

**ROLE OF NAFDAC IN AIR-  
FREIGHTING IN NIGERIA**

**PRESENTED BY**

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**AT**

**A ONE-DAY SEMINAR ON OPTIMISING OPPORTUNITIES  
FOR AIRFREIGHT IN NIGERIA**

**ORGANISED BY  
NIGERIAN SHIPPERS' COUNCIL**

**24<sup>TH</sup> AUGUST 2006**

## INTRODUCTION:

It gives me great pleasure to be invited to present a paper at this one day sensitization seminar with Theme – Optimizing opportunities in the Airfreight industry, organized by the Nigerian Shippers' Council for importers/exporters, operators regulators and other stakeholders in the Airfreight sector as part of its continuous effort to educate and sensitize shippers on useful procedures in international trade and movement of goods.

The aviation industry is a vital sector in any nation's economy. It facilitates the global movement of people, goods and services. It diminishes constraints of time and space for man. It is efficient and reliable and it promotes business. Abundant opportunities exist in Air freighting in Nigeria. Nigeria – the giant of Africa is strategically located and has 4 international Airport – Murtala Mohammed international Airport, Lagos, Aminu Kano Int'l Airport Kano, Nnamdi Azikwe Int'l Airport, Abuja and Port-Harcourt Airport, Port Harcourt, which serve as import/export routes to African Countries and other countries of the world.

The present Federal Government Policy Investment in manufacturing industries especially non oil sector e.g. agricultural exports. Consequently, Nigeria is witnessing a lot of imports and exports of raw materials and finished products. Some of our exports of agricultural food commodities because of the perishable nature are air freighted. Likewise, thermolabile, high potency products such as Biological/vaccines that need to be transported quickly under special conditions are air freighted; hence that aviation industry plays a very important supportive role globally.

Consequently optimizing opportunities available in the Air freight sector requires a legal framework, political will by government, provision of adequate manpower, infrastructures, equipment, enabling environment and a concerted effort by all stakeholders i.e. co-operation, transparency, commitment, hard work and access to adequate information. It is very important that operators in the sector have adequate knowledge of the relevant laws and procedures governing the movement of goods in that International Trade.

This paper will focus on the role of NAFDAC in Air freighting and evaluate NAFDAC's Regulatory activity so far while examining how

some of the factors enumerated above have contributed to success story of NAFDAC.

As a rule, goods moving in International market are expected to comply with certain minimum requirements. Of greatest importance among these requirements are ensuring the safety, quality, efficacy and wholesomeness of food and their compliance with National standards, standards laid down by codex Alimentarius Commission, as well as the World Trade Organization (WTO) requirements of Sanitary & Phytosanitary Standards. In case of medicines, cosmetics, medical devices etc, they are expected to comply with the National and International Pharmacopoeia Standard. It is in these areas that the role of NAFDAC becomes important.

The National Agency for Food and Drugs and Control (NAFDAC) was established as a parastatal of the Federal Ministry of Health by Decree No. 15 of 1993 as amended by Decree No. 19 of 1999.

It is a regulatory body mandated to promote and protect the health and well being of Nigerians through the regulation and control of the importation, exportation, manufacture, sale, use and advertisement of food, drugs, cosmetics, medical devices, packaged water, chemical and detergents.

The aforementioned products are generally referred to by NAFDAC as "Regulated Products". It is very important that the quality of products are maintained from manufacture to consumption. Transportation of product should therefore ensure that the product reaches the consumer intact in terms of its quality.

The mandate of NAFDAC was extended, in 2003 to include the certification of export of processed and semi processed food commodities such as Ogbono, melon, yam flour, garri, ground dry pepper etc.

#### GOAL OF NAFAC

Our current goal is to eradicate fake drugs and other substandard regulated products.

#### NAFDAC PRE 2001:

Although NAFDAC commenced operation as an Agency in 1994. Her regulatory impact was not felt much by Nigerians. This can be attributed to the following reasons:

- A failed regulatory process for over two decades.
- All sorts of drug, food and allied product were imported into country from all part of the world with little or no restriction. Serious monitoring in the real sense of it was virtually non-existent.
- Nigeria was rated as one of the countries with the highest incidence of fake & counterfeit drug and other substandard regulated products.

Consequently made in Nigeria drugs were officially unaccepted in other West African countries with strong regulations e.g. Ghana, Serria Leone etc.

Many multinational drug companies left Nigeria in the 80's and 90's out of frustration e.g. Boehringer, ICI, Merck, Sandoz etc. Illegal drug markets resulting in chaotic drug distribution channels, where drugs are marketed like any other commodity of trade. Even commercial buses became veritable means of drug trade. There was no statistics on the level of incidence of fake drugs in Nigeria.

