

GOVERNMENT OF INDIA
MINISTRY OF CHEMICALS AND FERTILIZERS
DEPARTMENT OF CHEMICALS AND PETROCHEMICALS

LOK SABHA
UNSTARRED QUESTION NO. 2141
TO BE ANSWERED ON 15.12.2023

Supply of Spurious Chemicals

2141. SHRI CHANDESHWAR PRASAD

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:-

- (a) whether the Government has received any complaints regarding supply of spurious chemicals that are either locally manufactured or imported in the country;
- (b) if so, the details thereof;
- (c) whether the Government has fixed any standards for maintaining quality of chemicals in the country;
- (d) if so, the details thereof;
- (e) whether the Government has taken/proposes to take any action against individuals or company involved in the supply of spurious chemicals in the country; and
- (f) if so, the details thereof?

ANSWER

MINISTER OF STATE FOR CHEMICALS AND FERTILIZERS
(SHRI BHAGWANTH KHUBA)

(a) and (b): Chemical sector is broadly de-regulated and delicensed. However, the pesticides are regulated by Department of Agriculture and Farmers Welfare under Insecticides Act, 1968 and rules framed thereunder. The details of complaints regarding supply of spurious/counterfeit pesticides during the year 2023-24 is enclosed at **Annexure-I**.

(c) to (f): To ensure the availability of quality pesticides in the country for effective implementation of Insecticide Act, 1968 (the Act) and with main thrust on monitoring/ strict vigil of quality of pesticides, the Central Government and State Governments are strengthened with 191 Central and 11092 State Insecticide Inspectors. Both Central and State Insecticides

Inspectors conduct regular routine/ surprise checks at manufacturing units/sale points and consequently draw samples from the same to ascertain the quality of the insecticides.

Insecticide Inspectors notified u/s. 20 have been vested powers u/s. 21 of the Act to maintain the quality of insecticides in accordance to the rules 27 & 28 of the Insecticides Rules, 1971 (for inspection of all establishments; selling insecticides within the area of their jurisdiction and manufacturing premises inspections as well as drawl of samples and samples finally dispatch for analysis). Any sample if found misbranded as per section 3(k) of the Act, a Show-Cause notice is issued to the defaulter, which may be adduced u/s 24. If found misbranded by the Central Insecticide Laboratory (CIL), the referral laboratory, the prosecution against the defaulters is launched for violations of provisions of the Act. Violation of section 17 and 18 as well as section 27 for cognizance and trial are instituted under section 31.

Further, there is a network of 70 State Pesticide Testing Laboratories (SPTLs) and 6 State Bio-Pesticide Testing Laboratories (SBTLs) in the country. The annual capacity to analyse pesticide (chemical and bio-pesticides) samples is 77975 samples.

Two Regional Pesticides Testing Laboratories (RPTLs), located at Chandigarh and Kanpur have an annual analysis capacity of 3100 samples. The insecticides samples drawn by the Central Insecticide Inspectors and also samples received from States are analysed at RPTLs. The Central Insecticide Laboratory (CIL) is a referral laboratory established u/s. 16 of the Act with an annual testing capacity of 1600 samples.

In last 5 years [2019-20 to 2023-24 (up to Sept-2023)], total 2,99,733 samples have been analysed and 2178 cases have been prosecuted against the firms who were found involved in the manufacture, sale and import of illegal / sub-standard/low quality pesticides. In 140 cases the firms have been convicted by the Hon'ble Court after finding guilty. Detail of Samples tested in last 5 years is enclosed as **Annexure-II**.

Moreover, BIS Standards for majority of Chemicals are voluntary in nature. Sometimes, inferior, spurious and also hazardous chemicals are supplied by local manufacturer or imported into India, which do not meet the quality parameters laid down by BIS Standard. To address this issue, DCPC initiated an exercise to make Standards as mandatory so that both domestic manufacturers and overseas suppliers meet the BIS parameters in the public interest or for the protection of human, animal or plant health, safety of the environment, or prevention of unfair trade practices, or national security, under Section 16 of BIS Act, 2016. Accordingly, the Standards are being made mandatory and Quality Control Orders (QCOs) are being notified in the Gazette of India. So far, QCOs for 61 Chemicals & Petrochemicals have been notified in the Gazette, for making BIS Standards as mandatory, under Section 16 of BIS Act 2016.

