STATUTORY INSTRUMENTS
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S T A T U T O R Y I N S T R U M E N T S

2026 No. 57

THE ATOMIC ENERGY (CONTROL OF RADIOACTIVITY IN FOODSTUFFS, LIVESTOCK FEEDS, FERTILISERS AND CONSTRUCTION MATERIALS) REGULATIONS, 2026

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S T A T U T O R Y I N S T R U M E N T S

2026 No. 57

The Atomic Energy (Control of Radioactivity in Foodstuffs, Livestock Feeds, Fertilisers and Construction Materials) Regulations, 2026

(Under Section 72(2) (n) of the Atomic Energy Act, Cap. 154)

IN EXERCISE of the powers conferred upon the Council by section 72(2) (n) of the Atomic Energy Act, these Regulations are made this 2nd day of July, 2026.

Part I—Preliminary

1. Citation

These Regulations may be cited as the Atomic Energy (Control of Radioactivity in Foodstuffs, Livestock Feeds, Fertilisers and Construction Materials) Regulations, 2026.

2. Purpose of Regulations

The purpose of these Regulations is to protect individuals, society and the environment from the dangers resulting from the handling, storage, use and consumption of radioactive contaminated foodstuffs, livestock feeds, fertilisers and construction materials.

3. Application of Regulations

These Regulations apply to importers, distributors, producers and manufacturers of foodstuffs, livestock feeds, fertilisers and construction materials.

4. Interpretation

In these Regulations, unless the context otherwise requires—

"Act" means the Atomic Energy Act, Cap. 154;

"Council" means the Atomic Energy Council established by section 3 of the Act;

"contamination" means the presence of radioactive substances on surfaces, or within solids, liquids or gases that exceeds set activity limits;

"consignment" means any package or load of food stuffs, livestock feeds, fertilisers or construction materials presented by a consignor for transport;

"construction materials" means various substances used in the construction, renovation, and maintenance of buildings, infrastructure and other structures specified in Schedule 8 to these Regulations;

"certificate of clearance" means a formal document that confirms that the results of a sample of a scheduled commodity comply with the limits prescribed under these Regulations;

"currency point" has the value assigned to it in Schedule 1 to these Regulations;

"fertiliser" means a material specified in Schedule 6 to these Regulations which provides nutrients for plant growth;

"foodstuffs" means any food and drink items intended for human consumption and specified in Schedule 2 to these Regulations;

"importer" means any person undertaking trade or business by which any scheduled commodity is brought into the country;

"livestock feeds" means feed items intended for consumption by various types of domesticated animals and birds;

"manufacturer" means any natural or legal person engaged in the making, production, processing, treatment, assembling, altering, modifying, adapting, converting or any other operation in relation to any scheduled commodity;

"sample" means a representative portion of a scheduled commodity;

"scheduled commodity" means any foodstuff, livestock feed, fertiliser, construction material or other material specified in Schedule 2 to these Regulations.

PART II—REQUIREMENTS FOR IMPORTATION, DISTRIBUTION, PRODUCTION AND MANUFACTURING OF SCHEDULED COMMODITIES

5. Importation, distribution, production and manufacturing of scheduled commodities

(1) A person shall not import, distribute, produce or manufacture the foodstuffs specified in Schedule 2 to these Regulations, where the annual radioactivity ingestion dose exceeds the levels prescribed in Schedule 3 to these Regulations.

(2) A person shall not distribute, produce or manufacturer drinking water for commercial purposes where the annual ingestion dose exceeds the ingestion dose prescribed in Schedule 3 to these Regulations.

(3) Notwithstanding the dose limit stated in subregulations (1) and (2), the activity levels of the radionuclides in foods and drinking water exceeding those prescribed in Schedule 3 to these Regulations shall, require further investigation to ensure that the annual ingestion dose in Schedule 3 to these Regulations is not exceeded.

(4) A person shall not import, distribute, produce or manufacture the livestock feeds specified in Schedule 4 to these Regulations, where the radioactivity levels exceed the levels prescribed in Schedule 5 to these Regulations.

(5) A person shall not import, distribute, produce or manufacture the fertilisers specified in Schedule 6 to these Regulations if the radioactivity levels exceed the generic clearance levels specified in Schedule 7 to these Regulations.

