



# Teens of the Tobacco Fields

## Child Labor in United States Tobacco Farming

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**I. Human Rights Watch Correspondence with**

# Altria Group

## HUMAN RIGHTS WATCH

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October 9, 2015

Martin J. Barrington  
Chairman and Chief Executive Officer  
Altria Group, Inc.  
6601 West Broad Street  
Richmond, Virginia 23230

Re: Child labor in US tobacco farming

Dear Mr. Barrington,

We are writing today to share key findings from recent research we conducted on child labor in tobacco farming in North Carolina in July 2015. We are encouraged by the steps taken to date to address hazardous child labor in US tobacco farming, and we hope to continue a constructive dialogue with Altria Group on this issue.

In July 2015, Human Rights Watch traveled to eastern North Carolina to investigate the health effects of tobacco farming on 16 and 17-year-old children, a population excluded from certain protections under some tobacco companies' policies as well as under US law. Human Rights Watch interviewed 33 children, ages 13 to 17, who worked on tobacco farms in eastern North Carolina in 2015, including 26 children, ages 16 or 17.

Human Rights Watch did not seek to monitor implementation of new industry policies or conduct a comprehensive evaluation of how conditions may have changed for child tobacco workers since Human Rights Watch conducted research on hazardous child labor in the US in 2013. We are unable to assess the implementation of any specific tobacco company's child labor policy. However, Human Rights Watch found children under age 16, as well as 16 and 17-year-old children, working on tobacco farms in North Carolina in 2015.

The children we interviewed reported working on tobacco farms in 12 counties in North Carolina. Most children worked for farm labor contractors or subcontractors, and a few children worked directly for tobacco growers. Some children worked for one employer, while others worked for more than one employer. In total, the children we interviewed worked for at least 18 different growers or farm labor contractors in eastern North Carolina.



HRW.org

Many of the children could not identify the owner of the farm on which they worked, and Human Rights Watch could not determine the companies that purchased tobacco from the farms where children reported working.

The hazards and conditions Human Rights Watch documented in 2015 are consistent with those documented in our 2013 research. We believe that these hazards and conditions are present on many US tobacco farms.

### **Working Conditions**

All of the children interviewed worked as hired laborers on tobacco farms in North Carolina; none worked on farms owned or operated by their own families. They reported doing a range of tasks on tobacco farms in 2015, including planting seedlings, weeding, uprooting and repositioning tobacco plants, topping, and removing suckers.

The children interviewed for this report described working in similar conditions as the child workers interviewed by Human Rights Watch in 2013. Most children worked 11 or 12 hours a day on tobacco farms. Some children worked six days a week, while others worked fewer days. Almost all children described fatigue and exhaustion after working long days in tobacco fields.

All children reported having opportunities to take breaks while working, usually three times a day, including an hour break for lunch. Almost all children said they were paid between \$7.50 and \$8.50 an hour, usually in cash. Very few children reported problems with their wages.

Some children said they were asked their ages when they were hired. Other children said they were not questioned about their age.

### **Health and Safety of 16 and 17-Year-Old Child Workers**

Almost all of the 16 and 17-year-old children interviewed—25 out of 26—reported feeling sick while working in tobacco farming in 2015, or after returning home from working in tobacco fields, with nausea, vomiting, headaches, dizziness, skin irritation, or respiratory symptoms.

Most of the children interviewed—23 out of 26—reported experiencing the sudden onset of at least one specific symptom consistent with acute nicotine poisoning while working in tobacco farming in 2015, or after returning home from working in tobacco fields, including nausea, vomiting, headaches, dizziness, and lightheadedness. Some children also experienced a loss of appetite or recurrent sleeplessness, also symptoms associated with nicotine exposure. In some cases, the symptoms they reported could be linked to or exacerbated by pesticide exposure

or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Many of the children interviewed—20 out of 26—described exposure to pesticides while working in tobacco farming in 2015. Children reported either working in or near fields that were being sprayed with pesticides, or re-entering fields that had been sprayed very recently. These children often said they could smell, feel, or taste the chemical spray, and 9 children reported immediate illness after coming into contact with pesticides.

All 16 and 17-year-old children said they suffered while working in extreme heat on tobacco farms in 2015 with little access to shade. Children did report consistent access to water. Many children reported pain from engaging in repetitive motions. Children said they had inconsistent access to toilets, and many experienced discomfort while waiting long periods of time before relieving themselves.

Most children said they had never received any health education or safety training regarding the dangers of work in tobacco farming. Very few children were provided with personal protective equipment by their employers, and almost no children had access to a suitable handwashing facility with soap at their workplace.

