



**"AN ACT TO AMEND CHAPTER 28 OF THE EXECUTIVE LAW OF
1972 TO PROVIDE FOR THE ESTABLISHMENT OF LIBERIA
PLANT PESTICIDES REGULATORY SERVICES BUREAU
WITHIN THE MINISTRY OF AGRICULTURE "**

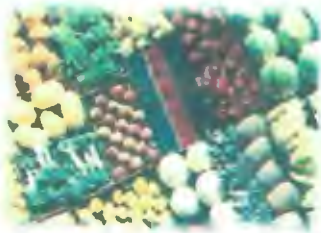
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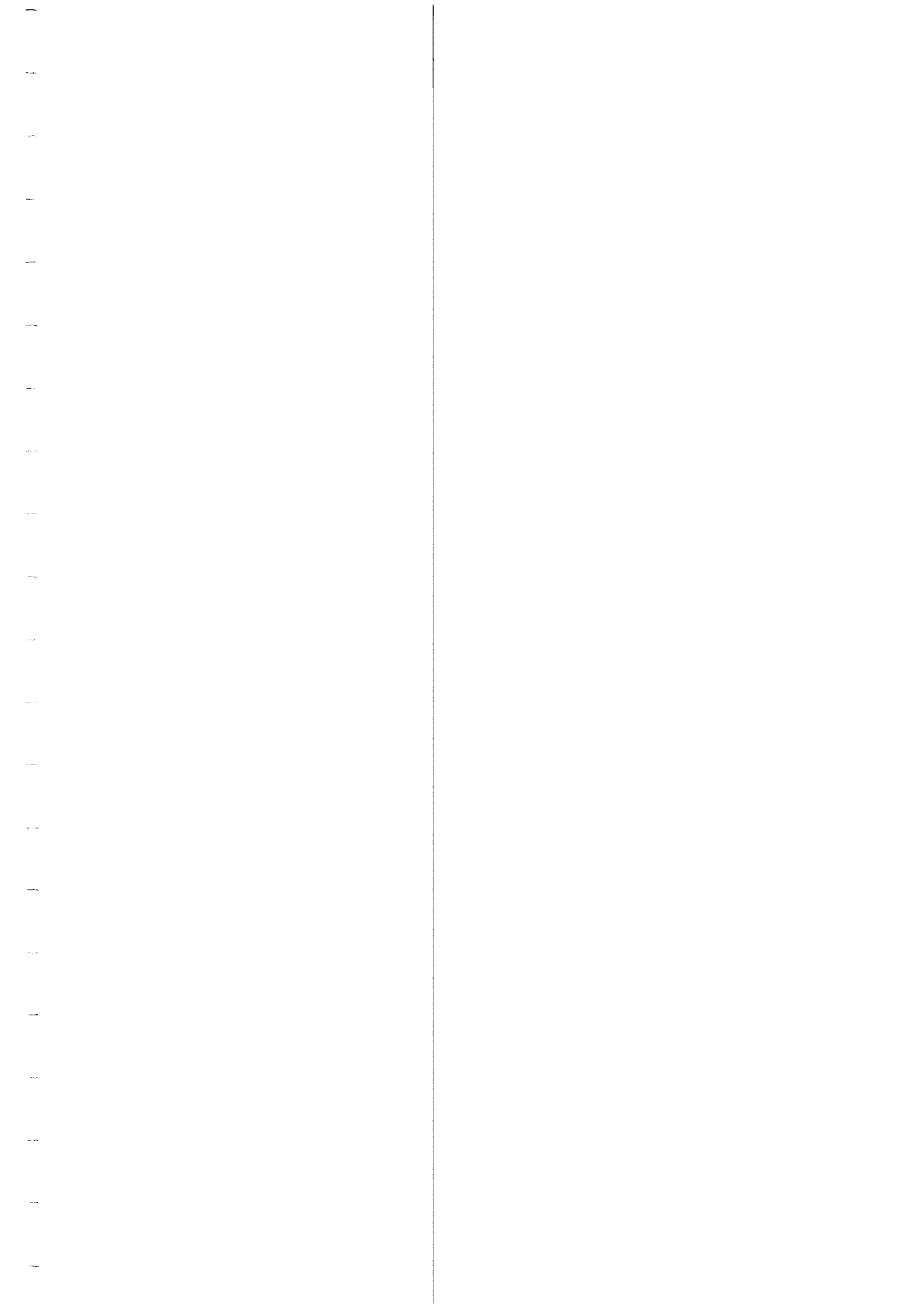
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LIBERIA PLANT PESTICIDE REGULATORY SERVICES BUREAU ACT





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PREAMBLE:

The Government of Liberia (GOL),

CONSIDERING, the Food and Agriculture Organization (FAO) International Code of Conduct on the Distribution and Use of Pesticides; the Stockholm Convention on Persistent Organic Pollutants (POPs); the Rotterdam Convention on the Prior Informed Consent Procedure (PIC) for Certain Hazardous Chemicals and Strictly Regulated Pesticides in International Trade; the Basel Convention on the Control of Trans-boundary Movements of Hazardous Wastes and their Disposal, the Bamako Convention on the Ban of the Import into Africa and the Control of Trans-boundary Movement and Management of Hazardous Wastes with Africa; the 1989 Montréal Protocol (a protocol to the Vienna Convention for the Protection of the Ozone Layer); the FAO's 1951 International Plant Protection Convention (IPPC), and subsequent amendments, which aims to secure coordinated, effective action to prevent and to control the introduction and spread of pests of plants and plant products; and others acceded to by the Government of Liberia;

CONSIDERING the strategic role of the agricultural sector in the economies of Liberia and Member States of ECOWAS, in providing food for the populations and reducing poverty in rural areas;

CONSIDERING Liberia's 2008 Food and Agriculture Policy and Strategy (FAPS), which, for pesticides/agricultural chemicals, recommends a policy of the use of Integrated Pest and Disease Management (IPDM) applied widely in all farming communities in the country; a focus on health and environmental problems arising from use of agricultural chemicals closely monitored and reduced to safe levels; and an integrated application of pest control methods, while using pesticides only on an as-needed basis, and as a last resort component of an IPDM strategy;

CONSIDERING furthermore, that the GOL Food and Agriculture Policy Strategy (FAPS) recommends a National Pesticide Policy covering local formulation/manufacturing, importation, distribution, use and disposal of unwanted/unused products; and aims to ensure that mechanisms are established for sensitization and awareness of the public and compliance and enforcement of the code of conduct on distribution and use of pesticides, especially regulations on pesticides;

CONSIDERING the 2009 Liberia Agriculture Sector Investment Program (LASIP), geared towards the transformation of the agriculture sector with a view of optimizing the sector's contribution to economic growth, employment and income generation, food and nutrition security, and poverty reduction;

CONSIDERING Liberia's 2012 (Revised draft) Plant Protection and Regulatory Policy (PPRP), which has a section (5.2) titled *Pesticides Management* with strategic interventions;

CONSIDERING FAO funded 2015 Draft (Garmoyu et al.) report titled: *Assessment of National Capacities for Efficient Pesticides Management in West Africa (SFW) Sub-Region (Liberia-case)*, which conducted a critical review and assessed national capacities for pesticides management for detailed up-to-date information on the status of pesticides management in Liberia;

AWARE that promotion of sustainable agriculture leading to food security and improved living standard for the populations requires the use of any approved substance or combination of substances likely to help achieve this result;

CONVINCED that pesticides could contribute to the development of sustainable agriculture in Liberia and other Member States, given their proven efficacy in agricultural systems across the world;

AWARE of the need to foster and create, in the sub-region, the conditions for sustainable agriculture underpinned by regular market supply of quality pesticides accessible to farmers;

RECOGNIZING, however, that the use of pesticides could pose a danger both for the populations and for the environment of Liberia and other neighboring Member States;

DESIROUS of building inter-state cooperation within ECOWAS for the sale and use of quality pesticides through harmonization of the rules governing registration of pesticides in the ECOWAS region;

WELCOMING the active involvement and positive contributions of other sub-regional organizations, notably CILSS and UEMOA, in the formulation of the ECOWAS Regulations agreed to by ECOWAS Member States' Minister of Food and Agriculture meeting in Ouagadougou, Burkina Faso, on 8 November 2007; and as gazetted by Liberia on July 16, 2014;

MINDFUL of its strong efforts through the Ministry of Agriculture (MOA) for the development of plans and strategies for the regeneration of the agricultural sector in Liberia as referenced in several publications, including the *Lift Liberia Interim Poverty Reduction Strategy (IPRS) 2006*, *Poverty Reduction Strategy (PRS) 2008*, the *Food and Agriculture Policy and Strategy (FAPS) 2009*, the *National Food Security and Nutrition Strategy (FSNS) 2008*, and the *Liberia Agriculture Sector Investment Program (LASIP) 2009, 2010* underpinned by the *Comprehensive African Agriculture Development Program (CAADP) compact* signed by Liberia in 2009;

AWARE that, in all of the frameworks referenced supra, the lack of high quality pesticides, fertilizers and planting material, especially having lost all stocks and banks during the 14-year crisis, has been underscored as one of the major constraints to agriculture productivity;

RECOGNIZING that, with the restoration of peace and constitutional governance in 2006, stakeholders, including MOA, donors, development partners, farmers and others have recommended and supported fast-tracking general institutional reforms and restructuring, including specific emphasis on the development of the pesticide sector;

RECALLING that, as a Member State, the Government of Liberia (GOL) has, over the years, made strong representations into, acquiesced in and acceded to the various ECOWAS instruments

and regulations on agriculture and pesticides including the 17/18 May 2008 agreement on the REGULATIONS C/REG.4/05/2008 ON THE HARMONIZATION OF THE RULES GOVERNING PESTICIDE REGISTRATION IN ECOWAS REGION at its Sixtieth Ordinary Session of the Council of Ministers held in Abuja, Nigeria and which has been gazetted by the GOL in September 2014, thereby giving it full legal weight and reference in Liberia;

ACCEPTING that ECOWAS Regulations adopted by Liberia require that Liberia, as a Member State, shall domesticate the Regulations based on the ECOWAS Framework for use in the national pesticide program in order to fit into, and derive the required benefits from the Community's pesticide trade;

ACKNOWLEDGING that the MOA's 2012 draft Pesticide Regulations as well as ECOWAS Regulations C/REG.4/05/2008 and related Implementing Regulations and the 2015 Liberia Pesticide Regulations have formed the main basis and guide for drafting the Act;

MINDFUL that the GOL has no previous specific enactment relating to pesticide legislation;

NOTING that the 2015 Pesticide Regulations have been validated through a process of research, consultations and workshops by the consultants and relevant stakeholders in Liberia to achieve overall consensus to justify Ministerial approval;

