



**KENYA EXPORT
PROMOTION & BRANDING
AGENCY**

PROCEDURES FOR EXPORTING OF TEA

Export of tea in Kenya is regulated by the Tea Board of Kenya (TBK). TBK mandate is to promote Kenyan tea in both local and international markets, license tea manufacturing factories, register tea buyers (exporters), tea brokers, tea packers, management agents and any other person dealing in tea. Prior to obtaining a registration certificate, applicants are required to register on TBK's IMIS Portal. For more information on how to register on TBK's IMIS Portal, click the link:

<https://imis.teaboard.or.ke:8080/webui/>

A: Legal Documentation and Licensing Requirements

1. Register a company name and obtain the Certificate of Incorporation and be a company incorporated in Kenya under the Company's Act.
You register a company or business in Kenya online via the eCitizen portal i.e., ecitizen.go.ke by selecting the Business Registration Service (BRS) to conduct a name search and reserve your business or company name, then applying for incorporation.
2. After registration, you must secure a company KRA PIN from Kenya Revenue Authority and a unified business permit from your County Government to legally operate.

B: Type Of Registration Certificates in Tea Trade

1) Tea buyer & exporter registration certificate

Issuance of a buyer & exporter registration certificate is regulated by the Tea Board of Kenya (TBK). The licence is valid for a period of 1 financial year between 1st July to 30th June.

The requirements to obtain exporter registration certificate:

1. Certificate of incorporation (copy)
2. List of company directors (copy)
3. Business proposal (copy)
4. Detailing the source of tea, warehousing arrangements, prospective markets and financial capability.
5. Valid tax compliance certificate (copy) for the company.
6. Top management profiles (copy) of the company directors.
7. Identity card (copy) of the directors of the company or passport (copy) of the directors of the company.

Time Frame: Note that new applications for the licence must be gazetted; this period can take up to two (2) weeks. All documents to be attached on the TBK IMIS Portal must be in pdf format. Once submitted, the application will be vetted for approval by TBK's licensing committee. Applications for the TBK registration certificate can also be accessed through the Kenyan Government's [eCitizen](http://ecitizen.go.ke) Portal.

NOTE: Any person, or company engaged in buying tea from Africa. Register as a buyer (exporter) and Obtain buyer (exporter) membership with East African Tea Trade Association (EATTA). Get the Certificate of Membership.

Requirements:

1. EATTA application form
2. EATTA certificate of acceptance
3. List of shareholders (Form CR-12)
4. Tea buyer & exporter registration certificate
5. Certificate of incorporation
6. Company PIN certificate

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7. Letter of appointment
8. Valid business permit
9. Recommendation letter
10. Identity card
11. EATTA Invoice
12. Bank deposit slip

Time frame: 7 days to 120 days. For more information read the 'East African Tea Trade Association (EATTA) Membership Guidelines (2020)' and the 'East African Tea Trade Association (EATTA) Rule Book'.

2) Tea manufacturing registration certificate

A tea manufacturer is company or firm authorized to carry out the business of manufacturing tea for sale, packaging and blending of tea. The Tea Board of Kenya (TBK) regulates issuance of the tea manufacturing registration certificate, which is valid for a period of 1 financial year between 1st July to 30th June.

Requirements to obtain tea manufacturing registration certificate:

1. Register into the TBK IMIS Stakeholder Portal
2. Certificate of incorporation
3. Identity card
4. Certificate of registration of trademark
5. Environmental Impact Assessment (EIA) licence
6. List of shareholders (Form CR-12)
7. List of company directors
8. Project feasibility report
9. Food hygiene licence

Time frame: 7 to 20 days. All documents to be attached on the TBK IMIS Portal must be in pdf format. Once submitted, the application will be vetted for approval by TBK's licensing committee.

3) Tea broker registration certificate

A tea broker is a company or firm established for the purpose of negotiating the purchase or sale of tea between producers and buyers. The Tea Board of Kenya (TBK) regulates issuance of the tea broker registration certificate, which is valid for a period of 1 financial year between 1st July to 30th June.