The confusion and madness were not just limited to drugs. We had the following and many others:

- i. Toothpastes without or with insufficient fluoride
- ii. Either non-iodized or insufficiently iodized salts
- iii. Beer and other alcoholic beverages not bearing best before date and alcohol content. Some brewers do not even refine their beer enough to reduce to the barest minimum the level of nitrosamine, a proven carcinogen which is a natural by-product of brewing.
- iv. Most soft drinks did not have the same quality with what obtains in the civilized world.
- v. Deceptively labeled juices became the fashion. Examples of such labeling include 100% juice, no sugar added, no added sweetener, no preservative, etc. These juice were actually regarded as "classic drink".
- vi. Improperly processed and unregistered "pure water" became ubiquitous.
- vii. Processed foods that were expired, about to expire, or preserved with toxic chemicals.
- viii. Rampant changing of expiry dates with a view to extend the shelf life of regulated products.
- ix. Bread generally enhanced by most bakers with potassium bromate, which was banned in early 90's because it causes cancer, loss of hearing, kidney failure and break down of vitamins bread.

- x. Narcotics and controlled chemicals that can either serve as precursors for production of hard drugs (illicit drugs) (using simple methods), and those that can be used for production of explosives were imported and distributed without any form of control.
- xi. Cosmetics containing banned and deleterious chemicals were also dumped in the country.

### THE JOURNEY SO FAR FROM 2001:

The task of instilling sanity into the regulatory system from 2001 to date has been most difficult and rigorous but nonetheless most fulfilling for NAFDAC because the gains are so tangible and visible.

The present management of NAFDAC after a thorough study of past interventions and activities to carry out this mandate realized that only a multipronged, multisectoral, proactive and all-hands-on deck approach can eradicate the menace of fake, counterfeit and adulterated products in Nigeria.

To this end, the Agency embarked on massive public enlightenment campaigns, dialogue, education and persuasion as a major strategy addresses the fundamental issue at stake, which is BEHAVIOURAL CHANGE.

The Print and electronic media were also extensively involved through partnership with the vibrant Nigerian press.

The Agency's food and drug information center (FDIC) was strengthened with enough manpower and information technology to constantly inform the public of our activities, in the following manner:

- Issuance of important alert notice and bi-monthly publications of the Differences between identified fake drugs and the genuine ones in our National dailies, radio and television.
- Quarterly publications of NAFDAC Consumer safety Bulletin and other periodic publications.
- Operation of a website [www.nafdac.nigeria.org](http://www.nafdac.nigeria.org)

As part of this new enlightenment strategy NAFDAC has organized workshops, sensitization and consultative meetings with most stakeholders within and outside Nigeria e.g.

- Sensitization and interactive workshop for Airlines and Courier Services on Eradication of Drugs.
- Workshop for Drug importers.
- Consultative meeting with members of Association of Nigeria customs Licensed Agents (ANCLA) and National Association of Government Approved Freight Forwarders (NAGAAF)
- Meeting with Managing Director, Nigeria Port Authority.
- Meeting with Enforcement Agencies viz. comptroller General of Nigeria Customs Service, Inspector-General of Police and Chairman, Nigeria Drug Law Enforcement Agency.

In order to eradicate fake drugs and create a strong regulatory environment in the face of all the exiting constraints, NAFDAC has (within the law) put in place some Administrative Guideline notable among which are:

- a. A factory must be GMP certified before they can import drug to Nigeria.
- b. NAFDAC officials must inspect factories anywhere in the world before we register or renew registration for their drug, food, juices etc.
- c. NAFDAC has appointed analysts in India, China and Egypt who now certify any drug before they leave the shores of these countries for Nigeria.
- d. For imported finished pharmaceutical products from all countries, NAFDAC now requires mandatory pre-shipment information to be provided by all importers before the arrival of the products.
- e. Any aircraft that lift drugs to Nigeria without obtaining NAFDAC's authorization from their clients will be grounded.
- f. Importers must insist that their foreign partners affix NAFDAC registration number on the packaging of their products to be imported into Nigeria before they are registered (effective date 01/01/2003).

These strategies and supporting guidelines have greatly improved the Agency's performance in the past five years of the present NAFDAC management.

Government under the leadership of Chief Olusegun Obasanjo has empowered NAFDAC to wage war against Fake & Counterfeit Drug and substandard regulated products by ensuring the return of NAFDAC to the ports in October 2001.

