Kenya Bureau of Standards

PVOC PROGRAM OPERATIONS MANUAL

1.0 INTRODUCTION

1.1 General Overview of the PVoC Program

PVOC Program is a conformity assessment program applied to products at the respective exporting countries, to ensure their compliance with the applicable Kenyan Technical Regulations and Mandatory Standards or approved specifications.

1.2 Legal Basis of the PVoC Program

PVOC program was started on 29th September 2005 by KEBS, through the publication of Legal Notice No. 78 of 15th July, 2005 by the Minister for Trade and Industry. The program is also fully compliant with the provisions of Article 5 of WTO TBT Agreement.

1.3 Objectives of the program

- To ensure quality of products, health and safety, and environmental protection for consumers
- To facilitate trade by ensuring that compliant goods are given expedited clearance at the port of entry.
- To safeguard the country from unfair trade practices and dumping of substandard goods by ensuring that imported products comply with the same requirements to which locally manufactured goods are subjected
- To safeguard the country's national security
- To prevent deceptive trade practices

1.4 Operations of the Program

- The program is operated by accredited third party inspections companies on behalf of KEBS.
- The world is divided into nineteen (19) regions based on proximity and trade volumes. In addition, the program provides for multiple partners in majority of the regions to enhance efficiency.
- The basis of certification is Kenya standards or approved specifications

2.0 TERMS AND DEFINITION

- **PVOC** – Pre-Export Verification of Conformity to Standards
- **COC** – Certificate of Conformity
- **COR**- Certificate of Roadworthiness for Motor Vehicles
- **NCR**- Non conformity Report
- **RFC**- Request for Certification
- **IDF**- Import Declaration Form
- **QMS**- Quality Management System
- **PVOC Partners** – KEBS - Appointed Inspection and Certification Companies.
- **PPB**- Pharmacy and Poisons Board
- **PCPB**- Pest Control Products Board
- **CA**- Communications Authority of Kenya
- **KCAA**- Kenya Civil Aviation Authority
- **DVS**- Department of Veterinary Services
- **KEPHIS**- Kenya Plant Health Inspectorate Service

3.0 RESPONSIBLITIES UNDER THE PVOC PROGRAM

3.1 Importers

Ensure their suppliers are conversant with import quality requirements specified in relevant Kenya Standards or approved specifications and that their consignments are accompanied with a Certificate of Conformity (CoC) from the appointed PVoC Agents.

3.2 Exporters

Ensure their products or goods meet the regulations and quality requirements of Kenya before shipment by carrying out tests based on relevant Kenya Standards or approved specifications and/or obtaining the necessary Certificate of Conformity (CoC) from the appointed PVoC Agents for all products subject to the PVoC program.

3.3 PVOC Partners

The four (4) inspection companies (PVoC Agents) namely; Messrs Bureau Veritas, China Certification and Inspection Group, Intertek International, and SGS have been contracted by KEBS to undertake PVoC activities. The role of these agents is to undertake conformity assessment activities in the country of origin for products being imported into Kenya. These activities include inspection, sampling, testing, sealing of full-load containers and issuance of certificates of conformity.

3.4 KEBS

Ensure that only quality goods gain entry into the country as provided for in the Standards Act Cap 496, Laws of Kenya and The Verification of Conformity to Kenya Standards of Imports Order, 2005 (Legal Notice No. 78 of 15th July 2005), thereby protecting consumer health and safety as well as environment in addition to promoting fair trade practices.

3.5 KRA

KRA's mandate is Trade Facilitation, Border Security, Revenue Collection, Enforcement of prohibitions and restrictions. KRA will use the Certificate of Conformity as one of the reference document for cargo clearance.

4.0 PVOC SCOPE

In line with the Public Notice jointly issued by KEBS and KRA on 13th November, 2015, the requirement for inspection and issuance of Certificate of Conformity was expanded to cover ALL IMPORTS. These measures take effect for goods shipped from the country of supply/origin on or after 1st December 2015.

Goods already certified by KEBS under the Diamond Scheme shall be accepted based on the Diamond mark Certification

Goods manufactured within the EAC partner states shall be cleared in line with the provision of the EAC SQMT.

