

**DORA NKEM AKUNYILI AND THE FIGHT AGAINST FAKE DRUGS IN NIGERIA, 2001-2008**

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**Abstract**

This article is aimed at looking into the activities of Prof. Dora Nkem Akunyili and her efforts toward the eradication of fake and adulterated drugs in Nigeria as the Director General of National Agency for Food and Drug Administration and Control (NAFDAC). The efforts of NAFDAC under Prof. Dora Nkem Akunyili is what this article is set out to ex-ray. It covers Dora's activities as a public servant in Nigeria. It tends to expose what a true public servant do in the service of man and country and the need for all public servants to be truthful, efficient, effective, diligent, transparent, committed, and detribalized. It provides a lesson for all public servants on how to balance committed to his or her duties in the course of career advancement and in the discharge of official duties. This research will adopt historical, descriptive and analytical approach in the interpretation of relevant data and documents. Primary (Oral) and Secondary collection of datas and materials such as books, articles, Magazines, Journals and Newspaper Publications are deployed in writing this article. It is very much worthy to note that the " New NAFDAC" under Dora Akunyili, which came on board on April 12<sup>th</sup>, 2001 has executed a lot of activities which are geared towards sanitization of the drug and foods production, importation, exportation and storage in the country. This research is divided into five parts namely: Introduction, her appointment and motivation as NAFDAC Director-General, strategies she evolved to overcome the challenges encountered, Achievement as NAFDAC Director General, summary and conclusion.

**Introduction**

The responsibility of safeguarding public health fell on the agency and this touch on the life of every Nigerian. Even at the establishment of this agency, it is worthy to note that all the enormous functions leveled on it to carry out were not fully functional. There was a great deal of decadence on the social and economic system that even affected a very sensitive body/agency like NAFDAC. It was not until 2001 when President Olusegun Obasanjo appointed Dora Nkem Akunyili, the Director General of the Agency (NAFDAC) that there was a green light of change. Good health is a state of physical, mental and psychological well-being. It is not only "Freedom" from infirmity. Promoting and sustaining public health therefore implies making conscious effort to ensure that the primary health care development implies making conscious effort to ensure that the society is free from preventable diseases.

**Her Appointment as NAFDAC Director-General**

Before Dora Akunyili's appointment as Director General of NAFDAC, Prof. G. E. Osuide, a former Professor of Clinical Pharmacy at the University of Benin, headed the board. The board was dissolved in August 2000 by President Olusegun Obasanjo's administration. In April 2001, a new management, with Dora Nkem Akunyili as Director-General, was inaugurated.

According to Dora Nkem Akunyili, she became aware of counterfeit drug problem in Nigeria (even though drug counterfeiting was first reported in Nigeria as early as 1968),<sup>2</sup> in 1988 when her 21-year-old diabetic younger sister died of hyperglycemia<sup>3</sup>. She believed that it was not the diabetes that killed her, but the fake insulin she had been supplied to treat it. She did not know it was fake<sup>4</sup>. When in 2001 she was given opportunity to head NAFDAC, she accepted the

appointment with enthusiasm to save other families from suffering the same fate her family went through with the death of her sister.<sup>5</sup>

She started on the path to becoming Director-General of NAFDAC when she was working for P.T.F as a zonal secretary. She became ill and went to London for treatment. She was given £17,000, that is £12,000 for surgery and £5,000 for tests, medications and other expenses. When she finished her tests, it turned out that the diagnosis that was made in Nigeria was wrong and she did not need surgery. She then told the Consultant that she needed to be refunded the £12,000 to return to her organization, Petroleum Trust Fund, since she did not have the surgery. The Consultant was surprised because when Nigerians travel broad for treatment they inflate bills. She decided to return the money because of her strong Christian ethics which does not allow her to take what does not belong to her. She returned the money to Gen. Mohamadu Buhari, her Chief Executive at PTF and he wrote in his commendation letter to her, that he never knew that there were Nigerians with such integrity.<sup>6</sup>

When Dr. Soley, a childhood friend of President Olusegun Obasanjo, visited PTF, he was told of a female staff of P. T. F. that returned the sum of £12,000 to the establish ment. He was so impressed that he demanded for her Curriculum Vitae, explaining to her that President Olusegun Obasanjo was looking for somebody that will “clean-up NAFDAC”. Two weeks after that, on a Sunday, President Olusegun Obasanjo called her on phone, enquiring why she returned the £12,000. She explained that she returned it because the money was not hers and that she would not have taken what did not belong to her. The President immediately made up his mind to give her the job to head NAFDAC. When her name was announced, many people kicked against it, including some politicians who believed that she did not belong to the political class, and that she was a woman. But the President insisted that he wanted her to do the job.

