

**PEST CONTROL PRODUCTS (LICENSING OF PREMISES) REGULATIONS, 1984**

ARRANGEMENT OF REGULATIONS

*Regulation*

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- 8.

SCHEDULE

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[Subsidiary]

**PEST CONTROL PRODUCTS (LICENSING OF PREMISES) REGULATIONS, 1984**

[Section 15, L.N. 45/1984, L.N. 124/2006.]

**1. Citation**

These Regulations may be cited as the Pest Control Products (Licensing of Premises) Regulations, 1984.

**2. Premises not to be used unless licensed**

(1) No person shall use any premises, or being the owner or occupier thereof permit or allow the premises to be used, for the purposes of manufacturing, formulating, packaging, selling or storing pest control products unless that person is in possession of a licence issued under these Regulations in respect of those premises.

(2) No person shall operate any business in pest control unless that person is in possession of a licence issued under these regulations in respect of that business.

(3) No licence shall be issued under these Regulations as set out in Form C in the Schedule unless the Board is satisfied that the provisions of these Regulations have been complied with.

[L.N. 124/2006, s. 2]

**3. Application for licensing of premises**

(1) An application for a licence under these Regulations shall be in Form A in the Schedule.

(2) An applicant for a licence shall, on request by the Board, supply any information that may be required for the purposes of these Regulations.

**4. Issue and expiry of licence**

(1) Every licence issued under these Regulations shall be in Form B in the Schedule, and shall expire on the 31st December next following the date of issue.

(2) No person to whom a licence has been issued under these Regulations shall lend, hire, sell, transfer or otherwise dispose of that licence without the approval of the Board, which approval shall be endorsed on the licence.

(3) No licence shall be transferred from the premises in respect of which it was issued.

(4) A licence issued by the Board under regulation 4(1) may be cancelled, suspended or revoked by the Board if the holder of such a licence contravenes the provisions of the Act or the Regulations made under it.

(5) The information on licence cancellation, suspension or revocation under 4(4) shall be made known to the holder in writing and the general public by *gazette* notice.

[L.N. 124/2006, s. 3.]

**5. Layout and construction of manufacturing, formulating, packaging and storing premises**

All premises used for the manufacturing, formulating, packaging and storing of pest control products shall—

- (a) be of a suitable design, layout and construction to ensure the health of workers and to avoid contamination of the environment;

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- (b) have sufficient space for the placement of equipment and storage of materials which is necessary for the health of workers and operators;
- (c) have separate areas, either by partition, location or other effective means, for those operations which do not require workers to be exposed to pest control products.

[L.N. 124/2006, s. 4.]

**6. Protection of workers and operators and quality of products**

Every person who owns, operates or is in charge of premises used for the manufacturing, formulating, packaging and storing of pest control products shall ensure that—

- (a) during the operation—
  - (i) the persons working in the premises wear adequate protective clothing;
  - (ii) the premises are well supplied with first-aid facilities to the satisfaction of the Board to cater for accidental poisoning;
  - (iii) the general health of the persons working on the premises is adequately catered for; and
- (b) the quality of the products are within the prescribed limits.

[L.N. 124/2006, s. 5.]

**7. Essential requirements for operations, etc.**

Every person who owns, operates or is in charge of—

- (a) premises in which the manufacturing, formulating, packaging and storing of a pest control product is undertaken shall have adequate knowledge of the chemistry, toxicology, efficacy and general use of the product being dealt with to the satisfaction of the Board;
- (b) premises licensed under these Regulations shall ensure that the products are packaged and labeled as required by the provisions of this Act and the Regulations and shall keep stock records for a minimum of five years;
- (c) pest control product stores and other dispensing premises shall have adequate knowledge of efficacy, uses and handling precautions of all pest control products within the premises to the satisfaction of the Board;
- (d) premises licensed under these Regulations shall provide adequate water and general cleanliness to facilitate safe dispensing of the products; ensure physical separation of pest control products stores from food stores and keep stock records for all pest control 8. products in the premises.

[L.N. 124/2006, s. 6.]

**8. (1)** Any person who intends to handle, use, distribute, transport or deal in a Pest Control Product under restricted class shall apply to the Board for a permit in the prescribed Form D in the Schedule.

**(2)** No person shall handle, use, distribute, transport or deal in a Pest Control Product under restricted class without a permit from the Board in the prescribed Form E in the Schedule.

[L.N. 124/2006, s. 7.]

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Pest Control Products

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SCHEDULE

FORM A

(r. 3)

PEST CONTROL PRODUCTS ACT  
(Cap. 346)

PEST CONTROL PRODUCTS (LICENSING OF PREMISES AND BUSINESS)  
(AMENDMENT) REGULATIONS, 2006

APPLICATION FOR A LICENCE

The Managing Director  
Pest Control Products Board  
Waiyaki way,  
P.O. Box 13794-00800,  
Westlands,  
NAIROBI

1. Name and address of applicant/s .....
2. Name and address of person, firm or company to be issued with licence .....
3. Full names of partners and/or directors (where applicable) .....
4. Nature of occupation for which a licence is required .....
5. Owner of premises .....
6. Plot No ..... L.R. No. ....
7. Location ..... Road/Street .....
8. Town ..... District .....
9. General business postal address .....
10. Name and qualifications of the person under whom processing/trading will be undertaken .....

