2018	Senator, Members of Parliament, Members County Assembly, County Executive Committee Members, union leaders and individual coffee farmers	Invitation by letters	669
Kutus, Kirinyaga County	30 th June 2018	All coffee stakeholders in Kirinyaga County though press release	Invitation by letters and Radio announcement	140
Parliament building	5 th July 2018	Senate Committee on Agriculture	Invitation by letters	9
Nairobi- Intercontinental Hotel	1 st August 2018	Committee on Delegated Legislation of National Assembly	Invitation by letters	30
Mombasa- Whitesands Hotel	26 th -29 th September 2018	Committee on Delegated Legislation of the National Assembly	Invitation by letters	10
CPA Room, Parliament Buildings	14 th November 2018	Senate Standing Committee on Delegated Legislation	Invitation by Senate	11
Naivasha Simba Lodge	29 th April to 1 st May 2019	NCE, Kenya Coffee Producers Association (KCPA), COG and IGRTC	Invitation by letters	15
TOTAL 27				2,157

COFFEE SUB-SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

3RD MAY, 2018

FARE REFUND - KIAMBU - KSH-110DD

	Name	ID No.	Tel. No.	County	Institution/Grower No.	Signature
1.	Andrew Kibaga	1315919	0715177715	MKS	0219	[Signature]
2.	Dase M. NZIOK	0665598	0716559717	MKS	ECHEM	[Signature]
3.	THOMAS WAKARA		0721736445	KIAMBU		[Signature]
4.	Peter Karanga	1048544	0723232200	KIAMBU	Buchana A.P. 2511	[Signature]
5.	John Gathara	1071558	072608884	KIAMBU	11	[Signature]
6.	Kimani Njiru	671038	0722276590	KIAMBU		[Signature]
7.	Mandla Kizuko	1460530	0713336405	MACHAKOS	P.F. 0159	[Signature]
8.	Miriam M. Muthira	112208	071686014	KIAMBU	KIAMBU	[Signature]
9.	Sony K. K. K.	127912	0722245376	KIAMBU	Shikika	[Signature]
10.	Paul M. M. M.	3114821	072552836	KIAMBU	Thurika	[Signature]
11.	Stephen Kapiyo	127249	0722286552	KIAMBU	KIAMBU	[Signature]
12.	Peter M. M. M.	1904321	0721263715	KIAMBU	Nyamisi CAFE	[Signature]
13.	James Njiru	1126235	071722222	KIAMBU	NYAMISI XAADO	[Signature]
14.	James K. K.	305179	073716458	MACHAKOS	KIAMBU	[Signature]
15.	Georgy Muthira	0536436	07207751	MACHAKOS	KIAMBU	[Signature]
16.	Benard Muthira	020723621		MACHAKOS	0201 KIAMBU	[Signature]
17.	Benard Muthira	2566865	075273620	MACHAKOS	KIAMBU	[Signature]
18.	Benard Muthira	5067608	0728715107	MACHAKOS	KIAMBU	[Signature]

	ID NO	TEL.	COUNTY	COOPERATIVE	SIGNATURE
19.	JOSHUA KIDIKO	07423649	0712945120	N.MITABONI	
20.					
21.	Joseph K. Mutua	706048	0702607700	Kakumene	
22.	F.K. Mutua	306588	072436312	MUSILU	
23.	RONES MUTHI	504243	0724772040	MUSILU	
24.	ROBERT M. NZAU	152360	0727204194	MUSILU	
25.	Paul N. Masika	1332041	0712128920	MUSILU	
26.	JOSUA K. MATHIA	1056818	072636668	KARUGU	
27.	JOSEPH K. MATHIA	2983431	0725079737	KARUGU	
28.	DAVID S. MATHIA	2095076	0716522830	KARUGU	
29.	PAUL M. MATHIA	6051362	0710361543	MUSILU	
30.	BENJAMIN MATHIA	1122564	0725192022	KARUGU	
31.	JOHN M. MATHIA	2957424	0726213050	KARUGU	
32.	MUA MATHIA	10969722	0716128920	MUSILU	
33.	FLORENCE MATHIA	489153	0701036393	MUSILU	
34.	GEORGE MATHIA	2076470	0721316170	KARUGU	
35.	JAMES K. MATHIA	1051717	071930125	KARUGU	
36.	JAMES K. MATHIA	1057814	0715282465	MUSILU	
37.	MARY MATHIA	1076739	0714135988	KARUGU	
38.	MATHIA MATHIA	1076739	0720503030	KARUGU	
39.	MARY MATHIA	0726731	0729154141	KARUGU	
40.	ABRAHAM I. KIMWA	023094	072036868	KARUGU	
41.	JACK NYAROG	074623	072299525	KARUGU	
42.	CHARLES NYAROG	075169	072968455	KARUGU	
43.	SAMUEL NYAROG	345460	072231168	KARUGU	
44.	GEORGE NYAROG	629777	0714522115	KARUGU	
45.	JOHN KAMUNDA	430368	0721775498	KARUGU	
46.	GEORGE NYAROG	070383	0717352136	KARUGU	
47.	JOHN W. NYAROG	0711815	0701463911	KARUGU	
48.	MILWA NYAROG	485512	0713562977	KARUGU	
49.	JOSEPH M. NYAROG	206444	0722641046	KARUGU	
50.	GEORGE NYAROG	4438062	0726844237	KARUGU	
51.	WALTER NYAROG	4438062	0725361933	KARUGU	

	NAME	ID NO	TEL NO	COUNTY	COOPERATIVE	SIGNATURE
52.	DAVID N. MBITHI	503534	0724518590	MAENAKOS	KAKUYUNI	
53.	KEA K. Otho	336592	0721965064	KBU	KATHINGA	
54.	S. N. K. K. K. K.	334046	0723715592	ICB	HEMELI KAMODI	
55.	ANDERSON W. W. W.	403234	0722403102	KBU	NGRANG KONDHIA	
56.	Charles N. N. N.	298568	0716219060	MACHAKOS	Kasungu	
57.	SAMUEL W. K.	591820	071040922	MKS	Katunga	
58.	JACOB M. M.	051363	0732492532	MKS	Kilatauri	
59.	NICHOLAS M. M.	0700452	072151321	MKS	Kulaleni	
60.	THEOPHILUS N. N.	626731	0717385485	MKS	Kilaleni	
61.	Charles N. N.	072651	071012898	MKS	Kilaleni	
62.	JOHN W. W.	11734025	0718010222	MKS	N. M. M.	
63.	JOSEPH K. K.	0890295	0703782872	KBU	RUTHO	
64.	ALAN W. W.	569935	072166176	KBU	Shukela	
65.	Abraham Thombi	342236	072164325	KBU		
66.	MORRISON BOPE	10925181	0723270804	KBU	Jamakea	
67.	Peter Kibara	156510	0720770745	Kumira	Sabukela	
68.	Joseph K. K.	923822	0723570824	Machakos	Kumatah K.	
69.	Joseph K. K.	180053	0723570824	MKS	Kumira	
70.	Joseph K. K.	922404	0723570824	MKS	Kumira	
71.	Joseph K. K.	07235701	0720727707	MKS	Kumira	
72.	Joseph K. K.	07235701	0720727707	MKS	Kumira	
73.	Joseph K. K.	0320819	0720410211	Machakos	Wadale farm	
74.	Joseph K. K.	146107358	07229241515	KBU	Kumira	
75.	Joseph K. K.	0724202	07229241515	Kumira	Kumira	
76.	PETER K. K.	18219415	0724-870011	KBU	TOOTH GROUP - SHANIA	
77.	Joseph K. K.	3107282	0722316527	KBU	Ngwira/Kondhia	
78.	Joseph K. K.	07235701	0723570824	KBU	C. I. M. T. K.	
79.	Joseph K. K.	07235701	0723570824	KBU	Kumira	
80.	Joseph K. K.	07235701	0723570824	KBU	Kumira	
81.	Joseph N. N.	1831247	072136466	KBU	Kumira	
82.						
83.						
84.						



COFFEE SUB-SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

3RD MAY, 2018

FARE REFUND - KIAMBU - KSH 1000

	Name	ID No.	Tel. No.	County	Institution/Grower No.	Signature
1.	Andrew Kibaga	1315994	0715177725	MKS	0219	[Signature]
2.	Rose N. Nzioki	1145598	0716555972	MKS	PCUWU	[Signature]
3.	THOR WAMBA		071734445	KIAMBU		[Signature]
4.	Peter Karanga	10148544	0723523200	KIAMBU	Buchana A.P. 01511	[Signature]
5.	John Gathara	1014558	072668884	KIAMBU		[Signature]
6.	Kimani Njiru	671038	0722276592	KIAMBU		[Signature]
7.	Maria Kisiiko	1460530	0713326405	MACHAKOS	BF 0159	[Signature]
8.	Miriam M. Muthira	112228	0711686814	KIAMBU	Kapene	[Signature]
9.	Szaburg Kibira	187912	0722284572	KIAMBU	Shikika	[Signature]
10.	Paul Mwangi	311481	072552836	KIAMBU	Thirika	[Signature]
11.	Stephen Kagoiyo	127249	0722288552	KIAMBU	Nyambisi 01511	[Signature]
12.	Eric M. Mwangi	1904324	0721263715	KIAMBU	Nyambisi 01511	[Signature]
13.	Sydney Mwangi	1126235	071722222	KIAMBU	Nyambisi 01511	[Signature]
14.	Grace Kariuki	305179	072376458	MACHAKOS	KAKUWUNI	[Signature]
15.	Georgy Mwangi	053663	07207755	MACHAKOS	Kakunguni	[Signature]
16.	Bernard Mwangi	028	0722288552	MACHAKOS	01511	[Signature]
17.	Bernard Mwangi	2566565	07527362	MACHAKOS	KAKUWUNI	[Signature]
18.	Bernard Mwangi	5067608	072845104	MACHAKOS	KAKUWUNI	[Signature]

	NAME	TEL.	COUNTY	COOPERATIVE	SIGNATURE
19.	Jephthah KIDIKO	0742369717	NAIKS	N.M.T.A.BONI	[Signature]
20.					
21.	Joseph K. Kibuka	0726080700	NAIKS	Kakuyuni	[Signature]
22.	Fik. Kibuka	0725363125	NAIKS	Senge	[Signature]
23.	AGNES MURITHI	0724772040	NAIKS	MUSILILI	[Signature]
24.	ROBERT M. NZAU	0727204196	NAIKS	MUSILILI	[Signature]
25.	David N. Muriu	0712128481	NAIKS	MUSILILI	[Signature]
26.	JOSEPH K. MUTHIA	072636668	NAIKS	KARUNG	[Signature]
27.	JOSEPH K. MATHIA	0725297737	NAIKS	KARUNG	[Signature]
28.	DAVID S. MATHIA	0716582830	NAIKS	KARUNG	[Signature]
29.	DAVID M. MATHIA	0710361543	NAIKS	MUSILILI	[Signature]
30.	JOSEPH K. MUTHIA	0725297737	NAIKS	KARUNG	[Signature]
31.	JOSEPH K. MUTHIA	072636668	NAIKS	KARUNG	[Signature]
32.	Ngo Mathia	0716582830	NAIKS	KARUNG	[Signature]
33.	Florence Muthia	0710361543	NAIKS	MUSILILI	[Signature]
34.	JOSEPH K. MUTHIA	0725297737	NAIKS	KARUNG	[Signature]
35.	JAMES K. KATSO	0710361543	NAIKS	MUSILILI	[Signature]
36.	JAMES K. KATSO	0710361543	NAIKS	MUSILILI	[Signature]
37.	Mary Wanjiku	0710361543	NAIKS	MUSILILI	[Signature]
38.	Mary Wanjiku	0710361543	NAIKS	MUSILILI	[Signature]
39.	Mary Wanjiku	0710361543	NAIKS	MUSILILI	[Signature]
40.	Arphaxad I. KIMWU	0720365863	NAIKS	ROWAKI	[Signature]
41.	Teddy Njoroge	0720365863	NAIKS	ROWAKI	[Signature]
42.	Charles K. Muthia	0720365863	NAIKS	ROWAKI	[Signature]
43.	Charles K. Muthia	0720365863	NAIKS	ROWAKI	[Signature]
44.	GEORGE MUTHIA	0720365863	NAIKS	ROWAKI	[Signature]
45.	John Kamen	0720365863	NAIKS	ROWAKI	[Signature]
46.	GEORGE MUTHIA	0720365863	NAIKS	ROWAKI	[Signature]
47.	JOHN W. MUTHIA	0720365863	NAIKS	ROWAKI	[Signature]
48.	Muthia K. Muthia	0720365863	NAIKS	ROWAKI	[Signature]
49.	JOSEPH K. MUTHIA	0720365863	NAIKS	ROWAKI	[Signature]
50.	JOSEPH K. MUTHIA	0720365863	NAIKS	ROWAKI	[Signature]
51.	WALTER K. MUTHIA	0720365863	NAIKS	ROWAKI	[Signature]

	NAME	ID NO	TEL NO	COUNTY	COOPERATIVE	SIGNATURE
52.	DAVID N. MBITHI	503554	072458590	MACHAKOS	KAKUYUNI	
53.	PRC K. K. K. K.	336592	0721963064	KBN	KATHINGA	
54.	S. N. K. K. K.	374046	072071590	KBN	KSEWATI/COMODIA	
55.	ANDERSON WANGICHU	443240	0722403102	KBN	Ngwara/Komothai	
56.	CHRISTINE A. MUTHIA	298568	0716219060	MACHAKOS	Kasungu	
57.	SAUL W. K. K.	051140	0710009937	MKS	KATHINGA	
58.	JACOB MANGUJI	051365	0733492532	MKS	KILATANI	
59.	NICHOLAS MUMU	0700152	0721511321	MKS	KULALANI	
60.	JUSTUS N. MUKI	0267354	0727884855	MKS	KILALANI	
61.	CHARLES MUKI	0722652	071012898	MKS	KILATANI	
62.	JOHNSON MUKI	1173465	0718010222	MKS	N. MUKI	
63.	JOSEPH K. K. K.	0890295	0708782872	KBN	RUTHO	
64.	ALVIN K. K.	569925	072166176	KBN	MUKI	
65.	KIBURU THOMAS	3472230	0721643252	KBN		
66.	MORRISON BOPE	1092578	0723270804	KBN	JAMUKO	
67.	PETER KIBARA	1546510	0720720708	KAMUKIA	KAMUKIA	
68.	PETER K. KIBARA	923822	072333733	MACHAKOS	RUMATOKI	
69.	DAVID KIBARA	140083	072333733	MKS	KAMUKIA	
70.	BARBARA MUKI	922404	0720720708	MKS	KAMUKIA	
71.	CHARLES MUKI	0723370	0720727757	MKS	KAMUKIA	
72.	MACHAKO KIBARA	2733570	0720727757	MKS	KAMUKIA	
73.	JOSEPH MUKI	0320819	0720410211	MACHAKOS	WABAKI JAMUKIA	
74.	JOSEPH MUKI	146102358	0723241515	KBN	KAMUKIA	
75.	JOSEPH MUKI	7242902	0733273577	KAMUKIA	Office 2. MACHAKOS	
76.	PETER MUKI	1321945	0726870011	KBN	YOUTH GROUP - WABAKI	
77.	JOSEPH MUKI	3107282	0722316527	KBN	Ngwara/Komothai	
78.	JOSEPH MUKI	9115709	0716222023	KBN	KAMUKIA	
79.	JOSEPH MUKI	923822	071607257	KBN	KAMUKIA	
80.	NILSON K. K.	0231513	0720527105	KBN	KAMUKIA	
81.	JOSEPH NGUGI	11831247	0721344466	KBN	KAMUKIA	
82.						
83.						
84.						



COFFEE SUB-SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

3RD MAY, 2018

FARE REFUND - KIAMBU - KSH 1000

	Name	Id No.	Tel. No.	County	Institution/Grower No.	Signature
1.	Andrew Kiboso	131579	0715177725	MKS	0219	[Signature]
2.	Rose N. Nzioki	114558	07145554712	MKS	ECHEM	[Signature]
3.	TRIP WIMBARA		0721334445	KIAMBU		[Signature]
4.	Peter Karanga	1011854	072523200	KIAMBU	Ruchana A. G. S. L. H.	[Signature]
5.	John Gathara	10713558	072668884	KIAMBU		[Signature]
6.	Kiwayanyi Nwaga	671038	0722376590	KIAMBU		[Signature]
7.	Maria Kisuke	1460536	0713336405	MACHAKOS	PF 0159	[Signature]
8.	Mariam M. Muthwa	112222	0711646414	KIAMBU	Kapene	[Signature]
9.	Spencer K. K. K.	132912	0722244572	KIAMBU	Shikika	[Signature]
10.	Paul Mwangi	3111481	072552836	KIAMBU	Thirika	[Signature]
11.	Stephen Kagerio	127249	0722288853	KIAMBU	Thirika	[Signature]
12.	Geck M. Wanjau	190472	0722266715	KIAMBU	Thirika	[Signature]
13.	James Ndungu	112222	071732322	KIAMBU	Thirika	[Signature]
14.	James K. K.	304179	072576458	KIAMBU	Thirika	[Signature]
15.	Georgy Muthwa	053648	072227751	KIAMBU	Thirika	[Signature]
16.	Bernard Muthwa	022	0722266715	KIAMBU	Thirika	[Signature]
17.	Bernard Muthwa	256686	071527362	KIAMBU	Thirika	[Signature]
18.	Bernard Muthwa	506760	0722244572	KIAMBU	Thirika	[Signature]

ID NO	TEL	COUNTY	COOPERATIVE	SIGNATURE
19.	50423690712948100	NKS	N.MITABONI	[Signature]
20.				
21.	3020408 072260700	MKS	Kakuyuni	[Signature]
22.	3065832 072436312	MKS	Senge	[Signature]
23.	5042369 0724777040	MKS	Musilihi	[Signature]
24.	15023009 0727204196	MKS	MUSILILI	[Signature]
25.	13523041 0712128482	MKS	Musilele	[Signature]
26.	1096818 072636668	MKS	Karungu	[Signature]
27.	2984241 672527937	NKS	Kabingo	[Signature]
28.	3095876 0716582820	NKS	Karungu	[Signature]
29.	6051362 0710361543	NKS	MUSILILI	[Signature]
30.	1122564 0721092622	MKS	Kuyek Kinyu	[Signature]
31.	39574247 0726233050	Kiambu	Buchawa	[Signature]
32.	10969722 0711235920	MUSILILI	NUNYATI	[Signature]
33.	4891513 0721038633	Musilele	Musilele	[Signature]
34.	2056410 0721316170	Kiambu	MUSILILI	[Signature]
35.	1061710 071195125	Kiambu	NEMBU FCS	[Signature]
36.	1487810 0715282665	MUSILILI	MUSILILI	[Signature]
37.	10267359 0710435588	Kiambu	Kiambu	[Signature]
38.	10267359 0710435588	NKS	MUSILILI	[Signature]
39.	5126731 072915404	Kiambu	Kiambu	[Signature]
40.	0220094 072036863	Kiambu	AROWAKI	[Signature]
41.	07267359 072079525	Kiambu	MUSILILI	[Signature]
42.	07267359 072079525	MUSILILI	MUSILILI	[Signature]
43.	07267359 072079525	Kiambu	MUSILILI	[Signature]
44.	07267359 072079525	Kiambu	MUSILILI	[Signature]
45.	07267359 072079525	Kiambu	MUSILILI	[Signature]
46.	07267359 072079525	Kiambu	MUSILILI	[Signature]
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50.	07267359 072079525	Kiambu	MUSILILI	[Signature]
51.	07267359 072079525	Kiambu	MUSILILI	[Signature]

	NAME	ID NO	TEL NO	COUNTRY	COOPERATIVE	SIGNATURE
52.	DAVID N. MBITHI	5083574	0724918890	MAHAKOS	KAKUYUNI	
53.	KEE K. thego	3365992	0721965064	KBV	KATHINGA	
54.	S. N. KURIA (P)	3360446	0720715492	ICB	NGEMBI KEMOITHA	
55.	ANDERSON WATWUTI	4034340	0722403102	KBU	NGEMBI KEMOITHA	
56.	Chumbe N. Mutua	298568	0716219060	MACHAKOS	Kasungu	
57.	ERIC W. Kora	0511620	070009927	MKS	Kafungu	
58.	JACOB MANGUMU	0513625	0722492530	MKS	Kilatauni	
59.	NICHOLAS MUMU	0700452	0722151321	MKS	Kulatauni	
60.	THOMAS N. MUKS	0267354	0717587485	MKS	Kilatauni	
61.	Charles Mulea	0722657	07012898	MKS	Kilatauni	
62.	JOHN MUMU	11734625	0715010222	MKS	M. MACHAKOS	
63.	JOSEPH K. KEMOITHA	0890895	0708782872	KBU	RUTHO	
64.	ALAN M. KEMOITHA	5093574	072166176	KBU	Amukalen	
65.	Harun Thumbe	3472230	0721692257	KBU	Jamuka	
66.	MORRISON BOPE	1493578	0723270804	KBU	Jamuka	
67.	Peter Kibara	1465570	0720770740	KBU	Jamuka	
68.	Joseph K. Kibara	723822	0723370824	MKS	Kasungu	
69.	JOHN KIBARA	1465570	0723370824	MKS	Kasungu	
70.	KARIM KIBARA	9222004	0723370824	MKS	Kasungu	
71.	JOSEPH KIBARA	2723701	0720727707	MKS	Kasungu	
72.	JOSEPH KIBARA	2723570	0720727707	MKS	Kasungu	
73.	JOSEPH KIBARA	0320819	0720410211	MKS	Kasungu	
74.	JOSEPH KIBARA	1465570	0723370824	MKS	Kasungu	
75.	JOSEPH KIBARA	7740202	0723370824	MKS	Kasungu	
76.	JOSEPH KIBARA	18219415	0724870011	MKS	Kasungu	
77.	JOSEPH KIBARA	3107282	0722316527	MKS	Kasungu	
78.	JOSEPH KIBARA	7740202	0723370824	MKS	Kasungu	
79.	JOSEPH KIBARA	7740202	0723370824	MKS	Kasungu	
80.	JOSEPH KIBARA	0231513	0722527165	MKS	Kasungu	
81.	JOSEPH KIBARA	18219415	0724870011	MKS	Kasungu	
82.	JOSEPH KIBARA	3107282	0722316527	MKS	Kasungu	
83.	JOSEPH KIBARA	7740202	0723370824	MKS	Kasungu	
84.	JOSEPH KIBARA	7740202	0723370824	MKS	Kasungu	









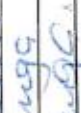








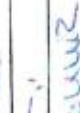
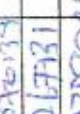







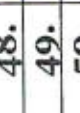




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1.	Andrew Kibuka	1315974	0715177725	MKS	0219	[Signature]
2.	Prose N. Nziok	1145588	0716554717	MKS	PCAMUWY	[Signature]
3.	THOR WIMBA		0717334445	KIAMBU		[Signature]
4.	Peter Karanja	1041854	072322200	KIAMBU	Buchana A.G.E.S.L.T	[Signature]
5.	John Gathara	10713558	072668854	KIAMBU		[Signature]
6.	Kimani Nduwa	671038	0722276593	KIAMBU		[Signature]
7.	Mandla Kibuka	1460536	0713326405	MACHAKOS	BF 0159	[Signature]
8.	Miriam M. Muthwa	112228	0711646414	KIAMBU	Kapanga	[Signature]
9.	Sharon Kibuka	132912	0722845774	KIAMBU	Shikika	[Signature]
10.	Paul Mwangi	311481	072552836	KIAMBU	Thirika	[Signature]
11.	Stephen Kigonyo	127249	0720888532	KIAMBU	NOMINATES KIAMBU	[Signature]
12.	Eric M. Mwangi	190432	0722263716	KIAMBU	NOMINATES KIAMBU	[Signature]
13.	James Nduwa	1126235	0717232222	KIAMBU	KAKUYUNI	[Signature]
14.	James Kibuka	304199	072376458	MACHAKOS	KAKUYUNI	[Signature]
15.	Georgy Muthwa	053646	07207755	MACHAKOS	KAKUYUNI	[Signature]
16.	Benard Muthwa	0280725021		MACHAKOS	0041 Kigonyo	[Signature]
17.	Benard Muthwa	2564265	071527362	MACHAKOS	KAKUYUNI	[Signature]
18.	Benard Muthwa	5067608	0728415107	MKS	KAKUYUNI	[Signature]

	ID NO	TEL.	COUNTY	COOPERATIVE	SIGNATURE
19.	JOHAN KIDIKO	0747369	0712948100	N.MITABONI	
20.					
21.	Joseph K. Muthuri	302048	079260700	Kakuyuni	
22.	F.K. Muthuri	306588	0725363125	Senge	
23.	AGNES WABITHI	5042413	072777040	MUSILILI	
24.	ROBERT M. NZAU	1573001	0727204190	MUSILILI	
25.	Paul N. Masika	1353091	0712188981	MUSILILI	
26.	JOHN K. MUTHURI	1056818	072636668	KARUNGA	
27.	ACKBIA K. MATHEKA	2938431	072527937	KARUNGA	
28.	DAVID S. MONG'OO	3095876	0716582830	KARUNGA	
29.	PAUL M. KAMUNGU	6051362	0710361543	MUSILILI	
30.	BENEFACE MUTHURI	11225674	072192627	KAKUYUNI	
31.	JOHN H. MUTHURI	29574249	0726313050	KAKUYUNI	
32.	MUA MALUNGU	10969722	0716128920	MUSILILI	
33.	FLORENCE MURUGI	4891573	0701088373	MUSILILI	
34.	Georgina Muthuri	2676410	0721316170	MUSILILI	
35.	JAMES K. KATSOI	1051727	0711930185	KAKUYUNI	
36.	JAMES K. NZAU	1057850	0715282888	MUSILILI	
37.	MARY WABITHI	1076739	07104135988	KAKUYUNI	
38.	Georgina Muthuri	1076739	07104135988	KAKUYUNI	
39.	Mary Wabithi	9267731	0729154041	KAKUYUNI	
40.	APLIKED I. KIMWU	0230094	0720368832	KAKUYUNI	
41.	JOL NJOROG	0746236	072279528	KAKUYUNI	
42.	Charles Muthuri	635145	0729680455	KAKUYUNI	
43.	Samuel Muthuri	346546	072231168	KAKUYUNI	
44.	GEORGINA MUTHURI	625777	071452915	KAKUYUNI	
45.	John Kamunthu	430388	0721775498	KAKUYUNI	
46.	Georgina Muthuri		0717350236	KAKUYUNI	
47.	JOHN W. MUTHURI	9203833	0701463911	KAKUYUNI	
48.	MURUGA KURUGU	7711815	0713562937	KAKUYUNI	
49.	JOHN M. MUTHURI	485512	0722641046	KAKUYUNI	
50.	Georgina Muthuri	306444	0726885237	KAKUYUNI	
51.	WALTER KIMWU	4438062	0725367932	KAKUYUNI	

	NAME	ID NO	TEL NO	COUNTY	COOPERATIVE	SIGNATURE
52.	DAVID N. MBITHI	335554	0734918890	MAENAKOS	KAKUYUNI	
53.	VERA K. Chege	335592	0721963064	KBU	GATHARU	
54.	S. M. K. U. A. I. P. S.	335594	0721963064	KBU	NGENI/KOMOTIA	
55.	ANDERSON WANGICHU	443234	0722403102	KBU	NGENI/KOMOTIA	
56.	CHRISTINE N. MUTHIA	298568	0716219060	MACHAKOS	KASINGA	
57.	SARIL W. K. D.	0511820	0710409222	MKS	KALILIA	
58.	JACOB Mwangi	051363	0733442532	MKS	KALILIA	
59.	NICHOLAS Mwangi	0700452	0721511321	MKS	KALILIA	
60.	JUSTIN N. MATHIA	0267324	0717584855	MKS	KALILIA	
61.	CHARLES N. MATHIA	0702651	0710128982	MKS	KALILIA	
62.	JOHN MATHIA	11734625	0715010222	MKS	N. MATHIA	
63.	JOSEPH K. MATHIA	08910295	0703782872	KBU	KUTHO	
64.	ALEX M. K. MATHIA	569932	071166176	KBU	KUTHO	
65.	JOHN MATHIA	347222	0721642252	KBU	KUTHO	
66.	MORISAN BOSE	1492581	0723270804	KBU	JAMBO	
67.	PETER K. KATHIA	1465191	0720710704	KUWIBU	KATHIA	
68.	JOHN K. KATHIA	723822	0721511321	MACHAKOS	KATHIA	
69.	JOHN K. KATHIA	1465191	0721511321	MKS	KATHIA	
70.	JOHN K. KATHIA	9222054	0707164644	MKS	KATHIA	
71.	JOHN K. KATHIA	0723891	0720727704	MKS	KATHIA	
72.	JOHN K. KATHIA	2733571	0720727704	MKS	KATHIA	
73.	JOHN K. KATHIA	0320819	0720410211	MACHAKOS	KATHIA	
74.	JOHN K. KATHIA	1465191	0721511321	KBU	KATHIA	
75.	JOHN K. KATHIA	3744202	0733213572	KUWIBU	KATHIA	
76.	JOHN K. KATHIA	13219415	0724687001	KBU	KATHIA	
77.	JOHN K. KATHIA	3107082	0722316527	KBU	KATHIA	
78.	JOHN K. KATHIA	3107082	0722316527	KBU	KATHIA	
79.	JOHN K. KATHIA	3107082	0722316527	KBU	KATHIA	
80.	JOHN K. KATHIA	07231523	0722316527	KBU	KATHIA	
81.	JOSEPH N. MATHIA	11831247	0721642252	KBU	KATHIA	
82.						
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COFFEE SECTOR IMPLEMENTATION COMMITTEE KERUGOYA MEETING 3-5-2018

NAME







P/SO

12/NO

TEL.

EMAIL

SIGNATURE

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COTT SELECTION IMPLEMENTATION COMMITTEE
KERUGOYA MEETING 3-5-2018

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12/10

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COFFEE SECTOR IMPLEMENTATION COMMITTEE KERUGOYA MEETING 3-5-2018

NAME P/SO ID/NO TEL. EMAIL SIGNATURE

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90.	CLEMENT KITEME		7412523	67222670783	Clementkiteme14@gmail.com	
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COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

MEMBERS
SECRETARIAT

COFFEE IMPLEMENTATION COMMITTEE

Date; 4th . May. 2018

Venue; Kenya Coffee College

Names of Participant	Organization	Mobile	Email	Signature
34. SUSAN MAIRA	CSIC	0722895570	Susanwmtine@gmail	Susanwmtine@gmail
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37. JAMES NARITA	CSIC	0715363930	KIKONGA@CSIC.CO.KE	KIKONGA@CSIC.CO.KE
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40. MURRAY T. MURRAY				
41. MURRAY T. MURRAY				
42. SAMUEL KUKUNA				
43. CHARLES MAIRA				
44. ANNEKE ASIDAGA				
45. NARITA NASSIUMA				
46. DR. R. KANDUWA				
47. EMMIL AKUNA				
48. KANGA NYAGA				
49.				








COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

MEMBERS
SECRETARIAT

COFFEE IMPLEMENTATION COMMITTEE

Date; 4th . May. 2018

Venue; Kenya Coffee College

Names of Participant	Organization	Mobile	Email	Signature
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39. JOSEPH T. KIRIGA				
40. M. CLEMENT BITEME				
41. MARY MURUGA				
42. SAMUEL KURIA				
43. CHARLES MAWA				
44. ABRAHAM ASIDAGA				
45. NATHAN NACUWA				
46. DR. K. KARDWA				
47. EMMEL AKUMA				
48. KANGA NYAGA				
49.				

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**2ND CONSULTATIVE MEETING WITH COUNTY EXECUTIVE COMMITTEE MEMBERS, COUNTY
CHIEF OFFICERS AND COOPERATIVES' DIRECTORS AT**

GOLDEN TULIP HOTEL

21st February 2018

REGISTRATION
Reg. Title

No.	Name	County	Telephone	Email
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8.	Peter Makenya	Bungoma	0722922749	mukenyapeter@yahoo.com
9.	Isaiah Chepkwony	Bungoma	0722885990	isaiahchepkwony@yahoo.com
10.	Clement A. Lomaring'oria	Baringo	0725624713	Naduma.clement@gmail.com
11.	Robert Thuo Mwangi		0725325939	vmwangi@gmail.com
12.	James Njoroge	CSIC	0724682220	jeniferjnm@gmail.com
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15.	James Githeko	NYERI	0725855331	JamesGitheko@yahoo.com
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18.	Clement Kilele	CSIC		

**2ND CONSULTATIVE MEETING WITH COUNTY EXECUTIVE COMMITTEE MEMBERS, COUNTY
CHIEF OFFICERS AND COOPERATIVES' DIRECTORS AT
GOLDEN TULIP HOTEL**

REGISTRATION

Title

No.	Name	County	Telephone	Email
1.	Abigail Taabu	Kiambu	0722744132	Director
2.	Aseel Isaac	Uthiru	0724559907	Director
3.	J.M. KARIKI	Rehoboth	0720420584	Director
4.	KWAME N. GAMPSE	Migori	0722285438	CEO
5.	Kennedy M. Mwangome	CSIC - Secretariat	0723287764	Asst. Coordinator
6.	CATHERINE KITHINGI	MERU	0722501116	CO
7.	MATHEW M. IKONTA	NYAMIRA	0722938331	Director
8.	Shirley K.M. Cheptel	Uasin Umba	0722604146	CO
9.	Bonnie Mwangi	Machakos	0722680193	CO
10.	Anthony Kabugi	Global Links	0722715388	CEO
11.	Daniel W. Gitahi	Muranga	0727613307	Director
12.	TOM AKOLO	VIHARA	0722412204	CO
13.	GRACE KIRUI	NAKURU	0723555598	Director
14.	G.K. Melli	CSIC	0722755111	Members
15.	Bernard K. LORER	West Point	0723358763	CEL
16.	JOHN TOWETI	BOMET COUNTY	0715635355	CO
17.	ROBERT A.K. KEITANY	WEST POKOT COUNTY	0720665764	CO
18.	LINDA COSSALUNA	WEST POKOT COUNTY	0728698444	FAIR CEC

**2ND CONSULTATIVE MEETING WITH COUNTY EXECUTIVE COMMITTEE MEMBERS, COUNTY
CHIEF OFFICERS AND COOPERATIVES' DIRECTORS AT
GOLDEN TULIP HOTEL**

REGISTRATION
Designation Title

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10.	KABIGO NGARUA	NAIROBI	0715363730	Kingongua@gmail.com
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12.	DR. VICTOR TANUS	UasinGishu	0711674853	vctanus@yahoo.com
13.	CHARLES SAK ANSA	NYAKURU	0720835923	sakcharles@gmail.com
14.	STANLEY YLEBO	UASINBISHA	0722857918	SKymutai@gmail.com
15.	FRANK ALONG	NY	072344387	frankalong@gmail.com
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17.	DR. ALEXANDER CHIRCHIR	BOMET	0722206921	Alexander Chirchir Chirchir@gmail.com
18.	WILLIAM NYOINJA	W. POKOT	0717869850	ntowid@yahoo.com

**2ND CONSULTATIVE MEETING WITH COUNTY EXECUTIVE COMMITTEE MEMBERS, COUNTY
CHIEF OFFICERS AND COOPERATIVES' DIRECTORS AT
GOLDEN TULIP HOTEL**

REGISTRATION

No.	Name	County	Telephone	Email
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30.	Johnson Waweru	Wajir	0726266628	wesh06@gmail.com
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33.	Paul Mburu	Wajir	0722269119	pmburi@yahoo.com
34.	Mary Mungai	Wajir		
35.	Dr. Joseph Mwangi	Wajir		
36.				

**2ND CONSULTATIVE MEETING WITH COUNTY EXECUTIVE COMMITTEE MEMBERS, COUNTY
CHIEF OFFICERS AND COOPERATIVES' DIRECTORS AT**

GOLDEN TULIP HOTEL

21st February 2018

REGISTRATION
Reg. Title

No.	Name	County		Telephone	Email
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9.	Isaiah Chepkwony	Bungoma	C.D.C.	0722885990	isaiahchepkwony@yahoo.co
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11.	Robert Thuo Nwaga		Member	0725325939	rmgthuo@gmail.com
12.	Jeanette Njiragu	CSIC	CSIC	0724682220	jeanette00@gmail.com
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18.	Clement Kilele	CSIC	CSIC		

**2ND CONSULTATIVE MEETING WITH COUNTY EXECUTIVE COMMITTEE MEMBERS, COUNTY
CHIEF OFFICERS AND COOPERATIVES' DIRECTORS AT
GOLDEN TULIP HOTEL**

REGISTRATION

Title

No.	Name	County	Telephone	Email
1.	Abigail Taabu	Kiambu	0722744132	Director
2.	Asenda Isaac	Uthiru	0724559997	Director
3.	J.M. KARUKI	Recheboko-	0720420584	Director
4.	KWANA M. GAMBELA	Migori	0722285438	CCO
5.	Kennedy M. Mwangome	CSIC - Secretariat	0723287764	Asst. Coordinator
6.	CATHERINE KITHINJI	MURU	0722501116	CO
7.	MATHEW M. IKONTA	MIAMBA	0722938331	Director
8.	Suewa K.M. Cheptel	Ugunja	0722604146	CO
9.	Samuel Mwangi	Machakos	0722680193	CO
10.	Anthony Kabugi	Global Links	0722715368	CEO
11.	Daniel K. Gitahi	Muranga	0727613302	Director
12.	TOM AKOLO	VIHARA	0722457204	CO
13.	GRACE KIRWI	NAKURU	0723555598	Director
14.	G.K. MELI	CSIC	0722955811	Member
15.	Bernard Kidoror	West Pokot	0723358763	CCO
16.	Joby Loweji	BOMET COUNTY	0715655558	CO
17.	ROBERT A.K. KENYAN	WEST POKOT COUNTY	0720665966	CO
18.	Linus CS-ALUNA	WEST POKOT COUNTY	0728698834	FOR CEC

**2ND CONSULTATIVE MEETING WITH COUNTY EXECUTIVE COMMITTEE MEMBERS, COUNTY
CHIEF OFFICERS AND COOPERATIVES' DIRECTORS AT
GOLDEN TULIP HOTEL**

REGISTRATION
Designation Title

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14.	STANLEY YLEBO	UASIN GISHU	CEC	0722857918	SKymutai@gmail.com
15.	Enosh Abung	Ny	CSIC	0723443877	Enoshabund@gmail.com
16.	MANGI MUGAMBI	MERU	CEC	0724908332	MaretaMangi@gmail.com
17.	Dr. Alexander Chirchir	Bomet	C.O	0722206921	Alexander Chirchir Chirchir@gmail.com
18.	WILLIAM NZOINA	W. Pokot	Director	0717869850	Ntowid@yahoo.com

**2ND CONSULTATIVE MEETING WITH COUNTY EXECUTIVE COMMITTEE MEMBERS, COUNTY
CHIEF OFFICERS AND COOPERATIVES' DIRECTORS AT
GOLDEN TULIP HOTEL**











REGISTRATION

No.	Name	County	Telephone	Email
19.	Edward Opariya	TN201A	0724105644	edwardo@opariya.com
20.	Isaac Yavapuo	Wpplaw	0727778108	iyavapuo@gmail.com
21.	BEATRICE THEA	NYER	0721399136	cdampere@yaho.com
22.	Edward Njogo	Kenya	0725742496	edwardnjogo@gmail.com
23.	ADAM N. MAKAYA	KISH	0718248713	makaya@makaya.com
24.	Ismael Ousayro	KISH	0722709382	ismael.ousayro@kisumu.co.ke
25.	Dionisia Mervuaki	Mervu	0710122860	dionisia.mervuaki@gmail.com
26.	NICHOLAS MUCHOKI	EMBU	0723789179	nicholasmuchoki@gmail.com
27.	VALENTINE OLOJATO	Migori	0721460526	valentine@gmail.com
28.	SELLA MUTSOTSO	Bombura	0704204965	sellamutso@proctmail.com
29.	Peter C. Kilel	Bombura	0721554941	kilel.peter@yaho.com
30.	Johnson Waweru	Wundanyi	0726266628	waweru@gmail.com
31.	PAUL NYENJULI	Muranga	0722744223	nyenjulipaul@gmail.com
32.	Diana K. Tanchia	Nyeri	0723957874	dianatanchia@gmail.com
33.	PAUL MUBUNI	Muranga	0722269119	paulmubi@yahoo.com
34.	MARY MURUGI	Nyeri		
35.	DR. JOSEPH KIRIGA	Cher		
36.				