*That trust and confidence of the President in me was what motivated me to work selflessly and the same trust and confidence has actually permeated to all Nigerians<sup>7</sup>.*

Dora Akunyili explained she was given the job to head NAFDAC because of her integrity, and she made up her mind not to disappoint Mr. President and Nigerians and betray this great confidence reposed on her. Above all, she decided to maintain her integrity.

### **Her Motivation as NAFDAC Director-General.**

Dora Akunyili took over the leadership of NAFDAC with strong determination to rid Nigerian market of fake and adulterated drugs. She established as a top priority the eradication of counterfeit drugs and unsafe food. Before she assumed duty, Nigeria was a place where fake and substandard foods and drugs were being dumped without any form of regulations.

Nigeria used to be ranked as one of the countries in the world noted for fake drugs. Before 2001, it was estimated that 40-80% of drugs circulated in Nigeria were fake and the system for drug registration was ineffective. In 2001 68% of drugs available in the country were unregistered<sup>8</sup>. Dora Akunyili attained celebrity status in Nigeria because of her uncompromising stand against corruption. In her own words “we have been rebuilding National Agency for Food and Drug Administration and Control from a moribund government agency to (one that meets) international standard”<sup>9</sup>.

Before Dora Nkem Akunyili took over as NAFDAC DG, the staff of the Agency abused their positions by extorting money from honest manufacturers and also took bribes from

counterfeiters in return for access to the Nigerian medicine market. Akunyili fired the most corrupt of her officers. To encourage honesty among her remaining 3000 staff and to boost morale, she offered incentives such as training abroad, improved facilities and a better working environment for NAFDAC staff.<sup>10</sup> Akunyili told the World Health Organization Bulletin that the level of corruption we had in 2001 cannot in any way be compared to what we have now. It has decreased to almost zero level. But it is still a problem. We cannot rule it out completely.<sup>11</sup>

NAFDAC is now a key player in reducing the manufacture and distribution of counterfeit medicines in West Africa. It has the support of the Food and Drug Administration and the Environmental and Occupational Health Science Institute at Rutgers University in the United States of America, among other regional and international agencies, including the WHO<sup>12</sup>.

Akunyili noted that when she was appointed NAFDAC Director-General in 2001, she was faced with the arduous task of reactivating a failed food and drug regulatory environment of about three decades.<sup>13</sup>

The average incidence of counterfeit medicines in Nigeria was over 41% from various studies done before 2001,<sup>14</sup> recounted Dora Akunyili. She explained that NAFDAC's study in 2002 showed that 68% of drugs in Nigeria were unregistered. Almost all the drugs have been counterfeited, and counterfeiters had their targets on the cost and volume of the products, because costly drugs were in high demand. Anti-malaria drugs, antibiotics and vitamins were among the most used drugs in Nigeria; consequently, they are the most counterfeited drugs.<sup>15</sup>

Fake drugs embarrassed our health care providers and eroded the confidence of the public in our health care system. Fake drugs led to treatment failure, a development of drug resistance, and death. The human cost of counterfeit drugs can be high. Most people lost their beloved ones. Dora Akunyili noted that "my own sister died in 1988 from fake insulin, an anti-diabetic drug"<sup>16</sup>.

According to her, drug resistance occurs mainly in the areas of infectious diseases and malaria. Before the 1970's, malaria was regarded like flu in Nigeria because of the efficacy of chloroquine and quinine. By the early 90's, due to the development of the resistant strains of malaria parasites, partly induced by substandard anti-malarial drugs, Nigeria started shifting to second line drugs like fansider, Halfan etc. By the late 90's, resistant strains against the second line drugs emerged, and Nigerians shifted to Artemisinin derivatives. Presently, Nigerians are on Artemisinin Combination Therapy (ACT). The question that keeps bogging the minds of medical practitioners, especially doctors and pharmacists, are if drug counterfeiters succeed in rendering ACT ineffective, where do we go from there? As people were dying, legitimate businesses were collapsing due to unfair competition, local drug manufactures were going out of business, and many multinational companies left Nigeria or divested out of frustration. Typical examples of the latter are Boehinger, ICI, Sandoz, and Merck Nigerian drugs were banned by other West African countries. Other fake regulated products also have similar health and socio-economic implications.<sup>17</sup>

Prof. Akunyili acknowledged that as the Director-General of NAFDAC, the enormous responsibility that is associated with this work motivates her to desire to succeed at all cost. She met an unhealthy and chaotic situation in the food and drugs regulatory system. This was characterized by high scale of corruption and indiscipline on the part of both the staff of the agency and the stakeholders. This led to the circulation of fake, counterfeit and unwholesome

regulated products, and its attendant inimical consequences were left unabated. Nigerian health care delivery system was bastardized and people were dying or their medical conditions were worsening because of fake drugs. Prof. Akunyili described the situation she met as follows:

*My own sister died from the use of fake insulin injection she was using for diabetics. I found myself steering the ship of NAFDAC in a highly troubled sea, and I had to take the bull by the horn to ensure the safety of lives entrusted in my hand. I converted the pressure of a failed system into a positive motivating drive for success<sup>18</sup>.*

She also explained that President Olusegun Obasanjo appointed her to this position through his childhood friend, Dr. Soley, against all oppositions. This confidence reposed on her by the President was, therefore, too deep to be toyed with. The magnitude of the collective trust and the confidence Nigerians have in her remains a major motivating force compelling her to succeed. Nigerians at home and in Diaspora were always expressing their support, solidarity, goodwill and appreciation for her work and consequently, they prayed for her in mosques and churches all over the world<sup>19</sup>.

The other motivating force, according to her, was that she felt that she had to give her best to Nigeria, a country that made her what she is today.

<sup>20</sup>.

### **Strategies She Evolved to overcome the Challenges**

To face the challenges posed by NAFDAC, new inspectorate offices were opened in all the 36 states of Nigeria, including Abuja. Three special inspectorate offices, six zonal offices and three narcotic offices were also introduced. Laws that the new management considered to be out of place or obsolete in relation to the global trends in the war against fake, counterfeit and substandard drugs were also reviewed and sent to the National Assembly.

The Agency focused on enforcement activities, which had been identified as the weakest link in the chain of NAFDAC's regulatory activities. Activities in the area of ports inspection and the enforcement of the activities of the directorates were strengthened. Surveillance and establishment inspection activities were also intensified. These measures yielded dramatic results.

The basis for the string of successes NAFDAC recorded in recent past is due to three new policies enunciated by the federal government of Nigeria. These are

1. The outright ban on the importation of drugs and other regulated products through land borders. Importation of drugs and other regulated pharmaceutical products through land borders was banned by the Federal Government to put a check on the importation of fake drugs.
2. The designation of Calabar (in Cross-River state) and Lagos (Apapa, in Lagos state) sea ports as well as Murtala Mohammed (in Lagos state) and Aminu Kano (in Kano state) International airports, as exclusive ports of entry for the importation of drugs and pharmaceutical raw materials. These two airports were designated as the only entry points of pharmaceuticals into Nigeria.
3. Release of shipping and cargo manifests by the Nigerian Ports Authority, shipping lines and airlines to NAFDAC inspectors.

The 6 zonal and 36 state offices are for easier accessibility. They are also equipped to function effectively. NAFDAC laboratories nationwide are also monitored daily for reliable analysis.

**Staff Re-orientation and Motivation:** She explained that staff orientation and motivation was done and maintained through the process of retrenching corrupt, redundant and incorrigible staff. Staff were employed on merit. NAFDAC embarked on staff training and re-training, locally and internationally. There was effective delegation of duties and staff were empowered at all levels. There was constant staff performance evaluation to ensure commitment and effectiveness. Various welfare packages, including thirteenth month salary were initiated and were being sustained. Hard work was rewarded in the form of recognition, commendation letter, promotion, overseas workshops or training. Staff members who reported defaulting companies or any staff that compromised with defaulting companies was similarly rewarded.

She concluded that staff members involved in aiding or abetting defaulting companies faced outright dismissal. Heroic activities were adequately rewarded and leadership by example was highly emphasized.

The local manufacturers of drugs and other regulated products were routinely monitored by NAFDAC to ensure compliance with Good Manufacturing Practice. Compliance directives were issued and enforced to the letter when lapses are observed. Prosecution was carried out as the last resort.

**Restructuring and Modernizing:** According to Dora Akunyili, NAFDAC was reorganized into eight functional directorates as against the previous six. New directorates of Enforcement and Ports Inspections were established. Also established were new state offices to cover the 36 states of Nigeria and the federal Capital Territory, Abuja. Six zonal offices and four special inspectorate offices were also established in towns with big drug markets.

NAFDAC gave numbers to every product. These numbers were affixed on every product. To stop people from faking these numbers, NAFDAC began to add a serialized hologram as additional mechanism.