NAFDAC's activity at the Airport has been enhanced due to the support of Ministry of Aviation. NAFDAC inspectors at the International Airport were issued On Duty Card (ODC) and the Agency now receives cargo manifest. Other government agencies

such as Nigeria Customs Services and NDLEA promptly refer Airway bills of NAFDAC regulated products to the Agency.

The Agency is appreciative of the political will of Government in helping us to strengthen our regulatory activities. The President, Chief Olusegun Obasanjo has done a lot to empower NAFDAC in her war against fake and counterfeit drugs. The Government's political will is further reinforced by the following new policies recently approved by the Federal Government.

1. Outright ban on importation of drugs and other regulated products (food, cosmetics, chemical/detergents, medical devices, and all drinks) through all land borders.
2. The designation of special ports as exclusive ports of entry for the importation of drug and pharmaceutical raw materials.
3. Release of shipping and cargo manifests by NPA, shipping lines and Airlines to NAFDAC inspectors.

The return of NAFDAC to the ports in October 2001 continues to yield immense fruits in the level of seizures, sanctions and sanity that have prevailed since that period. These new policies approved by the President will further facilitate the realization of our goal in eradicating fake drugs in Nigeria to a manageable level within the shortest possible time.

It is also noteworthy to mention here, the agreement with the banking industry, to collaborate with the Agency in ensuring that only importers of genuine drug products can process their financial import documents with banks.

#### Challenges Facing NAFDAC in Operations:

In spite of success recorded so far the current challenges facing us are as follows: -

- Activities of recalcitrant importers who still import fake drugs/other substandard regulated products. Some use sophisticated concealment method for their nefarious activities e.g. concealment of drugs in packs of shirts and baby clothes etc.
- The export of processed/semi processed food commodities without certification by NAFDAC and other accompanied by fake Port Health Certificates. The Agency is inundated with several alert notifications from the European Union (EU) and this may lead to blacklisting of export from Nigeria.

NAFDAC has written Airline operators, Freight forwarders etc. to ensure NAFDAC certification before carrying exports of food commodities.

Conclusion:

In concluding this lecture, I wish to state that NAFDAC activities as a regulatory body have brought immense behavioral changes in the Nigeria public through the increased awareness on the inherent dangers of fake/counterfeit drug and other regulated product and is poised to take the country to a greater level through its assurance of the quality, safety, efficacy of food, drugs etc.

This is therefore need for greater co-operation, collaboration among relevant government bodies, importer/exporters, freight forwarders, and other stakeholders present in this seminar. We all have a huge part to fake/substandard regulated product.

I call on importers and exporters that they should: -

- Have adequate knowledge of procedures of importation/exportation of NAFDAC regulated products and ensure they comply with them.
- Give the clearing Agents requisite NAFDAC certification to enable them process their shipment.
- Be truthful in the declaration of all goods in their shipping documents.

Clearing Agents should: -

- Encourage their genuine customers to abide by government laws and guidelines on importation/exportation of NAFDAC regulated product.
- Demand for NAFDAC registration License/Export Certificate and other relevant documents and pay appropriate NAFDAC charges
- Say no to clearing of wrongly declared goods.
- Ensure that all imports/exports of regulated products are disclosed to NAFDAC officials for necessary inspection.
- Clear only NAFDAC registered products into Nigeria.
- Direct their customers to NAFDAC if their goods are not registered or report to NAFDAC if they refuse.
- Not abet importers to clear unregistered products through faking of stamp/use of forged signatures, falsification of documents, illegal removal of consignment for the sheds.
- Communicate to the importer/exporter promptly any problem or lapse (e.g. Incomplete documentation)

- Be trustful in all their transaction with NAFDAC.

Airlines: - Must demand for NAFDAC registration certificate for import and combination certificate of manufacture and free sale, certificates of Pharmaceutical Product, Health Permit/License for exports of food, drugs and food commodities before air freighting.

HANDLING COMPANIES (NAHCO/SAHCOL) SHOULD:

- Provide Adequate Equipment/Manpower for handling of cargo
- Honor NAFDAC Detention Notice.
- Ensure Cargoes are properly stored to prevent pilferage, damage and spoilage.

It is expected that government Agencies must co-operate and have clear understanding of each others' functions.

NAFDAC appreciates the co-operation she has received form all government agencies, other stakeholders and Consumers in its regulatory activities and wishes to commend the organizers of this seminar. We believe seminars such as this will enable the Aviation industry proffer solutions to challenges facing it.

I thank you all for your attention.