REGISTRATION

GOVERNORS' IN COFFEE GROWING COUNTIES CONFERENCE
VENUE: ENASHIPAI RESORT AND SPA

RETREAT: 30TH JANUARY, 2018

No	Name	Organization & Designation	SIGNATURE
1.	MATHIAS C. WAMJALA	BUNGOMA COUNTY	
2.	Lawrence Nyunga	Nakuru	
3.	MATHEW M. IKONIA	NTAMIRA	
4.	Kilbor Arap TAY WILSON	NANDI	
5.	Pius Cheserele	Elgeyo Marakwet	
6.	SAMUEL YEGO	UASIN GISHU COUNTY CET - HETK, LV 8750	
7.	Julius K. Mwolisi	Bungo	
8.	MARY NZOMO	TRANS NZOIA COUNTY	
9.	VINCENT MAKANGU	Cooperative Bank	
10.	MATTHEW MUKILSU	CMA	

11.	DR ANDREW KARANTIA	CSIC Member	<i>Andrew</i>
12.	Diana Nwachia	Co-Operative Bank	<i>Diana</i>
13.	Dr. Jackson Nt Gutu	AFECM (KINUYAGA)	<i>Dr. Jackson</i>
14.	Evelyn Njue	CO-THAOKAKA NITHI	<i>Evelyn</i>
15.	Prof KARWITHA KIUEN	CEA - MURU	<i>K</i>
16.	Robert O. Okoth	State Department for Trade	<i>RO</i>
17.	LIPAKI GEFFREY	CECM - VERT POKUT	<i>Lipaki</i>
18.	VALENTINE OGBENSA	CECM - MIGORI	<i>V</i>
19.	KENNETH KRENT	CDR - TRANCORWA	<i>K</i>
20.	JEREMIAH NIMBUQUA	CECM - KIAMBU	<i>J</i>
21.	Dr. Doria Nwungja	CECM Busia	<i>D</i>
22.	Pam Kintins	CSIC Nuru	<i>P</i>
23.	Abdour Nwankili	CEC Nwaga	<i>Abdour</i>
24.	ANTHONY MURITHI	NFA	<i>A</i>
25.	Nyega M Kainga	CSIC Researcher	<i>Nyega</i>
26.	G.F. ONJOR OKUO	CECM - ALFBF KISUMU	<i>G.F. Onjor</i>

27	Susan Maoria		CSIC Member	Susanmaoria@gmail.com
28	Maria Muriu		CEE - Manager	MuriuMaria88@gmail.com
29	Samuel Kurió		Deleacher - SDC	Kamvrezant@gmail.com
30	RUTH KIMOSOP		ACCOMPLYING PS SDU	JK: ruter@fahoo.com
31	DR. IMMATULATE NYITHE MATWA		CEC, NAKURU	immaculee.niwaice@gmail.com
32	ANNE NYAGA		CEC - ACP, COOPERATIVES	ahnie.nyagale@gmail.com
33				
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REGISTRATION

GOVERNORS' IN COFFEE GROWING COUNTIES CONFERENCE
VENUE: ENASHIPAI RESORT AND SPA

RETREAT: 29TH JANUARY, 2018

COUNTY EXECUTIVE COMMITTEE MEMBERS \$ 6510

No	Name	Organization & Designation	SIGNATURE
1.	MATHEUS C. WANJARA	CECM-ACIRUWING	
2.	Susan Maura	CSIC MEMBER	
3.	Mary Munga	CSIC Member	
4.	Joseph N. Mburu	CRI	
5.	PROF. KARWITA KIGU	CEC - MERU	
6.	Dr. Elijah K. Gichuru	KARRO - Coffee Res. Inst.	
7.	Lawrence Nzunga	CEC. Agr. Makindu	
8.	Jeremiah Nyeri Mbugwa	CEC AGTC Kiambu	
9.	ANTHONY MURITHI	AFN - HSR	
10.	FELISTAS CHE	PRESIDENCY - JBIHET	

11.	Benson Loktari	COG	BT
12.	Bonan Ousaviru	CEC Agri	BT
13.	Dr. Isabel Wanyuki	CEC Cooperative Member	BT
14.	Miriam Mairu	CEC - Cooperative	BT
15.	Lionel Muriuki	Busia County	BT
16.	Jonathan Karita	co west part	BT
17.	Boris Mwangi	Nyeri County	BT
18.	Anne Sophia Tuma	Embu Embu County/Rep. Governor	BT
19.	Peter Makeni	Kisumu County	BT
20.	Diana Makeni	Co-op Bank	BT
	Mattian Muki	CMA	BT
	MARY NZOMO	Taita Taveta County	BT
	Ayaga M. Kainga	CSIC Researcher	BT

*











Paul Muthara

REGISTRATION

GOVERNORS' IN COFFEE GROWING COUNTIES CONFERENCE
VENUE: ENASHIPAI RESORT AND SPA

RETREAT: 29TH JANUARY, 2018

COUNTY EXECUTIVE COMMITTEE MEMBERS \$ 65161

No	Name	Organization & Designation	SIGNATURE
1.	MATHEWS C. WANJARA	CECM-ALBANY	
2.	Susan Mwangi	CSIC MEMBER	
3.	Mary Munga	CSIC Member	
4.	Joseph N. Mburu	CRI	
5.	PROF KARWITA KIUGU	CEC - MERU	
6.	Dr Elijah K. Gichuru	KARRO - Gilke Res. Inst.	
7.	Lawrence Nzungu	CEC. Agr. Meru	
8.	Jeremiah Nyoni Mbugua	CEC Agric Kiambu	
9.	ANTHONY MURITHI	AFR - HSR	
10.	FELISTAS CHE	PRESIDENCY - ABIHET	

11.	Benson Lokani	COG	BT
12.	Isman Ousavigu	CEC Agr 1	Isman
13.	Dr. Isabel Wangari	CEC Cooperative Member	Isabel
14.	Miriam Maina	CEC - Cooperative	Miriam
15.	LEONARD MURUKUTI	Busia County	Leonard
16.	JONATHAN KAPITA	co west part	Jonathan
17.	PERIS MONGARE	Nyamira County	Peris
18.	Anne Sophia Tshuma	Kenya Embu County Rep. Governor	Anne
19.	Peterson Makeni	Kisumu County	Peter
20.	Diana Macherig	Co-op Bank	Diana
	MATTIAH MUKISU	CMA	Mattia
	MARY NZOMO	TRANS NZOIA COUNTY	Mary
	Ayaga M. Kainga	CSIC Researcher	Ayaga

*



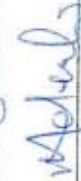







Paul Muthara

REGISTRATION

GOVERNORS' IN COFFEE GROWING COUNTIES CONFERENCE
VENUE: ENASHIPAI RESORT AND SPA

RETREAT: 29TH JANUARY, 2018

COUNTY EXECUTIVE COMMITTEE MEMBERS \$ 6516

No	Name	Organization & Designation	SIGNATURE
1.	MATHEWS C. WANJAKA	CECM-ACIRUWING	
2.	Susan Maura	CSIC MEMBER	
3.	Mary Munga	CSIC Member	
4.	Joseph N. Mburu	CRI	
5.	MRS. KARITHA KIUGU	CEC - MERU	
6.	Dr. Elijah K. Gichuru	KARRO - Coffee Res. Inst.	
7.	Lawrence Nzungu	CEC. Agr. Makindu	
8.	Jeremiah Nyoni Mbugwa	CEC Agrtc Kiambu	
9.	ANTHONY MURITHI	AFR - HSI	
10.	FELISTAS CHE	PRESIDENCY - JIBIKI	

11.	Benson bokani	COG	BT
12.	Bonan Ousaviso	CEC Kari	BT
13.	Dr. Isobel Winyari	CEC, Cooperative Member	BT
14.	Muhamad Maima	CEC - Cooperative	BT
15.	Leonard Mupfema	Busia County	BT
16.	Jonathan Kapita	co West part	BT
17.	Boris Mwangi	Nyeri County	BT
18.	Anne Sophia Tuma	Bomb Embu County/Representative	BT
19.	Peter Makeni	Rep. Governor Kisumu County	BT
20.	Diana Makeni	Co-op Bank	BT
	MATTHEW MUKISI	CMA	BT
	MARY NZOMO	TRANS NZOMI COUNTY	BT
	Nyaga M. Kainga	CSIC Researcher	BT

*

Paul Muthara

COFFEE SUB-SECTOR IMPLEMENTATION COMMITTEE

**CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING
RULES, 2018**

2ND MAY, 2018

REGISTRATION FORM – BUNGOMA

	Name	ID No.	Tel. No.	County	Institution/Grower No.	Signature
1.	CONQUETTA WATKINS	07257884	07257884	BGM	MAYEKWE FCS	[Signature]
2.	DASILICK BARASA	0945548	072849386	BGM	NAMUNGU FCS	[Signature]
3.	WAMAUYA ETIMU	3421744	0712379732	BGM	Bogee Private	[Signature]
4.	SAMUEL MURUGA	0825098	074201959	BGM	SIRISA FCS	[Signature]
5.	PATRIK WATKINS	2058482	0722631020	BGM	CHUMBE FCS	[Signature]
6.	Collins M. Mwangi	2257295	07227063246	BGM	NAMUNGU FCS	[Signature]
7.	JACKSON K. CHIRWA	9955541	0720037992	BGM	NGWIKI FCS	[Signature]
8.	PETER K. NDIEMA	0825385	0720665134	BGM	KASOKISO FCS LTD	[Signature]
9.	SAMUEL SIMIYU	1932786	072667002	KAKAMEGA	KESEROSIT	[Signature]
10.	Pius Kiliu	1936119	0723644210	Kakamega	KESEROSIT FCS	[Signature]
11.	Peter BARASA	2206170	07227063246	KAKAMEGA	NAMUNGU FCS	[Signature]
12.	CELESTINE MATINE	2605170	0722172321	BUNGOMA	SICKET FCS	[Signature]
13.	WYCLIFFE S. S. S. S.	0722172321	0722172321	BUNGOMA	EMANAH FCS	[Signature]
14.	Collins MURUGA	0825098	074201959	BGM	MT. ELON - S.C.O	[Signature]
15.	Daniel W. YACO	1105006	072249955	BGM	Uluo FCS LTD	[Signature]
16.	Stephan N. N. N.	072249955	072249955	BUNGOMA	KAKAMEGA FCS	[Signature]
17.	Leo M. Mwangi	2916110	072249955	BUNGOMA	BARASA W. W.	[Signature]
18.	Tackel Shivanika	6324226	0722345355	Kakamega	Kambiri C.F. SOCIETY	[Signature]

NAME	ID NO.	TELEPHONE NUMBER	COUNTY	NOTATION/GOVERN.	SIGNATURE
19. JIRICA MULYIMBE	1041886	072056659	KARAMEGA	KARAMEGA	Leah
20. WILSON COMMANOIRE	0581065	0726077819	KARAMEGA	ISUKHA FCS	Steward
21. SILVANA WINGMA	2177761	0721761188	BUSIA	COUNTY GOV. BUSIA	Steward
22. ISSANA ACENIA	22444333	0733234228	BUSIA	COUNTY GOV. BUSIA	Steward
23. SAMUEL N. KIKATENYA	759681	07222447499	BUSIA	COUNTY GOV. BUSIA	Steward
24. BERNARD M. WANG'ARA	2345511	0715215420	BUNYAMA	KARAMEGA FCS	Steward
25. JOHNSON TAKU	037475	0714923475	BUNYAMA	BUNYAMA FCS	Steward
26. SIMON M WANDI	0968268	0714044858	BUNYAMA	BUNYAMA FCS	Steward
27. VINCENT MACHAA	8919231	074676576	BUNYAMA	KARAMEGA FCS	Steward
28. Frankie Wabukhe	2321202	0725941802	NIAHARA	AFA	Steward
29. Job Kimani	37493114	0711216222	KARAMEGA	CSIC - Secretariat	Steward
30. Mukeli Peter	2268897	072594688	KARAMEGA	CHAMBA	Steward
31. Temper Ngugi	2468652	0724682220	NIAHARA	CIG. AG OFFICE	Steward
32. Steven Othman	3325513	071712508	NIAHARA	CSIC	Steward
33. ANDREW N. MUYOBO	1971901	0731787150	KARAMEGA	MATETE	Steward
34. Lawrence Othman	327440	0722763672	KARAMEGA	ISUKHA WUGU	Steward
35. BAHUGET MUSA	075849	072124137	KARAMEGA	ISUKHA WUGU	Steward
36. JOHN MAFURA	1385533	07242234231	KARAMEGA	MUYOYORO FCS	Steward
37. MOSES LATERUS	1365267	072576667	BUNYAMA	CHEBICH FCS	Steward
38. PETER W. NDIWIA	1165565	0726391082	BUNYAMA	CHEBICH FCS	Steward
39. SALOMON DNYANGO	0828501	0722390877	VIHIGIA	LUNYERERE	Steward
40. HARBERT ADENGA	1261321	071565421	VIHIGIA	WAMALANDO	Steward
41. FREDRICK JAMBOZA	1084179	0714981113	VIHIGIA	LUNYERERE	Steward
42. SAMUEL N. SIMUYU	999618	074609470	BUNYAMA	KARAMEGA FCS	Steward
43. HARISON MULUNDA	484957	07193707876	BUNYAMA	KARAMEGA FCS	Steward
44. PIILIP DNYAMBO WANG'ARA	1334007	07243224321	BUNYAMA	KARAMEGA FCS	Steward
45. FRED JUMA	9685567	070515342	BUNYAMA	KARAMEGA FCS	Steward
46. ROBERT SIKULU MINGO	1258123	0715576485	BUNYAMA	KARAMEGA FCS	Steward
47. Emili JOLLA	2961142	0714207613	BUNYAMA	SCCD - Wabunga East	Steward
48. BERNARD N. NAMUNINE	051841	0711739071	BUNYAMA	CHEBICH FCS	Steward
49. GIDRAFFE NGOLA	9688345	0729732282	VIHIGIA	BUNYAMA FCS	Steward
50. Timothy Otachi	1292110	074706362	BUNYAMA	Coffee Directorate	Steward
51. TITUS W. WAKALI	11561205	0711342585	BUNYAMA	KARAMEGA FCS	Steward

NAME ID NO TEL NO. COUNTY INSTITUTION SOCIETY SIGNATURE

52.	WINDY NGANDA	30154487	0703223853	BUNGOMA	KANDUKI S.C.D	<i>[Signature]</i>
53.	IRENE Wambale	33250542	0714716343	BUNGOMA	S.C.D - Bumbula	<i>[Signature]</i>
54.	Kaiah Chokwony	6008386	072835990	Bungoma	HAFLIC- Capdapti	<i>[Signature]</i>
55.	CHRISTINE NYONGEJA	5035766	0708442709	BUNGOMA	SIRIA - S.C.C	<i>[Signature]</i>
56.	Milcent Mami	3043 6110	0713274237	BUNGOMA	S.C.D - Kabungu	<i>[Signature]</i>
57.	Patty s Wambale	9997152	0725736839	BUNGOMA	KAPOLA F.C.S LID	<i>[Signature]</i>
58.	EDWARD KISIMBI	2097024	0722022902	BUNGOMA	KIRIMGA 15.C.F	<i>[Signature]</i>
59.	EMANUEL MASUDI	2098362	0715520391	BUNGOMA	CHEPKUBE FCS LTD	<i>[Signature]</i>
60.	Stanislaus Wambani	0638458	0720672222	BUNGOMA	MOALFIC	<i>[Signature]</i>
61.	Amos Mambale	4386232	0729159148	BUNGOMA	SABUR F.C.S	<i>[Signature]</i>
62.	Tom Wambani	1321536	0728442586	BUNGOMA	BUNGOMA-PRIVATE OWNERS	<i>[Signature]</i>
63.	WABOAK Mambale	0721737526		BUNGOMA	Bungoma	<i>[Signature]</i>
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COFFEE SUB-SECTOR IMPLEMENTATION COMMITTEE

**CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING
RULES, 2018**

2ND MAY, 2018

REGISTRATION FORM – BUNGOMA

	Name	Id No.	Tel. No.	County	Institution/Grower No.	Signature
1.	CONQUETTA WATTHA	072577874	072577874	BGM	MAYEKWE FCS	[Signature]
2.	DANIEL BARASA	0945548	072849384	BGM	NAMUNGO FCS	[Signature]
3.	WAMALYA ETIMU	342174	0712379732	BGM	Bosque Private	[Signature]
4.	SAMUEL MUNDIGA	0825098	0714201954	BGM	SIRISA FCS	[Signature]
5.	PATRICK WATTHA	208648	0722631020	BGM	CHUMBA FCS	[Signature]
6.	Colinus m. Wamake	2257298	0727073246	BGM	NAMUNGO FCS	[Signature]
7.	JACKSON K. CHUMBA	945504	0720037992	BGM	NEW-CHUMBA	[Signature]
8.	PETER K. NDIEMA	082535	072065134	BGM	KAROKI 1510 FCS LTD	[Signature]
9.	SAMUEL SIMIYU	1932788	072667602	KAKAMEGA	KOSESOSA	[Signature]
10.	Pius Kitiu	1936109	0723644210	Kakamega	KOSESOSA FCS	[Signature]
11.	Peter BARASA	7896178	0728876819	KAKAMEGA	NAMUNGO FCS	[Signature]
12.	CLIFFORD MATINDI	7896178	0722172321	BUNGOMA	SICKET FCS	[Signature]
13.	MURIEL PETER SHAMBA	07283572	0727478560	BUNGOMA	EMMANUEL FCS	[Signature]
14.	Colinus BUSHU	08114078	070844490	BGM	MT. ELGAN - SCCO	[Signature]
15.	Daniel W. YACO	11015036	0723619855	BGM	Kakamega FCS LTD	[Signature]
16.	Stephan N NAIKET	7896178	0725987407	BUNGOMA	KAKAMEGA FCS	[Signature]
17.	Lesemba MURUKU	981611	072442307	TRANSIA	BARUKA WAMU	[Signature]
18.	TACKER SHIVANDU	6324226	0722345351	KAKAMEGA	Kakamega C.F. SOCIETY	[Signature]

NAME	ID NO.	TELEPHONE NUMBER	COUNTY	NOTATION/QUALITY	SIGNATURE
19. JAFRICA MULYIMBE	10418066	0720526114	KARAMEGA	KARAMEGA	Lebed
20. WILSON CAMMAROER	0581065	0726072819	KARAMEGA	ISUKHA FCS	Obwodo
21. SILVANA WINGWA	2177651	0721761122	BUSIA	COUNTY GOVT. BUSIA	Obwodo
22. ISSANA ACENIA	23445333	0733234212	BUSIA	COUNTY GOVT. BUSIA	Obwodo
23. SAMUEL N. KIKATENYA	7596881	07222447499	BUSIA	COUNTY GOVT. BUSIA	Obwodo
24. BERNARD N. WANGWANGA	23455212	0753234212	BUSIA	BUSIA	Obwodo
25. JOHNSON TAKU	037475	0714923475	BUSIA	BUSIA	Obwodo
26. SIMON M WANDI	0768268	0714044858	BUSIA	BUSIA	Obwodo
27. VINCENT MACHANA	08919231	0740676576	BUSIA	BUSIA	Obwodo
28. Frankie Waki	23412002	0723441802	BUSIA	BUSIA	Obwodo
29. Job Kimani	07493114	0711216022	BUSIA	BUSIA	Obwodo
30. Muteki Peter	2368847	072871482	BUSIA	BUSIA	Obwodo
31. Temper Ngugi	2468652	0724682220	BUSIA	BUSIA	Obwodo
32. Steve Onodi	3325513	071712508	BUSIA	BUSIA	Obwodo
33. ANDREW N. MUYOBO	1971901	0731787150	KARAMEGA	MATETE	Obwodo
34. Lawrence Otiende	3927401	0722623677	KARAMEGA	KARAMEGA	Obwodo
35. Bala M. MUSA	075849	072124137	KARAMEGA	KARAMEGA	Obwodo
36. John MAREGA	1385533	0724234231	KARAMEGA	KARAMEGA	Obwodo
37. MOSES MAREGA	1365867	072576697	KARAMEGA	KARAMEGA	Obwodo
38. PETER W. NDIWA	11455415	0726791082	KARAMEGA	KARAMEGA	Obwodo
39. SOLOMON DNYANGO	0828521	0722390877	KARAMEGA	KARAMEGA	Obwodo
40. HERBERT ADENGA	1251321	0715654211	KARAMEGA	KARAMEGA	Obwodo
41. FREDERICK JAMBA	10841798	0714181112	KARAMEGA	KARAMEGA	Obwodo
42. SAMUEL N. SIMUYU	999618	07466947	KARAMEGA	KARAMEGA	Obwodo
43. HARRISON MULUNDA	4544573	0793707875	KARAMEGA	KARAMEGA	Obwodo
44. PHILIP DNYANGO WANGWA	1334007	0724326321	KARAMEGA	KARAMEGA	Obwodo
45. FRESA TUMA	9685567	070515392	KARAMEGA	KARAMEGA	Obwodo
46. ROBERT SIKULU MAREGA	1250123	0715576485	KARAMEGA	KARAMEGA	Obwodo
47. Emili, 3017A	2961792	0714207613	KARAMEGA	KARAMEGA	Obwodo
48. BERNARD N. NAMUNENE	051841	0711739071	KARAMEGA	KARAMEGA	Obwodo
49. GIDRAFFE NGOLA	9088345	0729732282	KARAMEGA	KARAMEGA	Obwodo
50. Timothy Otachi	12712140	074706362	KARAMEGA	KARAMEGA	Obwodo
51. TITUS W. WAKALI	11561203	071342558	KARAMEGA	KARAMEGA	Obwodo

NAME ID NO TEL NO. COUNTY INSTITUTION SOCIETY SIGNATURE

52.	WINDY NGANGA	30154487	0703223853	BUNGOMA	RANDUJI S.C.C.D	Handwritten signature
53.	LIRENE Wambui	33250542	0714776343	BUNGOMA	S.C.C.D - Bumbula	Handwritten signature
54.	Kaiah Chepkwoy	6008386	0722835990	Bungoma	HALIFIG - Cap. Dept	Handwritten signature
55.	CHRISTINE NYONGEJA	5035760	0708442709	BUNGOMA	SIRRIA - S.C.C.D	Handwritten signature
56.	Milicah Mamil	30436120	0713274337	BUNGOMA	S.C.C.D - Kambungu	Handwritten signature
57.	Patty s Wambui	9997152	0725736839	BUNGOMA	KAPOLA FCS LTD	Handwritten signature
58.	KEWENA KISIRIA	2007942	0722022902	BUNGOMA	KIRIMIGU F.C.F	Handwritten signature
59.	EMAUER MASUDI	2098362	0715520391	BUNGOMA	CHEPKUBE FCS LTD	Handwritten signature
60.	Stanislaus Wambani	0630458	0720672222	BUNGOMA	MDALFIC	Handwritten signature
61.	Amos Mambui	4386232	0729157448	BUNGOMA	SABURI F.C.S	Handwritten signature
62.	Tom Wambui	1327880	0720445550	BUNGOMA	BUNGOMA PRIVATE PARTNERS	Handwritten signature
63.	KHABAK Mambui	0721737530	0721737530	BUNGOMA	BUNGOMA	Handwritten signature
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COFFEE SUB-SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

2ND MAY, 2018

REGISTRATION FORM - BUNGOMA

Name	ID No.	Tel. No.	County	Institution/Grower No.	Signature
1. CONQUEROR WATFAS RUCO	072979874	BGM	MAYEKWE FCS		
2. PATILICK BARASA	072849384	BGM	MAMUNUPULU FCS		
3. WAMALYA ETIMU	0712379732	BGM	Bogee Private		
4. SAMUEL MUKUNDA	0714301954	BGM	SILSIA FCS		
5. PATILICK WATWANG	0722631020	BGM	CHUMALE FCS		
6. Collins m. WANKA	0722951072	BGM	NALLOTONGO		
7. JACKSON K. CHILWA	0720032092	BGM	NGWILIKIKI		
8. PETER K. NDIEMA	0720665124	BGM	KAPSO KISO FCS LTD		
9. SATUL SIMIYU	0722667100	KAKAMEGA	KESEROSA		
10. Pius Kitiu	0723644210	Kakamega	KESEROSA FCS		
11. Peter BARASA	0728876514	KAKAMEGA	MUMUNYONSO		
12. CHLOPHI MATINWE	0722172321	BUNGOMA	SICKET FCS		
13. MUCHIFFE SIKAKU	0727418550	BUNGOMA	EMANAHU FCS		
14. Callias MUMUNYU	0728945495	BGM	MT. ELON- SCCO		
15. KANDEL W. YAKO	0722419955	BGM	KULSI FCS LTD		
16. Stephen N NAIKET	07259787407	BUNGOMA	KAPKURUGO FCS		
17. Leo M. MURUKU	0722442317	BUNGOMA	BORUWA W. W. W.		
18. Tackel Shivananda	0722240355	KAKAMEGA	Kambiri C. F. SOCIETY		

NAME	ID NO.	TELEPHONE NUMBER	COUNTY	INSTITUTION/SOCIETY	SIGNATURE
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20. WILSON COMMANDEIR	0581065	0726077819	KALENJINGO	ISUKHA FCS	Stevens
21. SILVANO WINGIRA	21077601	0721361187	BUNGOMA	MOA	Stevens
22. SUSAN ACANIA	22449330	0733334718	BUSIA	COUNTY GOV. BUSIA	Stevens
23. SAMUEL N. KIKATENYA	759681	07222447499	BUSIA	COUNTY GOVT. BUSIA	Stevens
24. BERNARD N. WANG'ARA	20455112	0715313420	BUNGOMA	KIMUNYONG FCS	Stevens
25. JOSHUA N. TAKU	057475	0714923475	BUNYAMA	BIBAS CO-OP. SOC.	Stevens
26. SIMON M. WANDIGA	968268	0714044898	BUNYAMA	TUKUT	Stevens
27. VINCENT MACHARIA	8917231	0741676576	BUNYAMA	KHACHANU	Stevens
28. FRANKIE WAKHE	23212002	0723441802	NAIROBI	AFA	Stevens
29. JOB KIMANI	37493114	0711216022	KAJIADO	CSIC - Secretariat	Stevens
30. MUKELI PETER	2260597	072571488	KUNYAMA	CHINYAMA	Stevens
31. TEMPER NGUGI	2161652	0724652220	NAIROBI	CIG. AG. OFFICE	Stevens
32. STEVE OTHMAN	3305513	071712508	NAIROBI	CSIC	Stevens
33. ANDREW N. MUYOBO	1971901	0731787150	KAKAMEGA	MATETE	Stevens
34. LAWRENCE OTHMAN	3224001	0727623677	KAKAMEGA	ISUKHA WILKIN	Stevens
35. BILAL M. MUSISI	0758499	072124137	KAKAMEGA	ISUKHA WILKIN	Stevens
36. JOHN MAFULA	1345553	0724224231	KAKAMEGA	MUNYONG FCS	Stevens
37. MOSES CATERBIS	1365867	0725766677	BUNYAMA	CHEBICH FCS	Stevens
38. PETER W. NDUMA	11455465	0726391082	BUNYAMA	CHEBICH FCS	Stevens
39. SOLOMON DNYANGO	07285301	0722390877	VIIHGA	LUNYERERE	Stevens
40. HARBERT ADOLPH	1251882	0715659211	VIIHGA	WAMONDO	Stevens
41. FREDRICK JAMBOZA	10541793	0714181113	NATHICIA	LUNYERERE	Stevens
42. SAMUEL N. SIMUYU	9991615	0715554470	BUNYAMA	KAMUNYONG FCS	Stevens
43. HARRISON MUKUNDA	4584953	0723707875	BUNGOMA	KAMUNYONG FCS	Stevens
44. PHILIP DNYANGO WANG'ARA	14394057	0724324321	BUNGOMA	KAMUNYONG FCS	Stevens
45. FRED JUMA	9685567	0705715392	BUNGOMA	KHACHANU FCS	Stevens
46. ROBERT SIBULU MACHARIA	12501203	0715576485	BUNGOMA	KIMBIRI FCS	Stevens
47. EMILY JOHNS	29611192	0714207113	BUNGOMA	SCCO - webuye east	Stevens
48. BERNARD N. NAMUNINGE	0518461	0711739071	BUNGOMA	CHEBICH FCS	Stevens
49. GIDRAFFE NGOLA	9888345	0729732282	VIIHGA	BUNYONG FCS (IN)	Stevens
50. TIMOTHY OTACHI	12792110	0734706362	BUNGOMA	Co-fee Directorate	Stevens
51. TITUS W. WAKOLI	11561205	0713422585	BUNGOMA	KIMBIRI FCS (IN)	Stevens

	NAME	ID NO	TEL NO.	COUNTY	INSTITUTION	SOCIETY	SIGNATURE
52.	WIMNY HANGA	30154487	0703223853	BUNGOMA	KANDUYI	SCCO	
53.	TRENE Wamulwa	33250542	0714776343	BUNGOMA	SCCO-BUMULA		
54.	Kaiah Chopkuony	6008386	0722835990	BUNGOMA	HAUFIBO-CEP-DEPT		
55.	CHRISTINE NYONGEJA	3030760	0708443709	BUNGOMA	SIRISA - SCCE		
56.	Milcent Mamili	3042620	0713274237	BUNGOMA	SCCO - Kambungu		
57.	Patty s Wambalela	9997152	0725736839	BUNGOMA	KAPOLA FCS LTD		
58.	KWERA KISIRI	2097034	0722022000	BUNGOMA	KIRIMGA 15.C.F		
59.	EMANUEL NASUN	2098362	0715520391	BUNGOMA	CHEKUBE FCS LTD		
60.	Stanislas Wambani	0638458	0720672232	BUNGOMA	MOALFIK		
61.	ANNE Mambali	4386232	0729159148	BUNGOMA	SABUR FCS		
62.	TAM Wambani	1327886	0720447550	BUNGOMA	BUNGOMA-PRIVATE BROTHERS		
63.	KATHARINE Mambani	0721737550		BUNGOMA			
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WAKILU
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COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

COFFEE IMPLEMENTATION COMMITTEE

Date; 3rd. May. 2018

Venue; Kenya Coffee College

RUIRU

Names of Participant	Organization	Mobile	Email	Signature
1. Jacob M. Mangani	Kilalani Farmers	0738718755		
2. Nicholas M. Mwangi	Kilalani Farmers	0724571531		
3. Justus N. Mutiso	Kilalani Farmers	0727887185		
4. Charles M. Mula	Kilalani Farmers	070128939		
5. Alex M. Kureta	Amukuka	072166176		
6. John Kaman Chere	Katika Farm	0721775498		
7. George Karavia Mwachira	Katika Farm	0714529153		
8. Pauline Mwangi M	Tambuka Farm	0726334043		
9. James K. Kaboi	Nembu F.C.S	0711930185		
10. Peter Kihara	Tambuka Farm	0707207070		
11. Morrison Boro	Tambuka Farm	0723270704		
12. George Mwangi Githa	Nembu F.C.S Ltd	0721316170		
13. Titus Mwangi	0727982312	KWA KUNYA		
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COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

COFFEE IMPLEMENTATION COMMITTEE

Date; 3rd May. 2018

Venue; Kenya Coffee College

Names of Participant	Organization	Mobile	Email	Signature
18. John Gakanga M.	BUEHANA FCS	0726088814		
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COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

COFFEE IMPLEMENTATION COMMITTEE

Date; 3rd May. 2018

Venue; Kenya Coffee College









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37. GEORGE M. THRO	KIATANIYA	0717352136		[Signature]
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47. BENSON ALLAH-YA	KASINGA F.C.S	0701646645		[Signature]
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COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

COFFEE IMPLEMENTATION COMMITTEE

Date; 3rd . May. 2018

Venue; Kenya Coffee College

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55. Rose Mwangi	Kenya Coffee College	0714559717	Kenya Coffee College	
56. James K. Mwangi	Kenya Coffee College	0715282565	Kenya Coffee College	
57. Peter Mwangi	Kenya Coffee College	071461614	Kenya Coffee College	
58. Mr. Mwangi P.				
59. Peter Mwangi				
60. Peter Mwangi				
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COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

COFFEE IMPLEMENTATION COMMITTEE

Date; 3rd May. 2018

Venue; Kenya Coffee College






Names of Participant	Organization	Mobile	Email	Signature
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76. Charles M. Muli	KALILUWAT F.C.I	0729-680653	Kaliluwat	
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COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

COFFEE IMPLEMENTATION COMMITTEE

Date; 3rd . May. 2018

Venue; Kenya Coffee College


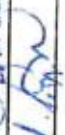







Names of Participant	Organization	Mobile	Email	Signature
98. JOHN KIDKO	N.M. TABANI	0712948100		
99. MUEMBA K. NAMA	"	0713563977		
100. JOHNSON MUSA	N. MUTHBOWI	0715010322		
101. PETER M. KIKWE	NEW MITHBANI FES	0722641046		
102. DAVID				
103. Peter K. Mbugua	George Komallia	0722316527		
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COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

COFFEE IMPLEMENTATION COMMITTEE

Date; 3rd . May. 2018

Venue; Kenya Coffee College

Names of Participant	Organization	Mobile	Email	Signature
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87. KUA WATIMAY	MWATAI	0716 128926		
88. Mary Wanjiku	Kiambaa	0714 443598		
89. Emmanuel Kimen	CDL	0720 717425	Kmenegid	
90. Wania Gic		0721 787976		
91. Olivia Simiyu				
92. Kirigo Ng'andu				
93. Wilfred Thiong'o				
94. Wany Wanjari				
95. Kainaga Nyaga				
96. Dr. Kavanja Wanya				
97. Margaret Ngandu				

in



AGRICULTURE AND FOOD AUTHORITY (AFA)

COFFEE SECTOR IMPLEMENTATION COMMITTEE MEETING TO PREPARE THE RETREAT REPORT HELD ON 18TH JANUARY, 2018
AT COFFEE DIRECTORATE BOARDROOM - FROM 10.00 AM

ATTENDANCE LIST

NO	NAME	DESIGN./ORGANIZATION	MOBILE NO	E-MAIL ADDRESS	SIGN.
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8.	Cecilia Wanyiku M.	Secretary	0726467756	Ceciliawanyiku98@gmail.com	
9.					
10.					







AGRICULTURE AND FOOD AUTHORITY (AFA)

COFFEE SECTOR IMPLEMENTATION COMMITTEE MEETING TO PREPARE THE RETREAT REPORT HELD ON 18TH JANUARY, 2018
AT COFFEE DIRECTORATE BOARDROOM - FROM 10.00 AM

ATTENDANCE LIST

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8.	CECILIA WANGILU M.	Secretariat	0726469756	CeciliaWangili@GMAIL.COM	
9.					
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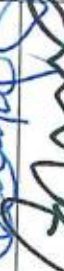






COFFEE SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

28TH MAY, 2018

REGISTRATION FORM --KITALE ~~NANDI~~

MEMBERS

	NAME	DESIGNATION	SIGNATURE
1.	Mam Mungai	CCA	
2.	Wagga Kacunga	Researcher	
3.	Taiy (MK) Wilson	CFC Agenc & Local Dev	
4.	STALIA ROBERT	DIRECTOR COOPERATIVES	
5.	MESHAHA MATHAMUNEN	CO - COOPERATIVE DEV	
6.	PHUL K. BOEN	SUB COUNTY CO-OPERATIVE OFFICER	
7.	HASEN KIPAROP	SUB-COUNTY CO-OPERATIVE OFFICER	
8.	NAKOTSI BURNWELL	Secretary	
9.	OLIVIA N. SIMIYO	Researcher	
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COFFEE SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

28TH MAY, 2018

REGISTRATION FORM – KITALE ~~NANDI~~

MEMBERS

	NAME	DESIGNATION	SIGNATURE
1.	Mam Mungai	CCA	
2.	Wyaga Kachuga	Researcher	
3.	Taiy (MK) Wilson	CEC Agri & Food Dev	
4.	STALIN ROBERT	DIRECTOR COOPERATIVES	
5.	MRS HAZEL MATHAKVEN	CO – COOPERATIVE DEV	
6.	PHILIP K. BOEN	SUB COUNTY CO-OPERATIVE OFFICER	
7.	Hosea KIPARUP	SUB-COUNTY CO-OPERATIVE OFFICER	
8.	NAKOTSU BIRIMWELL	SECRETARY	
9.	OLIVIA NI-SIMIGU	Researcher	
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COFFEE SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

















8TH MAY, 2018

REGISTRATION FORM – NYERI

















	NAME	ID/NO.	TEL. NO.	COUNTY	INSTITUTION/GROWER NO.	SIGNATURE
1.	EDWARD MUCHOKI	3413604	0721225046	NYERI	RUMUKIA F.C.S.	<i>[Signature]</i>
2.	JOSEPH W. M. KIMANI	5502862	0720429805	NYERI	RUTHAKA F.C.S.	<i>[Signature]</i>
3.	JOSEPH KIBARA	0994192	0726594650	NYERI	GRINAPITHI F.C.	<i>[Signature]</i>
4.	JAMES N. GITONGA	7021817	0723534181	NYERI	THIRIYA F.C.S.	<i>[Signature]</i>
5.	PETER KIMANI	7288251	0726322518	LAKH, PIN	NGARUA F.C.S.	<i>[Signature]</i>
6.	DOUGLAS KENYAKO	1383755	0721606120	NYERI	RUGI F.C.S.	<i>[Signature]</i>
7.	JOSEPH KIBARA	0360442	0728620313	NYERI	ALUWA GIKAKU F.C.S.	<i>[Signature]</i>
8.	MARGINAL MATHENGE	2267024	0722-733-158	NYERI	GAKUKU JAMISAO C.S.	<i>[Signature]</i>
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17.	John Ngunjiri	22250342	0738425628	NYERI	Gikanda f.c.s	
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22.	GILBERT G. NGOTIA	3873902	0725336772	NYERI	KIAMA FCS	
23.	DOUGLAS W. NGOTIA	3401600	0725239269	NYERI	NYERI NGOTIA NGOTIA	
24.	Edwin W. Ngugi	6430231	0722908894	NYERI	IRIATHINI FCS	
25.	Pamline Kariuki	516774	0711245442	NYERI	NYERI NGOTIA FCS	
26.	Isaya Kariuki	1096602	0723727772	NYERI	RUTANA FCS	

(3)

NAME	ID NO	TEL NO	COUNTY	INSTITUTION/COOP/ESTATE	SIGNATURE
27. James W. Ndehangu	16011680	07270742	Nyeri	Aguili F.C.S	
28. Mises Nana	11252644	072055402	Nyeri	huhungu Afce.	
29. Kibicho Wanyeki	3370473	0723059735	Nyeri	GIATATTA F.C.S	
30. James Githoh	2210594	072589531	NVCRI	County Directorate of Cooperatives	
31. John Ngunjiri	20731731	0719406182	Nyeri	Tourentals/Standard	
32. Nicholas Koinu	30077705	071233506	Nyeri	JOURNALIST/XM19	
33. David Mavica	5510557	0729050969	Nyeri	Aguili F.C.S	
34. SETH MWANIKI	26170657	07214-07311	Nyeri	JOURNALIST/MENJANA	
35. Tusi Patrick	11850305	072242260	Nyeri	Tourentals/Standard	
36. Samuel Mavica	29269187	071740174	Nyeri	Ndopos army recruitment	
37. Bonface Thuku	2400559	072603306	Nyeri	hthukui@ken-animediv.com	
38. Irene Njogu	33096883	070860452	Nyeri	ideany.wangiro@gmail.com	
39. LIBERTY KIHU	20250098	0722126775	Nyeri	hthukui@ken-animediv.com	
40. WILBER R. GICHU	11875119	071338400	Nyeri	Indad	
41. Wachiwa Wungu	4220245	0722-79964	Nyeri	Baridha F.C.S	
42. Kavuli Njohi	373358	072304984	Nyeri	Kicanda Factory	











NAME	ID/NO	TEL/NO	COUNTRY	INSTITUTION/COOP/ESTATE SIGNATURE
43. KALINGANUYCKI	357048	0723559735	NETA	
44. ROBERT KIRIAH	509118	0725576530	KIRIAH	CSIC
45. Robert Thuo	8688980	0725535939	NETA	CSIC
46. Matthew Mukiso	14685459	0715219364	Member CSIC	CMA/CSIC
47.				
48.				
49. Rosh Offua	1581	0723443187	AN-NBS	AN-N
50. Samuel Kufia	277835	0721373551	CSIC+NBS	SDC-Rep/Rep
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COFFEE SECTOR IMPLEMENTATION COMMITTEE

















CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

8TH MAY, 2018

















REGISTRATION FORM – NYERI

	NAME	ID/NO.	TEL. NO.	COUNTY	INSTITUTION/GROWER NO.	SIGNATURE
1.	EDWARD MUCHOKI	3413604	0721225046	NYERI	RUMUKIA F.C.S.	
2.	JOSEPH W. M. M. M. M.	5502862	0724029905	NYERI	RUTHAKA F.C.S.	
3.	JOSEPH W. M. M. M.	0994192	0726994650	NYERI	GUITHAKA F.C.S.	
4.	JAMES N. GITONGA	7021817	0723534181	NYERI	THIRUKA F.C.S.	
5.	PETER KIMANI	728251	0726322518	LAKIPIN	NGARUA F.C.S.	
6.	DOUGLAS KENYAKO	1383755	0721606120	NYERI	RUGI F.C.S.	
7.	LESTER J. J. J. J.	0360442	0729620313	NYERI	SHARUKA F.C.S.	
8.	MARION M. M. M.	2267024	0722-733-158	NYERI	GAKUKU FARMERS C.S.	
9.	JOSEPH KIBARA	3209823	0722539924	NYERI	MUGAGA F.C.S.	
10.	JOSEPH CHUKA	554638	0720285316	NYERI	GILKANDA F.C.S.	







