



THE SENATE  
FEDERAL REPUBLIC OF NIGERIA  
NATIONAL ASSEMBLY

JOINT COMMITTEE ON HEALTH; AND AGRICULTURE AND  
RURAL DEVELOPMENT

REPORT ON

*A MOTION ON THE BAN OF NIGERIAN AGRICULTURAL EXPORT  
PRODUCTS BY THE EUROPEAN UNION (EU)*

FEBRUARY, 2016

# **REPORT OF THE SENATE JOINT COMMITTEE ON HEALTH AND AGRICULTURE AND RURAL DEVELOPMENT ON A MOTION ON THE BAN OF NIGERIAN AGRICULTURAL EXPORT PRODUCTS BY THE EUROPEAN UNION (EU)**

## **1. PREAMBLE**

The Senate at its plenary on Thursday, 6<sup>th</sup> August, 2015 deliberated on a motion on the ban of Nigerian Agricultural Export Products by the European Union (EU). The sponsor of the motion, *Senator Francis A. Alimikhena*, representing Edo North Senatorial District, drew the attention of the Senate and indeed, Nigeria, to the ban on the agricultural export products and the attendant consequences resulting from the ban.

Consequently, the Senate resolved and directed its Committees on Health; and Agriculture and Rural Development to look into the matter with a view to overturn the European Union ban on Nigerian Agricultural Export Products and report back to the plenary when Senate Committees are constituted (*S/Res/013/01/15*).

It is pertinent to mention that the work of the Joint Committee was delayed due to the delay in constituting Senate Standing Committees.

The mandate was therefore transmitted to the Committee vide Senate Votes and Proceedings No. 11 of August 9, 2015 through a referral letter from the Ag. Clerk of the Senate Ref. No. NASS/85/R/vol.1/19 and dated 10<sup>th</sup> November, 2015.

## **2. MEMBERSHIP OF THE JOING COMMITTEE**

- i. Sen. Dr. OLANREWaju Tejuoso – Chairman, Health
- ii. Sen. Adamu Abdullahi – Chairman, Agric.
- iii. Sen. Matthew Urhoghide – Vice Chairman, Health

- |       |                                 |   |                       |
|-------|---------------------------------|---|-----------------------|
| iv.   | Sen. Theodore A. Orji, CON      | – | Vice-Chairman, Agric. |
| v.    | Sen. Suleiman Nazif             | – | Member                |
| vi.   | Sen. Emmanuel Andy Uba          | – | Member                |
| vii.  | Sen. Jonah Jang                 | – | Member                |
| viii. | Sen. Shitu Mohammed Ubali       | – | Member                |
| ix.   | Sen. Adamu Muhammed Aliero      | – | Member                |
| x.    | Sen. (Dr.) Aliyu Sabi Abdullahi | – | Member                |
| xi.   | Sen. Akpan Albert Bassey        | – | Member                |
| xii.  | Sen. Athansaius Achonu Nneji    | – | Member                |
| xiii. | Sen. Omogunwa Yele Olatubosun   | – | Member                |
| xiv.  | Sen. Bwacha Emmanuel, CON       | – | Member                |
| xv.   | Sen. (Dr.) Dada Joseph Gbolahan | – | Member                |

## **2.1 SECRETARIAT**

- |     |                                  |   |               |
|-----|----------------------------------|---|---------------|
| i.  | Danladi Angulu                   | – | Clerk, Health |
| ii. | Dr. (Mrs.) Fortune Ihua-Maduenyi | – | Clerk, Agric. |

## **3. BACKGROUND OF THE BAN**

Recently, the European Union (EU) placed a ban on Nigerian Agricultural Export Products such as beans, Melon Seeds, Fish, Dried Meat and Palm-Oil due to the Country's failure to adhere to global health best practices.

Several concerns had been raised before now indicating that these products constitute danger to human health as they contain high level of toxic pesticides. It was reported that about 50 notifications were issued on the matter, yet the exporters of these products did nothing significant to reverse the situation. This ban expresses deep concern on the state of Nigerian

economy which at the moment is going through a turbulent period due to the reduction in income from crude oil export.

In 2013, 24 agro – products of Nigerian origin exported to the UK were rejected while the figure increased to 42 in 2014. Report has indicated that the banned products, for instance, Beans, had 0.03mg/kg to 4.6 mg/kg of dichlorvos pesticide (DDVP). This is far above the acceptable limits (0.01 mg/kg).

