

**PESTICIDE REGISTRATION AND
CONTROL PROCLAMATION No
674/2010**

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1. Introduction

- Pesticides continue to play an increasingly important role in agriculture and public health sector around the globe and in Ethiopia.
- However pesticides contain hazardous substances and impurities that can pose serious threats to human health and the environment if they are not properly regulated through a **PESTICIDE LEGISLATION**

2.Objectives of Registration and Control of Pesticides

To allow the use of :

- Relatively safe
- Locally effective
- Good quality pesticide



To minimize the adverse effects of pesticides to humans ,animals, plants and the environment

3.Overall Goals

To acquire

- Clean environment
- Safe food- consumer protection and to meet the quality standards commanded in international trade.
- Healthy citizenry
- Promote agricultural export trade

Pesticide registration and control legislations

- The first pesticide regulation was a single article included in the Plant Protection Decree No 56 of 1971 (article 5)
- According to this Decree the Ministry of Agriculture was given the mandate to control the importation ,production and sale of pesticides in the country
- This Decree lacked the necessary details
- Later “Pesticide Registration and Control Special Decree no 20/1990 was issued in September 1990 and has been implemented between 1996 and 24th August 2010- **Still this Decree lacked several important details**

Pesticide registration and control legislation (con.)

- New pesticide Registration and Control Proclamation No 674/2010 was enacted on 25th August 2010

Proclamation realized as the result of Contribution :

- FAO Legal experts (Ms Iris Milles and Ambra Gobena)
- Legal experts from MoA
- Officials and experts of MoA (including APHRD)
- Workshop organized to collect comments from stakeholders (i.e Research institutes, RBoA, pesticide importers and retailers)
- Council of Ministers –comments obtained mainly on penalties
- Agriculture Standing Committee of the Council- several valuable comments obtained

Why new proclamation?

- To conduct the registration and control of all types of pesticides under one legislative control through MoA
- To incorporate all relevant definitions in connection to pesticide legislation
- To include internationally accepted definition of a “Pesticide” so that problems in legal enforcement would not occur as the result of coining different definitions for one term “pesticide”
- To clearly specify the role of federal and regional organs
- To include more strong and clear provisions with regard to offences and penalties

Why new proclamation? (cont.)

- To give more power to pesticide inspectors and to specify their role in detail
- To include a provision that a pesticide dealer is obliged to keep all pesticide sell and import records and report on the same to the Ministry when so requested
- To include relevant detailed provisions on disposal
- To clearly define the role of the Advisory body
- To include provisions on Occupational safety

Components of Pesticide registration and Control Proclamation No 674/2010

- Contains eight parts and 37 articles

Part one General

1. Short title
2. 35 definitions according to **International Code of Conduct on the Distribution and use of Pesticides**

Part 2 - Registration of pesticides

3. Requirement for registration
 - 3.1 No pesticide shall be registered unless the efficacy, safety and quality is tested

Part 2-Registration of pesticides (cont.)

3.2 However the Ministry may authorize the importation of unregistered pesticide in prescribed quantities for research or experiment purposes

3.3 MoA may also allows unregistered pesticides due to compelling reasons

4. Application for Registration

4.1 Application for registration-in perscribed form-containing data specified in the regulation

4.2 If information submitted incomplete-Ministry shall notify the applicant and applicant should supplement the application within eight weeks

Part 2-Registration of pesticides (cont.)

4.3 Incomplete application shall be rejected

4.4 Any applicant who is not residing in Ethiopia-
Appoint local agent

5. Decision on Application for registration

5.1 Authorize registration upon examining and
ascertaining

- Complete and accurate,
- effective, not hazardous when handled and used according to instructions
- Insignificant negative impact on environment and non target species

Part 2-Registration of pesticides (cont.)

- Residue is not persistent or toxic when metabolized
- Other products which may be equally or more effective but less hazardous are not available
- Appropriate label
- Suitable for local conditions
- Cost effective
- not banned or severely restricted,
- payment fee effected

Part 2-Registration of pesticides (cont

5.2 The Ministry may limit the registrations to any conditions including

- Limiting the use to specified area
- Limiting the use to specified times of the day or the year
- Requirement to notify beekeepers prior application
- Prohibition of application when certain plants are in bloom- **not to jeopardize the yield**

Part 2-Registration of pesticides (cont

- Limitation of the sale to persons holding certificate of competence
- limiting the use for certain purposes

5.3 Issue a registration certificate with approved label

5.4 If registration is rejected applicant would be communicated with the reasons

5.5 Refusal shall not prevent the same or different applicant from making a later application for registration

Part 2-Registration of pesticides (cont

6. Validity of registration- 5years
7. Renewal of registration- every 5 years
8. Amendment of Registration-Where changes are proposed to label or container
9. Re-registration – If the original applicant of a pesticide wishes to change trade name, formulation, a.i concentration or use of the pesticide is replaced by another person

Part 2-Registration of pesticides (cont.)