2

NAME	ID/NO	TEL. NO.	COUNTY	INSTITUTION/ADDRESS	SIGNATURE
11. ELIJAH MWANGI	25195149	0711991331	NYERI	IRIAINI FCS	
12. WABHICIE WAGICHU	7020413	0722508109	NYERI	IRIAINI FCS	
13. PETER MATHUKA	5518120	0711202551	NYERI	GAKHATA FCS	
14. WILLIAM MURUGU	5504507	0707667703	NYERI	THIRIKU FCS	
15. GEOFFREY N. NGURE	517324	0723315920	LAKIPIA	Ngarua College Co-op.	
16. PETER MATHUKA	3207821	0722061037	NYERI	GAKHATA FCS	
17. JOHN NGURE	22250342	0713842562	NYERI	GAKHATA FCS	
18. WALTER MURUGU	1454515	0713842562	NYERI	Rubi FCS	
19. SIMON M. MURUGU	1408335	0711238110	NYERI	GAKHATA FCS	
20. JOHN K. MBIKA	1125080	0719762920	NYERI	MUGAGA FCS	
21. CHARLES N. NGURE	1353838	0719121211	NYERI	KIAMA FCS	
22. JULIET G. NGURE	3873902	0725533677	NYERI	KIAMA FCS	
23. DOUGLAS W. NGURE	3401600	0725533677	NYERI	NEW GIKARA	
24. EDWIN W. NGURE	6430231	072290859	NYERI	IRIAINI FCS	
25. PAULINE KENYI	5106774	0711202551	NYERI	NYERI FCS	
26. ISAYA KETUKU	1096602	0723321774	NYERI	RUBA FCS	

(3)

NAME	ID NO	TEL NO	COUNTY	INSTITUTION/COOP/ESTATE	SIGNATURE
27. James W. Ndehangu	16011680	072707421	Nyeri	Aguhuri F.C.S	
28. Misesi Kama	11258646	072055402	Nyeri	Rutunga A.F.C.	
29. Kariuki Wanyeki	3370473	072305935	Nyeri	GATHATHA F.C.S	
30. James Githuoh	2210564	072589531	NVCRI	County Directorate of Corporation	
31. JOHN MBUTHIA	20731731	0719706182	Nyeri	Tourentatup/Standard	
32. KIMOLAS KENN	30077105	071235806	Nyeri	JOURNALIST/XM19	
33. David Mavica	5510557	0729050969	Nyeri	Aguhuri F.C.S	
34. SETH MURITHI	2610687	072407311	Nyeri	JOURNALIST/MBUTHIA	
35. TOSPLAT KENYAN	11850305	072242260	Nyeri	Tourentatup/Standard	
36. Samuel Mbatia	29269187	071750174	Nyeri	Mbopisanyu Zeynalluon	
37. Bonface Phuka	2403509	072633306	Nyeri	hthukuk@ke-animallia.com	
38. Irene Njuga	33096883	070860452	Nyeri	ideany@wagimwagim.com	
39. LyBATT KIHU	20250098	0722126775	Nyeri	mbopisanyu Zeynalluon	
40. NDERI R. GICHU	11875719	071538400	Nyeri	mbopisanyu Zeynalluon	
41. Mchuma Wungu	2202285	0722199626	Nyeri	David's F.C.S	
42. Kariuki Njuga	373358	072309088	Nyeri	Wander Factory	

NAME ID/NO TEL/NO COUNTRY INSTITUTION/COMP/ESTATE SIGNATURE

43.	KALINGA KATHA	357048	0723559735	NETA	INSTITUTION R.O.S	
44.	Prof. JESHA KATHA	5209178	0725576530	KATHA	CSIC	
45.	Robert Kuro	8688280	0725335739	NETA	CSIC	
46.	Matthew Mukiso	14685459	0716219354	Member CSIC	CMA/CSIC	
47.						
48.						
49.	Rosh Kuma	1581	0723443587	Agar-NES	Agar-D	
50.	Samuel Kufia	2171735	0721373551	CSIC+NEB	SDX-Logistics	
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COFFEE SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

28TH MAY, 2018

REGISTRATION FORM -- KITALE NAKULI

MEMBERS













	NAME	DESIGNATION	SIGNATURE
1.	Mam Mungai	CCO	
2.	Dyaga Kariya	Researcher	
3.	Taiy (MK) Wilson	CFC Agri & Food Dev	
4.	STALIN ROBERT	DIRECTOR COOPERATIVES	
5.	MESHAHA MATHAKKEN	CO - COOPERATIVE DEV	
6.	ATUL K. BOEN	SUB COUNTY CO-OPERATIVE OFFICER	
7.	HASEN KIPAROP	SUB-COUNTY CO-OPERATIVE OFFICER	
8.	NAKOTSU BRUNWELL	Secretariat	
9.	OLIVIA NK SINGU	Researcher	
10.			
11.			

COFFEE SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

28TH MAY, 2018

REGISTRATION FORM - KITALE NANDI

	NAME	DESIGNATION	SIGNATURE
1.	JETHRO LISALITSA	MEMBER	
2.	JEREMIAH KA SEREM	CHAIRMAN KEMELOI FCS	
3.	PETER BOTICH	TREASURER	
4.	JOHN W. SUTHER	CHAIRPERSON	
5.	JAMES KEMEI	MEMBER	
6.	CLEOPHAS MELI	MEMBER	
7.	BARNABE RONO	TREASURER SOUTH NANDI FCS	
8.	MAIYO K. BEI	CHAIRMAN SOUTH NANDI FCS	
9.	EZEKIEL SAMIA	CHAIRMAN KEMELOI FCS	
10.	RICHARD CHEPKWONY	MEMBER TREASURER	
11.	THOMAS SEREM	MEMBER TAUNEI FCS	
12.	RICHARD RUTO	SECRETARY TAUNEI FCS	

13.	ELPHAS TACHAU	SEMPERARY OASIS HONEYEE FCS	Elphas
14.	JOHANN LEBEL	TILKESUNDA OASIS HONEYEE FCS	TH
15.	JOHN KETLICH	PRIVATE FARMER	no.
16.	BENSON R. KESTINGE	PRIVATE FARMER	Blitz
17.	SAMMY K. TOO	PRIVATE PLANTER	Shir
18.	DAVID LANGATI	SECRETARY	aloud
19.	REUBEN K. SELIM	CHARMARE KIPKECHEMERS	Blitz
20.	DAUK KOGA	FARM MANAGER	cooper
21.	PETER K. TOGIM	PRIVATE PLANTER	Blitz
22.	DAVID K. TOHOM	PLANTER	Dagon
23.	KIPKENO BENARD	TORON FCS LTD	Blitz
24.	SAMMY KOGA	KIPKECHEM FCS	Blitz
25.	PAUSCA SEMONEI	SEITOT FCS	Blitz
26.	RUPER TALLAM	KALUNGIERA FCS	Blitz
27.	JOHANN KOGA	GUUNGBEI FCS	Blitz
28.	ALEX KOGA	GUUNGBEI FCS	Blitz
29.	DAVID KIPKOGU	Private Planter	Blitz
30.	SIMON KOGA	Private Planter	Blitz
31.	BENJAMIN KENO	Private Planter	Blitz

32.	WILSON RUJO	PRIVATE	WILSON
33.	JOSEPH TUWEI	"	KUWA
34.	DAVID K. TANU	TORONTO FCS LTD	DAVID
35.	JOHAN K. TOO	PRIVATE PLANTER	DAVIDSON
36.	BARNABA TOGOM	PRIVATE PLANTER	JOHAN
37.	MARCELLINUS SEREM	PRIVATE PLANTER	MARCELLINUS
38.	ENOMAVEK ROTUA	KASACH	ENOMAVEK
39.	JOHN NARIIM	KASACH FCS	JOHN
40.	REUBEN BETT	TUVOBVI	REUBEN
41.	Paul Tanui	Kapono FCS Ltd	Kapono
42.	DAVID K. CATOA	ALUMINUM FCS	DAVID
43.	SAULE KURUI	PLANTER	SAULE
44.	JOEL TARUS	Sub-County Crops Officer	JOEL
45.	CHRISTOPHER SAKWA	OLONGOTI ESTATE	CHRISTOPHER
46.	ELIJAH M. NYANGA	NYANGA ESTATE	ELIJAH
47.	DAVID NUNAKIHE	KAPONO FCS	DAVID
48.	BARNABA RONDO	SOUTH NANGI FCS	BARNABA
49.	MATATO K. BETT	SOUTH NANGI FCS	MATATO
50.	ANTHONY K. TOO	KITA ESTATE	ANTHONY

51.	SIMON SAINA		PRIVATE PLANTER	Simon
52.	Vincent Koin		Kabungeria FCS LTD	AK
53.	Richards KEMBOI		South Nandi/Wandegiri Union	Wandegiri
54.	DAVID KEMBOI		KANNO FCS LTD/SECRETARY	D
55.	THOMAS RUTO		" " " MEMBER	TOP
56.	Francis Tavis		Chairman	Wandegiri
57.	Raymond Chelulei		Estate Farmer	Wandegiri
58.	Joel NGENO		Torotor FCS	Wandegiri
59.	Sammuel Koeche		VICE Chairman Torotor	Wandegiri
60.	Langat Jorich		Secretary Torotor FCS	Wandegiri
61.	Benson MAYO		Estate Farmer	Wandegiri
62.	RICHARDS MGTTO		KABUNGERIA FCS LTD	Wandegiri
63.	Joseph chemungol		Kabungeria FCS	Wandegiri
64.	DAVID SAINA		" " "	Wandegiri
65.	David Kuriqi		Chairman V. Chairman	Wandegiri
66.	Benjamin Lagel		Estate Farmer	Wandegiri
67.	Aspenus Togom		Estate Farmer	Wandegiri
68.	Joel K. Togom		KIPKES FCS. Chairman	Wandegiri
69.	Joshua KEMBOI		KAPKIGA FCS. Member	Wandegiri













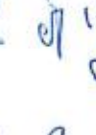



70.	JOHN K. SAINA	CHAIRMAN	Chair
71.	BENJAMIN KASAT	Supervisory Secretary (Kometet)	Chairman
72.	JONATHAN K. SEREM	VICE CHAIRMAN (KOIMET F.C.S)	Chairman
73.	DONALD JEPICATING	MEMBER (KOIMET F.C.S)	DJ
74.	ELPHAS LETING	TREASURER CHEPUNTILU	Chair
75.	ELVIS K. SANG	PRIVATE ESTATE	Chair
76.	Philemon K. Nagel	Chairperson Tashaus Multi-Purpose Co-operative	Chair
77.	David Mengich	Secretary Tashaus Multi-Purpose Co-operative	Chair
78.	Philemon K. -lego	Planter.	Chair
79.	ARDON K. BLY	CHAIRMAN KIBURUO F.C.S	Chair
80.	BARBARA SAINA	Planter	Chair
81.	PHILIP C. KURGAT	TREASURER KAPKUYA MCS	Chair
82.	Daniel K. Logo	Chairman Kabungoria F.C.S	Chair
83.	MURKHAZEH BETI	CHAIRMAN KAPKUYA F.C.S	Chair
84.	JAMES DEAR	Planter	Chair
85.	DETER K. KURGAT	Planter	Chair
86.	PAUL K. SANG	Planter	Chair
87.	RUTH SANG	VICE CHAIR SIGILAI FCS	Chair
88.	SHADRACK LELE Kaila	Estate Farmer	Chair

89.	SUBHAT K. HANGI	SECRETARY KAPSAS FCS LTD	Agal
90.	DIMENON BOY	(VICTORIAN) KAPSAS FCS LTD	was
91.	WILSON SIGMA	TREASURER KAPSAS FCS LTD	was
92.	Jeremiah Sorem	Chairman Kabinas FCS	skan
93.	JAMES LOSLEY	VICE CHAIRMAN KAPSAS FCS	Dimen
94.	CEOPHAS K. TARUS	SBC KIBUKU FCS	Chairman
95.	GEORGE K. BOY	ESTATE FARMER	Chairman
96.	DANIEL SAKWA	ESTATE FARMER	Chairman
97.	Simon WEMBO	ESTATE FARMER	Chairman
98.	RICHARD MABUI	MANAGER KAPSAS FOREIGN C.G.C.S LTD	Chairman
99.	NATHAN NIATGO	TREASURER KAPSAS FCS	Chairman
100.	David K. Chumbe	Chairman Nkalat FCS	Chairman
101.	Philip Kibwot	Member "	Chairman
102.	John KOSARI	MEMBER N.C.S	Chairman
103.	DANIEL KIRWA	Deputy Chairman	Chairman
104.	JOHNUS B. ETI	Vice Chair (Kapsas) Coffee Co-op	Chairman
105.	BETHUEL KUPHANT	Manager, Kapsas Coffee Co-op	Chairman
106.	JOSEPH K. KURUT	Chairman Kapsas FCS	Chairman
107.	MARK C. KURUT	SEC/SARORA FCS	Chairman

1978 Island Kich

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No	Name	Occupation	Phone Number	Signature
109	BENJAMIN KORIR	BAKULE FCS LTD	0714407882	
110	EMERSON SITHINENI	NDAKA FCS LTD	0710206504	
111	DAVID K. ROTICH	TULYOBEL FCS	0722039934	
112	JUNUS LIMBO	KABUNYERIA FCS	0726069688	
113	PHILMON YOGO	NDAKA FCS	0715860141	
114	DANIEL KARIKIA	DRIVER	0724832513	
115	ESAU V. MOHIDI	"	0721301430	
116	HOSEA KAPUR	SCO	0722926205	
117	NEENA K. THAI	SCO		
118	JOSEPH K. THAI	SCO	0723284367	
119	PAUL K. BOEN	SCO	0906323545	
120	RENE OCHUMBA	COMMUNICATOR		
121	TEREKIA JUMBE	C.C.C.		
122	STAN KOSKE	C.C.C.		
123	JOSPH K. MIEL	C.C.C.		
124	DAMIAN K. MIEL	C.C.C.	0723311738	
125	BOBO FUMI	C.C.C.	0713060149	
126	COLLEEN THAI	SCO	0728646283	
127	DICKSON			
128				


















COFFEE SUB-SECTOR IMPLEMENTATION COMMITTEE

**CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING
RULES, 2018**

2ND MAY, 2018

REGISTRATION FORM – NAKURU

	Name	Id No.	Tel. No.	County	Institution/Grower No.	Signature
1.	SAMUEL-K. ROP	24529497	0712100994	KERICHO	Tokaleh KCS Ltd	
2.	SAHILY JOO	7632572	0722345467	ILERIOIT	USCU - LEB.	
3.	Samson K. KOSILO	0322219	0711805078	KEKIROIT	LABUNGOM FCS LTD	
4.	CHARLES O. NYAMUNYA	833372	072252138	NAKURU	AFA - Coffee Directorate	
5.	PETER NIMUNGU CHEGE	0326602	0732777151	NAKURU	AKABUTUI FARM	
6.	GEORGE G. KIRARI	2714101	0720244527	NAKURU	MUTUNGAZI FCS	
7.	PETER CHATGE NUNDA	8319667	0720136982	NAKURU	MUTUNGAZI F.C.S	
8.	EVELINE KAPURU	2272917	0726487783	"	"	
9.	DAVID NGANGA	1692138	0722774136	NAKURU	Mutungati FCS	
10.	PETER N. WANDI	1107826	0722976306	NAKURU	MUTUNGAZI FCS	
11.	ISAAC N. ALLAN	6265733	0727921679	NAKURU	MADRI FCS	
12.	GEORGE M. MUTHIA	2012764	0724759907	NAKURU	SOCAL FCS	
13.	Samuel M. TANDU	152425	0726478773	NAKURU	Samson	
14.	James Mubumu	7027753	0723921340	NAKURU	MUTUNGAZI FCS	
15.	JOSEPH K. BOMBO	3838743	0720471475	KERICHO	N GOING FCS LTD	
16.	LAWRENCE M. SAMMY	1471563	0724774825	BARINGO	AGRICULTURE	
17.	Charles Njenga	1101133	0722335714	NAKURU	CC RAC	
18.	Phillip Muthuri	0850374	0722408178	NAKURU	NAEMU FCS	


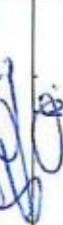













19.	DAVID W. MUCHAI	4281335	0716109987	NAKURU	NDEMU	Ambar
20.	STEPHEN K. LUMBA	6108924	0722985116	RAKODIA	Bump Condo w/p visa	Ambar
21.	JOHN N KIPITALA	1606319	0729286001	BARINDA	TUGEN HILLS FCS	Ambar
22.	SARAH KIPCHUMBA	8708087	0722226845	KARENINGO	BARINGO COOP. UNION	Ambar
23.	BISHOP WILLIAM C KILIT	32946610	0721592255	KARINDA	BARINGO COOP. UNION	Ambar
24.	JOSEPH C. CHESTNUT	10741844	0723245790	BATHING	Santa ESTATE	Ambar
25.	JOSEPH M. THARAKA	3626998	0723394247	NAKURU	JUNAGATI FCS	Ambar
26.	DAVID MACHARIA	3552083	0720373755	NAKURU	KIREMBA FCS	Ambar
27.	Simon Kuma	3554316	0711459922	NAKURU	KUREBA FCS	Ambar
28.	Samuel Mwachia	2030711	073248820	NAKURU	KIREMBA FCS	Ambar
29.	SAMUEL KETAR	24237698	0701608205	KERICHO	SITUO COMPANY	Ambar
30.	GEORGE TIER	13786269	0732981814	KERICHO	ODHIVER ESTATE	Ambar
31.	Ruth Nyambura	11245243	0722733125	NAKURU	Mudungudi	Ambar
32.	GEORGE MUCHERU	2944726	0722173052	NAKURU	NTEMU ESTATE	Ambar
33.	GABRIEL KIMANI	3352074	0731506349	XAKURU	JUMATAU	Ambar
34.	ESTHER MUTHONI	4281187	0725421007	XAKURU	NAEMU	Ambar
35.	MARGRET WABICHA	1107148	0724763829	NAKURU	WIKURIE	Ambar
36.	GREGORY MACHARIA	3668674	0720408962	XAKURU	KITURU	Ambar
37.	DOMINIC NTENGA	10774059	0722409275	NAKURU	NTERIA	Ambar
38.	MARITHA WACHARIA	8894651	0722553965	SOLA	SOLA	Ambar
39.	AMIEL KIPKURU	16204370	0724633513	1	1	Ambar
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COFFEE SUB-SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

2ND MAY, 2018

REGISTRATION FORM - NAKURU

	Name	ID No.	Tel. No.	County	Institution/Grower No.	Signature
1.	SAMUEL K. ROL	3452947	0712100994	KERUGO	TOLSON KOS LTD	
2.	SAMMY JES	7632571	0722345367	KE RUPPO	WESU - LEB.	
3.	STANSON K KOSILO	0322219	0711805079	KERUGO	LEBUEGEM FOS LTD	
4.	CHARLES O NYAMWAYA	8433722	0722252138	NAKURU	AFA - Coffee Directorate	
5.	PETER NIMHWA CHEGE	0326607	0722777751	NAKURU	AKABUFUI FARM	
6.	GEORGE CIKARY	2711101	07220244527	NAKURU	MUNGANI F.C.S	
7.	PETER CHEGE NUNDA	83719667	0720130982	NAKURU	MUTUNGAZI F.C.S	
8.	EVELINE VADUKI	2272717	0726487783	"	"	
9.	DAVID NGANGI	14692138	07222741363	NAKURU	MUTUNGATI F.C.S	
10.	PETER N. WANGI	1107826	0722976304	NAKURU	MUTUNGATI F.C.S	
11.	ISABEL N. ALLAN	6265733	0727981679	NAKURU	MADRI F.C.S	
12.	GEORGE MUMUKU	2012764	0724759907	NAKURU	SOCAL F.C.S	
13.	DANIEL M. TANGI	1524025	072617873	NAKURU	Gumati F.C.S	
14.	JAMES MUMUKU	7027753	0723321340	NAKURU	GUMATI F.C.S	
15.	JOSEPH K. BIONDO	3838943	0720471475	KERUGO	N GANDI F.C.S LTD	
16.	LAURENCE M'SAMMY	1471503	0724774822	BARINGO	AGRICULTURE	
17.	CHAS NGANGI	1101133	0722335714	NAKURU	CC RAC	
18.	PHILLIP MUKOTA	0850374	07222408178	NAKURU	NDEMU F.C.S.	

19.	DAVID W. MUCHAI	428/335	0716109987	NAKURU	NDEMU	MURAI
20.	STEPHEN W. UGUTU	610724	0722985156	RARANGA	BANDI CONGRUP. UNION	Ugutu
21.	JOHN N. KIPITATIA	1606319	0729356001	BARINGO	TUPEN HILLS FCS	Ugutu
22.	SARAH KIPCHUMBA	899852	0722226845	BARINGO	BARINGO CAP. UNION	Ugutu
23.	BISHOP WILLIAM KILIT	3294610	0721592258	BARINGO	BARINGO CAP. UNION	Ugutu
24.	JOSEPH T. CHEBET	1074844	0723245952	BARINGO	SORTO ESTATE	Ugutu
25.	JOSEPH N. THABARA	3686998	0723394447	NAKURU	SUNIASTU FCS	Ugutu
26.	DAVID MACHARI	355283	0720393758	NAKURU	KIREMBA FCS	Ugutu
27.	SHARON KIMANI	3559116	0711459922	NAKURU	KUREBAS FCS	Ugutu
28.	SMUEL MUGENNA	2035717	073248820	NAKURU	KIREMBA FCS	Ugutu
29.	SAMUEL KETAR	2428768	0707608205	KERICHO	SITOU COMPANY	Ugutu
30.	GEORGE YIER	13786367	0737981818	KERICHO	ODHIVER ESTATE	Ugutu
31.	RUTH NYAMBURA	1074792	0722733125	NAKURU	MAJIMANGADI	Ugutu
32.	GEORGE MUCHERI	2944726	0721730152	NAKURU	NTEMU ESTATE	Ugutu
33.	GABRIEL KIMANI	3852079	0731506349	NAKURU	JUMATATU	Ugutu
34.	ESTHER MATHON	4928187	0725421007	NAKURU	NDEMURU	Ugutu
35.	MARGRET WARIKIA	1107418	0724753829	NAKURU	KIKURIE	Ugutu
36.	GREGORY MURUGA	364867	072048842	NAKURU	GITHARA	Ugutu
37.	DONALD NTENGA	10774039	0722909275	NAKURU	NTEKIA	Ugutu
38.	MARTIN MURUGA	989651	0713553465	SOLOA	SOLOA	Ugutu
39.	DANIEL KIPRUPU	1244370	0724632573	1	1	Ugutu
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85.	Amos BET	Trade	Nakuru	Trade Officer	25569135	1104
86.	Leonard Omosi	Trade	'	Driver	2917179	
87.	Daniel Oyangiro	Car. Insp	Nakuru	Car. Insp	0721607873	
88.	Mr Peter Kenyena	Trade	Nakuru	CEC - Trade & Export	0726740018	
89.	Josephine Ng'andu	Trade-Comp	Nakuru	CEO	0722947357	
90.	Frederick Omosi					
91.	Charles O. Njambiri	ATA-G	Nakuru	CAT	0722217136/8633770	
92.	Frederick D.O. Odingo	MDALF	NAKURU	CEED	0710467777	
93.	LAWRENCE M. SAMM	HOAF	KARENIN	DCDA - CRO/A	14715063	
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







COFFEE SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

8TH MAY, 2018










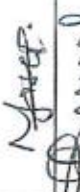






REGISTRATION FORM – MURANG'A

	NAME	ID/NO.	TEL. NO.	COUNTY	INSTITUTION/GROWER NO.	SIGNATURE
1.	JAMES MATHARE	0710059	0724436584	MURANG'A	KARUTHU UHERI	
2.	FRANCIS KAMATI MATHARE	4342987	0720003487	MURANG'A	NEW GATANGA FCS	
3.	Christopher K. Cichay	11004076	0705096137	MURANG'A	MURUKA F.C. SOCIETY	
4.	ATSON LON K. MATHARE	0904104	0725669189	MURANG'A	KANSIRI C. SOCIETY	
5.	WILSON N. KATHUKU	1986705	0728827854	MURANG'A	KATHGRI C. SOCIETY	
6.	JAMES W. NJOESTO	11666701	0724152323	MURANG'A	KIRU F.C.S	
7.	PETER M WANJAN	3606347	0724360780	MURANG'A	NEW KIRITI F.C.S	
8.	MURANG'A	933478	0723339060	MURANG'A	17EGU F.C.S	
9.	SEREMIAH NGOTHO	1716021	0701260066	MURANG'A	KANGUNU	
10.	GEORGE F. DEK	1111111-3602-68	0716190250	MURANG'A	KANGUNU F.C.	

11) NO TEL NO. COUNTY INSTITUTION SIGN

11.	Johanna Njeng	7337569 0710135428	0710135428	Muranga	Kangaroo	SP
12.	STEPHEN MBUCUA	12992944	0724746359	MURANGA	KINOCERAMA FCS	Cher
13.	STEPHEN TITUS	1084938	073631138	MURANGA	NEW HART FCS LTD	SK
14.	JOSEPH GILCOMBY	9176333	072446563	MURANGA	KINOCERAMA FCS	SK
15.	JAMES N HIRANGA	1885393	0721923942	MURANGA	THANJAHI FCS (UNION)	SK
16.	PETER WAREK	7224908	0721851274	MURANGA	KINOCERAMA FCS	SK
17.	B. NDIRUGU	799042	072861188	MURANGA	iyego	SK
18.	Holson Kijuka	0642315	072390007	Murungi	Murungi	SK
19.	SAMUEL KABUTI	3503506	0724306372	MURANGA	NGARARIA AMCS	SK
20.	DAVID M. NDIRUGU	0044127	0728311627	MURANGA	NGARARIA AMCS	SK
21.	William K Ndirug	1028544	0726423116	MURANGA	Kangaroo MAMBA	SK
22.	James RUTLES	1407243	072790057	Muranga	Kangaria FCS	SK
23.	Joshua Mburu	3341247	0724449515	Murungi	Kangaria FCS	SK
24.	BENJAMIN THEA	2913048	0721610954	MURANGA	THANJAHI FCS	SK
25.	MAYAN J.N.	7338373	072001706	MURANGA	COUNTRY GOLF	SK
26.	MARNA MURUGU	0726243	0714443311	MURANGA	MURTHA FCS LTD	SK

NAME ID No TEL No. COMPANY INSTITUTION SIGN

27.	Patricia Kama	0815995	07243950	Muranga	Muranga Univ. F.C.S.	
28.	Wacium Wangari	8754802	0716511529	Muranga	GRKWI F.C.S.	
29.	Faucho Chomba	356378	0715064931	Muranga	Kapungu F.C.S	
30.	S.K. THUKU	0435506	0720935244	MURANGA	DEPT COOPERATIVE	for. 
31.	Doreen Njiri	29724943	0708915360	"	"	
32.	Daniel Citalui	9836587	0707613302	Muranga	Muranga County Government	
33.	David M. Nganga	7551121	0723737423	MURANGA	Muranga F.C.S	
34.	James N. Njiru	3340811	0721365015	MURANGA	"	
35.	Kariuki J. M	23226382	0720171837	Muranga	Agriculture & Marketing	
36.	Joseph Mwangi	31676548	0713297362	Muranga	Agriculture Attachment	
37.	Francis Ngore	1038000	07000508	Muranga	M.F.C.U	
38.	Kimani Kilian	3184691	072266208	MURANGA	Co-op Union	
39.	EABAN. NGUGI	3618444	07254844900	MURANGA	M.C.S. N.D.A	
40.	STEPHAN MURANGA	1507715	0722258085	Kagame	Kagame	
41.	Philip NDEGWA	2183462	0723522624	Kagame	Kagame	
42.	Audrey MACHARIA	1203685	0726969072	MURANGA	MURANGA Union	

NAME

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43.	LOHXY KWAVERI	6573090	6704622148	MURANGA	FM	
44.	WILSON KAMAU	13272854	0720726240	MURANGA	KIAMUNDUA F.C.S	
45.	JOSPHAT N. OTHUKA	2245639	072004155	MURANGA	KATHUUNGU F.C.S	
46.	KINYUA EZRA	2529391	0721323678	MURANGA	KATHU F.C.S. LTD.	
47.	Titus MURUGU	0787842	0707500583	MURANGA	KANG'ENJAIHI F.C.S LTD	
48.	JAMES KIMUNATI K	11620198	0724724386	MURANGA	KIAMUNDUA F.C.S LTD	
49.	JACOB NJOROGE	0203167	0722170956	MURANGA	MUNGAITHI F.C.S LTD	
50.	HENRY M. KARANJA	3676786	0726433021	MURANGA	MURANGA F.C.S	
51.	JOSEPH MURUPA	4843290	0726029027	MURANGA	GAKAYU F.C.S	
52.	EFREMUS GITU	2004051	0723666724	MURANGA	KIRUF.C.S.	
53.	JAMES M. KAMAU	3432326	0727134932	MURANGA	KIEWATURI F.C.S	
54.	JAMES M. KAMAU	9452277	07295451	MURANGA	MURANGA F.C.S	
55.	AMOS IRUNGU KAREGA	2207926	0712152698	MURANGA	MURANGA F.C.S	
56.	JOHN M. NAWATI	8023074	0722936773	MURANGA	KAMITI F.C.S LTD	
57.	PAUL K. NJUGUNA	8578855	0728315795	"	KAMITI F.C.S LTD	
58.	WINFRED W. NOLAN	3526572	0720346174	"	" " "	

NAME ID | NO. TEL NO. COUNTY INSTITUTION SIGN!

59.	Isaiah N. Mugo	21261344	0725444412	Muranga	Kumiti FCSociety	<i>Isaiah</i>
60.	Henry Gachuth	2014339	0723825907	Muranga	Gatungu Kikoo FCS	<i>Henry</i>
61.	N.M. GITHANI	0236578	0722611980	Muranga	Lwarika Muru	<i>Isaiah</i>
62.	Julius MUGANI	3171163	0724471162	Muranga	KARUA FCS	<i>Isaiah</i>
63.	JOHN M. NGUSI	11062442	0725372263	Muranga	Karung FCS	<i>Isaiah</i>
64.	Ravi nyamusi	10847679	0722740023	Muranga	Murugo County	<i>Isaiah</i>
65.	Nwaga' BM	9152937	0724444618	Muranga	Nwaga' County	<i>Isaiah</i>
66.	John Mugo	7338181	0705420066	Muranga	Muranga	<i>Isaiah</i>
67.	DEBBIE WAGARI	27171593	0724201034	Muranga		<i>Isaiah</i>
68.	Bernard Githuku	0621452	0723585579	Muranga	Estate farmer	<i>Isaiah</i>
69.	GEORGE CHEZETHUNG	138440	072176671	Muranga	" "	<i>Isaiah</i>
70.	JOSEPH I. CHEGE	0484912	0722996304	KAMUKU	KAMUKU FCS	<i>Isaiah</i>
71.	Benson Kariki	3584850	0712166516	MURANGA	MURANGA FCS	<i>Isaiah</i>
72.	David Kuman	14420008	0727471221	KWAKUMBO	FCS (H) Murang	<i>Isaiah</i>
73.	S KARANJ	3481377	0727639961	MURANGA	Media (The explorer)	<i>Isaiah</i>
74.	Stephen Mugo	717570	072437507	Muranga	Muranga	<i>Isaiah</i>

NAME	ID NO.	TEL. NO.	COUNTY	INSTITUTION	SIGNATURE
75. Moses Nwambiri	21122076	0724717703	MURANGA	Lanham County	
76. JANE MWAGO	10168219	0720555076	MURANGA	NEW GATURI F.C.J	
77. RANLANS W. NDEGWA	5909288	0722757687	MURANGA	MEN FCL LTD	
78. MURU FRANCIS	0816559	0721621404	MURANGA	MADUMI FCS.	
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COFFEE SUB-SECTOR IMPLEMENTATION COMMITTEE

CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

3RD MAY, 2018

REGISTRATION FORM – KISII

	Name	ID No.	Tel. No.	County	Institution/Grower No.	Signature
1.	ISAIAH M. NDUBI	0708540	0738887717	NYAMIRA	ISAMI ESTATE	ISAIAH
2.	PETER M. JAKA	6897890	0720275728	NYAMIRA	MOROMBA FESITA	PETER
3.	NYAKWANA M. ZEPHANIAH	0353634	0725366193	KISII	NYAKWANA FES	NYAKWANA
4.	ELIAS M. KIRUNGU	8131320	0729716523	KISII	OGERA FES	ELIAS
5.	OMOT J. MCHILLO	1597654	0727098997	KISII	MABONGA CO. FLO39	OMOT
6.	JACKSON N'YALUNDI	7008964	0726163920	NYAMIRA	KEBOBURA ESTATE	JACKSON
7.	JULIUS OMALIDA					JULIUS
8.	DETER ARIKA	0305652	0700106550	NYAMIRA	KEMER P.C.3	DETER
9.	JACK UCHIENG	1527643	0728884763	KARUNHOTA	KARUNBO FES	JACK
10.	KENNEDY OCHIAO	8632105	0728839963	NYAMIRA	KEMER F.C.5	KENNEDY
11.	CHRISTOPHER AGOLA MOJEN	2705873	0722279225	NYAMIRA	OBWARI ESTATE	CHRISTOPHER
12.	STEPHEN MOMANT	10019919	0760960388	NYAMIRA	MOJAS ESTATE - OHS	STEPHEN
13.	ADRIANA A. OCHIAI	1571720	0722471536	NYAMIRA	DESI ARIK	ADRIANA
14.	JACKSON KISIA	1617119	0798537963	KISII	RIASUBA	JACKSON
15.	WILLIAM M. MAREO	0371511	0791522637	KISII	MOJONTO	WILLIAM
16.	CALLES OMOLU	12262635	0714943355	NYAMIRA	MOJONTO	CALLES
17.	FRANCIS OMURAT	1305334	0717453376	KISII	MOJONTO	FRANCIS
18.	CHRISTOPHER KOMB	1184079	0726163920	KISII	NYAKWANA FES	CHRISTOPHER

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ORGAN/SOCIETY

CONTACT

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NAME

19.	SAMSON ONSONG	246038	0720 895288	KISII	NARINDO CFC	
20.	NYABURU A. ALDO	270888	0722735155	NYAMURGI	K-NAMU Sst.	
21.	RAPHAEL MAGANGA	310446	0715731430	KISII	Namungo Pamo A-12	
22.	SILWU OGETE	066732	0720952336	KISII	Npandiko Pamo A-12	
23.	ROBERT OROKOT	655088	0711437122	KISII	NYAMUNDU A FCS	
24.	CHARLES OYARU	416700	0716255276	KISII	DDGONGA FCS	
25.	STEPHEN OGAMBA	655688	0720666666	NYAMURGI	NYAMUNGA	
26.	JOSEPH B. NAMU	133427	0706882167	KISII	KINAGOTO FCS	
27.	STEPHEN ABUKU	846532	0722522663	NYAMURGI	EKEA FCS	
28.	DRUARD	081212	0722922663	NYAMURGI	OCHAMBO	
29.	JACKSON A. MUKUNDA	145332	0713815556	NYAMURGI	EAKA	
30.	Kennedy MURU	724760	0722500157	NYAMURGI	KERUMBE EST	
31.	KOILFELIA ABURU	271532	0715653714	NYAMURGI	MOTODIO FCS	
32.	VINCENT M. KENYANJA	102270	0722421485	KISII	Chuma Coal Communities	
33.	Peter M. MAGEBO	058772	0715441330	KISII	NYAMUNGA FCS	
34.	MICHAEL OBUOLA	161632	0722666510	NYAMURGI	KENYENYA	
35.	DAVID N. MUKUNDA	582530	0714285524	NYAMURGI	KESONS FCS	
36.	KASAMBEI NABUKU	050427	0722724664	KISII	KERUMBE EST	
37.	BARKABAS OYOGI	766167	0730205724	KISII	KELORE ESTATE	
38.	RICHARD FEZODI	584046	0724949126	NYAMURGI	CMA	
39.	KIPATILU MUKUNDA	156868	0715217364	KISII	TCM	
40.	THOMAS OYEMUNDA	997578	0731004228	KISII	EAKA FCS	
41.	THOMAS ABURU	608788	0719350045	NYAMURGI	NAMUNGA FCS	
42.	LAWRENCE OYEMUNDA	13675190	0710418924	KISII	MORONGA FCS	
43.	Julius K. OYEMUNDA	1046682	0724587306	KISII	NYAMUNDU FCS	
44.	ROBERT O'MATUNDU	1624523	0720742265	KISII	MOTODIO FCS	
45.	JOHN M. OYEMUNDA	730212	0725042327	KISII	MOTODIO FCS	
46.	FRANCIS OYEMUNDA	162087	0728978795	KISII	MOTODIO FCS	
47.	Phurien OYEMUNDA	265878	0723313205	KISII	Lyaboe FCS	
48.	JARED M. KENYANJA	2380700	0716795808	NYAMURGI	Githup FCS LTD	
49.	Evance OYEMUNDA	2309447	0720254666	NYAMURGI	MBERA FCS	
50.	JOHN ABURU	1002150	0720674706	KISII	KERUMBE EST	
51.	ZACHARIAH OYEMUNDA	583435	0715024566	NYAMURGI	MBERA FCS	