The European Union (EU) is one of the largest importers of agro commodities from Nigeria and the consequences of non-compliance are severe in terms of foreign earning, especially now that the income from crude oil is shrinking and the Country is trying to diversify its income base.

In line with our oversight responsibilities and commitment to key into the change mantra of the present administration, we were mandated to investigate the matter and establish ways of overturning the EU ban without interfering with the issues of due process as it affects compliance with EU regulations on export of agricultural commodities.

#### **4. METHODOLOGY**

##### **4.1 PRELIMINARY ACTIVITIES OF THE JOINT COMMITTEE**

In giving effect to the Senate mandate, the Joint Committee met to draw out modalities on how to effectively carry out this legislative mandate. In the course of its deliberations, the Joint Committee resolved as follows:

- (a) That submission of memoranda / input on the ban of Nigerian Agricultural Export Products by the EU be invited from the key stakeholders;

- (b) That information or any relevant documents relating to the matter should be obtained from both public organs of government and private individuals;
- (c) That the investigative hearing / meeting should commence on Wednesday, 16<sup>th</sup> December, 2015 with full media coverage; and
- (d) That the report should be concise and direct to the terms of reference.

#### **4.2 SUBMISSION OF MEMORANDA / INPUT**

The Joint Committee through letters of invitation requested the following key stakeholders to forward their views and positions on the ban of Nigerian Agricultural Export Products by the European Union (EU). They were also invited to participate at the hearing / meeting to make oral representations. The key stakeholders include:-

1. Federal Ministry of Health;
2. Federal Ministry of Agriculture and Rural Development;
3. National Agency for Food and Drug Administration and Control (NAFDAC);
4. Standard organization of Nigeria (SON);
5. Nigeria Export Promotion Council;
6. Food and Agriculture Organization (FAO);
7. Nigeria Stored Products Research Institute;
8. European Union Delegation to Nigeria;
9. Nigeria Agriculture Quarantine Services (NAQS);
10. Nigeria Ports Authority;
11. National Bio-Safety Agency of Nigeria;
12. National Bio-Technology Agency of Nigeria;
13. Agricultural Research Council of Nigeria;

14. Soil Science Society of Nigeria;
15. International Institute of Tropical Agriculture (IITA);
16. Nigeria Institute of Chemical Research, Zaria; and
17. Engr. Charles Ugwu, OON; MD, Ebonyi Agro – Industries Limited.

A total of nine (9) submissions were made to the Joint Committee.

#### **4.3 JOINT COMMITTEE HEARING / MEETING WITH STAKEHOLDERS**

The Joint Committee Hearing / Meeting was held on Wednesday, 16<sup>th</sup> December, 2015 at 12:40 p.m., in Conference Room 002, New Senate Wing, National Assembly Complex, Abuja.

The Joint Committee meeting was attended by the Hon. Minister of Agriculture and Rural Development, Hon. Minister of State for Agriculture and Rural Development, Chief Executive Officers of MDAs invited. All invited stakeholders present at the meeting presented their positions on the ban.

#### **4.4 OBJECTIVES OF THE JOINT COMMITTEE HEARING / MEETING**

The objectives of the hearing include:

- i. To identify the agricultural export products that were banned by the European Union (EU);
- ii. To identify the immediate and remote causes of rejection of agricultural export products;
- iii. To determine how the ban on agricultural export products could be lifted or overturned; and
- iv. To prevent further occurrence of rejection of agricultural export products from Nigeria.

## **5. FINDINGS AND OBSERVATIONS**

In view of the foregoing, the Joint Committee reports as follows:-

- i. That the European Union (EU) placed a suspension on the import of beans from Nigeria till June, 2016 and not outright ban on import of other Nigerian agricultural commodities; and
- ii. That the following factors were identified as the immediate and remote causes of the rejection:-
  - a. Non-compliance to administrative procedures i.e. non-compliance by exporters to have valid export documentation, incorrect filling of information, inadequate information and know-how on the entry requirements for food imports to the EU by exporters.
  - b. Non-adherence to Food Safety Measures; presence of high pesticide residue level, presence of aflatoxin, heavy metals, high microbial load, present of foreign matters, high fumigation level, amongst others.
  - c. Poor post-harvest handling and agricultural practices; some farmers, processors, and other key operators fail to follow the best practices in pre and post-harvest handling of products; Poor packaging and labeling with insufficient information on the nutritional contents of packaged food.
  - d. Prevalence of lack of information on exports; some businessmen and women chose the option of exporting illegally rather than registering as exporters and do not follow due process.
  - e. Poor access to product testing and analysis at production areas, making it difficult for farmers and marketers to analyze the products before shipment to port of export.
  - f. The rejected beans according to the EU Commission regulation 2015/943 were found to contain between 0.03mg/kg to 4.6mg/kg of

dichlorvos pesticide (DDVP) instead of the acceptable maximum residue limit of 0.01mg/kg in food.