5.0 PVOC PARTNERS

5.1 *General Goods Inspection*

Currently, KEBS has four (4) PVOC Partners for inspection with the contact details as shown below:

- **Bureau Veritas S.A**
  First Floor, ABC Place,
  Waiyaki Way- Westlands
  NAIROBI
  Phone: + 254 20 445 05 60/1/2/3/4
  Fax: + 254 20 445 05 65
  Email:conformity.kenya@ke.bureauveritas.com

- **China Certification and Inspection Company Ltd**
  Ain Guest House,
  Off Argwings Kodhek Road- Hurlinharm
  P.O Box 21641 – 00100 NAIROBI
  Phone: + 254 710 458752
  Tel: +254-20-2720000
  Email: ccickenya@ccic.com / ccickenya@gmail.com

- **Intertek Group Plc**
  House of Vanguard, 4th Floor,
  P.O. Box 696-00621
  Chiromo Road, Westlands,
  Nairobi, Kenya
  Tel: +254 20 4449132 / 3 / 6
  Mobile: +254 736 715456 or +254 725744688
  Fax: +254 (0)20 4449212
  E-mail: info.kenyapvoc@intertek.com

- **SGS S.A**
  2nd Floor - North Wing, Victoria Towers,
  Kilimanjaro Road Upperhill,
  P.O. Box 72118, 00200
  Nairobi, Kenya
  E-mail: info.pvoc.kenya@sgs.com
  Tel: +254 20 272 7815 / 32 / 34
  Mobile: +254 722 717771, + 254 733 777300
  Fax: +254 20 273 3664

These agents have been allocated areas of operation in line with the table No. 2 below:

Table No. 2: PVoC Partners Regions of responsibility

No.	Region	Countries	Partners(s) Responsible
1	United Kingdom	1. Wales 2. Scotland 3. Ireland 4. England	Intertek, SGS, Bureau Veritas
2	China	1. China Mainland 2. Hong Kong 3. Taiwan 4. Mongolia	Intertek, SGS, Bureau Veritas, CCIC
3	Indian Subcontinent	1. India 2. Pakistan 3. Sri Lanka 4. Bangladesh 5. Afghanistan 6. Myanmar	Intertek, SGS, Bureau Veritas
4	Far East	1. Japan 2. Korea (South and North) 3. Indonesia 4. Malaysia 5. Philippines 6. Thailand 7. Singapore 8. Vietnam 9. Cambodia	SGS, Bureau Veritas
5	Australia, New Zealand and Polynesia Islands	1. Australia 2. New Zealand 3. Papua New Guinea	Intertek, SGS, Bureau Veritas
6	Central America and Caribbean	1. Mexico 2. Guatemala 3. El Salvador 4. Honduras 5. Nicaragua 6. Costa Rica 7. Panama 8. Venezuela 9. Colombia 10. Brazil 11. Ecuador 12. Peru 13. Bolivia 14. Paraguay 15. Uruguay 16. Argentina 17. Chile 18. Cuba 19. Jamaica 20. Guyana 21.Dominican Republic	Intertek, SGS, Bureau Veritas
7	Americas	1. USA 2. Canada	Intertek, SGS, Bureau Veritas
8	Ex-Soviet Union Republics	1. Latvia 2. Estonia 3. Lithuania 4. Belarus 5. Ukraine 6. Georgia 7. Armenia 8. Azerbaijan 9. Turkmenistan 10. Uzbekistan 11. Kazakhstan 12. Kyrgyzstan 13. Tajikistan 14. Russia 15. Turkistan	SGS, Bureau Veritas
9	Eastern Europe	1. Czech Republic 2. Slovakia 3. Romania 4. Hungary 5. Bosnia- Herzegovina 6. Serbia and Montenegro 7. Bulgaria 8. Macedonia 9. Albania 10. Poland	SGS, Bureau Veritas
10	Mediterranean Europe	1. Turkey 2. Greece 3. Spain 4. Portugal 5. Malta	SGS, Bureau Veritas
11	Central Europe	1. Italy 2. France 3. Switzerland 4. Belgium 5. Germany 6. Austria 7. Netherlands	SGS, Bureau Veritas
12	Nordic Countries	1. Norway 2. Sweden 3. Finland 4. Iceland 5. Denmark	Intertek, SGS, Bureau Veritas

