

EXPIRY OF PVOC CONTRACTS; FREQUENTLY ASKED QUESTIONS(FAQs)

- ✓ **Kindly clarify on the KEBS public notice on expiry of PVoC contracts.**

Following the expiry of PVOC contracts for General Goods on 31st March 2022, ALL products (General Goods) shipped on board on or after 1st April 2022 will be subjected to destination inspection at a fee equivalent to 0.6% of the approved customs value subject to a minimum of USD 265 and a maximum of USD 2700 exclusive of testing charges. Testing charges shall be paid on a case-by-case basis. This is the same fees that would have been charged had the goods been subjected to inspection in the country of exportation by the PVoC agents.

- ✓ **Is this permanent or temporary? i.e Does KEBS envisage renewing contracts of the Pre-shipment Countries or not?**

The Destination Inspection process is temporary for now since KEBS is in the process of signing new contracts with new PVoC Agents.

- ✓ **Would KEBs assure stakeholders of capacity - human and Labs.**

Destination inspection will be undertaken on a risk-based approach as detailed in the Destination Inspection Manual

- ✓ **In the case of possible delay would KEBs release under seal to save importers from Storage and Detention charges and or meet the resultant costs**

KEBS will release consignment under seal to save importers from incurring costs at the port of entry. But this will be treated on case-by-case basis.

- ✓ **Previously issuance of Local COC sometimes would take between 14days to 21 days. What are the timelines under DI there are fears it would take longer?**

KEBS timelines for issuance of local CoC will be 2 hours for Air Cargo and 2 days for Sea Cargo unless a sample from a consignment has been drawn for analysis.

- ✓ **What shall Exporters do for future shipments if KEBS does not assign any inspection company on April 1st?**

The shipments will be inspected locally so long as the shipped-on board is from 1st April

- ✓ **With regard to payment of destination inspection fee;**

i, Will the payment be done in advance or after inspection. Payment will be done upon arrival.

ii, Will the payment be done in USD or in Kenya shillings. In Kenya shillings

iii, Share kebs account number and bank to make payment.

Payments will done at destination (i.e. upon cargo arrival at the Port of Entry) and this shall be in Kenya Shillings. The invoices (for testing charges) and demand notes (for destination inspection fees), with KEBS Bank Details, will be issued to importers at the port of entry for payment purposes.

- ✓ **Please advise on the general documents required for local destination inspection.**

Destination inspection is undertaken on a risk-based approach where consignments are categorized into Option 1, 2, 3, and 4. Each option, as set out in the destination inspection manual, has specific documentation required for the purpose of clearance. For more details, download the Destination Inspection Manual from the KEBS website(www.kebs.org).

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✓ What happens to registered products Under route B and C

Products with valid Statement of Registration under route B and those Licensed under route C will still be recognized during cargo clearance as part of the documentation required under option 2 of the DI manual.

✓ As per the KEBS public notice on expiry of contracts, all Imports shipped on board from 1st April 2022 without COC shall be subjected to destination inspection. We would like to know for shipments that have been shipped before 1st April without a PVOC how they are treated. Are we not supposed to pay the 5% KEBS penalty as usual?

Consignments, shipped before 1st April 2022 without CoCs will be charged inspection fee equivalent to 5% of approved customs value as per the Legal Notice 78, 2020.

✓ Do we need to book for inspection before shipment arrive or this will be done after arrival.

Inspection will be done upon arrival of your consignment

✓ After inspection and shipment complies to KEBS standard, will you issue certificate or you will just release the shipment

The KEBS consignment document (KEBS CD) generated by the client at the time of clearance is deemed as the KEBS local COC

✓ After inspection and shipment does not meet kebs standard, what will happen to my goods.

You either reshipe or they will be destroyed at your own cost

✓ Please advise if the information relayed on the KEBS public notice affects all Kenya imports including raw materials. This is because it only mentions GENERAL GOODS. For those companies that are PVOC exempted, this does not affect them, right?

