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REPORT OF:

THE MEDIATION COMMITTEE ON THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2023)

PURSUANT TO ARTICLE 113 OF THE CONSTITUTION

JOINT CLERKS' CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

Rt. Hon. Speaker
You may approve for tabling
J. M. Nyegenye, C.B.S.,
Clerk of the Senate/Secretary, PSC
Date: 22/04/26

APPROVED
RT. HON. SEN
AMASON J. KINGI

APRIL, 2026

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FOREWORD

This report contains the proceedings of the Mediation Committee on the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bill No. 21 of 2023). The National Assembly considered the Bill passed it with amendments on 23rd August 2023. It subsequently transmitted its amendments to the Senate for consideration.

The Senate considered and passed the Bill with amendments on Thursday 21st March 2024 and transmitted the amendments to the National Assembly seeking concurrence on 25th March 2024.

The National Assembly approved the Motion on the Report of the Committee of the Whole House on the consideration of the Senate amendments to the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bill No. 21 of 2023) on 18th October 2024. The Committee rejected some of the Senate amendments to the Bill warranting committal of the Bill to the Mediation Committee pursuant to Article 112 (2) (b) of the Constitution.

The Speaker of the National Assembly appointed Members to the Mediation Committee on 22nd July 2025 as required by Standing Order 149 (2) of the National Assembly Standing Orders while the Speaker of the Senate appointed Senators to the Committee on 20th May 2025 under provisions of Standing Order No. 166 (2) of the Senate Standing Orders.

The Committee held one (1) meeting to consider clause of the Bill that was under mediation and consequently developed an agreed version of the Bill in the meeting. It thereafter adopted this report in the same sitting.

The Committee is grateful to the Offices of the Speakers and Clerks of both Houses of Parliament for the logistical and technical support accorded to it in the execution of its mandate.

Finally, we express our appreciation to Members of the Committee and the Committee Secretariat for their patience, sacrifice, endurance and commitment to the assignment which enabled the Committee to complete the task within the stipulated period.

It is now our pleasant privilege and honour to commend this report to the Houses for approval on behalf of the Mediation Committee pursuant to Article 113 (2) of the Constitution, Standing Order 150 (1) of the National Assembly Standing Orders and Standing Order 161 (1) of the Senate Standing Orders.



Hon. Sabina Wanjiru Chege, CBS, MP
Chairperson
Mediation Committee on the Food and
Feed Safety Control Coordination Bill
(National Assembly Bill No. 21 of 2024)



Sen. David Wafula Wakoli, MP
Vice- Chairperson
Mediation Committee on the Food and
Feed Safety Control Coordination Bill
(National Assembly Bill No. 21 of 2024)

CHAPTER ONE

1.0 PREFACE

1.1 ESTABLISHMENT OF THE COMMITTEE

1. The Mediation Committee on the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bill No. 21 of 2023) was constituted by the Speaker of the National Assembly on 22nd July 2025 pursuant to Standing Order 149 (2) of the National Assembly Standing Orders and the Speaker of the Senate on 20th May 2025 pursuant to Standing Order 166 (2) of the Senate Standing Orders.

1.2 MANDATE OF THE COMMITTEE

2. The Mediation Committee derives its mandate from the provisions of Articles 112 (b) and 113 of the Constitution, Standing Order 149 of the National Assembly Standing Orders and Standing Order 166 of the Senate Standing Orders which outline the functions of the Committee as follows:
 - i. To consider Bills where the Houses do not agree on all or any of the amendments made by either Houses;*
 - ii. To consider Bills where either House rejects a Motion that a Bill which originated in the other House be read a Second or Third time; and,*
 - iii. To attempt to develop a version of the Bill that both Houses will pass.*

1.3 COMMITTEE MEETINGS

3. The Committee held one (1) sitting to deliberate on the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bill No. 21 of 2023) in accordance with the Constitution and relevant provisions of the Standing Orders of the Senate and the National Assembly.
4. During the said sitting, the Committee elected **Hon. Sabina Wanjiru Chege, CBS, MP** and **Sen. David Wakoli, MP** as Chairperson and Vice-Chairperson, respectively, pursuant to Standing Order 160 (4) of the Senate Standing Orders and Standing Order 149 (4) of the National Assembly Standing Orders.