No.	Region	Countries	Partners(s) Responsible
13	Middle East	1. Iran 2. Iraq 3. Saudi Arabia 4. Oman 5. Jordan 6. Syria 7. Lebanon 8. Israel 9. Yemen 10. Bahrain 11. Qatar 12. Kuwait	Bureau Veritas
14	UAE	1. United Arab Emirates	Intertek, SGS, Bureau Veritas, CCIC
15	Maghreb Countries	1. Algeria 2. Morocco 3. Western Sahara	Bureau Veritas
16	North Africa	1. Egypt 2. Tunisia 3. Libya 4. Sudan 5. South Sudan 6. Chad 7. Somalia 8. Eritrea 9. Ethiopia 10. Djibouti	SGS
17	West Africa	1. Mauritania 2. Senegal 3. Guinea 4. Mali 5. Burkina Faso 6. Cote D'Ivoire 7. Ghana 8. Togo 9. Nigeria 10. Equatorial Guinea 11. Niger 12. Cameroon 13. Gambia 14. Liberia 15. Guinea Bissau 16. Sierra Leone	Intertek, Bureau Veritas
18	Central Africa	1. DRC 2. Congo Brazzaville 3. Angola 4. Gabon 5. Central Africa Republic	Bureau Veritas
19	Southern Africa	1. Zambia 2. Malawi 3. Mozambique 4. Madagascar 5. Seychelles 6. Namibia 7. Lesotho 8. South Africa 9. Botswana 10. Zimbabwe 11. Swaziland 12. Mauritius	SGS

5.2 *Motor vehicle inspection*

KEBS offers pre-export inspection of vehicles to determine conformity to the requirements of the KS 1515:2000 - Kenya Standard Code of Practice for Inspection of Road Vehicles through appointed inspection company in Japan, United Kingdom, United Arab Emirates and the Republic of South Africa.

KEBS has appointed Quality Inspection Services Japan Inc. to carry out inspection of used vehicles and new vehicles not sourced directly from manufacturers or franchise holders. The contact information is as given below.

M/s Quality *Inspection Services Inc Japan*
22-1608 Daikoku-Futo,
Tsurumi, Yokohama, Kanagawa, Japan
Tel: +81-45-500-6033
Fax: +81-45-500-6034
Email: info@qisjp.com

It is a mandatory requirement that vehicles coming from the mentioned countries are subjected to inspection to demonstrate conformity to the standard before shipment and must be accompanied with CoRs.

6.0 CERTIFICATION ROUTES

The PVOC program has been designed to provide maximum flexibility to exporters and importers by providing three possible routes for obtaining the Certificate of Conformity. The route applied depends on the frequency of exporters' shipments to Kenya and the level of compliance they are able to demonstrate initially when applying for certification.

6.1 *Route A (Consignment inspection and Testing)*

Under this Route, products to be shipped have to be both tested and physically inspected to demonstrate conformity to relevant standards. This route is open to all products being exported by either traders or manufacturers.

6.2 *Route B (Product Registration)*

This route offers a fast track certification process for goods with reasonable and consistent levels of quality through registration of such products by the PVoC Agent. Product registration is recommended to Exporters having frequent shipments of homogenous products. The registration is valid for a period of one year. Shipments of registered products are exempted from mandatory testing and certification may be based on physical inspection only. However, random testing of registered product is still required to ensure product conformity throughout the registration period.

The following products are however not eligible for registration under Route B (i.e. are subject to certification under Route A only);

- Sugar
- Cereals and pulses such as Rice, wheat, beans, Maize etc.
- Fertilizer
- Animal and Fishery products (fresh and frozen- not further processed)
- Dairy Products
- Used or second hand goods.