Name

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52.	EMMANUEL MANDLO	1047789	0791228183	KISII	EMMANUEL	
53.	JAMES M. DICKA	11284926	0710483515	MIGORI	9TUNGU FCS	
54.	JOSEPH NINWA	1338085	0713557834	MIGORI	9TUNGU FCS	
55.	JOSEPH M. MOKO	3827402	0711741373	MIGORI	"	
56.	STEPHEN O'AMUHA	1532113	0722478765	KISII	MUANGI FCS	
57.	MARION RAMANATHAN	2555014	0712250969	MIGORI	KHARABASE FCS	
58.	MWITA M. MABUJA	2527966	0714942313	MIGORI	WANGI FCS	
59.	DANIEL DUKO	0377432	072811957	KISII	KISII UNASH	
60.	JOHN ASIA	0512504	072811957	KISII	KISII UNASH	
61.	JOHN DUNN	1480989	0713157717	Hamabam	SOE FCS	
62.	DESEN O. ASIO	1059963	0721233814	Hamabam	SOE FCS	
63.	CPL DANDA MANGE	1614198	0710980250	KISII	Motono FCS	
64.	JOHN MWITA	3464438	0727657504	MIGORI	BURUKA FCS	
65.	RYAN SAMUEL	2409363	072953320	MIGORI	BURUKA FCS	
66.	NELSON NYAMURU	8333624	0720772244	MIGORI	MUGUWA FCS	
67.	JAMES MAMATI	11356061	0720804815	KISII	YABE FCS	
68.	DAVID MUKI	1260734	0703576350	NYAMIRA	Mugugua FCS	
69.	SAMUEL J. MWITA	7301277	0727012023	MIGORI	BURUKA FCS	
70.	PETER ONSINGO	1763506	0724250950	nyamira	GIRANED FCS	
71.	MATTHEW N. ODENYO	2713850	0710246345	MIGORI	MISAKA FCS	
72.	GEORGE N. O. TATIA	1503924	0728072247	MIGORI	MISAKA FCS	
73.	STEPHEN M. PINDA	2407057	0712475364	MIGORI	MATHEO	
74.	MWITA SAMUEL	11124802	0727411613	MIGORI	Mekutul FCS	
75.	SIMON BURKE	3633026	0712957970	MIGORI	Mekutul FCS	
76.	GEORGE MAREMBE	3654040	072047910	KISII	Grange FCS	
77.	JOSHUA OMBATI	1419500	0719772981	KISII	NYAMUNO PRIME RD	
78.	JOSEPH NINWA	1964251	0719571233	KISII	Mugugua FCS	
79.	JOSEPH NINWA	2128463	072929592	KISII	Mugugua FCS	
80.	OLUOPE HEZERIA	4312028	0720084631	HILBA	SORI FARMERS	
81.	ENOCK ODMONDA	6812995	0715659172	NYAMIRA	DATA MULTI-CORPORATE	
82.	ROBERTA NODIA	6064857	07156544248	NYAMIRA	"	
83.	SAMUEL ODMONDA	0734713	0715705409	NYAMIRA	NYAMIRITE	
84.	DAVID NYAMIRI	0305218	0722401789	NYAMIRI	NYAMIRITE	

NAME	ID	PHONE	COUNTY	ORG/SOCIETY	SIGN
85. SAMSON NYABICHA	1583490	0729958683	KISII	NYANDUKO - FCS	Signature
86. KENNEDY MUGIRE	0379346	0732686841	NYAMIRARA	COUNTY GOVT CDK	Signature
87. JAMES GATUMU MOGENI	7856218	0723077726	KISII	NYAMARANGI FCS	Signature
88. DR. SPILLER	5749924	071933413	KISII	NYAGARA FCS	Signature
89. ERICK OMONIVA	14666825	0725773615	KISII	ATA-CORPUS NIRE	Signature
90. RICHARD B. MURIT	7299799	0716243074	BUNGOMA	Bungoma	Signature
91. PATRICK OMBURA	14524529	0712678742	MUMBA	BUNGOMA FCS	Signature
92. RICKSON OMBURANGI	1357470	072986341	MUMBA	ATERO FCS	Signature
93. HELENE M. O. DUNN	0800000	0716243074	MUMBA	ATERO FCS	Signature
94. ANDREW C. MURRAY	6522777	0716243074	MUMBA	ATERO FCS	Signature
95. M. MUGEN	040876	071027356	MUMBA	KISII FCS	Signature
96. JENNIFER NGUGI	2161682	0724682220	MUMBA	KISII FCS	Signature
97. GERALDINE MURRAY	0639993	072224053	MUMBA	KISII FCS	Signature
98. SAMUEL ABIRI	1582986	0719080088	MUMBA	KISII FCS	Signature
99. JAMES MUGAKA	2621262	0724312469	MUMBA	KISII FCS	Signature
100. JOSEPH C. SINDA	11634835	0715447397	MUMBA	KISII FCS	Signature
101. PHOTAS NYABIGISE	8496867	0728623372	MUMBA	KISII FCS	Signature
102. SYLVESTER N. MATHIAS	151382	0706745894	MUMBA	KISII FCS	Signature
103. JOB OMWENO	2419274	0742278524	MUMBA	KISII FCS	Signature
104. ITA KENNETH J. J. J. J.	20816072	0720709658	MUMBA	KISII FCS	Signature
105. NYAMWENGA ESTHER	2083550	072700-926	MUMBA	KISII FCS	Signature
106. ALEXIS O. OMBURA	1526883	0722279057	MUMBA	KISII FCS	Signature
107. VIKAS O. OMBURA	8253347	0721925566	MUMBA	KISII FCS	Signature
108. CHARLES MOSE	1589518	071981615	MUMBA	KISII FCS	Signature
109. SAMUEL MATHIAS	1584404	-	MUMBA	KISII FCS	Signature
110. JAMES MATHIAS	760586	0721925566	MUMBA	KISII FCS	Signature
111. WILLIAM NYABIGI	-	-	MUMBA	KISII FCS	Signature
112. GREGORY MATHIAS	1113454	0721925566	MUMBA	KISII FCS	Signature
113. PEARL MATHIAS	261793	0727674700	MUMBA	KISII FCS	Signature

114 Paul Okoye
115 E. O. Okafor

7881171
78955629
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Konstantin

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116 - Stanley	1615777	Arling 20691816-071120485	Kenny's
117 - THOMAS	12176641	0709 2011	Kenny's

Leunging Fries

Signature

NAME	ID	PHONE	COUNTY	ORG
BERNICE OYENGO	28985571	0711636850	KISII	COMMODITIES FUND
JOSEPH OYENGO	5834778	0710748792	NYAMINDE	NYABOMITE FCS
GEORGE OBONYO	8773211	0724355837	NYAMINDE	USPA ESTATE
2. Nicholas Ombani	0264432	0712472277	KISII	Nyabombo FCS
3. JOB KIMANI	27493114	0711216022	KARURU	CSIC



CONJUNCTIVE MEETING ON VARIATION OF COSTS INCLUDING RECALCULATION

Thames Rules, 2012

Venue: Thomson County - Chang Hotel

Date: 28/5/18



COFFEE SACCO

Tally into Members
WSS 1205
14h. 3,000/-

NAME	EMAIL	CONTACT	SIGN
1 Samvel Komar	Samvelkomar@yahoo.com	072137399	[Signature]
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5 Dr. Andrew Kerega		0723786988	[Signature]
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10 Christopher Mwangi	Chris@cofmail.com	0725286433	[Signature]
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12 Alfred Mwangi		0703488414	[Signature]
13 Andrew Mwangi		0723394680	[Signature]
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20 Sydi Mwangi	sydi@cofmail.com	0724249981	[Signature]
21 Brian Mwangi	Brian@cofmail.com	0720116111	[Signature]

SUN 1/-
1000/-
SUN 7/-

Dr. Kevin W. Ngonces

2

Coffee Sector - Consultative Meeting on Implementation of Coffee Marketing Regulations & Training Aug 2018

DATE: 28/5/13
Venue - Tanzania Comnet.

CRANES SUITES HOTEL
COFFEE SECTOR IMPLEMENTATION COMMITTEE

	NAME	EMAIL	CONTACT	SIGN
1	JIMMY NAMALWA		0702490304	He
2	JANE N. NGUNYI	jnguny93@gmail.com	0707941952	Thambi
3	Kennedy KIRU KIROI		0726215724	Kirui
4	MURIEL C. KIMWILA		0725088638	AD.
5	MORRIS KIPKODI		0791276958	not signed
6	ELIZABETH KARURI		0722258973	Kirui
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3

28/5/2018.



CRANES
SUITES
HOTEL

- KITHI.

COFFEE SECTOR IMPLEMENTATION

CONSULTATIVE MEETING ON VARIATIONS ON COFFEE INNOVATION REGULATION

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CONFIRMATIVE MEETING ON IMPLEMENTATION OF COFFEE INDUSTRY REFORMS PHOENIX AVENUE, 2018

28/5/2018

Date:

Venue: Phoenix Country



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Regmond Wapula

Samuel Maria

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SamuelMaria@yahoo.com

Contact

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0737788312

0722279137

Signature



Sumaria

1028/2



CONSULTATIVE MEETINGS ON VALIDATION OF COFFEE INDUSTRY REGULATIONS AND TRADING RULES, 2018

2ND MAY, 2018

REGISTRATION FORM – THIRAKA NITHI

Name	ID No.	Tel. No.	County	Institution/Grower No.	Signature	Fare
1. ADRIAN K. AINUN	236946	072170488	MURU	LAKI ESTATE		-500
2. EUSTACE GWEETA	124145	0722526347	T/NITHI	NAKA ESTATE		-500
3. STANLEY KLABURU	249006	0720313033	T/NITHI	TUTINDWA FCS		-500
4. PHINEAS N. MURUGU	787403	0708481982	T/NITHI	TATINA FCS		-500
5. JOSEPH KAAI	885898	07220277	USU MEMU	KIRURU FCS		-500
6. Peter Mburugu	0465648	0738597224	NIEBU	MIRINGA MURU FCS		-500
7. NICASIO N. MURUTHI	07403064	0721687857	EMBU	MWANGI ZAC GROWERS		-500
8. JOSEPH GITUNDI	9795324	0722991968	TNC	NDAGHINI FCS		-500
9. VINUS MURU	947650	072202022	T/NITHI	NEW NKENGENI FCS		-500
10. HIRIAM MURUGU	2372718	0714015620	MURU	KATHETA		-500
11. SAZARO MURUTHI	2138966	0725417033	MURU	LOWER ABAGETA		-500
12. JOSEPH K. NDI	7140660	0722883611	MURU	MUTENO FCS LTD		-500
13. ROSE MURUDIKI	71469309	0710188418	MURU	KARAFAMBU ESTATE		-500
14. JOHN MICHELI	003148	0711552592	T/NITHI	MUTHANETES		-500
15. JUSTIN KIMETHI	13756565	0721962253	MURU	KARAGUA FCS		-500
16. ADRIAN MURUNGU	2539116	0722494508	MURU	MILLINGTON FCS		-500
17. PATRICK K. KUGU	8307446	0723874470	M/N.	MURUGU MURUTHI FCS		-500
18. Ephraim Nkongu	5089295	0721721158	T/NITHI	RIKANKUNU FCS		-500

NAME

ID NO

TEL NO

COUNTRY

INSTITUTION




SIGN

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19.	REX FLIAS KAREN	2462531	0733273227	INTERNATIONAL	KILIMANJARO	500
20.	DANIEL MURUGU	0221061072	072396844	KENYA	CSA	500
21.	SILAS KIMBI	8306369	0729921467	MERU	G. KONGORO FCS	500
22.	PAULINE MAREI	0253079	0720274671	TINITHI	IRISA FCS	500
23.	FELIX MEMIE	2529653	0723866462	MERU	ANINI ESTATE	500
24.	GEORGE M KIMBATI	21377602	0724287230	MERU	KAMUDYA ESTATE	500
25.	NIGERY ZAKARY	13572906	0722222661	MERU	COOP DIVECANATE	500
26.	FIDELIS KATHUNI	41117935	0725222137	TINITHI	MURU FCS	500
27.	JARWHL NJUK	6699224	072557588	EMBU	KAVIARU ESTATE	500
28.	C KAMUNARUTH	7205782	0704148954	EMBU	GIKURUWA	500
29.	ZACHARIAH N. NEARINE	1001799	0723987925	EMBU	KIAMURU	500
30.	GILBERT MURUGU	3721694	0721130846	TINITHI	Rusangu FCS	500
31.	GILBERT MURUGU	9302401	0721477592	TINITHI	KITHIMO FCS LTD	500
32.	GILBERT MURUGU	10540435	0722841916	EMBU	AGRICULTURE	500
33.	GILBERT MURUGU	10540435	0722841916	EMBU	KIVANGA ESTATE	500
34.	GILBERT MURUGU	10540435	0722841916	EMBU	MAT KEMBA FCS	500
35.	GILBERT MURUGU	10540435	0722841916	EMBU	NEW GEMBA FCS	500
36.	GILBERT MURUGU	10540435	0722841916	EMBU	NEW GEMBA FCS	500
37.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
38.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
39.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
40.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
41.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
42.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
43.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
44.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
45.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
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47.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
48.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
49.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
50.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500
51.	CHARLES MURUGU	4343077	0720660049	MERU	KATHERI FCS LTD	500

NAME No. MOBILE NO. COUNTY INSTITUTION SIGN

FARE
BACK
500
500
500/-
20500

52.	STEPHEN KAMAU	140896	072-100050	MOU/THITHI	COFFEE NEGOTIATION	
53.	CHARBANG NDI	91463111	0700-342611	TIAPAYA-NITHI	KIRIBU FARMERS	
54.	AND M. KARIVU	2303427	072-9170840	EMBU	COOPERATIVE	
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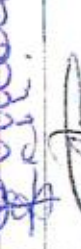


COFFEE REFORMS IMPLEMENTATION MEETING TRANS NATION HALL - CHITRA TOWN ON 02/05/2018

	NAME	ID NO	TEL NO:	DESIGNATION	SIGNATURE
85.					
86.	Susan Maiza	1017570	0722895570	Member	<i>[Signature]</i>
87.	Robert Tumo	868580	0725325935	Member	<i>[Signature]</i>
88.	Robert Kiteme	26114576	0723369061	Member	<i>[Signature]</i>
89.	ROSH O. AKUMA	737635	0723442187	Member	<i>[Signature]</i>
90.	SAMUEL KURIA	2171835	072373951	EXECUTIVE-CSI	<i>[Signature]</i>
91.	LOVEFORD MURITHI	10716701	0720278110	Researcher	<i>[Signature]</i>
92.	MALOTSI BRUMWELL	22789267	0734818943	Secretariat	<i>[Signature]</i>
93.					
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**COFFEE SUB-SECTOR IMPLEMENTATION COMMITTEE CONSULTATIVE MEETING WITH NATIONAL COFFEE
COOPERATIVES UNION LTD ON 28TH FEBRUARY, 2018 AT THE
COFFEE RESEARCH INSTITUTE (RUIRU)**

REGISTRATION FORM

	Name	Organization/Cooperative	Phone Contact	
1.	Joseph Kiogera	Men Central Coffee	0716930760	
2.	Joseph Kosket	KIPKELION VISION	07222690107	
3.	Zablon Mbaraka	Men Coffee Millers	07232253311	
4.	FESTUS BETT	KIPKELION UNION	0715187453	
5.	DANIEL LUMIRI	MERU NORTH G. Union	07227445188	
6.	Duncan Mambili	Men Coffee Millers	0725529459	
7.	Francis Ngore Gathiga	Muranga Union	0722245090	
8.	Martin Matila	Makara coop	0720404445	
9.	James Kattundua	Machakos Co-op	0720956655	
10.	ROBINSON NG'ANDU	KIBUGU FCS (EUBU UNION)	0719307517	
11.	JOSEPH NSIRU NJOGU	SAKUNDU FCS EUBU	0716703101	
12.	JAMES MURUGA MUSA	MCCCU	0720785979	
13.	DAMISIMBO KIMINI	MCCCU	07205061647	
14.	ANH MAREHIA	MCCCU	071632711006	
15.	Rose John	MCCCU	07155567092	
16.	Frederick Mburu	MCCCU	0722722339	
17.	MICHAEL NUNGU	MCCCU	0774625421	
18.	MAKARA A LAMBAT	KIPKELION UNION	0722714648	

19	Imuthi Ombere	Gravel Coffee - Former	0710105819	
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22	Simon Wangwe	BUNGOMA C.C.U	0716348475	
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24	Moses C. Njoroge	CHERESIA FCS	0727959347	
25	Emmanuel Kimani	KARLO - CRI	0720517425	
26	Andrew Karani	CSIC	0723780488	
27	Eva Muthuruni	African Family Health	0722353777	
28	Joseph N. Mburu	CRI / for Inst Div	0726136466	
29	ROBERT SIKULU MATHIAS	KIMABOLE F.C.S	0715376485	
30	DONISIANO KAPITHI	TINGARAN NISPHI FCS	0714603573	
31	DENIS M. MASTOKI	M.C.U	0712721176	
32	Joseph Kiaria	coffee Research Inst	0720593878	
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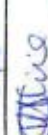




COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

COFFEE IMPLEMENTATION COMMITTEE

Date; 4th . May. 2018

Venue; Kenya Coffee College

RURU

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8. DAVID KIMUTHIA	Komelburi	0723156765	—	
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17. JOSEPH MURUGA	GulKanda FCS	0720285316	murugajoseph@gmail.com	

COFFEE RESEARCH INSTITUTE KENYA COFFEE COLLEGE

COFFEE IMPLEMENTATION COMMITTEE

Date; 4th . May. 2018

Venue; Kenya Coffee College




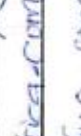



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22. MARGOT CHEONG'ENO	CLASSIC LDC	07229090956	Margot.cheongeno@ldc.co.ke	
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Date; 4th . May. 2018

Venue; Kenya Coffee College

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FINAL REPORT

ON

**REGULATORY IMPACT ASSESSMENT OF THE
DRAFT CROPS (COFFEE GENERAL)
REGULATIONS, 2019**

 THE NATIONAL ASSEMBLY PAPERS L.AID	
DATE: 06 OCT 2021	DAY: Wednesday
TABLED BY:	LOM
CLERK-AT THE-TABLE:	Samuel Kalama.

1. Background

The coffee sector in Kenya supports an estimated 5 million people, both directly and indirectly. The current production of about 40,000 metric tonnes (MT) is significantly lower than in 1998 (128,926 MT). This reduction is attributed to poor payment to farmers and reduced yields caused by high incidence of coffee leaf rust and coffee berry disease (FAO 2013). Most of the coffee farmers are small-scale, currently estimated at 700,000 and producing around 60% of the country's output. The rest is produced by farmers holding at least five hectares. Most small-scale farmers grow coffee on their own farms, which are properly titled. This reduces the risk of incidences of land conflicts in the coffee sector (GoK 2016).

The sector is currently characterized by low earnings (especially for small-scale farmers), low yield per plant, high cost of inputs, governance weaknesses and declining acreage under coffee production. According to the Food and Agricultural Organisation of the United Nations (FAO), the total acreage under coffee has declined by approximately two-thirds between 1990 and 2014, while yield per hectare has reduced by almost half (FAO 2015). Statistics from the Agriculture and Food Authority (AFA) also a declining trend in area and production (Table 1). The dismal performance in coffee production has resulted to increased poverty in the growing areas. Fertilizer is one of the critical inputs in coffee production that contributes significantly to production costs. However, with increasing fertilizer prices majority of the farmers have been forced to abandon use of fertilizers and instead use manure or none at all. It is critical that farmers are supported to access fertilizer at competitive prices. Another critical production activity is pest and disease control which accounts for 30-35 percent of the production costs. Prices of chemicals have also increased significantly, which has led farmers to abandon use of chemicals or use them sub-optimally. To revive the coffee industry, there is need for efforts to improve profitability of production, which implies that interventions to improve productivity and cut down on costs of production are required. In addition, the rapid growth of the specialty coffee market has presented new opportunities for smallholder farmers and for them to benefit from this rising demand, there is need to improve both the yield and quality of coffee.

In Kenya, the coffee sector contributes about 8% of the total exports earnings with an annual inflow of about Ksh 20 billion. Throughout the years the coffee industry has been characterized by cyclical market trends. Since 2003, the coffee markets have been on a steady recovery. The recovery has been largely attributed to the increasing global deficit, as the expanding consumption outpaced the growth in supply. It has further been projected that globally, coffee supply will continue to be constrained by various factors including climate change and resource competition, while consumption will continue to grow in both traditional and emerging markets. This overall position presents a generally viable proposition for producers of coffee across the world.

Coffee marketing is done through two channels. First is the Coffee Directorate-licensed marketing agents and dealers at the Nairobi Coffee Auction, which accounts for 90 % of the coffee sales. The second option is direct sales by marketing agents to consumers or their

representatives, which accounts for the remaining 10 % of the coffee sales. The aim of direct sales is to give growers a direct link with international buyers of the Kenyan coffee. Some notable challenges with direct sales include: most growers are not able to supply the required volumes consistently; growers have limited market intelligence and capacity to negotiate contracts and handle export logistics; and, poor promotion of Kenyan coffee in the international markets. It is worthwhile to note that the rapid growth of the specialty coffee market has created new opportunities for smallholder farmers in Kenya.

Table 1: Coffee Production Trends (2008-2015)

		2008	2009	2010	2011	2012	2013	2014	2015
Area under coffee (ha)	Small holder	122,040	106,656	120,000	120,000	85,189	85,200	85,300	87,433
	Estate	40,680	53,344	40,000	40,000	24,606	24,600	24,700	26,067
	Total	162,720	160,000	160,000	160,000	109,795	109,800	110,000	113,500
Production (Mt)	Small holder	22,260	29,370	22,280	19,600	27,000	21,900	32,700	27,230
	Estate	19,740	24,650	19,720	16,660	22,000	17,900	16,800	14,807
	Total	42,000	54,020	42,000	36,260	49,000	39,800	49,500	42,037

Source: Coffee Directorate, AFA

The Agriculture and Food Authority (AFA) Strategic Plan (2016-2019) has proposed some measures to increase coffee production and consumption in the country. The plan proposes to increase the area under coffee from 110,000 to 130,000 Ha by 2021. The extension services will be strengthened as well as promotion of new varieties and reintroduction of Robusta coffee at the Lake Basin and Coastal areas. The plan also proposes to increase domestic coffee consumption by at least 5% by 2021. On international coffee trade, the plan is to hold at least four international coffee fairs per year from 2016 to 2021.

2. An assessment of the impact of coffee regulations

The Crops Act 2013 Section 40 gives the Cabinet Secretary in charge of Agriculture the powers to make regulations for the better carrying out of the provisions of the Act. In light of this, AFA in consultation with the counties and relevant stakeholders drafted the Coffee Regulations 2019. AFA engaged Tegemeo Institute of Agricultural Policy and Development, Egerton University to undertake a regulatory impact assessment of the Draft Coffee Regulations.

The assessment of the regulations sought to determine:

- i. economic, environmental and social costs as well as benefits associated with the regulations
- ii. administration and compliance costs (including resource allocation costs) that will be required to put the regulations in place

- iii. their impact on the private and public sectors and fundamental rights and freedoms
- iv. whether there are other practicable means, regulatory or non-regulatory of achieving the objectives of the regulations. This will focus on complementary and supplementary strategies for achieving the objectives of the regulations.
- v. if there are other pertinent issues that have been omitted or not well articulated in the regulations and which are likely to impact on the implementation of the regulations as well as the revival and performance of the coffee sub-sector. These include cherry pricing mechanism, payments to farmers, youth engagement in the coffee subsector and domestic consumption.

2.1 Benefits to be derived from the regulations

The benefits that are expected to be derived from the regulations relate to aspects of production, processing and marketing of coffee as well as efficiency in delivery of services for value chain players. This section outlines the potential benefits and identifies specific clauses in the regulations, indicating how they are likely to confer the outlined benefits.

(i) Increased production of coffee by farmers

Overall, the regulations seem to focus more on improving coffee trading and marketing, but this is not enough. It is particularly necessary to pay attention to improving production at the farm level, given the trends in declining yields and acreage under coffee. Increased volumes will mitigate the falling prices in the global market. However, the provisions that will boost production include:

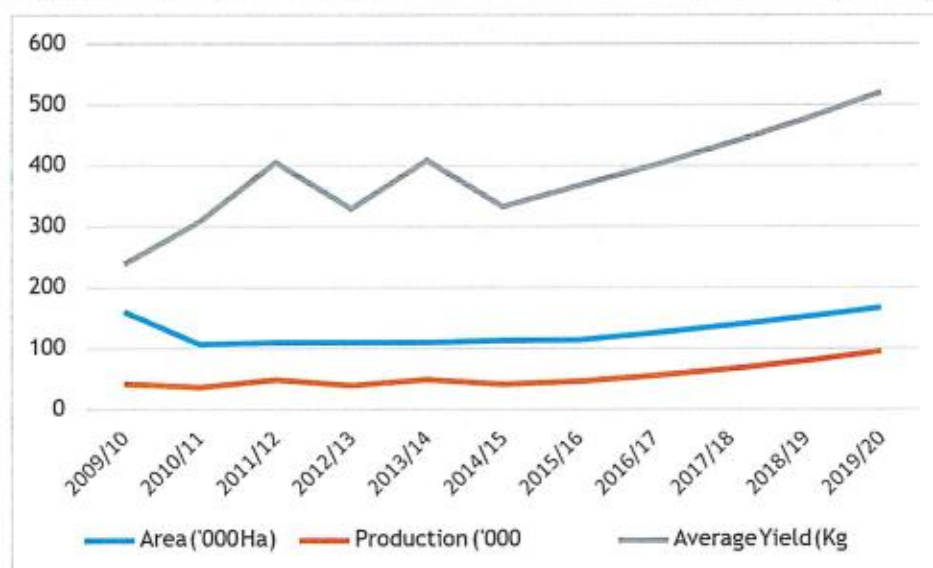
- Clause 5 (d): the county governments shall offer extension services on coffee production and primary processing. Extension services at the county level are currently inadequate and they need to be revamped to provide intensive agronomy training to boost productivity. However, focus should not be on agronomic practices without business development services, since there is need to promote and support coffee farming as a business among farmers and farmer organizations. Hence, county governments may need to support coffee specific extension within the revamped extension delivery systems, which will meet the prevailing industry requirements. This may mean supporting coffee specific extension in every coffee producing county; training extension service providers in coffee specific extension knowledge including business development services; and, building capacity and support for farmer-led extension systems.
- Clause 5 (g): the county governments in collaboration with the law enforcement agencies will enhance security in coffee growing areas. This will reduce the cases of theft of cherries and parchment; if farmers can't secure their harvest, they will stop growing coffee and production will decline further.
- Clause 5 (h): the county government will enforce policies and guidelines on corporate governance in coffee grower institutions. This has been a major challenge in the past due to

corruption and mismanagement of these institutions that has contributed to dismal performance. Cooperatives are considered key for increasing the scale of production, maintaining quality standards and guaranteeing the reliability of smallholders as preferred suppliers in the coffee value chain.

- Clause 5 (i): the county government will monitor and report incidences of pests and disease outbreaks and take appropriate action with relevant agencies.
- Clause 17 (1,2): for record purposes estate growers and smallholder farmers who plant or uproot coffee will notify the county government/cooperative society in writing within six and three months of doing so, respectively, regarding the size of area planted or uprooted. This will guide the sector players in planning and output projections.
- Clause 18 (1): The Authority shall develop and enforce a coffee industry code of practice and standards on coffee production, processing and marketing
- Clause 20 (1, 2): Coffee certified seeds or seedlings will only be accessed from the Kenya Agricultural and Livestock Research Organization (KALRO) or its authorized agents. This will ensure that farmers are provided with quality planting materials. There is need to sensitize farmers of newer varieties such as Ruiru 11 and Batian that are disease resistant, grow faster and have higher yields compared to older varieties.

If the interventions outlined above are implemented as envisioned, area under coffee as well as production and productivity are expected to improve as shown in Figure 1.

Figure 1: Coffee production for the period 2009-2015 and projections for the period 2016-2020

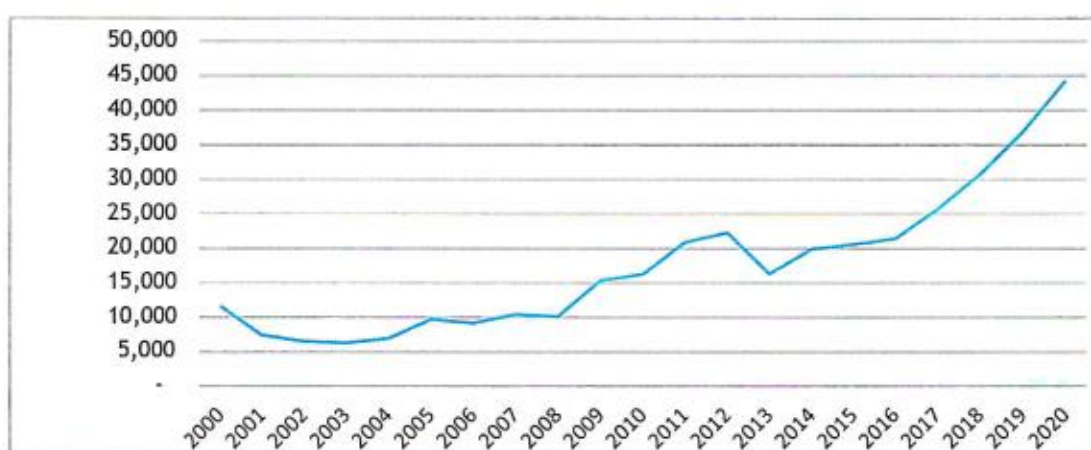


Source: Economic Surveys (various publications) and authors' calculations

Assuming that the regulations will lead to an increase in area under production by 10 percent, we expect coffee production to increase by 20 percent every year. The yields will increase by 29 percent by 2020. Increase yields will result in lower costs of production, better incomes and improved competitiveness at the production level. If provisions are supported by clear plans for financing the capacity to produce, the benefits from the projected increases will be larger.

With the new regulations, coffee production will increase due to improved crop husbandry and marketing. This will open up more marketing opportunities both locally and abroad that will stimulate increased exports. Assuming an annual growth of coffee exports by 20 percent, the value of exports will potentially increase to approximately Ksh 45 billion by 2020 in nominal values as shown in Figure 2.

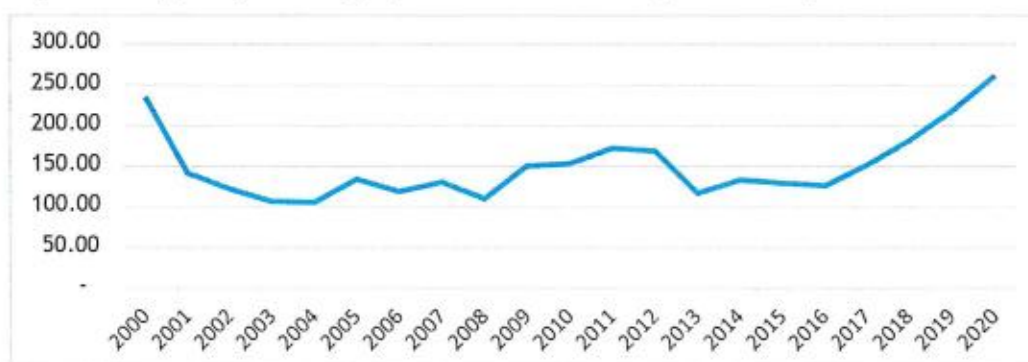
Figure 2: Coffee exports and projections in nominal values (Ksh. Million)



Source: Economic Surveys (various publications) and authors' calculations

Since 2010 coffee exports have been on a downward trend in real values as shown in Figure 3. With stability in exchange rate and market prices the earnings from coffee will potentially increase to Ksh 250 million by 2020 in real values.

Figure 3: Coffee exports and projections in real values (Ksh. Million)



Source: Economic Surveys (various publications) and authors' calculations

(ii) Increased growers returns

While increased coffee production will lead to higher returns for coffee growers, other provisions in the regulations will also ensure increased returns for farmers. These include:

- Clause 10 (1) b): Growers can apply for a pulping license to operate a pulping station at a reasonable fee. This will enable farmers to benefit more from selling fully washed coffee at much higher prices to the millers compared to prices they receive for cherry delivered to cooperatives. This benefit can be greater if affordable and locally assembled wet mills are accessible.
- Clause 10 (1) c): Growers can apply for a milling license to pulp, mill, market or roast own coffee. This will create opportunities for value addition that improves the farmer returns.
- Direct sales between growers or grower millers with overseas buyers will allow cooperatives to cut the cost of middlemen and hence improve farmer returns, especially where governance of cooperatives has improved.
- Experts on the world coffee market often make reference to the "coffee paradox". The global coffee chain is currently characterized by a paradoxical coexistence of a 'coffee boom' in consuming countries and a 'coffee crisis' in producing countries. A coffee crisis in producing countries is characterised by a trend towards lower prices, declining incomes and profits affecting millions of people in the world's poorest countries. On the other hand, a coffee 'boom' in consuming countries comprises of rising sales and profits for coffee retailers and roasters. This coffee paradox is typical in Kenya and it exists mainly because what coffee farmers sell and what consumers buy are very different coffee products. As long as coffee farmers do not control at least what the consumers want, they will keep receiving low prices. This can be addressed through empowering growers to add value by producing specialty coffee and accessing direct markets. Better organized farmers as envisioned in the regulations, either through strong co-operatives or other legal entities can intervene directly in the coffee market by bringing strength through numbers in the negotiation of better coffee prices.
- A warehousing receipt that will be issued to farmers by a licensed coffee warehouseman in respect of coffee stored in a licensed warehouse can be used as collateral, hence opening avenues for farmers to access credit for coffee-related activities or other expenditure including businesses.

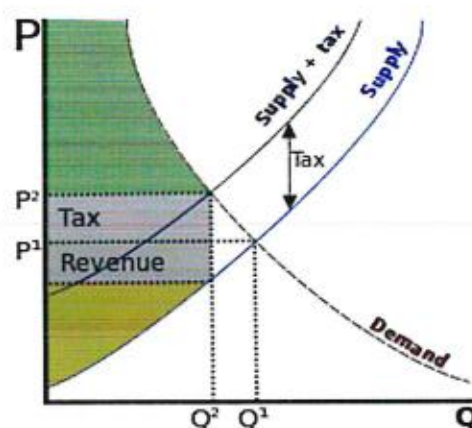
(iii) Minimized taxation

- The 4% levies charged to the farmers to finance the Coffee Directorate, Coffee Research Institute and roads levy were abolished through the Finance Act 2016. The reduction of levies will increase the farmers' incomes. Reduction of taxes levied on coffee farmers will

have positive impacts on the producers and consumers but will lead to loss of revenue to the government. The effect can be evaluated through changes in both producer and consumer surplus. Producer surplus represents the benefit the seller gains from selling a good at a specific price. The coffee producer surplus will increase as a result of reduction in taxes. This is due to the increase in quantity of coffee sold as the relative price of the good decreases with the reduction in taxes. This will ultimately lead to better incomes for the coffee farmers. Consumer surplus refers to the net gain that a consumer receives when she purchases a specific good at a specific price. It represents the difference between the actual price paid for a good and the price a consumer would be willing to pay to purchase the good. With the reduction in taxes levied to coffee farmers the overall price paid by consumers for coffee decreases. At a lower price level, demand for the good increases, resulting in increased consumer welfare. However, the loss of revenue is likely to negatively impact research and state of roads in coffee growing areas, unless the National and County governments support these from other funds.

In addition, elimination of the levy will result in reduced income for the Coffee Research Institute (CRI), which has been supporting farmers to improve productivity. Farmers may not be willing to pay costs for accessing services offered by CRI, given that without funds from the levy, CRI will not be able to offer extension as a public good. This will likely affect farmers negatively since many farmers are not used to paying for research and extension services. Without access to these services, it's also unlikely that they will adopt new technologies or improve their productivity.

Figure 4: Effect of tax reduction on coffee output



As illustrated in Figure 4, with reduction in taxes, the supply (coffee output) increases, the price decreases and this leads to increased demand.

- The cooperative society commission not to exceed 20 % of the net earnings from the coffee sales. This rate has been retained as before and the commissioner of cooperatives ought to enforce this rule. This will help to boost farmer returns.

(iv) Increased efficiency in service delivery

- Licensing: the regulations have clearly stated how licences will be issued by AFA and the county governments and nobody will be allowed to transact in any coffee business without a valid license
- Clause 10 (1) (a to d) specifies the licences to be issued by the county government (coffee nursery certificate, pulping station license, growers' milling license and coffee roaster license).
- Clause 10 (2) (a to e) specifies the licences to be issued by AFA (commercial millers license, liquoring, cupping, warehousing and trading licenses).
- Clause 11 (1): to avoid conflict of interest, a holder of a coffee trader's license will not be licensed as a commercial miller or a ware houseman. Large coffee businesses can overcome this licence regulation by establishing new companies that operate independently on paper but that are subsidiaries owned by a business group. This will, however, not be feasible for small businesses, which may find the costs of such moves or decisions too high. The result may be a market structure, where medium sized businesses (traders, millers or processors) are nearly absent.
- The regulations have provided for the issuance of movement permits that will allow movement of coffee. Clause 15 (5) states that the licensing authority will monitor the movement of coffee between stores and the market to ensure that coffee is safe and minimize illegal coffee dealings. However, this will not apply to a smallholder farmer moving own coffee between the farm and the pulping station where he is registered.
- Clause 5 (f): the county government will enforce policies and guidelines on corporate governance in coffee grower institutions, which is expected to streamline operations and improve service delivery.
- Clause 25 (1, 2): the establishment of the Direct Settlement System (DSS) will facilitate faster payment of coffee proceeds to farmers.
- Clause 5 (a): the county governments shall offer extension services on coffee production and primary processing. Better services that will include business development services and coffee specific extension will be beneficial.

(v) Improved coffee marketing

- Clause 23 (3): Through the growers milling licenses, the growers will have access to the Nairobi Coffee Exchange (NCE). In the past farmers were not allowed to trade at NCE and participation was restricted to licensed marketing agents and dealers. The new regulations allow farmers to participate in the marketing of their coffee at the NCE, which will improve their returns. There will be minimum tonnage to be sold by the millers at the NCE introduced to minimize congestion

- The regulations have eliminated several licenses. These include grower marketer, commercial marketing agent and management agent certificate. This will help reduce the number of value chain players and length of the chain, and associated bureaucracy.
- Clause 11 (1): a holder of a coffee trader's license shall not be licensed as a commercial miller or warehouseman. This will take care of the cross-ownership challenge that increases conflict of interest in form of insider trading in favour of dealers.
- Clause 24 (1, 2) allows a grower cooperative society or other legal entity to undertake direct sales or sell clean coffee to local roasters for local value addition. Farmers could target the new markets such as Ukraine and Russia that are witnessing a sharp increase in the consumption level. Several Middle Eastern countries having higher disposable incomes are also predicted to offer good prospects for growth in the short-to-medium term period.
- Clause 25 (1,2); the Nairobi Coffee Exchange (NCE) shall be incorporated in accordance with Capital Market Act to maintain a transparent and efficient auction system for coffee trading
- Clause 26 (3): the establishment of the Direct Settlement System (DSS) in licensed commercial banks will facilitate faster payment of coffee proceeds to farmers. DSS will be piloted before being rolled out and a transition period of one year provided for the DSS to be rolled out. DSS provider to remit the proceeds to growers and service providers within 10 days after the auction- currently law stipulates 14 days after the auction
- The pulping station licensees have no authority to receive growers' money after the sale of coffee; payment will be done directly to the grower from the DSS or other agent appointed by the grower for that purpose.
- Clause 19 (1-7) provides for the certification of the Kenyan coffee. This means that coffee will be labelled for traceability that ensures quality is maintained and adds more value. The rules allow growers and millers to seek for certification from the Authority. The welfare impact of certification can be measured with a wide range of indicators. Most studies focus on coffee yields, prices and (net) revenues. A study on impact of coffee certification on smallholder farmers in Kenya found that certified farmers are likely to fetch significantly better prices for their coffee. Farmers selected for certification were usually found in sub-optimal production areas. Consequently, initial gains from certification are usually high, but these tend to disappear once other non-certified farmers catch up in the process.
- Clause 28 provides that the authority will coordinate coffee stakeholders at national and international events for the purpose of promoting Kenya coffee. While the bulk of coffee is exported, only 3 percent is consumed locally. An increase in consumption favouring a gradual rise in world prices would be a positive factor for economic growth and increased per capita incomes.

