



## PESTICIDES IN PUNJAB

### Q&A

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*“In my opinion the chemical should be banned. Because spray also kills the necessary insects. So such a chemical should not be manufactured. It should not affect us and our animals.”*

- Farmer discussing the impact of pesticides, Bhotna Village, Punjab, 14 March 2015.

Pesticide products contain hazardous chemicals that are known to cause severe damage to human health and the environment. According to the World Health Organization (WHO), pesticide poisoning affects 3 million people around the world and accounts for 20,000 unintentional deaths a year. A large number of the chemicals found in pesticides are internationally recognized as causing serious diseases such as cancer and reproductive disorders. To manage the global risks associated with pesticide use, in 1985, the Food and Agriculture Organization (FAO) of the United Nations developed the International Code of Conduct on Pesticide Management (Code of Conduct). The Code applies to governments and pesticide companies alike, and industry actors have fully endorsed the Code. However, surveys carried out in Punjab, India suggest that Bayer and Syngenta are manufacturing, distributing and selling pesticide products in violation of the Code of Conduct.

The FAO/WHO Panel of Experts on Pesticide Management (Panel of Experts) may recommend follow-up actions, as appropriate, to monitoring reports submitted by non-governmental organizations. Based on information collected during two surveys in Punjab, a coalition of NGOs across Asia and Europe – including the ECCHR, Pesticide Action Network Asia Pacific, Bread for the World, the Berne Declaration and Kheti Virasat Mission, an organic farming movement based in Punjab – has submitted a Monitoring Report to the Panel of Experts. The Report highlights facts indicating possible violations committed by both companies, including for example: the omission of safety instructions and health warnings on labels and the failure to promote the use of protective clothing. The submitting organizations maintain that such violations contribute to the misuse and overuse of pesticides in Punjab and increase the risk of harmful exposure to pesticides. They urge the FAO/WHO Panel of Experts to call on Bayer and Syngenta to halt the sale of pesticides in Punjab where their use presents an unacceptable risk to the public.

### ***What is the International Code of Conduct on Pesticide Management?***

The Code of Conduct and the accompanying Guidelines developed by the Food and Agricultural Organization of the United Nations (FAO) set standards for pesticide management that are aimed at reducing health and environmental risks. The pesticide industry should rely on the Code, particularly when operating in countries that have not yet established or are unable to effectively operate regulatory control over commercial pesticide activity (Art. 3.2); in practice this applies to many countries of the Global South where the most adverse



environmental and public health impacts of pesticide use are felt. Where relevant standards cannot be met and pesticide use presents an unacceptable risk to the public, the Code requires pesticide companies to halt sale of these products.

***Who does the International Code of Conduct on Pesticide Management apply to?***

The Code of Conduct addresses the shared responsibility of governments and the pesticides industry to manage the risks associated with pesticide use wherever they are sold. The Code has been adopted by CropLife International, a platform that represents pesticide companies internationally. Bayer and Syngenta have pledged to adhere to the Code both through their membership to CropLife and in commitments contained in their internal management policies.

***What is a Monitoring Report and how does the mechanism work?***

Pesticide companies voluntarily integrate the standards in the Code of Conduct into their business practices. However, NGOs are invited to monitor observance of the Code and submit *Ad Hoc* Monitoring Reports to the FAO/WHO Panel of Experts. In their yearly meeting, the Panel of Experts reviews the reports and makes recommendations for appropriate follow-up actions.

The FAO emphasizes the value of the monitoring mechanism. However, its effectiveness is heavily disputed. First, the mechanism is not widely known and is under-used; to date only three monitoring reports have been submitted, with the last presented in 2007. Second, NGOs that have participated in the monitoring mechanism have observed how the Panel of Experts has consistently failed to effectively address evidence of noncompliance.

***Why did ECCHR and its partners decide to submit a Monitoring Report to the FAO/WHO Panel of Experts?***

The Code of Conduct contains important minimum standards for international pesticide companies to follow, and its standards should be enforced as a means to protect the populations it is designed to serve. The minimum standards in the Code of Conduct are of particular importance in countries where the domestic pesticides legislation and its implementation are ineffective, leaving farmers, who are in direct contact with pesticides as well as the local population who are indirectly exposed, unprotected against the health hazards created by pesticides.

Pesticide manufacturing companies may well be aware of the situation through visits of sales representative on the ground as well as various policies and internal mechanisms designed to safeguard the interests of end users. The Code of Conduct is explicitly accepted by the parent companies such as Bayer CropScience AG as well as Syngenta AG. Violations of the Code of Conduct in countries of the Global South, such as India, can thus be directly linked to the headquarters. The problem of environmental and health damages is assessed in a



comprehensive way including the responsibility of parent companies who ultimately benefit economically from the business activities abroad. This role of the parent companies also puts into question the current approach of the home governments of pesticides manufacturing companies.

Finally, the Code of Conduct is the only standard globally accepted by governments and the industry alike. The Code of Conduct aspires to support sustainable agricultural production, while protecting human and animal health and the environment from the harmful effects of pesticides. According to Margaret Chan, Director General of the WHO, the Code of Conduct in its current form emphasizes minimizing the use of pesticides and, if necessary, removing from use highly hazardous pesticides. In order to live up to its objectives, the Code of Conduct needs monitoring efforts by civil society organization, as this offers the possibility to critically review industry practice and allow the WHO/FAO Joint Meeting of Experts on Pesticides Management to actually influence the industry when it comes to fulfilling its responsibilities under the Code. The Code of Conduct would otherwise be rendered meaningless and lose its credibility. ECCHR believes that it is important that WHO/FAO monitors compliance with the regulatory standards to ensure that health is not put at risk.