Details of QCO's Notified:-

	Chemicals	Petrochemicals	Total
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QCOs Notified	33	28	61
QCOs Implemented	17	14	31
QCOs Extended	16	14	30

Annexure -I

Details of Complaints regarding illegal Manufacture / sale of Insecticides for year 2023-24 received by Department of Agriculture & Farmer's Welfare

Sl. No.	Gist of Complaint	Action taken by Techno legal cell
1.	Fake Company. Cheminova Crop Protection granted 9(4) FIM for 72 products but manufacturing unit does not exist for manufacturing. Complainant requested for report the case of the alleged firm.	The CIBRC replied that the KYC has been completed and the use of trade name, copyright is not in the preview of the Insecticide Act (IA), 1968. Team was been deputed by Plant Protection Adviser (PPA) for prompt action and the Inspection report has been submitted.
2.	M/s. Multiplex Agrocare Pvt. Ltd., Ghaziabad, U. P. alleged to be involved in spurious source of Chlorantraniliplore Technical with respect to CR 7 manufacturing Chlorantraniliplore 18.5 % SC.	Team has been deputed by PPA for inspection on 09.05.2023. Showcause has been issued to company date 28.07.23 followed by a reminder date 05.10.23, Directions given by Central Insecticide Inspector (CII) to seek consent from state and thus launch prosecution.
3.	Selling of fenazaquin 10% EC , inspection has been carried out, show cause notice been served based on the observation of inspection report.	Inspection has been carried out by the inspection team, show cause notice been served based on the observation of inspection report. A reminder notice 16.11. 23 vide e file no. 119107 has been communicated to the firm.
4.	Mosquito repellent sticks laced with metafluthrin and transfluthrin. These sticks are available in grab of incense sticks herbal without ingredient information on packet /address on packet.	E mail sent to complainant for sharing his details as well as company details along with documentary evidences on 22.05.2023.
5.	Crop loss of 12 bigha onion crop worth Rs. 3 lakh due to wrong insecticide sold by Sanjaya singh KissanSeva Kendra, Qutubpur, Bihar.	Complaint referred to D/o Agriculture Bihar for further actions. Reply received on 05.06.2023 that a three-member team constituted on matter to prove.

6.	Selling of Bio pesticides without licence Not mentioned MC No. or CIR No. on their Biopesticides	Letter sent to state agriculture (e file no 129532) and Inspection has been carried out by CII and the matter has been simultaneously the matter was referred to State Agriculture Dept. Gujarat, for further necessary action. Action taken by State Ag. Dept. , the firm was sealed and FIR lodged against the firm.
7.	The complaint is regarding use of expired Temephos to kill mosquito larvae in drinking water tanks of Mumbai & adverse effect of Temephos on human health. Temephos 50%EC not registered for treatment of drinking water bodies.	Matter has been referred to Director of Agriculture, Maharashtra.
8.	Complaint regarding groundnut crop loss due to substandard pesticides, manufactured by M/s Moti pesticides	Letter written to State dept. (Rajasthan and Haryana) and two inspectors sent to firm in Karnal Haryana vide letter 22-5/ DACVIP/ Chem TLC/ 2022-23. Show cause has been issued to M/s Moti Pesticides Pvt. Ltd and status report has been sent to Director (PP).
9.	During the raid carried out by DCP Outer North The duplicate, forged pesticide packing of some reputed firm was found and seized by Delhi police.	A team of Notified Central Insecticides Inspector (CII) was deputed to draw samples from seized stock, the sample was drawn and submitted for analysis. The analysis report has been received by the CII. The matter was referred to Director of Agriculture, Delhi.
10.	Live consignment of Illegal Import of mosquito coil at Nhawasewaport	Inspection has been carried out by CII (Vide letter dated 02.08.23), the sample drawn by CII was found positive for meperfluthrin. Show cause notice dated 10.08.23 was served to S.K. Creators. The Custom Dept. was directed to deport the live consignment, Vide letter dated 18.09.23 JS (Customs) CBEC. Show cause notice dated 10.08.23 has been served to S.K. Creators.
11.	Biostimulants containing scheduled insecticides of Gibberelic Acid and 6-benzyladenine	Nominated team of CII inspected and verified the Shimla region and drew one sample and submitted to CIL. The analysis report from CIL was found positive for Gibberelic Acid. CII has been communicated on 05.12.23 for issuance of Show Cause Notice.
12.	Selling of Biopesticides lacing with banned unauthorized chemicals in the state of Assam	State Dept, has been conveyed to take necessary action by joint inspection with officers of CIPMC, Guwahati.
13.	Illegal manufacturing of mosquito coil of incense stick in border states (10 states)	Two teams were deputed by Competent Authority in Delhi and Kolkata.