ACKNOWLEDGING AND APPRECIATING the continuous support, constructive participation and engagement of all current and past development partners, with particular reference to USAID/FED that has sponsored and funded the preparation of this Act;

ACKNOWLEDGING stakeholders unanimous decision to develop the legal framework for domesticating the ECOWAS Regulations on Pesticides;

NOW THEREFORE, it is hereby enacted by the Senate and House of Representatives of the Republic of Liberia, in Legislature assembled:

CHAPTER I - GENERAL PROVISIONS

Article 1: Citation

This Act shall be cited as **The Liberia Plant Pesticides Regulatory Services Bureau Act**

Article 2: Acronyms and Definitions

For the purpose of this Act, unless the context otherwise requires the below acronyms and definitions shall have the following meaning:

Acronyms

AI Active Ingredient (of a pesticide)

| | |
|--------|--|
| BOS | Bureau of Standards |
| CAADP | Comprehensive Africa Agriculture Development Program |
| CGIAR | Consultative Group for International Agriculture Research |
| CILSS | Permanent Inter-States Committee for Drought Control in the Sahel (French) |
| CIPAC | Collaborative International Pesticides Analytical Council |
| DAI | Development Alternatives, Inc. |
| ECOWAS | Economic Community of West African States |
| EPA | Environmental Protection Agency (of Liberia) |
| EPCs | Empty pesticide containers |
| FAO | Food and Agriculture Organization (UN) |
| FAPS | Food and Agriculture Policy and Strategy (Liberia) |
| FED | Liberia Food and Enterprise Development (USAID/DAI) |
| FSNS | Food Security and Nutrition Strategy |
| GAP | Good Agriculture Practice |
| GC/MS | Gas Chromatogram/Mass Spectrometer |
| GHS | Globally Harmonized System (of classification and labeling of chemicals) |
| GOL | Government of Liberia |
| HPLC | High Pressure Liquid Chromatogram |
| IPM | Integrated Pest Management |
| IVM | Integrated Vector Management |
| IPPC | International Plant Protection Convention (FAO) |
| IUPAC | International Union of Pure and Applied Chemistry |
| LASIP | Liberia Agriculture Sector Investment Program |
| MOA | Ministry of Agriculture |
| MOCI | Ministry of Commerce and Industry |
| MOH | Ministry of Health |
| MOJ | Ministry of Justice |
| MRL | Maximum Residue Level |
| MSDS | Material Safety Data Sheet |
| NPCRM | National Committee for Pesticides Regulation and Management |
| LNSPL | Liberia National Standard Pesticides Laboratory |
| OECD | Organization for Economic Cooperation and Development |
| PAS | Provisional Authorization of Sale |
| PHI | Pre-Harvest Interval (safety time between last spraying and harvest) |
| PIC | Prior Informed Consent (Rotterdam Convention) |
| POPs | Persistent Organic Pollutions (Stockholm Convention) |
| PPRP | Plant Protection and Regulatory Policy |
| PPRSB | Plant Protection and Regulatory Services Bureau |
| PRS | Poverty Reduction Strategy |
| REI | Restricted Entry Intervals (safety time between last spraying and field entry) |
| SETAC | Society of Environmental Toxicology and Chemistry |
| SCBA | Self-contained breathing apparatus (used for aluminum phosphide fumigation) |
| UEMOA | West African Economic and Monetary Union (French acronym) |
| USEPA | United States Environmental Protection Agency |
| WACPR | West African Committee for Pesticides Registration (ECOWAS) |
| WHO | World Health Organization |

Definitions

“Active Ingredient” (AI) means the biologically active part of a pesticide as contained in its formulation.

“Advertising” means the promotion of the sale and use of pesticides by print or electronic media, signs, displays, gifts, demonstration or word of mouth;

“Application equipment” means any technical aid, equipment, implement or machinery, which is used for the application of pesticides.

Applicator means any individual or corporate entity engaged, for his/her own purposes or on behalf of a third party, in phytosanitary protection of crops, treatment or stored food items, treatment of the premises and materials used for storage of agricultural produce, sanitization of the means of transportation for food and storage of agricultural produce, sanitization of public places, dwelling accommodation and animal shelters, and in external disinfestations of animals;

Banned pesticide means a pesticide for which registered use has been prohibited by the NCPRM or for which registration has not been granted by the NCPRM for health and environmental reasons;

Biocide generally means any disinfectant product used to combat harmful micro-organisms like viruses and bacteria, for example, products designed to clean livestock facilities, slaughterhouses and avian influenza outbreak facilities and implements;

Bio-pesticide means any pesticide derived from natural organisms such as animals, plants, bacteria and some kinds of mineral;

Bureau means Bureau of Plant Protection and Regulatory Services in Liberia’s Ministry of Agriculture.

Co-formulant means a non-active ingredient component of a formulated product.

Commercial Name (trade name) means the name under which the pesticide is labeled, registered and marketed by the manufacturer and which, if protected by national or regional legislation, may be used exclusively by the manufacturer to distinguish the product from other pesticides containing similar active ingredient;

Committee means the Liberia National Committee for Pesticides Regulation and Management;

Common Name means the name given to the active ingredient or a pesticide by the International Standards Organization or a name endorsed by a national standards structure as generic term for the product or a name commonly used solely to describe the said active ingredient;

Container means any object used to hold a pesticide product.

Dealer or agro-dealer means any person who imports, exports, manufactures, distributes, advertises or sells pesticide;

Disposal means any operation in the chemical life cycle to recycle, neutralize, destroy or isolate pesticide waste, used containers and contaminated materials.

Distribute means to supply commercially, to transport, store or sell;

Distribution means the process by which pesticides are supplied through trade channels to local or international markets.

Distributor means any authorized individual or corporate body who imports or procures for himself, approved pesticides for commercial purposes;

Environment means surroundings, including water, air, soil and their interrelationship as well as all relationships between them and any living organisms.

Equivalence means the determination of the similarity of the impurity and toxicological profile, as well as of the physical and chemical properties, presented by supposedly similar technical material originating from different manufacturers, in order to assess whether they present similar levels of risk.

Extension service means the entities in a country that are responsible for the transfer of information, technology advice and training regarding the improvement of agricultural practices, including production, handling, storage and marketing of agricultural commodities.

Formulation means any combination of processes which aims at making a pesticide effectively usable for a set purpose of transforming such product in a marketable form;

Good Agricultural Practice (GAP) in the use of pesticides includes the officially recommended or nationally authorized uses of pesticides under actual conditions necessary for effective and reliable pest control. It encompasses a range of levels of pesticide applications up to the highest authorized use, applied in a manner which leaves a residue which is the smallest amount practicable.

Hazardous means the inherent property of a substance, agent or situation having the potential to cause undesirable consequences (e.g. properties that can cause adverse effects or damage to health, the environment or property).

Highly Hazardous Pesticides means pesticides that are acknowledged to present particularly high levels of acute or chronic hazards to health or environment according to internationally accepted classification systems such as WHO or GHS or their listing in relevant binding international agreements or conventions. In addition, pesticides that appear to cause severe or irreversible harm to health or the environment under conditions of use in a country may be considered to be and treated as highly hazardous.

Inspector means employee or agent of the Plant Protection and Regulatory Services Bureau that visits places where pesticides are manufactured, procured, stored, sold and used, and checks for compliance with pesticide regulations and registrations.

Integrated Pest Management (IPM) means the careful consideration of all available pest control techniques and subsequent integration of appropriate measures that discourage the development of pest populations and keep pesticides and other interventions to levels that are economically justified and reduce or minimize risks to human and animal health and/or the environment. IPM emphasizes the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms.

Integrated Vector Management (IVM) means the rational decision-making process for the optimal use of resources for disease vector control. It aims to improve efficacy, cost-effectiveness, ecological soundness and sustainability of disease vector control interventions for control of vector-borne diseases.

International Organization means a public intergovernmental organization including the UN, UN Specialized Agencies and Programs, Development Banks, and CGIAR Member Centres, International Scientific Bodies such as IUPAC, CIPAC, and SETAC.

Label includes any writing, printing or illustration made on, attached to, included in, belonging to or accompanying a pesticide or its container;

Life cycle means all the stages a pesticide might pass through from production to its degradation in the environment after use, or its destruction as an unused product. The life cycle includes manufacture, formulation, packaging, distribution, storage, transport, use and final disposal of a pesticide product and/or its container.

Manufacturer means any company, individual, public or private body, activities or functions of which comprise, directly or indirectly through an agent or body under its control, or with whom it has entered into an agreement for the manufacture of the active ingredients of pesticides or the preparation of formulations and products from such ingredients;

Marketing means the overall process of product promotion, including advertising, product public relations and information services as well as the distribution and sale on local or international markets.

Maximum Residue Limit (MRL) means the maximum concentration of a residue that is legally permitted or recognized as acceptable in or on a food or agricultural commodity or animal feedstuff.

Minister means the Minister responsible for the Agriculture;

Packaging means any container together with its protective wrapping used to deliver pesticides to the consumer through wholesale and retail distribution networks;

Persistent Organic Pollutant (POP) means any chemical substance with toxic properties, resistant to deterioration, builds up in living organisms and is disseminated by air, water and migratory animals across international borders and deposited far away from its original location, or builds up in land and water ecosystems.

Personal Protective Equipment or PPE means any clothes, materials or devices that provide protection from pesticide exposure during handling and application. In the context of this Code, it includes both specifically designed protective equipment and clothing reserved for pesticide application and handling.

Pest means any insect, mite, rodent, bird, fish, mollusk, nematode, fungus, bacteria, weed micro-organism, virus or any other kind of plant or animal life that is injurious to human or animal health, crops, stored produce, processed foods, wood, cloths, fabrics or other inanimate objects;

Pesticide means any substance or combination of substances: used to repel, eliminate or control harmful organisms including human or animal disease vectors and undesirable plant or animal species that cause damage or are otherwise harmful during production, processing, storage, transportation or marketing of food items, agricultural produce, timber and timber products or animal feed; administered to animals to combat insects, arachnids and other endo- or ecto-parasites; or used as growth regulator of plants and defoliants, desiccation agents and fruits polishing agents or to prevent premature fall off of fruits; as well as substances applied on crops, before or after harvest, to protect produce from deterioration

Pesticide management means the regulatory and technical control of all aspects of the pesticide life cycle, including production (manufacture and formulation), authorization, import, distribution, sale, supply, transport, storage, handling, application and disposal of pesticides and their containers to ensure safety and efficacy and to minimize adverse health and environmental effects and human and animal exposure.