- g. Another issue that has led to the rejection of our agricultural products is the presence of aflatoxin.
- h. Inappropriate use of approved agro chemicals especially pesticides
- i. Forged export documents by exporters.

## **6.0 MEASURES TO BE ADOPTED TO OVERTURN THE EU BAN ON AGRICULTURAL EXPORT PRODUCTS**

- (a) Collaboration with the Food Standard Agency of the UK by facilitating the visit of Mr. Glavin, Head of Imports, Exports and Official Controls enforcement to Nigeria to educate Nigerian Food exporters on the requirements for importing food items to the UK/EU.
- (b) Synergizing with relevant quality and export certifying agencies (NAFDAC, SON, RMRDC, NAQS etc.) in organizing series of training and capacity building programmes for producers and exporters of food items on good agricultural practice.
- (c) Establish the extent of contaminations in the various crops. The agencies concerned should carry out a survey of selected crops, especially the ones that have faced serious rejection with a view to ascertaining their status and prevalence of contamination. This will involve sample collection and analysis. If this is done, it will ascertain the quality of agricultural produce being produced in the country.
- (d) Develop post-harvest handling protocol with the relevant agencies. There is need for standard post-harvest handling protocol to be developed by relevant agencies such as NSPRI, SON and NAFDAC for the various crops. It will assist

various groups in achieving the required quality. Also food safety programmes could be put in place to take care of raw and processed food.

- (e) Create national awareness among stakeholders on the need for the quality and safe food. We need to continue to create awareness for compliance of Nigerians to good agricultural practice (GAP) and Standard Operating Procedures in line with the global trends.
- (f) Identification of technologies available in the country and development of an approach for their popularization at farm level. The country needs to carry out a holistic survey to identify the various technologies that have been developed by different agencies and put them into proper use.
- (g) Training of exporters and traders on the protocol of produce handling.
- (h) Farmers need to be trained on good agricultural practices in terms of production and post-harvest handling of crops.
- (i) The ongoing implementation of the National Policy on Food Safety and its implementation strategy is the assured road map in the nation's quest towards achieving full acceptance of Nigerian food and agricultural produce in the international markets.
- (j) The National Assembly should pass the Food Safety Bill as soon as possible.
- (k) The MDAs responsible for implementing Food Safety related duties should adhere strictly to their mandates and work tirelessly to fulfill such mandates.
- (l) Strengthening of quality control assurance sections of the whole value chain phases of the Nigerian Agricultural Commodity Products e.g. production, processing, packaging and distribution stages.
- (m) Strengthening of all regulatory agencies and empowerment by government for these agencies to perform and live to their responsibilities, enforcement of standard must be carried out at every point of the value chain.
- (n) The agencies responsible for certification should adopt more punitive measures not to allow agricultural products out of Nigerian borders when they do not meet phyto-sanitary and quality standard requirement.

- (o) Nigeria should submit a detailed export control plan that includes:
- i. Information on the reasons/origin of the pesticide residues detected in the dried beans;
  - ii. Information about any export controls, frequency of sampling, accreditation and methods of any laboratories used and any results obtained.
  - iii. Applying Codex Alimentary Standards for beans, such as Codex Standards for Cereals, Pulses, Legumes and Vegetables protein and other related standard.

## **7.0 RECOMMENDATIONS:**

The Joint Committee recommends as follows:

- i. The Inter-Ministerial Committee (IMC) members to oversee the activities of the newly established National Food Safety Management Committee which is yet to meet since their inauguration in January, 2015. They are to be advised to meet to ensure the suspension is lifted.
- ii. NAQS should continue to collaborate with all relevant MDAs responsible for export of agricultural produce to meet the conditions required by the European Union (EU) for lifting the suspension placed on dried beans.
- iii. Presidential approval for a one stop-shop for exports to be established with a Secretariat situated outside the Ports for housing all regulatory bodies involved in export certification. This will ensure that only quality food products are exported.
- iv. Exporters with forged documents and their collaborators to face appropriate sanctions.
- v. Adequate phyto-sanitary measures by responsible establishments to be put in place to address lapses in pre-requisite programmes such as Good Agricultural Practice (GAP) Good Storage Practices (GSP) certification