Fee paid..... Date .....

Date .....

*Signature of applicant*

FORM B

PEST CONTROL PRODUCTS ACT  
(Cap. 346)

PEST CONTROL PRODUCTS (LICENSING OF PREMISES AND BUSINESS)  
(AMENDMENT) REGULATIONS, 2006

Receipt No..... Licence No.....

This licence is granted to .....

to display/retail/wholesale/distribute/store/package manufacture/formulate/ pest control products at  
Plot L.R. No. ....

Situated at .....

Pest Control Products

[Subsidiary]

.....  
 Managing Director,  
 Pest Control Products Board

.....  
 Inspector,  
 Pest Control Products Board

Date ..... Date .....

This licence is not transferable to any other person without the approval of the Board.

*THIS LICENCE IS NOT TRANSFERABLE TO ANY OTHER PREMISES*

**FORM C**

PEST CONTROL PRODUCTS ACT  
 (Cap. 346)

PEST CONTROL PRODUCTS (LICENSING OF PREMISES AND BUSINESS)  
 (AMENDMENT) REGULATIONS, 2006

*A. Inspection of Premises*

During inspection of pest control products premises, the following items shall be examined and comments made in order that the correct action can be taken with regard to licensing. A copy of the inspection report shall be left with the owner or the person incharge of the premises. The original shall be returned to the Pest Control Products Board.

1. Name and Address of Applicant/Business .....
2. Nature of Business .....
3. Location of Premises .....
4. L.R. No. /Plot No. ....

*B. Specific Requirements*

ITEM	COMPLIANCE WITH REQUIREMENTS		INSPECTOR'S RECOMMENDATION TO OWNER
	YES	NO	
PHYSICAL FACILITIES			
1. Suitable design, layout and construction			
2. Sufficient space			
PROTECTION FOR WORKERS			
3. Separate areas for workers who are not handling pesticides			
4. Protective clothing			
5. First-Aid Box /Antidotes			
6. Fire Extinguisher			
7. Adequate water within premises			
8. Floors — smooth concrete			
9. Storage and stacking of containers			
10. Aeration			
11. Sawdust and sumps for disposal of spills			
12. General Cleanliness			
PROTECTION OF THE PUBLIC AND MAINTENANCE OF PRODUCT EFFICACY			

Pest Control Products

[Subsidiary]

SCHEDULE, FORM C —continued

ITEM		COMPLIANCE WITH REQUIREMENTS		INSPECTOR'S RECOMMENDATION TO OWNER
13.	Physical separation of food and feeds from pesticide			
14.	All products must be labelled as required by Law			
15.	All labels should show date of manufacture and shelf life			
16.	Stock records kept			
17.	Dustbin for disposal			
18.	Qualified operators for manufacturing and formulating premises			
19.	Qualified operators for store and dispensing premises			

C. General Recommendations

I certify that I have inspected the premises described above and it is my considered opinion that a licence should/should not be issued/withdrawn for the premises.

The following defects should be rectified (specify items by numbers) .....

- |  |  |
|--|--|
| 1. ....<br><i>Signature of Inspector</i> | 1. ....<br><i>Signature of Inspector</i> |
| 2. ....<br><i>Name of Inspector</i>      | 2. ....<br><i>Name of Inspector</i>      |

FORM D

(r. 8(1))

PEST CONTROL PRODUCTS ACT (Cap. 346)

PEST CONTROL PRODUCTS (LICENSING OF PREMISES AND BUSINESS)  
(AMENDMENT) REGULATIONS, 2006

APPLICATION FOR PERMIT TO DEAL IN PEST CONTROL PRODUCTS UNDER  
RESTRICTED CLASS

Name and address of applicant .....

Status and address of applicant (Manufacturer, Agent, Registrant, Distributor, User) .....

Name and address of registrant of pest control product.....

Trade name, Formulation, Concentration .....

Registration No. ....

Target pest/diseases .....

Package type .....

Quantity .....

Signature of applicant .....

Date .....

FORM E

(r. 8(2))

PEST CONTROL PRODUCTS ACT

(Cap. 346)

Permit No.

PEST CONTROL PRODUCTS (LICENSING OF PREMISES AND BUSINESS)  
(AMENDMENT) REGULATIONS, 2006

APPLICATION FOR PERMIT TO DEAL IN PEST CONTROL PRODUCTS UNDER  
RESTRICTED CLASS

PERMIT NO. ....

This permit is granted to .....

To sell/store/transport/use product .....

Registration Number ..... At plot number .....

L.R. No. .... Situated .....

..... Date .....

*Managing Director Pest  
Control Products Board*

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