Plant growth regulator means a substance or mixture of substances which, when applied to ornamental or crop plants or to their produce, causes, through physiological action, the acceleration or retardation of the rate of growth or otherwise alters the behavior of those plants or their produce, but does not include substances intended for use as plant nutrients, trace elements, nutritional chemicals, plant inoculants or soil amelioration;

Poison means a substance that can cause disturbance of structure or function, leading to illness, injury or death when absorbed in relatively small amounts by human beings, plants or animals.

Poisoning means occurrence of damage or disturbance caused by a poison, and includes intoxication.

Prescribed means prescribed by legislative instrument;

Prior Informed Consent Procedure or PIC means the international operation procedure for exchanging, receiving and handling notification information by the NCPRM on restricted, suspended and banned pesticides for reasons of health and the environment;

Product or Pesticide Product means any active ingredient and other components, in the form it is packaged and sold.

Product stewardship means the responsible and ethical management of a pesticide product from its discovery through to its ultimate use and beyond.

Prohibited Pesticide means any such pesticide, use of which has been fully or partly prohibited by specific regulation with the objective to protect human and animal health or the environment. This term is also applicable to a pesticide, first use registration of which has been rejected or which has been withdrawn by the industry either from the domestic market or from the national or regional registration process, which is obvious that such a measure has been taken to protect human health or the environment;

Provisional Authorization of Sale (PAS) means the temporary authorization to market a pesticide, pending collection of such additional data as may be required for its registration;

Registrar means one person with a graduate degree background in agricultural pest/disease management and pesticide toxicology designated by MOA to oversee, preside over meetings, manage/track and follow up on the process and actions of the NCPRM.

Registration means the process by which relevant national or regional authorities approve the sale and use of a pesticide after satisfying themselves through appraisal of all available scientific data that the production in question effectively contributes to attainment of established objectives and does not constitute unacceptable risk to human and animal health or the environment;

Repackaging means the transfer of a pesticide from any authorized commercial package into any other, usually smaller, container for subsequent sale.

Residue means any specific substance left by pesticides in food, agricultural products, animal feed or the environment. The term refers to all pesticides residues, such as conversion products, metabolites and reagents, as well as impurities deemed significant from the toxicology standpoint. It (pesticides residues) includes residues from unknown source or unavoidable residues like those contained in the environment, and also those resulting from known use of chemical products;

Retailer means any such authorized individual or corporate body (sometimes referred to as 'agro-dealer') that procures pesticides from wholesalers, distributors or manufactures in the national territory for commercial purposes.

Risk is the probability and severity of an adverse health or environmental effect occurring as a function of a hazard and the likelihood and the extent of exposure to a pesticide.

Sell includes to offer for sale and to provide pesticide as part of a service of pest control notwithstanding that the pesticide is described as free or included in the service.

Specification means the parameters and criteria defining the physical appearance and physical and chemical properties of technical and formulated pesticides linked with hazard and risk profiles.

Standards mean any set of benchmarks that could be used to assess the quality of a pesticide;

Strictly Regulated Pesticide means all such pesticides, use of which has been fully or partly prohibited by a specific decision of the competent authority with the objective to protect human and animal health or the environment, but of which one or several specific uses have been authorized. The term is also applicable to any pesticide, registration of which has been fully or partly rejected or which has been withdrawn by the industry either from the domestic market or from the national or regional registration process, where it is obvious that such a measure has been taken to protect human health or the environment.

Tender means a formal request for bids in the procurement of pesticides.

Toxicity means a physiological or biological property, which determines the capacity of a chemical to do harm or produce injury to a living organism by other than mechanical means.
Unreasonable adverse effect on the environment means any effect which is injurious to human, animal or plant life or which renders the environment unsafe for human, animal or plant life;
Vulnerable groups means persons that include pregnant and nursing women, the unborn, infants and children, the elderly, HIV/AIDS affected people and, when subject to high exposure to pesticides over the long term, workers and residents.

Article 3: Purpose

The purpose of the Liberia Pesticide Regulatory System and the Common ECOWAS Regulation shall be to:

- a. Protect the populations and the environment of Liberia and West Africa against the potential dangers in the use of pesticides;
- b. Facilitate trade in pesticides within Liberia and with other Member States, through application of principles and rules mutually agreed at regional level, to dismantle trade barriers;
- c. Facilitate timely and convenient access by farmers to quality pesticides;
- d. Ensure rational and judicious use of pesticides;
- e. Contribute to the creation of a climate propitious to private investment in the pesticides industry; and
- f. Promote public-private sector partnership.

Article 4: Field of Application

This Act shall be applicable to all activities involving experiments on, as well as authorization, marketing, use, safety and control of, pesticides and natural bio-pesticides in Liberia.

CHAPTER II: GUIDING PRINCIPLES FOR REGIONAL INTEGRATION

Article 5: Principle of Regional Harmonization

In pursuance of regional harmonization with Liberia, as intended by this Act, ECOWAS shall help bridge the gap with Liberia's legislations in the field of pesticides.

Article 6: Principle of Free Movement of Pesticides in the Region

For the effective organization of a regional market in furtherance of the regional agricultural policy, there shall be free movement of pesticides into and out of Liberia and in the territory of ECOWAS Member States upon registration and being declared as being in conformity with the quality standards defined in the applicable texts.

Article 7: Principle of Mutual Recognition and Equivalent throughout the Region

Liberia along with ECOWAS Member States shall implement the principles of mutual recognition of pesticides registrations, also called equivalence, based on the technical specifications and regional standards on pesticides as well as on the registration conditions and procedures applicable in ECOWAS, and shall recognize such conditions and procedures as equivalent.

Article 8: Principle of Recognizing International Standards

To ensure the free movement of pesticides into and out of Liberia, and within the ECOWAS region and foster regional and international trade thereon, Liberia as one of the Member States shall anchor their pesticides technical regulations on:

- a. International standards, directives and recommendations, particularly those prescribed by the Rotterdam, Stockholm, Basel and Bamako Conventions signed by Liberia;
- b. FAO specifications and OECD standards as international organizational standards for adoption by developing countries; and the
- c. Commitments of Liberia and the Member States that have ratified the aforementioned Conventions.

Article 9: Principle of Participation and Information-Sharing

- a. Liberia as a Member State shall ensure the full participation of the pesticides sector players in the process of public decision-making in matters of pesticide.
- b. Liberia as a Member State shall organize public access to pesticide information and pesticide registration technical dossiers available to public authorities.
- c. Liberia as a Member State shall help train and build the awareness of pesticides sector players.

CHAPTER III: LIBERIA PLANT PESTICIDES REGULATORY SERVICES BUREAU

Article 10: Establishment of a Semi-Autonomous Liberia Plant Protection and Regulatory Services Bureau (PPRSB)

- (1) The Liberia Plant Protection and Regulatory Services Bureau (PPRSB) hereinafter referred to, as BUREAU is hereby established as a Semi-Autonomous Bureau to operate under the Department of Technical Services of the Ministry of Agriculture.
- (2) The Bureau shall have the following Units:
 - a) Administrative Service Unit;
 - b) Inspection Service Unit;
 - c) Analytical Service Unit, and
 - d) Others as may be deemed necessary to effectively conduct the affairs of the Bureau

ORGANIZATIONAL CHART OF Liberia Plant Protection and Regulatory Services Bureau (PPRSB)

National Council for Pesticide
Regulation and Management
(NCPRM)

Business Development
and Resources
Mobilization Committee

National Pesticide
Registrar

Plant Protection and Regulatory
Services Bureau (PPRSB)
MOA/Dept. Technical Services

Analytical Laboratories
Service Unit
(TBD)

Inspection Service Unit
(Chief Inspector)

Administrative Service Unit
(Pesticide Regulatory
Administrator)

Article 11: Functions of the Liberia Plant Protection and Regulatory Services Bureau (PPRSB)

(1) The BUREAU(PPRSB) shall:

- a) Advise the Minister on matters relating to the implementation of the present Regulations and any other national legal instruments that are aligned to the ECOWAS Pesticide Regulations;
- b) Be responsible for the administration and enforcement of the provisions of the ECOWAS pesticide regulations and any country specific legislations enacted under the ECOWAS regulations;
- c) Inspect, sample and analyze pesticides imported to, exported from and distributed in the country and prepare appropriate manuals (inspection and analytical manuals) and reports (inspection report, analytical report, certificate of registration, license, application for registration, stop-sale or seizure order and other reports) that are required to enforce and administer this Act;
- d) Impose the charges deemed necessary for services rendered;
- e) Perform any other functions that are required for generally carrying out the purpose and provisions of this Act;
- f) Advise the Minister to designate analytical laboratories which shall be responsible for analyzing official pesticides samples collected by the Inspection Service Unit; and
- g) Ensure compliance with the following guidelines:
 - i. Pesticide Best Practices;

- ii. Stockholm Convention on Persistent Organic Pollutants (POPs);
- iii. Rotterdam Convention on Prior Informed Consent (PIC) Procedures on Hazardous Pesticides in International Trade;
- iv. Warehouse Pest Control Best Practices;
- v. Safe Pesticides Wholesale, Retail and On-Farm Storage Best Practices;
- vi. Safe Pesticides Transport Best Practices;
- vii. Safe On-Farm Pesticide Application Best Practices;
- viii. Safe On-Farm Pesticide First Aid Best Practices;
- ix. Safe On-Farm Pesticide Clean-up Best Practices;
- x. Safe On-Farm Pesticide Disposal Best Practices;
- xi. Safe Empty Pesticide Containers Disposal Best Practices;
- xii. Fumigation Best Practices and

h) Implement the tenets of this Act.

Article 12: The Administrative Services Unit

- (1) The Administrative Services Unit shall be responsible for administrative activities and financial matters, including but not limited to:
 - a) Registration and licensing of pesticide manufacturers, importers and dealers;
 - b) Deficiency reports and penalty payments;
 - c) Collection of inspection fees;
 - d) Suspension and cancellation of certificate of registration and licenses; and
 - e) Budget.
- (2) The Administrative Service Unit shall be headed by the Pesticide Regulatory Administrator (Registrar) and shall be comprised of administrative staff, the number of which will be determined by the Minister based on need.
- (3) The Pesticide Regulatory Administrator shall be responsible for the day-to-day administration and management matters of the BUREAU.
- (4) The Minister shall appoint the staff of the Unit.

13: The Inspection Service Unit

- (1) The Inspection Service Unit shall be responsible for:
 - a) Inspecting pesticides and pesticide records;
 - b) Sampling of pesticide; and
 - c) Performing other enforcement matters as stated in the ECOWAS pesticide regulations and any country specific legislative instruments enacted under the ECOWAS regulations.
- (2) The Inspection Service Unit shall be headed by a Chief Inspector and shall be comprised of inspectors, the number and geographic location of which will be determined by the Minister based on inspection needs.
- (3) The Minister shall appoint the staff of the Unit.