(6) A person shall not import, distribute, produce or manufacture the construction materials specified in Schedule 8 to these Regulations where the hazard indices exceed those specified in Schedule 9 to these Regulations, except for a superficial or decorative material, tiles, gypsum boards or granite decorations whose index shall not exceed 6.

(7) A person shall not use construction materials whose hazard index exceeds 6 as prescribed in subregulation (6) without the approval of the Council.

(8) A person who contravenes this regulation commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or imprisonment for a period not exceeding four years, or both.

6. Analysis of samples

(1) A person who imports, produces, manufactures or intends to distribute a scheduled commodity shall submit samples to the Council or a laboratory approved by the Council for analysis in the Form set out in Schedule 10 to these Regulations, prior to putting the commodity on the market.

(2) A person submitting samples for analysis under subregulation (1) shall comply with the quantities prescribed in Schedule 11 to these Regulations, except for education and research purposes whose quantities shall be dictated by the scope of the research.

(3) Notwithstanding subregulation (1), the Council may, for the purposes of enforcing these Regulations take without payment a sample of a scheduled commodity or any relevant material for analysis.

(4) Where the Council takes a sample under subregulation (3), the Council shall inform the owner of the commodity of the intention to analyse the sample.

(5) The Council or an approved laboratory shall issue a certificate of clearance after sample analysis where the results comply with the limits prescribed under these Regulations.

(6) A certificate of clearance given under subregulation (5) shall be presumed to be evidence of the matters contained in the certificate, until the contrary is proved.

(7) A certificate issued under this regulation is not transferable.

(8) A person submitting samples for analysis under this regulation shall pay the fees prescribed in Schedule 12 to these Regulations.

PART III—MONITORING AND ENFORCEMENT

7. Monitoring and Enforcement

(1) An importer, distributor, manufacturer or producer of scheduled commodities shall record the commodity identification specifications, including the batch number and codes.

(2) An importer, distributor, manufacturer or producer of scheduled commodities shall keep records that enable traceability of the commodity supplied or distributed.

(3) The Council shall, where analysed imported samples of scheduled commodities are found contaminated with radioactivity, immediately, notify the importer, distributor, manufacturer or producer of the results.

(4) An importer notified about the contaminated commodities under subregulation (3) shall re-export the contaminated commodities

to the country of origin within fourteen days from the date of notification, at his or her expense.

(5) The Council shall periodically monitor the commodities on the market, and where any commodity is found contaminated, the owner or person in possession shall recall and destroy the contaminated commodity within fourteen days from the discovery of the contamination.

(6) A person who contravenes this regulation commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a period not exceeding four years, or both.

Part IV—Offences And Penalties

8. Offences and penalties

(1) A person who obstructs or interferes with an inspector or employee of the Council in the exercise of his or her powers under these Regulations commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a term not exceeding four years or both.

(2) A person who unlawfully purports to be acting on behalf of the Council or impersonates an officer of the Council commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a term not exceeding two years or both.

(3) Any person who forges or utters a forged certificate of clearance or other document purporting to be issued, granted or given under these Regulations commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a term not exceeding four years, or both.

(4) Any person who, without lawful authority or excuse, possesses a forged document or an altered document, as the case may be commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a term not exceeding three years, or both.

(5) A person who with the intent to defraud, deceives or tampers with any substance or material whose sample was taken for analysis pursuant to these Regulations commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a term not exceeding two years, or both.

9. General Penalty

A person who commits an offence under these Regulations for which no penalty is specifically provided is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a term not exceeding three years, or both.

PART V—MISCELLANEOUS

10. Indemnity

An authorised officer or any other person acting on behalf of the Council shall not be held liable as an individual for any actions taken in good faith while enforcing these Regulations.

Schedule 1

Regulations 4

Currency Point

One currency point is equivalent to twenty thousand shillings.

