

Fake ARVs case fails to take off

By FAUSTINE KAPAMA

COMMENCEMENT of hearing of the alleged fake ARV drugs case involving Chama Cha Mapinduzi (CCM) Chairman, Dar es Salaam Region, Ramadhani Madabida and five others, failed to take off as scheduled yesterday because the trial magistrate was absent.

Senior Resident Magistrate Nyigulile Mwaseba had to start receiving testimony of prosecution witnesses at the Kisutu Resident Magistrate's Court in Dar es Salaam, but the session was pushed forward to September 3, as she was busy with other matters.

The prosecution, led by State Attorney Pius Hilla, had some witnesses who were ready to give their evidence in attempt to prove the charges against the accused persons, but he was forced to allow them go, having been informed of the absence of the trial magistrate.

In the case, Madabida, who is also the Managing Director with Tanzania Pharmaceuticals Industries Limited, is charged alongside three other top officials with the company, Seif Salum Shamte, Director of Operation, Simon Alfred Msoffe, Marketing Manager and Fatma Ally Shango, an Assistant Accountant.

The rest are two officials with the Medical Stores Department (MSD), Sadiki Frank Materu, who is Quality Assurance Manager and Evans Mwemezi, the Quality Assurance Officer.

They are facing five counts, including occasioning a loss of over 148m/- to the government following supply of the drugs in question.

It is alleged that on April 5, 2011 in Dar es Salaam, Madabida, Shamte, Msoffe and Shango, supplied to MSD 7,776 tins of counterfeit Antiretroviral Drugs, purportedly showing contained ingredients Stavudine 30mg, Nevirapine 200mg, Lamivudine 150mg, with batch number OC 01.85 manufactured in March 2011 and expiring February 2013.

On April 11, 2011, in the city, the four accused persons allegedly supplied 4,476 tins of counterfeit Antiretroviral Drugs allegedly containing ingredients Stavudine 30mg, Nevirapine 299mg and Lamivudine 150mg with batch number OC 01.85 manufactured in March 2011 and expiring February 2013.

Between April 12 and 29, 2011 in the city, with intent to defraud or deceit, jointly and together, the four accused persons allegedly obtained from MSD 98,506.8 US dollars (about 148,350,156/-) by pretending that the said money was payments for genuine 12,252 tins of Antiretroviral Drugs supplied.

The prosecution alleges further that between April 5 and 13, 2011, in the City, being employees of MSD, Materu and Mwemezi, knowing that there was a design to commit and offence of supplying the counterfeit drugs, failed to use all reasonable means to prevent such crime from being committed.

Between April 5 and 30, 2011, in Dar es Salaam, by willful acts and reason of their failure to discharge their duties in a reasonable manner, Madabida, Shamte, Msoffe, Shango, Materu and Mwemezi caused the MSD to be supplied with 12,252 tins of fake drugs, leading to a pecuniary loss of the said 148m/-.