**Establishment and Upgrading of Laboratories:** Under Dora Akunyili, five old laboratories were upgraded; three new ones were almost completed while warehouses and land border offices were also constructed. New Standard Procedures and Guidelines were developed so as to institutionalize NAFDAC processes. The regulatory processes of the Agency were continuously upgraded and automated. NAFDAC initiated the formation of the West African Drug Regulatory Authorities (WADEAN) which is a forum where heads of drug regulatory authorities in West Africa can share strategies and experiences and carry one another along in the fight against fake and counterfeit drugs. Dora Akunyili was appointed the pioneer chairman. This was necessary due to the fact that when drug counterfeiters were chased out of Nigeria, they relocated to other West African countries and became a big problem to them. It therefore became necessary for countries in the West African Sub-Region to work in concert so as to ensure that drug counterfeiters do not find a safe haven anywhere in the sub-region. NAFDAC also extended this collaboration to other countries in Africa.<sup>21</sup>

#### **Establishment of International Medicine Products Anti-Counterfeiting Taskforce (IMPACT)**

In 2002, NAFDAC initiated and proposed the establishment of an international convention on counterfeiting of pharmaceuticals at the International Conference of Drug Regulatory Authorities (ICDRA) meeting in Hong Kong. This was upheld at the 2004 ICDRA meeting in Spain. At the WHO sponsored meeting on drug counterfeiting in Rome, in February 2006, the

IMPACT was proposed, and subsequently established. The Task-force would formulate and execute strategies for international collaboration. IMPACT was regarded as an interim measure which would eventually metamorphose into an international convention.

Companies that produced fake drugs were identified and blacklisted. Factory inspection by NAFDAC staff before drugs were registered was also introduced.

NAFDAC started tracking down drugs illegally smuggled into the country and monitoring the clearing of imported pharmaceutical products, banning of imported drugs labeled “for exports only,” as these were typically not registered in their country of origin. Dora Akunyili was able to mobilize West African countries to jointly organize food and drug regulators. That was what led to the establishment of the West African Drug Regulatory Authorities Network (WADRAN). WADRAN became necessary because when drugs counterfeiters were being chased out of Nigeria, they moved to neighboring countries, where the laws were weaker or where the regulators were not so strong. NAFDAC began to share strategies work in concert with other West African Countries Drug Regulatory bodies<sup>22</sup>

### **Consumer Information, Education and Communication**

Education engenders awareness and enlightenment in this regard Consumer protection is an interaction between government and individual decision-making. Making wise choices demands education, awareness and information because it is said that knowledge is power. To enable the consumer have a full and relevant information to make wise choices in the market place, Dora Nkem Akunyili embarked on public information aimed at acquainting the consumer with regulatory processes and procedures and at helping the consumer identify and redress specific issues and problems that affect him. To this end, NAFDAC, under Dora Nkem Akunyili, moved into action and formulated programmes through which the consumers can be better and properly informed. According to the NAFDAC boss, NAFDAC’s most important and most effective strategy is her public enlightenment campaigns. In Nigeria, public enlightenment has worked like magic for the Agency because these counterfeiters succeeded in the past partly because of lack of awareness. She explained that NAFDAC held meetings with almost all stakeholders, from religious leaders to traditional leaders, medicine sellers, doctors and various professionals. NAFDAC also took its campaign to the villages which she called grass roots mobilization. In her own words she explained:

*we started with public enlightenment campaign. We realized that the first step in solving a problem is to sit down and accept that there is a problem; to tell people that there is a problem so that people will stop being deceived; to sensitize people to be vigilant about what they buy, use, and eat<sup>23</sup>.*

The Public Relations Unit, under the Director-General’s Office, has the primary responsibility of informing, enlightening and creating awareness on the role of the agency. In carrying out these functions, the Public Relations Unit employed the services of the mass media (Radio, Television, Print media), undertook the establishment of NAFDAC consumer safety Bulletin, showed the differences between fake and genuine drugs in newspapers every two weeks and made use of the information channels of communication as effective tools in the discharge of its duties.

The Unit is solely responsible for the publication of the Agency’s quarterly News Magazine and other publications and the Information Brochure of the Agency. It also co-ordinates the Information, Education and Communications (I. E. C) programs of the agency. All these measures help the enlightenment campaigns campaign of the Agency.

### **Battle Against Fake Drugs in Nigeria and Dora's Major Constraint**

The counterfeiters first of all made sure that the regulator compromised standard. When this failed, they fought back with intimidation, blackmail and threats. In one of the occasions, according to Dora Akunyili, they deposited fetish objects in her office, which included bloodstained feathers, African beads and a tortoise<sup>24</sup>.