Schedule 2

Regulations 4, 5 (1)

Scheduled Commodities

1. Milk (all types of milk and milk products)
2. Meat (all types of meat and meat products)
3. Fish (all types of fish) and all marine foods
4. Fruits and fruit products
5. Beverages, including bottled water, alcoholic drinks and non-alcoholic drinks herbal and infused beverages: tea, coffee and coffee products
6. Vegetables and edible oils
7. Grains and cereal products, including rice, maize, wheat and wheat products, barley and barley products
8. Legumes including beans
9. Seasonings including salt, sugar and spices fungi including mushrooms
10. Confectionery or candy including biscuits, chocolates and sweets
11. Tobacco
12. Infant foods
13. Any other foodstuff that may be determined by Council from time to time.

Schedule 3

Regulation 5 (1), (2) & (3)

Maximum Ingestion Dose Limit

PART 1: Annual Ingestion dose

Limit: 0.1 mSv per year

PART 2: Calculation of Annual ingestion dose

i. In foods

$$\sum_{i=1}^{n} A_i \; x \; M(A) \; x \; e_i = Ingestion\ dose\ (mSv/year)$$

Where:

A_i is the activity concentration of the radionuclide of interest in food

$M(A)$ is the mass of food consumed per year ($kg/year$)

e_i is the committed effective dose per unit intake of radionuclide of interest (i) in mSv/Bq.

ii. In water

$$\sum_{i=1}^{n} A_i \; x \; Q \; x \; e_i = Ingestion\ dose\ (mSv/year)$$

Where:

A_i is the activity concentration of the radionuclide of interest in water

Q is the quantity of water taken in a year ($l/year$)

e_i is the committed effective dose per unit intake of radionuclide of interest (i) in mSv/Bq.

Assumptions:

a) Drinking water: Intake of 2 litres per day

b) Food

i. Adult consumption rate: 550kg per year

ii. Infant consumption rate: 200kg per day

PART 3: Individual radionuclide committed effective dose

Radionuclide	Committed effective dose (mSv/Bq)
^{3}H	$2.8x10^{-8}$ (drinking water) and $4.2x10^{-8}$ (food)
^{14}C	$5.8x10^{-7}$
^{90}Sr	$2.8x10^{-5}$
^{131}I	$2.2x10^{-5}$
^{134}Cs	$1.9x10^{-5}$
^{137}Cs	$1.3x10^{-5}$
^{238}U	$4.4x10^{-5}$
^{226}Ra	$2.8x10^{-4}$
^{238}Th	$7.0x10^{-5}$
^{230}Th	$2.1x10^{-4}$
^{232}Th	$2.2x10^{-4}$
^{234}U	$4.9x10^{-5}$

^{210}Pb	$6.8x10^{-4}$
^{210}Po	$2.4x10^{-4}$
^{228}Ra	$6.7x10^{-4}$
^{238}Pu	$3.4x10^{-4}$
^{239}Pu	$2.5x10^{-4}$
^{240}Pu	$2.5x10^{-4}$
^{241}Am	$2.0x10^{-4}$
^{99}Tc	$7.8x10^{-7}$
^{89}Sr	$2.6x10^{-6}$
^{192}Ir	$1.4x10^{-6}$
^{144}Ce	$5.2x10^{-6}$
^{103}Ru	$7.3x10^{-7}$
^{106}Ru	$7.0x10^{-6}$
^{60}Co	$3.4x10^{-6}$
^{129}I	$1.1x10^{-4}$
^{235}U	$4.6x10^{-5}$

PART 4: Guideline levels for radionuclides in food following a nuclear or radiological emergency

Product name	Representative radionuclides	Guideline Levels (Bq/kg)
Infant foods	$^{238}Pu,\ ^{239}Pu,\ ^{240}Pu,\ ^{241}Am$	1
	$^{90}Sr,\ ^{106}Ru,\ ^{129}I,\ ^{131}I,\ ^{235}U$	100
	$^{35}S^{**},\ ^{60}Co,\ ^{89}Sr,\ ^{103}Ru,\ ^{137}Cs,\ ^{144}Ce,\ ^{192}Ir$	1000
	$^{3}H^{***},\ ^{14}C,\ ^{99}Tc$	1000
Foods other than infant food	$^{238}Pu,\ ^{239}Pu,\ ^{240}Pu,\ ^{241}Am$	10
	$^{90}Sr,\ ^{106}Ru,\ ^{129}I,\ ^{131}I,\ ^{235}U$	100
	$^{35}S^{**},\ ^{60}Co,\ ^{89}Sr,\ ^{103}Ru,\ ^{137}Cs,\ ^{144}Ce,\ ^{192}Ir$	1000
	$^{3}H^{***},\ ^{14}C,\ ^{99}Tc$	10000

