



EUROPEAN CENTER FOR
CONSTITUTIONAL AND
HUMAN RIGHTS



PRESS RELEASE

Double standards in the sale of pesticides

Complaint against Bayer: Pesticides labels for India lack important warnings for pregnant women

Berlin, 19. October 2016 – The European Center for Constitutional and Human Rights has lodged a complaint with the regional Chamber of Agriculture in Bonn, Germany, against Bayer CropScience AG and Bayer AG. The reason: labels on pesticides must contain warnings about risks to health and the environment. In Europe Bayer sells the hazardous product *Nativo 75 WG* with the warning: “suspected of damaging the unborn child”. This warning is not included on the same product after it is exported to and made available in India. In a complaint to the Chamber’s department of plant protection, ECCHR calls on the authorities to determine whether Bayer is breaching rules on the export of pesticides. The department has the power to impose a fine or ban the export of *Nativo*. The complaint was co-signed by ECCHR partner organizations [Kheti Virasat Mission](#), [PAN Germany](#), and [FIAN Deutschland](#).

“*Nativo*’s labelling is a clear case of double standards in the export of pesticides,” says ECCHR’s Carolijn Terwindt speaking on behalf of the organizations involved. “Bayer exploits India’s lower standards in safety regulation and expects that the German authorities will not rigorously monitor the exports.” The complaint argues that the absence of warnings for pregnant women represents an infringement of the German Plant Protection Act (*Pflanzenschutzgesetz*). The toxic chemicals are passed on to the next generation during pregnancy and breastfeeding.

The complaint against Bayer is based on a [report](#) submitted by ECCHR to the UN Food and Agriculture Organization (FAO) and to the World Health Organization (WHO) in October 2015. Under the Plant Protection Act, pesticides may only be exported if they are accompanied by warnings about risks to health and the environment. International agreements such as the International Code of Conduct on Pesticide Management and the FAO Guidelines on Good Labelling Practice must also be taken into consideration.


The Indian Ministry of Agriculture is currently investigating Bayer subsidiary Bayer CropScience Ltd (India) for inadequate labelling of *Nativo*. This move by the government in New Delhi follows a petition submitted in December 2015 by the civil movement Swadeshi Andolan with legal support from ECCHR. Under Indian law, Bayer managers could face fines or prison sentences of up to two years.

We can provide a pdf copy of the complaint against Bayer on request.

Contact ECCHR:

Anabel Bermejo, Phone: + 49 (0)30 – 69819797 / E-Mail: bermejo@ECCHR.eu

Safety information
Nativo 75WG
 Contains 250 g/kg (25.0 % w/w) trifloxystrobin and 500 g/kg (50.0% w/w) tebuconazole.



Warning
 Causes serious eye irritation
Suspected of damaging the unborn child.
 Very toxic to aquatic life with long lasting effects.
 Wear protective gloves/protective clothing/eye protection/face protection.
 IF exposed or concerned:
 Call a POISON CENTER or doctor/physician.
 Dispose of contents/container to a licenced hazardous-waste disposal contractor or collection site except for empty clean containers which can be disposed of as non-hazardous waste.
 Contains trifloxystrobin.
 May produce an allergic reaction.
 To avoid risks to human health and the environment, comply with the instructions for use.

MAPP 16867

Extract from the Nativo 75WG label authorized for sale in the UK



Photograph of Nativo 75WG package bought in Punjab, without hazard phrase