Article 14: The Analytical Laboratories Unit

The Minister shall designate analytical laboratories, which shall be responsible for:

- a) Receiving and documenting receipt of official pesticide samples from the Inspection Service Unit;
- b) Preparing and analyzing official samples; and
- c) Reporting results of analysis to the Administrative Service Unit.

Article 15: Exercise of Functions by the PPRSB

- (1) The powers and functions conferred on the MOA under this Act shall be exercised by the PPRSB.
- (2) The functions, composition, operations, organo-structure and financing of PPRSB, NCPRM as well as sub-divisions, standing committee and/or ad hoc committees of the Council shall be established by enabling Regulations approved by the Minister and/or by appropriate legislative enactment(s).
- (3) The NCPRM may be structured into sub-divisions to improve effectiveness.
- (4) The head office of the NCPRM coordination unit will be located within the PPRSB.
- (5) The NCPRM, as a national counterpart and referenced unit, will work closely with the WACPR for the development of the sector.
- (6) The Pesticides Technical Sub Committee (s) shall perform such functions under this Act relating to the control and management of pesticides as the semi-autonomous PPRSB may assign to it.
- (7) The PPRSB and/or the NCPRM may delegate any of its powers and functions under this Act to a committee or a member of the PPRSB or any other person.

Article 16: Establishment of the Liberia National Council for Pesticide Regulation and Management (NCPRM)

A Liberia National Council for Pesticide Regulation and Management hereinafter referred to as NCPRM shall be established to work closely with, as per ECOWAS Regulation C/REG.4/05/2008, the West Africa Committee for Pesticide Regulations (WACPR) which shall be set up to facilitate, on behalf of the ECOWAS Commission, the implementation of the regional Regulations by Member States.

Article 17: Functions of the National Council for Pesticide Regulation and Management

The functions of the Council are to:

- a) Advise the Minister on policies for development of pesticide manufacture, inspection, sampling, analysis and marketing;
- b) Monitor the supply of pesticides to ensure pesticides security in the country;
- c) Develop procedures for registration and licensing of fertilizer producers, importers, and dealers;

- d) Prescribe standards for pesticide quality control that are aligned to relevant ECOWAS regulations;
- e) Recommend to the Minister a fee for:
 - i) Licensing for manufacture, import, distribution, sale and use of pesticide;
 - ii) Renewal of certificate of registration for manufacture and importation of pesticides and of license for sale of pesticides;
 - iii) Inspection of pesticides; and
 - iv) Analysis of pesticides samples;
- f) Represent the Government of Liberia and participate in the WACPR meetings as an official national body for pesticide control; and
- g) Perform other functions that are specified under this Act and that are assigned by the Minister.

Article 18: Composition of the National Council for Pesticide Regulation and Management

- (i) The National Council on Pesticide Regulation and Management of Liberia shall comprise of:
 - a) The Minister (MOA) shall be the chairperson;
 - b) The Deputy Minister (MOA), Department of Technical Services of the Ministry;
 - c) The Director-General of the Central Agricultural Research Institute (CARI);
 - d) The Pesticide Regulatory Administrator (Registrar);
 - e) The Register General of the Cooperative Development Agency;
 - f) The Executive Director of the Environmental Protection Agency;
 - g) Deans of Colleges of Science/technology and Agriculture/Forestry of the University of Liberia;
 - h) Two representatives from the pesticide import, trading and manufacturing industry;
 - i) The Director of the Plant Protection and Regulatory Services Bureau of the Ministry of Agriculture who shall serve as the head of the secretariat;
 - j) The Director of the Veterinary Services Division of the Ministry of Agriculture;
 - k) The Ministry of Health;
 - l) The Liberia Standards Board not below the rank of a Senior Scientific Officer;
 - m) The Bureau of Customs Ministry of Finance and Development;
 - n) The Association of Liberia Industries;
 - o) The Liberia National Association of Farmers;
 - p) The Forestry Development Authority;
 - q) The Ministry of Commerce and Industry; and
 - r) The Ministry of Justice.
- (2) The quorum for a meeting of the Council shall be eleven (11) members.
- (3) The Council shall regulate its own procedure in line with the mandate herein stipulated.

Article 19: Tenure of Members of the National Pesticide Council

- (1) Non-Statutory members of the Council shall hold office for a period of not more than four years and are eligible for re-appointment but a member shall not be appointed for more than two terms.

- (2) A member of the Council may at any time resign from office in writing addressed to the President through the Minister.
- (3) A member of the Council other than the chairperson and statutory members who is absent from three consecutive meetings of the Council without sufficient cause ceases to be a member of the Council.
- (4) The President may by letter addressed to a member revoke the appointment of that member.
- (5) Where a member of the Council is for sufficient reason, unable to act as a member, the Minister shall determine whether the inability would result in the declaration of a vacancy.
- (6) Where there is a vacancy
 - a) Under Paragraph (2) or (3) of the present Article or as a result of a declaration under Paragraph (5), or by reason of the death of a member
The Minister shall notify the President of the vacancy and the President shall appoint a person to fill the vacancy.

Article 20: Meetings of the National Pesticide Council

- (1) The Council shall meet at least once every three months for the dispatch of business at the times and places determined by the chairperson.
- (2) The chairperson shall at the request in writing of not less than one third of the membership of the Council convene an extraordinary meeting of the Council at a place and time determined by the chairperson.
- (3) The quorum at a meeting of the Council is eleven (11) members of the Council or a greater number determined by the Council in respect of an important matter.
- (4) The chairperson shall preside at meetings of the Council and in the absence of the chairperson, the vice chair or a member of the Council elected by the members present from among their number shall preside.
- (5) Matters before the Council shall be decided by a majority of the members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote.
- (6) The Council may co-opt a person(s), expert or committee to attend a Council meeting but that person shall not vote on a matter for decision at the meeting.

Article 21: Power to Make Regulations

- (1) The Minister responsible for Agriculture on the recommendation of the PPRSB and the concurrence of the Council may, by legislative instrument or otherwise, make such regulations as may be necessary for the purpose of giving full effect to the provisions of this Act.
- (2) Without prejudice to subsection (1) of this section, regulations may be made prescribing matters relating to:
 - (a) The manufacture, importation, exportation, distribution and sale of pesticides;
 - (b) The reporting of significant pesticide accidents or incidents to a designated person or office and the procedure for such reporting;
 - (c) procedure for the storage, transportation and disposal of any pesticide or pesticide container which is considered likely to cause injury to human beings, vegetables, crops, livestock, wildlife or beneficial insects or which is likely to pollute the environment;
 - (d) The form and contents of pesticide labels;

- (e) Method of packaging of registered pesticides;
- (f) Pesticide containers and their disposal;
- (g) The advertising of pesticides;
- (h) The purpose for which any pesticides may be used and the manner in which it may be used;
- (i) The licensing of premises where pesticides are used or dealt in;
- (j) Practices, including pre-harvest intervals, for the harvest of crops and the slaughter and milking of animals following exposure to pesticides;
- (k) The application of pesticides that are to be made under the supervision of an authorized person and the provision for such authorizations;
- (l) The analyses of pesticides;
- (m) Facilities and clothing (PPE—gloves, mask, overalls, goggles if required on the label) to be used or worn while handling pesticides;
- (n) The disposal of pesticides;
- (o) Records to be maintained by persons importing, manufacturing, formulating, distributing or selling pesticides;
- (p) Aerial application of pesticides;
- (q) Pesticide applicators; and
- (r) The exemption of the importation of certain specified categories and quantities of pesticides from the requirement of a license.

Article 22: Designation by MOA of a Liberia Pesticide Registrar

- (1) Liberia PPRSB, subject to Ministerial approval, shall designate either a staff or a person with a graduate degree background and appropriate competence in agricultural related pest/disease management and pesticide toxicology as the PESTICIDE REGISTRAR.
- (2) The Liberia pesticide registrar shall oversee, preside over meetings, manage/track and follow up on the process and actions of the NCPRM.

Article 23: Matters to be considered in National Registration and Classification of Pesticides

In determining whether or not to approve the registration of a pesticide and what classification to give a registered pesticide, the NCPRM shall consider relevant matters including-

- (a) The characteristics of the pesticide formulation, such as the acute dermal, oral or inhalation toxicity;
- (b) The persistence, mobility and susceptibility to biological concentration of the pesticide;
- (c) The experience gained from the use of the pesticide, such as the likelihood of its misuse and any good safety record which is contrary to available laboratory toxicological information;
- (d) The relative hazards of its patterns of use, such as granular soil applications, ultralow volume or dust aerial applications or air blast sprayer applications;
- (e) The extent of the intended use; and
- (f) The supporting data and other technical information that the NCPRM may request from the applicant or from any public institution.

Article 24: National Approval of Pesticide Registration

The NCPRM may approve and register a pesticide subject to such other conditions as it may determine and may only register a pesticide if it is satisfied that the pesticide is safe and effective for the use for which it is intended and that the pesticide has been tested for efficacy and safety under local conditions.

Article 25: Duration and Renewal of Provisional Authorization

- (1) A provisional authorization for any pesticide shall be valid for such period as the NCPRM may determine but shall not exceed one (1) year.
- (2) The NCPRM may require-
 - (a) The submission of such information; and
 - (b) The analysis of such samples as appear to it to be necessary to determine whether and under what conditions the provisional clearance shall be granted.

Article 26: Pesticide Registration Applications Submitted to ECOWAS's WACPR

All applications for pesticides registration shall be submitted to ECOWAS Commission, which shall, through the WACPR, verify that such applications have met the set standards. In the registration process, the NCPRM shall be responsible for the pre-registration (experimental trial) as well as post-registration (control).

Article 27: Application for National Registration of Pesticides

A person or corporate body seeking to register any pesticide shall submit to the NCPRM an application for registration, which shall be in such form and be accompanied with such fee, information, samples and such other material as the NCPRM may determine.

Article 28: General Regulatory Power

The NCPRM may restrict or prohibit the use of a registered pesticide in designated areas during specified periods of time.

Article 29: Pesticide Management Tools

- (1) Five lists of pesticides are hereby instituted for more effective pesticides management in ECOWAS, and by extension, Liberia:
 - a. List of registered pesticides or pesticides accorded Provisional Authorization of Sale (PAS) status;
 - b. List of strictly controlled pesticides;
 - c. List of pesticides under toxicant monitoring;
 - d. List of prohibited pesticides; and

- e. List of registered pesticides approved by each Member State.
- (2) The above list shall constitute the official tools for pesticides management in Liberia.
 - (3) The list of registered pesticides approved by Liberia shall be drawn up on the basis of, but not delayed by, the list of the pesticides registered by ECOWAS Commission.
 - (4) Liberia may refuse to authorize the sale, on their national market, of a registered pesticide, or a pesticide that has been accorded PAS status. In this connection, they shall submit a request to the Commission stating the reasons for the refusal. ECOWAS Commission shall timely and without delay inform Liberia of its decision.