6.3 *Route C Product Licensing:*

This route is open only to manufacturers who can demonstrate existence of a quality management system in their production/ manufacturing process. It involves auditing of such production processes and licensing of products manufactured thereof by authorized PVoC Agent(s) in line with ISO Guide 28: 2004. On successful conclusion of this process, the manufacturer will be presented with a License for the relevant products valid for a period of one (1) year. Licensed products shall be subject to random physical inspection by authorized PVoC Agent(s) prior issuance of Certificate of Conformity and subsequent shipping of the same. However, the PVoC Agent(s) shall carry out limited testing during the license valid period.

Note: The PVoC Agent(s) will review the Request for Certification (RFC) received from the exporter before determining the most appropriate certification route and the applicable standard to be used in the certification process.

6.4 FEES CHARGED UNDER THE PVOC PRGRAM

Route A: 0.500% of the FOB Value min USD 250 max USD 2675

Route B: 0.450% of the FOB Value min USD 250 max USD 2675

Route C: 0.250% of the FOB Value min USD 250 max USD 2675

The above fees cover documentary verification, physical inspection and sampling including sealing of the containers where applicable. The fees do not include: -

- Laboratory testing
- Manufacturer Licensing
- Registration fees
- Sampling of Bulk shipment
- Re-inspection.
- Sealing of containers

These services shall be charged directly by the contractor on a case by case basis.

7.0 APPLICATION PROCESS FOR CERTIFICATE OF CONFORMITY

Step 1: The Exporter Shall Complete and Submit RFC Form

The exporter shall complete and submit RFC form (available on the website) to the respective PVoC Partner's office together with the following information/documentation;

- Product data sheet and/ or Product description (to specify the product's intended use) – (Mandatory)
- Copy of product technical specification from the manufacturer (if available)
- Manual/ operating instructions (where applicable) The manual/instruction shall include English or Swahili translation
- Production data (i.e. batch size/number, Name of manufacturer, date of manufacture/expiry, manufacturer's certificates – where applicable)
- Proforma/commercial invoice (mandatory)
- Import Declaration Form (IDF) – (where applicable)
- QMS Certificates (if available)
- Distributorship/Dealership agreements - if available (only applicable to manufacturer-authorized distributors/ Dealers)
- Test reports, third party certificates/approvals/Certification marks (if available)

Note: Quality and completeness of the above mentioned documentation directly influences time and cost of processing of the order/ request.

Step 2: Review of RFC and Documentation Submitted by Exporter by the PVoC Partner

The concerned PVoC Partner shall review the submitted documentation for completeness and to:

- Establish the appropriate Kenya Standard and/ or international equivalent to be applied for the product
- Establish product risk profile (for purposes of determining level of intervention)
- Prepare inspection and testing instructions (where necessary)

Step 3: Consignment Inspection by the Appointed Inspector

The inspection shall be carried out as per the instruction prepared in Step 2. The inspection shall focus on marking, packing, product's shelf life (where applicable) and visual product conformity for reconciliation with the test report.

NOTE: Inspection shall be scheduled for a date not later than 4 days from receipt of the duly completed Request for Certification form and other relevant documentation from the exporter unless otherwise a different inspection date is requested by the exporter in writing.

Step 4: Consignment Testing

Where applicable, testing shall be done against the applicable Kenya standard or approved specification. Testing shall only be performed on samples drawn by the concerned PVoC Agent in any of the following laboratories:

- Any PVoC Partner's Laboratory
- An independent laboratory accredited to ISO/IEC 17025 worldwide
- Any laboratory not accredited to ISO/IEC 17025 or the manufacturer's laboratory under witnessing by PVoC Partner. (This option is only open in instances where the first two labs cannot be found within the locality)

Step 5: Issuance of the Final Certification Documentation by the PVoC Partner

The PVoC Partner shall take a certification decision and issue certificate (i.e. Certificate of Conformity or Non Conformity Report) within 2 working days of receipt of the final Commercial invoice for sea shipment and one working day of receipt of the final commercial invoice for air freight

8.0 SEALING OF CONTAINERS

Wherever feasible, concerned PVoC agent shall witness stuffing of certified products into containers and seal the containers with their seals and indicate the seal numbers in CoCs. The cost of container sealing shall be borne separately by the applicant. Importers are advised that those consignments which have been sealed will be given express clearance at the port of entry and any sampling that might be required will be undertaken at the owner's premises. This will ensure that sealed containers do not incur any additional verification related costs at the ports of entry.