1.4 COMMITTEE MEMBERSHIP

5. The Mediation Committee on the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bill No. 21 of 2023) comprises the following Members:

Chairperson

Hon. Sabina Wanjiru Chege, CBS, MP
Nominated Member

Jubilee Party

Vice-Chairperson

Sen. David Wakoli, MP
Bungoma County

FORD Kenya Party

MEMBERS

Hon. (Dr.) John K. Mutunga, PhD, CBS, MP
Tigania West Constituency
UDA Party

Sen. Daniel Maanzo, MBS, MP
Makueni County
WDM Party

Hon. Joshua Kimilu, MP
Kaiti Constituency
WDM Party

Sen. Peris Pesi Tobiko, CBS, MP
Nominated Senator
UDA Party

Hon. Gabriel Kangombe, MP
Gatundu South Constituency
UDA Party

Sen. Beatrice Akinyi Ogolla, MP
Nominated Senator
ODM

Hon. Monicah Marubu, MP
Lamu County
Independent Member

Sen. Alexander Mundigi, MP
Embu County
DP

Hon. Martin Peters Owino, MP
Ndhiwa Constituency
ODM Party

Sen. Beth Syengo, MP
Nominated Senator
ODM

Hon. Patrick Kibagendi Osero, MP
Borabu Constituency
ODM Party

Sen. Allan Chesang, MP
Trans Nzoia County
UDA Party

1.5 COMMITTEE SECRETARIAT

6. The Committee was facilitated by the following staff:

i.Mr. Dennis M. Ogechi	Clerk Assistant I (National Assembly)
ii.Mr. Peter Mulesi	Clerk Assistant I (Senate)
iii.Mr. Victor K. Kilimo	Clerk Assistant III (National Assembly)

iv.Ms. Evelyn Orina	Clerk Assistant III (National Assembly)
v.Ms. Ivy Nyambura	Clerk Assistant III (Senate)
vi.Mr. Gerald Kadede	Legal Counsel II (National Assembly)
vii.Ms. Faith Cherutoh	Legal Counsel (Senate)
viii.Ms. Edith Chepngeno	Media Relations Officer (National Assembly)
ix.Mr. Hillary Cheruiyot	Research Officer III (Senate)

CHAPTER TWO

2.0 SENATE AMENDMENTS TO THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2023) UNDER MEDIATION

2.1 INTRODUCTION

7. The Food and Feed Safety Control Co-Ordination Bill (National Assembly Bill No. 21 of 2023) is sponsored by Hon. Kimani Ichung'wah, EGH, MP, the Leader of the Majority Party in the National Assembly.
8. The Bill was published vide Kenya *Gazette* Supplement No. 75 of 24th May 2023 and was considered and passed with amendments by the National Assembly on Wednesday 23rd August 2023. The Bill was forwarded to the Senate for consideration pursuant to Standing Order 142 of the National Assembly Standing Orders.
9. The Senate considered and passed the Bill with amendments on Thursday 21st March 2024 and transmitted the amendments to the National Assembly seeking concurrence on 25th March 2024.
10. The National Assembly approved the Motion on the Report of the Committee of the Whole House on the consideration of the Senate amendments to the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bill No. 21 of 2023) on 18th October 2024. The Committee rejected one Senate amendment to the Bill warranting committal of the Bill to the Mediation Committee pursuant to Article 112 (2) (b) of the Constitution.

2.2 CLAUSE UNDER MEDIATION

11. The following clause of the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bill No. 21 of 2023) that was emended by the Senate was considered by the Mediation Committee:
12. **Senate Amendments to the First Schedule to the Bill** - The First Schedule be amended by inserting the following new items immediately after item no. 3:
 - “3A. Each county government department dealing with matters relating to agriculture; and
 - 3B. Each county government department dealing with matters relating to health”.
13. **First Schedule as Passed by the National Assembly**
 - Competent Authorities**
 - 1) The Ministry responsible for matters relating to public health and medical services
 - 2) The Ministry responsible for matters relating to veterinary services, crop development
 - 3) and livestock development
 - 4) The Ministry responsible for matters relating to fisheries
 - 5) The Agriculture and Food Authority
 - 6) The Kenya Dairy Board
 - 7) The Kenya Plant Health Inspectorate Service
 - 8) The Pest Control Products Board
 - 9) The Fertilizer and Animal Foodstuff Board
 - 10) The National Biosafety Authority
 - 11) The Kenya Bureau of Standards

12) The Veterinary Medicines Directorate

14. The Senate's amendment proposes to include each county department dealing in matters relating to health and agriculture in the list of competent authorities.

15. **National Assembly's Observation on the Senate's Amendment to the First Schedule –**

16. Section 16 of the Bill outlines detailed functions of the county governments in relation to the food and feed safety and therefore the section sufficiently covers the role of the county governments. Additionally, the institutions listed as competent authorities under the First Schedule to the Act are recognized internationally, specific departments within the county governments might have a challenge in terms of international recognition.

