

# INTERIM GUIDELINES FOR VERIFICATION FOR QUALITY of IMPORTS

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## 1.0 INTRODUCTION

### 1.1 Background

Following the expiry of the PSI contract on 30<sup>th</sup> June 2005, the quality function discharged by the PSI Agents reverted back to the Kenya Bureau of Standards (KEBS). KEBS then put in place interim import procedures with respect to quality whereby consignments are to be accompanied with quality certificates. This information was communicated to all importers through public adverts through the local dailies.

Given the wide range of products (goods), applicable standards and the large number of laboratories accredited to ISO/IEC 17025, many importers were at a loss prompting them to seek clarification with KEBS enquiry centre. The enquiry centre has for the last three weeks been busy attending to importers queries. This situation was envisaged having realised that it was not possible to have all the necessary importation details for specific products in the general advert released. The enquiries have enabled us so far to address specific pertinent issues such as those concerning raw materials, pharmaceuticals, spare parts etc. and also handle general questions relating to certificate format and contents, lists of accredited laboratories, to mention but a few.

It is worth noting on the onset that the measures and procedures in place now are interim. In the meantime, KEBS is in the process of establishing more comprehensive, elaborate and customer friendly procedures, which we hope, to switch to in two-three months time.

### 1.2 Objective

The primary objective of these interim guidelines on quality requirements is to clarify and/or communicate the necessary specific detail requirements needed by the importers or their agents to import the desired products and have them cleared through the ports of entry without difficulties.

## **2.0 RESPONSIBILITY**

**2.1 KEBS: Ensure only quality goods gain entry into the country as provided for in the Standards Act Cap 496 and the Quality Imports Order No. 78 of July, 2005, thereby offering the necessary protection to Kenyans and the environment.**

**2.2 Exporters: Ensure their products or goods meet the regulations and quality requirements of Kenya before shipment by carrying out tests and/or obtaining the necessary certification as mentioned.**

**2.3 Importers: Ensure their suppliers are conversant with import quality requirements and that their consignments are accompanied with the necessary certification.**

## **3.0 DEFINITIONS**

### **3.1 Raw Materials**

**Goods or materials not for direct consumption but require further processing into another product.**

### **3.2 Semi-Processed (Intermediate) Product**

**A product that can be used in its current form or may be further processed into a final product.**

### **3.3 Certificate of Compliance**

**A document issued by an accredited laboratory that indicates a product conforms to a certain standard based on laboratory tests.**

### **3.4 Type Approval**

**A detailed document prepared by a competent technical body that establishes reports of performance and physical characteristics and features of a certain brand, make or model of a product after intensive testing.**

- 3.5     **Accredited Laboratory**  
A test laboratory that has been assessed and acknowledged to meet the requirements of ISO/IEC 17025 Standard.
- 3.6     **Test Report**  
A document from a laboratory that reports the results of analysis of a product.
- 3.7     **Test Certificate**  
A document issued by a laboratory that indicates a product has been tested and found to meet the requirements of a certain standard.
- 3.8     **Data Sheet**  
A document in sheet form that indicates the quality characteristics and performance level of a product as set out by the manufacturer of the product.
- 3.9     **Machine**  
A combination of rigid or resistant bodies having definite motions and capable of performing specific tasks.
- 3.10    **Machinery**  
A group of parts or machine arranged to perform a useful function.
- 3.11    **Plant**  
Heavy equipment used for the performance of a certain work industrial in nature.
- 3.12    **Non Conformity Certificate (NCC)**  
A test report that indicates failure by a product to meet some requirement(s) of a standard.
- 3.13    **Document of Conformity**  
Test report or certificate, certificate of conformity, type approval, analysis report, data sheet.

All the other terms are as defined in ISO 17000.