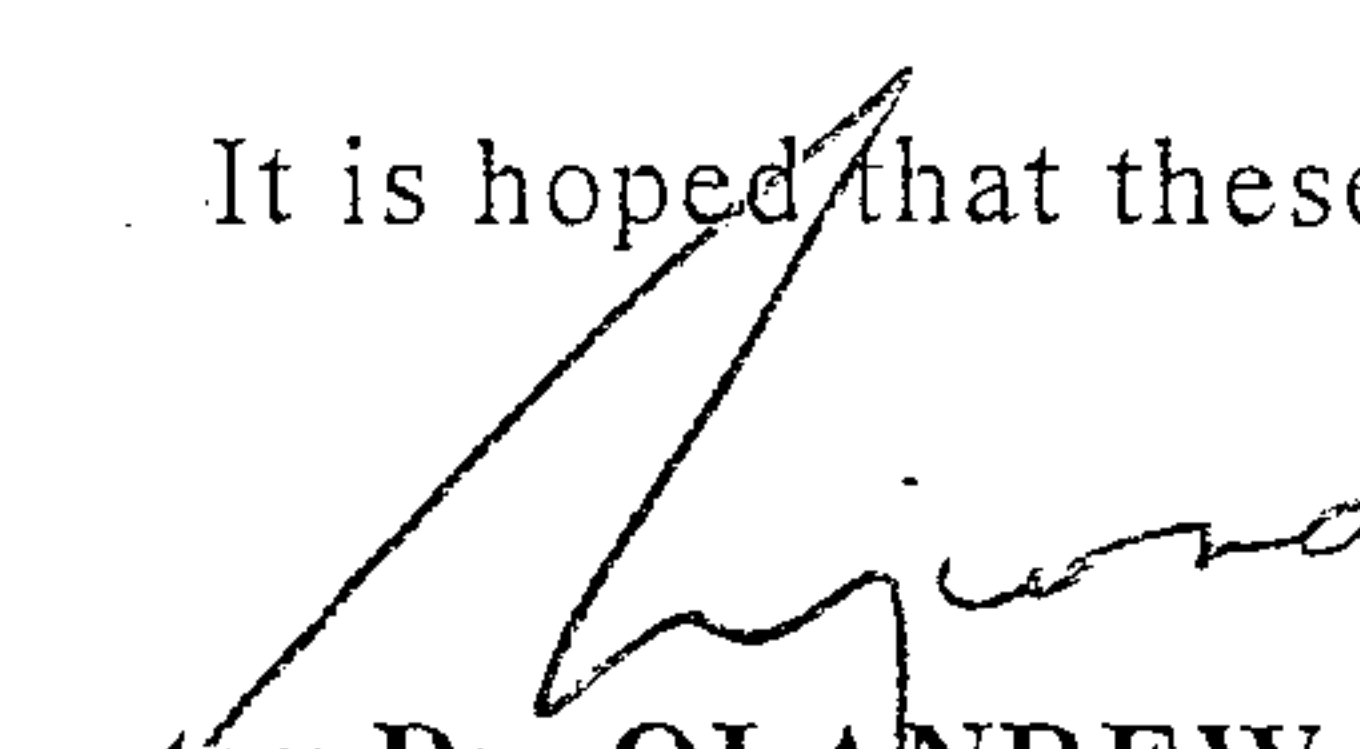
scheme and training for farmers.

- (vi) NAQS to submit an export control plan and evidence of its effective implementation to the EU.

## 8.0 CONCLUSION:

The Joint Committee wishes to thank the 8th Senate for the referral which has exposed the many lapses in the export of Nigerian agricultural export products.