(vi) Insurance against losses

Clause 22 (5): commercial millers will be required to take insurance cover against fire, theft and other risks for all the coffee in their possession. This will reduce cases of coffee theft from stores that have been quite rampant.

Clause 21 (3) c: While the coffee is at the pulping station, the licensee shall insure the coffee against loss and damage while at the station and in transit and reinforce the security of the station to guard against theft of coffee.

(vii) Improved milling and processing of coffee

- Competitive procurement of milling services: Clause 22 (14) provides that a cooperative society or any entity representing smallholder farmers will have to bid for milling services before issuing any contracts. This will ensure transparency and accountability in the milling process.
- Clause 10 (1) d) provides for a coffee roaster licence authorizing the holder to roast or grind and package coffee for local sale. Local processing and sale of high value coffee increases value added.
- To promote local processing and value addition, provision of tax incentives (e.g. removal of duties) on roasting machines and packaging materials need to be considered.

2.2 Costs associated with the regulations

The costs include economic, environmental, social, administration and compliance costs (including resource allocation costs) that will be required to put the regulations in place.

- i) The cost of comprehensive insurance against loss or damage to coffee will be incurred by the millers and warehousemen
- ii) The compliance costs are numerous and could be expensive. These include tax compliance, NEMA certificate (Ksh 40,000), Occupational Health and Safety Certificate, Certificate of Registration and County Business permit.
- iii) The registration (Ksh 500) and nursery certificate (Kshs 1,000) fees are quite manageable for the smallholder farmers
- iv) The pulping station license fee (Ksh 1,000) and Grower's miller licence (Ksh 10,000) are quite reasonable especially for the smallholder farmers.
- v) Movement permits of one US dollar per leaf for clean coffee. However, licence for movement of parchment/buni is free of charge.
- vi) The roasters license (Ksh 5,000) issued by the county government is quite reasonable and could promote value addition

- vii) Commercial Coffee millers license (USD 1000/ Ksh 100,000)
- viii) Independent cupping center (Ksh 20,000) to be incurred by grower and commercial millers
- ix) Warehousing costs to be paid in Kenya Shillings per 60 kg bag of the coffee stored at the warehouse. The cost shall be paid by the grower through the Direct Settlement Service once the coffee is sold.
- x) A commercial miller's bank guarantee (1 Million-12 Million USD). However a commercial miller who does not handle coffee sale proceeds on behalf of the grower shall be exempted from this requirement.
- xi) Cost of warehousing facilities will be borne by the warehouseman to ensure that the storage facility licensed for the storage of coffee is well designed and maintained to guarantee the quality and safety of the coffee, including providing for insurance against loss of damage.
- xii) Inspection costs
 - Clause 34 (1) indicates that the Authority, in collaboration with the County Governments, shall conduct inspection of coffee farms, coffee nurseries, pulping stations, coffee mills, warehouses, cupping centres, vessels transporting coffee or the premises of coffee traders to ascertain compliance with the requirements of the Act and these Regulations.
 - In addition, clause (36) indicates that the Authority will conduct periodic surveillance among all the above players to assess the degree of compliance with the coffee industry policy, standards, code of practice, laws and the general well-being of the coffee industry.
 - Clause 5 (i): The county governments shall monitor and report incidences of pests and disease outbreaks and take appropriate action in collaboration with the Authority and other relevant government agencies.
- xiii) Capacity building

This will be done at various levels and for different players across the value chain, for which resources will need to be allocated:

 - Clause 4 (2) b): The Authority to co-ordinate capacity building activities for players in the coffee value chain.
 - Clause 4 (2) e): The Authority to conduct local and international coffee market intelligence and promotional activities including the application of the National Coffee Kenya Mark of Origin
 - Clause 33 (2): The Authority, in consultation with industry stakeholders, shall develop a training curriculum, conduct examinations and issue certificates for coffee liquorers.

xiv) Environmental costs

Coffee production and processing have considerable impacts on the environment. These impacts include high consumption of energy, water and land. After coffee is picked, the pulp and mucilage is removed which requires two different processes. Coffee is then dried, the parchment removed and then sorted. The main sustainability concerns in coffee processing are as a result of intensive use of pesticides and poor disposal of waste products. About 99% of the biomass waste produced, mainly untreated pulp and husks is discarded on land. Further coffee processing consumes high quantities of water and energy. It is estimated that over 200,000 tonnes of pulp at 77% moisture content and 2,300,000 litres of polluted water are released into the environment every day in Kenya (Shitanda 2006). On average 45.5 kg of green coffee requires between 1,000 and 2,000 litres of water, 12.5 kWh of electricity and 0.07 cum of firewood for processing (Instituto del Caf  de Costa Rica -ICAFFE, 2006). A survey of rivers between Nairobi and Thika towns in Kenya showed that they were all polluted with coffee waste with Biological Oxygen Demand (BOD) levels of more than 100 mg/l. The unpolluted rivers had BOD of 4 mg/l (Wrigley, 1988). Although a river of 10 mg/l is considered significantly polluted, the maximum allowable limit of effluent discharge into the environment is 30 mg/l (BOD 5 days at 20 C) according to Kenya's National Environment Management Authority (NEMA) Standards (Republic of Kenya, 2006). With the proliferation of coffee milling, due to the increased number of pulping stations, it will become necessary to assess possible negative environmental effects. This will mean additional costs and resources for an environmental impact assessment by NEMA before registering the mills.

xv) Social costs

Increased coffee production will result in need for more labour, which could easily attract school going children and could negatively impact on their schooling outcomes.

2.3 Impact of the regulations on the private and public sectors

The Coffee Regulations are aimed at providing regulation, promotion and development of the coffee industry. Hence, the regulations will have both negative and positive potential impacts on the players in the coffee value chain, both in the private and public sector. Both positive and negative impacts can be summarized as follows:

Economic impacts

The implementation and enforcement of the regulations will lead to a more vibrant coffee subsector from production to consumption. This is expected to have economic impacts at different levels of the economy, which can be summarized as follows:

- a. Household incomes: these will increase as coffee production, productivity and marketing improve. Also, the review of minimum requirements for the issuance of licences for pulping, roasting and milling of coffee will enable participation of some farmers in value addition, which will boost the business component of household incomes. Overall, higher incomes will lead to better household welfare including food and nutrition security.
- b. Business growth and employment: with promotion of coffee production and easier entry into more value addition activities in pulping, milling and roasting, coffee-based small and medium scale businesses and industries (SMEs) will emerge through both backward and forward linkages. They will directly and indirectly benefit about five million people in the country by providing income and employment, particularly for the youth, who have an inclination toward participating in value chain activities post-production level. These businesses could include coffee shops and street coffee vending that may also lead to growth of other businesses such as bakeries. They are supported by a growing urban coffee culture among young adults and professionals, due to increasing urbanization and higher incomes among the middle and upper classes. We also expect to see growth in manufacturing businesses that will support the coffee-based SMEs in terms of fabricating pulping and roasting equipment as well as developing or importing coffee packaging machines and materials and coffee dispensing and vending machines. Youth employment can be boosted through such coffee-based and related businesses, particularly if they are able to access finance. To boost business growth in the sub-sector, there is need for tax incentives such as zero-rating of equipment and machines.

In the short to medium term, it is expected that there will be an increase in the number of pulping stations. However, their efficiency may be hampered by their size¹ and hence in the long-term, there may be incentives to consolidate such businesses to achieve economies of scale.

- c. Value addition and global market access: one of the major challenges that has affected the coffee sector is limited value addition. Although Kenyan coffee is of superior quality, it is mainly sold as a raw material for blending, with little or no value addition. Consequently, coffee has had relatively lower market value leading to a reduction in incomes that accrue to the local economy. The regulations will facilitate a reversal of this trend and hence create more value overall and for each player along the coffee value chain, as well as support sustainable commercial production of coffee where farmers are assured of stable and remunerative returns. In addition, strategies to market coffee that are provided for in the regulations will create a bigger footprint for Kenyan coffee in the world market. These include opportunities for farmers, cooperatives, associations and other legal entities to engage in direct sales with overseas buyers and sell coffee in the NCE; and, promotional strategies such as the application of the National Coffee Kenya Mark of Origin and use of certification schemes for Kenyan coffee. Creating real value

¹ Farmers with 20,000 kg of cherry on an average over three years can apply for a pulping station license.

out of the Kenya Coffee brand will promote foreign exchange earnings for the country. This can be greatly enhanced by branding coffee based on quality and taste profiles unique to the area of origin and sold as premium coffee.

Additionally, by adhering to the code of production standards, coffee growers can access specialty markets, which confer price premiums of up to 40% compared with conventional coffee. Farmers can then use these increased revenues to access education, health and new business enterprises.

- d. Economy-wide growth: increased production and marketing of coffee, particularly in niche markets will lead to an increase in foreign exchange earnings for the country. In addition, through linkages with other sub-sectors such as manufacturing, it is expected that better performance of the coffee sub-sector will result in higher incomes for various players in other sub-sectors. More importantly, given that the status of the agriculture sector greatly determines the overall economic growth of the Kenyan economy, a vibrant coffee sub-sector will boost growth in the agricultural sector and, hence overall economic growth through the various linkages that agriculture has with other sectors. A better performing economy will enable the government to meet its key targets as outlined in the Kenya Vision 2030, the SDGs and other sectoral strategies such as the proposed Agriculture Sector Growth and Transformation Strategy (ASGTS). In particular, it is recognized that the youth unemployment challenge in Kenya is primarily a problem of labour demand since the economy is not creating sufficient jobs to cater for the increasing number of youth that is entering the labour market. Hence, a vibrant coffee sector will contribute to youth employment and the achievement of the goal of the Kenya Youth Agribusiness Strategy 2017-2021, which aims at positioning the youth at the forefront of agricultural growth and transformation.
- e. Increased idle milling capacity: currently there is milling overcapacity in the country occasioned by the consistent decline in coffee production over the last few decades. There is a likelihood of increased idle capacity and a potential waste of resources in installing/commissioning additional milling capacity when there is close to 80 % idle capacity in the industry. Unfortunately, it is likely that farmers may bear the brunt of this extra cost. Stakeholders need to recognize that expansion and improvements in processing will be tied closely to increased coffee production to enhance operational efficiency and economies of scale.

Environmental impacts

The regulations provide for ease of registration and licensing of pulping stations since a farmer owning a minimum of 5 acres of coffee or 20,000 kg of cherry on an average over three years can apply to operate a pulping station. While this will promote incomes and create businesses, it may have negative environmental consequences, if it results in a proliferation of pulping stations in the coffee growing areas. These may include:

- a. A strain on water resources: increased abstraction of water to run the wet mills will lead to a strain on water resources that are already diminishing in some areas due to climate change. Consequently, there will be competition for water amongst many users and uses.
- b. Pollution: there will be increased effluents from the pulping stations and pollution from increased use of insecticides that will likely pollute the river waters for downstream users. Although an environmental impact assessment by NEMA may be conducted, the ensuing pollution will require clear plans for water treatment and waste disposal, given that about 47% of Kenyans access water from unimproved water sources include water from rivers or streams, dams, ponds, lakes, unprotected wells and unprotected springs. As a mitigation measure, coffee farmers and owners of pulping stations can be trained in water conservation and supported² to put in place wastewater treatment systems as is being done in countries like Rwanda. This will result in responsible coffee production that leads to cleaner water and healthier rivers.
- c. Increased use of chemicals: there is a likely increase in use of chemicals as coffee production improves and their safe use may become a challenge. To deal with this potential risk, there is need to: (i) sensitize players on right to a safer work environment by creating awareness on safety hazards of the chemicals; (ii) train growers and workers on safe use of chemicals; and, (iii) provide appropriate protective gear and equipment.
- d. Higher energy requirements: the pulping stations will require more energy that will lead to a further strain on national energy grid. While coffee mills can run on diesel, this will exacerbate the pollution challenge. Possible mitigation measures could include use of solar powered energy systems and wind energy; and, exploration of innovative ways of generating energy from processing waste as in the case of sugar firms that generate clean power from bagasse.
- e. Destruction of ecosystems: clearance of forests and natural habitats for birds to plant coffee will severely affect the breeding of birds in some ecosystems. To maintain ecosystems and promote sustainable and responsible production, the Rain Forest Alliance recommends agroforestry, i.e. integration of coffee and tree (avocado, grevillea) production.

² This can be in form of technical assistance and funding that support them to building waste water treatment systems

Social impacts

The regulations are likely to have positive and negative as well as direct and indirect impacts on different populations. The impacts can be captured in terms of creation/loss of jobs, income distribution, access to goods and services and social inclusion of different groups, and can be summarized as follows:

- a. A more vibrant coffee sub-sector from production to consumption will lead to overall increased employment. According to a report by ILO (Mureithi, 2008) between 2001 and 2005, the estate sub-sector accounted for an average of 61,000 employees in any one year, equivalent to 19 percent of total employment in agriculture and forestry activities and about 4 per cent of total employment in Kenya. However, when workers in other coffee activities either for pay, profit or family gain in the small coffee farms/cooperatives are included, close to a million people depend on the coffee sector for their living, employed at some stage in the commodity chain. We expect that with the revival of the coffee subsector, the number of people employed along the value chain will double.
- a. Mainstreaming of youth in the sub-sector through supporting them to engage in coffee-based and coffee-related businesses such as coffee shops and kiosks will reduce youth unemployment.
- b. Child labor is widespread during peak coffee harvesting seasons. At such times, the incentive for poor families to withdraw their children from school and send them to work increases. Since higher levels of education are tied to higher income over the long term, and children from poor families are more likely to miss school and go to work, child labor maintains a cycle of poverty over generations.

There is need to cultivate a balanced understanding of legitimate engagement of children in economic activity and exploitative practices that infringe on the rights to education for children. Children can be legitimately engaged in work within the subsector after school and during weekends and school holidays as part of family labor and in employment to contribute to family income and welfare. However, this is to be done in such a way that it does not interfere with children's right to education. Hence, there is need to create awareness that: (i) exploitation of children is unacceptable, and so they should not engage in work that denies them a right to education; and, (ii) children can be economically engaged in coffee sector though in a limited way for learning and economic gain.

- c. Just like in most agricultural value chains, women tend to play major roles at the initial segments of the coffee value chain, laboring in the field, harvesting and processing, whereas men participate in activities such as transport and marketing of the product. In addition, typically it is the men who receive money from coffee sales and women have difficulty accessing it. Hence, while incomes from the coffee sector will grow, these

inherent obstacles that women face are likely to exacerbate disparity in income between men and women and may lead to intra-household conflicts.

Table 2 outlines a summary of sustainability issues regarding coffee production and processing.

Table 2. Sustainability concerns for coffee production and processing life cycle.

Life cycle stage and activities	Sustainability concerns (economic, social and environmental)
Farm level	<ul style="list-style-type: none"> - Expensive agro-chemicals - Health risks due to minimum use of protective gear - Soil pollution due to copper-based agrochemicals - Water pollution from agro-chemical carried in sediment - Inadequate support infrastructure - Health and safety standards of coffee workers - High energy and hence threat to tree cover
Factory level	<ul style="list-style-type: none"> - High water demand amidst other competing uses - Odour from accumulating coffee pulp - Water pollution from disposed waste water
Marketing	<ul style="list-style-type: none"> - Declining and volatile coffee prices - Lack of a robust management framework
Waste management	<ul style="list-style-type: none"> - Inadequate protective gear - Poor disposal of waste water, pulp and husk - Negative environmental load particularly due to accumulating pulp

Source: Kanyiri and Waswa, 2017

2.4 Impacts of the regulations on rights and fundamental freedoms

This section examines the likely impacts of the Coffee Regulations 2019 on the realization of human rights and fundamental freedoms.

2.4.1 Positive impacts on rights and fundamental freedoms

Article 43 of the 2010 constitution affirms the rights of individuals and communities to an adequate standard of life, under the concept of economic and social rights. The items set out in this article can be secured through the application and use of both the private resources of individuals and families as well as the public resources of the State. Overall the State has obligations to organize public national resources in such ways that enable successful initiatives by individuals and groups to invest, create employment and income, and eventually meet their needs from private resources. In Article 55 of the Constitution, there is additional responsibility of the State to take measures to ensure that youth can access employment and opportunities for social and economic advancement. Therefore, promoting investment, income and wealth creation in the agriculture sector and other sectors of the Kenyan economy is no longer a political discretion of the government but a requirement of the Bill of Rights. Further obligations of the State to promote the right to work are contained in the various international conventions of

which Kenya is a signatory. These include the International Covenant on Economic Social and Cultural Rights 1966. Article 6 of this covenant affirms the obligations of states to implement policies and techniques to achieve steady economic, social and cultural development and full and productive employment. The regulations seek to advance the government policy of implementing reforms in the coffee sector aimed at meeting the national goals set out in the Kenya Vision 2030, whereby the agriculture sector shall be a key driver in economic growth and value addition. The positive impacts can be summarized as follows:

- a The review of minimum requirements for the issuance of licences for pulping, roasting and milling of coffee will enhance participation of more smallholder farmers in value addition.
- b The provision for smallholder farmers to opt out of cooperative societies and operate under alternative associations
- c Focus on value addition and prohibition of trading in cherry or parchment will reduce economic exploitation of farmers
- d Establishment of cupping centres for capacity building for coffee liquorers
- e Provision for farmers to trade their coffee at the Nairobi Coffee Exchange

The regulations are pro-grower and enable more people to participate in the coffee industry through enhanced access to licences for value addition and trading.

The regulations are also intended to address the perennial problems that have plagued the coffee sector. These include the low prices for raw coffee, mismanagement of coffee cooperative societies and the impoverishment of small holder farmers. If the reforms proposed in the regulations are implemented, they will have the positive impact of providing existing and new farmers better returns on their produce and investment. The regulations will create wealth and employment for more people in the rural areas, enabling them to be key partners in the multi-billion-dollar global coffee industry. This would contribute to improved household incomes and enhanced capacity to afford an adequate standard of living envisaged in the provisions of Article 43 of the Constitution.

2.4.2 – Possible negative impact of the Coffee regulations 2019 on human rights

There are three possible negative impacts of the regulations:

(i) Mandatory membership in associations/cooperatives

Compulsory membership in a coffee association or cooperative may violate farmers' rights to the freedom of association. This is the case where farmers have been victims of inefficient cooperative societies and would not wish to repeat the experience.

Where a farmer applies for a pulping veto or no objection letter from a cooperative appears problematic. The cooperative societies have a conflict of interest and may withhold the no

objection letter. This will contravene the property rights of the producer seeking a licence for a pulping station.

(ii) Child labour

Coffee harvesting is labour intensive. It entails selecting and manually picking ripe cherries and leaving the unripe ones on the branches. Therefore, mechanization of coffee harvesting is still afar off. The revival and foreseeable boom in this crop will result in increased demand for labour. In most smallholder farms, coffee farmers use child workers. While the Children Act 2001 and employment legislation permit limit forms of child work, there is a real risk that a coffee boom will draw children from schools to farms to pick cherries.³ In some estates, workers frequently bring their children to the farms to help shore up the parents' daily production. The regulations mention the mandate of the AFA to formulate and enforce a coffee industry code of practice and standards on coffee production, processing and marketing (Clauses 4, j). These together with the Children Act 2001 should guide practice in the subsector to ensure that children are not engaged in exploitative labour practices. They will also help in reconciling the conflicting interests of growers, opportunities for income through working on coffee farms and the developmental rights of children involved in such situations.

(iii) Risk of food shortage and famine

When the coffee regulations are implemented, more people will be drawn into coffee production and land previously used for food crops will be reallocated to growing coffee. Consequently, food production on smallholder farms will drop as more land and other resources are channelled to coffee production. The main expectation is that the high earnings projected from the trading of processed coffee will enable farmers to purchase food. However, if coffee prices drop and/or other risks affect the coffee trade resulting in losses, coffee growing communities will be hit by food shortages and famine. In this context there is a real likelihood that the implementation of the coffee regulations may negatively affect the realization of the right to food in the coffee growing communities. To mitigate against this risk, we recommend measures for stabilizing prices and diversification in income generating activities alongside the coffee business.

2.5 Other regulatory or non-regulatory means of achieving the objectives of the regulations

This section highlights other complementary and supplementary strategies that will be needed to achieve the objectives of the regulations and could provide quicker and more flexible solutions to the problems facing the coffee sub-sector. They include:

2.5.1 Capacity for coffee growing and improving subsector competitiveness

The regulations aim at developing the coffee sub-sector but little emphasis has been put on the production portion of the value chain, yet the revival of the coffee industry is pegged on improvements in production, including the competitiveness in production. Increasing

³ It is estimated that children below 15 years supply up to 30% of the labour during peak harvesting period, and likely to infringe on their right to basic education.

productivity to the targeted levels of 5-10 kg per tree per year within 3 years, will lead to a reduction in production costs and enhance the competitiveness of the Kenyan coffee. However, it is not clear how the capacity for coffee growing will be promoted. There is no provision for a coffee development fund out of which subsidies could be drawn for providing planting materials, fertilizers and crop protection chemicals that will help drive down the costs of production. The regulations do not indicate how the input markets for fertilizers and pesticides can work more effectively for the farmers. The role of cooperatives in increasing productivity is not well articulated yet they are very crucial in the procurement and distribution of inputs to the farmers. This implies that regulations may not achieve the intended objectives unless specific interventions are applied to make the coffee production venture attractive and feasible. As things stand now, it is difficult to sell the project of coffee production in the country. Hence, we recommend that a Coffee Fund be set up to finance the sub-sector and create a push to invigorate it. In addition, short term subsidies on seed and fertiliser, prompt payment to farmers and other forms of incentives will go a long way in boosting coffee production. There is also no mention of disease and pest control although losses associated with them are quite substantial. Given the reduced acreage under coffee, a Coffee Fund to deal with these challenges would play a big role in attracting new growers both in traditional and non-traditional coffee growing areas. In addition, the regulations do not address the issue of farm land under coffee especially in areas where agricultural land is increasingly being converted to other uses such as real estate. This may call for a review of the national land policy and laws.

Overall, regulations need to address funding for the sector and have a clear incentive framework to encourage coffee production. There is a need for clear plans, provisions or strategies on investment that will lower the cost of production and improve sub-sector competitiveness.

2.5.2 Capacity for value addition

Barriers to value addition activities have been reduced through various provisions such the ability of smallholders with up to 5 acres under coffee to obtain a pulping licence. This enables them to add value to coffee cherries and sell beans to millers. However, it is not clear whether smallholders and other individuals that would like to engage in coffee-based and coffee-related businesses will be able to access capital or training/skills to set up the required facilities for value addition. Coffee regulations should include the obligations of county governments to provide support for the coffee industry.

Value-addition for coffee ranges from the very basic practices to very intricate processing and packaging activities that can add to the worth of the final product. The basic activities are very crucial in determining the final quality of the end product, yet not much emphasis is laid on them. Activities that contribute to value addition include appropriate land preparation, fertilizer application, pests and diseases control and management, irrigation, primary processing, secondary processing and maintenance of facilities. As aforementioned, support in production is crucial in improving quality of coffee.

Hence, there is a need for clear plans on funding and training to support the envisioned coffee-based businesses.

2.5.3 Regulatory and institutional support

The regulations provide that cooperative societies will not charge more than 20% of the coffee earnings. There is also reduction of some statutory deductions (ad valorem levy of 4% was abolished) and suggestions for forensic audit to establish debts for SACCOs and waiver for outstanding debts, affirmative action in cooperative leadership and training opportunities for liquorers. These regulations will attract more players into the industry and raise the economic performance of farmers and the country.

The regulatory support will require enactment of new laws, some of which are outstanding e.g. amendment to the AFA Act, Crops Act, Cooperative Act, enactment of Geographical Indication, Warehouse Receipts Bill. The Ministry of cooperatives should also ensure compliance with all the regulations that have been enacted. The county governments will have to be involved in this process.

In order to promote good governance of cooperatives, there is need to revise the Cooperative Act to ensure that the Board of directors and management of the cooperatives, auditors and officials from the State department of Cooperatives are held personally liable for corrupt practices that deny members services and returns

2.5.4 Information and education campaigns

These will help to inform public about new/existing products and hence influence the behaviour of individuals. In the coffee subsector, education campaigns could, for instance: encourage people to drink more coffee locally; create awareness about funding opportunities to support businesses created in the value chain; and, inform about potential negative effects of child labour and environmental pollution.

2.5.5 Financial and fiscal incentives

The incentives include tax increases/reductions, subsidies, concessionary loans with reduced interest rates, etc. While the current levels of coffee production are very low, farmers could be subsidised in order to encourage them to increase production. The subsidies could be in form of inputs such as fertilizers, planting materials and chemicals or access to cheaper loans. We note that the Coffee task force recommended subsidy programme to be funded jointly by national and county government to boost coffee production in the immediate term to raise production from the current level of 2 kg of cherry per tree per year to 8 kg within 2-4 years. This is practicable but requires huge expenditure from the public funds.

2.6 Other pertinent issues regarding draft regulations

The draft Coffee (general) Regulations (2019) can be strengthened through the following additional mechanisms and interventions:

2.6.1 Pricing mechanism for cherry

Neither the existing practice nor the draft regulations address the critical issue of grading cherries and this is a gap that needs to be addressed. There lacks quality differentiation of cherries, making farmers less concerned about quality. Grading is a good incentive for farmers and there is need to explore innovative ways of grading such as the floatation technique used in Ethiopia and Haiti.

2.6.2 Payment period

The duration within which farmers receive payments upon delivery of cherry should to be properly legislated. The current practice where farmers receive earnings once a year, several months after delivery of cherry is a big disincentive for production. The long waiting period implies that farmers lack continuous income and it reduces the attractiveness of coffee farming especially for the youth, and it is a major cause of coffee hawking (where farmers sell coffee to middlemen)

The payment scheme could be structured in form of a contingent contract such that farmers receive a first payment as a down payment or advance payment upon delivery of cherry and a second payment several weeks or months later that is contingent on quality achieved and prices received after the coffee is sold at the auction. This will be feasible given the suggested certification schemes. We note that the Taskforce formed in 2016 recommended the establishment of a Coffee Cherry Advancement Payment Scheme.

2.6.3 Youth participation in the coffee sector

Creating youth employment is currently a big agenda for Kenya, but the regulations are not clear on how youth will be mainstreamed in the coffee subsector, yet there are many opportunities for youth to engage along the value chain. These include participation in coffee production, primary processing, roasting, coffee shops and kiosks, coffee hawking and other coffee-related businesses such as fabricating machinery and equipment for processing and baking enterprises. To facilitate their involvement there may be need for: (i) training on coffee production; (ii) training in business skills and in particular those that support coffee-based and coffee-related businesses; (iii) access to affordable credit; (iv) creating awareness of funding for youth such as the Youth Fund and supporting them on how to access the funds.

2.6.4 Promotion of domestic consumption

Regulations are silent on promotion of domestic consumption of coffee, which is currently low at 3% of coffee produced in Kenya. While, there is a provision for a coffee roaster licence authorizing the holder to roast or grind and package coffee for local sale, there is no clear indication on how promotion of local consumption will be done or supported. The development and promotion of local consumption of coffee will create alternative markets and reduce dependency on dynamic international markets. Local

markets will help to retain the value of coffee locally and in turn improve farmers' incomes. One strategy that can promote local consumption is zero-rating coffee machines used in the coffee shops and kiosks for an initial period of three years to bring down the price of coffee and generate local demand.

2.6.5 Monitoring of unintended consequences

It is likely that the implementation of the policy will result in unintended consequences such as water pollution as a result of increased pulping stations. This report has highlighted some measures to mitigate against such consequences but the regulations need to incorporate how monitoring for such consequences will be done.

2.7 Concluding Remarks

The proposed regulations will have far reaching positive impacts will spur the development of the coffee subsector across the coffee value chain players. Overall, the benefits arising from the implementation of the new regulations outweigh the potential negative impacts identified. However, there are certain issues which are pertinent to the revival and development of the coffee sub-sector including coffee productivity and quality, but they have not been addressed in the Regulations. These include: (i) cost of production (land preparation, fertilizer application); (ii) pest and disease control; (iii) irrigation; (iv) inclusion of women and youth; (v) crop insurance; and, (vi) child labour.

It is our view that these issues can be addressed through regulations focused on specific issues such as pests and diseases or better still, they can be examined comprehensively through a coffee strategy.

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SCHEDULE s. 8

REGULATORY IMPACT STATEMENTS TO THE CROPS (COFFEE GENERAL) REGULATIONS 2019 No. []

1. Purpose of the statutory instrument

1.1 The purpose of these Regulations is to provide for the regulation, promotion and development of the coffee industry in Kenya and specifically to provide for: -

- i. Regulation of the coffee industry players along the entire value chain
- ii. The licensing and registration procedures, requirements, filing of returns and forms
- iii. Functions of the County governments to enhance clarity in the separation of roles between the national and county governments
- iv. Promotion and development of coffee trade locally and internationally
- v. Monitoring compliance along the value chain on aspects of coffee production, processing, trade and promotion
- vi. Imposition, administration and prescription of licensing and registration fees
- vii. Compliance with national and international standards
- viii. Promotion of Coffee Industry self-regulation and co-regulation
- ix. Licensee obligations to ensure good business relations between growers and dealers
- x. Effective dispute settlement mechanisms and penalties for non-compliance

1.2 Coffee industry performance

Over the years the coffee industry has been a major source of foreign exchange and is a source of livelihood to many Kenyans. An estimated 800,000 small-scale farmers and 4,000 estates are involved in coffee production and significantly draw their livelihood from coffee earnings.

The industry supports about five (5) million people due to its effective forward and backward linkages and currently contributes about 0.2% to the GDP and 8% to the agricultural sector. The sub-sector is labour intensive and contributes 30% of the total employment in the agricultural sector.

Currently, a total of 113,500 ha of land is under coffee production with production oscillating at about 50,000 MT of clean coffee, a drop from an all-time high production of 130,000 MT in 1988/1989. In 2015, the coffee industry earned the country Ksh.17.5 billion in export earnings and Ksh.230 million in local sales.

2. Legislative Context

2.1 The Coffee Regulations are to bring into effect the provisions of the two newly enacted Acts, i.e. The Agriculture and Food Authority Act, 2013 (AFA) and the Crops Act, 2013.

AFA became operational with effect from **17th January 2014**, while the Crops Act became effective from **1st August 2014**. The Acts consolidated and repealed various Acts relating to crops including the Coffee Act No 9 of 2001 to reduce duplication and overlap of functions among the former Agricultural regulatory institutions and increase operational efficiency.

These regulations replace the following regulations: -

- a) Coffee (General) Rules, 2002, and
- b) Coffee (Forms) Rules, 2012

3. Policy Background

The Government commenced reforms in the Agriculture Sector in 2003 with the formulation of the Economic Recovery Strategy for Wealth and Employment Creation (ERS), the Strategy for Revitalization of Agriculture (SRA) and the Agriculture Sector Development Strategy (ASDS). The reforms focused on the review of the Legal and Regulatory framework of the Agriculture sector.

The Kenya Vision 2030 also recognises agriculture as a key driver in achieving the targets of 10% annual economic growth and value addition pillar. Under the Vision 2030 - Second Medium Term Plan (2013 – 2017), implementation of the Consolidated Agricultural Reform Legislations was one of the envisioned flagship projects. The reforms included preparation of necessary regulations to actualize implementation of the Acts and setting up institutions such as the Agriculture and Food Authority (AFA) and the Kenya Agricultural Livestock Research Organization (KALRO)

Implementation of the reforms culminated into the enactment of three Acts namely the Agriculture and Food Authority (AFA) Act, 2013, Crops Act, 2013 and Kenya Agricultural & Livestock Research Organization Act, 2013. The AFA Act established the Agriculture & Food Authority, under section 3. The Crops Act repealed the statutes that had established the former regulatory institutions such as the Coffee Board of Kenya, Tea Board of Kenya, Kenya Sugar Board and other Agricultural Regulatory institutions. The Coffee Board of Kenya regulated the Coffee Industry before the merger and establishment of the Agriculture & Food Authority.

In addition, His Excellency the President appointed a National Taskforce on the Coffee Subsector Reforms on 3rd March 2016 vide gazette notice No. 1332 which proposed major changes to the entire coffee value chain to increase the earnings of the coffee farmers. The Task Force was necessitated by the persistently low performance of the coffee industry attributed to a number of challenges.

3.1 Problem being addressed

However, the industry has faced a number of challenges which have led to its low performance, namely;

- a) High cost of production
- b) Low productivity with a national average of 2kg/tree/year¹
- c) Declining land parcels for coffee production
- d) Declining soil fertility due to low input usage and inadequate soil conservation strategies
- e) Delayed payments to smallholder coffee farmers
- f) Poor corporate governance at grower institutions
- g) Climate change effects
- h) Aging coffee farming community
- i) Fluctuating and unfavourable coffee prices

Consequently, the formulation of Coffee Industry Regulations is aimed at providing solutions to some of the challenges enumerated.

3.2 Consolidation

These regulations will consolidate the Coffee (General) Rules, 2002 and Coffee (Forms) Rules, 2012.

4.0 Consultation with Government Ministries, Institutions and Private Sector

The committee sourced advice from the following sources that enriched knowledge on drafting The Coffee (General) Regulations, 2019.

NO	Name of institutions	Issue consulted on
1.	State Department of Agriculture /Agriculture and Food Authority	Crops Act 2013 in relation to Coffee (General) Regulations.
2.	Attorney General	Legal opinion on interpretation and response to issues raised in the court cases.
3.	Parliament Secretariat for Committee on Delegated Legislation	Legislation requirements on fulfillment on court directive on stakeholders' participation.
4.	Members of Parliament from coffee growing counties	National and county governments role in promoting coffee productivity
5.	State Department of Cooperatives	Cooperatives Act, Regulations and Coffee Cooperatives Development, i s s u e s relate to coffee production, processing, marketing, value addition and corporate governance.

¹ Data from AFA and KNBS gives a yield of 0.2 kg/tree/year. There is need to establish the source of the estimated current production of 2 kg/tree/year.

NO	Name of institutions	Issue consulted on
6.	The National Treasury	Funding of coffee subsidy and establishment of stabilization fund.
7.	Council of Governors	Devolved functions of county governments and collaborations in revitalizing the coffee sector.
8.	Tegemeo Institute of Agriculture Policy and Development	Impact assessment on Coffee (General) Regulations.
9.	County governments	Role of national and counties governments on devolved functions related to coffee
10	KALRO - Coffee Research Institute	Revitalization of the industry increase coffee production and quality.
11	Capital Markets Authority	Exchange Rules, Operations of exchange and Direct Settlement System
12	Nairobi Coffee Exchange	Coffee (General) Regulations, Exchange Rules upgrading, modernization of Coffee Exchange and marketing
13	East Africa Tea Traders Association	Experience on the Tea industry model on Direct Settlement System Operationalization of DSS
14	Kenya Tea Development Agency	Small farmers aggregation under the DSS Digitization of the data capture and management, information dissemination
15	ICT Authority	Data management through digitization of coffee cooperative societies to enhance efficiency and transparency.
16	Ethiopian coffee industry	Regulatory framework, cash payment system, modernization of the commodity exchange, warehousing system and the best practices in Coffee trade.
17	International Coffee Organization	International marketing, standards and regulations governing coffee trade.
18	Boresha Initiative	Advocacy and lobbying for farmers interests
19	Parliament Committee on Delegated Legislation	Procedures to legislate coffee regulations as stipulated in statutory instrument Act

5.0 Stakeholders Consulted, Venues and Dates

The following stakeholders who included farmers, county and national government officials, societies, unions, traders and parliamentarians, associations and consultants in various disciplines as need arose were consulted in the venues and dates indicated below. A total of twenty three (23) consultative meetings where 2,111 participants from

the 31 coffee growing regions attended.

Venue	Date	Counties/Group	Contact	Attendance
Agriculture and Food Authority Headquarters	23.10.2017	All Coffee Stakeholders meeting at AFA head office, Nairobi.	Invitation through the Gazette and press releases.	123
Naivasha-Enashipae	29.01.2018 30.01.2018	Governors and their CECs from coffee growing counties.	Invitation by letters and press releases	52
Nairobi-Azure	21.02.2018	Chief Executive Committee Members and Chief Officers from coffee growing counties	Invitation by letters	62
CRI Kenya Coffee College- Ruiru	28.02.2018	National Coffee Cooperative Union members.	Invitation by letters	43
Mabanga Agricultural Training Centre Bungoma County	02.05.2018	Bungoma, Kakamega, Busia, Trans-Nzoia, West-Pokot.	Invitation by letters	63
Nakuru Agricultural Training Centre	02.05.2018	Bomet, Nandi, Kericho, Nakuru, Baringo, Uasin Gishu.	Invitation by letters.	47
Chuka-Tharaka-Nithi County	02.05.2018	Embu, Tharaka-Nithi, Meru.	Invitation by letters.	54
Kisii Agricultural Training Centre	03.05.2018	Kisii, Nyamira, Migori, Homa Bay.	Invitation by letters.	123
CRI Kenya Coffee College- Ruiru	03.05.2018	Kiambu, Machakos, Makueni.	Invitation by letters.	98
Kerugoya-Kirinyaga County	03.05.2018	Kirinyaga, Muranga and Nyeri.	Invitation by letters.	115
CRI Kenya Coffee College- Ruiru	04.05.2018	Millers, warehousemen, marketing agents, traders	Invitation by letters	71
Murang'a (Union Hall)	08.05.2018	Murang'a.	Invitation by letters.	80
Nyeri (YMCA)	08.05.2018	Nyeri	Invitation by letters	48
Trans Nzoia	28.5.2018	Trans-Nzoia and West-Pokot	Invitation by letters	87
Nandi Hills	28.5.2018	Nandi County	Invitation by letters	136

Venue	Date	Counties/Group	Contact	Attendance
Mombasa	28-29th May 2018	East Africa Tea Traders Association (EATTA Benchmarking with tea industry)	Visited by Committee	15
Mombasa	29th May 2018	Stanbic and Equity Bank	Visited by Committee	5
Nairobi – Intercontinental Hotel	13.6.2018	Senators and Member s of Parliament in coffee growing regions	Invitation by letters	31
Kipkelion Coffee Mills, Kericho County	29th June 2018	Members of Parliament, Members County Assembly, County Executive Committee Members, union leaders and individual coffee farmers	Invitation by letters	669
Kutus, Kirinyaga County	30th June 2018	All coffee stakeholders in Kirinyaga County though press release	Invitation by letters and Radio announcement	140
Nairobi-intercontinental Hotel	1st August 2018	Committee on Delegated Legislation of National Assembly	Invitation by letters	30
Parliament building	5th July 2018	Senate committee for Agriculture	Invitation by letters	9
Mombasa-whitesand	26th -29th September 2018	Parliamentary Committee on Delegated Legislation	Invitation by letters	10
TOTAL				2,111

6.0 Key Issues Noted from the Consultative Meetings

	Regulation/ Rule	Issue raised	Proposed recommendations	How the issue has been addressed
1.	Regulation 2 Definition of grower	Recognition of cooperative society, coffee farmer and estate as grower is not in the Crops Act. Remove the word association in the definition of grower as this will encourage amorphous groups.	Amend the Crops Act 2013 to include definition of grower Amend the Regulation to remove reference to associations	Definition of grower as the person who cultivates coffee is appropriate and retained in the regulation Associations retained as they were intended to accord growers the constitutional right of association.

