**Legal notices and misleading statements in the media by the Crop Care Federation of India**

Greenpeace India has been working on promoting ecological framing as a solution to India’s agrarian crisis.Rural agrarian India is caught in a crisis due to the current models of intensive industrial models that involve indiscriminate use of chemical pesticides and fertilizers and the promotion of false solutions like GM crops. Ecological farming is the answer to the problems being faced by agriculture in our country today. It will also keep agriculture sustainable. This form of agriculture conserves our soil and water resources, protects our climate, enhances agro-diversity, ensures biodiversity, meets the demand for food and safeguards livelihoods.

Ecological Farming focuses on a holistic rejuvenation of the ecosystem focusing on soil & plant health, biodiversity etc leading to a phase out of chemicals in the long run. Degradation of natural resources have reached abysmal levels and an ecological farming approach will help to rejuvenate the farm ecosystem in a systematic and scientific manner We at Greenpeace India advocate for the promotion of ecological farming across the country by enabling alternative research and support systems.

Tea is a crop of immense economic importance in India but unfortunately sees some of the highest pesticides usage compared to other crops in India[[1]](#footnote-2).Hence we decided to test pesticide residues in tea samples, in three rounds with samples collected from Mumbai, Bangalore, Delhi and Kolkata over a period of one year. This included brands from major tea companies like Unilever, Tata Global Beverages, Goodricke, Waghbakri, Girnar, Golden Tips and Kho- Cha.

Following the testing we conducted multiple meetings with all the stake holders including the tea companies and the Tea Board of India. Following this, considering our responsibility to our supporters and the general public, we published the testing results through our report “Trouble Brewing”.

Following the report launch, Greenpeace India had further meetings with all the companies along with a highly visible public campaign bringing together consumers through which we convinced major players like Unilever, TGBL, WaghBakri and Girnar (comprising more than 60% of packaged Indian tea market) to commit to their consumers to adopt to Non Pesticidal Management practices[[2]](#footnote-3) in the plantations they source from.

In august, 2014, the Crop Care Federation of India, an entity purportedly claiming to work for the “welfare of Indian agriculture and farmers” and representing some Indian agrochemicals companies sent us a legal notice seeking an apology for putting out our test results. They claimed further that our report and results were malicious and were intended at hurting Indian tea production along with making slanderous allegations about the reputation and credibility of Greenpeace India, an independent organization working to improve food safety in our country. They also placed a demand for Greenpeace India to share “raw data”, an open ended request, which following their slanderous and outrageous threats and comments, we decided to refuse. We feel that agrochemicals though a reality at this point should have no role to play in the future of Indian agriculture.

The legal notices from CCFI and our responses are being made available so that our supporters, media and all concerned about food safety and the menace of pesticides in our country can independently frame their opinions about the misleading comments appearing in communication being put out by the CCFI and appearing in certain media outlets.

While most of the questions raised in the legal notices have been addressed in our responses, there are certain questions from the legal notices and also questions raised in the media which we would like to clarify in detail for the benefit of our supporters, media and other readers:

1. **Why is Greenpeace India not providing raw data to the Crop Care Federation of India?**

The Crop Care Federation of India, a self proclaimed lobby group for certain pesticides manufacturers sent legal notices to Greenpeace India containing slanderous, outrageous and totally malicious claims and accusations with an intent of tarnishing the reputation of Greenpeace India. We do not accept nor allow any of the claims of this entity, CCFI. We have clarified to them that almost all relevant information has been provided in the “trouble Brewing” report. Any additional data, including batch numbers of the samples tested, have been shared with tea companies who have requested the same.

Since we have a non disclosure agreement with the testing laboratory, which is an independent entity and is not affiliated with Greenpeace in any manner, we are unable to provide the name of the afore mentioned laboratory but can confirm that it is a globally known (DAkks) Deutsche AkkreditierungsstelleGmBH Certified laboratory, with a a DIN EN ISO/IEC 17025: 2005 Certification.

Most of the relevant data has already been shared in our report “Trouble Brewing”. The limits of quantification for all the pesticides tested for in the samples are being shared by us. Calibration data of the instruments, reagent blank and certain other data are currently not available with us since they are proprietary information of the testing lab.

We would also like to clarify that Greenpeace India, till date, has not received any clarification from CCFI regarding what information they require or consider raw data.

The Tea Board of India, the apex body of the tea industry, has not questioned the results and has merely stated that India tea complies with Indian standards. We on our part have questioned the regulatory frame work in India and believe there is a break down on the regulatory and monitoring front which can be addressed only by a phase out of pesticides.