### ***What are the health concerns related to pesticides in Punjab?***

In the mid-1960s the so-called Green Revolution introduced new farming techniques to Punjab that relied on increased inputs such as fertilizer and chemical pesticides. After decades of accusations surrounding the indiscriminate use of toxic pesticides, people are seeing the adverse effects on their health as well as the surrounding environment. This is especially so in the Malwa region or the “cotton belt”, where 75% of the pesticides in Punjab are used.

Farmers applying pesticides are directly exposed to them dermally and orally. Dermal exposure occurs through direct contact with the skin, for example by spillage during mixing or pouring or contamination of skin or clothing during spraying. Inhalation exposure can occur when application creates airborne liquid or solid particles that are fine enough that they may be taken in through the nose or mouth. Farmers suffer from acute effects such as skin burning, respiratory problems, blurred vision, nausea, and dizziness as well as long term effects through continued exposure to pesticides in small doses over a long period of time.

Due to the contamination of water, soil and food in Punjab, families, communities and consumers are also at risk of being indirectly exposed to pesticides that can result in serious diseases. The high prevalence of cancer has attracted significant concern from health professionals as well as the government of Punjab and scientific studies have linked reproductive disorders and developmental problems with pesticide exposure. There are also reports of serious side effects caused by direct exposure to pesticides. A study in the cotton belt reported that 94.4% of farm workers suffered from skin rashes and itchiness, and 88.9% experienced nausea and eye itchiness after spraying pesticides.



### ***Who does the Monitoring Report address?***

The Monitoring Report focuses on two major European pesticides manufacturers: Bayer and Syngenta. These two companies were chosen due to the dominant market position they hold in Punjab and internationally. The Report also addresses claims of violations committed by their subsidiary companies in India, as well as their sales representatives, and distributors operating in Punjab.

### ***What are the alleged violations of the Code of Conduct?***

The Monitoring Report addresses two main areas of claimed (non)adherence to the Code of Conduct. The first concerns adequate labeling whereas the second concerns the provision of protective clothing for users and the training of company representatives. In addition, the Report addresses the question of whether both companies are failing to monitor business practices as well as the adverse impacts of pesticide use in the area studied.

The Monitoring Report analyzed a sample of six products that Bayer and Syngenta currently distribute in Punjab. According to the Code and Guidelines issued by the FAO, companies are required to include appropriate safety advice and health warnings on labels. However the labels of all six products were said to be incomplete. Of particular concern is the omission of health warnings from the packaging of Nativo, manufactured by Bayer CropScience in Germany. Nativo is sold in Punjab and the UK, and a comparison between the two labels revealed that the warning phrase “*suspected of damaging the unborn child*” appeared to be missing from product sold in Punjab.

The Code of Conduct requires companies to promote the use of protective equipment, which as a minimum should include boots, gloves, goggles and a long sleeved shirt and trousers. However, Bayer and Syngenta appear to be failing to make such equipment available to customers, either by distributing quality equipment to customers or ensuring that it is available to purchase in outlets. As a result, pesticide users seem to have no choice but to apply pesticides in their everyday clothes, and often barefoot, absorbing the poison directly through the skin. Moreover, when users have experienced burning or itching as a result of coming into contact with a pesticide, it was reported that authorized distributors of Bayer and Syngenta advised them to apply mustard oil against acute skin reactions. This means of protection is demonstrably insufficient to protect users from the exposure to pesticides as compared to the equipment recommended by the FAO.

The Monitoring Report also highlights that company representatives at various levels may be aware of these apparent violations ongoing in Punjab. Given their close ties to their distributors, the companies seem to be in a position to influence the sales practices yet fail to take the monitoring of health and environmental impacts sufficiently seriously.



### ***Who is submitting the Monitoring Report?***

The Monitoring Report has been submitted by a coalition of NGOs across Europe and Asia, which includes: ECCHR, Pesticide Action Network Asia Pacific, Bread for the World, the Berne Declaration and Kheti Virasat Mission, an organic farming movement based in Punjab.

### ***What do they want?***

In the Monitoring Report the submitting organizations demand effective follow-up actions from Bayer and Syngenta, namely that:

- They withdraw all pesticide products with inadequate labels from the Punjabi market;
- They refrain from selling pesticides if the availability of appropriate protective clothing cannot be guaranteed;
- They guarantee farmers are adequately trained in how to use their pesticides;
- They train the people who sell their products to market them responsibly;
- They offer a disposal scheme for empty containers.

The submitting organizations also call for an improvement of the visibility of the Code of Conduct and transparency of the monitoring process. They contend that a greater involvement of civil society with more effective results is needed, otherwise the current system is at risk of becoming obsolete.

### **Timeline: (subject to change)**

October 2015: Monitoring Report submitted to the FAO

November 2015 – January 2016: The FAO secretariat provides an opportunity for Bayer, Syngenta and relevant governments to respond to the Monitoring Report.

Spring 2016: The secretariat prepares an independent report to be discussed at the FAO/WHO Panel of Expert's annual meeting.

October 2016: Monitoring Report and video presented and discussed at FAO/WHO Joint Meeting on Pesticide Management.