* When intended for use as such

** Represents the value for organically bound Sulphur

*** Represents the value for organically bound tritium

PART 5: Guidance and levels for radionuclides in food and drinking water other than during a nuclear or radiological emergency

Guidance levels for radionuclides in food

Radionuclide	Guidance Level (Bq/Kg)	
	Adult foodstuffs	Infant foodstuffs
^{226}Ra	1	0.1
^{228}Ra	0.1	1
^{210}Pb, ^{210}Po	0.1	0.1
^{137}Cs, ^{134}Cs	10	100
^{90}Sr	10	10
^{14}C	1 000	1000
^{3}H	10 000	N/D*
^{131}I, ^{234}U, ^{238}U	10	N/D*
$^{239\&240}Pu$, ^{241}Am, ^{228}Th, ^{230}Th, ^{232}Th	1	N/D*

* **N/D:** Not derived (no published data is available)

Guidance levels for radionuclides in Drinking water

Radionuclide	Guidance Level (Bq/L)
^{3}H	10,000
^{14}C	100
$^{90}Sr, ^{131}I, ^{134}Cs, ^{137}Cs, ^{238}U$	10
$^{226}Ra, ^{238}Th, ^{230}Th, ^{232}Th, ^{234}U, ^{239}Pu, ^{241}Am$	1
$^{210}Pb, ^{210}Po, ^{228}Ra$	0.1

The screening levels shall be 0.5 Bq/L for gross alpha activity and 1 Bq/L for gross beta activity

Schedule 4

Regulation 5 (4)

List of Livestock Feeds

1. Complete feeds: pelleted or textured complete feeds that contain a balanced mix of grains, protein sources, minerals, and vitamins.

2. Medication or antibiotic containing feeds for specific purposes and milk replacers for young animals.

3. Pre-starter or starter feeds for young animals forage and roughage: hay, silage pasture grasses and legumes.

4. Concentrates: grain feeds (corn, wheat, and barley), protein supplements oilseed meals (canola meal, sunflower meal).

5. Byproduct feeds (brewers' grains, distillers' grains) minerals and supplements including salt blocks or mineral blocks vitamin supplements.

6. Calcium and phosphorus supplements.

7. Any other livestock feed that may be determined by Council from time to time.

Schedule 5

Regulation 5 (4)

Activity Limits for Radionuclides in Livestock Feeds following Nuclear or any other Case of Radiological Emergency

Feed for	Activity levels for ^{134}Cs and ^{137}Cs (Bq/kg) (1) (2)
Pigs	1250
Poultry, lambs, calves	2500
Others	5000

(1) These levels are intended to contribute to the observance of the maximum permitted levels for food; they do not alone guarantee such observance in all circumstances and do not lessen the requirement for monitoring contamination levels in animal products destined for human consumption.

(2) These levels apply to feed as ready for consumption.

Generic clearance levels for natural radionuclides (GSR Part 3, 2014)

Radionuclide	Guideline Level (Bq/kg)
Radionuclides in the ^{238}U decay series	1000
Radionuclides in the ^{232}Th and ^{238}Ac decay series	1000

Schedule 6

Regulations 4 & 5 (5)

List of Fertilisers

1. Organic fertiliser: Solid organic fertiliser, liquid organic fertiliser and organo-mineral fertiliser.

2. Solid organo-mineral fertiliser and liquid organo-mineral fertiliser inorganic fertiliser: liming material soil improver growing medium.