CHAPTER IV: REGISTRATION OF PESTICIDES

Article 30: Obligation to Register

No pesticide may be marketed and used in the territory of Liberia unless it has been registered or accorded PAS STATUS in accordance with the provisions of the Common ECOWAS Regulations, except where the use for which it is intended has not been covered by the provisions of Article 19 (Emergency Situations) and Article 28 (Experimental Trials with Emissions or Unauthorized Products).

Article 31: Registration Responsibility

- (1) Consideration and evaluation of pesticides registration applications shall be the responsibility of NPCRM.
- (2) The decision to register shall be taken by NPCRM with the recommendation to the WACPR.
- (3) Registration conditions and procedures are defined in Chapters VI and VII of the ECOWAS Common Regulations,

Article 32: Registration Requirements

- (1) A pesticide shall be registered on the basis of registration dossier, the contents of which shall be clearly defined by the autonomous NPCRM.
- (2) A pesticide shall be registered where it has met the requirements defined in the registration dossier.
- (3) The applicant for pesticide registration shall have its headquarters or a representation in Liberia.
- (4) Pesticide registration shall be granted for specific purpose, and such purpose shall be such as has been authorized by the NPCRM.
- (5) Registration shall be granted with specific restrictions or conditions as to its use.

Article 33: Requirement for Registration of Pesticides

No person or corporate body shall import, export, manufacture, distribute, advertise, sell or use any pesticide in Liberia unless the pesticide has been registered by the NPCRM in accordance with this Act.

Article 34: Exceptions to Section I

- (1) Notwithstanding Section I of the ECOWAS Common Regulations, the NPCRM may authorize the importation of an unregistered pesticide-
 - (a) if the pesticide is-
 - (i) Imported for experimental or research purposes and not for distribution; or
 - (ii) Imported in the event of national emergency; or
 - (iii) In direct transit through Liberia and the NPCRM is satisfied that the pesticide is permitted to enter the country of destination; or
 - (b) If the Minister by legislative instrument so prescribes.
- (2) The NPCRM may authorize the manufacture of unregistered pesticide for export if the pesticide is-
 - (a) Manufactured in accordance with specifications provided by the importer; and
 - (b) The specifications satisfy the requirements applicable for the purpose in the country to which it is to be exported.

Article 35: Registration Criteria

- (1) The registration criteria shall embrace the biological efficacy and quality of the formulations offered for sale, their toxicity and risk to humans, as well as their harmful impact and the unreasonable harmful adverse effect or danger posed to the environment.
- (2) These criteria shall be spelt out by NPCRM in conjunction with WACPR, in an enabling Regulation and in harmony with ECOWAS Regulations.

Article 36: Matters to be considered in Registration and Classification of Pesticides

In determining whether or not to approve the registration of a pesticide and what classification to give a registered pesticide, the BUREAU shall consider relevant matters including-

- (a) The characteristics of the pesticide formulation, such as the acute dermal, oral or inhalation toxicity;
- (b) The persistence, mobility and susceptibility to biological concentration of the pesticide;
- (c) The experience gained from the use of the pesticide, such as the likelihood of its misuse and any good safety record which is contrary to available laboratory toxicological information;
- (d) The relative hazards of its patterns of use, such as granular soil applications, ultralow volume or dust aerial applications or air blast sprayer applications;
- (e) The extent of the intended use; and
- (f) The supporting data and other technical information that the NPCRM may request from the applicant or from any relevant public institution.

Article 37: Registration Processing Fee

A fee is hereby instituted for processing of all pesticides registration applications. The amount of such processing fee shall be approved by the Minister as recommended by the BUREAU on advice of NPCRM. The said fee shall be borne by the applicant.

Article 38: Fees

The NPCRM may, for the purposes of registration of pesticides and licensing of agro-dealers, charge such fees as the PPRSB shall determine.

Article 39: Period of Validity of Registration

Pesticide registration shall be valid for five (5) years, renewable.

Article 40: Emergency Situation

- (1) The use of unregistered pesticide or a pesticide that has not been accorded the PAS STATUS by the NPCRM shall be accepted, exceptionally, in the event of phytosanitary, veterinary and sanitary emergencies such as unforeseen pest invasion or unexpected emergence of disease vector.
- (2) The use of unregistered pesticide or a pesticide that has not been accorded the PAS STATUS shall be authorized only where there is no other available alternative for management of the harmful organism. The usage so authorized shall be at limited scale and for specific time frame.
- (3) A person or corporate body wishing to use an unregistered pesticide or a pesticide that has not been granted PAS status in the event of emergency-need, shall immediately inform the PPRSB and the NPCRM and the Council shall inform the WACPR accordingly, submitting to it a report containing the justification for its request. The NPCRM with concurrence of the WACPR shall approve or reject such request after due consideration.

Article 41: Exemptions

The NPCRM may, by legislative instrument, exempt from the requirement of a license such pesticides as shall be specified in the instrument.

Article 42: Evaluation of Registration Application

The procedures for evaluation of registration applications shall be established and defined by the NPCRM and overseen by the National Pesticide Register of the BUREAU.

Article 43: Registration Decisions

- (1) The NPCRM may:
 - a. Decide to register a pesticide for a period of five (5) years, renewable;
 - b. Grant PAS status valid for three (3) years, not renewable, pending further study;
 - c. Keep the file open for further information;
 - d. Refuse to register a pesticide; and

- (2) Withdraw the registration or the PAS status. A pesticide registered or accorded the PAS status shall bear one sole registration number that is common to all Member States.
- (3) The registration or the PAS status granted by the NCPRM shall be signed in two copies. One copy shall be transmitted to the applicant, and the second kept by NPCRM.
- (4) The NCPRM shall, after every meeting, update the list of registered pesticides of those accorded the PAS status. The updated lists shall be forwarded to each Member State through the WACPR and published, without delay, in the Official Journals of Liberia and ECOWAS.

Article 44: Register of Pesticides

- (1) There shall be kept by the NCPRM a Register to be known as the Register of Pesticides in which the NCPRM shall record the names and particulars of registered and provisionally authorized pesticides.
- (2) The contents of the Register of Pesticides shall be reviewed periodically by the NPCRM.

Article 45: Provisional Registration and Validity

- (1) PAS status shall be granted where additional data and information have been deemed necessary to satisfactorily meet the conditions spelt out in Article 15 of the Common Regulations.
- (2) The PAS status shall be valid for three (3) years, and is not renewable.
- (3) Where in respect of an application for registration of a pesticide, the NCPRM shall be satisfied that most information required for its registration has been provided to it and the pesticide does not present a toxicological risk to people, animals, crops or the environment, it may approve the pesticide for use without the registration, which approval shall be provisional pending the registration by the NCPRM of the pesticide.
- (4) The NCPRM shall cancel the provisional clearance if the application for the registration of the pesticide is refused.
- (5) PAS status shall be given subject to such other conditions of sale and use, as the NCPRM shall determine.

Article 46: Further Study

A pesticide registration application shall be kept for further study where the information provided is not sufficient to meet the conditions stipulated in *Article 15 and 16 (WACPR and NCPRM Pesticide Registration)* of the Common Regulation. In that event, the NPCRM shall, along with, but not delayed by WACPR, request the applicant to furnish the requisite additional information

Article 47: Refusal to Register a Pesticide.

Where the NPCRM refuses to register any pesticide it shall inform the applicant in writing of the refusal and the grounds for the refusal within **fourteen (14) days** of the decision.

Article 48: Rejection of Registration Application

An application for registration of pesticide shall be rejected where it has failed to meet the conditions set out in *Article 32 (Registration Requirements)* and *35 (Registration Criteria)* of this Act.

Article 49: Review, Modification or Annulment of Registration and PAS STATUS

- (1) Pesticide registration or PAS STATUS may be reviewed. Such review may result in withdrawal of registration or, where appropriate, legal action.
- (2) Pesticide registration or PAS STATUS may be annulled were:
 - a. any one of the requirements no longer fulfilled; and
 - b. the information required for registration or PAS STATUS has been deemed false or fallacious.
- (3) Pesticide registration or PAS STATUS may be modified where, in light of new scientific and technical knowledge:
 - a. the directions and the quantities recommended for use could be modified; and
 - b. appraisal of the date provided in the application for registration has changed.

Article 50: Confidentiality

- (1) The data furnished to the NCPRM by an applicant for pesticide registration shall be confidential.
- (2) This confidentiality shall not apply in the event of a request by a the NCPRM regarding:
 - a. designation and level of the common name of the active ingredient(s), co-formulant(s) and a description of the commercial name of the product;
 - b. the names of other substances considered hazardous for humans or the environment;
 - c. the physical chemical data on the active ingredient(s), or co-formulant(s) matters concerning degradation or metabolites of (eco) toxicological significance and the commercial product;
 - d. the means used to make the ingredient(s), active; or the commercial product, harmless;
 - e. summary of the results of the tests conducted to establish the efficacy of the product and its safety for humans, animals, plant and the environment;
 - f. the methods and precautions recommended to reduce risks during handling, storage, transportation and so on as detailed in Appendices D-M;
 - g. the methods used for analysis of the active ingredient(s), its or their post-application residues, as well as the metabolites or other components deemed to be (eco) toxicologically significant;
 - h. product disposal and packaging modalities;
 - i. needed decontamination measures in the event of accidental application or leakage; and
 - j. the first aid measures and the medical treatment to be applied in the event of accidental exposure or poisoning.

Article 51: Implementation

Pursuant to the provisions of *Article 8 (Principle of Recognizing International Standards)* of this Act, the NCPRM, through the PPRSB and with counsel of the WACPR shall evaluate all the notifications and Decision Concept Papers (DCP) regarding the aforementioned Conventions. It shall, with other Member States, through but not delayed by ECOWAS, submit its opinion thereon to the Commission, which in turn, shall transmit the resulting decision to the NCPRM for implementation.

Article 52: Inappropriate Use

- (1) Pesticides shall be used in appropriate manner.
- (2) Appropriate usage includes:
 - a. Compliance with the conditions stipulated in *Article 15 and 16* and those indicated on the label; and
 - b. Application of the principles of best phytosanitary and veterinary practices, or of vectors control, as well as the principle of integrated management of harmful pests, whenever this is possible.

CHAPTER V: TRIALS

Article 53: Trial Protocols

Details conditions for experimental protocols and methodologies, for the purpose of pesticide registration, shall be spelt out in the pesticides registration dossier of the Commission.