#### 4.0 GENERAL REQUIREMENTS

Mode of Submission - Copies of test reports/certificates, certificates of compliance, type approvals, analysis report shall be submitted to Kenya Bureau of Standards using any of the following means:

- Email to [kebs-msa@swiftmombasa.com](mailto:kebs-msa@swiftmombasa.com) or [info@kebs.org](mailto:info@kebs.org) or [pvoc@kebs.org](mailto:pvoc@kebs.org)
- By fax to (020)609660, (020)604031 or (041)2229448, (041)2226804.
- By courier service to KEBS Headquarters, off Mombasa Road, Nairobi, or KEBS – Coast Regional office Ambalal House (8<sup>th</sup> floor Southern Wing) or handed in at KEBS Headquarters or KEBS –Coast Regional office.

Importers are advised to submit copies of their type approval well in advance of the consignment(s) for technical evaluation.

Early submission of Certificate of Compliance, test reports/certificates and analysis reports will facilitate faster clearance of the imported consignments.

Original Certificate of Compliance, test reports/certificates, analysis reports and type approvals shall be submitted at the point of entry for clearance purpose.

#### 5.0 REQUIREMENTS FOR DOCUMENTS

All the documents shall be written in English.

##### 5.1 Test reports/certificates shall bear the following information and features:

- Name of testing laboratory
- Be duly signed
- Be sealed or stamped

- Carry contact information of the issuing authority
  - Be in the line with requirements of ISO/IEC 17025
  - A unique number/code
  - Name of the recipient or customer
  - Standards applied or used
- 5.2 **Product type approvals shall bear the following information and features:**
- Name of issuing organization
  - Be duly signed
  - Be sealed
  - Contact information of the issuing authority
  - Indicate standards used
  - Name and description of the product
- 5.3 **Certificate of compliance shall carry the information outlined in 5.1**
- 5.4 **Manufacturer's certificate of analysis reports shall:**
- Bear name of manufacturer
  - Bear contact information of manufacturer
  - Be duly signed
  - Be dated
  - Indicate the company standards used
  - Name and description of product analysed
- 5.5 **Manufacturer's data sheets shall bear the following information:**
- Manufacturer's name
  - Manufacturer's contact information
  - Parameters and performance levels
  - Signature, and
  - Date of issue
- 5.6 **Manufacturer's declarations shall:**
- Bear the manufacturer's name or trademark
  - Name and description of product
  - Statement regarding quality of product
  - Be signed, and

- **Be dated**

## 6.0 GENERAL GUIDELINES

### 6.1 ISO 9000 Certified firms

**Although ISO 9000 certification is an added advantage, ISO 9000 certified firms should be required to submit relevant Certificate of Compliance, Type approvals, Test reports/Certificates, and analysis reports for the purpose of clearance of goods.**

### 6.2 Product certification

**Quality marks obtained through product certification by organizations with mutual recognition agreements with KEBS shall be considered for clearance purposes by KEBS.**

### 6.3 Motor Vehicles

**All motor vehicles imported into the country shall be Right Hand Drive (RHD).**

**All used motor vehicles originating from Japan and UAE shall be accompanied by a Certificate of Roadworthiness (CRW) issued by JAAI in Japan and JAAI/CAAC in UAE.**

**All other used motor vehicles will be subject to Destination Inspection (DI).**

## 7.0 SPECIFIC REQUIREMENTS FOR CATEGORIES OF IMPORTS

	PRODUCT TYPE	DOCUMENTS REQUIRED FOR VERIFICATION OF CONFORMITY
<b>1.</b>	<b>Raw materials</b>	<ul style="list-style-type: none"> <li>❖ Certificate of analysis for specific batch from manufacturer</li> <li>❖ Relevant data sheets</li> <li>❖ Evidence if materials sourced from ISO certified firm</li> </ul>
<b>2.</b>	<b>Semi-processed raw material</b>	<ul style="list-style-type: none"> <li>❖ Certificate of analysis for specific batch from manufacturer</li> <li>❖ Relevant data sheets</li> <li>❖ Evidence if materials sourced from ISO certified firm</li> </ul>
<b>3.</b>	<b>Semi-processed products</b>	<ul style="list-style-type: none"> <li>❖ Certificate of analysis from an accredited laboratory</li> </ul>
<b>4.</b>	<b>Machinery /Plant- (Mobile or fixed)</b>	<ul style="list-style-type: none"> <li>❖ A declaration from the manufacturer that product shall perform as per the design</li> </ul>
<b>5.</b>	<b>Industrial spares</b>	<ul style="list-style-type: none"> <li>❖ A declaration from the manufacturer that product shall perform as per the design</li> </ul>
<b>6.</b>	<b>New Automotive spares-Manufacturers</b>	<ul style="list-style-type: none"> <li>❖ A declaration from the manufacturer that product shall perform as per the design.</li> <li>❖ All spares manufactured under license or franchise shall be accompanied by a copy of license or franchise of the manufacturer or supplier</li> <li>❖ ISO certified firms shall produce evidence</li> <li>❖ If source, a distributor's license from the manufacturer shall be produced</li> </ul>