	Regulation/ Rule	Issue raised	Proposed recommendations	How the issue has been addressed
2.	Regulation 5(c) County Government function to issue pulping station license	<p>Process of licensing of pulping station by Counties will be very cumbersome.</p> <p>Some Counties submitted there should be no licensing. Grower as the owner of coffee should be free to deal with it as he/she deems fit</p>	The National and County Governments can collaborate in licensing.	<p>Issuance of pulping station licenses is a devolved function of the Counties.</p> <p>Capacity building of Counties is recommended.</p> <p>Regulation retained-County to issue the pulping station licenses</p>
3.	Second Schedule: Pulping station licensing requirement of 2 acres or 20,000 kg of cherry annual production.	<p>Licensing of farmers to operate pulping station (2 acres or 20,000 kg cherry will weaken the cooperatives.</p> <p>Some counties submitted that classification of growers by their land size should be deleted. Cooperatives should not be given monopolies.</p>	All the counties and traders recommended that the earlier requirement of 5 acres be maintained.	Amended the regulations to retain licensing of pulping stations at a minimum of 5 acres or 20,000 kg cherry annual production.
4.	Third Schedule: Obligation of license holder:- The 85:15 rule of capping cooperative societies' expenses at maximum 15% of the net and payment to farmers Minimum of 85%.	The capping of cooperative societies expenses at maximum of 15% of the net earnings from coffee sales and payment to farmers a minimum of 85% cannot be achieved uniformly across the societies due to differences in production and operational capacities.	<p>Retain the 80:20 ratio until productivity increases and society data capture by State Department of Cooperatives is finalized and implemented.</p> <p>Currently the 20% caters for only society expenses from net sales received. The State Department of Cooperatives should strive to enforce the 80:20 ratio Circular</p>	Amended the Third Schedule to incorporate 80:20 ratio as it is currently effected through a Circular from the Commissioner for Cooperatives. The 20% is to be on gross sales and include factory operations, milling, and warehousing and brokerage fees expenses.

6.1 Other Issues arising from the Consultative Meetings and responses by the Ministry.

No	Stakeholder	Period	Proposals	Response by Ministry
1	Coffee growers; cooperative societies and coffee estates	October 23 rd , 2012 at CRF	Request for reduction of levies from the prevailing 4%	Levies abolished via the Finance Act, 2016 and the Coffee regulations have been amended accordingly
			There is need for an interface between AFA and cooperatives due to challenges of management at the coffee cooperative societies	Proposal to amend the Cooperatives Societies Act to ensure punitive measures for non-compliance
2	Coffee Traders Meeting Council of Governors	23 rd October 2013 at Utalii 1 st July 2015	Clarification on the licensing functions between AFA and County Governments	<p>The regulations have stated the various licenses to be issued by AFA and the County Governments.</p> <p>Specifically, County Governments will issue the following licences:</p> <ul style="list-style-type: none"> i. Registration of growers ii. Coffee nursery certificate iii. Pulping station licence iv. Coffee roaster licence v. Movement permits for parchment and buni <p>AFA will issue the following licences:</p> <ul style="list-style-type: none"> i. Grower miller licence ii. Commercial miller licence iii. Warehouse licence iv. Coffee liquorer licence v. Independent cupping laboratory licence vi. Coffee trader licence vii. Trader import permit viii. Clean coffee movement permit
3	Coffee Industry Stakeholders meeting at KALRO	04 th November 2015	Growers' lack of accessibility to the NCE auction was cited	The regulations have allowed the participation of grower millers at the auction through

No	Stakeholder	Period	Proposals	Response by Ministry
				the grower millers' license. Local traders to continue to purchase clean coffee at the exchange.
9	Coffee growers' meeting at CRI Commercial Coffee Millers and Marketing Agents Association (CCMMAA)	06 th November 2015 25 th February 2016	Multiple licenses issued to stakeholders was reported by growers and discussed at a CCMMAA meeting.	The regulations have eliminated a number of licences namely; grower marketer, commercial marketing agent and management agent certificate and expanded the scope of other licences such as grower miller.
10	Commercial Coffee Millers and Marketing Agents Association (CCMMAA)	25 th February 2016	Concerns were expressed that no criteria existed for the pricing of Kenya coffee. Reliance on international markets was misleading as Kenya coffee was of a much higher quality.	The regulations had initially provided for the establishment of the Coffee pricing committee which was to propose indicative prices for the guidance of the coffee industry (pricing based on quality, NCE and international prices). However, after further consultations with stakeholders, this was expunged from the regulations.
11	Coffee growers' meeting at CRI Kenya Planters Cooperative Union	6 th November 2015	Growers who wish to market their coffee through the NCE noted that the existing Bank Guarantee of USD 1 million was prohibitive. Growers reported that there were delays in the release of their coffee payments. KPCU Ltd on various occasions expressed dissatisfaction with the USD 1million bank Guarantee as being prohibitive	The regulations allow for a coffee trader, local roaster or licensed miller to trade at the NCE, where payments for coffee sold through the exchange will be made through the Direct Settlement System (DSS). The DSS is expected to eliminate delays in the release of payments.
12	Coffee growers meeting at CRI	6 th November 2016	Growers observed that coffee prices were occasionally not competitive	The elimination of the 4% Ad valorem levies The elimination of the marketing agency licence

7. Guidance

Once these Regulations come into operation, the Ministry shall undertake the following activities:

- i. Stakeholders' sensitization for the different players along the coffee value chain
- ii. Training and capacity building for the staff in the County governments
- iii. Consultation with the County governments during the implementation of the Regulations

8. Impact

8.1. Impact on fundamental rights & freedoms

- 8.1.1. The proposals in the coffee regulations are not expected to have direct infringement on fundamental rights and freedoms. However, increase in coffee production increases the risk of child labour during harvesting. It is estimated that children below 15 years supply up to 30% of the labour during peak harvesting period, and likely to infringe on their right to basic education. Enforcing coffee industry code of conduct especially in large coffee estates, national and international certification codes such as fair trade can minimise the expected adverse effects.

8.2. Impact on the Private Sector

- 8.2.1. The proposal to enhance the support provided to coffee growers such as: access to certified seed and extension services; pest and disease surveillance; and, strengthening of coffee growers' institutions to improve governance and eliminate theft is expected to increase coffee production by 20% annually. It is anticipated that this will improve economic performance and lead to higher export earnings for the country estimated at Ksh.200 million in real terms by 2020.
- 8.2.2. The proposal to enhance the operational efficiency of cooperatives will lead to better product quality. Investments to produce better quality coffee and at sufficient scale is expected to improve earnings for growers by 50%.
- 8.2.3. The proposal to consolidate licences will improve the ease of doing business in the industry. Introducing pulping licenses for growers will enable them to carry out value addition to coffee cherry and attract better prices.
- 8.2.4. The proposal to reduce requirements for pulping stations and milling houses and license coffee traders and roasters will improve business and employment opportunities, especially for the youth. This will likely lead to an improved economic performance by doubling the number of people employed along the value chain, stimulate activities at the auction and is

likely to result in better coffee prices, thereby improving livelihoods.

- 8.2.5. The proposal to allow smallholder coffee growers to choose to register with a cooperative or any other legal entity will lead to improved governance of coffee cooperatives. Coupled with the option to register pulping stations and sell their coffee directly at the Nairobi Coffee Exchange, smallholder growers will make decisions that maximise their returns to coffee farming.
- 8.2.6. The proposal to eliminate the 4% Ad Valorem has resulted in reduced income for the Coffee Research Institute (CRI), which has been supporting farmers improve productivity. It is highly unlikely that farmers will meet the costs that are now charged to access services offered by CRI, given that CRI does not offer extension as a public good. This will likely affect farmers negatively since many farmers are not used to paying for research and extension services. Without access to these services, it's also unlikely that they will adopt new technologies or improve their productivity.
- 8.2.7. The proposal to improve efficiency at the Nairobi Coffee Exchange through establishing minimum tradeable volumes, incorporate the exchange in line with the capital markets act and introduce a Direct Settlement System will allow efficiency in trading and for the timely release of payments to value chain players. This will eliminate the long delay in the release of payments and reduce uncertainties, which are in turn expected to motivate farmers to increase production. This coupled with the establishment of warehouse receipts system will enhance credit recovery mechanisms and bring down the risk associated with lending to coffee farmers and may result in increased access to credit at competitive terms.
- 8.2.8. The proposal to enhance traceability through geographical indication and certification will enhance grading and branding of coffee. This will allow growers to be paid based on the quality they produce. It is expected that this will motivate growers to invest in producing high-quality coffee and get higher returns.

8.3. Impact on the Public Sector

- 8.3.1. The proposal to enforce a code of practice for the industry players, will enhance compliance with national and international standards and promote fairness among industry players, which will, in turn, guarantee better prices leading to increased incomes and improved livelihoods for industry players.
- 8.3.2. The proposal to eliminate the ad-valorem levy, licenses for commercial marketing agents and grower marketers and service fees for growers will lead to loss of income for research. However, while it is expected that the revamping of the industry will lead to the entry of new players along the value chains who will pay service fees to enable research, the ability of CRI to offer these services will be hampered until alternative sources of

financing are established.

- 8.3.3. The proposal to clarify the roles of the regulator and those of county governments in the coffee industry will lead to improved service delivery and enforcement of these regulations.
- 8.3.4. The expected increase in economic activity such as an increase in the number of pulping stations, milling and coffee houses will require planning for increased demand for critical utilities such as water and energy.
- 8.3.5. Increased coffee production and value addition will generate higher foreign exchange earnings and improve the country's balance of payments.
- 8.3.6. Creation of new employment opportunities will aid the country's long-term objective of poverty alleviation.
- 8.3.7. The consolidation of licences and enforcement of a code of practice and standards will create an enabling business environment to attract private sector investments.

9. Monitoring and review

The success criteria include:

- i. Eliminated Ad valorem levies will need to be tracked. In a demand-driven system, farmers may not be willing to pay for useful research to allow for increased productivity and income from coffee farming. Alternately, those who pay or see the value of paying for this service could be those already doing well. Lack of or limited access to research and extension services can negatively affect the coffee revival efforts. Tracking the impact of this both on farmers and the CRI will be important and establish if the levies or alternative financing of CRI can be established.
- ii. The performance of coffee cooperatives will need to be monitored. Efficiency can be measured in terms of operational capacity, costs of milling and processing, and management costs charged to smallholder farmers. Compliance with the 80- 20 rule by the State Department of Cooperatives should also be enforced, with inefficient coffee cooperatives given the required support after assessment.
- iii. The ease of doing business will lead to more players thus increasing competition and efficiency.
- iv. Introduction of the roasters' licence will lead to the growth of SMEs in coffee and increase domestic coffee consumption.
- v. Enhanced compliance with national and international standards will result in higher coffee quality, improved prices and reduced complaints from coffee roasters and buyers.
- vi. Due to stakeholder's consultation on the Regulations, stakeholders' compliance levels will increase.
- vii. Improved relations between the National and County Governments will lead to increased consultations, harmonized coffee laws and joint growers' fora.

- vii. A higher number of applicants for pulping station licences with the reduction of minimum acreage.

The outcomes will be subject to internal reviews by the Coffee Directorate every two years, and the regulations may be amended accordingly. The regulatory impact assessment will also be conducted on a yearly basis to inform the need for additional amendments to the Regulations.

10. Contact

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EGERTON



UNIVERSITY

**TEGEMEO INSTITUTE OF AGRICULTURAL
POLICY AND DEVELOPMENT**

FINAL REPORT

ON


**REGULATORY IMPACT ASSESSMENT OF THE DRAFT COFFEE (GENERAL)
REGULATIONS, 2018**

Submitted to:

The Agriculture and Food Authority

By:

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4th Floor, Tetezi Towers
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P.O. Box 20498 -00200, Nairobi, Kenya.**

 THE NATIONAL ASSEMBLY PAPERS LAID	
May, 2018 DATE: 06 OCT 2021	
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1. Background

The coffee sector in Kenya supports an estimated 5 million people, both directly and indirectly. The current production of about 40,000 metric tonnes (MT) is significantly lower than in 1998 (128,926 MT). This reduction is attributed to poor payment to farmers and reduced yields caused by high incidence of coffee leaf rust and coffee berry disease (FAO 2013). Most of the coffee farmers are small-scale, currently estimated at 700,000 and producing around 60% of the country's output. The rest is produced by farmers holding at least five hectares. Most small-scale farmers grow coffee on their own farms, which are properly titled. This reduces the risk of incidences of land conflicts in the coffee sector (GoK 2016).

The sector is currently characterized by low earnings (especially for small-scale farmers), low yield per plant, high cost of inputs, governance weaknesses and declining acreage under coffee production. According to the Food and Agricultural Organisation of the United Nations (FAO), the total acreage under coffee has declined by approximately two-thirds between 1990 and 2014, while yield per hectare has reduced by almost half (FAO 2015). Statistics from the Agriculture and Food Authority (AFA) also a declining trend in area and production (Table 1). The dismal performance in coffee production has resulted to increased poverty in the growing areas. Fertilizer is one of the critical inputs in coffee production that contributes significantly to production costs. However, with increasing fertilizer prices majority of the farmers have been forced to abandon use of fertilizers and instead use manure or none at all. It is critical that farmers are supported to access fertilizer at competitive prices. Another critical production activity is pest and disease control which accounts for 30-35 percent of the production costs. Prices of chemicals have also increased significantly, which has led farmers to abandon use of chemicals or use them sub-optimally. To revive the coffee industry, there is need for efforts to improve profitability of production, which implies that interventions to improve productivity and cut down on costs of production are required. In addition, the rapid growth of the specialty coffee market has presented new opportunities for smallholder farmers and for them to benefit from this rising demand, there is need to improve both the yield and quality of coffee.

In Kenya, the coffee sector contributes about 8% of the total exports earnings with an annual inflow of about Ksh 20 billion. Throughout the years the coffee industry has been characterized by cyclical market trends. Since 2003, the coffee markets have been on a steady recovery. The recovery has been largely attributed to the increasing global deficit, as the expanding consumption outpaced the growth in supply. It has further been projected that globally, coffee supply will continue to be constrained by various factors including climate change and resource competition, while consumption will continue to grow in both traditional and emerging markets. This overall position presents a generally viable proposition for producers of coffee across the world.

Coffee marketing is done through two channels. First is the Coffee Directorate-licensed marketing agents and dealers at the Nairobi Coffee Auction, which accounts for 90 % of the coffee sales. The second option is direct sales by marketing agents to consumers or their

representatives, which accounts for the remaining 10 % of the coffee sales. The aim of direct sales is to give growers a direct link with international buyers of the Kenyan coffee. Some notable challenges with direct sales include: most growers are not able to supply the required volumes consistently; growers have limited market intelligence and capacity to negotiate contracts and handle export logistics; and, poor promotion of Kenyan coffee in the international markets. It is worthwhile to note that the rapid growth of the specialty coffee market has created new opportunities for smallholder farmers in Kenya.

Table 1: Coffee Production Trends (2008-2015)

		2008	2009	2010	2011	2012	2013	2014	2015
Area under coffee (ha)	Small holder	122,040	106,656	120,000	120,000	85,189	85,200	85,300	87,433
	Estate	40,680	53,344	40,000	40,000	24,606	24,600	24,700	26,067
	Total	162,720	160,000	160,000	160,000	109,795	109,800	110,000	113,500
Production	Small holder	22,260	29,370	22,280	19,600	27,000	21,900	32,700	27,230
	Estate	19,740	24,650	19,720	16,660	22,000	17,900	16,800	14,807
(Mt)	Total	42,000	54,020	42,000	36,260	49,000	39,800	49,500	42,037

Source: Coffee Directorate, AFA

The Agriculture and Food Authority (AFA) Strategic Plan (2016-2019) has proposed some measures to increase coffee production and consumption in the country. The plan proposes to increase the area under coffee from 110,000 to 130,000 Ha by 2021. The extension services will be strengthened as well as promotion of new varieties and reintroduction of Robusta coffee at the Lake Basin and Coastal areas. The plan also proposes to increase domestic coffee consumption by at least 5% by 2021. On international coffee trade, the plan is to hold at least four international coffee fairs per year from 2016 to 2021.

2. An assessment of the impact of coffee regulations

The Crops Act 2013 Section 40 gives the Cabinet Secretary in charge of Agriculture the powers to make regulations for the better carrying out of the provisions of the Act. In light of this, AFA in consultation with the counties and relevant stakeholders drafted the Coffee Regulations 2018. AFA engaged Tegemeo Institute of Agricultural Policy and Development, Egerton University to undertake a regulatory impact assessment of the Draft Coffee Regulations.

The assessment of the regulations sought to determine:

- i. economic, environmental and social costs as well as benefits associated with the regulations
- ii. administration and compliance costs (including resource allocation costs) that will be required to put the regulations in place

- iii. their impact on the private and public sectors and fundamental rights and freedoms
- iv. whether there are other practicable means, regulatory or non-regulatory of achieving the objectives of the regulations. This will focus on complementary and supplementary strategies for achieving the objectives of the regulations.
- v. if there are other pertinent issues that have been omitted or not well articulated in the regulations and which are likely to impact on the implementation of the regulations as well as the revival and performance of the coffee sub-sector. These include cherry pricing mechanism, payments to farmers, youth engagement in the coffee subsector and domestic consumption.

2.1 Benefits to be derived from the regulations

The benefits that are expected to be derived from the regulations relate to aspects of production, processing and marketing of coffee as well as efficiency in delivery of services for value chain players. This section outlines the potential benefits and identifies specific clauses in the regulations, indicating how they are likely to confer the outlined benefits.

(i) Increased production of coffee by farmers

Overall, the regulations seem to focus more on improving coffee trading and marketing, but this is not enough. It is particularly necessary to pay attention to improving production at the farm level, given the trends in declining yields and acreage under coffee. Increased volumes will mitigate the falling prices in the global market. However, the provisions that will boost production include:

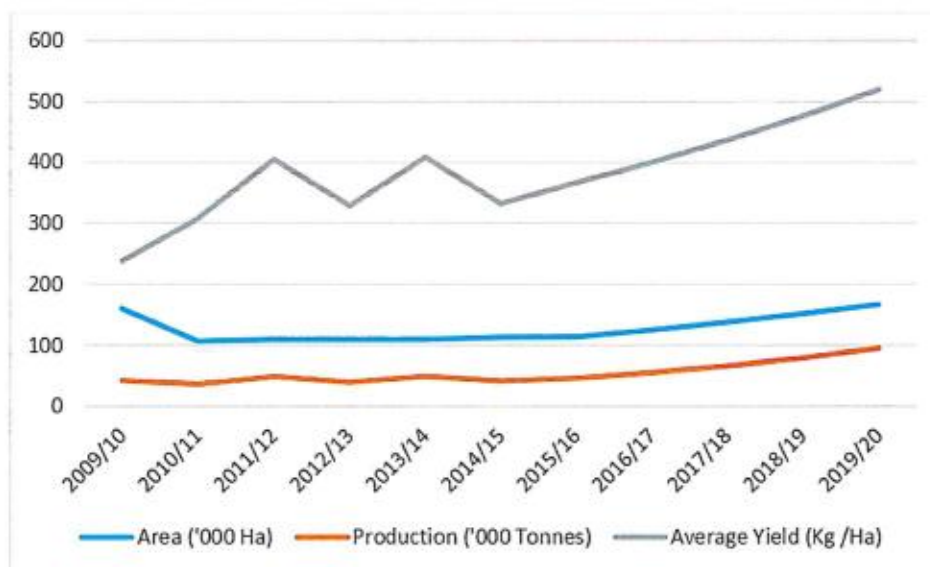
- Clause 5 (d): the county governments shall offer extension services on coffee production and primary processing. Extension services at the county level are currently inadequate and they need to be revamped to provide intensive agronomy training to boost productivity. However, focus should not be on agronomic practices without business development services, since there is need to promote and support coffee farming as a business among farmers and farmer organizations. Hence, county governments may need to support coffee specific extension within the revamped extension delivery systems, which will meet the prevailing industry requirements. This may mean supporting coffee specific extension in every coffee producing county; training extension service providers in coffee specific extension knowledge including business development services; and, building capacity and support for farmer-led extension systems.
- Clause 5 (g): the county governments in collaboration with the law enforcement agencies will enhance security in coffee growing areas. This will reduce the cases of theft of cherries and parchment; if farmers can't secure their harvest, they will stop growing coffee and production will decline further.
- Clause 5 (h): the county government will enforce policies and guidelines on corporate governance in coffee grower institutions. This has been a major challenge in the past due to

corruption and mismanagement of these institutions that has contributed to dismal performance. Cooperatives are considered key for increasing the scale of production, maintaining quality standards and guaranteeing the reliability of smallholders as preferred suppliers in the coffee value chain.

- Clause 5 (i): the county government will monitor and report incidences of pests and disease outbreaks and take appropriate action with relevant agencies.
- Clause 17 (1,2): for record purposes estate growers and smallholder farmers who plant or uproot coffee will notify the county government/cooperative society in writing within six and three months of doing so, respectively, regarding the size of area planted or uprooted. This will guide the sector players in planning and output projections.
- Clause 18 (1): The Authority shall develop and enforce a coffee industry code of practice and standards on coffee production, processing and marketing
- Clause 20 (1, 2): Coffee certified seeds or seedlings will only be accessed from the Kenya Agricultural and Livestock Research Organization (KALRO) or its authorized agents. This will ensure that farmers are provided with quality planting materials. There is need to sensitize farmers of newer varieties such as Ruiru 11 and Batian that are disease resistant, grow faster and have higher yields compared to older varieties.

If the interventions outlined above are implemented as envisioned, area under coffee as well as production and productivity are expected to improve as shown in Figure 1.

Figure 1: Coffee production for the period 2009-2015 and projections for the period 2016-2020

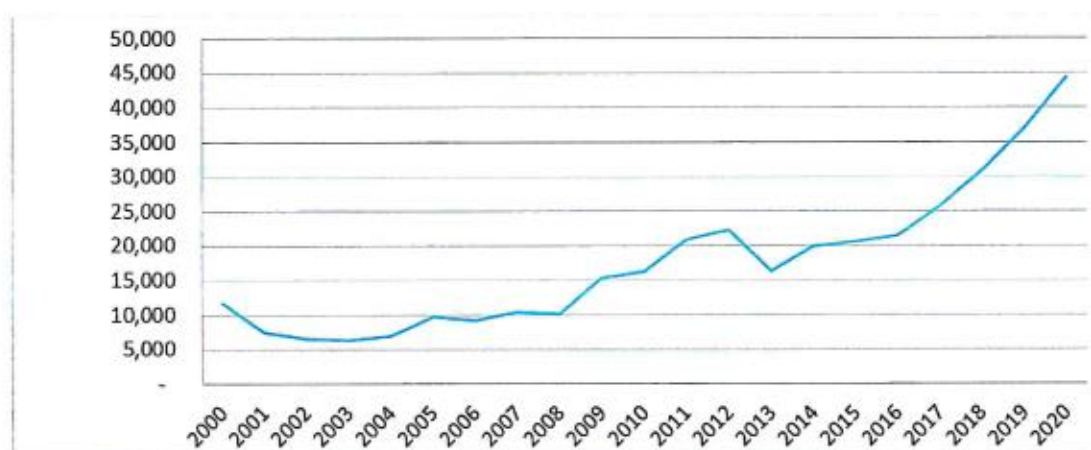


Source: Economic Surveys (various publications) and authors' calculations

Assuming that the regulations will lead to an increase in area under production by 10 percent, we expect coffee production to increase by 20 percent every year. The yields will increase by 29 percent by 2020. Increase yields will result in lower costs of production, better incomes and improved competitiveness at the production level. If provisions are supported by clear plans for financing the capacity to produce, the benefits from the projected increases will be larger.

With the new regulations, coffee production will increase due to improved crop husbandry and marketing. This will open up more marketing opportunities both locally and abroad that will stimulate increased exports. Assuming an annual growth of coffee exports by 20 percent, the value of exports will potentially increase to approximately Ksh 45 billion by 2020 in nominal values as shown in Figure 2.

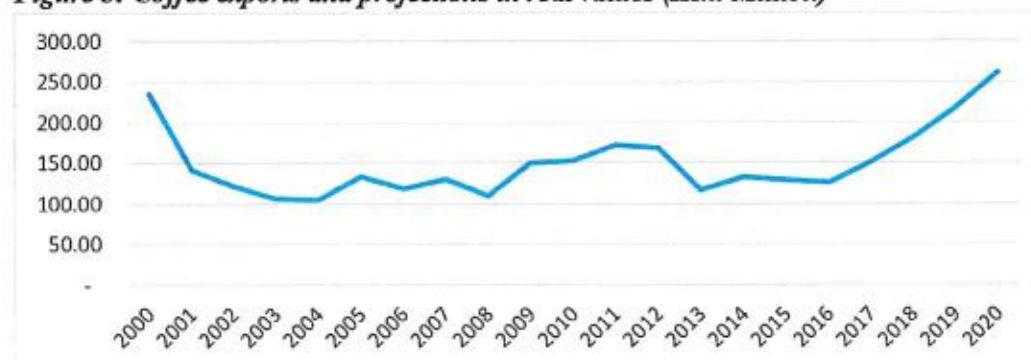
Figure 2: Coffee exports and projections in nominal values (Ksh. Million)



Source: Economic Surveys (various publications) and authors' calculations

Since 2010 coffee exports have been on a downward trend in real values as shown in Figure 3. With stability in exchange rate and market prices the earnings from coffee will potentially increase to Ksh 250 million by 2020 in real values.

Figure 3: Coffee exports and projections in real values (Ksh. Million)



Source: Economic Surveys (various publications) and authors' calculations

(ii) Increased growers returns

While increased coffee production will lead to higher returns for coffee growers, other provisions in the regulations will also ensure increased returns for farmers. These include:

- Clause 10 (1) b): Growers can apply for a pulping license to operate a pulping station at a reasonable fee. This will enable farmers to benefit more from selling fully washed coffee at much higher prices to the millers compared to prices they receive for cherry delivered to cooperatives. This benefit can be greater if affordable and locally assembled wet mills are accessible.
- Clause 10 (1) c): Growers can apply for a milling license to pulp, mill, market or roast own coffee. This will create opportunities for value addition that improves the farmer returns.
- Direct sales between growers or grower millers with overseas buyers will allow cooperatives to cut the cost of middlemen and hence improve farmer returns, especially where governance of cooperatives has improved.
- Experts on the world coffee market often make reference to the "coffee paradox". The global coffee chain is currently characterized by a paradoxical coexistence of a 'coffee boom' in consuming countries and a 'coffee crisis' in producing countries. A coffee crisis in producing countries is characterised by a trend towards lower prices, declining incomes and profits affecting millions of people in the world's poorest countries. On the other hand, a coffee 'boom' in consuming countries comprises of rising sales and profits for coffee retailers and roasters. This coffee paradox is typical in Kenya and it exists mainly because what coffee farmers sell and what consumers buy are very different coffee products. As long as coffee farmers do not control at least what the consumers want, they will keep receiving low prices. This can be addressed through empowering growers to add value by producing specialty coffee and accessing direct markets. Better organized farmers as envisioned in the regulations, either through strong co-operatives or other legal entities can intervene directly in the coffee market by bringing strength through numbers in the negotiation of better coffee prices.
- A warehousing receipt that will be issued to farmers by a licensed coffee warehouseman in respect of coffee stored in a licensed warehouse can be used as collateral, hence opening avenues for farmers to access credit for coffee-related activities or other expenditure including businesses.

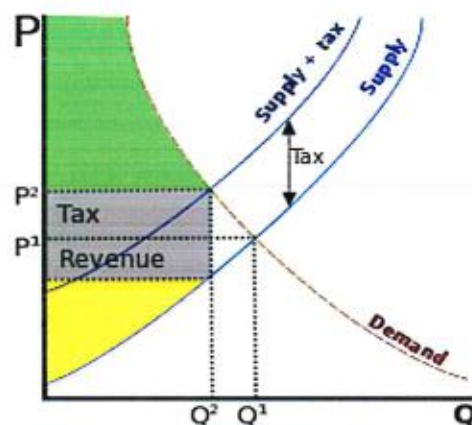
(iii) Minimized taxation

- The 4% levies charged to the farmers to finance the Coffee Directorate, Coffee Research Institute and roads levy were abolished through the Finance Act 2016. The reduction of levies will increase the farmers' incomes. Reduction of taxes levied on coffee farmers will

have positive impacts on the producers and consumers but will lead to loss of revenue to the government. The effect can be evaluated through changes in both producer and consumer surplus. Producer surplus represents the benefit the seller gains from selling a good at a specific price. The coffee producer surplus will increase as a result of reduction in taxes. This is due to the increase in quantity of coffee sold as the relative price of the good decreases with the reduction in taxes. This will ultimately lead to better incomes for the coffee farmers. Consumer surplus refers to the net gain that a consumer receives when she purchases a specific good at a specific price. It represents the difference between the actual price paid for a good and the price a consumer would be willing to pay to purchase the good. With the reduction in taxes levied to coffee farmers the overall price paid by consumers for coffee decreases. At a lower price level, demand for the good increases, resulting in increased consumer welfare. However, the loss of revenue is likely to negatively impact research and state of roads in coffee growing areas, unless the National and County governments support these from other funds.

In addition, elimination of the levy will result in reduced income for the Coffee Research Institute (CRI), which has been supporting farmers to improve productivity. Farmers may not be willing to pay costs for accessing services offered by CRI, given that without funds from the levy, CRI will not be able to offer extension as a public good. This will likely affect farmers negatively since many farmers are not used to paying for research and extension services. Without access to these services, it's also unlikely that they will adopt new technologies or improve their productivity.

Figure 4: Effect of tax reduction on coffee output



As illustrated in Figure 4, with reduction in taxes, the supply (coffee output) increases, the price decreases and this leads to increased demand.

- The cooperative society commission not to exceed 20 % of the net earnings from the coffee sales. This rate has been retained as before and the commissioner of cooperatives ought to enforce this rule. This will help to boost farmer returns.

(iv) Increased efficiency in service delivery

- Licensing: the regulations have clearly stated how licences will be issued by AFA and the county governments and nobody will be allowed to transact in any coffee business without a valid license
- Clause 10 (1) (a to d) specifies the licences to be issued by the county government (coffee nursery certificate, pulping station license, growers' milling license and coffee roaster license).
- Clause 10 (2) (a to e) specifies the licences to be issued by AFA (commercial millers license, liquoring, cupping, warehousing and trading licenses).
- Clause 11 (1): to avoid conflict of interest, a holder of a coffee trader's license will not be licensed as a commercial miller or a ware houseman. Large coffee businesses can overcome this licence regulation by establishing new companies that operate independently on paper but that are subsidiaries owned by a business group. This will, however, not be feasible for small businesses, which may find the costs of such moves or decisions too high. The result may be a market structure, where medium sized businesses (traders, millers or processors) are nearly absent.
- The regulations have provided for the issuance of movement permits that will allow movement of coffee. Clause 15 (5) states that the licensing authority will monitor the movement of coffee between stores and the market to ensure that coffee is safe and minimize illegal coffee dealings. However, this will not apply to a smallholder farmer moving own coffee between the farm and the pulping station where he is registered.
- Clause 5 (f): the county government will enforce policies and guidelines on corporate governance in coffee grower institutions, which is expected to streamline operations and improve service delivery.
- Clause 25 (1, 2): the establishment of the Direct Settlement System (DSS) will facilitate faster payment of coffee proceeds to farmers.
- Clause 5 (a): the county governments shall offer extension services on coffee production and primary processing. Better services that will include business development services and coffee specific extension will be beneficial.

(v) Improved coffee marketing

- Clause 23 (3): Through the growers milling licenses, the growers will have access to the Nairobi Coffee Exchange (NCE). In the past farmers were not allowed to trade at NCE and participation was restricted to licensed marketing agents and dealers. The new regulations allow farmers to participate in the marketing of their coffee at the NCE, which will improve their returns. There will be minimum tonnage to be sold by the millers at the NCE introduced to minimize congestion

- The regulations have eliminated several licenses. These include grower marketer, commercial marketing agent and management agent certificate. This will help reduce the number of value chain players and length of the chain, and associated bureaucracy.
- Clause 11 (1): a holder of a coffee trader's license shall not be licensed as a commercial miller or warehouseman. This will take care of the cross-ownership challenge that increases conflict of interest in form of insider trading in favour of dealers.
- Clause 24 (1, 2) allows a grower cooperative society or other legal entity to undertake direct sales or sell clean coffee to local roasters for local value addition. Farmers could target the new markets such as Ukraine and Russia that are witnessing a sharp increase in the consumption level. Several Middle Eastern countries having higher disposable incomes are also predicted to offer good prospects for growth in the short-to-medium term period.
- Clause 25 (1,2); the Nairobi Coffee Exchange (NCE) shall be incorporated in accordance with Capital Market Act to maintain a transparent and efficient auction system for coffee trading
- Clause 26 (3): the establishment of the Direct Settlement System (DSS) in licensed commercial banks will facilitate faster payment of coffee proceeds to farmers. DSS will be piloted before being rolled out and a transition period of one year provided for the DSS to be rolled out. DSS provider to remit the proceeds to growers and service providers within 10 days after the auction- currently law stipulates 14 days after the auction
- The pulping station licensees have no authority to receive growers' money after the sale of coffee; payment will be done directly to the grower from the DSS or other agent appointed by the grower for that purpose.
- Clause 19 (1-7) provides for the certification of the Kenyan coffee. This means that coffee will be labelled for traceability that ensures quality is maintained and adds more value. The rules allow growers and millers to seek for certification from the Authority. The welfare impact of certification can be measured with a wide range of indicators. Most studies focus on coffee yields, prices and (net) revenues. A study on impact of coffee certification on smallholder farmers in Kenya found that certified farmers are likely to fetch significantly better prices for their coffee. Farmers selected for certification were usually found in sub-optimal production areas. Consequently, initial gains from certification are usually high, but these tend to disappear once other non-certified farmers catch up in the process.
- Clause 28 provides that the authority will coordinate coffee stakeholders at national and international events for the purpose of promoting Kenya coffee. While the bulk of coffee is exported, only 3 percent is consumed locally. An increase in consumption favouring a gradual rise in world prices would be a positive factor for economic growth and increased per capita incomes.

(vi) Insurance against losses

Clause 22 (5): commercial millers will be required to take insurance cover against fire, theft and other risks for all the coffee in their possession. This will reduce cases of coffee theft from stores that have been quite rampant.

Clause 21 (3) c: While the coffee is at the pulping station, the licensee shall insure the coffee against loss and damage while at the station and in transit and reinforce the security of the station to guard against theft of coffee.

(vii) Improved milling and processing of coffee

- Competitive procurement of milling services: Clause 22 (14) provides that a cooperative society or any entity representing smallholder farmers will have to bid for milling services before issuing any contracts. This will ensure transparency and accountability in the milling process.
- Clause 10 (1) d) provides for a coffee roaster licence authorizing the holder to roast or grind and package coffee for local sale. Local processing and sale of high value coffee increases value added.
- To promote local processing and value addition, provision of tax incentives (e.g. removal of duties) on roasting machines and packaging materials need to be considered.

2.2 Costs associated with the regulations

The costs include economic, environmental, social, administration and compliance costs (including resource allocation costs) that will be required to put the regulations in place.

- i) The cost of comprehensive insurance against loss or damage to coffee will be incurred by the millers and warehousemen
- ii) The compliance costs are numerous and could be expensive. These include tax compliance, NEMA certificate (Ksh 40,000), Occupational Health and Safety Certificate, Certificate of Registration and County Business permit.
- iii) The registration (Ksh 500) and nursery certificate (Kshs 1,000) fees are quite manageable for the smallholder farmers
- iv) The pulping station license fee (Ksh 1,000) and Grower's miller licence (Ksh 10,000) are quite reasonable especially for the smallholder farmers.
- v) Movement permits of one US dollar per leaf for clean coffee. However, licence for movement of parchment/buni is free of charge.
- vi) The roasters license (Ksh 5,000) issued by the county government is quite reasonable and could promote value addition

- vii) Commercial Coffee millers license (USD 1000/ Ksh 100,000)
- viii) Independent cupping center (Ksh 20,000) to be incurred by grower and commercial millers
- ix) Warehousing costs to be paid in Kenya Shillings per 60 kg bag of the coffee stored at the warehouse. The cost shall be paid by the grower through the Direct Settlement Service once the coffee is sold.
- x) A commercial miller's bank guarantee (1 Million-12 Million USD). However a commercial miller who does not handle coffee sale proceeds on behalf of the grower shall be exempted from this requirement.
- xi) Cost of warehousing facilities will be borne by the warehouseman to ensure that the storage facility licensed for the storage of coffee is well designed and maintained to guarantee the quality and safety of the coffee, including providing for insurance against loss of damage.
- xii) Inspection costs
 - Clause 34 (1) indicates that the Authority, in collaboration with the County Governments, shall conduct inspection of coffee farms, coffee nurseries, pulping stations, coffee mills, warehouses, cupping centres, vessels transporting coffee or the premises of coffee traders to ascertain compliance with the requirements of the Act and these Regulations.
 - In addition, clause (36) indicates that the Authority will conduct periodic surveillance among all the above players to assess the degree of compliance with the coffee industry policy, standards, code of practice, laws and the general well-being of the coffee industry.
 - Clause 5 (i): The county governments shall monitor and report incidences of pests and disease outbreaks and take appropriate action in collaboration with the Authority and other relevant government agencies.
- xiii) Capacity building

This will be done at various levels and for different players across the value chain, for which resources will need to be allocated:

 - Clause 4 (2) b): The Authority to co-ordinate capacity building activities for players in the coffee value chain.
 - Clause 4 (2) e): The Authority to conduct local and international coffee market intelligence and promotional activities including the application of the National Coffee Kenya Mark of Origin
 - Clause 33 (2): The Authority, in consultation with industry stakeholders, shall develop a training curriculum, conduct examinations and issue certificates for coffee liquorers.

xiv) Environmental costs

Coffee production and processing have considerable impacts on the environment. These impacts include high consumption of energy, water and land. After coffee is picked, the pulp and mucilage is removed which requires two different processes. Coffee is then dried, the parchment removed and then sorted. The main sustainability concerns in coffee processing are as a result of intensive use of pesticides and poor disposal of waste products. About 99% of the biomass waste produced, mainly untreated pulp and husks is discarded on land. Further coffee processing consumes high quantities of water and energy. It is estimated that over 200,000 tonnes of pulp at 77% moisture content and 2,300,000 litres of polluted water are released into the environment every day in Kenya (Shitanda 2006). On average 45.5 kg of green coffee requires between 1,000 and 2,000 litres of water, 12.5 kWh of electricity and 0.07 cum of firewood for processing (Instituto del Caf  de Costa Rica -ICAFFE, 2006). A survey of rivers between Nairobi and Thika towns in Kenya showed that they were all polluted with coffee waste with Biological Oxygen Demand (BOD) levels of more than 100 mg/l. The unpolluted rivers had BOD of 4 mg/l (Wrigley, 1988). Although a river of 10 mg/l is considered significantly polluted, the maximum allowable limit of effluent discharge into the environment is 30 mg/l (BOD 5 days at 20 C) according to Kenya's National Environment Management Authority (NEMA) Standards (Republic of Kenya, 2006). With the proliferation of coffee milling, due to the increased number of pulping stations, it will become necessary to assess possible negative environmental effects. This will mean additional costs and resources for an environmental impact assessment by NEMA before registering the mills.

xv) Social costs

Increased coffee production will result in need for more labour, which could easily attract school going children and could negatively impact on their schooling outcomes.