Requirements to obtain tea broker registration certificate:

1. Register into the TBK IMIS Stakeholder Portal
2. Certificate of incorporation
3. Top management profiles
4. List of company directors
5. Bank guarantee
6. Audited financial statement
7. Identity card

Time frame: 7 to 20 days. All documents to be attached on the TBK IMIS Portal must be in pdf format. Once submitted, the application will be vetted for approval by TBK's licensing committee.

4) Tea warehouseman registration certificate

A tea warehouseman registration certificate is issued to companies in the business of storing tea intended for sale from a producer, buyer or packer. The Tea Board of Kenya (TBK) regulates issuance of the tea warehouseman registration certificate, which is valid for a period of 1 financial year between 1st July to 30th June.

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Requirements to obtain tea warehouseman registration certificate:

1. Register into the TBK IMIS Stakeholder Portal
2. Certificate of incorporation
3. List of company directors
4. Food hygiene licence
5. Insurance policy
6. Identity card

Time frame: 7 to 20 days. All documents to be attached on the TBK IMIS Portal must be in pdf format. Once submitted, the application will be vetted for approval by TBK's licensing committee.

5) Tea packer registration certificate

A tea packer is trader who packs tea into packets intended for sale. The Tea Board of Kenya (TBK) regulates issuance of the tea manufacturing registration certificate, which is valid for a period of 1 financial year between 1st July to 30th June.

Requirements to obtain tea packer registration certificate:

1. Register into the TBK IMIS Stakeholder Portal
2. Certificate of incorporation
3. Certificate of registration of trademark
4. List of company directors
5. Food hygiene licence
6. Identity card

Time frame: 7 to 20 days. All documents to be attached on the TBK IMIS Portal must be in pdf format. Once submitted, the application will be vetted for approval by TBK's licensing committee.

C: OTHER REQUIREMENTS RELATED TO TEA TRADE

i. Register on KEPHIS Integrated Export Import Certification System (IEICS)

The regulation of plant & plant materials is under the mandate of the Kenya Plant Health Inspectorate Service (KEPHIS), who is responsible for the assurance of plant health, seed, plant variety, & agro-inputs quality issues in Kenya, to prevent adverse impact on the economy, the environment and human health. Exporters of plant & plant materials are required to obtain a phytosanitary certificate per consignment, which is processed through KEPHIS' Integrated Export Import Certification System (IEICS).

Traders are expected to know the market requirements of their intended export market. Ensure that all teas designated for export conform to Kenyan Standards on quality, food safety and hygiene, sanitary and phytosanitary regulations and maintain the relevant documents for inspection by the Authority.

NOTE: To obtain an Approval Status as an Exporter, Register into the KEPHIS Integrated Export Import Certification System (IEICS) and request for User Access then:

a) Apply and pay for approval status as an Exporter, the requirements are:

Traders will be required to provide their contact details, company details, type of exporter (own farm, or consolidator), commodity details, location details, state the product(s) of interest, farm details (including the distance from the nearest KEPHIS office), area under production, and intended export market.

Additionally, for companies:

1. Certificate of incorporation (copy)

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2. Company PIN certificate (copy)
3. Identity card (copy) of the Directors of the Company.

For individuals:

1. Individual PIN certificate (copy)
2. Identity card (copy) of the trader.

Depending on the plant health risk, the product form and the market requirement(s) of the importing country, traders may be required to undergo farm audits and inspection prior to obtaining an approval status as an exporter on the IEICS. Upon payment & submission of the application, traders will be able to track the status, as well as the approval stage of their application via their IEICS account.

b) Go-Down Facility audit and inspection. Requirements:

1. Academic qualification (copy). The farm/go-down managers should have a minimum qualification of a diploma in the field of agriculture.
2. Traceability procedure (copy) of the farm.
3. Waste disposal plan (copy) of the farm.
4. Medical report (copy) of the employees.
5. KEPHIS inspection checklist for facilities (copy). Traders are expected to comply with the requirements and meet the standards in the checklist.
6. Protective clothing and equipment.
7. Calibrations of machines (copy). As per KEBS standards.
8. Physical presence of the owner or appointed technical personnel.
9. Godown facility.
10. Dry produce i.e., tea, etc.