They also resorted to physical attacks and arson against NAFDAC staff and facilities. Recounting various attacks on NAFDAC Dora Akunyili observed that in August 2001, armed men invaded her residence at Abuja from 8pm to 10pm, searching for her and did not steal a pin. Fortunately, she was out of town. Also in August 2002, NAFDAC laboratory in Lagos was vandalized and most of our sensitive equipment were destroyed. Sometime in 2003, Dora's son narrowly escaped being kidnapped and was only released when he swore that Dora was not his mother. Between 7<sup>th</sup> and 11<sup>th</sup> March 2004, there was a synchronized burning of NAFDAC facilities across the country. A friend of hers, one of the foremost drug manufacturers in the country, who organized a reception for her when Transparency International gave her an integrity award, had her factory burnt down in Lagos, the same day that NAFDAC offices were razed in Lagos. It was a frightening coincidence. In 2004, irate drug hawkers beat up NAFDAC officers in Gombe state and destroyed their car. The officer in charge of Gombe office was so much under threat that he relocated his family out of the state. In June 2006, NAFDAC officers were attacked and driven out of Onitsha drug market along with the 12 policemen that accompanied them for the screening operations. Their 6 vehicles were also destroyed. On June 13, 2007, NAFDAC staff working with 10 armed policemen were beaten up when they went to evacuate counterfeit products in Kano market and one staff sustained fractures in one leg. NAFDAC vehicles were also vandalized. It took the stationing of an armored tank and over two hundred policemen to contain the angry mob and save the lives of NAFDAC officers. NAFDAC also recorded twenty other documented attacks against her staff in different parts of Nigeria<sup>25</sup>.

**Inadequate legislation:** In most countries, laws against counterfeiting are very weak. Consequently, criminals are shifting from gun running and cocaine pushing to drug counterfeiting because it is financially lucrative but of relatively lower risk. The penalty for producing, importing and distributing fake drugs or other regulated products in Nigeria ranges from three months of imprisonment to 5 years or option of USD 70 to USD 3600 fine. To stem the tide NAFDAC reviewed the laws and forwarded them to the National Assemblies. The reviewed laws have been resubmitted several times on the request of the legislators, which led the promulgation of NAFDAC ACT, 1, 2004.<sup>26</sup>

Abuse of judicial process:

Despite the criminality of drug counterfeiting, the criminals, who are usually wealthy, very often go scot-free in court. On many occasions, they have taken advantage of the court procedure to delay justice and even circumvent it.

### **Assassination Attempt:**

*After the assassination attempt on me in December 2003, organized by some rich drug dealers in Onitsha drug market, the latter were subsequently arrested and arraigned before an Abuja high court. It was easy for the security agencies to link them with the assassination attempt because the drug counterfeiter boasted some months before the assassination attempt that the director-general would not live to see 2004. This case was tried for over 1½ years. 58 exhibits were tendered and 19 witnesses gave detailed*

*testimonies of every stage of the assassination attempt from planning to shooting and to post shooting. At the end of the trial, the presiding judge ruled that he had no jurisdiction to hear the case even though the issue on jurisdiction was raised three times by the prosecuting lawyers at the beginning of the hearing but was set aside by the same judge. He directed that the case be transferred to Anambra state in South Eastern Nigeria where the shooting took place for trial”<sup>27</sup>.*

Dora Nkem Akunyili described the sale of fake and counterfeit drugs as clear murder, when she was advising the medicine dealers at Kano market in Northern Nigeria. She pleaded with them to reject fake drugs and cautioned them that the direct proof that a fake drug has killed is hard to find. The closest case of evidence that fake drug kills was when the International Children’s Heart Foundation visited Nigeria to operate on sick children at the University of Nigeria Teaching Hospital (UNTH), Enugu, on July 2003. The operations should have been straight forward. The patients’ prognosis was good, but when the operations began, things went wrong. Cardiac nurse Joanne Price explained that when adrenalin was administered to restart the heart, which normally works, nothing came back because it was water. It became clear to her that they were injecting water instead of adrenalin<sup>28</sup>. Four children died while their mother watched and prayed. Dora confiscated the remaining supplies of the fake adrenalin, fake muscle relaxant and infected intravenous drips. The hospital maintained that there was no proof to link the deaths of the patients with the drugs used.<sup>29</sup> She used this story to drive home the dangers of fake and counterfeit drugs.