Under international law, a child is anyone under the age of 18, and international labor standards state that children under 18 should be prohibited from hazardous work, defined as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” Based on our field research, interviews with health professionals, and analysis of the public health literature, Human Rights Watch believes that no child under age 18 should be permitted to work in direct contact with tobacco, due to the health risks posed by the work.

We plan to publish a report with detailed findings and recommendations this year. The report will describe our methodology, findings, analysis of international law, analysis of the US legal and regulatory framework regarding child labor, steps taken by tobacco product manufacturers, tobacco leaf supply companies, and tobacco grower associations to address child labor, gaps in protection, and recommendations to US government, Congress, and the tobacco industry.

Human Rights Watch is committed to accurately representing the steps Altria Group has taken to address child labor in tobacco farming. While we recognize that in past correspondence or meetings, Altria Group has provided information regarding Altria Group’s policies on child labor, we want to ensure that we have the most up-to-date and complete information on Altria Group’s current policy.

In particular, we are interested in the following information:

1. What is Altria Group’s policy regarding work by children under 18 on tobacco farms supplying Altria Group in the US, and globally?
2. Under Altria Group’s policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying Altria Group, and under what circumstances?
3. Does Altria Group prohibit “hazardous work” for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does Altria Group define as hazardous?
  - a. Does Altria Group allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?
4. How does Altria Group monitor child labor and the treatment of child workers on farms supplying tobacco to Altria Group and to Altria Group subsidiaries and suppliers?

We would welcome a response to this letter by October 30, 2015. Altria Group’s response will be reflected in our report. We will share a copy of the report with you a few days in advance of its publication.

Thank you for your attention to these issues.

Sincerely,



Jo Becker  
Advocacy Director  
Children’s Rights Division



Jane Buchanan  
Associate Director  
Children’s Rights Division



Margaret Wurth  
Researcher  
Children’s Rights Division



October 29, 2015

Ms. Jo Becker, Ms. Jane Buchanan & Ms. Margaret Wurth  
Human Rights Watch  
350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118

Dear Ms. Becker, Ms. Buchanan and Ms. Wurth:

Thank you for your October 9, 2015 letter to Martin J. Barrington regarding your recent child labor research findings in North Carolina. As you know, Altria and its operating companies share your concern with circumstances of children working on tobacco farms that are in violation of our expectations with growers and we are committed to addressing them.

We agree, as your letter stated, that many instances of agriculture labor management issues are likely attributable to the practices of Farm Labor Contractors (FLCs). As you know, Altria leads the FLC committee of the Farm Labor Practices Group (FLPG). In collaboration with the U.S. Department of Labor (US DOL) and other industry members, opportunities have been identified to strengthen FLC compliance. These opportunities include working with US DOL to help them enhance their FLC registration process and database as well as encouraging them to require labor management training for FLCs.

As we have shared, Altria's domestic grower contracts include a minimum age for employment at 16 years of age subject to only a few limited exceptions (e.g. family members) paralleling local, state and federal law. Additionally, the US DOL has declared that certain agricultural tasks are hazardous and cannot be performed by minors under 16. Our grower contracts are more stringent and provide that domestic tobacco growers may not assign anyone under 18 to these tasks. We require international suppliers to comply with the minimum age requirements prescribed by applicable country specific laws.

Domestic assessments have included our own on-farm visits with independent third-party randomly selected assessments. These assessments asked if the grower hired anyone less than 18 years of age. If so, the assessor confirmed that parental records were kept to include the minor's full name, place the minor lived while employed, the minor's permanent address, their date of birth, and written consent of the parent or persons standing in place of the parent of the minor. The grower was also asked if the minor was prohibited from doing hazardous tasks as defined by the US DOL. As part of a separate pilot, we have begun the process of worker interviews which include questions regarding a worker's age, if their own children work on the farm and, if so the age of their children working on the farm. We are currently assessing the results of the pilot to help inform future work.

If you have any questions, feel free to contact me at 804-274-2391.

Sincerely,

A handwritten signature in black ink, appearing to read "Linwood Sykes", with a long, sweeping horizontal line extending to the right.

Linwood Sykes  
Director, Leaf Procurement



**II. Human Rights Watch Correspondence with**  
**British American Tobacco**

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Julietta de Birzo, *Spain*

October 9, 2015

Nicandro Durante, Chief Executive  
British American Tobacco PLC  
Globe House  
4 Temple Place  
London WC2R 2PG

## Re: Child labor in US tobacco farming

Dear Mr. Durante,

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the symptoms they reported could be linked to or exacerbated by pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

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Most children said they had never received any health education or safety training regarding the dangers of work in tobacco farming. Very few children were provided with personal protective equipment by their employers, and almost no children had access to a suitable handwashing facility with soap at their workplace.

