

Syngenta: Hazardous Agrochemicals in India

By **MultiWatch** (Switzerland)



Yavatmal is a cotton growing region in Central India. From July to November 2017, a number of cotton farmers and labourers were poisoned while spraying insecticides. At least 50 died and over 1,000 became sick, some of which remained ill for months. Those affected mostly belonged to the marginalised Adivasi (indigenous) people. The victims complained of dizziness, nausea, etc. Many were brought to hospitals by their families. But the local hospital in Yavatmal was by no means equipped to analyse the pesticides nor did they have any remedies.

Several factors may explain why the death toll was so high in 2017. One is that this season saw a particularly severe infestation of the pink bollworm. Nearly all of the cotton grown in this region is Bt-cotton which is supposed to be resistant to the pink bollworm. However, recently there has been less resistance, causing farmers to use very high doses of pesticides. Another contributing factor is that the vegetative growth of the plants was reportedly very vigorous in 2017, which created a specific micro-climate in the cotton fields. The sprayed pesticides therefore remained trapped and built up into a thick fog. In addition, many farmers started using new battery or petrol powered pumps, which spray pesticides continuously.

However, the deaths must be understood as part of an already dire situation involving pesticide use in small-scale cotton production. For many small farmers, cotton production hardly breaks even, also when growing conditions are normal. When pest populations increase, farmers come under even greater pressure to save their crops to avoid getting into further debt. In addition, the state has drastically reduced the assistance it used to provide to farmers. This means that farmers depend solely on the advice and instructions of pesticide dealers.

Hazardous chemicals

Syngenta, a former Swiss TNC that is now Chinese-owned, manufactures one of the pesticides involved in this case: Polo. Its active ingredient, diafenthiuron, is classified as slightly hazardous by the Government of India and highly hazardous by the Pesticide Action Network (PAN) India. It is banned in the European Union and in Switzerland. According to an investigation by Swiss NGO Public Eye, Syngenta produced about 126 tonnes of diafenthiuron in Switzerland in 2017, 75 of which were exported to India²¹. The European Chemicals Agency (ECHA) says that diafenthiuron is “toxic if inhaled” and can “cause damage to organs through prolonged or repeated exposure”²². Determining pesticide toxicity is usually based on the effect of a single pesticide. But farmers report that they usually mix different pesticides in order to save on labour costs. The state of Maharashtra allows certain pesticides to be mixed, which is highly unusual. This recommendation lacks any scientific basis.

About the corporation:

Name: Syngenta

Sector: Chemicals and agrochemicals

Country of origin: Switzerland and China

Main ownership: Syngenta is now owned by ChemChina, Chinese state enterprise

Countries in which the transnational has its operations: Over 90 countries globally

Location of the case: India

Name of subsidiaries involved in the case: Syngenta through local agrochemicals dealers

This case is part of the report

THE EU AND THE CORPORATE IMPUNITY NEXUS
BUILDING THE UNBINDING TREATY ON TRANSNATIONAL CORPORATIONS AND HUMAN RIGHTS

The full report can be downloaded at:

<https://multinationales.org/The-EU-and-the-Corporate-Impunity-Nexus>



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According to several fact-finding missions (most notably one by the government and one by the Pesticide Action Network - PAN India³³) found that a mixture of pesticides, fertiliser and growth regulator had been applied before symptoms of poisoning occurred. According to government officials, there were a cocktail of pesticides involved, Polo being the most predominant.

After the incidents became public in October 2017, a farmer activist (Kishor Tiwari) accused the major pesticide companies of causing these deaths. He claimed that they sell pesticides without providing adequate safety information. A report by the Pesticide Action Network India highlighted that Rule 19 of the Insecticide Rules 1979 has been violated by the pesticide manufacturers. This rule states that “the label and leaflets to be affixed or attached to the package containing insecticides shall be printed in Hindi, English and in one or two regional languages in use in the areas where the said packages are likely to be stocked, sold or distributed”. PAN found that some of the pesticide containers found in the field (Polo is not mentioned) did not have information in Marathi, the local language.

PAN also noted in their report that that workers in India do not use any protective equipment, even if Insecticide Rules 39 and 40 state that this is mandatory. In addition, Rule 42 requires that manufacturers (i.e. Syngenta) and distributors provide training in safety precautions and in handling protective equipment. According to the PAN investigation, however, there does not seem to be adequate training in this area. A distributor in Yavatmal remarked that he had no such personal protective equipment, which he believed should be the government’s responsibility to provide. In addition, according to Rule 41, manufacturers and distributors are required to provide sufficient stocks of first-aid equipment, remedies, injections and medicines to treat poisoning cases. The public hospitals treating the poisoned farmers clearly did not have any such equipment.