At Onitsha market, the situation became so alarming, according to Akunyili, that NAFDAC had no alternative than to take decisive action to protect the lives of people. And so, at 3am on April 3, 2007, NAFDAC mobilized 350 policemen, 150 soldiers and 150 trained staff and in an operation code-named, “save the life of the Nation” led by NAFDAC Director of Enforcement, Pharm. Dioka Ejionueme, clamped down on the market and prohibited further business in over 2,500 shops. NAFDAC disclosed that the agency discovered unprecedented illegal drug trafficking and counterfeiting in the market. She enumerated the illicit drugs as

*Alarming quantities of counterfeit, fake, expired and clones of fast moving and costly drugs; large quantities of banned and smuggled drugs vaccines of poor storage and impotence; packing materials, and tablets of various products of reputable companies such as May and Baker; Drugs donated by international agencies and Nigerian government for free distributions to the needy, which include high potency vitamin A, Tuberculosis drugs; Bags of Indian Hemps, Equipment and machines for manufacturers drugs and accessories; clinics for perpetrating abortion among others<sup>30</sup>.*

Akunyili announced the black listing of the market and banned the owners of the abortion clinics and the manufacturers of the counterfeit drugs from transacting any business in the market. The ban on the executives of the Onitsha Patent and Proprietary Medicine Dealers Union (OPPMDU) was announced. A new interim Committee was inaugurated to over-see the activities of OPPMDU and was charged with the responsibility of cooperating with NAFDAC in sanitizing the market of fake and counterfeit drugs<sup>31</sup>.

But the NAFDAC boss insisted that the Onitsha market was responsible for distributing most fake drugs in Nigeria<sup>32</sup>. She added that if there is no Onitsha market, Nigeria will record less than five percent of fake drugs<sup>33</sup>. She concluded that currently the national average stands at 15 percent, with Onitsha, a city of more than one million people, recording 30 percent. She

cited a joint study by her agency and the WHO titled, ‘The Study of the Present Level of Fake/counterfeit Medicine in Nigeria’ which showed that Onitsha had 40% of fake drugs.

Also, major pharmaceutical markets in the Southern city of Aba, Abia State and the Northern city of Kano, Kano State, was not left-out by the Agency. The pressure worked and temporarily won compliance from other markets. The campaign netted several convictions against counterfeit drugs traffickers and saw to the destruction of substandard medicines that would have cost buyers more than US 860 million, according to NAFDAC<sup>34</sup>.

In the process of mopping up what was already in circulation, NAFDAC realized that some people, in whose shops fake drugs were found issued out fake receipts so that the real importers could not be traced. NAFDAC then decided to issue out a guideline that if such receipts were ever given by any shop, everything in that shop would be evacuated and destroyed. That was how, according to the NAFDAC boss, NAFDAC was able to find the thirty Indian and Chinese companies and one Pakistani company that were banned by NAFDAC from exporting drugs into Nigeria.

In her campaign, Dora visited the Olinyi of Ebiraland, Alhaji Ado Ibrahim and other traditional rulers in the country, urging them to educate their subjects on the need to use only drugs and products certified by the Agency<sup>35</sup>

“A certification of free sale” was now required before any drug could be imported. This requirement was in addition to appropriate certification and authentication by relevant authorities<sup>50</sup> The campaign against fake drugs and the success recorded also triggered reprisals from the powerful criminal gangs controlling the trade.

Several NAFDAC’s offices were set on fire and vandalized, including its main office and laboratory in the economic capital of Lagos after the attempted assassination of Dora Akunyili on December 26, 2006.

Police soon arrested several Onitsha –based suspected drug counterfeiters, who were charged with the attempted assassination. After a two-year trial they were freed on legal technicalities, which emboldened drug traffickers.<sup>36</sup>

Since fake drugs business is lucrative, NAFDAC employees, including Akunyili, have faced intimidations, harassments, and vandalism from fake drug sellers.

### **Achievement of Dora Akunyili as NAFDAC Director General**

NAFDAC under Dora Akunyili achieved a lot in its fight against fake, counterfeit, substandard drugs and regulated products in Nigeria. Some of the achievements recorded by her in her 7 years of headship of NAFDAC can be summed up as follows: Drug counterfeiting is a transnational criminal network that involves stupendously rich and powerful mafia. People therefore did not believe that Dora could confront the mafia, which had been unchallenged for almost three decades. It was a rude shock to drug and other products’ counterfeiters that NAFDAC refused any discussion or negotiation for business to continue as usual. According to Dora Akunyili,

*The first shock the criminals had was when in May 2001, a multinational (Nestle) was reported for trying to clear revalidated expired skimmed milk, imported in nine 40ft containers, that was supposed to be used for the production of infant formula. The milk was seized, and Nestle instituted a court action against NAFDAC. Along the line, they pleaded for settlement out of court, and NAFDAC accepted and gave the condition that the milk would be publicly destroyed, and that Nestle*

*would pay for the destruction, which took place in December 2001. In July 2002, Cadbury imported and relabeled expired chocolate and was charged to court. Again they pleaded to settle out of court after they had paid a stipulated fine. Patterson Zochonis (PZ) imported menthol crystals labeled "Reject". Again they were charged to court.<sup>37</sup>*

