

Brazil Contaminated by Pesticides

The approval of the 'Poison Package' and the time frame proposal expose traditional communities and society at large to harmful chemicals.



The current administration of President Luiz Inácio Lula da Silva has demonstrated a willingness and interest in taking a leading role in environmental and climate issues. However, a series of measures adopted by Brazil's Federal Legislative and Executive branches in recent years have moved in the opposite direction—away from environmental preservation, public health protection, and the safeguarding of traditional territories, and toward favoring the country's pesticide market.

These measures exacerbate a severe scenario of pesticide contamination in Brazil, which is already marked by the following reality:

- Since 2011, Brazil has ranked as the top country in pesticide use.
- In 2022, Brazil used more pesticides than the combined amount used by the United States and China. **800,000 tons of pesticides were applied to Brazilian soil** (FAO/UN data).
- Between 2007 and 2015, **84,206 cases of pesticide poisoning were recorded in the country** (Ministry of Health data). This figure does not account for underreported cases. The responsible agencies have not updated the data.
- The close relationship and ongoing dialogue between agribusiness and the government have contributed to the growth and entrenchment of the pesticide market in Brazil. **Between 2018 and 2024, pesticide industries met with the federal government 205 times** (Transparency Agenda data).
- In 2022, the states and the Union failed to collect **R\$ 12.9 billion due to tax exemptions** on certain pesticides (Abrasco data).

Below, we outline measures taken by the Executive and Legislative branches that have intensified pesticide poisoning among the Brazilian population, along with reactions from civil society, including Terra de Direitos.

Approval of the 'Poison Package'

Authored by former senator Blairo Maggi (PP-MT), nicknamed the 'Soy King,' the bill known as the 'Poison Package' was passed by the National Congress at the end of 2023. The measure, now Law 14.785/2023, significantly loosens the country's pesticide regulations. Notably, the new law significantly eases the criteria for pesticide registration, weakens both the approval process for new pesticides and the re-evaluation of those already registered, and dismantles the interdisciplinary framework for registration and oversight, reducing the emphasis on health and environmental inspections.

The law, which is of great concern, centralizes authority within the Ministry of Agriculture and Livestock (Mapa), a department heavily influenced by agribusiness and lacking the technical expertise to assess the impact of pesticides in coordination with environmental and health agencies

Since the start of the bill's legislative process, the 'Poison Package' has been widely condemned and denounced by UN Special Rapporteurs, the National Council for Human Rights, and the National Cancer Institute (Inca), along with numerous public bodies, national and international authorities, human rights and social oversight councils, and entities within the justice system.

Filing of a Direct Action of Unconstitutionality

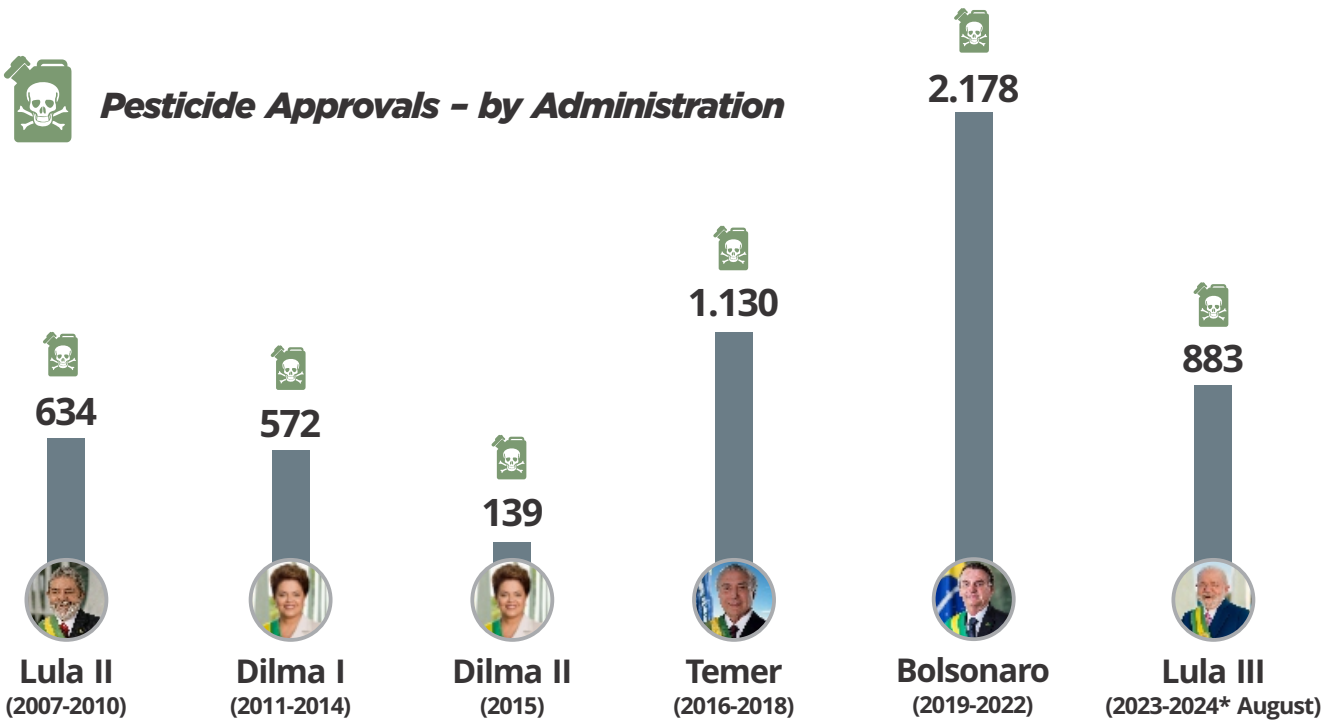
Due to numerous violations of the Federal Constitution and international regulations, political parties and a federation of rural workers filed a **Direct Action of Unconstitutionality (ADI) in August of this year**. The initiative is backed by organizations such as Terra de Direitos and has no scheduled date for judgment.