<b>7.</b>	<b>Other spares</b>	<ul style="list-style-type: none"> <li>❖ A declaration from the manufacturer that product shall perform as per the design</li> </ul>
<b>8.</b>	<b>Scientific equipment</b>	<ul style="list-style-type: none"> <li>❖ A type approval from third party accredited laboratory or test house</li> </ul>
<b>9.</b>	<b>Medical equipment</b>	<ul style="list-style-type: none"> <li>❖ A type approval from an accredited laboratory or test house</li> <li>❖ Where the medical equipment is manufactured under license then a copy of the license/franchise</li> <li>❖ Declaration from manufacturer that equipment shall perform as per design</li> </ul>
<b>10.</b>	<b>Medical tools and kits</b>	<ul style="list-style-type: none"> <li>❖ A certificate of compliance with relevant Kenya or ISO standards</li> <li>❖ If manufactured under license then a copy of then license/franchise</li> </ul>
<b>11.</b>	<b>Explosives</b>	<ul style="list-style-type: none"> <li>❖ All necessary permits of imports/exports in accordance with Customs requirements</li> </ul>
<b>12.</b>	<b>Radioactive materials</b>	<ul style="list-style-type: none"> <li>❖ All necessary permits of imports/exports in accordance with Customs requirements</li> <li>❖ Demonstration of compliance with all international codes</li> </ul>
<b>13.</b>	<b>Complete knock down (CKD)</b>	<ul style="list-style-type: none"> <li>❖ A copy of manufacturer's/supplier's license</li> <li>❖ A declaration from the manufacturer that the product shall perform as per the design</li> <li>❖ ISO certification</li> <li>❖ If manufactured under license, appointment license from manufacturer</li> </ul>
<b>14.</b>	<b>Pharmaceuticals</b>	<ul style="list-style-type: none"> <li>❖ A certificate of analysis from the manufacturer</li> <li>❖ Relevant valid permits/licenses</li> </ul>

<b>15.</b>	<b>Reagents</b>	<ul style="list-style-type: none"> <li>❖ A certificate of compliance with Kenya/international standards</li> </ul>
<b>16.</b>	<b>Artefacts</b>	<ul style="list-style-type: none"> <li>❖ Wood based artefacts shall comply with phytosanitary requirements</li> <li>❖ All artefacts to demonstrate compliance with relevant environmental requirements</li> </ul>
<b>17.</b>	<b>Printed matter</b>	<ul style="list-style-type: none"> <li>❖ This shall be subject to destination inspection</li> </ul>
<b>18.</b>	<b>Furniture</b>	<ul style="list-style-type: none"> <li>❖ The individual components of the furniture shall have a certificate of compliance with relevant standards</li> <li>❖ Assembled furniture to comply with relevant standards</li> <li>❖ Wood based furniture to comply with phytosanitary requirements.</li> </ul>
<b>19.</b>	<b>Petroleum products &amp; Lubricants</b>	<ul style="list-style-type: none"> <li>❖ Shall require certificate of analysis to relevant standards</li> <li>❖ Crude petroleum shall be accompanied by a certificate of analysis from the supplier</li> <li>❖ Certificate of analysis from an accredited laboratory shall accompany lubricants.</li> </ul>
<b>20.</b>	<b>Sports wear/gear</b>	<ul style="list-style-type: none"> <li>❖ Certificates of compliance with relevant Kenya standards</li> <li>❖ A copy of the manufacturer's or franchise holder's license</li> </ul>
<b>21.</b>	<b>Fresh produce</b>	<ul style="list-style-type: none"> <li>❖ Certificates of compliance with relevant Kenya standards</li> <li>❖ Shall demonstrate compliance with phytosanitary standards</li> <li>❖ Shall be subject to destination verification and</li> </ul>