Under international law, a child is anyone under the age of 18, and international labor standards state that children under 18 should be prohibited from hazardous work, defined as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” Based on our field research, interviews with health professionals, and analysis of the public health literature, Human Rights Watch believes that no child under age 18 should be permitted to work in direct contact with tobacco, due to the health risks posed by the work.

We plan to publish a report with detailed findings and recommendations this year. The report will describe our methodology, findings, analysis of international law, analysis of the US legal and regulatory framework regarding child labor, steps taken by tobacco product manufacturers, tobacco leaf supply companies, and tobacco grower associations to address child labor, gaps in protection, and recommendations to US government, Congress, and the tobacco industry.

Human Rights Watch is committed to accurately representing the steps BAT has taken to address child labor in tobacco farming. While we recognize that in past correspondence or meetings, BAT has provided information regarding BAT’s policies on child labor, we want to ensure that we have the most up-to-date and complete information on BAT’s current policy.

In particular, we are interested in the following information:

1. What is BAT's policy regarding work by children under 18 on tobacco farms supplying BAT in the US, and globally?
2. Under BAT's policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying BAT Group, and under what circumstances?
3. Does BAT prohibit "hazardous work" for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does BAT define as hazardous?
  - a. Does BAT allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?
4. How does BAT monitor child labor and the treatment of child workers on farms supplying tobacco to BAT and to BAT subsidiaries and suppliers?

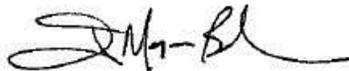
We would welcome a response to this letter by October 30, 2015. BAT's response will be reflected in our report. We will share a copy of the report with you a few days in advance of its publication.

Thank you for your attention to these issues.

Sincerely,



Jo Becker  
Advocacy Director  
Children's Rights Division



Jane Buchanan  
Associate Director  
Children's Rights Division



Margaret Wurth  
Researcher  
Children's Rights Division



**BRITISH AMERICAN  
TOBACCO**



Ms Jo Becker et al  
Advocacy Director  
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USA

30 October 2015

Dear Ms Becker, Ms Buchanan and Ms Wurth,

Thank you for your letter of 9 October 2015 to our CEO regarding issues pertaining to child labour in US tobacco farming. In my capacity as Group Head of Corporate Affairs, Mr Durante has requested that I respond on his behalf.

I hope from our previous dealings that you are well aware of our commitment to tackling child labour issues in a collaborative way and we appreciate your sharing the findings of your research into child labour in tobacco farming in North Carolina. I would therefore like to thank you for the opportunity to provide comment in advance of your report's publication.

The issues you raise in your letter are clearly concerning and, as you know, we take these matters extremely seriously. Indeed, if we were aware of any of these issues on farms supplying us we would immediately investigate and where needed, take remedial action. If it is possible, we would therefore welcome details of the specific farms highlighted in your research in order that we can responsibly address the incidents referred to.

In the meantime we reiterate below the overall approach we take to child labour in our supply chain.

#### **BAT's approach to Child Labour**

As we have mentioned previously, BAT has had a long-standing commitment to human rights, having first formalised our Child Labour Policy in 2000 and co-founded the Eliminating Child Labour in Tobacco Growing (ECLT) Foundation in 2001.

Our approach, as in other parts of the business, is based on the principle of constantly seeking to improve our processes and performance.

Following the publication of the UN Framework and Guiding Principles on Business and Human Rights, we reviewed our approach in consultation with stakeholders to strengthen it further. As a consequence we published our new human rights policy in September 2014 as part of our revised Standards of Business Conduct (SoBC) which can be viewed at [www.bat.com/sobc](http://www.bat.com/sobc).

Recognising the inherent challenges presented by child labour within an agricultural supply chain, BAT has run a Social Responsibility in Tobacco Production Programme (SRTP) since 2000. The programme covers a wide range of practices including positive environmental management as well as social aspects; human rights and labour practices are included.

SRTP has been subjected to numerous reviews over the years in a bid to continually strengthen our approach. As part of our on-going commitment to improvements we are now working as part of an industry initiative to develop a new supplier assessment programme for the whole tobacco industry, to be known as the Sustainable Tobacco Programme. This process is drawing on extensive experience, standards and best practice from across the industry, external standards, such as those of the ILO, and additional enhancements.

SRTP promotes best practice and provides a framework for continual improvement through a process of annual self-assessments and periodic on-site verification reviews conducted by AB Sustain, part of the Agriculture Group of Associated British Foods Plc (ABF). We have 51 registered leaf suppliers supplying BAT in total - 20 BAT operations and 31 third party suppliers.