Time frame: The duration depends on the size of the farm or go-down facility, and the number of inspectors. The inspection can be done by one (1) or two (2) inspectors depending on the size the farm or go-down facility.

Once the audit & inspection of the go-down facility is complete, the approval that is granted is valid for three (3) months from the date approval. Risk profiling requirements are specific to the importing market requirements, type of pests, number of notifications and number of rejections/interceptions. Traders are able to search for different export market requirements via the KEPHIS IEICS platform [here](#). Failure to meet standards can lead to loss of pest-free area status.

ii. Register on the KenTrade- Trade Facilitation Platform (TFP)

The Kenya Trade Network Agency (**KenTrade**) is a State Corporation mandated to establish, implement & manage the Trade Facilitation Platform (TFP), and to facilitate trade. The TFP is an online platform that serves as a single-entry point for parties involved in international trade & transport logistics to lodge documents electronically, for processing, approvals and to make payments electronically for fees, levies, duties & taxes due to the Government, on imported or exported goods. Training is mandatory for new users of the system prior to registration on the system; this includes new staff from organizations already registered on the TFP. For more information on how to register on the TFP, click the link

iii. Register with KRA Rules of Origin Section



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This procedure applies to first time traders who require to obtain a preferential certificate of origin during export. Traders are required to register with the Kenya Revenue Authority's (KRA) Rules of Origin Section to obtain a registration letter. The letter confirms the country of origin of the goods to be exported and is a requirement when applying for the preferential certificate of origin when exporting your tea consignments.

Requirements for registration:

1. Rules of origin exporter registration form (original)
2. Certificate of incorporation (original)
3. Sector specific license (original). The license depends on the commodity of export
4. Physical verification of the origin of the goods.

Certificate of Origin Certificates of Origin are issued depending on the destination market. The following Certificate of Origins are issued by

a) Kenya Revenue Authority (KRA)

- COMESA Certificate of Origin for products destined to COMESA countries
- EAC Certificate of Origin for products destined for EAC Countries
- EUR – 1 Form for products destined to European Union
- GSP form for products destined to USA, Japan, Australia, and Canada etc.
- AfCFTA Certificate of Origin for African Continental Free Trade Area (AfCFTA)
- AGOA certificate of origin for products destined for the USA.

b) Kenya National Chambers for Commerce and Industry (KNCCI)

Issues the Ordinary Certificate of Origin/Non-Preferential COO for products destined to Middle East, India, Central Europe etc

Note: The waiting time until verification of the origin of goods depends on the availability of the officers, and the number of pending applications. If the applicant is not the manufacturer of the goods, the applicant is required to provide details of the supplier(s) and attach copies of the supplier/producer's declarations. The exporter is advised to follow-up with the Rules of Origin Section to expedite the verification of the origin of their goods.

The time taken to verify the origin of goods depends on the size of the premises, the complexity of the production process, and the number of products in production. Once the origin of the goods has been verified, the KRA officer will prepare a registration letter that allows the trader to apply for the certificate of origin.

The letter contains registration details and a registration number unique to the exporter.

iv. Food hygiene licence

A food hygiene licence is required for all facilities that process and package products that are for human consumption, e.g. packhouses. The licence is issued by Port Health Services Kenya (PHS) or by Public Health Officers, from the respective County Governments where the premises are located. The licence is valid for one (1) calendar year.