CHAPTER THREE

3.0 COMMITTEE OBSERVATION

17. Having considered the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bill No. 21 of 2023), particularly the clause under mediation, the Mediation Committee observed that Section 16 of the Bill outlines detailed functions of the county governments in relation to the food and feed safety and therefore the designation of county departments as "Competent Authorities" is redundant and structurally inconsistent, as these devolved units lack international recognition and are already administratively subordinate to the national institutions specified in the First Schedule.

CHAPTER FOUR

4.0 COMMITTEE RECOMMENDATION

18. The Committee, having reviewed the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bill No. 21 of 2023), particularly the clause under mediation, recommends that the House approves the Bill with the amendment as proposed in the Schedule in Chapter Five of this report.

CHAPTER FIVE

5.0 SCHEDULE OF PROPOSED AMENDMENT

The Committee proposed the following amendment to be considered by the Houses in the Committee Stage:

FIRST SCHEDULE

(s. 2)

COMPETENT AUTHORITIES

1. The Ministry responsible for matters relating to public health and medical services.
2. The Ministry responsible for matters relating to veterinary services, crop development and livestock development.
3. The Ministry responsible for matters relating to fisheries.
4. The Agriculture and Food Authority.
5. The Kenya Dairy Board.
6. The Kenya Plant Health Inspectorate Service.
7. The Pest Control Products Board.
8. The Fertilizer and Animal Foodstuff Board.
9. The National Biosafety Authority.
10. The Kenya Bureau of Standards.
11. Veterinary Medicines Directorate.

Signed  Date 22/04/24
Hon. Sabina Wanjiru Chege, CBS, MP
Chairperson
Mediation Committee on the Food and
Feed Safety Control Coordination Bill
(National Assembly Bill No. 21 of 2024)

Signed  Date 22/04/26
Sen. David Wafula Wakoli, MP
Vice- Chairperson
Mediation Committee on the Food and
Feed Safety Control Coordination Bill
(National Assembly Bill No. 21 of 2024)



THIRTEENTH PARLIAMENT - FIFTH SESSION - 2026

DIRECTORATE OF DEPARTMENTAL COMMITTEES

MINUTES OF THE 1ST SITTING OF THE MEDIATION COMMITTEE ON THE FOOD AND FEED SAFETY CONTROL COORDINATION BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2024) HELD ON WEDNESDAY, 11TH MARCH 2026 AT COMMITTEE ROOM 8, 1ST FLOOR, BUNGE TOWER AT 1:00 PM.

PRESENT

NATIONAL ASSEMBLY

1. Hon. (Dr.) John Kanyuithia Mutunga, PhD, CBS, MP
2. Hon. Sabina Wanjiru Chege, CBS, MP
3. Hon. Joshua Kimilu, MP

SENATE

1. Sen. Peris Pesi Tobiko, CBS, MP
2. Sen. Beatrice Akinyi Ogolla, MP
3. Sen. Alexander Mundigi, MP
4. Sen. Beth Syengo, MP

APOLOGIES

NATIONAL ASSEMBLY

1. Hon. Gabriel Kangombe, MP
2. Hon. Monicah Marubu, MP
3. Hon. Martin Peters Owino, MP
4. Hon. Patrick Kibagendi, MP

SENATE

1. Sen. David Wakoli, MP
2. Sen. Daniel Maanzo, MBS, MP
3. Sen. Allan Chesang, MP

IN ATTENDANCE

COMMITTEE SECRETARIAT

1. Mr. Dennis M. Ogechi
2. Mr. Peter Mulesi
3. Mr. Victor K. Kilimo
4. Ms. Evelyn Orina
5. Ms. Ivy Nyambura
6. Mr. Gerald Kadede
7. Ms. Faith Cheruto

- Clerk Assistant I (National Assembly)
Clerk Assistant I (Senate)
Clerk Assistant III (National Assembly)
Clerk Assistant III (National Assembly)
Clerk Assistant III (Senate)
Legal Counsel II (National Assembly)
Legal Counsel (Senate)

8. Ms. Edith Chepngo
Assembly)

Media Relations Officer (National

9. Mr. Hillary Cheruiyot

Research Officer III (Senate)

AGENDA

1. Prayers
2. Preliminaries/Adoption of the Agenda
3. Confirmation of Minutes
4. **Election of the Chairperson and the Vice Chairperson**
5. **Consideration of the Food and Feed Safety Control Coordination Bill (National Assembly Bill No. 21 of 2024)**
6. **Adoption Report on the Consideration of the Food and Feed Safety Control Coordination Bill (National Assembly Bill No. 21 of 2024)**
7. Any Other Business
8. Adjournment/Date of the Next Sitting

MIN. NO. MC/F&FSCCB / 2026/1: PRELIMINARIES/ADOPTION OF THE AGENDA

The meeting was called to order at quarter past one o'clock, a prayer was made by Hon. Sabina Wanjiru Chege, CBS, MP. Members and Staff self-introduced themselves.