14.	The oil may contain Gibberelic acid and karanza oil	A letter has been communicated to the State agriculture dept., dated 25.10.23 and one inspection team was also sent by the Competent Authority to draw samples.
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Annexure-II

Details of Samples tested in last 5 years

Sl. No.	GIST of Complaint	Action taken by Techno legal cell	Inference of the investigation
1.	Unregistered and illegal marketing/sale of 1-Methylcyclopropene in India	<ul style="list-style-type: none"> Letter sent to Director Agriculture of Maharashtra, Haryana, Uttar Pradesh, HP and J&K to check the veracity of the complaint and to take necessary action as per Insecticide Act, 1968. 	<ul style="list-style-type: none"> On the basis of report of State department of agriculture, no cognizance of such complaint was reported in Maharashtra, Uttar Pradesh, HP and J&K. However, inspection report from Haryana was awaited. Team of CII deputed by PPA for inspection of firm in Haryana, show-cause notice issued to firm and further action is under process.
2.	Illegal sale/distribution of banned pesticide Dichlorovos by a firm in Haryana	<ul style="list-style-type: none"> A team of notified Central insecticide inspectors was deputed to verify the veracity of the complaint. 	<ul style="list-style-type: none"> No illegal activity as alleged in the complaint was reported; four samples of pesticides drawn from the premises and found to be conforming in RPTL. Letter written to director agriculture Haryana for maintenance of requisite documents as per IA, 1968.
3.	Manufacturing of banned and Spurious	<ul style="list-style-type: none"> State authority was requested to nominate teams for investigation and verification of 	<ul style="list-style-type: none"> A team was deputed by state authority and five samples were drawn by the concerned notified

	pesticides by a firm in Haryana	Commissioner of Agriculture, Haryana.	agriculture inspector. Samples were found to be misbranded on analysis in SPTL, Karnal. Show cause notice was issued to the firm; no reply received therefore launching of prosecution under process by state authority.
4.	Import of Ethephon by mis-declaration from china by a firm in Uttar Pradesh	<ul style="list-style-type: none"> A team of notified central insecticide inspectors was deputed for checking the veracity of the complaint and import data was collected from custom authority. 	<ul style="list-style-type: none"> Team raided the firm and sample of Ethephon was drawn; Sample analysis report is confirming. Firm was issued show cause notice for packing Ethephon without import permit/CR issued by CIB&RC; no reply received. Consent for launch of prosecution against firm for illegal import of Ethephon sought from state authority. However, accused appealed in Punjab & Haryana High Court, Chandigarh for exemption U/S 38, challenge of CIB & RC guidelines, showcause notice issued by TLC.
5.	Illegal Repacking, marketing and sale of Spurious Aluminium Phosphide in states of Karnataka, Maharashtra and Haryana	<ul style="list-style-type: none"> Teams of notified central insecticide inspectors were deputed for inspection, verification and drawl of samples to check the veracity of the complaint. 	<ul style="list-style-type: none"> No such activity was reported from Maharashtra and Haryana. However, one case of counterfeit repacking and sale of Aluminium Phosphide (ALP) in Karnataka was reported. Case has filed against the accused firm for

			violation of IA, 1968 in Hon'ble court.
6.	Lacing of Incense sticks with chemical pesticides in the state of Maharashtra	<ul style="list-style-type: none"> Teams of notified central insecticide inspectors were deputed for inspection, verification and drawl of samples to check the veracity of the complaint. 	<ul style="list-style-type: none"> Team drew samples from the said premises and were sent for analysis at NIPHM Hyderabad, were found to be free from chemical pesticides.
7.	Manufacturing of Godzilla brand mosquito coils containing Meperfluthrin in MP	<ul style="list-style-type: none"> Letter written on 28th Jan 2022 to Dir. Agri., MP to take action on 	<ul style="list-style-type: none"> Inspection report awaited. Two samples drawn by CII, MP and sent for analysis to CIL.
8.	Illegal import from Indo-Bengal Boarder and selling of <i>Surjo</i> brand mosquito coils laced with Meperfluthrin in north eastern states of India	<ul style="list-style-type: none"> Communication made to Dir. Agri., North eastern states for sample drawl Communication made to director customs, New Delhi for sample drawl from import consignments at all ports across country. Letters to all In-charges of RPQS to draw samples from the import consignment & liaison with Custom Authorities. 	<ul style="list-style-type: none"> Report awaited
9.	Complaint against a firm for advertising a formulation product even though field trials are under way	<ul style="list-style-type: none"> Note sent to CIB&RC for details of CR issued for the product pyriproxyfen + Diafenthiuron + Dinotefuran SC to the concerned firm 	<ul style="list-style-type: none"> Reply awaited
10.	large scale presence of spurious fake counterfeit smuggled and duplicate pesticides exposed in raids	<ul style="list-style-type: none"> Two teams of Insecticide inspectors were deputed to inspect verify and draw samples from raid sites at hirankudna, mundka, New 	<ul style="list-style-type: none"> Six number of samples were drawn from seized pesticide stocks by DIU, Pitampura and sent for analysis to RPTLs; All the samples were

