



Agrochemicals Association
of Kenya



AGROCHEMICALS ASSOCIATION OF KENYA/CROPLIFE KENYA (AAK/CLK) ACTIVITIES REPORT

August - October 2020

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INSTITUTIONAL DEVELOPMENT

Institutional activities are focused on the well-being of AAK and seek to enhance the association's ability to successfully deliver on its mandate and ensure vibrance and sustainability of the sector. The following activities were carried out during the quarter;

1.1 Agrochemicals Association of Kenya (AAK) holds a hybrid AGM

The Agrochemicals Association of Kenya (AAK) held its 61st Annual General Meeting (AGM) for the year ended 31st December 2019. During the AGM the association made amendments to its Constitution to include a virtual -Hybrid General/Special meetings whenever required.



Chairman of AAK's Report during the AGM

The industry faced serious challenges in all spheres, which negatively impacted both the industry and agricultural sector. The industry saw a drastic drop in Pest Control Products (PCPs) imports because of these challenges.

- **Drought that affected the country in the first half of the year led to a drastic reduction in the demand for PCPs;**
- **Value Added Tax (VAT) on agricultural pesticides that led to an increase in the cost of inputs for farmers;**

Unpredictable taxation policies - every financial year we are faced with the challenge to defend our status, which frustrates the stability and growth of the industry. As a board we take this matter seriously and after advocacy and lobbying through the Ministry of Agriculture, various committees (Agriculture and Finance), the government rescinded the decision to exempt agricultural pesticides from VAT but instead zero-rated them. This was a big win for the

Election of Board Members for 2020/2021

AAK Board Members 2020/2021



1. **Mr. Patrick Amuyunzu** - Arysta LifeScience Kenya Ltd/ UPL
2. **Mr. Wachira Mureithi** - Ultravetis E.A Ltd
3. **Mr. Manoj Shah** - Osho Chemical Industries Ltd
4. **Mr. Hezekiah Macharia** - Twiga Chemical Industries
5. **Dr. Mwangi Gitonga** - Lessos Veterinary Supplies Ltd

Elected during the AGM

1. **Mr. Laurent Perrier** - Bayer E.A Ltd

Co-opted during the first Board Meeting

1. **Mr. Fredrick Otieno** - Syngenta E.A Ltd
2. **Mr. Eustace Muriuki** - Fertilizer Association of Kenya
3. **Mr. Evans Mutuva** - Pest Management Association of Kenya

industry and we wish to thank all members for their support. However, we still have a challenge with insecticides for use in public health which still attract VAT. We have provided justification as to why the products should be zero-rated to relevant authorities.

- **Anti-pesticide campaigns from civil societies that depicted the industry in a negative way;**

The negative campaign against pesticides is not relenting since it started in June 2019. It is a well-funded global campaign with a network of NGOs. The group in Kenya led by the Route to Food Initiative petition seeking to ban 262 PCPs. AAK through its Technical Working Group presented a work plan to CEOs in September

2019 as a proactive strategy to proactively counteract the negative publicity. A lot has been achieved in the work plan, ranging from putting facts straight and clarification of misleading information to the general public, to making written and oral submissions to the departmental committee of parliament on the petition sponsored by Hon. Shollei to ban 262 PCPs.

- **PVOC requirements for Pest Control Products that led to delays in importation.**

Fruitful discussions held between the Cabinet Secretary – Ministry of Agriculture, Livestock, Fisheries and Irrigation- Hon Peter Munya, the Agrochemicals Association of Kenya (AAK) and the Veterinary Inputs Suppliers Association of Kenya (VISAK) led to the exemption of Pest Control Products (PCPS), veterinary medicines, and seeds from the PVOC requirements.

Other Developments In the wake of 2020

- **Emerging issues and government policies**

AAK is working closely with government ministries and agencies to ensure that policies instituted are favorable, conducive, and not a hinderance to the industry's progress. The new PCP Bill and regulations will be a game changer in addressing some challenges facing the industry, including counterfeits, the presence of quacks in some agrovets and handling of empty pesticide containers (EPC). The new 'Extended Producer Responsibility' regulations by the Ministry of Environment have been set to ensure a cleaner environment by making producers and users of PCPs responsible for the EPCs. In readiness to comply and bring sanity on disposal and recycling of EPC, AAK conducted a study of the quantities and types of plastic generated by the industry.

- **PCP Bill and Regulations**

The proposed amendments to the Pest Control Products Act which begun in 2013 have finally progressed to public participation as required by the Statutory Instruments Act. Public participation is almost complete in all counties, and stakeholder views will be evaluated and presented to the Ministry for further amendment. It is expected that the process would be finalised in 2021.

