

## MEDIA RELEASE

13 May 2022

### REACTION TO THE DESTRUCTION OF COUNTERFEIT GOODS

This media release aims to restate certain facts as contained in our statement issued on Tuesday 10 May 2022 on the subject matter and further serves as a response to some of the allegations made against the destruction of the counterfeit goods this week.

1. Namibia Revenue Agency (NamRA) is established in terms of the Namibia Revenue Agency Act 2017 (Act No. 12 of 2017), entrusting NamRA with a huge mandate which amongst others includes the protection of the Namibian society, in particular to *“protect Namibian borders from illegal importation and exportation of goods”*.
2. In line with the Customs and Excise 1998 (Act No. 20 of 1998), specifically sections 97, 98, and 100 of the said Act, NamRA on 10 May 2022 destroyed counterfeit goods valued at over N\$5 million. In terms of section 123 (1) (b) of this Act, the importation of counterfeit goods is prohibited in Namibia owing to copyrights infringements and in the interest of protecting society.
3. The operation carried out was also consistent with international instruments such as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), in relation to enforcement.
4. The counterfeit goods included branded items displaying several prominent clothing brands and ranged from clothes, shoes, perfumeries and bags. The destroyed goods were classified as counterfeit goods, meaning that they were manufactured or sold under another brand name without the brand owner's authorization.
5. Following the destruction of the counterfeit goods; several concerns, allegations and observations have been made and NamRA hereby states the following:
  - 5.1. The destroyed goods have been in our warehouses for many years, seven (7) years for some, while the latest were seized last year and therefore are not goods that have been recently confiscated.
  - 5.2. It is not true that the goods were predominantly confiscated from Namibians. While we will not divulge the nationality of those from whom the goods were seized, we can affirm that the majority of the goods were not confiscated from Namibian citizens.
  - 5.3. An unfortunate and baseless link has emerged between the destroyed goods and online purchases, otherwise loosely known as “order with me”. Again, it is not correct to conclude or imply that the destroyed goods were necessarily intercepted online sales. There however might be such isolated cases.

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- 5.4. There seem to be a confusion between low quality or unbranded goods and counterfeit goods. While the former could serve as an alternative to premium/branded goods, which if properly registered would be lawful; the latter is the exact imitation of a brand with the intention to deceive or defraud, which is illegal.
6. The destroyed goods were confiscated by NamRA officials at different duty stations as part of various enhanced enforcement operations, carried out under the applicable domestic and international instruments.
7. NamRA therefore reiterates its appeal to the public to refrain from importing counterfeit goods as they could lose the acquired stock due to the violation of the law. Further, counterfeit goods might be harmful to society as such goods would have not been subjected to the relevant established standards.

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**Issued by:**



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