10. Temporary registration-

10.1 Where it is ascertained that the pesticide is new manufactured or it is necessary for protecting agricultural or public health pests –one year

Preconditions

- The applicant should agree to provide additional scientific or technical and scientific information on its use
- Pesticide to be sold for the emergency control of pest outbreaks
- 10.2 Renewal of **temporary registration** –additional period of not more than one year

Part 2-Registration of pesticides (cont.)

11.Suspension and cancellation of Registration

11.1 Effected due to the following reasons

- If the registration was secured in violation of the provisions
- continued registration is undesirable on the grounds of harm to plants ,human or animal health or the environment
- proved no longer effective
- Withdrawn from the market
- Condition of registration has been violated
- Cancellation required as the result of new facts or unforeseen changes

Part 2-Registration of pesticides (cont.)

- 11.2 objection of cancellation by registrant – 60 days shall be given by ministry for providing justification
- 11.3 Decision shall be given within 60 days of receipt of justification

12 Recalls

12.1 The Ministry may recall order for the canceled pesticide

12.2 Any pesticide dealer in possession of a recalled pesticide shall report to the Ministry within 30 days from the date of recall order

Part 2-Registration of pesticides (cont.)

13.Re-evaluation of registration

13.1 when there has been change in the information required to evaluate the pesticide

13.2 If the Ministry has reasonable grounds to believe that the human ,animal or plant health hazards linked to the pesticide are now unacceptable upon consideration of several factors

13.3 In light of recommendations of international fora or international organizations

Part 2-Registration of pesticides (cont.)

14. Pesticide register

- The Ministry shall maintain inventory of all pesticides in order to track the movement and use of pesticides according to each stage of the pesticide lifecycle including those consented pesticides under Rotterdam convention
- Except proprietary and confidential information data shall be accessible to the public
- Person who wants to obtain copy shall be required to pay the applicable fees

Part Three

Issuance of certificate of competence and licensing

15. Certificate of Competence

MoA

- a. Manufacturing and formulating of pesticide
- b. Import and export of pesticide
- c. Pesticide fumigation service

Regional state organ in charge of agriculture sector

Pesticide businesses other than those specified above

Issuance of certificate of competence and licensing (con.)

16. Licensing

MoT

- a. Manufacturing and formulating of pesticide
- b. Import and export of pesticide
- c. Pesticide fumigation service

Regional state organ in charge of Trade

Pesticide businesses other than those specified above

Issuance of certificate of competence and licensing (con.)

17. Import permit

- No person shall make an import order of any pesticide without import permit from the Ministry
- No pesticide consignment shall be :
 - a. Imported if it has been manufactured before six months from its date of entry into the country
 - b. Imported without batch certificate of analysis and MSDS

Issuance of certificate of competence and licensing (con.)

- C. Released from custom without inspection and issuance of import certificate by MoA
- D. However the ministry may grant permit of unregistered pesticide for research purpose or upon being convinced that the stock can be fully utilized before the expiry date of the pesticide
- E. No person may export pesticide abroad without obtaining export permit from the Ministry

Part 4

18. Packing and labeling 19. advertising, 20. transport and 21. disposal of pesticides

- No person shall pack repack any pesticide unless it is in a container which is safe for storage, handling and use.
- Label should be in English and Amharic
- The need of permit from MoA for pesticide advertisement

Except in small quantities for personal use

- Pesticides are not allowed to be transported in passenger compartment and with animals or feed, feedstuffs, drugs and toys
- **Any person who imports or sells pesticides shall be responsible for the disposal of any pesticide that he generates**

Part 4 (cont..)

- Severely restricted pesticides (even in small quantities) are not allowed to be transported in passenger compartment and in the same compartment with animals or with food feedstuffs, drugs, toys ,clothing, cosmetics or other items

Part 5 –Safety measures

- 22. Occupational safety- Employer should provide facilities and pesticide safety gears and deliver instructions to employee how to use them and require the employee to use the safety gears.
- Employer shall provide medical check-ups for the worker.
- Employer shall also cover expenses of medical check –ups and compensation for damages
- 23 . Reporting of accidents
- 24. Designation of official laboratory and analyst
- 25. Certificate of analysis- by an official analyst stating the method used and other information

26. Residue analysis and pesticide impregnated net test and supervision

- Primary agricultural products-MoA
- Processed agricultural products and human beings- Concerned appropriate organs
- MoA collaborates with relevant authorities in establishing MRL
- Pesticide impregnated net effectiveness and supervision- MoH

Part seven- Pesticide Advisory Board and inspectors

27. Establishment of Pesticide Advisory Board

The board has 9 members

- Officer designated by the Minister-**Chairman**
- Officer in charge of pesticide registration from MoA- **Member and secretary**
- Ministry of Health- **Member**
- EPA- **Member**
- Ethiopian Conformity Assessment Enterprise -**Member**
- Ethiopian Institute for Agricultural Research-**Member**
- Institute of Biodiversity-**Member**
- Ministry of Labour and Social Affairs-**Member**
- Revenue and Customs Authority-**Member**

Part seven- Pesticide Advisory Board and inspectors

- 28. Functions of the board – Advisory role on the registration and control of pesticides including pesticide management