- **Development Partners**

We have worked closely with Kenya Crop and Dairy Market Systems (USAID/RTI) for the training of Spray Service Providers in Busia, Siaya, Makueni, Kitui and Taveta counties.



The 392 SSPS trained are offering services to farmers and form the backbone of the proposed Makueni County Fruit Fly Pest Free Area which was launched in 2020.

Kenya Markets Trust (KMT) together with AAK are now disseminating information to farmers through digital platforms due to the COVID-19 Pandemic. Message delivery done through bulk SMS and video production is ongoing for farmers to access responsible use messages despite the limited field activities.

In 2019, KMT supported the staging of agro-dealer meetings in 10 Counties. The meetings discussed issues such as supply chain constraints, responsible use and the fight against counterfeits.

The Business Advocacy Fund (BAF) played a key role in capacity development at the secretariat for enhanced compliance with good practice. BAF also partnered with AAK to facilitate the PCP bill, the Regulatory Impact Assessment, tax compliance reviews and further sponsored a study on Empty Pesticide Containers (EPC) in Kenya. The EPC study places the quantity of plastic generated by the industry at about 1,400 tones and found that the most common disposal practices were simply throwing EPCs away on farms and burning. The report shall set the pace for the mainstreaming the circular economy as envisioned by the Ministry of Environment and Forestry in its Extended Producer Responsibility Draft regulations.



COVID-19

During the COVID-19 pandemic, the industry worked with the emergency response team to have the supply of agro-input categorised as essential services, enabling the industry to supply input and keep farmers on the farms which ensured food security in the country. The association further took its messages to online platforms that targeted 7000 farmers – this contained messages of good will and reminding farmers to read the label.

The new AAK Board will continue implementing the Association's mandate in stewardship, regulatory, anti-counterfeit and advocacy roles so as to ensure a fair and sustainable business environment for the industry.



2 PRODUCT STEWARDSHIP ACTIVITIES

Product stewardship is concerned with the responsible and correct use of different agrochemical products. The key focus areas include training/ Integrated Pest Management (IPM) and Responsible Use (RU), container management, resistance management; disposal management, poison management and Corporate Social Responsibility (CSR).

During this quarter, Stewardship activities are among the most affected by the Covid-19 pandemic. Despite the tough circumstances, several milestones were achieved.

2.1 Corporate Social Responsibility (CSR)



CAS Ministry of Trade, Industry and Enterprise, Mr. Lawrence Karanja, planting a tree at Mau Forest-Likia

“As the government we are on course in achieving the 10 percent forest cover target by the year 2022”

Lawrence Karanja - CAS, Ministry of Trade, Industry and Enterprise



Community at the forest during the tree planting exercise on 06 November 2020

As part of its Corporate Social Responsibility (CSR), the Agrochemicals Association of Kenya (AAK)/CropLife Kenya held the third phase of the tree planting exercise on 6th November 2020. AAK committed to rehabilitating 100 acres of the Mau Forest in Likia which was donated by the Kenya Forest Service (KFS). This activity began on 24th November 2017 where 5 acres of trees were planted in collaboration with the community around Likia Forest.

During the second phase, AAK partnered with KFS and the Likia Community Forest Association (CFA) on 12th and 13th April 2018 to plant trees on 30 acres of the forest. In the third phase, AAK managed to plant trees on 21 acres of the degraded areas of the forest. The ceremony that was graced by the Chief Administrative Secretary (CAS), Ministry of Trade, Industry and Enterprise, Mr. Lawrence Karanja, was also

Tree Planting Exercise dubbed
“Adopt an Acre or More - Phase 3”
was held on November 6, 2020
at Mau Forest-Likia



attended by representatives from the county government of Nakuru, Kenya Forest Service County Commissioner, the Nakuru Ministry of Interior, Likia community and AAK member companies.

The tree planting exercise was kicked off by the Guest of Honour who flagged off athletes to run 2 km in support of Mau Conservation. The CAS lauded the Association for embracing tree-planting as a way of conserving the country's water towers. ***“By strategically planting our trees then we stand a better chance of protecting the future generation against climate change impact”***, said Mr. Lawrence Karanja. He also noted that the government alone cannot achieve the 10 per cent forest cover. ***“As the government we are on course in achieving the 10 per cent forest cover target by the year 2022 but we must involve every stakeholder from every sector of our economy by advocating for tree planting as part of their corporate social responsibility. Only then will we have a better future for the next generation”***, added Karanja.

Mr. Patrick Amuyunzu, AAK chairman, on his part reiterated that the Association is committed to reach its target of planting trees 100 acres and more at the Likia – Mau forest. ***“So far, we are at 52 acres, which is half-way”***, said Mr. Patrick Amuyunzu. ***“As an association we believe that by incorporating the locals in our tree-planting activities we will go a long way in protecting and conserving the forest for both food security and water. This is the reason why we have teamed up with the local community to plant trees not only in Mau areas but also in other water tower regions. “The pioneer trees planted when this project was launched, have shown a steady survival rate despite the many challenges such as destruction by locals”***, added Mr. Patrick.



