



# NATIONAL BIOSAFETY AUTHORITY

## NOTICE TO THE PUBLIC

### IMPLEMENTATION OF FEES FOR SERVICES OFFERED BY THE NATIONAL BIOSAFETY AUTHORITY

The National Biosafety Authority is a State Corporation established under the Biosafety Act, 2009 to exercise general supervision and control over the transfer, handling and use of genetically modified organisms (GMOs) to ensure safety of human and animal health; and provision of an adequate level of protection of the environment.

Under Section 51 of the Act, the Cabinet Secretary is vested with powers to make Regulations for better carrying into effect the provisions of the Act in consultation with the Authority. Pursuant to this Section, the Cabinet Secretary developed the Biosafety (Contained Use) Regulations, 2011; Biosafety (Environmental Release) Regulations, 2011; Biosafety (Import, Export and Transit) Regulations, 2011; and Biosafety (Labelling) Regulations, 2012.

Pursuant to these Regulations and following public participation that was carried out from 17<sup>th</sup> January 2024 to 7<sup>th</sup> February 2024, the Authority hereby notifies the public and stakeholders that with effect from 1<sup>st</sup> October 2024, the following fees are applicable:

NAME OF SERVICE	DESCRIPTION / SPECIFICATION OF THE SERVICE	FEES (KSH)
Genetically modified organisms (GMO) Applications	Consideration of Application for approval of additional Contained use facility including a Confined Field Trial (CFT) ie more than one facility for one approved Project.  <b>NB: The Application fee of Ksh. 170,000 will cover the costs related to inspection and approval of one Facility/site</b>	60,000 per each additional Facility
	Consideration of Application for Renewal of contained use and/or CFT Projects (After expiry of 5 years)	170,000
	Public notification for Environmental release and Placing into the Market of GMOs	Actual cost of publication
	Consideration of Application for renewal of Environmental release and Placing into the Market of GMOs (After expiry of 10 years)	850,000
	Application for Transit of GMOs and/or derived products through Kenya	40,000/ consignment*
	Change or modification of research protocol where there is need for additional risk assessment	170,000
	Change or modification of research protocol where there is no need for additional risk assessment	30,000
	Genome editing Applications	Early Consultation for Genome Editing Applications (Research)
Early Consultation for Genome Editing Applications (Commercial purposes)		850,000
Application for clearance of Low-Level Presence situations in consignments (LLP)	Consideration of Application for Low Level Presence (LLP) situations - for declared GM Events (Analysis report from an accredited laboratory provided by client (GM content within set thresholds of LLP).	20,000/ consignment*
	Consideration of Application for Low Level Presence (LLP) situations - for un-declared GM Events at low level or where the test results are not from an accredited laboratory	50,000/ consignment*
Notification for approval of stacked GM Events through conventional breeding where the single events have already undergone regulatory approvals in Kenya	Notification request for lower level stacks (in situations where all the single gene events and highest order stack have previously been approved for environmental release and/placing into the market in Kenya)	250,000
Molecular Laboratory	Sampling services (on request)	25,000 per sample
	GMO Detection/ screening	25,000 per sample
	GMO Event Identification	30,000 per GM Event
	GMO Event Quantification	30,000
	GMO Detection – Oversees (outsourced)	100,000
	Bench fee for utilization of NBA's Molecular Laboratory for own research and testing	2,000 per day, plus cost of consumables

NAME OF SERVICE	DESCRIPTION / SPECIFICATION OF THE SERVICE	FEES (KSH)	
Annual and Licensing of handlers and operators dealing with GM food, feed, processed products	Registration and licensing of storage/ packaging/ manufacturing/ warehousing, dealing with GM derived products (for commercial purposes)	30,000	
Cargo inspection & Clearance at Point of Entry (POE)	Clearance of cargo at entry and exit points	5,500 per consignment*	
	GMO Rapid Testing using Lateral strips (on request and on need basis)	2,000 per sample.	
Movement of non-commercialized GM Material	Supervision of movement of GM materials that are still not commercialized from one facility to another	10,000 plus transport at AA Rates per KM	
<b>GMO Labels for approved GMOs</b>	Annual fees for product traceability; Large sized firms (Firms with annual Turnover of over Ksh 10 Million)	30,000 per firm or entity	
	NBA to avail the Label description and the unique identification number(s).	Annual fees for product traceability; Medium sized firms (Firms with annual Turnover of over Ksh. 1 Million to Ksh 10 Million)	20,000 per firm or entity
	Operator to meet cost of labelling	Annual fees for product traceability; Small sized firms (Firms with annual Turnover of less than Ksh 1 Million)	10,000 per firm or entity
<b>GMO- Free Stickers</b>	Annual fees for product traceability; Large sized firms (Firms with annual Turnover of over Ksh 10 Million)	30,000 per firm or entity	
	Sticker specification to be designed by the company and approved by NBA.	Annual fees for product traceability; Medium sized firms (Firms with annual Turnover of over Ksh. 1 Million to Ksh 10 Million)	20,000 per firm or entity
	Applicant to proof non-GMO Status of product	Annual fees for product traceability; Small sized firms (Firms with annual Turnover of less than Ksh 1 Million)	10,000 per firm or entity
Issuance of GMO-Free Certificates	Processing fee	5,500 per consignment*	
Issuance of 'No Objection Letters	Processing fee	5,500 per consignment*	
Registration and Training of Institutional Biosafety Committees (IBC)	Registration fee for new Institutional Biosafety Committees (IBC)	20,000	
	Annual Renewal fees after Registration	10,000	
	Biosafety Training of Institutional Biosafety Committees (IBC) Members	100,000	
Inspection and certification of new GMO containment/CFT facilities	Inspection fees	50,000 plus transport at AA Rates per KM	
Annual Inspection fee of GMO containment facilities	Inspection fees	10,000 plus transport at AA Rates per KM	
Inspection of Records, GMO Register and Applications	Facilitation costs	10,000	
Obtaining copies of Records	Copies of records (non-confidential)	100/page	
Annual Permit to deal with products of GMOs (wholesale, retail)	Annual fees	1,000	
Consideration of Application for treating certain information in Applications as Confidential	Review of Application to determine if information/data is confidential or not	20,000	

#### Explanatory Notes to the Fees Schedule

**Consignment\*:** Means cargo weighing up to 40 metric tonnes (one lot). Cargo weighing more than 40 metric tonnes will be charged based on number of lots, at a flat rate per lot.

For further information, contact the Authority at [info@biosafetykenya.go.ke](mailto:info@biosafetykenya.go.ke) or **Tel: 0713 854 132/ 020 267 8667** or postal address;

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