	<p>conducted and violation section 103, 104 Trademark Act; complain of FICCI</p> <p>complaint to take action on the raids in Delhi conducted by DIU, Delhi</p>	<p>Delhi, Roshanara Road, New Delhi\</p> <ul style="list-style-type: none"> • DO letter to D/o Agri. NCT Delhi, Dated: 25/08/2021 to be vigilant for raids for licenses to manufacture/ sale or stock of insecticides to curtail illegal activities and deal rackets with strict legal action. 	<p>misbranded except exceptpropineb 70% WP.</p> <ul style="list-style-type: none"> • Showcause notice was issued by CII to the accused and no reply was received. • Team was requested to seek consent from D/o Agri., Delhi for Launch of prosecution • Second team could not draw sample as seized pesticides by DIU timarpur need to seek order from Hon'ble court; request made to DCP, North District New Delhi to facilitate sample drawl by CII from seized pesticides: no reply received. • Director Agriculture, NCT, Delhi cancelled license and debarred from carrying out insecticide business with immediate effect and to surrender the license immediately by the culprits involved in the case i.e., M/s Jai Hanuman Pesticides, Shop No. 29, subziMandi, Delhi-110007 and M/s Krishna Seeds and Pesticides, shop no. 16 SubjiMandi, Delhi-110007
11.	<p>Manufacturing and Selling of Pesticide formulation without CR issued by CIB&RC</p>	<ul style="list-style-type: none"> • A team was deputed to verify illegal manufacturing and selling of the formulation product Hexaconazole 5 % + Validamycin 2.5 % SC 	<ul style="list-style-type: none"> • The team found no cognizance of manufacturing/ packing of this formulation.

		without Certificate of Registration	
12.	Illegal import/selling substandard Gibberellic acid technical from third parties by a firm in Karnataka	<ul style="list-style-type: none"> • Team of CII deputed to verify the complain • Communication made to custom authority new Delhi to provide import consignments made by firm. 	<ul style="list-style-type: none"> • Team found that the concerned firm was non-operational since last 13 years; the building was dilapidated abandoned and sold out. No manufacturing activity of pesticides was noticed.
13.	Illegal Repacking of pesticides of renowned companies in Delhi.	<ul style="list-style-type: none"> • Two teams of Insecticide inspectors were deputed to inspect verify and draw samples from raid sites at Shahbad Dairy, Delhi. • Ten samples were drawn by both the teams & send to RPTL,s for analysis. 	<ul style="list-style-type: none"> • Report awaited
14.	Complaint by HICA regarding agarbattis laced with harmful chemicals .HICA provided the list of manufacturers/sellers in 10 states and alleged that these companies were selling agarbattis/ incense sticks laced with cocktail of pesticides. HICA had tested these sticks in NABL accredited labs & found the presence of active molecules such as	<ul style="list-style-type: none"> • Department of Agriculture of all concerned States/UTs has communicated for drawl of samples of incense sticks from manufacturers/packagegers • Letters sent to Custom authority to issue necessary instructions to all custom officers posted at sea ports/airports/land frontier etc; to inform Officer-In Charge of nearby Regional Plant Quarantine Station at Mumbai, Kolkata, Chennai and Delhi for drawl of sample of incense sticks from the consignments of incense sticks imported to check 	<ul style="list-style-type: none"> • Reply from seven states along with action taken is received to this cell. • Sample drawn and submitted by Odisha and Andhra Pradesh for detection of lacing at NIPHM, Hyderabad. Report awaited.

	Dimefluthrin & Meperfluthrin.	the lacing of chemical pesticides.	
15.	Duplicate/ Counterfeit pesticides of leading brands of Pesticide Industry is being packed at outer north district Bawana, New Delhi.	<ul style="list-style-type: none"> Two teams of CII deputed for verification of the complaint. Team found that already DIU, Bawana has seized samples of Pesticides & kept under the custody of ACP, Bawana. Some date expired pesticides were also found. Ten samples were drawn by both teams from the stock under the provisions of I A 1968. 	<ul style="list-style-type: none"> Five samples test report (03 satisfactory and 02 non-satisfactory), five samples test report pending. Deputy Director of Agriculture, New Delhi was perused with the case by the insecticide inspector.