2.3 Impact of the regulations on the private and public sectors

The Coffee Regulations are aimed at providing regulation, promotion and development of the coffee industry. Hence, the regulations will have both negative and positive potential impacts on the players in the coffee value chain, both in the private and public sector. Both positive and negative impacts can be summarized as follows:

Economic impacts

The implementation and enforcement of the regulations will lead to a more vibrant coffee subsector from production to consumption. This is expected to have economic impacts at different levels of the economy, which can be summarized as follows:

- a. Household incomes: these will increase as coffee production, productivity and marketing improve. Also, the review of minimum requirements for the issuance of licences for pulping, roasting and milling of coffee will enable participation of some farmers in value addition, which will boost the business component of household incomes. Overall, higher incomes will lead to better household welfare including food and nutrition security.
- b. Business growth and employment: with promotion of coffee production and easier entry into more value addition activities in pulping, milling and roasting, coffee-based small and medium scale businesses and industries (SMEs) will emerge through both backward and forward linkages. They will directly and indirectly benefit about five million people in the country by providing income and employment, particularly for the youth, who have an inclination toward participating in value chain activities post-production level. These businesses could include coffee shops and street coffee vending that may also lead to growth of other businesses such as bakeries. They are supported by a growing urban coffee culture among young adults and professionals, due to increasing urbanization and higher incomes among the middle and upper classes. We also expect to see growth in manufacturing businesses that will support the coffee-based SMEs in terms of fabricating pulping and roasting equipment as well as developing or importing coffee packaging machines and materials and coffee dispensing and vending machines. Youth employment can be boosted through such coffee-based and related businesses, particularly if they are able to access finance. To boost business growth in the sub-sector, there is need for tax incentives such as zero-rating of equipment and machines.

In the short to medium term, it is expected that there will be an increase in the number of pulping stations. However, their efficiency may be hampered by their size¹ and hence in the long-term, there may be incentives to consolidate such businesses to achieve economies of scale.

- c. Value addition and global market access: one of the major challenges that has affected the coffee sector is limited value addition. Although Kenyan coffee is of superior quality, it is mainly sold as a raw material for blending, with little or no value addition. Consequently, coffee has had relatively lower market value leading to a reduction in incomes that accrue to the local economy. The regulations will facilitate a reversal of this trend and hence create more value overall and for each player along the coffee value chain, as well as support sustainable commercial production of coffee where farmers are assured of stable and remunerative returns. In addition, strategies to market coffee that are provided for in the regulations will create a bigger footprint for Kenyan coffee in the world market. These include opportunities for farmers, cooperatives, associations and other legal entities to engage in direct sales with overseas buyers and sell coffee in the NCE; and, promotional strategies such as the application of the National Coffee Kenya Mark of Origin and use of certification schemes for Kenyan coffee. Creating real value

¹ Farmers with 20,000 kg of cherry on an average over three years can apply for a pulping station license.

out of the Kenya Coffee brand will promote foreign exchange earnings for the country. This can be greatly enhanced by branding coffee based on quality and taste profiles unique to the area of origin and sold as premium coffee.

Additionally, by adhering to the code of production standards, coffee growers can access specialty markets, which confer price premiums of up to 40% compared with conventional coffee. Farmers can then use these increased revenues to access education, health and new business enterprises.

- d. Economy-wide growth: increased production and marketing of coffee, particularly in niche markets will lead to an increase in foreign exchange earnings for the country. In addition, through linkages with other sub-sectors such as manufacturing, it is expected that better performance of the coffee sub-sector will result in higher incomes for various players in other sub-sectors. More importantly, given that the status of the agriculture sector greatly determines the overall economic growth of the Kenyan economy, a vibrant coffee sub-sector will boost growth in the agricultural sector and, hence overall economic growth through the various linkages that agriculture has with other sectors. A better performing economy will enable the government to meet its key targets as outlined in the Kenya Vision 2030, the SDGs and other sectoral strategies such as the proposed Agriculture Sector Growth and Transformation Strategy (ASGTS). In particular, it is recognized that the youth unemployment challenge in Kenya is primarily a problem of labour demand since the economy is not creating sufficient jobs to cater for the increasing number of youth that is entering the labour market. Hence, a vibrant coffee sector will contribute to youth employment and the achievement of the goal of the Kenya Youth Agribusiness Strategy 2017-2021, which aims at positioning the youth at the forefront of agricultural growth and transformation.
- e. Increased idle milling capacity: currently there is milling overcapacity in the country occasioned by the consistent decline in coffee production over the last few decades. There is a likelihood of increased idle capacity and a potential waste of resources in installing/commissioning additional milling capacity when there is close to 80 % idle capacity in the industry. Unfortunately, it is likely that farmers may bear the brunt of this extra cost. Stakeholders need to recognize that expansion and improvements in processing will be tied closely to increased coffee production to enhance operational efficiency and economies of scale.

Environmental impacts

The regulations provide for ease of registration and licensing of pulping stations since a farmer owning a minimum of 5 acres of coffee or 20,000 kg of cherry on an average over three years can apply to operate a pulping station. While this will promote incomes and create businesses, it may have negative environmental consequences, if it results in a proliferation of pulping stations in the coffee growing areas. These may include:

- a. A strain on water resources: increased abstraction of water to run the wet mills will lead to a strain on water resources that are already diminishing in some areas due to climate change. Consequently, there will be competition for water amongst many users and uses.
- b. Pollution: there will be increased effluents from the pulping stations and pollution from increased use of insecticides that will likely pollute the river waters for downstream users. Although an environmental impact assessment by NEMA may be conducted, the ensuing pollution will require clear plans for water treatment and waste disposal, given that about 47% of Kenyans access water from unimproved water sources include water from rivers or streams, dams, ponds, lakes, unprotected wells and unprotected springs. As a mitigation measure, coffee farmers and owners of pulping stations can be trained in water conservation and supported² to put in place wastewater treatment systems as is being done in countries like Rwanda. This will result in responsible coffee production that leads to cleaner water and healthier rivers.
- c. Increased use of chemicals: there is a likely increase in use of chemicals as coffee production improves and their safe use may become a challenge. To deal with this potential risk, there is need to: (i) sensitize players on right to a safer work environment by creating awareness on safety hazards of the chemicals; (ii) train growers and workers on safe use of chemicals; and, (iii) provide appropriate protective gear and equipment.
- d. Higher energy requirements: the pulping stations will require more energy that will lead to a further strain on national energy grid. While coffee mills can run on diesel, this will exacerbate the pollution challenge. Possible mitigation measures could include use of solar powered energy systems and wind energy; and, exploration of innovative ways of generating energy from processing waste as in the case of sugar firms that generate clean power from bagasse.
- e. Destruction of ecosystems: clearance of forests and natural habitats for birds to plant coffee will severely affect the breeding of birds in some ecosystems. To maintain ecosystems and promote sustainable and responsible production, the Rain Forest Alliance recommends agroforestry, i.e. integration of coffee and tree (avocado, grevillea) production.

² This can be in form of technical assistance and funding that support them to building waste water treatment systems

Social impacts

The regulations are likely to have positive and negative as well as direct and indirect impacts on different populations. The impacts can be captured in terms of creation/loss of jobs, income distribution, access to goods and services and social inclusion of different groups, and can be summarized as follows:

- a. A more vibrant coffee sub-sector from production to consumption will lead to overall increased employment. According to a report by ILO (Mureithi, 2008) between 2001 and 2005, the estate sub-sector accounted for an average of 61,000 employees in any one year, equivalent to 19 percent of total employment in agriculture and forestry activities and about 4 per cent of total employment in Kenya. However, when workers in other coffee activities either for pay, profit or family gain in the small coffee farms/cooperatives are included, close to a million people depend on the coffee sector for their living, employed at some stage in the commodity chain. We expect that with the revival of the coffee subsector, the number of people employed along the value chain will double.
- a. Mainstreaming of youth in the sub-sector through supporting them to engage in coffee-based and coffee-related businesses such as coffee shops and kiosks will reduce youth unemployment.
- b. Child labor is widespread during peak coffee harvesting seasons. At such times, the incentive for poor families to withdraw their children from school and send them to work increases. Since higher levels of education are tied to higher income over the long term, and children from poor families are more likely to miss school and go to work, child labor maintains a cycle of poverty over generations.

There is need to cultivate a balanced understanding of legitimate engagement of children in economic activity and exploitative practices that infringe on the rights to education for children. Children can be legitimately engaged in work within the subsector after school and during weekends and school holidays as part of family labor and in employment to contribute to family income and welfare. However, this is to be done in such a way that it does not interfere with children's right to education. Hence, there is need to create awareness that: (i) exploitation of children is unacceptable, and so they should not engage in work that denies them a right to education; and, (ii) children can be economically engaged in coffee sector though in a limited way for learning and economic gain.

- c. Just like in most agricultural value chains, women tend to play major roles at the initial segments of the coffee value chain, laboring in the field, harvesting and processing, whereas men participate in activities such as transport and marketing of the product. In addition, typically it is the men who receive money from coffee sales and women have difficulty accessing it. Hence, while incomes from the coffee sector will grow, these

inherent obstacles that women face are likely to exacerbate disparity in income between men and women and may lead to intra-household conflicts.

Table 2 outlines a summary of sustainability issues regarding coffee production and processing.

Table 2. Sustainability concerns for coffee production and processing life cycle.

Life cycle stage and activities	Sustainability concerns (economic, social and environmental)
Farm level	<ul style="list-style-type: none"> - Expensive agro-chemicals - Health risks due to minimum use of protective gear - Soil pollution due to copper-based agrochemicals - Water pollution from agro-chemical carried in sediment - Inadequate support infrastructure - Health and safety standards of coffee workers - High energy and hence threat to tree cover
Factory level	<ul style="list-style-type: none"> - High water demand amidst other competing uses - Odour from accumulating coffee pulp - Water pollution from disposed waste water
Marketing	<ul style="list-style-type: none"> - Declining and volatile coffee prices - Lack of a robust management framework
Waste management	<ul style="list-style-type: none"> - Inadequate protective gear - Poor disposal of waste water, pulp and husk - Negative environmental load particularly due to accumulating pulp

Source: Kanyiri and Waswa, 2017

2.4 Impacts of the regulations on rights and fundamental freedoms

This section examines the likely impacts of the Coffee Regulations 2018 on the realization of human rights and fundamental freedoms.

2.4.1 Positive impacts on rights and fundamental freedoms

Article 43 of the 2010 constitution affirms the rights of individuals and communities to an adequate standard of life, under the concept of economic and social rights. The items set out in this article can be secured through the application and use of both the private resources of individuals and families as well as the public resources of the State. Overall the State has obligations to organize public national resources in such ways that enable successful initiatives by individuals and groups to invest, create employment and income, and eventually meet their needs from private resources. In Article 55 of the Constitution, there is additional responsibility of the State to take measures to ensure that youth can access employment and opportunities for social and economic advancement. Therefore, promoting investment, income and wealth creation in the agriculture sector and other sectors of the Kenyan economy is no longer a political discretion of the government but a requirement of the Bill of Rights. Further obligations of the State to promote the right to work are contained in the various international conventions of

which Kenya is a signatory. These include the International Covenant on Economic Social and Cultural Rights 1966. Article 6 of this covenant affirms the obligations of states to implement policies and techniques to achieve steady economic, social and cultural development and full and productive employment. The regulations seek to advance the government policy of implementing reforms in the coffee sector aimed at meeting the national goals set out in the Kenya Vision 2030, whereby the agriculture sector shall be a key driver in economic growth and value addition. The positive impacts can be summarized as follows:

- a. The review of minimum requirements for the issuance of licences for pulping, roasting and milling of coffee will enhance participation of more smallholder farmers in value addition.
- b. The provision for smallholder farmers to opt out of cooperative societies and operate under alternative associations
- c. Focus on value addition and prohibition of trading in cherry or parchment will reduce economic exploitation of farmers
- d. Establishment of cupping centres for capacity building for coffee liquorers
- e. Provision for farmers to trade their coffee at the Nairobi Coffee Exchange

The regulations are pro-grower and enable more people to participate in the coffee industry through enhanced access to licences for value addition and trading.

The regulations are also intended to address the perennial problems that have plagued the coffee sector. These include the low prices for raw coffee, mismanagement of coffee cooperative societies and the impoverishment of small holder farmers. If the reforms proposed in the regulations are implemented, they will have the positive impact of providing existing and new farmers better returns on their produce and investment. The regulations will create wealth and employment for more people in the rural areas, enabling them to be key partners in the multi-billion-dollar global coffee industry. This would contribute to improved household incomes and enhanced capacity to afford an adequate standard of living envisaged in the provisions of Article 43 of the Constitution.

2.4.2 Possible negative impact of the Coffee regulations 2018 on human rights

There are three possible negative impacts of the regulations:

(i) Mandatory membership in associations/cooperatives

Compulsory membership in a coffee association or cooperative may violate farmers' rights to the freedom of association. This is the case where farmers have been victims of inefficient cooperative societies and would not wish to repeat the experience.

Where a farmer applies for a pulping veto or no objection letter from a cooperative appears problematic. The cooperative societies have a conflict of interest and may withhold the no

objection letter. This will contravene the property rights of the producer seeking a licence for a pulping station.

(ii) Child labour

Coffee harvesting is labour intensive. It entails selecting and manually picking ripe cherries and leaving the unripe ones on the branches. Therefore, mechanization of coffee harvesting is still afar off. The revival and foreseeable boom in this crop will result in increased demand for labour. In most smallholder farms, coffee farmers use child workers. While the Children Act 2001 and employment legislation permit limit forms of child work, there is a real risk that a coffee boom will draw children from schools to farms to pick cherries.³ In some estates, workers frequently bring their children to the farms to help shore up the parents' daily production. The regulations mention the mandate of the AFA to formulate and enforce a coffee industry code of practice and standards on coffee production, processing and marketing (Clauses 4, j). These together with the Children Act 2001 should guide practice in the subsector to ensure that children are not engaged in exploitative labour practices. They will also help in reconciling the conflicting interests of growers, opportunities for income through working on coffee farms and the developmental rights of children involved in such situations.

(iii) Risk of food shortage and famine

When the coffee regulations are implemented, more people will be drawn into coffee production and land previously used for food crops will be reallocated to growing coffee. Consequently, food production on smallholder farms will drop as more land and other resources are channelled to coffee production. The main expectation is that the high earnings projected from the trading of processed coffee will enable farmers to purchase food. However, if coffee prices drop and/or other risks affect the coffee trade resulting in losses, coffee growing communities will be hit by food shortages and famine. In this context there is a real likelihood that the implementation of the coffee regulations may negatively affect the realization of the right to food in the coffee growing communities. To mitigate against this risk, we recommend measures for stabilizing prices and diversification in income generating activities alongside the coffee business.

2.5 Other regulatory or non-regulatory means of achieving the objectives of the regulations

This section highlights other complementary and supplementary strategies that will be needed to achieve the objectives of the regulations and could provide quicker and more flexible solutions to the problems facing the coffee sub-sector. They include:

2.5.1 Capacity for coffee growing and improving subsector competitiveness

The regulations aim at developing the coffee sub-sector but little emphasis has been put on the production portion of the value chain, yet the revival of the coffee industry is pegged on improvements in production, including the competitiveness in production. Increasing

³ It is estimated that children below 15 years supply up to 30% of the labour during peak harvesting period, and likely to infringe on their right to basic education.

productivity to the targeted levels of 5-10 kg per tree per year within 3 years, will lead to a reduction in production costs and enhance the competitiveness of the Kenyan coffee. However, it is not clear how the capacity for coffee growing will be promoted. There is no provision for a coffee development fund out of which subsidies could be drawn for providing planting materials, fertilizers and crop protection chemicals that will help drive down the costs of production. The regulations do not indicate how the input markets for fertilizers and pesticides can work more effectively for the farmers. The role of cooperatives in increasing productivity is not well articulated yet they are very crucial in the procurement and distribution of inputs to the farmers. This implies that regulations may not achieve the intended objectives unless specific interventions are applied to make the coffee production venture attractive and feasible. As things stand now, it is difficult to sell the project of coffee production in the country. Hence, we recommend that a Coffee Fund be set up to finance the sub-sector and create a push to invigorate it. In addition, short term subsidies on seed and fertiliser, prompt payment to farmers and other forms of incentives will go a long way in boosting coffee production. There is also no mention of disease and pest control although losses associated with them are quite substantial. Given the reduced acreage under coffee, a Coffee Fund to deal with these challenges would play a big role in attracting new growers both in traditional and non-traditional coffee growing areas. In addition, the regulations do not address the issue of farm land under coffee especially in areas where agricultural land is increasingly being converted to other uses such as real estate. This may call for a review of the national land policy and laws.

Overall, regulations need to address funding for the sector and have a clear incentive framework to encourage coffee production. There is a need for clear plans, provisions or strategies on investment that will lower the cost of production and improve sub-sector competitiveness.

2.5.2 Capacity for value addition

Barriers to value addition activities have been reduced through various provisions such the ability of smallholders with up to 5 acres under coffee to obtain a pulping licence. This enables them to add value to coffee cherries and sell beans to millers. However, it is not clear whether smallholders and other individuals that would like to engage in coffee-based and coffee-related businesses will be able to access capital or training/skills to set up the required facilities for value addition. Coffee regulations should include the obligations of county governments to provide support for the coffee industry.

Value-addition for coffee ranges from the very basic practices to very intricate processing and packaging activities that can add to the worth of the final product. The basic activities are very crucial in determining the final quality of the end product, yet not much emphasis is laid on them. Activities that contribute to value addition include appropriate land preparation, fertilizer application, pests and diseases control and management, irrigation, primary processing, secondary processing and maintenance of facilities. As aforementioned, support in production is crucial in improving quality of coffee.

Hence, there is a need for clear plans on funding and training to support the envisioned coffee-based businesses.

2.5.3 Regulatory and institutional support

The regulations provide that cooperative societies will not charge more than 20% of the coffee earnings. There is also reduction of some statutory deductions (ad valorem levy of 4% was abolished) and suggestions for forensic audit to establish debts for SACCOs and waiver for outstanding debts, affirmative action in cooperative leadership and training opportunities for liquorers. These regulations will attract more players into the industry and raise the economic performance of farmers and the country.

The regulatory support will require enactment of new laws, some of which are outstanding e.g. amendment to the AFA Act, Crops Act, Cooperative Act, enactment of Geographical Indication, Warehouse Receipts Bill. The Ministry of cooperatives should also ensure compliance with all the regulations that have been enacted. The county governments will have to be involved in this process.

In order to promote good governance of cooperatives, there is need to revise the Cooperative Act to ensure that the Board of directors and management of the cooperatives, auditors and officials from the State department of Cooperatives are held personally liable for corrupt practices that deny members services and returns

2.5.4 Information and education campaigns

These will help to inform public about new/existing products and hence influence the behaviour of individuals. In the coffee subsector, education campaigns could, for instance: encourage people to drink more coffee locally; create awareness about funding opportunities to support businesses created in the value chain; and, inform about potential negative effects of child labour and environmental pollution.

2.5.5 Financial and fiscal incentives

The incentives include tax increases/reductions, subsidies, concessionary loans with reduced interest rates, etc. While the current levels of coffee production are very low, farmers could be subsidised in order to encourage them to increase production. The subsidies could be in form of inputs such as fertilizers, planting materials and chemicals or access to cheaper loans. We note that the Coffee task force recommended subsidy programme to be funded jointly by national and county government to boost coffee production in the immediate term to raise production from the current level of 2 kg of cherry per tree per year to 8 kg within 2-4 years. This is practicable but requires huge expenditure from the public funds.

2.6 Other pertinent issues regarding draft regulations

The draft Coffee (general) Regulations (2018) can be strengthened through the following additional mechanisms and interventions:

2.6.1 Pricing mechanism for cherry

Neither the existing practice nor the draft regulations address the critical issue of grading cherries and this is a gap that needs to be addressed. There lacks quality differentiation of cherries, making farmers less concerned about quality. Grading is a good incentive for farmers and there is need to explore innovative ways of grading such as the floatation technique used in Ethiopia and Haiti.

2.6.2 Payment period

The duration within which farmers receive payments upon delivery of cherry should to be properly legislated. The current practice where farmers receive earnings once a year, several months after delivery of cherry is a big disincentive for production. The long waiting period implies that farmers lack continuous income and it reduces the attractiveness of coffee farming especially for the youth, and it is a major cause of coffee hawking (where farmers sell coffee to middlemen)

The payment scheme could be structured in form of a contingent contract such that farmers receive a first payment as a down payment or advance payment upon delivery of cherry and a second payment several weeks or months later that is contingent on quality achieved and prices received after the coffee is sold at the auction. This will be feasible given the suggested certification schemes. We note that the Taskforce formed in 2016 recommended the establishment of a Coffee Cherry Advancement Payment Scheme.

2.6.3 Youth participation in the coffee sector

Creating youth employment is currently a big agenda for Kenya, but the regulations are not clear on how youth will be mainstreamed in the coffee subsector, yet there are many opportunities for youth to engage along the value chain. These include participation in coffee production, primary processing, roasting, coffee shops and kiosks, coffee hawking and other coffee-related businesses such as fabricating machinery and equipment for processing and baking enterprises. To facilitate their involvement there may be need for: (i) training on coffee production; (ii) training in business skills and in particular those that support coffee-based and coffee-related businesses; (iii) access to affordable credit; (iv) creating awareness of funding for youth such as the Youth Fund and supporting them on how to access the funds.

2.6.4 Promotion of domestic consumption

Regulations are silent on promotion of domestic consumption of coffee, which is currently low at 3% of coffee produced in Kenya. While, there is a provision for a coffee roaster licence authorizing the holder to roast or grind and package coffee for local sale, there is no clear indication on how promotion of local consumption will be done or supported. The development and promotion of local consumption of coffee will create alternative markets and reduce dependency on dynamic international markets. Local

markets will help to retain the value of coffee locally and in turn improve farmers' incomes. One strategy that can promote local consumption is zero-rating coffee machines used in the coffee shops and kiosks for an initial period of three years to bring down the price of coffee and generate local demand.

2.6.5 Monitoring of unintended consequences

It is likely that the implementation of the policy will result in unintended consequences such as water pollution as a result of increased pulping stations. This report has highlighted some measures to mitigate against such consequences but the regulations need to incorporate how monitoring for such consequences will be done.

2.7 Concluding Remarks

The proposed regulations will have far reaching positive impacts will spur the development of the coffee subsector across the coffee value chain players. Overall, the benefits arising from the implementation of the new regulations outweigh the potential negative impacts identified. However, there are certain issues which are pertinent to the revival and development of the coffee sub-sector including coffee productivity and quality, but they have not been addressed in the Regulations. These include: (i) cost of production (land preparation, fertilizer application); (ii) pest and disease control; (iii) irrigation; (iv) inclusion of women and youth; (v) crop insurance; and, (vi) child labour.

It is our view that these issues can be addressed through regulations focused on specific issues such as pests and diseases or better still, they can be examined comprehensively through a coffee strategy.

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**TEGEMEO INSTITUTE OF AGRICULTURAL
POLICY AND DEVELOPMENT**

FINAL REPORT

ON

**REGULATORY IMPACT ASSESSMENT OF THE DRAFT COFFEE (GENERAL)
REGULATIONS, 2018**

Submitted to:

The Agriculture and Food Authority

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1. Background

The coffee sector in Kenya supports an estimated 5 million people, both directly and indirectly. The current production of about 40,000 metric tonnes (MT) is significantly lower than in 1998 (128,926 MT). This reduction is attributed to poor payment to farmers and reduced yields caused by high incidence of coffee leaf rust and coffee berry disease (FAO 2013). Most of the coffee farmers are small-scale, currently estimated at 700,000 and producing around 60% of the country's output. The rest is produced by farmers holding at least five hectares. Most small-scale farmers grow coffee on their own farms, which are properly titled. This reduces the risk of incidences of land conflicts in the coffee sector (GoK 2016).

The sector is currently characterized by low earnings (especially for small-scale farmers), low yield per plant, high cost of inputs, governance weaknesses and declining acreage under coffee production. According to the Food and Agricultural Organisation of the United Nations (FAO), the total acreage under coffee has declined by approximately two-thirds between 1990 and 2014, while yield per hectare has reduced by almost half (FAO 2015). Statistics from the Agriculture and Food Authority (AFA) also a declining trend in area and production (Table 1). The dismal performance in coffee production has resulted to increased poverty in the growing areas. Fertilizer is one of the critical inputs in coffee production that contributes significantly to production costs. However, with increasing fertilizer prices majority of the farmers have been forced to abandon use of fertilizers and instead use manure or none at all. It is critical that farmers are supported to access fertilizer at competitive prices. Another critical production activity is pest and disease control which accounts for 30-35 percent of the production costs. Prices of chemicals have also increased significantly, which has led farmers to abandon use of chemicals or use them sub-optimally. To revive the coffee industry, there is need for efforts to improve profitability of production, which implies that interventions to improve productivity and cut down on costs of production are required. In addition, the rapid growth of the specialty coffee market has presented new opportunities for smallholder farmers and for them to benefit from this rising demand, there is need to improve both the yield and quality of coffee.

In Kenya, the coffee sector contributes about 8% of the total exports earnings with an annual inflow of about Ksh 20 billion. Throughout the years the coffee industry has been characterized by cyclical market trends. Since 2003, the coffee markets have been on a steady recovery. The recovery has been largely attributed to the increasing global deficit, as the expanding consumption outpaced the growth in supply. It has further been projected that globally, coffee supply will continue to be constrained by various factors including climate change and resource competition, while consumption will continue to grow in both traditional and emerging markets. This overall position presents a generally viable proposition for producers of coffee across the world.

Coffee marketing is done through two channels. First is the Coffee Directorate-licensed marketing agents and dealers at the Nairobi Coffee Auction, which accounts for 90 % of the coffee sales. The second option is direct sales by marketing agents to consumers or their

representatives, which accounts for the remaining 10 % of the coffee sales. The aim of direct sales is to give growers a direct link with international buyers of the Kenyan coffee. Some notable challenges with direct sales include: most growers are not able to supply the required volumes consistently; growers have limited market intelligence and capacity to negotiate contracts and handle export logistics; and, poor promotion of Kenyan coffee in the international markets. It is worthwhile to note that the rapid growth of the specialty coffee market has created new opportunities for smallholder farmers in Kenya.

Table 1: Coffee Production Trends (2008-2015)

		2008	2009	2010	2011	2012	2013	2014	2015
Area under coffee (ha)	Small holder	122,040	106,656	120,000	120,000	85,189	85,200	85,300	87,433
	Estate	40,680	53,344	40,000	40,000	24,606	24,600	24,700	26,067
	Total	162,720	160,000	160,000	160,000	109,795	109,800	110,000	113,500
Production (Mt)	Small holder	22,260	29,370	22,280	19,600	27,000	21,900	32,700	27,230
	Estate	19,740	24,650	19,720	16,660	22,000	17,900	16,800	14,807
	Total	42,000	54,020	42,000	36,260	49,000	39,800	49,500	42,037

Source: Coffee Directorate, AFA

The Agriculture and Food Authority (AFA) Strategic Plan (2016-2019) has proposed some measures to increase coffee production and consumption in the country. The plan proposes to increase the area under coffee from 110,000 to 130,000 Ha by 2021. The extension services will be strengthened as well as promotion of new varieties and reintroduction of Robusta coffee at the Lake Basin and Coastal areas. The plan also proposes to increase domestic coffee consumption by at least 5% by 2021. On international coffee trade, the plan is to hold at least four international coffee fairs per year from 2016 to 2021.

2. An assessment of the impact of coffee regulations

The Crops Act 2013 Section 40 gives the Cabinet Secretary in charge of Agriculture the powers to make regulations for the better carrying out of the provisions of the Act. In light of this, AFA in consultation with the counties and relevant stakeholders drafted the Coffee Regulations 2018. AFA engaged Tegemeo Institute of Agricultural Policy and Development, Egerton University to undertake a regulatory impact assessment of the Draft Coffee Regulations.

The assessment of the regulations sought to determine:

- i. economic, environmental and social costs as well as benefits associated with the regulations
- ii. administration and compliance costs (including resource allocation costs) that will be required to put the regulations in place

- iii. their impact on the private and public sectors and fundamental rights and freedoms
- iv. whether there are other practicable means, regulatory or non-regulatory of achieving the objectives of the regulations. This will focus on complementary and supplementary strategies for achieving the objectives of the regulations.
- v. if there are other pertinent issues that have been omitted or not well articulated in the regulations and which are likely to impact on the implementation of the regulations as well as the revival and performance of the coffee sub-sector. These include cherry pricing mechanism, payments to farmers, youth engagement in the coffee subsector and domestic consumption.

2.1 Benefits to be derived from the regulations

The benefits that are expected to be derived from the regulations relate to aspects of production, processing and marketing of coffee as well as efficiency in delivery of services for value chain players. This section outlines the potential benefits and identifies specific clauses in the regulations, indicating how they are likely to confer the outlined benefits.

(i) Increased production of coffee by farmers

Overall, the regulations seem to focus more on improving coffee trading and marketing, but this is not enough. It is particularly necessary to pay attention to improving production at the farm level, given the trends in declining yields and acreage under coffee. Increased volumes will mitigate the falling prices in the global market. However, the provisions that will boost production include:

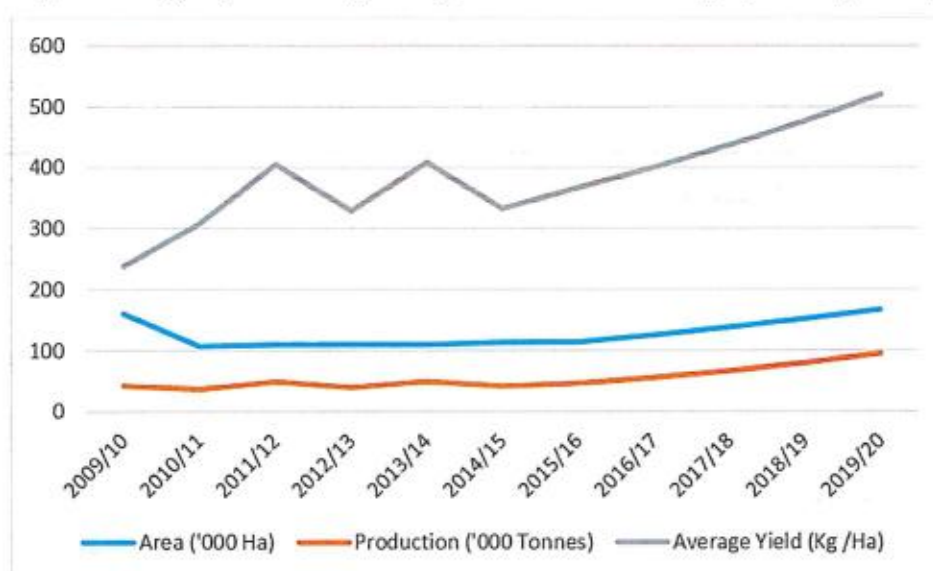
- Clause 5 (d): the county governments shall offer extension services on coffee production and primary processing. Extension services at the county level are currently inadequate and they need to be revamped to provide intensive agronomy training to boost productivity. However, focus should not be on agronomic practices without business development services, since there is need to promote and support coffee farming as a business among farmers and farmer organizations. Hence, county governments may need to support coffee specific extension within the revamped extension delivery systems, which will meet the prevailing industry requirements. This may mean supporting coffee specific extension in every coffee producing county; training extension service providers in coffee specific extension knowledge including business development services; and, building capacity and support for farmer-led extension systems.
- Clause 5 (g): the county governments in collaboration with the law enforcement agencies will enhance security in coffee growing areas. This will reduce the cases of theft of cherries and parchment; if farmers can't secure their harvest, they will stop growing coffee and production will decline further.
- Clause 5 (h): the county government will enforce policies and guidelines on corporate governance in coffee grower institutions. This has been a major challenge in the past due to

corruption and mismanagement of these institutions that has contributed to dismal performance. Cooperatives are considered key for increasing the scale of production, maintaining quality standards and guaranteeing the reliability of smallholders as preferred suppliers in the coffee value chain.

- Clause 5 (i): the county government will monitor and report incidences of pests and disease outbreaks and take appropriate action with relevant agencies.
- Clause 17 (1,2): for record purposes estate growers and smallholder farmers who plant or uproot coffee will notify the county government/cooperative society in writing within six and three months of doing so, respectively, regarding the size of area planted or uprooted. This will guide the sector players in planning and output projections.
- Clause 18 (1): The Authority shall develop and enforce a coffee industry code of practice and standards on coffee production, processing and marketing
- Clause 20 (1, 2): Coffee certified seeds or seedlings will only be accessed from the Kenya Agricultural and Livestock Research Organization (KALRO) or its authorized agents. This will ensure that farmers are provided with quality planting materials. There is need to sensitize farmers of newer varieties such as Ruiru 11 and Batian that are disease resistant, grow faster and have higher yields compared to older varieties.

If the interventions outlined above are implemented as envisioned, area under coffee as well as production and productivity are expected to improve as shown in Figure 1.

Figure 1: Coffee production for the period 2009-2015 and projections for the period 2016-2020

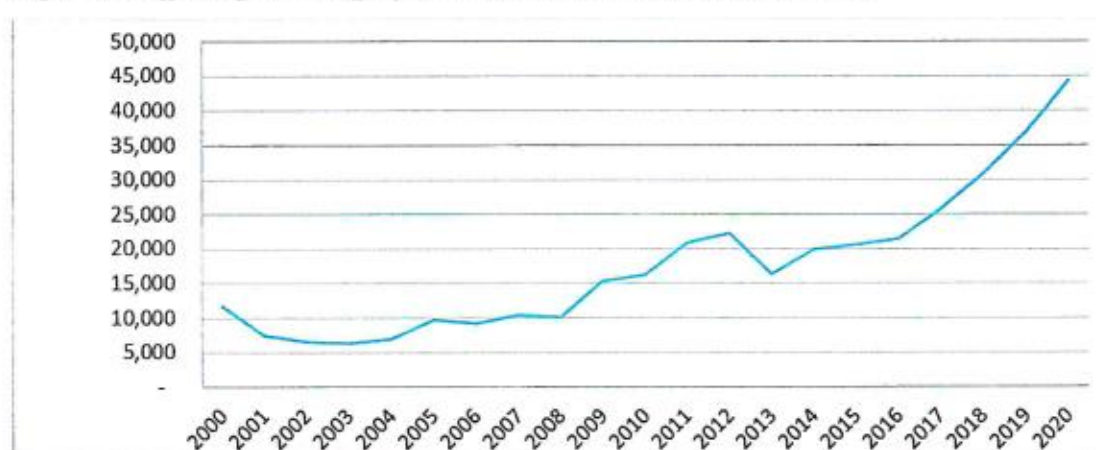


Source: Economic Surveys (various publications) and authors' calculations

Assuming that the regulations will lead to an increase in area under production by 10 percent, we expect coffee production to increase by 20 percent every year. The yields will increase by 29 percent by 2020. Increase yields will result in lower costs of production, better incomes and improved competitiveness at the production level. If provisions are supported by clear plans for financing the capacity to produce, the benefits from the projected increases will be larger.

With the new regulations, coffee production will increase due to improved crop husbandry and marketing. This will open up more marketing opportunities both locally and abroad that will stimulate increased exports. Assuming an annual growth of coffee exports by 20 percent, the value of exports will potentially increase to approximately Ksh 45 billion by 2020 in nominal values as shown in Figure 2.

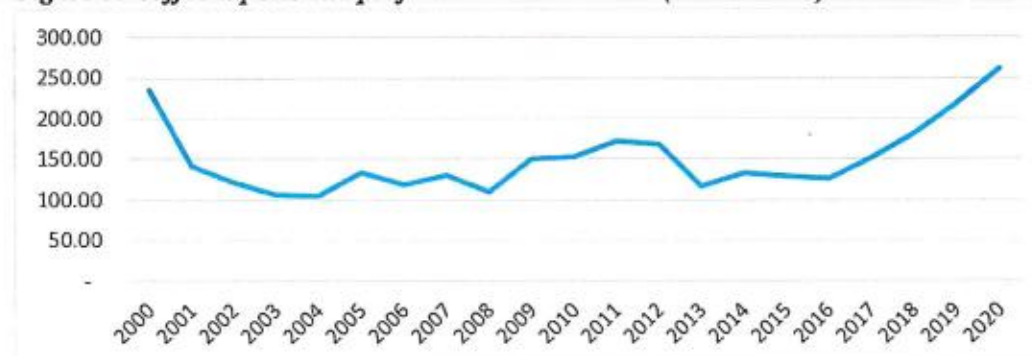
Figure 2: Coffee exports and projections in nominal values (Ksh. Million)



Source: Economic Surveys (various publications) and authors' calculations

Since 2010 coffee exports have been on a downward trend in real values as shown in Figure 3. With stability in exchange rate and market prices the earnings from coffee will potentially increase to Ksh 250 million by 2020 in real values.

Figure 3: Coffee exports and projections in real values (Ksh. Million)



Source: Economic Surveys (various publications) and authors' calculations

(ii) Increased growers returns

While increased coffee production will lead to higher returns for coffee growers, other provisions in the regulations will also ensure increased returns for farmers. These include:

- Clause 10 (1) b): Growers can apply for a pulping license to operate a pulping station at a reasonable fee. This will enable farmers to benefit more from selling fully washed coffee at much higher prices to the millers compared to prices they receive for cherry delivered to cooperatives. This benefit can be greater if affordable and locally assembled wet mills are accessible.
- Clause 10 (1) c): Growers can apply for a milling license to pulp, mill, market or roast own coffee. This will create opportunities for value addition that improves the farmer returns.
- Direct sales between growers or grower millers with overseas buyers will allow cooperatives to cut the cost of middlemen and hence improve farmer returns, especially where governance of cooperatives has improved.
- Experts on the world coffee market often make reference to the "coffee paradox". The global coffee chain is currently characterized by a paradoxical coexistence of a 'coffee boom' in consuming countries and a 'coffee crisis' in producing countries. A coffee crisis in producing countries is characterised by a trend towards lower prices, declining incomes and profits affecting millions of people in the world's poorest countries. On the other hand, a coffee 'boom' in consuming countries comprises of rising sales and profits for coffee retailers and roasters. This coffee paradox is typical in Kenya and it exists mainly because what coffee farmers sell and what consumers buy are very different coffee products. As long as coffee farmers do not control at least what the consumers want, they will keep receiving low prices. This can be addressed through empowering growers to add value by producing specialty coffee and accessing direct markets. Better organized farmers as envisioned in the regulations, either through strong co-operatives or other legal entities can intervene directly in the coffee market by bringing strength through numbers in the negotiation of better coffee prices.
- A warehousing receipt that will be issued to farmers by a licensed coffee warehouseman in respect of coffee stored in a licensed warehouse can be used as collateral, hence opening avenues for farmers to access credit for coffee-related activities or other expenditure including businesses.

