

**DAIRY INDUSTRY (IMPORTS) REGULATIONS**

[L.N. 190/1964, L.N. 155/1995, L.N. 11/1996, L.N. 285/1996, Corr. No. 62/1996.]

1. These Regulations may be cited as the Dairy Industry (Imports) Regulations.
2. In these Regulations “**prescribed**” means prescribed in an order made by the Board and published in the *Gazette*.
3. An importer of prescribed dairy produce shall, within seven days of a written notice to that effect issued by or under the authority of the Board, deliver to the Board a statement in writing giving such information and particulars in relation to any prescribed dairy produce as may be required by the notice, and in particular, without prejudice to the generality of the foregoing, information and particulars in relation to—
  - (a) the quantities of prescribed dairy produce held in stock by the importer or imported during the six months previous to the notice, stating whether they are held in bond or otherwise, and the date or dates of import;
  - (b) the quantities of prescribed dairy produce for which import orders have been placed by the importer, the anticipated date or dates of arrival in Kenya and the respective quantities thereof and the source of supply;
  - (c) the intended destination of prescribed dairy produce imported by the importer and the names and addresses of the intended distributors, wholesalers or retailers thereof.
4. (1) The Board may, by order in writing, direct an importer of prescribed dairy produce as to the quantities thereof which the importer may release for distribution, sale or otherwise, over any stated period or periods and in relation to such area or areas of distribution or intended distribution as may be specified by the Board, and to deliver to the Board full particulars of all such releases as may be made by the importer.

(2) No person shall import any quantity of milk or prescribed dairy produce during a period of twelve months with effect from 5th January, 1996.

(3) Notwithstanding the provisions of subregulation (2), any person may import—

  - (a) finished products in terms of infant nutritional formulae; and
  - (b) white or creamy pure spray-dried instant full cream milk powder and medium-to-high heat treated white pure instant skimmed milk powder,subject to the following conditions—
  - (i) the products conform to the World Health Organisation standards;
  - (ii) in the case of (b) above, the products are imported by industrial users in packages of not less than twenty-five (25) kilogrammes for use in the preparation of the specialised infant nutrition formulae; and
  - (iii) in both cases the amounts imported correspond to the monthly requirements of the importer.

[L.N. 155/1995, L.N. 11/1996, L.N. 285/1996.]
5. A person who has, or has had in his possession or under his control prescribed dairy produce shall disclose to any inspector of the Board or any other person authorised in that behalf by the Board, the source or sources of supply thereof and the date or dates of delivery and shall make that disclosure, if so required, in writing and signed by the person making it.
6. A person who—
  - (a) fails to comply with a notice issued under regulation 3; or

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**[Subsidiary]**

- (b) supplies any information or particulars required to be made or disclosed under these Regulations which is or are in any respect incorrect or inaccurate or misleading; or
  - (c) fails to comply with any direction issued by the Board under regulation 4,
- shall be guilty of an offence and shall be liable to a fine not exceeding ten thousand shillings or to imprisonment for a term not exceeding one year or to both.
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**DAIRY PRODUCE PRESCRIBED UNDER REGULATION 2**

[L.N. 290/1964, L.N. 371/1964, L.N. 61/1966, L.N. 301/1966, L.N. 315/1966.]

Sweetened skimmed condensed milk

Dried full cream milk powder

Condensed full cream milk sweetened

Evaporated milk

Cheese, including processed cheese

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