Article 54: Experimental Trials with Emissions or Unauthorized Products

- Experimental trials in Liberia for research and development purposes, involving emission into the environment of phytosanitary product not authorized by the Commission, shall not be conducted except with prior authorization of the appropriate authority of the Member State in which the trial or test is to be undertaken and in accordance with applicable national legislation.

Article 55: Biological Efficacy Tests

- (1) For the purpose of registration of a pesticide, biological efficacy tests shall be conducted by public or private institutions approved by the PPRSB on the recommendation of NCPRM.
- (2) Such tests shall be undertaken according to the protocols formulated by the NCPRM on the recommendation of BUREAU.

CHAPTER VI: APPEAL

Article 56: Right of Appeal

- (1) Appeal against the rejection of application for registration as defined in *Article 48*, or for the modification or annulment of a PAS status or registration as stipulated in *Article 49*,

may be brought before the Chairperson and Registrar or his/her representative or, where appropriate, before a court of competent Jurisdiction.

- (2) The appeal procedure shall be defined by the PPRSB on the recommendation of the NCPRM.

CHAPTER VII: MARKETING OF PESTICIDES

Article 57: Licensing

- (1) The exercise of the profession of pesticide manufacturer, importer, distributor, retailer, applicator, exporter, formulator, repackaging and transporter shall be subject to license issued by the NCPRM.
- (2) The license is renewable at the request of the holder for similar duration. It may be suspended or withdrawn.
- (3) The conditions and modalities for obtaining license, or for the suspension or withdrawal shall be specified by the NCPRM in accordance with the pertinent provisions of this Act.

Article 58: Stock Accounting

- (1) All pesticide agro-dealers shall keep a detailed record of all entries and sales of pesticides in a ledger which could be consulted and checked at any time by the official control service or any other accredited private body and by the competent PPRSB inspector.
- (2) The quantities of pesticides received, procured and stored shall not be included in obsolete stock.

Article 59: Warehouse Storage Conditions

For the purpose of effective conservation of pesticides, all warehouses for storage of pesticides intended for sale shall:

- a. have adequate temperature and moisture levels; and
- b. be tidy and well-ventilated.

Article 60: Storage Area Conditions

Safe pesticide Storage best practices guidelines are covered in detail in appendix E and are summarized below.

- (1) Pesticides shall be stored in their original container with their labels intact. They shall be conserved separately in key-locked storage areas (cupboards, showrooms and warehouses). The storage shall be exposed to free air circulation and access thereto shall be monitored to avoid unauthorized use.

- (2) Wholesale, retail and private pesticide storage areas shall not be located near a flood zone or a source of natural water.
- (3) A responsible and knowledgeable person who has the only keys should double-lock the storage area outside and inside doors.
- (4) All storage area windows shall have bars to restrict entry and key locked secure doors.
- (5) The outside of the storage area should contain proper storage signage announcing and/or publicizing risk and that non-authorized persons should stay out.
- (6) The storage area shall have a non-absorbent (tiled or sealed concrete) floor that is easy to clean spills, and so that the spills do not absorb and remain.
- (7) The storage area should contain an active fire extinguisher, a first-aid kit, access to water for washing off pesticide spills, a bucket with sand or sawdust and shovel to absorb and remove pesticide spills and a phone number list for emergency services (doctor, clinic, hospital, ambulance, fire department, police and other emergency responders).
- (8) All stored pesticides shall follow the FIFO (First-In, First-Out) rule.
- (9) Pesticides shall be stored by group (insecticide, fungicide, herbicide, plant growth regulators) and off of the floor on shelves or on pallets on the floor with the most toxic pesticides on the highest shelves, out of the reach of children.
- (10) Pesticides should not be stored next to fertilizers, food for animals or humans.
- (11) More detailed conditions for storage of pesticides that conform to international directives shall, in due course, be spelt out by the NCPRM on recommendation of the BUREAU.

Article 61: Transportation Conditions

Safe pesticide transport best practice guidelines are covered in more detail in Appendix F, and are summarized below.

- (1) Pesticides shall be transported in a compartment isolated from the driver and passengers.
- (2) Pesticides shall not be transported in the same compartment as animals, food, clothing, household items or other personal effects.
- (3) Detailed conditions for transportation of pesticides shall, be defined and approved by the NCPRM on recommendation of the PPRSB.

Article 62: Installation of Factories

Installation of pesticide manufacturing and/or packaging company shall be subject to prior authorization in conformity with international standards.

Article 63: Import and Export Regimes

- (1) Without prejudice to the Community Regulations in matters of foreign trade, the import and export of pesticides shall be subject to prior authorization of the concerned country based on the list of registered pesticides approved by the NCPRM.
- (2) The Importer or exporter shall furnish all the information required on the forms designed for that purpose by the NCPRM.
- (3) The NCPRM shall:
 - a. Establish and put in place the mechanisms to detect and control counterfeiting and illegal trade in pesticides through national inter-agency and intergovernmental cooperation and information sharing;

- b. Regulate and monitor pesticide residues in food in accordance notably with the recommendations of the Codex Alimentarius standards. This should be done in a manner that is consistent with WTO requirements and will not lead to technical barriers in trade.
- (4) Encourage, to the extent possible, a market-driven supply process, as opposed to government purchasing, to reduce the potential for accumulation of excessive stocks. However, when governments, parastatals, aid programs or other agencies purchase pesticides, the procurement should be based on FAO and WHO guidance on tender and procurement for pesticides; and
- (5) Ensure that any pesticide subsidies or donations do not lead to excessive or unjustified use which may divert interest from more sustainable alternative measures.

CHAPTER VIII: LABELLING

Article 64: Obligation to Label

- (1) Any packaging containing a registered pesticide shall bear a label.
- (2) User information shall be provided in the labels and the instruction leaflets attached to the registration application.

Article 65: Content of a Label

- (1) The minimum information required on the label (and/or accompanying or foldout instruction leaflets on bottles smaller than 500(ml) shall be specified by the NCPRM. The labels and/or instruction leaflets shall be written in English Pictograms shall complement the text on the label.
- (2) The label shall bear at the bottom a toxicology band (band color—red for Extremely and Highly Hazardous; yellow for Moderately Hazardous; blue for Slightly Hazardous; and green for Unlikely to present a hazard in normal use) in accordance with FAO/WHO classification of pesticides.
- (3) The label shall include in English, a warning against the reuse of containers and instructions for decontamination and the safe disposal of used containers.
- (4) The label shall identify each manufacture date (month and year) expiration date (month and year) lot or batch of the product in numbers or letters that can be understood without the need for additional code references.

CHAPTER IX: PACKAGING, FORMULATION AND REPACKAGING

Article 66: Characteristics of Packaging

The characteristics of pesticide packaging shall be those set by the NCPRM and shall be in conformity with international standards and according to FAO CoC Section 10 on Labeling, packaging, storage and disposal.

Article 67: Formulation or Repackaging

Formulation or Repackaging shall be carried out only on NCPRM licensed premises that comply with safety standards where the inspector is satisfied that staff are adequately protected against toxic hazards, that adequate measures are in place to avoid environmental contamination, that the resulting product will be properly packaged and labeled, and that the content will conform to the relevant quality standards.

Article 68: Containers for Repackaging

The NCPRM shall take the necessary regulatory measures to prohibit the repackaging or decanting of any pesticide into food, beverage, animal feed or other inappropriate containers and rigidly enforce punitive measures that effectively deter such practices.

Article 69: Obsolete Pesticides

The NCPRM, with the help of the pesticide industry and with multilateral cooperation, should inventory expired, obsolete or unusable stocks of pesticides, used containers, and contaminated soil/materials to establish and implement an action plan for their disposal, or remediation in the case of contaminated sites and record these activities.

Article 70: Pesticide Disposal

Obsolete/Expired pesticides shall be securely stored until their disposal can be funded and dealt with (usually incinerated at very high temperature) by a public-private arrangement. The NCPRM shall ensure that the treatment and disposal of hazardous pesticide waste are carried out in an environmentally sound manner that complies with national or regional regulations and relevant international standards and Multinational Environmental Agreements, in particular the Basel and Bamako Conventions. Safe pesticide clean up and disposal best practices are covered in Appendices J and K.

Article 71: Empty pesticide Containers

The NCPRM shall work with MOH to implement policies and practices to prevent the accumulation and misuse of used pesticide containers and prevent farmers from using them or throwing them into the environment. Empty pesticides containers should be properly cleaned, collected by retailers or an NGO-run program, safely transported, and either incinerated at very high temperature at a facility equipped with proper effluent controls, or cleaned and recycled into agricultural or industrial plastic items in demand locally. Safe empty pesticide container disposal best practices are covered in more detail in Appendix L.

Article 72: Penalties for Non-Compliance

Regulations made under this section may prescribe in relation to any contravention of any provision in it, penalties in line with the Laws of Liberia and/or other stipulations relevant to this Act and as recommended by the PPRSB, NCPRM and approved by the Minister.

CHAPTER X: PESTICIDES QUALITY CONTROL AND SAFE USE

Article 73: General Responsibility for Quality Control

- (1) The NCPRM shall have the overall responsibilities for regulating post-registration control, distribution and use of pesticides. To this end, it shall accord to the competent authorities the necessary powers as well as the human and financial resources to carry out their mission.
- (2) Management of packaging's and stocks of obsolete pesticides shall be the responsibility of NCPRM and this shall be realized in accordance with the standards set by ECOWAS Commission and in the absence of such ECOWAS standards, the adoption of FAO/WHO international standards.

Article 74: Empowerment and the Powers of PPRSB Agents/Inspectors to Perform Monitoring of Quality Control of Pesticides

- (1) The MOA shall draw up a list of PPRSB phytosanitary agents/inspectors accredited to undertake control, conduct inspections and investigations enabling them to, among other things:
 - a. enter professional premises including compounds and buildings for pesticide manufacturer, formulation and distribution as well as warehouses, storerooms and storage depots for pesticides;
 - b. access and cause to be transmitted to it all documentation relating to the operations of pesticides formulators, repackaging agents and distributors;
 - c. inspect pesticides plants, vehicles and treatment devices; and
 - d. collect samples, and ensure that these samples are representative enough and quantitatively sufficient to allow for comparative evaluation.
- (2) Inspections during production and marketing shall be carried out in the presence of the formulator, repackaging agent, distributor or his/her representative.