The agenda was adopted having been proposed by the Sen. Beatrice Akinyi Ogolla, MP and seconded by the Hon. (Dr.) John Kanyuthia Mutunga, PhD, CBS, MP respectively.

MIN. NO. MC/F&FSCCB / 2026/2: CONFIRMATION OF MINUTES

This was the maiden meeting for the committee hence there were no minutes to be adopted.

MIN. NO. MC/F&FSCCB / 2026/3: ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSON OF THE COMMITTEE.

The Committee Clerk read Senate SO 166 together with National Assembly SO 149 that provide for the procedure on the operations of a Mediation Committee.

Thereafter, **Hon. Sabina Wanjiru Chege, CBS, MP** was unanimously elected the Chairperson of the Mediation Committee after being proposed by Sen. Alexander Mundigi, MP and seconded by Hon. (Dr.) John Kanyuthia Mutunga, PhD, CBS, MP.

Equally, **Sen. David Wakoli, MP** (in absentia) was unanimously elected the Vice-Chairperson of the Mediation Committee after being proposed by Sen. Peris Pesi Tobiko, CBS, MP and seconded by Hon. Joshua Kimilu, MP.

MIN. NO. MC/F&FSCCB / 2026/4: CONSIDERATION OF THE FOOD AND FEED SAFETY CONTROL COORDINATION BILL, 2024 (NATIONAL ASSEMBLY BILL NO. 21 OF 2024)

The newly elected Chairperson took the Chair and briefed the meeting on the issue under mediation which was on the First Schedule of the Bill which stipulated as follows: -

First Schedule as Passed by the National Assembly

Competent Authorities

1. The Ministry responsible for matters relating to public health and medical services
2. The Ministry responsible for matters relating to veterinary services, crop development and livestock development
3. The Ministry responsible for matters relating to fisheries
4. The Agriculture and Food Authority
5. The Kenya Dairy Board
6. The Kenya Plant Health Inspectorate Service
7. The Pest Control Products Board
8. The Fertilizer and Animal Foodstuff Board
9. The National Biosafety Authority
10. The Kenya Bureau of Standards
11. The Veterinary Medicines Directorate

Senate Amendments to the First Schedule to the Bill

The First Schedule be amended by inserting the following new items immediately after item no. 3:

"3A. Each county government department dealing with matters relating to agriculture; and 3B. Each County government department dealing with matters relating to health".

The Chairperson emphasized the need for expeditious consideration of the Bill within the timelines prescribed under the Standing Orders of both Houses. She invited members to make contributions on the matter.

Resolution

After deliberations, it was unanimously agreed that the position of the National Assembly prevails. The rationale being that County departments of health and agriculture are not recognised internationally. The said departments report to the competent authorities listed in the First Schedule to the Bill and it was therefore not tenable to include them in the list of competent authorities.

The Committee took a break to enable conclusion of a draft report by the secretariat for adoption.

**MIN. NO. MC/F&FSCCB / 2026/5: ADOPTION REPORT ON THE
CONSIDERATION OF THE FOOD AND
FEED SAFETY CONTROL
COORDINATION BILL (NATIONAL
ASSEMBLY BILL NO. 21 OF 2024)**

The Report on the Consideration of the Food and Feed Safety Control Coordination Bill (National Assembly Bill No. 21 of 2024) by the Mediation Committee was

adopted after being proposed by Hon. (Dr.) John Kanyuithia Mutunga, PhD, CBS, MP and seconded by Sen. Peris Pesi Tobiko, CBS, MP.

MIN. NO. MC/F&FSCCB / 2026/6: ADJOURNMENT/DATE OF THE NEXT MEETING

There being no other business, the meeting was adjourned at thirteen minutes past two O'clock.

Signed.....Date.....

Hon. Sabina Wanjiru Chege, CBS, MP
Chairperson
Mediation Committee on the Food
and Feed Safety Control
Coordination Bill (National Assembly
Bill No. 21 of 2024)

Signed.....Date.....

Sen. David Wafula Wakoli, MP
Vice- Chairperson
Mediation Committee on the Food
and Feed Safety Control
Coordination Bill (National Assembly
Bill No. 21 of 2024)