		inspection
<b>22.</b>	<b>Seeds and propagation materials</b>	<ul style="list-style-type: none"> <li>❖ Relevant permits and licenses to be presented</li> <li>❖ Shall comply with phytosanitary requirements</li> </ul>
<b>23.</b>	<b>Breeding stock</b>	<ul style="list-style-type: none"> <li>❖ Relevant valid licenses and permits to be presented</li> </ul>
<b>24.</b>	<b>Timber &amp; Timber products</b>	<ul style="list-style-type: none"> <li>❖ Certificate of compliance with relevant Kenya/ISO standards</li> <li>❖ Shall comply with phytosanitary standards</li> </ul>
<b>25.</b>	<b>Electrical &amp; Electronic goods including household goods.</b>	<ul style="list-style-type: none"> <li>❖ Electrical appliances and fittings shall require a certificate of compliance with relevant international standards</li> <li>❖ Type approvals shall be required where applicable</li> <li>❖ Dealership authority if supplier is not the manufacturer</li> </ul>
<b>26.</b>	<b>Textiles</b>	<ul style="list-style-type: none"> <li>❖ Certificate of compliance with Kenya or International Standards</li> </ul>
<b>27.</b>	<b>Novelty items</b>	<ul style="list-style-type: none"> <li>❖ Subject to destination inspection/verification</li> </ul>
<b>28.</b>	<b>Toys</b>	<ul style="list-style-type: none"> <li>❖ Certificates of compliance with relevant Kenya or ISO standards</li> </ul>
<b>29.</b>	<b>Optical &amp; photographic materials</b>	<ul style="list-style-type: none"> <li>❖ Type approval for Optical material</li> <li>❖ Certificate of compliance with Kenya or ISO standards for Photographic material</li> </ul>
<b>30.</b>	<b>Arms &amp; ammunition</b>	<ul style="list-style-type: none"> <li>❖ Relevant permits &amp; licenses in accordance with Customs requirements/regulations</li> </ul>
<b>31.</b>	<b>Tyres</b>	<ul style="list-style-type: none"> <li>❖ Certificates of compliance with Kenya standards</li> </ul>
<b>32.</b>	<b>Used Tyres as casings</b>	<ul style="list-style-type: none"> <li>❖ Permit from KEBS</li> </ul>
<b>33.</b>	<b>Bulk grain/cereals</b>	<ul style="list-style-type: none"> <li>❖ Certificate of compliance with relevant Kenya standards</li> </ul>

		❖ Phytosanitary requirements
<b>34.</b>	<b>Ornaments &amp; jewellery</b>	❖ Subjected to destination inspection/verification ❖ Relevant certificate
<b>35.</b>	<b>Diplomatic Goods</b>	❖ All goods exempted except road vehicles
<b>36.</b>	<b>Travel goods</b>	❖ Certificate of compliance with relevant Kenya or International standards.
<b>37.</b>	<b>Building and construction materials</b>	❖ Certificate of compliance with relevant Kenya standards or International standards.
<b>38.</b>	<b>Culinary equipment</b>	❖ Certificate of compliance with relevant Kenya or International standards
<b>39.</b>	<b>Pre-packaged food</b>	❖ Certificate of compliance with relevant Kenya standards or International standards from an accredited laboratory.
<b>40.</b>	<b>Food supplements</b>	❖ Shall be accompanied by analysis/test report from the manufacturer
<b>41.</b>	<b>Meat &amp; meat products (white &amp; Red)</b>	❖ Certificate of compliance with Kenya or ISO standards from an accredited laboratory.
<b>42.</b>	<b>Cosmetics</b>	❖ A certificate of compliance with relevant Kenya or International standards from an accredited laboratory.
<b>43.</b>	<b>Used Textiles &amp; footwear</b>	❖ Certificate of compliance with relevant Kenya standards from an accredited laboratory.
<b>44.</b>	<b>Other used merchandise</b>	❖ Declaration from the supplier that the parts are still serviceable
<b>45.</b>	<b>Used motor vehicle spares</b>	❖ Shall be subjected to destination inspection ❖ Declaration from supplier that the parts are serviceable
<b>46.</b>	<b>Donations</b>	❖ Certificate of compliance to relevant Kenya