The public notice was only addressing goods subject to inspection. Exempted goods will not be affected by the expiration of the contracts since they are not subject to PVoC. Kindly download destination inspection manual from the KEBS website(www.kebs.org) for further guidance.

✓ Please can you tell me if SGS will still have a contract for pre-export certificate of conformity after 1st April 2022?

The previous PVoC service providers (SGS, BV, CCIC, Intertek, Cotecna) have ceased operations and are NOT accepting any new applications for certification as from 1st April 2022.

✓ Can you confirm if companies listed in the KEBS public notice are providing services for PVoC to Kenya?

KEBS is the process of signing a new three (3) year PVoC contract cycle, however, they have not commenced operations

✓ After the inspection companies' renew their contract, will the PVoC program resume?

KEBS will inform the general public when the new inspection companies commence inspection under the PVOC program.

✓ Do you mean we as the shipper will not be responsible for any inspection process and the customer will handle it at destination?

ALL imports to Kenya will be inspected at destination upon entry into the country. However, exporters/ Importers are encouraged to test their products in any ISO/IEC 17025 accredited laboratory for purposes of confirming compliance to the requirements of the relevant Kenya Standards before shipping them to Kenya. This will facilitate faster clearance at destination Port.

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- ✓ **We are therefore requesting if you can tell us what we need to do and which documents you need for local inspection of goods that will leave Ports of origin in the Month of April and are required to be inspected at the port of destination.**

Destination inspection is undertaken on a risk-based approach where consignments are categorized into Option 1, 2, and 4. Each option, as set out in the destination inspection manual, has specific documentation required for the purpose of clearance. Kindly download the destination inspection manual from the KEBS website(www.kebs.org) for further guidance.

- ✓ **Do we get a CoC upfront and then we can send the shipment?**

The CoC will be issued upon inspection at the ports of entry

- ✓ **What is the approved customs value?**

This is the value of goods as declared in the customs entry approved by the customs authority

- ✓ **How are the importers going to be compensated by KEBS for delays?**

Importers are advised to avail quality documents prior to the arrival of consignments for review by KEBS officers to ensure their products are certified under option 1 and 2 where there is no holding of cargo at the port

- ✓ **What is the cost of laboratory testing.**

Testing fees are charged depending on the parameters to be tested.

- ✓ **What is the cost of document verification.**

0.6% inspection fees cover both document verification and physical inspection.

- ✓ **For sugar imports, if they are shipped test reports from accredited laboratories, will they still be subjected to 100% inspection and testing?**

Traders are encouraged to test before the shipment of bulk goods. This will reduce on the degree of intervention at the destination port.

- ✓ **Some medical devices are critical. Releasing them under seal may not be viable as people's lives depend on them.**

Release under seal is undertaken to products that have been sampled for testing at the laboratories. Goods are kept at the importer's warehouse awaiting test results. This reduces demurrage charges to the importer. Importers of sensitive products such as medical devices are advised to ensure that they import products accompanied by test reports from a recognized laboratory to facilitate faster clearance.

- ✓ **How do you treat assorted goods of the same supplier in DI? Do you test or sample and give a report for all the assorted goods?**

Sampling and testing shall be risk based

- ✓ **We are importers of raw materials for manufacture of paints. We don't do further processing. Do we qualify for exemption?**

No. Only Registered Manufacturers qualify for Exemption of raw materials they import for their own use

✓

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- ✓ **Are importers required to test goods at destination and at port of departure?**

Goods accompanied with acceptable test reports (those from ISO/IEC 17025 accredited labs and/or Government owned or designated laboratories) may not undergo testing at destination. However, these test reports must be traceable to the batches in the shipment

- ✓ **We have consignments coming in May with COC, but the BL dates are for the month of April. Will the consignment still be subjected to DI?**

No, Goods accompanied with COC are not subjected to mandatory DI.

- ✓ **As an importer, how do we know what tests need to be carried out especially If the items have not been imported before?**

Testing is done as per the requirements of applicable Kenya Standard which can be purchased from KEBS library. In situations where Kenya Standard do not exist; International standard, National/ Regional standard or Manufacturer's specifications apply respectively.