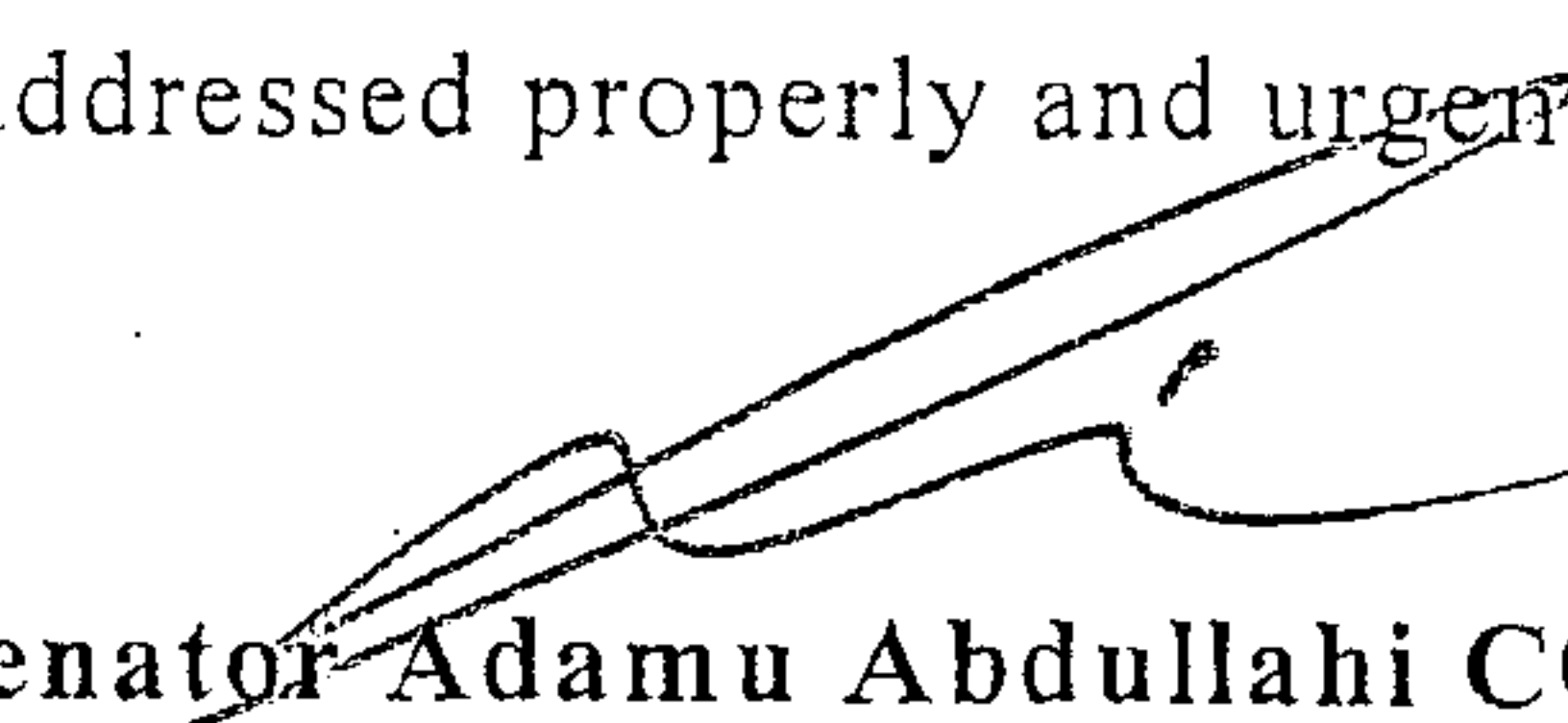
It is hoped that these loopholes would be addressed properly and urgently.



Senator Dr. OLANREWAJU Tejuoso  
Chairman, Health



Danladi Angulu  
Clerk, Health



Senator Adamu Abdullahi CON  
Chairman, Agric & Rural Dev.



Dr. (Mrs.) Fortune Ihua-Maduenyi  
Clerk, Agric. & Rural Dev.

9.0

**ENDORSEMENT:**

**Committee on Health:**

Sen. Dr. OLANREWAJU A. Tejuoso – Chairman

Sen. Matthew Urhoghide – Vice-Chairman

Sen. Suleiman Nazif – Member

Sen. Theodore Orji CON – Member

Sen. Jonah D. Jang – Member

Sen. Andy Uba – Member

**Committee on Agriculture and Rural Development:**

Sen. Dr. Adamu Abdullahi, CON – Chairman

Sen. Theodore Orji CON – Vice-Chairman

Sen. Shitu Mohammed Ubali – Member

Sen. Adamu Mohammed Aliero – Member

Sen. Dr. Aliyu Sabi Abdullahi – Member

Sen. Akpan Albert Bassey – Member

Sen. Athanasius Achonu Nneji – Member

Sen. Omogunwa Yele Olatubosun – Member

Sen. Bwacha Emmanuel CON – Member

Sen. Dada Joseph Gbolahan – Member

**Secretariat:**

Danladi Angulu – Clerk, Health

Dr. (Mrs.) Fortune Ihua-Maduenyi – Clerk, Agric..

Dated This 15<sup>th</sup> Day of February, 2016.