Obtain export health certificate: Apply Export Health Certificate via KENTRADE - TFP system; get Consignment Inspection by Port Health Services; obtain the Export Health Certificate via Trade Facilitation Platform (TFP).

v. East African Tea Trade Association (EATTA)



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This is an organisation that brings together tea producers (manufacturers), buyers (exporters), brokers, packers and warehousemen to interact commercially at the tea auction and to promote the best interests of the tea trade in Africa. Anyone who intends to take part in the tea auction must first register with EATTA. The auction system has four main categories; producers (manufacturers), brokers, buyers (exporters) and warehousemen.

For the buyer to be permitted to buy tea at the Auction, they must register as a member with the East Africa Tea Trade Association (EATTA), a registered Auction Organiser, to purchase teas at the Mombasa Auction. As noted above in the EATTA requirements for membership registration, the buyer/exporter should:

- **Duly completed Application Form** for Membership
- **Submit letters from a proposer and a seconder** who is registered buyer members. (These must be buyer members who have been active for at least 3 years. A Member can propose/second a maximum of six new members).
- **Familiarisation with the tea trade.** The prospective applicant is required to visit any tea Broker in the management committee for familiarisation interviews. The tea broker will thereafter append their signatures on the application form
- **Payment** of entrance fee and annual subscription.

Attach to the duly completed forms the copies of Certificate of Incorporation/Registration and PIN Number.

Types Of EATTA Membership

- **Producers** – Any person, firm or company, actively engaged in the growing and/or manufacture of tea, or as agents for tea growers and/or tea manufacturers in Africa.
- **Brokers** – Any person, firm or company, established in Africa for the purpose of negotiating the purchase or sale of tea between Members of the Company.
- **Buyers** – Any person, firm or company, engaged in buying tea in Africa.
- **Packers** – Any person, firm or company, actively engaged in buying tea in Africa for retail.
- **Public Warehouses** – Any person, firm or company, established in Africa warehousing teas being sold in accordance with the EATTA General Trading Rules and EATTA Trading Regulations.
- **Private Warehouses** – Any person, firm or company, established in Africa warehousing teas being sold in accordance with the EATTA General Trading Rules and EATTA Trading Regulations. These are warehouses where the owner of the warehouses holds his own tea, part of which is transit tea or Non-Kenyan EAC tea.
- **Associate** – Any person, firm or company not falling within the above Member Categories and is in the support business of the Company.
- **Management Agent** - Any firm or company established in Africa that is appointed by a tea factory limited company through a specific management contract or agreement to perform or offer professional services.

- NB.** It is recommended that before one applies for membership, the following should have been done:
- Familiarise with the tea industry i.e. growing, processing, grades, tasting, valuing, tea trade, marketing, etc.
 - Must understand potential market and their characteristics as regards grades usually bought, tastes preferred, trading habits, etc.
 - Must have identified a prospective buyer who is ready to buy and has given the specification.

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Requirements for Buyer Membership (Exporter)

- Tea Buyer (exporter) Registration Certificate issued by the TBK.
- EATTA membership application form duly completed.
- EATTA certificate of acceptance
- List of shareholders (Form CR-12).
- Confirmation of Directors (Latest updated list of Directors).
- Certificate of incorporation/company registration certificate.
- Company PIN certificate.
- Letter of appointment.
- Valid business permit/ Trading license issued by relevant authority.
- Recommendation letter.
- Identity card.
- EATTA Invoice.
- Bank deposit slip.
- Certificate of acceptance duly signed (enclosed)
- Registration fees
- All new Buyer members shall in writing, nominate the person(s) with authority to bid on behalf of the Buyer Member at the Auction and to provide details of authorized signatories for tea delivery orders and other sales related documents.

