

[Subsidiary]

**FERTILIZERS AND ANIMAL FOODSTUFFS (RECORDS AND RETURNS) RULES,  
1972**

[L.N. 217/1972.]

1. These Rules may be cited as the Fertilizers and Animal Foodstuffs (Records and Returns) Rules, 1972.
  2. Every importer, manufacturer and vendor of fertilizer or animal foodstuffs shall keep records in English in respect of every transaction he makes in fertilizers or animal foodstuffs.
  3. (1) These records shall show for each sale of fertilizers and animal foodstuff—
    - (a) his own name and full postal address;
    - (b) the date on which the sale was made;
    - (c) the name whereby each of the fertilizer and animal foodstuff sold is described in declaring it to an approved animal foodstuff for the purpose of the Act and the amount in tonnes and kilogrammes which was sold;
    - (d) sufficient detail of the marks on each container or package in which the fertilizer or animal foodstuff was sold, or from which it was taken in making the sale or on the label attached thereto for the said container or package to be identifiable, and on completion of each sale the vendor shall furnish the purchaser with a copy of the record of the sale.
  - (2) These records shall further show—
    - (a) For each sale of 500 kilogrammes or more of a fertilizer and for each and every sale of fertilizer for resale purposes—
      - (i) the name and full postal address of the person or concern to whom he sold the fertilizer;
      - (ii) a true copy of the declaration and warrant which he gave the purchaser in accordance with the provisions of rules 2, 3 and 4 of the Fertilizers and Animal Foodstuffs (Declaration and Warranty) Rules, 1972 (L.N. 216/1972).
    - (b) For each purchase of fertilizers—
      - (i) the name and full postal address of the person or concern selling the fertilizer;
      - (ii) the original of the declaration and warrant which was given to the purchaser in accordance with the provisions of rules 2, 3 and 4 of the Fertilizer and Foodstuffs (Declaration and Warranty) Rules, 1972.
    - (c) For each transaction in an animal foodstuff in respect of which a declaration and warrant was issued in accordance with the provisions of rule 8 of the Fertilizers and Animal Foodstuffs (Declaration and Warranty) Rules, 1972, the original or a true copy of the said declaration and warrant.
  4. The vendor should keep the records prescribed in rule 3 of these Rules in respect of the transactions in any fertilizer and animal foodstuff for at least two years after the date of the transaction in the case of fertilizer and at least one year after the date of the transaction in the case of an animal foodstuff.
  5. Any person who fails to keep and maintain the records prescribed in rules 2 and 3 for the period prescribed in rule 4 of these Rules shall be guilty of an offence and liable for a first offence, to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding two months or to both such fine and such imprisonment and for a second and subsequent offence to a fine not exceeding three thousand shillings or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.
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