3. Inhibitor: nitrification inhibitor, denitrification inhibitor, urease inhibitor plant bio stimulant.

4. Fertilising product blend.

5. Any other type of fertiliser that may be determined by Council from time to time.

Schedule 7

Regulation 5 (5)

Generic Clearance Levels for Natural Radionuclides in Fertilisers

Radionuclide	Guideline Level (Bq/kg)
Radionuclides in the ^{238}U decay series	1000
Radionuclides in the ^{232}Th and ^{238}Ac decay series	1000
^{40}K	10 000

Schedule 8

Regulations 4 & 5 (6)

List of Construction Materials

1. Cementitious materials including cement, lime, pozzolana.
2. Ceramics (ceramic tiles, sanitary ware, decorative elements) and Porcelain Materials (porcelain tiles, fixtures).
3. Metals including aluminum, iron, steel and their products and asphalt.
4. Aggregates and fillers including gravel and sand gypsum, phosphogypsum.
5. Clay-based materials including clay and clay products (bricks, tiles, clay blocks).
6. Stone and mineral materials including tuff (a type of volcanic rock) and natural stone (limestone, granite, marble).
7. Organic materials including mud glass.
8. Paint.
9. Vegetation-based material including grass.
10. Any other construction materials that may be determined by Council from time to time.

Schedule 9

Regulation 5(6)

Criteria for Determining Radiological Hazard Index in Construction Materials

For purposes of this Schedule—

C_{Ra} is the activity concentration of radium-226 in the construction material in Bq/kg;

C_{Th} is the activity concentration of thorium-232 in the construction material in Bq/kg;

C_K is the activity concentration of potassium-40 in the construction material in Bq/kg;

9(1) External Hazard Index (*Hex*)

$$H_{ex} = \frac{C_{Ra}}{370} + \frac{C_{Th}}{259} + \frac{C_k}{4810} \leq 1$$

9(2) Internal Hazard Index (*Hin*)

$$H_{in} = \frac{C_{Ra}}{185} + \frac{C_{Th}}{259} + \frac{C_k}{4810} \leq 1$$

Schedule 10

Regulation 6 (1)

Form for Submission of Sample(s)

Sample data

State of sample (liquid, solid, semi-solid, viscous, leafy, powder, other)
…….....

In case of other, please specify……

Sample batch number (where applicable)……...

Place of origin: ……

Sample location (where it was sampled)

…….

…….

Name and contact of the person who collected the sample(s).

Name:……

Institution:……..

Tel……..

1. Category of sample (please tick as appropriate)

Research	☐
Trade	☐

2. Particulars of the declared sample(s)

#	Sample identity e.g. milk, meat, fertilizer, drinking water, etc.	No. of samples	Estimated sample weight (kg) or volume (litres)	Date of sample collection
Total No. of samples				

Particulars of the importer/ distributor/producer/ manufacturer

Category of activity

Importer ☐

Distributor ☐

Producer ☐

Manufacturer ☐

Name of importer/company Institution:

.....

Postal address:….....

Physical Address: ……

…….

E-Mail address: .....

Telephone number (office): .....

Mobile number: .....

Particulars of the consignee

Name of person/Institution ……...
……..

Postal Address…….……

Physical address……
……..
Email address ……...

Telephone number (office)…….……

Mobile number……

Transportation means to point of entry (for imports)

Point of Entry and date
…….

Mode of transport [e.g. Air, Road] to point of entry
…….
Details of transport means of transport (e.g. vessel No., vehicle registration No, Flight no. etc.)
…….

Transport means to the analysis laboratory

Mode ……..…….

Vehicle /motorcycle registration number……..

Other (please specify)……..……..

DECLARATION

I……Certify that all the information given herein is true and correct to the best of my knowledge and the samples submitted are representative of the goods/ product/substance for which the Certificate

Name……

Tel: …….

Signature: …….

Date …….

FOR OFFICIAL USE ONLY

Received by:

Name…….…….

Signature……

Date…..…….....

Schedule 11

Regulation 6 (2)

Quantity of Representative Samples

PART 1: Quantity of representative solid samples

Weight of the consignment (Tonnes)	Quantity of representative sample (kg)
≤ 5	03
> 5 ≤ 10	06
> 10 ≤15	09
> 15 ≤ 20	12
>20	15

PART 2: Quantity of representative liquid samples

Volume of the contents of a consignment (cubic meter)	Quantity of representative sample (L)
≤ 5	03
> 5 ≤ 10	06
> 10 ≤15	09
> 15 ≤ 20	12
>20	15

Schedule 12

Regulation 6 (8)

Fees

Item	**Currency point**
1. Education and research	5 currency points per sample
2. Imports	10 currency points per sample for imports
3. Exports	7 currency points per sample for exports

PROF. OBWOYA KINYERA SAM
Chairperson, Atomic Energy Council