D: Summary of Export Permits

- a) Tea export release order – From the Tea Board of Kenya (TBK), who issue a tea export release order per consignment. For more information on how to obtain the export release order
- b) Phytosanitary certificate (for green channel produce) – From KEPHIS, Inspection of all material for export is done to ensure compliance with the recommended quality standards. It may be visual, microscopic, or a combination of both on plants/plant products at airports, seaports, mail, and border posts.
- c) Export health certificate - The licence is issued by Port Health Services Kenya (PHS)
- d) Certificate of origin – Preferential COO from KRA and Non- Preferential COO from Kenya National Chamber of Commerce and Industry (KNCCI).
- e) Genetically modified organism (GMO) free certificate - The National Biosafety Authority (NBA) is mandated to exercise general supervision and control over the transfer, handling and use of genetically modified organisms with a view to ensuring safety of human and animal health and provision of an adequate level of protection of the environment. The Authority issues a licence for export of produce that are globally known/suspected to be of possible Genetically modified organism e.g., maize (add more commodities), for each consignment. The market requirements in the country of destination will determine the need for the GMO certificate.

Tea Export Clearance Procedure

According to the fourth (4th) schedule of the East African Customs Management Act (EACMA), and in accordance with the World Trade Organisation's (WTO) Agreement on Customs Valuation (ACV), valuation of cargo is undertaken by the Kenya Revenue Authority (KRA). Exporters are required to acquire the services of a licensed customs clearing agent, who is responsible for the transmission of declarations (C17B) electronically to Customs, with information obtained from the exporters through documents such as: commercial invoice, bill of lading/airway bill, packing list, certificate of origin, & permits relevant to the consignment. The entries are lodged against the manifest registered electronically by the shipping/airline agents (for exit through Port of Mombasa). Prior to release, the export officer verifies and/or supervises

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stuffing of the export cargo/consignment before the goods proceed to the border of exit. A certificate of export is issued after export has been confirmed.

A tea buyer/exporter shall: -

- a) Conduct its business honestly, fairly, with integrity and professional skills appropriate to the nature and scale of activity.
- b) Comply with the provisions of the Crops Act, The Tea Act (2020), Tea Industry Regulations (2020) and any other relevant law.
- c) Comply with the relevant customs laws and regulations on transit-shipment of goods in handling transit teas and maintain the relevant documents for inspection by the Authority.
- d) All certificates of registration shall expire on the thirtieth day of June of each year.
- e) An application for a renewal of certificate of registration shall be made at least one month prior to the expiry.
- f) A buyer/exporter who fails to register their tea exports with the Authority may have their registration certificate revoked, altered or suspended.
- g) Buying/exporting tea in contravention of the regulations, failing to submit returns and giving false information is an offence.

NOTE: In addition to the above requirements, all tea buyers/exporters should acquaint themselves with all the relevant provisions of the Crops Act, 2013, The Tea Act (2020) and The Tea Industry Regulations (2020) to ensure compliance.

E: BRANDING PRODUCTS

To increase the competitiveness of Kenyan export products, it is imperative that our products are well branded. KEPROBA has developed a unique identifier of our Tea products known as the Grown in Kenya brand Mark.

a. The Grown in Kenya Mark (GIK)



The mark identifies Kenya's Tea products abroad to make them competitive, inspire creative excellence and show genuine integrity that adds real value to all our customers.

b. Criteria for acquiring the mark

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Log on to www.madeinkenya.go.ke the requirements are:

- 1) **Location** – Companies must be located in Kenya
- 2) **Employment** – At least 50% of the employees should be Kenyans.
- 3) **Compliance** with statutory requirements including:
 - Tax compliance Certificate
 - Registration Certificates

Certification-The product must bear the approved certification for Horticulture products

c. Benefits of Adopting the Mark

Grown in Kenya (GIK) adoptees stand to enjoy the following benefits.

- Opportunity to participate in Expos and exhibitions
- Access to promotional services
- Access to preferential government procurement services
- Product promotion in Embassies/foreign missions abroad
- Access to training

USAGE OF THE MARK

The logo can be applied on the product, packaging, websites, social media and any other form of advertising.

DISCLAIMER:

Kenya Export Promotion & Branding Agency has compiled this Information with the aim of providing support and guidance for promotion of Kenya's Export of goods and services. The information contained in this document is restricted, legally privileged, and may be inaccurate due to policy changes from time to time. The Agency will not accept responsibility or liability for the content, or for the consequences of any actions taken on the basis of the information provided therein.