Through SRTP, over a four year cycle, all of the leaf suppliers who supply BAT will receive on-site reviews conducted by AB Sustain. The on-site verification process undertaken by AB Sustain involves an in depth review of the supplier's policies, processes and practices as well as field visits to growers they purchase tobacco leaf from, to verify their in-house analysis. In addition to the on-site verification process AB Sustain also review and analyse all annual self-assessment documents and make various comparisons.

BAT operations staff receive reports from these AB Sustain reviews. These reports provide, for example, previous year comparisons, progress against targets and progress against minimum requirements and are used by our supplier management team to work with suppliers, adopting a collaborative approach, to drive corrective action and improvement.

Despite our commitment and due diligence, any multifaceted global supply chain, such as ours and those of many other sectors, can see incidents occur. How those incidents are responded to, rectified and what subsequent safeguards are put in place are an important part of the process.

Despite there being no indication from our due diligence processes that our US suppliers are failing to meet our standards, following specific allegations contained in a report authored earlier this year by UK Labour Party MPs, we prioritised the independent review of our supply chain in the US this year.

As my colleague Scott informed you over the phone on 22 October, whilst the independent review referred to above has been completed, BAT has not yet had the opportunity to receive a briefing from our independent reviewer AB Sustain and is therefore unable to provide comment on it prior to HRW's deadline for responding. I would be happy however, to update you on this report at a later date.

In the meantime I have responded to your questions below.

**1. What is BAT's policy regarding work by children under 18 on tobacco farms supplying BAT in the US, and globally?**

Our SoBC explicitly states that BAT does not condone or employ child labour, and seeks to ensure that the welfare, health and safety of children are paramount at all times.

We expect our suppliers to align with the following minimum age policies:

- No one under 18 will be employed in any work assessed as hazardous to their health, safety and well-being (please see below for details); and
- No one under 15 (or, if higher, the age for finishing compulsory schooling in the country concerned) will be employed.
  - However, where local law permits, we consider it acceptable for children between 13 and 15 to help on their families' farms provided it is light work, does not hinder their education or vocational training, or include any activity which could be harmful to their health or development, for example, handling mechanical equipment or agro-chemicals. We also recognise training or work experience schemes approved by a competent authority as an exception.

**2. Under BAT's policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying BAT Group, and under what circumstances?**

Please see response to 3 below

**3. Does BAT prohibit "hazardous work" for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does BAT define as hazardous?**

BAT prohibits hazardous work for children under 18 as defined by International Labour Organisation (ILO) general standards. However, at present there is no standard definition of hazardous work in the tobacco industry - with relatively few practical examples existing and specific guidance in this area provided by only some governments. For this reason the ECLT, of whom BAT remains an active member, is partnering with the ILO to ensure the development of authoritative ILO Guidance defining Hazardous Child Labour (HCL) in tobacco growing.

The HCL Guidance initiative aims to examine precisely what constitutes hazardous child labour in tobacco growing, to ensure that children do not perform it (including when "helping out") and to support decent youth employment for youth between the minimum working age and the age of 18 in the tobacco sector.

We welcome this authoritative guidance which will be of benefit to many stakeholders including workers, manufacturers, growers, NGOs and governments.

While this work is continuing, BAT's SRTP currently defines hazardous work as it relates to children, as including, but not restricted to the following: Harvesting, topping and suckering (because it may involve exposure to Green Tobacco Sickness), operating moving vehicles or machinery with moving parts, using sharp tools while moving (e.g. a machete), handling and applying CPAs or fertilisers, carrying heavy loads etc.

**4. How does BAT monitor child labor and the treatment of child workers on farms supplying tobacco to BAT and to BAT subsidiaries and suppliers?**

Please see 'BAT's approach to Child Labour' above.

I do hope that the above information answers your questions and I look forward to further engagement with you on this serious matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Simon Cleverly', with a long horizontal flourish extending to the right.

**Simon Cleverly**  
**Group Head of Corporate Affairs**



**III. Human Rights Watch Correspondence with  
China National Tobacco**

## HUMAN RIGHTS WATCH

350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299  
Tel: 212-290-4700  
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David Mepham, *United Kingdom*  
Wenzel Michalski, *Germany*  
Kuljatta de Biran, *Europe*

October 9, 2015

Zhanhua Liang  
President  
China Tobacco International – North America  
5511 Capital Center Dr., Suite 202  
Raleigh NC 27606

## Re: Child labor in US tobacco farming

Dear Madam Liang,

We are writing today to share key findings from recent research we conducted on child labor in tobacco farming in North Carolina in July 2015. We are encouraged by the steps taken to date to address hazardous child labor in US tobacco farming, and we hope to continue a constructive dialogue with China Tobacco International on this issue.