9.0 EXEMPTIONS AND WAIVERS FROM PVOC

Criteria for exemption of specific importers from PVoC requirements is as given in Annex 1

Other request for waivers shall be handled in accordance with the provisions of Legal Notice No. 78 of 15th July 2015.

10. HANDLING OF IMPORTS AT PORT OF DESTINATION (KENYA)

- Goods arriving at the port of entry with a certificate of conformity will be given an expedited clearance.
- Copies of CoR and CoC may be submitted to both KEBS and KRA to facilitate cargo clearance at the Ports of Entry.

11. CONTACT INFORMATION

Queries about the new inspection requirements should be addressed to KEBS through the following contact details

Email: inspections@kebs.org;

Tel: +254 20 6948439/456

ANNEX 1

CRITERIA FOR EXEMPTION OF SPECIFIC IMPORTERS FROM PVOC REQUIREMENTS

SN	CATEGORY	CRITERIA	REMARKS
1.	Importers of products regulated by other government agencies.	Proof of quality certification by the regulator(s)/ Import permits etc.	Concerned importers to submit Import permit or any other quality certification documentation to KRA for processing of customs entries/IDF ***Kindly refer to annex 2 for a detailed list of products regulated by other government agencies***
2.	Registered manufacturers importing raw materials, machinery and spares for own use	▪ Applicant must demonstrate quality track record for the raw materials and the final products as confirmed by KEBS ▪ Proof of transformation of raw material (s) into a completely different product (finished product) ▪ Proof of certification to a quality management system/ or professional practice. ▪ Manufacturers to provide data on their customers e.g. complaints ▪ Proof that the final products are directly linked to the raw materials being imported	Concerned importers to fill the form in Microsoft excel format available on KEBS website (www.kebs.org) and submit the filled form in the same format (Microsoft excel format) via email to inspections@kebs.org together with the other required documents (the required documents are listed in the excel form under instructions).
3.	Diplomats and diplomatic missions	PRO 1B	Completed PRO 1B to be submitted to KRA at the time of importation
4.	Registered assemblers importing CKDs for motor vehicle and motor cycle assembly/ Manufacturing Under Bond (MUB)	Proof of registration as assembler/ MUB	Concerned importers to fill the form in Microsoft excel format available on KEBS website (www.kebs.org) and submit the filled form in the same format (Microsoft excel format) via email to inspections@kebs.org together with the other required documents (the required documents are listed in the excel form under instructions).

5.	Importers of courier parcels	Goods imported under KEBS/CIAK MoU	Goods to be subjected to destination inspection
6.	Importers of printed matter and copyrighted digital materials	Textbooks, periodicals, diaries, labels, Recorded digital media, magnetic media	KRA to administer. KEBS does not have quality standards for copyrighted materials
7.	Importers of goods certified by KEBS under Diamond Mark Scheme	Valid Diamond Mark permit	Concerned importers to fill the form in Microsoft excel format available on KEBS website (www.kebs.org) and submit the filled form in the same format (Microsoft excel format) via email to inspections@kebs.org together with the other required documents (the required documents are listed in the excel form under instructions).
8.	Importers of goods manufactured within East African Community (EAC)	Country of Origin must be an EAC member state	Import Entries for goods from EAC Partner states to be processed by KRA based on Country of supply
9.	Importers of new vehicles	New vehicles must be imported directly from the manufacturer of the brands or the manufacturer's appointed agent	Clearance to be based on year of manufacture. ***Kindly refer to annex 3 for details***
10.	Importers of used personal effects	Goods must be pre-owned before shipment	KRA to administer
11.	Importers of vehicles from countries where KEBS does not have a motor vehicle inspection arrangement	Country of exportation must be a country where KEBS does not have a motor vehicle inspection arrangement	Vehicles not from UAE, JAPAN, UK AND SOUTH AFRICA to be subjected to destination inspection
12.	General consumables (stores) imported by International carriers for inflight / ships services	Proof of existence as international carrier	Concerned importers to submit licenses to KRA for processing of their import entries
13.	Re- imports	Submission of re-importation certificate (KRA)	Concerned importers to submit re-importation certificates to KRA at the time of importation.