In the lawsuit, the plaintiffs argue that the regulation violates key constitutional principles governing public administration, such as legality and efficiency, as well as the rights to an ecologically balanced environment, the health of Indigenous peoples and traditional communities, dignified living conditions, consumer rights, and the rights of children and adolescents, among others. Given the serious environmental and health impacts, the ADI plaintiffs are requesting an injunction to suspend the law's effects until a final ruling on its unconstitutionality.

Approval of Pesticides

The approval of pesticide registrations by the Federal Executive continues at a rapid pace.

Since 2016, the country has been setting successive records. The peak was in 2022, with 652 pesticides approved. In 2023, there was a slight decrease, but the country still maintains an alarming number – 555 new pesticide registrations. As of four months before the end of 2024, **Mapa has already approved 328 pesticide registrations.**



Complaint to the OECD

In April 2024, a coalition of six social organizations from Argentina, Brazil, Paraguay, Bolivia, and Germany filed a complaint with the Organization for Economic Cooperation and Development (OECD) against the multinational corporation Bayer.

The complaint highlights that the multinational has violated OECD guidelines for multinational enterprises and holds Bayer accountable for systematic human rights violations, including the rights to health, food, water, the environment, housing, land and territory, and the rights of Indigenous peoples and peasant communities, due to the use of genetically modified seeds and glyphosate-based agrochemicals. This action is grounded in extensive research and numerous interviews with affected communities.

The complaint submitted to the OECD documents four specific cases that illustrate the negative impacts of this agricultural model in regions where Bayer AG extensively markets its products. As part of the complaint, the Centro de Estudios Legales y Sociales (Argentina), Terra de Direitos (Brazil), BASE-IS (Paraguay), Fundación TIERRA (Bolivia), Misereor and ECCHR demand that Bayer AG implement sustainable changes in its business practices in order to respect the rights of local communities and the environment.



Poisoning of the Avá-Guarani Community

In Brazil, **Bayer leads the market for genetically modified seeds and pesticides**. In a scenario where 95% of the soybeans cultivated in Brazil are genetically modified, Intacta seeds were used in 80% of the plantations. Together, Bayer-Monsanto represents 9 out of the 18 varieties of genetically modified seeds authorized for commercial cultivation, according to the National Technical Biosafety Commission (CTNBio, 2022). From 2010 to 2021, pesticide use in Brazil doubled. At least 50 pesticides banned in the European Union are sold in the country. Glyphosate is the most sold active ingredient. In 2022 alone, 230,519 tons of Glyphosate were sold in the country, with 31,270 tons in Paraná.

Paraná is Brazil's second-largest soybean-producing state. In the municipalities of Guaíra and Terra Roxa, pesticide use is predominant: 509 out of 661 agricultural establishments in Guaíra and 921 out of 1,209 agricultural establishments in Terra Roxa reported pesticide use. In these two municipalities, where soybean and corn cultivation dominate, there are three Indigenous Avá-Guarani villages. The relationship between Indigenous peoples and farmers is tense.

The intensive use of pesticides has contaminated rivers, food, animals, and Indigenous communities. Pesticides have even been used as a chemical weapon to confine Indigenous peoples to increasingly smaller strips of land. Dependent on rivers and springs for water, the villages report frequent illnesses such as vomiting, headaches, miscarriages, and breathing difficulties, particularly among the elderly and children. They also report the disappearance of wildlife species, including birds, bees, butterflies, and game animals, along with a reduction in fish populations in the rivers and a decline in food production capacity due to water contamination, which threatens their food sovereignty. There are areas sprayed with pesticides near Indigenous homes or roads. In laboratory tests, the presence of Glyphosate and its main metabolite, aminomethylphosphonic acid (AMPA), was detected in water sources within the villages (Y'Hovy, Pohã Renda, and Ocoy).

Organization Description

Terra de Direitos is a non-partisan, non-profit civil society organization dedicated to human rights. Since 2002, it has focused on defending, promoting, and enforcing rights, particularly in the economic, social, cultural, and environmental spheres.

Our mission is to help build a world where rural workers, quilombola communities, Indigenous peoples, traditional communities, and urban peripheral communities are recognized and have their rights guaranteed, allowing them to enjoy free access to their lands, territories, natural resources, and biodiversity.

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