During the same period, the only bakery in Agulu, Aniocha L.G.A, Anambra State (the village of Dora Akunyili husband) was closed down for the same reason and the villagers were very upset. A flour mill belonging to the richest Nigerian was closed down in May 2007 it was producing semolina flour without vitamin A fortification which was packed in packages which were labeled as containing vitamin A. They recalled the product, paid a fine and started to fortify the product as directed. NAFDAC closed several drug shops, supermarkets, and eateries found to be stocking expired, substandard or fake products. In the same vein, NAFDAC also closed 3 big drug markets across the country, Aba for 6 months in 2002, Kano for 3 months in 2005 and Onitsha (the biggest drug market in the West African Sub-region) for almost 4 months in 2007. These sanctions and many more involving so many untouchables were a wakeup call for companies who never knew that they could be sanctioned or ordered to do the right thing. The drug counterfeiters came in different guises to negotiate with NAFDAC so as to compromise standard and continue to do their business as usual. When this failed they fought back with intimidation, harassment, blackmail and threats. On several occasions they deposited fetish objects in Dora's office<sup>38</sup>

Under Dora Akunyili as NAFDAC Director-General, the fight against fake drugs in Nigeria recorded an impressive success in 2007. Fake drugs worth about two billion naira (US \$16 million) were voluntarily handed over by counterfeiters or seized after tip-off from the public. There was tough surveillance at the ports and airports from where medicines entered the country. NAFDAC authorities inspected shops and markets where medicines were sold. In June 2006, NAFDAC had secured convictions for 45 counterfeiters with 56 cases pending in court.<sup>39</sup>

NAFDAC, under Dora Akunyili has sanitized the food and drug industry, and created a reasonably well regulated environment that saved the lives of millions of Nigerians, and indeed millions of Africans, and boosted the Nigeria economy by encouraging local industries and foreign investors.

Immense public awareness has resulted by the participation of all stakeholders in the regulatory process and this has awakened international consciousness that Nigeria is no longer a dumping ground for fake products. Because of NAFDAC's activities under Dora Akunyili, counterfeit drugs have dropped from an average of over 41% in 2001 to 16.7% in 2006. Drugs unregistered by NAFDAC stood at 19% in 2006 as against 68% in 2001.<sup>40</sup>

The production capacities of the local pharmaceuticals industries in Nigeria have increased tremendously from 70 to 150 between 2001 and 2006. In 2001 Nigerian local pharmaceutical industries were producing less than 25% of Nigerian drug needs, but between 2001 -2007 they were producing over 40%(2). There is continuous upward movement in the share prices of the pharmaceutical companies quoted in the Nigerian stock exchange market. Investors are establishing new multinational pharmaceutical companies which are relocating to Nigeria as a result of the improved regulatory environment. Ban on "Made-in-Nigeria" drugs have been lifted by other West African countries. In fact, there is so much confidence in 'Made-in-Nigeria' drugs that our drugs are now marketed in many African countries. At the ports, Made-in- India drugs are intercepted and labeled "Made in Nigeria".<sup>41</sup>

NAFDAC between 2001 and 2006, carried out 121 destruction exercises of counterfeit and substandard products valued at over N22.8billion. Forty-five convictions have been secured in respect of counterfeit drug related cases, while 60 cases are pending in courts.

### **Collaboration with other Related Government Agencies**

Dora Akunyili, in her efforts to make NAFDAC an effective organ of government in the combat of fake and adulterated drugs collaborated with other related government agencies such as:

- (1) Standard Organization of Nigeria
- (2) Pharmacy Council of Nigeria
- (3) Advertising Council in Nigeria
- (4) Federal Environmental Protection Agency (now subsumed under Federal Ministry of Environment)
- (5) Federal Ministry of Agriculture
- (6) Institute of the Analysts of Nigeria
- (7) Consumer Protection Council of Nigeria<sup>41</sup>.

### **Collaboration with other International Organization**

NAFDAC under Dora Nkem Akunyili also collaborated with:

- (1) World Health Organization (WHO)
- (2) Food and Agricultural Organization (FAO)
- (3) The United States Food and Drug Administration (USFDA)
- (4) The International Atomic Energy Organization (IAEO)
- (5) The International Narcotics Control Board (INCB)<sup>42</sup>

### **Awards Won by Dora Akunyili for her Fight Against Fake Drugs in Nigeria**

For her industry and commitment to the value of honesty and transparency, Dora Akunyili has received awards and recognitions both locally and internationally. Prominent among these are:- Recognition as an Icon of Hope for Nigeria (2002) by President Olusegun Obasanjo; Conferment with the National Order of the Federal Republic – OFR by President Olusegun Obasanjo; Integrity Award (2003) by the African Institute for Democracy and Good Governance; Special Award for Economic Crime Service, London; African Civic Responsibility Award (2004-2005) by African Times-USA; Industrial Pharmacy Medal Award (2005) by International Pharmaceutical Federation (FIP).