ANNEX 2

LIST OF REGULATORY AGENCIES AND THE PRODUCTS THEY LICENSE WHICH ARE EXEMPTED FROM PVOC PROGRAM.

GOVERNMENT AGENCY	PRODUCTS AFFECTED AND THE CHAPTER
KENYA PLANT HEALTH INSPECTORATE SERVICES	▪ Live plants and planting materials (chapter 6) ▪ Edible vegetables - fresh/chilled (chapter 7) ▪ Edible fruit and nuts – unprocessed (chapter 8)
CENTRAL FIREARMS BUREAU	▪ Arms and ammunition (chapter 93)
DIRECTORATE OF VETERINARY SERVICES	▪ Live animals (Chapter 1) ▪ Fresh/chilled carcasses (Chapter 2) ▪ Live, fresh/chilled fish (Chapter 3) ▪ Molluscs, whether in shell or not, live, fresh, chilled (chapter 3) ▪ Crustaceans, whether in shell or not, live, fresh, chilled (chapter 3) ▪ Aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled (chapter 3) ▪ Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape) (chapter 5) ▪ Animal semen (Chapter 5) ▪ Raw hides and skins (chapter 41) ▪ Fish eggs(Chapter 5)
MINING GEOLOGICAL DEPARTMENT	▪ Explosives and pyrotechnic substances (Chapter 36)
PEST CONTROL PRODUCTS BOARD	▪ Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products (Chapter 38)
REPUBLIC OF KENYA PHARMACY AND POISONS BOARD	▪ Glands and other animal products used in the preparation of pharmaceutical products (Chapter 5) ▪ Medicaments, Blood-grouping reagents, diagnostic reagents , Dental cements and

	other dental fillings; Chemical contraceptive preparations based on hormones, Waste pharmaceuticals (Chapter 30) ▪ Clinical waste (Chapter 38) ▪ Pharmaceutical products
COMMUNICATIONS AUTHORITY OF KENYA	▪ Transmitters for broadcasting, Antennae for mobile communications, ▪ Radar apparatus, radio navigational aid apparatus ▪ Radio remote control apparatus (Chapter 85)
KENYA CIVIL AVIATION AUTHORITY	▪ Aircraft and associated parts (Chapter 88)

ANNEX 3

INSPECTION OF VEHICLES, BULLDOZERS, AGRICULTURAL TRACTORS EXCAVATORS, GRADERS AND OTHER OFFROAD VEHICLES

SN	TYPE OF VEHICLE	REQUIREMENT
1	**New** road vehicles that are imported directly from the manufacturer of the brands or the manufacturer's appointed agent	Exempted from the requirement to provide a certificate of conformity
2	**New** trailers, bulldozers, agricultural tractors, excavators, graders and other off-road vehicles	Exempted from the requirement to provide a certificate of conformity
3	**Used** trailers , bulldozers, agricultural tractors, excavators, graders and other off-road vehicles coming from UK, Japan, UAE and South Africa	QISJ to undertake inspections
5	**Used** trailers, bulldozers, agricultural tractors, excavators, graders and other off-road vehicles coming from countries where QISJ has not been contracted to provide inspection services	KEBS to conduct destination inspection
6	**New** road vehicles that have not been sourced from manufacturers or franchise holders coming from countries where QISJ has been contracted to operate	QISJ to undertake inspections
7	**Used** motor vehicle spare parts coming from UK, Japan, UAE and South Africa	QISJ to undertake inspections
8	**Used** Motor vehicle spare parts coming from countries where QISJ has not been contracted to provide inspection services	KEBS to conduct destination inspection