Article 75: Empowerment and the Powers of PPRSB Agents/Inspectors to Perform Monitoring of any Part of Pesticide Value Chain, from Import to Disposal

- (1) An inspector or agent appointed by the PPRSB may-
 - (a) Inspect any equipment used or to be used in applying pesticides;
 - (b) Inspect any storage or disposal facilities or areas used for the storage or disposal of pesticides;
 - (c) Inspect any land actually, or reported to be, exposed to pesticides;
 - (d) Investigate complaints of injury to human beings and animals, or damage to land and pollution of water bodies resulting from the use of pesticides;

- (e) Take samples of pesticides applied or to be applied;
 - (f) Monitor the sale and use of pesticides; and
 - (g) Examine and take copies of a license or other documents required by this Act or any regulations made under this Act.
- (2) Furthermore, an inspector or agent may, if he/she has reasonable cause to believe that an offence has been committed under this Act or against any regulations made under this Act without warrant-
- (a) Enter and search premises, other than premises used exclusively as a place of residence, in which he/she believes on reasonable grounds that the offence has been committed or that a pesticide which has been illegally used is being stored;
 - (b) Stop and search any vehicle which he/she believes is being used in the commission of the offence under this Act;
 - (c) Seize any equipment, pesticide or appliance which he/she believes on reasonable grounds is being used in the commission of the offence; and
 - (d) Arrest any person who he/she believes on reasonable grounds has committed the offence.
- (3) And a written receipt shall, where reasonably practicable, be given for an article or thing seized pursuant to subsection (1) of this section, and the reasons for the seizure shall be stated in the receipt.
- (4) A person arrested shall be taken before a court within 48 hours.
- (5) An inspector or a person authorized shall declare his/her office and produce evidence of his/her authority before he enters and searches any premises and in any other case produce it on request.

Article 76: Toxicant Monitoring

Registered pesticides or pesticides accorded the PAS STATUS featuring on the list of products under toxicant monitoring as stipulated in *Article 18*(ECOWAS Recognized Categories of Pesticide Registrations) of the Regulation shall be subject to special monitoring by the competent structures of Member States.

Article 77: Monitoring Imported Pesticides, Environmental Pesticide Residues and Pesticides Maximum Residue Levels on Food Products

Liberia shall develop a well-funded and maintained pesticides analysis capability to test pesticides being imported, to test water, soil, plants, animals and humans for pesticide contamination, and food products for Maximum Residue Levels (MRLs).

Article 78: Analysis and Certificate

- (1) Any sample of pesticide taken for the purpose of analysis shall be submitted to and analyzed by an analyst appointed by the MOA.
- (2) In any proceedings under this Act, the production of a certificate signed by an analyst appointed by the MOA shall be prima facie evidence of the facts stated in it.

Article 79: Liberia National Standard Pesticide Laboratory and Staff Retention

- (1) MOA shall ensure and facilitate provision of the infrastructure, staff, equipment, housing and other necessary and relevant resources for the establishment, administration and operation of a fully functioning state of the art/science Liberia National Standard Pesticides Laboratory (LNSPL) in Monrovia, and a resources permit, satellite laboratories at major border crossings.
- (2) Laboratory staff hired will be recruited and retained for at least **five (5) years** on contract and paid competitive rates. Staff trained for the MS and PHD degrees on scholarships shall also be retained for at least five (five) years for MS and Seven (7) years for PHD to help reimburse the benefit of their scholarships.
- (3) The LNSPL shall be equipped with common pesticide standard samples and a High Pressured Liquid Chromatography (HPLC), Gas Chromatography/Mass Spectrometer (GC/MS). References to pesticide laboratory training materials and manuals and laboratory design are found in Appendix N.

Article 80: Field of Pesticide Control

- (1) Pesticides control in Liberia shall be conducted at any time and at any venue of pesticide life cycle, including production, import, export, storage, transportation, formulation and packaging, as well as marketing, utilization and disposal of the said pesticides.
- (2) MOA through the PPRSB and NCPRM shall monitor compliance with the prescriptions contained of this Common Regulation, particularly those on:
 - a. Licensing;
 - b. The import and export requirements stipulated in *Article 63 (Import and Export Regimes)*;
 - c. Quality of the formulations offered for sale;
 - d. Authorized areas of application and the restrictions prescribed for registration and PAS STATUS;
 - e. Labeling requirements;

- f. Use of pesticides marketed according to the indications on the labels;
- g. Storage and transportation conditions;
- h. Impact of pesticides on the environment; and
- i. Any other conditions defined in this Act.

Article 81: Pesticide Control Procedures

- (1) Pesticides control shall be conducted in accordance with extant Regulations of the Community.
- (2) However, pesticides control shall be carried out in the presence of the pesticide manufacturer, importer, distributor, applicator, exporter, formulator, repackaging agent and transporter or his/her accredited representative, with an appropriate report containing pertinent observations as well as technical recommendations or instructions.
- (3) A model control report shall be defined by the NCPRM on the recommendation of the BUREAU.

Article 82: Right of Appeal and Experts' Re-evaluation

- (1) In the case of dispute over control report, the formulator, packaging agent, distributor, applicator and transporter shall have the right of recourse to experts' re-evaluation.
- (2) The appeal process shall be that which is established by the NCPRM.

**CHAPTER XI: SAFE PESTICIDE STORAGE, TRANSPORT,
USE, AND DISPOSAL**

Article 83: MOA Promotion of Integrated Pest Management, (IPM), for Livestock, Integrated Vector Management and National Pest and Crop Management Plans

The MOA shall research and write national pest and crop management plans including Good Agricultural Plans (GAPs) for each crop grown in Liberia. These plans shall contain the scientific names of each pest, disease or weed crop production constraint. They shall also contain lists of preventive non-chemical tools and tactics in addition to recommended pesticide choices. The MOA Extension Service shall train farmers on how to use these plans.

Article 84: Strict Restrictions on the Purchase and Use of Aluminum Phosphide

The MOA shall highly restrict the sale and use of aluminum phosphide for fumigation of food and grain storage structures and warehouses, as well as, shipping containers. The MOA shall develop a program for training and certifying professional commercial fumigation service personnel to have and use canister mask or self-contained oxygen Personal Protective Equipment (PPE) and to safely use aluminum phosphide. The MOA shall not permit farmers and the general public to access, purchase or use aluminum phosphide. Safe grain fumigation best practices are covered in more detail in Appendix M.

Article 85: Safeguards for Use of Pesticides

- (1) No person, pesticide wholesaler, agro-dealer retailer, or commercial farm shall use or require an employee to use a pesticide in any manner that is inconsistent with the provisions of this Act or regulations made under this Act.
- (2) Any person concerned with the use of a pesticide shall inform any other person who uses a pesticide of the dangers involved in the misuse of pesticides.
- (3) Where regulations under this Act require that a pesticide be applied by or under supervision of a person authorized in that behalf by the MOA, no person shall apply that pesticide unless he is so authorized or supervised.
- (4) No person shall require or permit an employee to handle or use pesticides in the course of his employment without providing and requiring the employee to use such protective facilities and clothing as will permit safe handling of the pesticide.
- (5) Where protective facilities and clothing are required as a condition for a license, every employer whose employees use or handle pesticides to which the license relates shall provide and require the use of the facilities and clothing.
- (6) No person shall knowingly harvest or offer for sale any foodstuff on which pesticides have been used except in compliance with practices including the interval between the application of pesticides and harvest as may be prescribed.
- (7) On the farm, all pesticide bottles should be kept secured and out of the reach of children.

CHAPTER XII: SPECIAL PROVISIONS

Article 86: Sanctions

- (1) GOL shall take appropriate measures to impose sanctions for breaches of the provisions of this Act and its enabling texts.
- (2) The following shall constitute breaches of the provisions of this Act and its enabling texts:
 - a. The production, import or export of unregistered pesticides;
 - b. Marketing of pesticides without license;
 - c. False statements on the label of a pesticide and the use of any trickery to mislead people over the quality of the pesticide;
 - d. Alteration or any willful falsification of a label;
 - e. Lack of proper stock accounting;
 - f. Hindrance to the official discharge of control duties; and
 - g. Any other infringement of this Act and its enabling texts.

CHAPTER XIII: FINAL PROVISION

Article 87: Implementation

In furtherance of its activities, NCPRM shall be open to the sub-regional institutions operating in the pesticides sector. Specific Conventions shall define the modalities of such opening.

Article 88: Publication

This Act shall be adopted and published in Liberia's Official Gazette and on the MOA Website by the GOL Official Journal within **thirty (30) days** following its coming into force.

Article 89: Gazette and MOA Website Publication

The MOA shall cause to be published in the Gazette and MOA Website annually-

- (a) Registered pesticides and their classification;
- (b) Provisionally cleared pesticides;
- (c) Suspended or banned pesticides; and
- (d) Amendments made to the classification of pesticides.

Article 90: Customs Officer/Border Control of Pesticide Entry

- (1) Every customs officer shall-
 - (a) Assist in the enforcement of the provisions of this Act; and
 - (b) Prevent the importation into Liberia of any pesticide where the importation is contrary to this Act.
- (2) The MOA shall provide the Commissioner of Customs with a list of licensed importers and a list of registered and banned pesticides.
- (3) The Commissioner of Customs shall keep records of imported pesticides and, shall at such regular periods as the MOA may direct, submit copies to the MOA.

Article 91: Application for Agro dealer's License

An application to import, export, manufacture, distribute, advertise or sell pesticides shall be made to the MOA in a form determined by the MOA and shall be accompanied with such fee and information as the MOA shall determine.

Article 92: Issue of Agro dealer's License

The MOA may issue a license authorizing the applicant to import, export, manufacture, distribute, advertise or sell pesticides if it has reasonable grounds to believe that the applicant will comply with the conditions required under the license.

Article 93: Suspension, Cancellation of Agro dealer's License

The MOA may suspend or cancel a license if:

- (a) it has reasonable grounds to believe that the licensee has failed or refused to comply with this Act, regulations made under it or any other conditions for the license; or
- (b) it considers that the action appears necessary to prevent or remove a hazard to people, crops, animals or the environment.

Article 94: Appeal

- (1) A person, pesticide wholesaler, agro-dealer retailer, or commercial farmer aggrieved by any suspension or cancellation of his license that, desires to appeal against it, shall appeal

- in the first instance to the Minister.
- (2) The Minister shall determine the matter within a period of **thirty (30) days** after the receipt of written notification of the grievance.
 - (3) If the grievance is not determined within the period by the Minister or if the person is dissatisfied with the decision of the Minister he may appeal to a court of competent jurisdiction.

Article 95: Conformity to Registered Pesticides

- (1) No person, pesticide wholesaler, agro-dealer retailer, or commercial farmer shall alter or adulterate any pesticide so as to change its formulation, composition or usage or alter it in any other manner.
- (2) No person shall sell a registered or provisionally clear pesticide or an unregistered pesticide imported under this Act if because of:
 - (a) Fault in manufacture;
 - (b) Deterioration (past the expiration date);
 - (c) Accident; or
 - (d) Any other cause; the pesticide fails to meet the conditions of the registration or of the provisional clearance or the conditions of the authorization.