In July 2015, Human Rights Watch traveled to eastern North Carolina to investigate the health effects of tobacco farming on 16 and 17-year-old children, a population excluded from certain protections under some tobacco companies' policies as well as under US law. Human Rights Watch interviewed 33 children, ages 13 to 17, who worked on tobacco farms in eastern North Carolina in 2015, including 26 children, ages 16 or 17.

Human Rights Watch did not seek to monitor implementation of new industry policies or conduct a comprehensive evaluation of how conditions may have changed for child tobacco workers since Human Rights Watch conducted research on hazardous child labor in the US in 2013. We are unable to assess the implementation of any specific tobacco company's child labor policy. However, Human Rights Watch found children under age 16, as well as 16 and 17-year-old children, working on tobacco farms in North Carolina in 2015.

The children we interviewed reported working on tobacco farms in 12 counties in North Carolina. Most children worked for farm labor contractors or subcontractors, and a few children worked directly for tobacco growers. Some children worked for one employer, while others worked for more than one employer. In total, the children we interviewed worked for at least 18 different growers or farm labor contractors in eastern North Carolina.



HRW.org

Many of the children could not identify the owner of the farm on which they worked, and Human Rights Watch could not determine the companies that purchased tobacco from the farms where children reported working.

The hazards and conditions Human Rights Watch documented in 2015 are consistent with those documented in our 2013 research. We believe that these hazards and conditions are present on many US tobacco farms.

### **Working Conditions**

All of the children interviewed worked as hired laborers on tobacco farms in North Carolina; none worked on farms owned or operated by their own families. They reported doing a range of tasks on tobacco farms in 2015, including planting seedlings, weeding, uprooting and repositioning tobacco plants, topping, and removing suckers.

The children interviewed for this report described working in similar conditions as the child workers interviewed by Human Rights Watch in 2013. Most children worked 11 or 12 hours a day on tobacco farms. Some children worked six days a week, while others worked fewer days. Almost all children described fatigue and exhaustion after working long days in tobacco fields.

All children reported having opportunities to take breaks while working, usually three times a day, including an hour break for lunch. Almost all children said they were paid between \$7.50 and \$8.50 an hour, usually in cash. Very few children reported problems with their wages.

Some children said they were asked their ages when they were hired. Other children said they were not questioned about their age.

### **Health and Safety of 16 and 17-Year-Old Child Workers**

Almost all of the 16 and 17-year-old children interviewed—25 out of 26—reported feeling sick while working in tobacco farming in 2015, or after returning home from working in tobacco fields, with nausea, vomiting, headaches, dizziness, skin irritation, or respiratory symptoms.

Most of the children interviewed—23 out of 26—reported experiencing the sudden onset of at least one specific symptom consistent with acute nicotine poisoning while working in tobacco farming in 2015, or after returning home from working in tobacco fields, including nausea, vomiting, headaches, dizziness, and lightheadedness. Some children also experienced a loss of appetite or recurrent sleeplessness, also symptoms associated with nicotine exposure. In some cases,

the symptoms they reported could be linked to or exacerbated by pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Many of the children interviewed—20 out of 26—described exposure to pesticides while working in tobacco farming in 2015. Children reported either working in or near fields that were being sprayed with pesticides, or re-entering fields that had been sprayed very recently. These children often said they could smell, feel, or taste the chemical spray, and 9 children reported immediate illness after coming into contact with pesticides.

All 16 and 17-year-old children said they suffered while working in extreme heat on tobacco farms in 2015 with little access to shade. Children did report consistent access to water. Many children reported pain from engaging in repetitive motions. Children said they had inconsistent access to toilets, and many experienced discomfort while waiting long periods of time before relieving themselves.

Most children said they had never received any health education or safety training regarding the dangers of work in tobacco farming. Very few children were provided with personal protective equipment by their employers, and almost no children had access to a suitable handwashing facility with soap at their workplace.

Under international law, a child is anyone under the age of 18, and international labor standards state that children under 18 should be prohibited from hazardous work, defined as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” Based on our field research, interviews with health professionals, and analysis of the public health literature, Human Rights Watch believes that no child under age 18 should be permitted to work in direct contact with tobacco, due to the health risks posed by the work.

We plan to publish a report with detailed findings and recommendations this year. The report will describe our methodology, findings, analysis of international law, analysis of the US legal and regulatory framework regarding child labor, steps taken by tobacco product manufacturers, tobacco leaf supply companies, and tobacco grower associations to address child labor, gaps in protection, and recommendations to US government, Congress, and the tobacco industry.