“As an association, we believe that by incorporating the local in our tree planting activity, this will go a long way in protecting and conserving the forest for food security and water”

**– Mr Patrick Amuyunzu
AAK/CLK**

The Association would like to thank members who participated in this honorable exercise and would appreciate more members' support in the next tree planting exercise planned for the year 2021. The following AAK member companies contributed to the success of this activity:

- Agrichem Africa Ltd
- Osho Chemical Industries
- BASF E.A Ltd
- Syngenta E.A Ltd
- Hangzhou Agrochemical Industries
- East African business Council
- Bayer E.A Ltd
- CKL Africa Limited
- GreenLife Crop Protection Africa Ltd
- Arysta LifeScience/UPL
- Ultravetis E.A Ltd
- Murphy
- Elgon



2.2 AAK donates two (2) computers to pilot electronic dossier submission to PCPB

The Covid-19 pandemic and containment measures have stifled activities and disrupted trade and lifestyles. Due to this, the government announced new protocols on how to adapt to the new normal. The containment measures have negatively impacted dossier submission processes at the Pest Control Board (PCPB) to the extent that no dossier was accepted since the first containment measures were announced in March 2020. This coupled by lean staff at the Board has hindered the process and velocity of product registration.



Computer Donation by AAK and Osho Chemicals Industries on 15 October 2020

Therefore, the authority found it necessary to implement an electronic dossier submission technique as a temporary measure. Under this arrangement, dossier will be submitted in PDF formats via encrypted compact disks (CDs). The PDF should be secured by removing features that enables printing, copying, deleting and converting to other formats such as Word. It is against this backdrop that the PCPB requested CropLife Kenya/Agrochemicals Association of Kenya to support in funding the acquisition of infrastructure that will support electronic submission. The Association, with support from willing donors (Osho Chemical Ltd) responded to this call and donated 2 computers to PCPB to aid in this process.



Computer donation by AAK for electronic dossier submission on 15 October 2020.

2.3 Spray Service Providers (SSPs) receives full PPE

The distribution of Personal Protective Equipment (PPEs) to newly deployed SSPs under the Kenya Crops and Dairy Markets Systems (KCDMS) program is now complete. Each SSP received a full PPE kit which includes an overall, a pair of gloves, a face mask, goggles and gumboots. They also received a certificate and an identification card. The starter kits will enable the SSPs to set off their business ventures. With the certificates and Identification Cards, SSPs can now be easily recognized as professional service providers.

The issuance of kits was organized to take place at Sub-County levels under the supervision of the respective Sub-County Agricultural Officers. The targeted counties include Kitui, Taita-Taveta, Makueni,

Busia and Siaya. The events provided an opportunity to officially introduce the SSPs to the Ministry of Agriculture and the host agro-dealers.



SSPs group photo, Matayos Sub-County



SSPs group photo, Butula Sub-County



SSPs group photo, Teso South Sub-County

During the ceremonies, AAK noted that some SSPs already began selling their services to farmers. Some ventured into agro-dealer businesses, while others formed organized groups/platforms, which they regard as part of the strategies for marketing their services to farmers. The platforms are also meant to network and receive new information as well as financial support. One of the SSPs in Siaya County was recognized by the County Government and is currently engaged by the County to manage one of the horticultural projects under the youth initiative programs.



David Onyunde, Ugenya Sub-County receives certificate from MOA officer

2.4 Vegpro Ltd farmers Training



Farmers from Kibirichia during the training

Agrochemicals Association of Kenya (AAK) in partnership with Vegpro Ltd organized farmer training programs in key French Bean production regions in Kenya. Targeted areas include Kaiani in Kathiani, Machakos County, Kimana area in Oloitokitok, Kajiado County, Njukini area in Taveta County, Kandara South, and Gatanga in Muranga County, as well as Kibirichia and Kiambogo in Meru County. This training aimed to promote the production of high-quality horticultural crops to enable farmers (exporters) to access the lucrative European Union Market and address the issue of illegal and counterfeit products finding their way into the country through porous borders. Pest management and disease control with MRL Interceptions was the main area of concern. A total of 420 farmers were trained in the said 7 locations. All the trainings were represented by Vegpro Ltd field officers, technical assistants, agronomists, and area managers who also formed part of the team.