Syngenta is also being criticized because it sells the herbicide Gramoxone or Paraquat in India. The story is similar: the TNC tries to shirk off its responsibility for how its product is used. At least as long as many users do not have personal protective equipment and cannot read the package information if at all there are any, the selling of such products is a violation of human rights⁴⁴.

Inadequate response from international institutions

This suggests Syngenta could be partly responsible for the pesticide poisonings, even if other actors, such as government institutions and pesticide dealers, were more directly involved. Western agrochemical manufacturers have been repeatedly criticised for selling highly hazardous products in India without ensuring that farmers are adequately informed of the dangers of their use and the necessary protective measures. Some chemicals are not even authorised for use in the EU, such as Syngenta’s Polo involved in these poisonings. A coalition of NGOs submitted a report to the UN Food and Agriculture Organisation (FAO) and the World Health Organisation (WHO) denouncing Syngenta and other EU-based chemical companies for violating the (voluntary) **International Code of Conduct on Pesticide Management**. However, these UN bodies have failed to deliver any specific recommendations.

Both the Government of India and the pesticide industry have ratified the International Code of Conduct on Pesticides Management. Regarding the provision of personal protective equipment, Article 3.6 states that pesticides whose handling and application require the use of personal protective equipment that is uncomfortable, expensive or not readily available should be avoided, especially in the case of small-scale users and farm workers in hot climates. Article 5.3 states that the government and industry should cooperate in further reducing risks by: 5.3.1 promoting the use of personal protective equipment which is suitable for the tasks to be carried out, appropriate to the prevailing climatic conditions and affordable.

Syngenta published a press release on the case, arguing that Polo was not the sole reason for the deaths. They claim that this pesticide is widely used without any negative effects, and that Polo is not a very hazardous pesticide. This does not hold as Polo is banned in the EU and Switzerland and PAN classifies Polo as a highly hazardous pesticide.



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Syngenta further stated that the poisonings were due to the fact that the farmers and labourers did not follow the safety instructions. This argument is victim-blaming at its worst and is an attempt to hide the companies' responsibilities for the safety of those applying the pesticide.

Several contributing factors

The Maharashtra state agriculture minister, Pandurang Fundkar initially stated that “a culpable homicide case has been registered against Gharda Chemicals Ltd for selling a pesticide that is not recommended. We are in process of registering a case against Syngenta (...) under similar section of the Indian Penal Code.” According to public knowledge, the case has still not been registered to date, and this whole issue of Syngenta's involvement vanished from public debate.

The Maharashtra government has registered a First Information Report against five pesticide companies or local pesticide shops. It also asked the Central Bureau of Investigation to take over the case. A Special Investigation Team (SIT) has been set up by the government to investigate the deaths. They blame the deaths mostly on the pesticide Profex Super, manufactured by an Indian company. Syngenta's pesticide Polo is mentioned as one other pesticide in question, but there is no additional information. They also emphasise that the main issue was the combination of pesticides used, particularly mixing different pesticides with fertiliser and plant growth regulator. While a number of state actors are blamed, the transnational corporations are barely mentioned. The report also mentions that many pesticide producers and sellers are not registered to sell dangerous pesticides.

In June 2018, as reported by Public Eye, Maharashtra temporarily banned 5 pesticides, including Polo, and asked the federal government for a permanent interdiction, to no avail.

ENDNOTES

- 1 <https://exportationstoxiques.publiceye.ch>
- 2 https://www.swissinfo.ch/eng/business/syngenta_swiss-made-pesticide-blamed-for-farmer-deaths-in-india/44408248
- 3 http://www.pan-india.org/wp-content/uploads/2017/10/Yavatmal-Report_PAN-India_Oct-2017_web.pdf
- 4 See https://www.publiceye.ch/fileadmin/files/documents/Syngenta/Paraquat/2015-04_Paraquat-use-India_EN_DEF.pdf, the human rights quote comes from <https://toxicexports.publiceye.ch/>

SOURCES

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9th March 2018, "Fumes and fear in Yavatmal", <https://ruralindiaonline.org/articles/fumes-and-fear-in-yavatmal>

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PAN India (October 2017), "Pesticide Poisonings in Yavatmal District in Maharashtra: Untold Realities", www.pan-india.org/wp-content/uploads/2017/10/Yavatmal-Report_PAN-India_Oct-2017_web.pdf