### **Summary**

History is replete with examples of leaders who are not concerned with the needs of their people. No matter the plight of their people, they remained indifferent. On the other hand, history is also replete with leaders that have offered quality leadership to improve the lots of their people like Dora Nkem Akunyili. Dora is a divine gift to Nigeria at a time Nigerians need talented person like her most to improve the state of things in the country's fight against fake and counterfeit drugs. By her activities in NAFDAC, Nigeria has won fame and recognition all over the world. She has used her energy to safeguard the lives of the majority of the people from the menace of adulterated drugs. This is seen in the successes she recorded at NAFDAC as it's Director-General.

Like the Scottish missionary, Mary Slessor of the blessed memory, worked relentlessly worked to see that the killing of twins was abolished, Akunyili has proved that she has great determination and drive, for her calling in NAFDAC thereby, proving skeptics and her detractors wrong. Not much was known about NAFDAC before she assumed office as the Agency's Director-General in 2001. She courageously faced the fight against fake, adulterated,

counterfeit and substandard drugs and pharmaceutical products, including fake medical devices through out Nigeria at a grave risk to her life and personal safety. According to Dora, 'Nigeria have come a long way from the days we unsuspectingly ate bromate and washed it down with tea or coffee.'

### **Recommendations**

Firstly, to sustain the achievements and successes of Prof. Dora Akunyili in NAFDAC, the Agency must solicit for the support and co-operation of her various allies so as to stifle and permanently halt the movement of fake Drugs across the borders of Nigeria. To achieve this feat, the Nigerian government should partner with neighbouring countries like Ghana, Togo, Benin Republic, Cameroon, and Niger Republic so as to eradicate fake Drugs from the shores of Nigeria. This is very essential since some of these countries do not have regulatory laws for the eradication of fake drugs as a priority. Their constant trafficking of fake drugs across the porous Nigerian border must be checked carefully to curb the scourge. This can be made easier by the employment of experts in information technological from prompt information on the traffic.

The war on corruption must start from the Executive arms of government and flow down to the legislatures, the judiciary, and the law enforcement officers before the common man on the street.

Lastly, Nigerian leaders should rise above ethnicity, political, genotypic and gender discriminations, lies and the likes. It is on record that President Olusegun Obasanjo did not base the appointment of Prof. Dora Akunyili as NAFDAC DG on these mundane considerations.

### **Conclusion**

Dora Nkem Akunyili, as the Director-General of NAFDAC, can be said to be one of the best officials in the government of President Olusegun Obasanjo from 1999-2007. She restored the faith of Nigerians in pharmaceutical products in Nigeria. Many women can screw up things as men do; but one may emerge to make a whole lot of positive difference. The injection of such women into the Nigerian body-politics can help to lower the level of violence and corruption in the country. The success of Dora Akunyili in NAFDAC is not only a success story of a fine woman of integrity but that of President Olusegun Obasanjo's government and Nigerians in general. If the President had listened to people, who for various reasons had worked to prevent her appointment to the Directorship of NAFDAC, Dora would have stayed back at the University and perhaps the agency, like many others, would have continued to languish and decline, while thousands and millions of Nigerians would have continued to suffer impaired health due to fake drugs or would have died as a result.

On TV interviews, President Obasanjo has testified a number of times to the battle he waged to pick this woman, whose appointment was fortuitous for NAFDAC. President Obasanjo believed she could deliver the goods and went ahead to select her for the appointment irrespective of the ethnic, political, genotypic, and even gender prejudices against her from her detractors. Her selection was based on merit, pure and simple. This is exactly what Nigeria needs in order to succeed. If successive governments could appoint people to positions in this manner without recourse to political or religious affiliation, or ethnic interests, and on the basis of the fact that the candidate is best qualified for the job, then, there would be hope for the future of our country, Nigeria.

The appointment of Dora Nkem Akunyili and a few like her in one or two other fields has proved conclusively that if you use the right people, the miracle of transformation of this country will work and you will get the right results. Think of a personality of the type of Dora Akunyili as the Inspector General of Police, or the Boss of the Ports Authority or of Power Holdings Plc in Nigeria. The progress and the result would be far reaching and stupendous. It is not too late; rather it is “morning yet on creation day” to give the country a facelift, to use efficient and incorruptible people willing to ssserve the country, and be strong willed enough to discard incompetent and corrupt ones and dead woods, no matter their background and affiliations

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