Human Rights Watch is committed to accurately representing the steps China Tobacco International has taken to address child labor in tobacco farming. While we recognize that in past correspondence or meetings, China Tobacco International has provided information regarding China Tobacco International’s policies on child labor, we want to ensure that we have the most up-to-date and complete information on China Tobacco International’s current policy.

In particular, we are interested in the following information:

1. What is China Tobacco International’s policy regarding work by children under 18 on tobacco farms supplying China Tobacco International in the US, and globally?
2. Under China Tobacco International’s policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying China Tobacco International Group, and under what circumstances?
3. Does China Tobacco International prohibit “hazardous work” for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does China Tobacco International Group define as hazardous?
  - a. Does China Tobacco International allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?
4. How does China Tobacco International monitor child labor and the treatment of child workers on farms supplying tobacco to China Tobacco International and to China Tobacco International subsidiaries and suppliers?

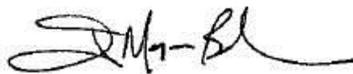
We would welcome a response to this letter by October 30, 2015. China Tobacco International’s response will be reflected in our report. We will share a copy of the report with you a few days in advance of its publication.

Thank you for your attention to these issues.

Sincerely,



Jo Becker  
Advocacy Director  
Children’s Rights Division



Jane Buchanan  
Associate Director  
Children’s Rights Division



Margaret Wurth  
Researcher  
Children’s Rights Division



**IV. Human Rights Watch Correspondence with**  
**Imperial Tobacco Group**

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Wenzel Michalski, *Germany*  
Katharine O'Brien, *Canada*

October 9, 2015

Alison Cooper, Chief Executive  
Imperial Tobacco Group PLC  
121 Winterstoke Road  
Bristol BS3 2LL  
United Kingdom

## Re: Child labor in US tobacco farming

Dear Ms. Cooper,

We are writing today to share key findings from recent research we conducted on child labor in tobacco farming in North Carolina in July 2015. We are encouraged by the steps taken to date to address hazardous child labor in US tobacco farming, and we hope to continue a constructive dialogue with Imperial Tobacco Group PLC on this issue.

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We plan to publish a report with detailed findings and recommendations this year. The report will describe our methodology, findings, analysis of international law, analysis of the US legal and regulatory framework regarding child labor, steps taken by tobacco product manufacturers, tobacco leaf supply companies, and tobacco grower associations to address child labor, gaps in protection, and recommendations to US government, Congress, and the tobacco industry.

Human Rights Watch is committed to accurately representing the steps Imperial Tobacco Group PLC has taken to address child labor in tobacco farming. While we recognize that in past correspondence or meetings, Imperial Tobacco Group PLC has provided information regarding Imperial Tobacco Group PLC’s policies on child labor, we want to ensure that we have the most up-to-date and complete information on Imperial Tobacco Group PLC’s current policy.

In particular, we are interested in the following information:

1. What is Imperial Tobacco Group PLC's policy regarding work by children under 18 on tobacco farms supplying Imperial Tobacco Group PLC in the US, and globally?
2. Under Imperial Tobacco Group PLC's policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying Imperial Tobacco Group PLC, and under what circumstances?
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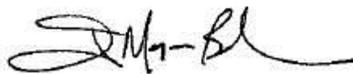
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Thank you for your attention to these issues.

Sincerely,



Jo Becker  
Advocacy Director  
Children's Rights Division



Jane Buchanan  
Associate Director  
Children's Rights Division



Margaret Wurth  
Researcher  
Children's Rights Division



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Fax: +44 (0)117 933 7448

Human Rights Watch  
350 Fifth Avenue, 34<sup>th</sup> Floor  
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NY 10118-3299

26 October 2015

Dear Ms Becker, Ms Buchanan and Ms Wurth,

I am writing in response to your letter, which was dated October 9, 2015 and passed to me for reply from the office of Mrs Alison Cooper. We thank you for the opportunity of continued dialogue as we are actively committed to the elimination of child labour in tobacco growing whether that be in the US or anywhere globally.

It was disappointing to read in your letter that conditions and labour practices are reported to exist in North Carolina that would not be consistent with Imperial Tobacco Policy nor our requirements on suppliers, as specified within our Social Responsibility in Tobacco Growing Programme (SRiTP), contracts and Code of Conduct.

It is also disappointing that we are unable to establish whether your findings and insights are indeed part of our supply chain, as the reported instances and conditions are inconsistent with our own information and spot-check visits to tobacco growers in the United States.

I understand from our US suppliers that steps have been taken to enhance stakeholder dialogue, improve grower education, increase monitoring and introduce stiffer penalties for non-compliance around the labour practices issue, since the release of your original report. We welcome these activities and enhancements.