Article 96: Advertising of Registered Pesticide

No person, pesticide wholesaler, agro dealer retailer, or commercial farmer shall advertise any registered or provisionally cleared pesticide in a manner which:

- (a) Is false;
- (b) Is misleading or inconsistent with the information supplied to the MOA at the time of the application; or
- (c) Omits warnings prescribed by the MOA.

Article 97: Containers and Packaging of Pesticides

- (1) The MOA may prescribe the containers, labels and the manner for packaging of pesticides at the wholesale and retail levels.
- (2) Where any container, label or packaging has been prescribed by the MOA for a registered pesticide, no person, pesticide wholesaler, agro dealer retailer, or commercial farmer shall:
 - (a) Manufacture, import, export, distribute, advertise or sell any registered pesticide otherwise than in a package or container prescribed for the pesticide; or
 - (b) Alter the label of any pesticide so as to misrepresent the nature of the pesticide.

Article 98: Sale of Pesticides

It shall not be a defense for any person charged with the sale of a pesticide contrary to this Act to plead that he/she had no reason to believe at the time of sale that the pesticide was not registered or differed in any way from the purported contents of the container or that the pesticide otherwise failed to meet the requirements of this Act.

Article 99: Records and Reporting

Every person, pesticide wholesaler, agro-dealer retailer, or commercial farmer who imports, exports, manufactures, distributes or sells a pesticide shall make a record of the quantities of pesticides imported, exported, manufactured, distributed or sold by him and the record shall be-

- (a) Maintained for (10) years from the time it is made; and
- (b) Made available to MOA at its request at such time and manner as the MOA may require.

Article 100: Obstruction of PPRSB Inspectors or Agents

Any person, pesticide wholesaler, agro-dealer retailer, or commercial farmer who-

- (a) Willfully obstructs an inspector or an authorized person in the exercise of any power conferred on him under this Act or Regulations made under this Act; or
- (b) Fails to comply with a lawful inquiry or requirement made by an inspector or an authorized person in accordance with the Regulations, commits an offence and is liable on conviction to a fine and/or imprisonment consistent with the Laws of the of Liberia.

Article 101: Other Offences and Penalties

- (1) Any person, pesticide wholesaler, agro-dealer retailer, or commercial farmer who:
 - (a) Except as provided in this Act or other Regulations or otherwise exempted, imports, exports, manufactures, distributes, advertises, sells or uses any pesticide which has not been registered contrary to this Act; or
 - (b) Imports, exports, manufactures, distributes, advertises or sells any pesticide without a license contrary to this Act or other regulations; or
 - (c) Uses a pesticide or requires an employee to use a pesticide contrary to any provision in this Act or other regulations; or
 - (d) Alters any pesticide so as to change its formulation, composition or usage in any manner contrary to provisions herein stipulated; or
 - (e) Sells a registered or provisionally cleared pesticide which by reason of fault of manufacture, deterioration, accident or any other reason fails to meet the conditions required by this Act; or
 - (f) Contravenes any requirements for the presentation of pesticides provided under this Act or other regulations, commits an offence and is liable on conviction to a fine and/or imprisonment as prescribed in the laws of the Republic of Liberia.
- (2) In the case of a continuing offence, there shall be an additional fine and/or imprisonment consistent with Liberian Laws.
- (3) Any person, pesticide wholesaler, agro-dealer retailer, or commercial farmer who:
 - (a) Advertises a pesticide in a manner which is false, misleading or inconsistent with the information supplied to the MOA at the time of registration; or
 - (b) Includes on the label or accompanying instructions of any pesticide misleading or fictitious claim, contrary to this Act or other regulations commits an offence and is

liable on conviction to a fine and/or imprisonment consistent with the Laws of Liberia.

- (4) Any person, pesticide wholesaler, agro-dealer retailer, or commercial farmer who
 - (a) Fails or refuses to maintain or submit the contents of records to be maintained; or
 - (b) Deliberately or negligently makes false records; or
 - (c) Submits false or misleading statement commits an offence and is liable on conviction to a fine and/or imprisonment consistent with the Laws of Liberia.
- (5) Any person, pesticide wholesaler, agro-dealer retailer, or commercial farmer who knowingly discloses, otherwise than as provided by this Act, any proprietary information acquired by him in the exercise of any duty under this Act commits an offence and is liable on conviction to a fine and/or imprisonment consistent with the statutes.

Article 102: Offences by Body of Persons

- (1) Where an offence is committed by a body of persons:
 - (a) In the case of a body corporate other than a partnership every director or officer of the body shall also be deemed guilty of the offence;
 - (b) In the case of a partnership every partner or officer of that body shall also be deemed to be guilty of that offence.
- (2) No person shall be guilty of an offence by virtue of subsection (1) of this Article if:
 - (a) He/she proves that the offence was committed without his knowledge or connivance; and
 - (b) That he/she exercised due care and diligence to prevent the commission of the offence having regard to all the circumstances.

Article 103: Forfeiture

Where a person is convicted of an offence under this Act or any regulations made under this Act, the court may in addition to any other penalty imposed, order that any equipment, pesticide or appliance used in the commission of the offence shall be forfeited to the State and that a license issued under this Act shall be suspended for such period as the court may direct or be cancelled.

Article 104: Guiding Regulations

Section 1: The MOA shall have the power to promulgate regulations for the successful implementation of this Act and such regulations shall have the prior approval of the NCPRM before publication.

Section 2: The 2015 Liberia Pesticide Regulations adopted prior to the drafting of this Act are hereby incorporated by reference and form an integral part of this Act and shall be read along with the Act for the smooth and successful implementation of this Act.

Article 105: Transitional Provisions (Time to Comply with Act)

Six (6) months from the publication and coming into force of this Act, pesticides shall be registered in compliance with this Act and licenses for dealing in pesticides shall be issued in compliance with this Act.

Article 106: Entry into Force

This Act shall take effect immediately upon publication in handbills by the Ministry of Foreign Affairs.

ANY LAW TO THE CONTRARY NOTWITHSTANDING

-2019-

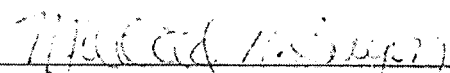
SECOND SESSION OF THE FIFTY-FOURTH LEGISLATURE
OF THE REPUBLIC OF LIBERIA

HOUSE'S ENGROSSED BILL NO. 27 ENTITLED:

"AN ACT TO AMEND CHAPTER 28 OF THE EXECUTIVE LAW
OF 1972 TO PROVIDE FOR THE ESTABLISHMENT OF
LIBERIA PLANT PESTICIDES REGULATORY SERVICES
BUREAU WITHIN THE MINISTRY OF AGRICULTURE"

On Motion, Bill read. On motion, the Bill was adopted
on its first reading and sent to committee Room on
Tuesday, February 19, 2019 @ 12:45 G.M.T.

On motion, Bill taken from the Committee Room for its
second reading. On motion, under the suspension of the
rule, the second reading of the Bill constituted its third
and final reading and the Bill was adopted, passed into
the full force of the law and ordered engrossed today,
Tuesday, May 28, 2019 @ 13:24 G.M.T. during its
Regular Session.



CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.

-2019-

SECOND SESSION OF THE FIFTY-FOURTH LEGISLATURE
OF THE REPUBLIC OF LIBERIA

SENATE'S ENDORSEMENT TO HOUSE'S ENGROSSED BILL
NO. 27 ENTITLED:

"AN ACT TO AMEND CHAPTER 28 OF THE EXECUTIVE LAW
OF 1972 TO PROVIDE FOR THE ESTABLISHMENT OF
LIBERIA PLANT PESTICIDES REGULATORY SERVICES
BUREAU WITHIN THE MINISTRY OF AGRICULTURE"

On Motion, the Bill was read. On Motion, the Bill was
adopted on its first reading and sent to committee
room on Thursday, May 30, 2019 @ 13:02 G.M.T.

On Motion, Bill was taken from the Committee room
for its second reading. On Motion, under the
suspension of the rule, the second reading of the Bill
Constituted its third and final reading and the Bill was
adopted, passed into the full force of the law and
ordered engrossed today, Thursday, August 29, 2019
@ 14:19 G.M.T.

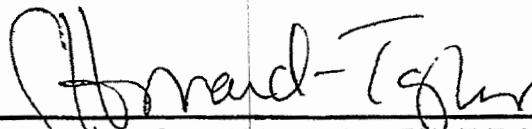


SECRETARY, LIBERIAN SENATE, R.L.

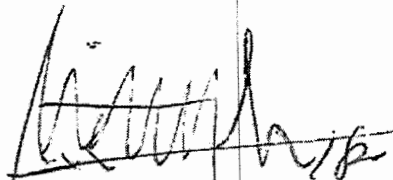
-2019-

ATTESTATION TO:

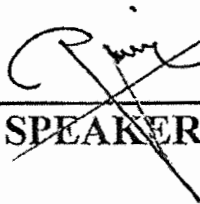
“AN ACT TO AMEND CHAPTER 28 OF THE EXECUTIVE LAW OF 1972 TO PROVIDE FOR THE ESTABLISHMENT OF LIBERIA PLANT PESTICIDES REGULATORY SERVICES BUREAU WITHIN THE MINISTRY OF AGRICULTURE”



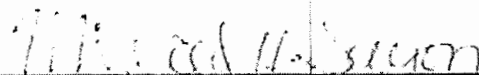
**VICE PRESIDENT OF THE REPUBLIC OF LIBERIA/
PRESIDENT OF THE SENATE**



SECRETARY, LIBERIAN SENATE



SPEAKER, HOUSE OF REPRESENTATIVES, R.L.



CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.



THE HONORABLE HOUSE OF REPRESENTATIVES

Capitol Building
P.O. Box 9005
Monrovia, Liberia
Website: www.legislature.gov.lr



Office of the Chief Clerk

-2019-

SECOND SESSION OF THE FIFTY-FOURTH LEGISLATURE OF THE REPUBLIC OF LIBERIA

SCHEDULE OF HOUSE'S ENROLLED BILL NO. 11 ENTITLED:

"AN ACT TO AMEND CHAPTER 28 OF THE EXECUTIVE LAW OF 1972 TO PROVIDE FOR THE ESTABLISHMENT OF LIBERIA PLANT PESTICIDES REGULATORY SERVICES BUREAU WITHIN THE MINISTRY OF AGRICULTURE"

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR EXECUTIVE APPROVAL

APPROVED THIS: 17th DAY OF September A.D. 2019

AT THE HOUR OF 1:35 pm

THE PRESIDENT OF THE REPUBLIC OF LIBERIA

