

# Curbing Counterfeit Plant Protection Products

Q & A with Mr. D.Kagwe



The trend of counterfeiting agriculture chemical products especially related to horticulture sector is worrying and growing at alarming rate. Due to the serious concern it is posing as it endangers the health of consumers and farmers, harms the environment; cause significant economic and reputational damage to farmers, the food value chain, governments and the plant protection industry, Hortfresh sought to hear from agricultural chemical distributor, Managing Director Profarm Africa Ltd former Chairman Agrochemicals Association of Kenya, Mr. Daniel Kimaru Kagwe.

## What are counterfeits and their characteristics?

The Act governing pest control products had not well defined what is counterfeiting, but in 2009 our campaigns bore results and through miscellaneous amendment, the act even penalties were enhanced and defined.

The Pest Control Products Board (PCPB) Act defines 'Counterfeiting' to mean manufacturing, formulating, producing or making any pest control products, labels or packages that are identical or substantially indistinguishable from those legally

authorized under the Act. Adulteration as in the Act means addition of any substance or thing to a pest control product so as to change or alter its character, value, quality, composition, merit, efficacy and safety.

Any person who adulterates or counterfeits, or is found in possession of adulterated or counterfeit pest control products, labels or packages, shall be guilty of an offence and shall, on conviction, be liable to a fine of not less than two hundred and fifty thousand shillings, and not exceeding one million shillings, or to imprisonment for term not exceeding two years, or to both. The Act has made the fight much easier.

## What is the business estimate of counterfeits and illegal plant protection products in the region per annual trade?

Determining the value of counterfeit products in any business sector has been notoriously difficult, as the known examples represent only the tip of the iceberg in terms of true business value. Even so, counterfeit and illegal plant protection products are estimated to account for approximately 15 to 20% of total sales in Kenya. In Uganda the control is a bit weak thus approximately 40% while in Tanzania it is approximated to be 40% to 50%.

## Why do farmers go for the counterfeits?

Farmers go for counterfeits because they are cheap not considering that cheap is expensive in the long run. Others buy counterfeits because they trust their distributors such that they are easily convinced when told it is cheap and it works.

## Some of counterfeits effects cases encountered

First and foremost the substances used in counterfeit products do not work and results to loss. Some use active chemicals which are untested and unproven for human health and environmental safety. They may contain highly toxic impurities that can cause adverse effects to farmers, bystanders, children playing, consumers in food chain, birds; some are very persistent lasting long in the soil and may have adverse affect to the soil.

There is no good documentary concerning this but there are many cases of crop perishing, cases of skin cancer and breast cancer, limp age and even loss of eyesight. A good documentary was the one for Namibia where it was shown a person skin peeling off and eyes almost coming out due to effect of counterfeit product.

## Where are counterfeits, manufactured and how do they find their way into the market?

Most of these products emanate from Far East, china and India, and find their way through the port and porous border, while some are produced internally by counterfeiters within. They buy the genuine product say 1000 litres, mix with something else, package it in copy like containers and use fake labels that imitate the genuine. This is mostly done in Kariobangi, Kayole, Industrial Area and areas where agricultural activities take place such as Mwea and Meru. Also a genuine product can be brought in the country but with time the contents or levels changed.



**Some of precautions that farmers should take**

- When buying product should insist on receipt
- Should not buy from pick-up guys but from those who have premises where in case of anything they can launch complain
- Should buy from AAK members

area is helping others to enhance standards; towards this there will be a meeting in August for regional harmonisation. Once have that apex regulations in place and certified to distribute one, will not have to be certified again in the other country.

**How do you identify counterfeits?**

It is not easy to identify counterfeits and adulterated products; that is why regulatory bodies are essential. AAK

AAK have over 75 members and there are benefits; let say a supplier want to introduce a new product and he is stuck it is easy to lobby through the association since it is listened unto. If a supplier brought in a product then it expire and want to dispose it, a member will pay less for the association to do it. They are trainings for members company's staffs. Members are given certificate and to the public this is very important since they are termed as reliable.

**Are some companies affected more than others?** Yes especially those producing termites control products and tomatoes/potatoes blight's products. Mostly the companies' affected staffs are involved and that is why their executives should be on look out. If sales of a product drop drastically they should find out why. The association always wants to know what the affected company is doing in ambushing the involved.

It happened to a certain company's product where they had to change the package to shake jars, changed printing, put controlled water marks and informed the public about the changes. They were able to contain counterfeit packaging to 50% though it was expensive.

**Advice to farmers and industry players**

- Price should not be the main determinant for buying counterfeits
- Deal with licensed people and members of reputable agrochemicals. Distributors who are members of AAK
- Should not buy from hawkers
- Insist on getting a receipt
- Report any suspicious case to the association

To the industry: shouldn't counterfeit products, because if they do they are putting lives and environment in jeopardy and should not just be motivated by money in it.



**Some of the steps the crop protection industry has taken in curbing the vice.**

In Kenya to manufacture or import any pest control products, one has to be licensed by Pest Control Products Board (PCPB). Kenya Plant Health Inspectorate Services (KEPHIS) analyses seeds and planting materials while Kenya Bureau of Standards (KEBS) performs pre-shipment inspection and also sees to it that product brought to the market meets set standards. In liaison with PCPB Agrochemicals Association of Kenya (AAK), an umbrella organization for manufacturers, formulators, re-packers, importers, distributors, farmers and users of pest control products is involved in accrediting manufactures, stockists and distributors.

Concerning the East African Community, the industry is working towards regional regulations. Kenya being advanced in the

objective is to have a clean supply chain of agricultural chemicals. They have more than 70 surveillance officers, who are well conversant with the field. Upon noticing counterfeits or adulterated products, the officers inform the association who takes the necessary action.

The aim is to reduce the counterfeits incidences to 5% in the next 5 years. The first level is where we educate farmers on counterfeits through holding talks, awareness campaign and through media. The other level is at distribution where suppliers become members of AAK, they are licensed by PCPB their premises having been inspected and also they sign a code of conduct thus the association can discipline any errant members. The third level is by working with the government, PCPB and the police in enforcing the law.