I am also pleased that you indicate that in your upcoming report you will be making recommendations not only for the industry but also in terms of improved governance in the United States. We would also like to see a strengthening of related labour laws and consistency across different industry and agricultural sectors, to be better aligned with international standards and the core conventions of the Internal Labour Organization (ILO). We consider that this is required to raise standards across the board.

With regard to the specific questions you pose in your most recent letter I provide further information and our response as requested.

Our policies on child labour are applicable globally including within the US. We consider child labour to be work that can harm children's wellbeing, hinders their education, development and future livelihoods. We refer to the main international and legal instruments related to child labour which are contained in the Conventions of the International Labour Organisation (ILO) and the Convention on the Rights of the Child (UNCRC).

We would like to see universal legislation governing the rights of the child aligned to ILO conventions 138 (minimum age for admission to employment and work) and 182 (the worst forms of child labour), and which are reflected in our own supplier standards.

Our SRiTP specifies the following:

#### Child Labour on farms

- 1) There shall be NO Child Labour
- 2) There is no employment or recruitment of child labour. The minimum age for admission to work is not less than the age for the completion of compulsory schooling and, in any case, is not less than 15 years or the minimum age provided by the country's laws, whichever affords greater protection.
- 3) No person below 18 is involved in any type of hazardous work.

In the case of family farms, a child may only help on his or her family's farm provided that the work is light work and the child is between 13 and 15 years or above the minimum age for light work as defined in national legislation, whichever affords greater protection.

Work of 12-15 year olds needs to be light and not regular, nor should it interfere with child's right to access to education and social development.

#### Schooling: Attendance

- 1) It is of fundamental importance that farmers children are allowed to attend school regularly and for a core number of hours per day.
- 2) In summary form, countries ratifying ILO child labour conventions undertake to ensure that:
  - a) No children under the age of 12 years shall be allowed to work or be employed, under any circumstances.
  - b) Children between the ages of 12 and 14 years (or under the age of compulsory schooling, or below the national minimum age for admission to employment - whichever is higher) may only be involved in work that does not adversely affect their schooling and development.

## Exposure to risk out of school hours

### 1) Hours worked and exposure to hazardous conditions:

- a) In regards to light work, national law and regulation may permit employment or work for persons 13 to 15, provided that the light work is (a) not harmful to their health or development and (b) does not affect their education and development.
- b) CORESTA Guidelines: Farmer family labour is sometimes used in the production of tobacco. Where family labour is used, it should not result in the deprivation of schooling and other educational opportunities, and no untrained or minors should perform any dangerous or hazardous tasks.

We will accept children working on tobacco farms as long as employment and light activity is aligned with the above mentioned ILO conventions and the SRITP. We do not accept children working on a tobacco farm if they are below the national age regulation or doing hazardous activity.

We consider that children below 18 but over the legal national law age for employment may do light work such as transplanting, weeding, sticking and sorting but never during their school hours and not more than a usual work day of between 7 to 8 hours.

In supplier communications and training we define hazardous activities to be in relation to activities such as:

- Harvesting, topping, and suckering;
- Operating moving vehicles or machinery with moving parts
- Using sharp tools in movement;
- Handling and applying Crop Protection Agents or fertilisers;
- Carrying heavy loads;
- Working at heights;
- Working long hours that interfere with health and well-being; and
- Working in extreme temperatures.

The use of risk assessments are also encouraged as we recognize that conditions and situations vary across our global supply chain and that risks should be mitigated where possible for all workers.

To ensure that children are protected, and for better reference and clarity we see benefit in having a universal definition of hazardous work for children under 18 that is specific to tobacco growing and are therefore pleased that the Eliminating Child Labour in Tobacco Growing Foundation (ECLT) is partnering with the ILO for this purpose. This aims to produce an authoritative and multi-stakeholder informed definition and global guidance on hazardous child labour in tobacco growing.

[www.imperial-tobacco.com](http://www.imperial-tobacco.com)

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We will consider this the authoritative guidance to determine those tobacco related tasks that may or may not be suitable for persons under the age of 18, further to our existing practice and guidance. We consider that decent work should be available and accessible for children above the minimum age of employment, who have either a need or a desire to be economically active. This is particularly relevant in other parts of the world where social systems and support are less developed and in the context of family farms.

In terms of monitoring supplier standards including child labour we have the SRiTP programme, review visits, some spot-checks and the practices deployed by our suppliers whereby their leaf technicians fulfill a critical role.

As a final note I also wanted to mention that as an industry we are working towards being better aligned with our supplier programme. I expect you are aware that other players also use their own or similar versions of SRiTP. This means that slight variances exist in terms of some of the criteria and the requirements for minimum performance standards. Industry dialogue is enabling the development of one main global programme – The Sustainable Tobacco Programme (STP).