1. **Questions are raised about the presence of monocrotophos, the pesticide and its presence in tea samples:**

Monocrotophos has been found in the tea samples which we have tested. This was in processed tea and once the question of its presence was raised, we contacted the testing laboratory to recheck the data and reconfirm the presence of monocrotophos and the same was done by the laboratory. Monocrotophos has also been found in multiple tea samples across the world. And hence, the claims of CCFI on detection of monocrotophos being impossible are incorrect.

1. **Repeated claims of our being foreign funded and being anti national and anti progress:**

Greenpeace India does not accept corporate or government support and is primarily funded by hundreds of thousands of individual Indian supporters. We also receive funds from Greenpeace International who follow the same principle and accept primarily from private individuals and some carefully vetted foundations.

Greenpeace India works on core issues like climate change, promoting sustainable agriculture, renewable energy, and improving food safety and security along with empowering farmers in our country. We fail to understand how work on these core essential issues, relevant to every Indian and infact every human being, can be construed as being anti national in any way.

1. **The claim of Greenpeace India working clandestinely in India from 2001-02 since our society registration is from 2002.**

Greenpeace International, in 2001, was doing work on toxics across the world and India was one of the key countries were work on the campaign was initiated. During this process Greenpeace International hired several Indians to work on this campaign in India and its from these roots that Greenpeace India as an entity was born and was registered in 2002.

1. **Claims of violation of Foreign Contributions Regulation Act (FCRA):**

Greenpeace India has been duly filing all relevant information with the Income Tax department of the government of India and the FCRA division of the Ministry of Home Affairs since our first registration. All accounts and finances have been duly audited by the relevant authorities and there are no merits to the claims that we have made any violations whatsoever.

1. **Malicious contentions about our work on agriculture in Bihar and Greenpeace scientist- Reyes Tirado's presence in Bihar in 2012.**

Reyes Tirado is a senior scientist at the Greenpeace Science laboratories at the University of Exeter in the United Kingdom. She has not done any advocacy work on the cessation of fertilizer usage in Bihar and was only doing ground water sampling and testing for nitrate contamination. Her testing revealed some level of nitrate contamination in ground water. Scientific studies point to the fact that drinking water contaminated with nitrates could cause blue baby syndrome or cancer. This work featured in our Bihar report " **Fertilizer, Fuel and Food: win-win options for Bihar"[[3]](#footnote-4)** launched in Bihar in 2013, which advocates for a holistic Government programme to support organic matter addition in the soil. It is scientifically proven beyond doubt that organic matter is the lifeline of the soil, and its addition in soil is critical to maintain soil health. Here again we are not advocating for an overnight stoppage of chemical fertilizers but to adopt an ecological agriculture path which will lead to reduced dependence and elimination of chemicals in the long run. This will have multiple benefits for the farmers (reduced cost of cultivation, improved livelihoods..) and could also save a lot of Government money which is now being spent on chemical fertilizer subsidies.

1. **References to Greenpeace India being under the ambit of the Right to Information Act, 2005.**

Greenpeace India, being an independent organization supported by the public, is completely open about its functioning and we willingly share all relevant data with the general public. This very document where we are disclosing scientific data and giving detailed explanations is part of attempt to be completely open about our functioning and work.

Greenpeace India does not come under the ambit of the Right to Information Act, 2005, since we are a registered non-profit organization which does not accept any government support to sustain our work. With reference to the Right to Information Act, 2005, please note that “public authority” is defined vide S.2(h)(d)(ii). A non-governmental organization may only be considered “public authority” if it is directly or indirectly substantially financed by the Appropriate Government. Further, the Hon’ble Supreme Court has interpreted the said provision of the RTI Act in its decision of *Thalappalam Ser. Co-op Bank v. State of Kerala*, (2013) 12 SCALE 527, clearly stating that when an NGO has been substantially financed by the Government, it can be termed a public authority and not otherwise.

Therefore, given that Greenpeace India Society does not accept any financial funding from the Government of India or the state governments, it does not constitute a public authority under the RTI Act but any requests for further or detailed information will be whole heartedly entertained by Greenpeace India in our quest to be completely open and accessible to our supporters.

1. B.C. Barbora and A. K. Biswas. (1996). Use pattern pesticides in tea estates of N.E. India. Two and A Bud, Vol. 42(2) : 4-14 [↑](#footnote-ref-2)
2. The NPM approach replaces the use of chemical pesticides with a combination of physical and biological measures—including eco-friendly biopesticides—and complements it by adopting biological and agronomic soil fertility improvement measures leading to reduced use of chemical fertilizers. NPM should exclude the use of Genetically Modified Organisms. NPM is a first step towards Ecological Agriculture and should not be confused with concepts such as Integrated Pest Management (IPM). [↑](#footnote-ref-3)
3. http://www.greenpeace.org/india/en/Press/Publications/Fertilizer-Fuel-and-Food-win-win-options-for-Bihar/ [↑](#footnote-ref-4)