

DAIRY INDUSTRY (PRICES OF DAIRY PRODUCE) REGULATIONS

[L.N. 258/1961, L.N. 125/1970.]

1. These Regulations may be cited as the Dairy Industry (Prices of Dairy Produce) Regulations, and shall apply to such areas as may be prescribed from time to time.

2. In these Regulations—

“**prescribed**” means prescribed in an order made by the Board and published in the *Gazette*;

“**prescribed area**” means an area prescribed under regulation 1 of these Regulations;

“**retailer**” means a person who purchases dairy produce for re-sale to consumers from either Kenya Co-operative Creameries Limited or direct from a producer licensed pursuant to the Dairy Industry (Sales by Producers) Regulations and includes a producer who is licensed to sell dairy produce direct to consumers and an importer of dairy produce who imports for re-sale to consumers but does not include purchasers of milk in bulk as defined by the Dairy Industry (Prices of Dairy Produce) Order.

3. The prices to be paid by retailers on and after the prescribed date to producers and distributors for dairy produce produced in the prescribed area for sale therein, and for dairy produce produced outside the prescribed area but sold or intended for sale in the prescribed area, shall be the respective fixed prices from time to time prescribed by the Board or, where no such fixed prices are so prescribed, shall be not less than the respective minimum prices nor more than the respective maximum prices from time to time prescribed by the Board.

4. The prices to be paid to retailers for dairy produce in the prescribed area on and after the prescribed date shall be the respective fixed prices from time to time prescribed by the Board or, where no such fixed prices are so prescribed, shall be not less than the respective minimum prices nor more than the respective maximum prices from time to time prescribed by the Board:

Provided that the Board may, by notice in the *Gazette* or otherwise, grant exemption to a retailer from the provisions of this regulation in respect of the sale of dairy produce to consumers or classes of consumers specified in the notice and subject to due compliance with any terms and conditions specified therein.

5. The Board may prescribe different prices for different areas and for different quantities, qualities, grades or types of dairy produce or for different classes of consumers or for different terms of payment.

6. A producer, distributor or retailer who buys or sells dairy produce except at the prescribed price shall be guilty of an offence and liable to a fine not exceeding ten thousand shillings or to imprisonment for a term not exceeding one year, or to both.