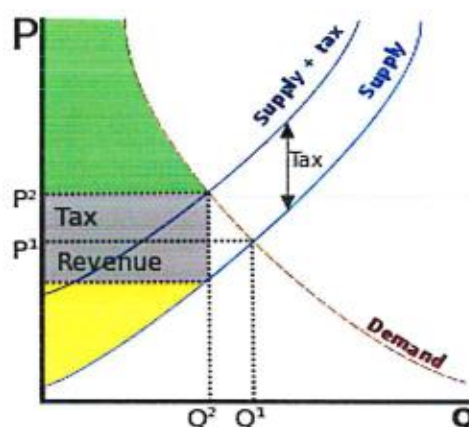
(iii) Minimized taxation

- The 4% levies charged to the farmers to finance the Coffee Directorate, Coffee Research Institute and roads levy were abolished through the Finance Act 2016. The reduction of levies will increase the farmers' incomes. Reduction of taxes levied on coffee farmers will

have positive impacts on the producers and consumers but will lead to loss of revenue to the government. The effect can be evaluated through changes in both producer and consumer surplus. Producer surplus represents the benefit the seller gains from selling a good at a specific price. The coffee producer surplus will increase as a result of reduction in taxes. This is due to the increase in quantity of coffee sold as the relative price of the good decreases with the reduction in taxes. This will ultimately lead to better incomes for the coffee farmers. Consumer surplus refers to the net gain that a consumer receives when she purchases a specific good at a specific price. It represents the difference between the actual price paid for a good and the price a consumer would be willing to pay to purchase the good. With the reduction in taxes levied to coffee farmers the overall price paid by consumers for coffee decreases. At a lower price level, demand for the good increases, resulting in increased consumer welfare. However, the loss of revenue is likely to negatively impact research and state of roads in coffee growing areas, unless the National and County governments support these from other funds.

In addition, elimination of the levy will result in reduced income for the Coffee Research Institute (CRI), which has been supporting farmers to improve productivity. Farmers may not be willing to pay costs for accessing services offered by CRI, given that without funds from the levy, CRI will not be able to offer extension as a public good. This will likely affect farmers negatively since many farmers are not used to paying for research and extension services. Without access to these services, it's also unlikely that they will adopt new technologies or improve their productivity.

Figure 4: Effect of tax reduction on coffee output



As illustrated in Figure 4, with reduction in taxes, the supply (coffee output) increases, the price decreases and this leads to increased demand.

- The cooperative society commission not to exceed 20 % of the net earnings from the coffee sales. This rate has been retained as before and the commissioner of cooperatives ought to enforce this rule. This will help to boost farmer returns.

(iv) Increased efficiency in service delivery

- Licensing: the regulations have clearly stated how licences will be issued by AFA and the county governments and nobody will be allowed to transact in any coffee business without a valid license
- Clause 10 (1) (a to d) specifies the licences to be issued by the county government (coffee nursery certificate, pulping station license, growers' milling license and coffee roaster license).
- Clause 10 (2) (a to e) specifies the licences to be issued by AFA (commercial millers license, liquoring, cupping, warehousing and trading licenses).
- Clause 11 (1): to avoid conflict of interest, a holder of a coffee trader's license will not be licensed as a commercial miller or a ware houseman. Large coffee businesses can overcome this licence regulation by establishing new companies that operate independently on paper but that are subsidiaries owned by a business group. This will, however, not be feasible for small businesses, which may find the costs of such moves or decisions too high. The result may be a market structure, where medium sized businesses (traders, millers or processors) are nearly absent.
- The regulations have provided for the issuance of movement permits that will allow movement of coffee. Clause 15 (5) states that the licensing authority will monitor the movement of coffee between stores and the market to ensure that coffee is safe and minimize illegal coffee dealings. However, this will not apply to a smallholder farmer moving own coffee between the farm and the pulping station where he is registered.
- Clause 5 (f): the county government will enforce policies and guidelines on corporate governance in coffee grower institutions, which is expected to streamline operations and improve service delivery.
- Clause 25 (1, 2): the establishment of the Direct Settlement System (DSS) will facilitate faster payment of coffee proceeds to farmers.
- Clause 5 (a): the county governments shall offer extension services on coffee production and primary processing. Better services that will include business development services and coffee specific extension will be beneficial.

(v) Improved coffee marketing

- Clause 23 (3): Through the growers milling licenses, the growers will have access to the Nairobi Coffee Exchange (NCE). In the past farmers were not allowed to trade at NCE and participation was restricted to licensed marketing agents and dealers. The new regulations allow farmers to participate in the marketing of their coffee at the NCE, which will improve their returns. There will be minimum tonnage to be sold by the millers at the NCE introduced to minimize congestion

- The regulations have eliminated several licenses. These include grower marketer, commercial marketing agent and management agent certificate. This will help reduce the number of value chain players and length of the chain, and associated bureaucracy.
- Clause 11 (1): a holder of a coffee trader's license shall not be licensed as a commercial miller or warehouseman. This will take care of the cross-ownership challenge that increases conflict of interest in form of insider trading in favour of dealers.
- Clause 24 (1, 2) allows a grower cooperative society or other legal entity to undertake direct sales or sell clean coffee to local roasters for local value addition. Farmers could target the new markets such as Ukraine and Russia that are witnessing a sharp increase in the consumption level. Several Middle Eastern countries having higher disposable incomes are also predicted to offer good prospects for growth in the short-to-medium term period.
- Clause 25 (1,2); the Nairobi Coffee Exchange (NCE) shall be incorporated in accordance with Capital Market Act to maintain a transparent and efficient auction system for coffee trading
- Clause 26 (3): the establishment of the Direct Settlement System (DSS) in licensed commercial banks will facilitate faster payment of coffee proceeds to farmers. DSS will be piloted before being rolled out and a transition period of one year provided for the DSS to be rolled out. DSS provider to remit the proceeds to growers and service providers within 10 days after the auction- currently law stipulates 14 days after the auction
- The pulping station licensees have no authority to receive growers' money after the sale of coffee; payment will be done directly to the grower from the DSS or other agent appointed by the grower for that purpose.
- Clause 19 (1-7) provides for the certification of the Kenyan coffee. This means that coffee will be labelled for traceability that ensures quality is maintained and adds more value. The rules allow growers and millers to seek for certification from the Authority. The welfare impact of certification can be measured with a wide range of indicators. Most studies focus on coffee yields, prices and (net) revenues. A study on impact of coffee certification on smallholder farmers in Kenya found that certified farmers are likely to fetch significantly better prices for their coffee. Farmers selected for certification were usually found in sub-optimal production areas. Consequently, initial gains from certification are usually high, but these tend to disappear once other non-certified farmers catch up in the process.
- Clause 28 provides that the authority will coordinate coffee stakeholders at national and international events for the purpose of promoting Kenya coffee. While the bulk of coffee is exported, only 3 percent is consumed locally. An increase in consumption favouring a gradual rise in world prices would be a positive factor for economic growth and increased per capita incomes.

(vi) Insurance against losses

Clause 22 (5): commercial millers will be required to take insurance cover against fire, theft and other risks for all the coffee in their possession. This will reduce cases of coffee theft from stores that have been quite rampant.

Clause 21 (3) c: While the coffee is at the pulping station, the licensee shall insure the coffee against loss and damage while at the station and in transit and reinforce the security of the station to guard against theft of coffee.

(vii) Improved milling and processing of coffee

- Competitive procurement of milling services: Clause 22 (14) provides that a cooperative society or any entity representing smallholder farmers will have to bid for milling services before issuing any contracts. This will ensure transparency and accountability in the milling process.
- Clause 10 (1) d) provides for a coffee roaster licence authorizing the holder to roast or grind and package coffee for local sale. Local processing and sale of high value coffee increases value added.
- To promote local processing and value addition, provision of tax incentives (e.g. removal of duties) on roasting machines and packaging materials need to be considered.

2.2 Costs associated with the regulations

The costs include economic, environmental, social, administration and compliance costs (including resource allocation costs) that will be required to put the regulations in place.

- i) The cost of comprehensive insurance against loss or damage to coffee will be incurred by the millers and warehousemen
- ii) The compliance costs are numerous and could be expensive. These include tax compliance, NEMA certificate (Ksh 40,000), Occupational Health and Safety Certificate, Certificate of Registration and County Business permit.
- iii) The registration (Ksh 500) and nursery certificate (Kshs 1,000) fees are quite manageable for the smallholder farmers
- iv) The pulping station license fee (Ksh 1,000) and Grower's miller licence (Ksh 10,000) are quite reasonable especially for the smallholder farmers.
- v) Movement permits of one US dollar per leaf for clean coffee. However, licence for movement of parchment/buni is free of charge.
- vi) The roasters license (Ksh 5,000) issued by the county government is quite reasonable and could promote value addition

- vii) Commercial Coffee millers license (USD 1000/ Ksh 100,000)
- viii) Independent cupping center (Ksh 20,000) to be incurred by grower and commercial millers
- ix) Warehousing costs to be paid in Kenya Shillings per 60 kg bag of the coffee stored at the warehouse. The cost shall be paid by the grower through the Direct Settlement Service once the coffee is sold.
- x) A commercial miller's bank guarantee (1 Million-12 Million USD). However a commercial miller who does not handle coffee sale proceeds on behalf of the grower shall be exempted from this requirement.
- xi) Cost of warehousing facilities will be borne by the warehouseman to ensure that the storage facility licensed for the storage of coffee is well designed and maintained to guarantee the quality and safety of the coffee, including providing for insurance against loss of damage.
- xii) Inspection costs
 - Clause 34 (1) indicates that the Authority, in collaboration with the County Governments, shall conduct inspection of coffee farms, coffee nurseries, pulping stations, coffee mills, warehouses, cupping centres, vessels transporting coffee or the premises of coffee traders to ascertain compliance with the requirements of the Act and these Regulations.
 - In addition, clause (36) indicates that the Authority will conduct periodic surveillance among all the above players to assess the degree of compliance with the coffee industry policy, standards, code of practice, laws and the general well-being of the coffee industry.
 - Clause 5 (i): The county governments shall monitor and report incidences of pests and disease outbreaks and take appropriate action in collaboration with the Authority and other relevant government agencies.
- xiii) Capacity building

This will be done at various levels and for different players across the value chain, for which resources will need to be allocated:

 - Clause 4 (2) b): The Authority to co-ordinate capacity building activities for players in the coffee value chain.
 - Clause 4 (2) e): The Authority to conduct local and international coffee market intelligence and promotional activities including the application of the National Coffee Kenya Mark of Origin
 - Clause 33 (2): The Authority, in consultation with industry stakeholders, shall develop a training curriculum, conduct examinations and issue certificates for coffee liquorers.

xiv) Environmental costs

Coffee production and processing have considerable impacts on the environment. These impacts include high consumption of energy, water and land. After coffee is picked, the pulp and mucilage is removed which requires two different processes. Coffee is then dried, the parchment removed and then sorted. The main sustainability concerns in coffee processing are as a result of intensive use of pesticides and poor disposal of waste products. About 99% of the biomass waste produced, mainly untreated pulp and husks is discarded on land. Further coffee processing consumes high quantities of water and energy. It is estimated that over 200,000 tonnes of pulp at 77% moisture content and 2,300,000 litres of polluted water are released into the environment every day in Kenya (Shitanda 2006). On average 45.5 kg of green coffee requires between 1,000 and 2,000 litres of water, 12.5 kWh of electricity and 0.07 cum of firewood for processing (Instituto del Caf  de Costa Rica -ICAFE, 2006). A survey of rivers between Nairobi and Thika towns in Kenya showed that they were all polluted with coffee waste with Biological Oxygen Demand (BOD) levels of more than 100 mg/l. The unpolluted rivers had BOD of 4 mg/l (Wrigley, 1988). Although a river of 10 mg/l is considered significantly polluted, the maximum allowable limit of effluent discharge into the environment is 30 mg/l (BOD 5 days at 20 C) according to Kenya's National Environment Management Authority (NEMA) Standards (Republic of Kenya, 2006). With the proliferation of coffee milling, due to the increased number of pulping stations, it will become necessary to assess possible negative environmental effects. This will mean additional costs and resources for an environmental impact assessment by NEMA before registering the mills.

xv) Social costs

Increased coffee production will result in need for more labour, which could easily attract school going children and could negatively impact on their schooling outcomes.

2.3 Impact of the regulations on the private and public sectors

The Coffee Regulations are aimed at providing regulation, promotion and development of the coffee industry. Hence, the regulations will have both negative and positive potential impacts on the players in the coffee value chain, both in the private and public sector. Both positive and negative impacts can be summarized as follows:

Economic impacts

The implementation and enforcement of the regulations will lead to a more vibrant coffee subsector from production to consumption. This is expected to have economic impacts at different levels of the economy, which can be summarized as follows:

- a. Household incomes: these will increase as coffee production, productivity and marketing improve. Also, the review of minimum requirements for the issuance of licences for pulping, roasting and milling of coffee will enable participation of some farmers in value addition, which will boost the business component of household incomes. Overall, higher incomes will lead to better household welfare including food and nutrition security.
- b. Business growth and employment: with promotion of coffee production and easier entry into more value addition activities in pulping, milling and roasting, coffee-based small and medium scale businesses and industries (SMEs) will emerge through both backward and forward linkages. They will directly and indirectly benefit about five million people in the country by providing income and employment, particularly for the youth, who have an inclination toward participating in value chain activities post-production level. These businesses could include coffee shops and street coffee vending that may also lead to growth of other businesses such as bakeries. They are supported by a growing urban coffee culture among young adults and professionals, due to increasing urbanization and higher incomes among the middle and upper classes. We also expect to see growth in manufacturing businesses that will support the coffee-based SMEs in terms of fabricating pulping and roasting equipment as well as developing or importing coffee packaging machines and materials and coffee dispensing and vending machines. Youth employment can be boosted through such coffee-based and related businesses, particularly if they are able to access finance. To boost business growth in the sub-sector, there is need for tax incentives such as zero-rating of equipment and machines.

In the short to medium term, it is expected that there will be an increase in the number of pulping stations. However, their efficiency may be hampered by their size¹ and hence in the long-term, there may be incentives to consolidate such businesses to achieve economies of scale.

- c. Value addition and global market access: one of the major challenges that has affected the coffee sector is limited value addition. Although Kenyan coffee is of superior quality, it is mainly sold as a raw material for blending, with little or no value addition. Consequently, coffee has had relatively lower market value leading to a reduction in incomes that accrue to the local economy. The regulations will facilitate a reversal of this trend and hence create more value overall and for each player along the coffee value chain, as well as support sustainable commercial production of coffee where farmers are assured of stable and remunerative returns. In addition, strategies to market coffee that are provided for in the regulations will create a bigger footprint for Kenyan coffee in the world market. These include opportunities for farmers, cooperatives, associations and other legal entities to engage in direct sales with overseas buyers and sell coffee in the NCE; and, promotional strategies such as the application of the National Coffee Kenya Mark of Origin and use of certification schemes for Kenyan coffee. Creating real value

¹ Farmers with 20,000 kg of cherry on an average over three years can apply for a pulping station license.

out of the Kenya Coffee brand will promote foreign exchange earnings for the country. This can be greatly enhanced by branding coffee based on quality and taste profiles unique to the area of origin and sold as premium coffee.

Additionally, by adhering to the code of production standards, coffee growers can access specialty markets, which confer price premiums of up to 40% compared with conventional coffee. Farmers can then use these increased revenues to access education, health and new business enterprises.

- d. Economy-wide growth: increased production and marketing of coffee, particularly in niche markets will lead to an increase in foreign exchange earnings for the country. In addition, through linkages with other sub-sectors such as manufacturing, it is expected that better performance of the coffee sub-sector will result in higher incomes for various players in other sub-sectors. More importantly, given that the status of the agriculture sector greatly determines the overall economic growth of the Kenyan economy, a vibrant coffee sub-sector will boost growth in the agricultural sector and, hence overall economic growth through the various linkages that agriculture has with other sectors. A better performing economy will enable the government to meet its key targets as outlined in the Kenya Vision 2030, the SDGs and other sectoral strategies such as the proposed Agriculture Sector Growth and Transformation Strategy (ASGTS). In particular, it is recognized that the youth unemployment challenge in Kenya is primarily a problem of labour demand since the economy is not creating sufficient jobs to cater for the increasing number of youth that is entering the labour market. Hence, a vibrant coffee sector will contribute to youth employment and the achievement of the goal of the Kenya Youth Agribusiness Strategy 2017-2021, which aims at positioning the youth at the forefront of agricultural growth and transformation.
- e. Increased idle milling capacity: currently there is milling overcapacity in the country occasioned by the consistent decline in coffee production over the last few decades. There is a likelihood of increased idle capacity and a potential waste of resources in installing/commissioning additional milling capacity when there is close to 80 % idle capacity in the industry. Unfortunately, it is likely that farmers may bear the brunt of this extra cost. Stakeholders need to recognize that expansion and improvements in processing will be tied closely to increased coffee production to enhance operational efficiency and economies of scale.

Environmental impacts

The regulations provide for ease of registration and licensing of pulping stations since a farmer owning a minimum of 5 acres of coffee or 20,000 kg of cherry on an average over three years can apply to operate a pulping station. While this will promote incomes and create businesses, it may have negative environmental consequences, if it results in a proliferation of pulping stations in the coffee growing areas. These may include:

- a. A strain on water resources: increased abstraction of water to run the wet mills will lead to a strain on water resources that are already diminishing in some areas due to climate change. Consequently, there will be competition for water amongst many users and uses.
- b. Pollution: there will be increased effluents from the pulping stations and pollution from increased use of insecticides that will likely pollute the river waters for downstream users. Although an environmental impact assessment by NEMA may be conducted, the ensuing pollution will require clear plans for water treatment and waste disposal, given that about 47% of Kenyans access water from unimproved water sources include water from rivers or streams, dams, ponds, lakes, unprotected wells and unprotected springs. As a mitigation measure, coffee farmers and owners of pulping stations can be trained in water conservation and supported² to put in place wastewater treatment systems as is being done in countries like Rwanda. This will result in responsible coffee production that leads to cleaner water and healthier rivers.
- c. Increased use of chemicals: there is a likely increase in use of chemicals as coffee production improves and their safe use may become a challenge. To deal with this potential risk, there is need to: (i) sensitize players on right to a safer work environment by creating awareness on safety hazards of the chemicals; (ii) train growers and workers on safe use of chemicals; and, (iii) provide appropriate protective gear and equipment.
- d. Higher energy requirements: the pulping stations will require more energy that will lead to a further strain on national energy grid. While coffee mills can run on diesel, this will exacerbate the pollution challenge. Possible mitigation measures could include use of solar powered energy systems and wind energy; and, exploration of innovative ways of generating energy from processing waste as in the case of sugar firms that generate clean power from bagasse.
- e. Destruction of ecosystems: clearance of forests and natural habitats for birds to plant coffee will severely affect the breeding of birds in some ecosystems. To maintain ecosystems and promote sustainable and responsible production, the Rain Forest Alliance recommends agroforestry, i.e. integration of coffee and tree (avocado, grevillea) production.

² This can be in form of technical assistance and funding that support them to building waste water treatment systems

Social impacts

The regulations are likely to have positive and negative as well as direct and indirect impacts on different populations. The impacts can be captured in terms of creation/loss of jobs, income distribution, access to goods and services and social inclusion of different groups, and can be summarized as follows:

- a. A more vibrant coffee sub-sector from production to consumption will lead to overall increased employment. According to a report by ILO (Mureithi, 2008) between 2001 and 2005, the estate sub-sector accounted for an average of 61,000 employees in any one year, equivalent to 19 percent of total employment in agriculture and forestry activities and about 4 per cent of total employment in Kenya. However, when workers in other coffee activities either for pay, profit or family gain in the small coffee farms/cooperatives are included, close to a million people depend on the coffee sector for their living, employed at some stage in the commodity chain. We expect that with the revival of the coffee subsector, the number of people employed along the value chain will double.
- a. Mainstreaming of youth in the sub-sector through supporting them to engage in coffee-based and coffee-related businesses such as coffee shops and kiosks will reduce youth unemployment.
- b. Child labor is widespread during peak coffee harvesting seasons. At such times, the incentive for poor families to withdraw their children from school and send them to work increases. Since higher levels of education are tied to higher income over the long term, and children from poor families are more likely to miss school and go to work, child labor maintains a cycle of poverty over generations.

There is need to cultivate a balanced understanding of legitimate engagement of children in economic activity and exploitative practices that infringe on the rights to education for children. Children can be legitimately engaged in work within the subsector after school and during weekends and school holidays as part of family labor and in employment to contribute to family income and welfare. However, this is to be done in such a way that it does not interfere with children's right to education. Hence, there is need to create awareness that: (i) exploitation of children is unacceptable, and so they should not engage in work that denies them a right to education; and, (ii) children can be economically engaged in coffee sector though in a limited way for learning and economic gain.

- c. Just like in most agricultural value chains, women tend to play major roles at the initial segments of the coffee value chain, laboring in the field, harvesting and processing, whereas men participate in activities such as transport and marketing of the product. In addition, typically it is the men who receive money from coffee sales and women have difficulty accessing it. Hence, while incomes from the coffee sector will grow, these

inherent obstacles that women face are likely to exacerbate disparity in income between men and women and may lead to intra-household conflicts.

Table 2 outlines a summary of sustainability issues regarding coffee production and processing.

Table 2. Sustainability concerns for coffee production and processing life cycle.

Life cycle stage and activities	Sustainability concerns (economic, social and environmental)
Farm level	<ul style="list-style-type: none"> - Expensive agro-chemicals - Health risks due to minimum use of protective gear - Soil pollution due to copper-based agrochemicals - Water pollution from agro-chemical carried in sediment - Inadequate support infrastructure - Health and safety standards of coffee workers - High energy and hence threat to tree cover
Factory level	<ul style="list-style-type: none"> - High water demand amidst other competing uses - Odour from accumulating coffee pulp - Water pollution from disposed waste water
Marketing	<ul style="list-style-type: none"> - Declining and volatile coffee prices - Lack of a robust management framework
Waste management	<ul style="list-style-type: none"> - Inadequate protective gear - Poor disposal of waste water, pulp and husk - Negative environmental load particularly due to accumulating pulp

Source: Kanyiri and Waswa, 2017

2.4 Impacts of the regulations on rights and fundamental freedoms

This section examines the likely impacts of the Coffee Regulations 2018 on the realization of human rights and fundamental freedoms.

2.4.1 Positive impacts on rights and fundamental freedoms

Article 43 of the 2010 constitution affirms the rights of individuals and communities to an adequate standard of life, under the concept of economic and social rights. The items set out in this article can be secured through the application and use of both the private resources of individuals and families as well as the public resources of the State. Overall the State has obligations to organize public national resources in such ways that enable successful initiatives by individuals and groups to invest, create employment and income, and eventually meet their needs from private resources. In Article 55 of the Constitution, there is additional responsibility of the State to take measures to ensure that youth can access employment and opportunities for social and economic advancement. Therefore, promoting investment, income and wealth creation in the agriculture sector and other sectors of the Kenyan economy is no longer a political discretion of the government but a requirement of the Bill of Rights. Further obligations of the State to promote the right to work are contained in the various international conventions of

which Kenya is a signatory. These include the International Covenant on Economic Social and Cultural Rights 1966. Article 6 of this covenant affirms the obligations of states to implement policies and techniques to achieve steady economic, social and cultural development and full and productive employment. The regulations seek to advance the government policy of implementing reforms in the coffee sector aimed at meeting the national goals set out in the Kenya Vision 2030, whereby the agriculture sector shall be a key driver in economic growth and value addition. The positive impacts can be summarized as follows:

- a. The review of minimum requirements for the issuance of licences for pulping, roasting and milling of coffee will enhance participation of more smallholder farmers in value addition.
- b. The provision for smallholder farmers to opt out of cooperative societies and operate under alternative associations
- c. Focus on value addition and prohibition of trading in cherry or parchment will reduce economic exploitation of farmers
- d. Establishment of cupping centres for capacity building for coffee liquorers
- e. Provision for farmers to trade their coffee at the Nairobi Coffee Exchange

The regulations are pro-grower and enable more people to participate in the coffee industry through enhanced access to licences for value addition and trading.

The regulations are also intended to address the perennial problems that have plagued the coffee sector. These include the low prices for raw coffee, mismanagement of coffee cooperative societies and the impoverishment of small holder farmers. If the reforms proposed in the regulations are implemented, they will have the positive impact of providing existing and new farmers better returns on their produce and investment. The regulations will create wealth and employment for more people in the rural areas, enabling them to be key partners in the multi-billion-dollar global coffee industry. This would contribute to improved household incomes and enhanced capacity to afford an adequate standard of living envisaged in the provisions of Article 43 of the Constitution.

2.4.2 Possible negative impact of the Coffee regulations 2018 on human rights

There are three possible negative impacts of the regulations:

(i) Mandatory membership in associations/cooperatives

Compulsory membership in a coffee association or cooperative may violate farmers' rights to the freedom of association. This is the case where farmers have been victims of inefficient cooperative societies and would not wish to repeat the experience.

Where a farmer applies for a pulping veto or no objection letter from a cooperative appears problematic. The cooperative societies have a conflict of interest and may withhold the no

objection letter. This will contravene the property rights of the producer seeking a licence for a pulping station.

(ii) Child labour

Coffee harvesting is labour intensive. It entails selecting and manually picking ripe cherries and leaving the unripe ones on the branches. Therefore, mechanization of coffee harvesting is still afar off. The revival and foreseeable boom in this crop will result in increased demand for labour. In most smallholder farms, coffee farmers use child workers. While the Children Act 2001 and employment legislation permit limit forms of child work, there is a real risk that a coffee boom will draw children from schools to farms to pick cherries.³ In some estates, workers frequently bring their children to the farms to help shore up the parents' daily production. The regulations mention the mandate of the AFA to formulate and enforce a coffee industry code of practice and standards on coffee production, processing and marketing (Clauses 4, j). These together with the Children Act 2001 should guide practice in the subsector to ensure that children are not engaged in exploitative labour practices. They will also help in reconciling the conflicting interests of growers, opportunities for income through working on coffee farms and the developmental rights of children involved in such situations.

(iii) Risk of food shortage and famine

When the coffee regulations are implemented, more people will be drawn into coffee production and land previously used for food crops will be reallocated to growing coffee. Consequently, food production on smallholder farms will drop as more land and other resources are channelled to coffee production. The main expectation is that the high earnings projected from the trading of processed coffee will enable farmers to purchase food. However, if coffee prices drop and/or other risks affect the coffee trade resulting in losses, coffee growing communities will be hit by food shortages and famine. In this context there is a real likelihood that the implementation of the coffee regulations may negatively affect the realization of the right to food in the coffee growing communities. To mitigate against this risk, we recommend measures for stabilizing prices and diversification in income generating activities alongside the coffee business.

2.5 Other regulatory or non-regulatory means of achieving the objectives of the regulations

This section highlights other complementary and supplementary strategies that will be needed to achieve the objectives of the regulations and could provide quicker and more flexible solutions to the problems facing the coffee sub-sector. They include:

2.5.1 Capacity for coffee growing and improving subsector competitiveness

The regulations aim at developing the coffee sub-sector but little emphasis has been put on the production portion of the value chain, yet the revival of the coffee industry is pegged on improvements in production, including the competitiveness in production. Increasing

³ It is estimated that children below 15 years supply up to 30% of the labour during peak harvesting period, and likely to infringe on their right to basic education.

productivity to the targeted levels of 5-10 kg per tree per year within 3 years, will lead to a reduction in production costs and enhance the competitiveness of the Kenyan coffee. However, it is not clear how the capacity for coffee growing will be promoted. There is no provision for a coffee development fund out of which subsidies could be drawn for providing planting materials, fertilizers and crop protection chemicals that will help drive down the costs of production. The regulations do not indicate how the input markets for fertilizers and pesticides can work more effectively for the farmers. The role of cooperatives in increasing productivity is not well articulated yet they are very crucial in the procurement and distribution of inputs to the farmers. This implies that regulations may not achieve the intended objectives unless specific interventions are applied to make the coffee production venture attractive and feasible. As things stand now, it is difficult to sell the project of coffee production in the country. Hence, we recommend that a Coffee Fund be set up to finance the sub-sector and create a push to invigorate it. In addition, short term subsidies on seed and fertiliser, prompt payment to farmers and other forms of incentives will go a long way in boosting coffee production. There is also no mention of disease and pest control although losses associated with them are quite substantial. Given the reduced acreage under coffee, a Coffee Fund to deal with these challenges would play a big role in attracting new growers both in traditional and non-traditional coffee growing areas. In addition, the regulations do not address the issue of farm land under coffee especially in areas where agricultural land is increasingly being converted to other uses such as real estate. This may call for a review of the national land policy and laws.

Overall, regulations need to address funding for the sector and have a clear incentive framework to encourage coffee production. There is a need for clear plans, provisions or strategies on investment that will lower the cost of production and improve sub-sector competitiveness.

2.5.2 Capacity for value addition

Barriers to value addition activities have been reduced through various provisions such the ability of smallholders with up to 5 acres under coffee to obtain a pulping licence. This enables them to add value to coffee cherries and sell beans to millers. However, it is not clear whether smallholders and other individuals that would like to engage in coffee-based and coffee-related businesses will be able to access capital or training/skills to set up the required facilities for value addition. Coffee regulations should include the obligations of county governments to provide support for the coffee industry.

Value-addition for coffee ranges from the very basic practices to very intricate processing and packaging activities that can add to the worth of the final product. The basic activities are very crucial in determining the final quality of the end product, yet not much emphasis is laid on them. Activities that contribute to value addition include appropriate land preparation, fertilizer application, pests and diseases control and management, irrigation, primary processing, secondary processing and maintenance of facilities. As aforementioned, support in production is crucial in improving quality of coffee.

Hence, there is a need for clear plans on funding and training to support the envisioned coffee-based businesses.

2.5.3 Regulatory and institutional support

The regulations provide that cooperative societies will not charge more than 20% of the coffee earnings. There is also reduction of some statutory deductions (ad valorem levy of 4% was abolished) and suggestions for forensic audit to establish debts for SACCOs and waiver for outstanding debts, affirmative action in cooperative leadership and training opportunities for liquorers. These regulations will attract more players into the industry and raise the economic performance of farmers and the country.

The regulatory support will require enactment of new laws, some of which are outstanding e.g. amendment to the AFA Act, Crops Act, Cooperative Act, enactment of Geographical Indication, Warehouse Receipts Bill. The Ministry of cooperatives should also ensure compliance with all the regulations that have been enacted. The county governments will have to be involved in this process.

In order to promote good governance of cooperatives, there is need to revise the Cooperative Act to ensure that the Board of directors and management of the cooperatives, auditors and officials from the State department of Cooperatives are held personally liable for corrupt practices that deny members services and returns

2.5.4 Information and education campaigns

These will help to inform public about new/existing products and hence influence the behaviour of individuals. In the coffee subsector, education campaigns could, for instance: encourage people to drink more coffee locally; create awareness about funding opportunities to support businesses created in the value chain; and, inform about potential negative effects of child labour and environmental pollution.

2.5.5 Financial and fiscal incentives

The incentives include tax increases/reductions, subsidies, concessionary loans with reduced interest rates, etc. While the current levels of coffee production are very low, farmers could be subsidised in order to encourage them to increase production. The subsidies could be in form of inputs such as fertilizers, planting materials and chemicals or access to cheaper loans. We note that the Coffee task force recommended subsidy programme to be funded jointly by national and county government to boost coffee production in the immediate term to raise production from the current level of 2 kg of cherry per tree per year to 8 kg within 2-4 years. This is practicable but requires huge expenditure from the public funds.

2.6 Other pertinent issues regarding draft regulations

The draft Coffee (general) Regulations (2018) can be strengthened through the following additional mechanisms and interventions:

2.6.1 Pricing mechanism for cherry

Neither the existing practice nor the draft regulations address the critical issue of grading cherries and this is a gap that needs to be addressed. There lacks quality differentiation of cherries, making farmers less concerned about quality. Grading is a good incentive for farmers and there is need to explore innovative ways of grading such as the floatation technique used in Ethiopia and Haiti.

2.6.2 Payment period

The duration within which farmers receive payments upon delivery of cherry should to be properly legislated. The current practice where farmers receive earnings once a year, several months after delivery of cherry is a big disincentive for production. The long waiting period implies that farmers lack continuous income and it reduces the attractiveness of coffee farming especially for the youth, and it is a major cause of coffee hawking (where farmers sell coffee to middlemen)

The payment scheme could be structured in form of a contingent contract such that farmers receive a first payment as a down payment or advance payment upon delivery of cherry and a second payment several weeks or months later that is contingent on quality achieved and prices received after the coffee is sold at the auction. This will be feasible given the suggested certification schemes. We note that the Taskforce formed in 2016 recommended the establishment of a Coffee Cherry Advancement Payment Scheme.

2.6.3 Youth participation in the coffee sector

Creating youth employment is currently a big agenda for Kenya, but the regulations are not clear on how youth will be mainstreamed in the coffee subsector, yet there are many opportunities for youth to engage along the value chain. These include participation in coffee production, primary processing, roasting, coffee shops and kiosks, coffee hawking and other coffee-related businesses such as fabricating machinery and equipment for processing and baking enterprises. To facilitate their involvement there may be need for: (i) training on coffee production; (ii) training in business skills and in particular those that support coffee-based and coffee-related businesses; (iii) access to affordable credit; (iv) creating awareness of funding for youth such as the Youth Fund and supporting them on how to access the funds.

2.6.4 Promotion of domestic consumption

Regulations are silent on promotion of domestic consumption of coffee, which is currently low at 3% of coffee produced in Kenya. While, there is a provision for a coffee roaster licence authorizing the holder to roast or grind and package coffee for local sale, there is no clear indication on how promotion of local consumption will be done or supported. The development and promotion of local consumption of coffee will create alternative markets and reduce dependency on dynamic international markets. Local

markets will help to retain the value of coffee locally and in turn improve farmers' incomes. One strategy that can promote local consumption is zero-rating coffee machines used in the coffee shops and kiosks for an initial period of three years to bring down the price of coffee and generate local demand.

2.6.5 Monitoring of unintended consequences

It is likely that the implementation of the policy will result in unintended consequences such as water pollution as a result of increased pulping stations. This report has highlighted some measures to mitigate against such consequences but the regulations need to incorporate how monitoring for such consequences will be done.

2.7 Concluding Remarks

The proposed regulations will have far reaching positive impacts will spur the development of the coffee subsector across the coffee value chain players. Overall, the benefits arising from the implementation of the new regulations outweigh the potential negative impacts identified. However, there are certain issues which are pertinent to the revival and development of the coffee sub-sector including coffee productivity and quality, but they have not been addressed in the Regulations. These include: (i) cost of production (land preparation, fertilizer application); (ii) pest and disease control; (iii) irrigation; (iv) inclusion of women and youth; (v) crop insurance; and, (vi) child labour.

It is our view that these issues can be addressed through regulations focused on specific issues such as pests and diseases or better still, they can be examined comprehensively through a coffee strategy.

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STATUTORY INSTRUMENTS ACT, NO. 23 of 2013

CERTIFICATE OF COMPLIANCE

**(UNDER SECTION 7(4) OF THE STATUTORY INSTRUMENTS ACT, 2013 (NO. 23 OF 2013)
THE CROPS (COFFEE) (GENERAL) (AMENDMENT) REGULATIONS, 2021**

- a) Whereas the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation has published the **Crops (Coffee) (General) (Amendment) Regulations, 2021** in pursuant to the powers conferred by section 40 of the Crops Act, 2013 (No. 16 of 2013), IT IS HEREBY CERTIFIED that the aforesaid **Crops (Coffee) (General) (Amendment) Regulations, 2021** Meet the requirements relating to regulatory impact statement in the Statutory Instruments Act, 2013 (No. 23 of 2013) and the guidelines have been complied with; and
- b) In my opinion, the regulatory impact statement adequately assesses the likely impact of the Crops (Coffee General) Regulations, 2019.

Dated this Day of2021

Signature of the Cabinet Secretary

HON. PETER MUNYA, EGH,

CABINET SECRETARY,

MINISTRY OF AGRICULTURE, LIVESTOCK, FISHERIES AND COOPERATIVES





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Dated this Day of2021

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SPECIAL ISSUE



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GAZETTE NOTICE NO. 9973

THE CROPS ACT

(No. 16 of 2013)

DRAFT COFFEE (GENERAL) REGULATIONS, 2017

REQUEST FOR COMMENTS ON THE DRAFT REGULATORY IMPACT ASSESSMENT REPORT AND ON THE DRAFT COFFEE (GENERAL) REGULATIONS, 2017

The Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries is in the process of promulgating Coffee (General) Regulations, 2017, as provided under section 40 of the Crops Act.

The Act requires consultation with the county governments and the public/other stakeholders to give their comments prior to enactment and implementation of regulations.

In compliance with the provisions of the Crops Act and the Statutory Instruments Act (No. 23 of 2013), the Ministry announces to the public the availability of draft Coffee (General) Regulations, 2017 and draft Regulatory Impact Statement.

The main objective of the draft Coffee (General) Regulations, 2017 is to provide for the regulation, promotion and development of the Coffee Industry in Kenya.

The Regulatory Impact Statement contains detailed information on the Coffee (General) Regulations, 2017. The draft Regulatory Impact Statement will also be subjected to independent expert review as to its adequacy.

The Constitution, Crops Act and the Statutory Instruments Act provide that the public participates in the decision-making process through submission of comments to the Ministry. It is in this spirit that we request the public to participate by submitting their comments to the Ministry through the provided address. The Ministry thereafter, will draft the final Coffee (General) Regulations, 2017 based on adequacy, socio-economic considerations and comments received by the public.

After all considerations and following approval of Parliament, the Ministry shall publish the draft Coffee (General) Regulations, 2017 which shall apply to all aspects of the Coffee Industry.

All interested persons should submit written comments on the draft Coffee (General) Regulations, 2017 and the draft Regulatory Impact Statement using the prescribed public comments form within fourteen (14) days from the date of publication of this Gazette Notice.

The draft Coffee (General) Regulations, 2017 and the draft Regulatory Impact Statement as well as public comments form can be

accessed through the following websites: www.agricultureauthority.go.ke; www.kilimo.go.ke. The draft Coffee (General) Regulations, 2017 and draft Regulatory Impact Statement are also available on request at the Coffee Directorate offices, located on 10th Floor, Coffee Plaza during normal working hours.

There shall be a public forum on 23rd October, 2017 to discuss the draft Coffee (General Regulations), 2017 and comments received to be held at Agriculture and Food Authority Offices (AFA), Tea House, Naivasha Road, off Ngong Road, Nairobi starting at 9.00 a.m.

Send your written comments to either:

The Principal Secretary, State Department of Agriculture, Ministry of Agriculture, Livestock and Fisheries, Kilimo House, Cathedral Road, Box 30028, Nairobi;

or by e-mail: psagriculture@kilimo.go.ke

The Director-General, Agriculture and Food Authority, Tea House, Naivasha Road, off Ngong Road, P.O. Box 37962-00100, Nairobi;

or by e-mail: info@agricultureauthority.go.ke

Dated the 2nd October, 2017.

WILLY BETT,

Cabinet Secretary for Agriculture, Livestock and Fisheries.

GAZETTE NOTICE NO. 9974

THE COUNTY GOVERNMENTS ACT

(No. 7 of 2012)

THE COUNTY ASSEMBLY OF ISIOLO

SPECIAL SITTING

PURSUANT to the provisions of Standing Order 27 (4) of the County Assembly of Isiolo Standing Orders, the Speaker of the County Assembly of Isiolo gives notice to Members of the County Assembly and general public that a special sitting of the County Assembly of Isiolo as follows:

Friday, 6th October, 2017 Afternoon Session at 4.30 p.m. at the County Assembly Chambers.

The business before the County Assembly on the special sitting is to consider the Report of Committee on Appointment.

Dated the 5th October, 2017.

HUSSEIN HALAKE ROBA,
Speaker to the County Assembly.

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STATUTORY INSTRUMENTS ACT, NO. 23 of 2013

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- b) In my opinion, the regulatory impact statement adequately assesses the likely impact of the Crops (Coffee General) Regulations, 2019.

Dated this**03rd** Day of: **September** ...2021

Signature of the Cabinet Secretary

HON. PETER MUNYA, EGH

CABINET SECRETARY

MINISTRY OF AGRICULTURE, LIVESTOCK, FISHERIES AND COOPERATIVES