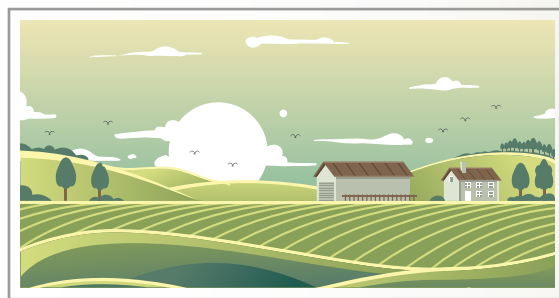
Kiambogo of Buuri West farmers attending the training

3 REGULATORY, POLICY AND STANDARDS

This area covers issues related to (ensuring) product quality and other industry standards, including ethical practices, addressing challenges of counterfeits as well as ensuring a conducive policy and legal operating environment for the industry. Further, this pillar looks into codes of practice and fairness, including trade /anti, counterfeit and counterfeit management, business development as well as self-regulation within the industry.

3.1 More Active Ingredients to be put at Limit of Detection (LoD) in the EU

There has been an upsurge of notification on the exceedance of MRLs on peas and the increase in official control by exporting countries, especially the EU market which have increased sampling of Kenya peas and beans to 10%.



Noting that EU remains an important market for Kenya's horticulture (about 45%), the taskforce is currently discussing how the market can be protected even as we retain our pest control products registrations from being associated with non-compliance. AAK, PCPB, HCD, MOA, FPC, KFC and FPEAK held a consultative meeting to come up with a way forward. As a step to ensure compliance, HCD and KEPHIS were tasked to do joint audits on companies with high interceptions due to exceedance of MRLs as AAK and PCPB create awareness on MRLs and label recommendations to growers.

Some of the active ingredients reported in the notifications are not available in Kenya but get into farms through porous borders. Dimethoate for example remains detected in French beans while Kenya has not imported for a long time.



It is important to note that most of the active ingredients will soon be out of the list of approvals in the EU database with an implication of being put at LoD. Once molecules are at LOD, then farmers achieving compliances to non-exceedance of residues becomes a big challenge. The following list of active ingredients will be affected.

Active ingredients	Status in EU
1. Chlorothalonil	Authorization withdrawn as of May 2020
2. Oxyfluorfen	Approved but candidate for substitution.
3. Permethrin	Not approved
4. Pymetrozine	Authorization withdrawn as 30 th January, 2020.
5. Carbendazim	Not approved
6. Dichlorvos	Not approved
7. Dimethoate /Omethoate	Not approved as at June, 2020
8. Thiacloprid	Grace period up to February, 2021
9. Chlorpyrifos	Not approved
10. Oxydemetonmethyl	Not approved.
11. 1,3 Dichloropropene	Not approved
12. Thiophanate-methyl	Not approved
13. Bifenthrin	Not approved
14. Carbaryl	Not approved.
15. Fenitrothion	Not Approved
16. Flufenoxuron	Not Approved
17. Glufosinate-ammonium	Not Approved

3.2 PCP Bill & Regulations to be fast-tracked

The Pest Control Products Act, Cap 346 of the Laws of Kenya has been in operation for over thirty-five (35) years. The Pest Control Products Board (PCPB), in collaboration with the Ministry of Agriculture, Livestock, Fisheries and Cooperatives (MoALF&C), the Kenya Law Reform Commission (KLRC), Agrochemicals Association of Kenya (AAK) among other stakeholders have been reviewing the Pest Control Products Bill and Regulations to address emerging issues in the pesticide industry since 2013.

As a step in stakeholders' involvement, the Bill and Regulations were tabled by the Intergovernmental Joint Agriculture Sector Coordination Committee (JASSCOM) and the drafting team were given a go-ahead to conduct county stakeholder consultations. The county stakeholders' consultative meetings were held between 28th September, 2020 and 26th October, 2020. Comments from these meetings will be incorporated into the Bill and Regulations before the national validation exercise is conducted. The Ministry of Agriculture, Livestock, Fisheries and Cooperatives (MoALF&C), has shown commitment to fast-track the Bill & Regulations approval.

3.3 Anti-Counterfeit Activities

Virtual accreditation

Due to the spread of COVID-19, the government, through the Ministry of Health announced new ways of working and protocols which included a ban on public gathering and visiting office premises. These containment measures have impacted accreditation activities. Given the foregoing problem, AAK finds it necessary to implement virtual accreditation sensitization as a temporary measure.

For this reason, we are requesting members who have not been accredited to liaise with the secretariat for this important exercise.

Counterfeit survey

The association contracted the Integrated Development Consultant (IDC), to carry out a study on the extent of counterfeits in the pesticide industry. The IDC presented an inception report to AAK virtually via Zoom. Another industry meeting between IDC and industry members was also held to discuss the survey tools.

Data collection is ongoing with agro-dealers, AAK members, and regulatory bodies. Preliminary report/data to be ready by December 2020 and we ask all members to cooperate with the consultant during this exercise.