		standards or International standards
<b>47.</b>	<b>Personal effects</b>	❖ No certificate required except motor vehicles
<b>48.</b>	<b>EPZ/MUB goods</b>	❖ Those for processing into exports to be treated as raw materials. ❖ While those that are not raw materials to demonstrate compliance with relevant Kenya or International standards
<b>49.</b>	<b>Government of Kenya supplies</b>	❖ Certificates of compliance with relevant Kenya or International Standards from an accredited laboratory.
<b>50.</b>	<b>New motor vehicles/Boats</b>	❖ Performance certificate/declaration from manufacturer
<b>51.</b>	<b>Temporary imports</b> <b>a) Motor vehicle for sports</b> <b>b) Machinery and equipment</b>	❖ Present carnets otherwise shall comply with KS 1515 ❖ Undertaking to re-export
<b>52.</b>	<b>Used Motor Vehicles</b>	❖ Certificate of compliance with KS 1515 ❖ Subject to destination inspection
<b>53.</b>	<b>Fertilizers</b>	❖ Certificates of compliance with Kenya or International standards from accredited laboratories
<b>54.</b>	<b>Chemicals</b>	❖ Certificates of analysis from manufacturer ❖ Evidence of ISO certification
<b>55.</b>	<b>Hand tools &amp; fittings</b>	❖ Certificates of compliance with Kenya or ISO standards from an accredited laboratory.
<b>56.</b>	<b>Chemical products</b>	❖ Certificate of compliance with Kenya or International standards from an accredited laboratory.

<b>57.</b>	<b>Advertising Materials</b>	<ul style="list-style-type: none"><li>❖ Certificate from manufacturer</li><li>❖ ISO certification</li></ul>
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国家 IEC/ISO17025 实验室。

#### **8.0 KEBS RIGHTS TO VERIFY GOODS**

**KEBS reserves the right to verify imported goods at the points of entry into the country. The verification may be done for surveillance purpose to ensure quality is maintained at all times.**

#### **9.0 VERIFICATION OF GOODS WITHOUT DOCUMENTS OF CONFORMITY** **Goods arriving at an import entry point without relevant document(s) of conformity shall:**

- **Be detained for destination inspection at the entry point.**
- **Only be released after confirmation of conformity to relevant Standards.**
- **A penalty of 15% of its CIF value paid in full to KEBS.**

#### **10.0 RESHIPMENT OF GOODS**

- **Goods arriving with Non Conformity Certificates shall be denied entry into the country and reshipped back to the country of origin at the importers' expense.**
- **Goods inspected at the point of entry found not to comply with all the requirements of relevant Kenya Standards shall be immediately shipped to the country to origin, at the importers' expense.**

#### **11.0 PROCEDURES**

**Interim procedures for verification for quality and clearance of goods are outlined in Appendix "A".**

### **APPENDIX A**

#### **INTERIM PROCEDURE OF CLEARANCE OF IMPORTS**

- 1) **All Certificate of Compliance (CoC), type approval, test certificate etc. shall be availed in advance. The officer in charge shall examine the documents and complete form A (to be designed) in triplicate.**

- 2) **The completed form shall be given to the respective officer who shall examine all other documents in the field and carry out verification on the goods.**
- 3) **The officer shall return form A duly completed to the officer in charge of evaluation and record keeping.**
- 4) **Where the inspector finds a discrepancy with the consignment, the inspector shall return the form with his comments to the officer in charge.**
- 5) **The relevant release stamp(s) shall be applied on the relevant documents including form A. The original form A shall be retained by KEBS while the first copy shall be given to Customs and the second copy to importer/agent.**
- 6) **All the other current processes i.e. sample collection, submission, release under seal, rejection etc. shall remain.**