



PROTOCOLS FOR IMPORTATION OF USED TEXTILES AND USED FOOTWEAR INTO KENYA

1.0 INTRODUCTION

This protocol provides best practices on the importation and sale of used textiles and used shoes and how the supply chain operators conduct their operations while ensuring the health and safety of the sellers, importers, wholesalers and buyers from the risk of spread of COVID-19 virus.

Used textiles and used shoes dealers and buyers shall strictly follow the guidelines provided by the Government of Kenya through the Ministry of Health, World Health Organization (WHO) and other relevant bodies while implementing this protocol.

To achieve full implementation, dealers and buyers will collaborate with the Ministry of Industrialization, Trade and Enterprise Development, Ministry of Health and other relevant stakeholders to ensure compliance and enforcement by all parties.

This protocol draws on The Standards (Verification of Conformity to Standards and Other Applicable Regulations) Order, 2020. It is also guided by *Kenya Standard KS EAS 356:2019 Textiles – Requirements for Inspection and Acceptance of Used Textile Products* - which was adopted and gazetted as Kenya Standard through Gazette Notice number 8111 of 30th August 2019 and *KS 1533:1999 Code of Practice for Inspection and Acceptance Criteria for Used Foot Wear*.

2.0 GENERAL REQUIREMENTS

- 2.1 All used textiles and used shoes intended for importation into Kenya shall be subjected to **physical examination and certification** under the Pre-export Verification of Conformity to Standards (PVoC) requirements.

2.1 Suppliers of used textiles and used shoes shall notify in writing to PVoC service providers contracted by KEBS of their intention to export used textiles or used shoes.

The notification shall contain the following information as a minimum:

- (a) Name, physical and email address of the supplier.
- (b) Name, physical and email address of the importer.
- (c) Name, physical and email address of the fumigation service provider.
- (d) Declaration of the country of origin of the goods.
- (e) Type of the goods in the consignment (used textiles or used shoes).

2.1 Used clothing and shoes must be cleaned and fumigated before baling. They shall be accompanied by a fumigation or treatment certificate issued by a competent authority in the country of supply.

2.2 Examination and certification shall entail inspection of supplier's sorting and baling premises, verification of fumigation and inspection of packaged shipments by the PVoC service provider.

2.3 Each consignment must be packed in clear transparent and waterproof materials.

2.4 Each shipment shall be accompanied by a Certificate of Conformity (COC) issued by the PVoC service provider responsible for inspecting the shipment.

2.5 Each package of used textiles or used shoes sold in Kenya shall have a mass in Kilograms that complies with the requirement of the respective standard.

2.6 Importation of used textiles and shoes will be undertaken through designated ports of entry.

2.7 Importers of used textiles and shoes must register with Kenya Bureau Standards.

3.0 SPECIFIC REQUIREMENTS FOR USED TEXTILES AND USED SHOES

In line with the requirements of *KS EAS 356:2019 Textiles - Requirements for Inspection and Acceptance of Used Textile Products and*

KS 1533:1999 Code of Practice for Inspection and Acceptance Criteria for Used Foot Wear, all imports of used textiles and used shoes shall comply with the following mandatory requirements.

3.1 Requirements for used Textiles

- 1) Each bale shall contain a single category of garments.
- 2) Each bale shall be legibly and indelibly labelled as follows:
 - i. Mass of the bale in kilograms;
 - ii. Category of garments contained in the bale- for example, men's shirts, men's jackets, men's trousers, women's dresses, women's blouses, boys' shirts; etc
 - iii. Name, physical and email address of the supplier;
 - iv. Name, physical and email address of the importer or consignee; and
 - v. Country of origin
- 3) The supplier shall make a self-declaration confirming that a shipment is free from items prohibited by *KS EAS 356:2019: Used Textiles - Requirements for Inspection and Acceptance of Used Textile Products*. For the avoidance of doubt, prohibited items include:
 - i. Used nightwear including pyjamas, nightdresses and nightgowns
 - ii. hospital wear;
 - iii. Used bath towels;
 - iv. Used undergarments including women briefs, men's briefs, brassieres, camisoles, socks, stockings and underwear

3.2 Requirements for used shoes

- 1) Each bale shall contain a single type of shoes.
- 2) Each bale shall have a label which shall specify
 - i. Mass of bale in kilograms;
 - ii. Type of footwear;
 - iii. Category of users (Children or Adults);
 - iv. Name, physical and email address of importer or consignee;
 - v. Name, physical and email address of the supplier; and,
 - vi. Country of origin.
- 3) The supplier shall make a self-declaration confirming that a shipment is free from items prohibited by *KS 1533:1999 Code of Practice for Inspection and Acceptance Criteria for Used Foot Wear*

For the avoidance of doubt, prohibited items include used sandals, used slippers and used indoor footwear.

4.0 RESPONSIBILITIES AND OBLIGATIONS OF WHOLESALERS

4.1 A wholesaler of used textiles or used shoes shall adhere to the COVID-19 Prevention Protocols issued by the Ministry of Health.

These include, among other things:

- i. Fumigate their stores and surroundings every day at the closure of the business as per guidance provided by the Ministry of Health.
- ii. Maintain an inventory of each consignment and provide details of buyers and their contacts, including physical addresses, mobile numbers and quantities sold. This must be made available to enforcement agencies whenever requested.
- iii. Obtain and maintain records of inspection certificates for goods received.
- iv. Wear appropriate masks or facial covering at all times while at the workplace following Public Health Regulations of 2020.
- v. Provide easily accessible handwashing stations with soap and running water or sanitization bottle for employees and customers.
- vi. Adequately aerate premises through open doors, windows and clear ventilation.
- vii. Provide for separate receptacles for storing used PPEs such as used masks and gloves before collection for disposal.

5.0 RESPONSIBILITIES AND OBLIGATIONS OF RETAILERS

5.1 A retailer of used textiles or used shoes shall adhere to the COVID-19 Prevention Protocols issued by the Ministry of Health.

5.2 A retailer of used textiles and footwear products shall:

- i. Obtain a business license and operate from an identifiable location as specified in the license.
- ii. Maintain the physical address and mobile phone contacts of their wholesaler.
- iii. Wear masks at all times while at the workplace per Public Health Regulations of 2020.

- iv. Provide easily accessible handwashing stations with soap and running water or sanitization bottle for employees and customers.
- v. Adequately aerate premises through open doors, windows and cleaned ventilation.
- vi. Provide for separate receptacles for storing used PPEs such as used masks and gloves before collection for disposal.

6.0 RESPONSIBILITIES AND OBLIGATIONS OF BUYERS

6.1 A buyer of used textiles or used shoes shall adhere to the COVID-19 Prevention Protocols issued by the Ministry of Health.

6.2 Also, a buyer shall:

- i. Purchase only from licensed business premises and obtain a receipt of each transaction.
- ii. Obtain the physical address and mobile phone details of the seller
- iii. Use hot water, soap and disinfectant to clean purchased items before use.
- iv. Report to authorities including KEBS in the event of encountering an operator selling prohibited second-hand clothes and shoes.

7.0 SANCTIONS

Failure to adhere to this protocol shall result in rejection of the products and may result in the implementation of any other legal sanctions provided under the law.

Cabinet Secretary

Ministry Industrialization, Trade and Enterprise Development

12th August, 2020