Part 7- Pesticide Advisory Board and inspectors

- 29. Operation of the Board
- Meet at least 4 times per year

30. Pesticide inspectors

- Assignment of inspectors by the Ministry and Regional state organ in charge of Agriculture
- Function of inspectors

More power is given to inspectors under this proclamation (e.g can sieze any equipment,document related to pesticides and can close pesticide storage facility or sales outlet

Part eight Miscellaneous provisions

31. Prohibitions

- No person shall import, store, transport or sell any pesticide unless it is packed and labeled in accordance with this proclamation
- No person shall sell or store adulterated pesticide
- No person shall formulate, manufacture, import, distribute, export, pack, repack, label, sell, store or use a banned and severely restricted pesticide (for severely restricted pesticides –with out written authorization from the ministry

32. Record keeping- Any pesticide dealer is obliged to keep records of all quantities of pesticides- i.e. imported, exported, manufactured, packed, repacked, stored, sold etc and report to the Ministry when so requested

Part eight Miscellenous provisions(cont)

33.Penalties

Twenty(20) kinds of penalties with regard to Illegal pesticide trade, providing false information, pesticide disposal in contrary to the legislation, deceiving or misleading an inspector, adultering pesticides have been elaborated

Part eight Misellenous provisions

34. Powers to issue regulation and directives

- Regulations for the implementation of this proclamation- Council of Ministers
- Directives – MoA

35. Transitory provisions-

- Pesticides registered by MoA and DACA before the coming into force of this proclamation shall be deemed to have been registered as per this proclamation
- Pesticides under registration process in accordance with DACA Proclamation No 176/1999 shall be transferred to the MoA starting August 25/2010

Part eight Miscellaneous provisions (cont)

36. Repealed laws

- Pesticide registration and control special Decree no 20 /1990
- Laws ,regulations, directives inconsistent with this proclamation

37. Effective date- Starting 25th August 2010

Way forward/next steps with regard to effective implementation and enforcement of Pesticide Registration and Control of Pesticides

- **Assigning of pesticide inspectors**
- Assigning of pesticide inspectors by all 11 Regional Bureaus of Agriculture (article 30 of the pesticide proclamation)

Preparation of directives and guidelines

Some of the directives and guidelines to be prepared are the following

- Compelling reasons for importations of pesticides that has not been registered
- Preconditions for allowing temporary registration
- Pesticide transportation
- Pesticide disposal
- Methods and information on pesticide analysis
- Several guidelines on chemical and biopesticide registration

Communication/events

- Hold awareness raising events through mass media with regard to enforcement of new pesticide proclamation (ASP funding)
- Holding a panel discussion on effective implementation and enforcement of the pesticide legislation (ASP funding)
- Finalizing the preparation of leaflets on IPM, dangers of obsolete pesticides and empty pesticide containers, proper pesticide lifecycle management (ASP project and Pesticide action Nexus) NGO) and distributing the same to farmers and several stakeholders

Communication/ events

- Finalizing the preparation of posters and cartoon on IPM, dangers of using empty pesticide containers, pesticide lifecycle management, dangers posed by obsolete pesticides. (ASP project and Pesticide Action Nexus (NGO)
- Broadcast 12 radio and television messages on pesticide management and pesticide regulation in Amharic, Tigrigna and Oromifa (ASP project)

Training (cont.)

- Periodic training of crop protection experts on pesticide management- APHRD and regions/CLI (recently this training has been conducted by ASP project in collaboration with CLI)
- Conduct training on implementation of ASP communication strategy (implementation of pesticide management communication materials) for crop protection experts and and and development agents and other key stakeholders who will be responsible for delivery of the same to farmers (Pesticide Nexus Action through ASP project)

Training

- Develop methods of collecting reliable feedback and monitoring data on the impact of the the above mentioned communication outreach activities (Pesticide Nexus Action through ASP)

Training (cont.)

- Conduct training for regional pesticide and custom inspectors on technical issues involved in pesticide inspection and control
- Provide training for pesticide retailers, wholesalers and pesticide sprayers on most fundamental aspects of safe handling and use of pesticides (including selection of pesticides, handling, application, storage and protective clothing) – ASP project

Training

- Provide training for pesticide store keepers on proper pesticide stock management and emergency procedures (recently this training has also been conducted by ASP in collaboration with CLI)

Strategy document preparation

- Preparation of a pesticide management and sustainability strategy (ASP project)

Development of data base

- Develop database to track the pesticide throughout its lifecycle from import till disposal (in collaboration with FAO through TCP- will be materialized in the near future)

Implementation of pesticide management projects

- Africa stockpiles Program project - Coordinator- [Ato Shimelis Hassen](#)
- Enforcement of post registration capacities for better pesticide management in Ethiopia (two years project)(FAO TCP)- Coordinator- [W/o Tsehay Azage](#)
- Pesticide Risk Reduction Programme – Ethiopia (four years project) –Coordinator – [Alemayehu Woldeamanuel](#)

Thank You!