STP will be an enhanced programme with a revised scope and objectives designed to prepare the tobacco industry for future challenges and to create a robust, comprehensive and focused, single sustainability programme. It will be structured with an overarching Governance section and four main pillars covering: Crop, Environment, People and Facility. Work is underway to agree the Guiding Principles and the Criteria and Indicators, within each Guiding Principle.

External service providers will continue to operate STP to ensure independent supplier reviews and to support supplier training. We consider that having this enhanced and agreed global programme will help to alleviate the assessment burden on suppliers and better unify standards. This in turn should better support suppliers to focus on the most pressing issues.

I hope that this letter meets your requirements and that we can continue dialogue and a collective effort to eradicate any instance of child labour.

Yours sincerely,



Kirsty Green-Mann  
Head of Corporate Responsibility

**V. Human Rights Watch Correspondence with  
Japan Tobacco Group**

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October 9, 2015

Mitsuomi Koizumi  
President, Chief Executive Officer and Representative  
Director  
Japan Tobacco, Inc.  
JT Bldg. 2-1, Toranomon 2-chome  
Minato-ku, Tokyo  
105-8422  
Japan

## Re: Child labor in US tobacco farming

Dear Mr. Koizumi,

We are writing today to share key findings from recent research we conducted on child labor in tobacco farming in North Carolina in July 2015. We are encouraged by the steps taken to date to address hazardous child labor in US tobacco farming, and we hope to continue a constructive dialogue with Japan Tobacco on this issue.

In July 2015, Human Rights Watch traveled to eastern North Carolina to investigate the health effects of tobacco farming on 16 and 17-year-old children, a population excluded from certain protections under some tobacco companies' policies as well as under US law. Human Rights Watch interviewed 33 children, ages 13 to 17, who worked on tobacco farms in eastern North Carolina in 2015, including 26 children, ages 16 or 17.

Human Rights Watch did not seek to monitor implementation of new industry policies or conduct a comprehensive evaluation of how conditions may have changed for child tobacco workers since Human Rights Watch conducted research on hazardous child labor in the US in 2013. We are unable to assess the implementation of any specific tobacco company's child labor policy. However, Human Rights Watch found children under age 16, as well as 16 and 17-year-old children, working on tobacco farms in North Carolina in 2015.

The children we interviewed reported working on tobacco farms in 12 counties in North Carolina. Most children worked for farm labor contractors or subcontractors, and a few children worked directly for tobacco growers. Some children worked for one employer, while



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others worked for more than one employer. In total, the children we interviewed worked for at least 18 different growers or farm labor contractors in eastern North Carolina.

Many of the children could not identify the owner of the farm on which they worked, and Human Rights Watch could not determine the companies that purchased tobacco from the farms where children reported working.

The hazards and conditions Human Rights Watch documented in 2015 are consistent with those documented in our 2013 research. We believe that these hazards and conditions are present on many US tobacco farms.

### **Working Conditions**

All of the children interviewed worked as hired laborers on tobacco farms in North Carolina; none worked on farms owned or operated by their own families. They reported doing a range of tasks on tobacco farms in 2015, including planting seedlings, weeding, uprooting and repositioning tobacco plants, topping, and removing suckers.

The children interviewed for this report described working in similar conditions as the child workers interviewed by Human Rights Watch in 2013. Most children worked 11 or 12 hours a day on tobacco farms. Some children worked six days a week, while others worked fewer days. Almost all children described fatigue and exhaustion after working long days in tobacco fields.

All children reported having opportunities to take breaks while working, usually three times a day, including an hour break for lunch. Almost all children said they were paid between \$7.50 and \$8.50 an hour, usually in cash. Very few children reported problems with their wages.

Some children said they were asked their ages when they were hired. Other children said they were not questioned about their age.

### **Health and Safety of 16 and 17-Year-Old Child Workers**

Almost all of the 16 and 17-year-old children interviewed—25 out of 26—reported feeling sick while working in tobacco farming in 2015, or after returning home from working in tobacco fields, with nausea, vomiting, headaches, dizziness, skin irritation, or respiratory symptoms.

Most of the children interviewed—23 out of 26—reported experiencing the sudden onset of at least one specific symptom consistent with acute nicotine poisoning while working in tobacco farming in 2015, or after returning home from working in

tobacco fields, including nausea, vomiting, headaches, dizziness, and lightheadedness. Some children also experienced a loss of appetite or recurrent sleeplessness, also symptoms associated with nicotine exposure. In some cases, the symptoms they reported could be linked to or exacerbated by pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Many of the children interviewed—20 out of 26—described exposure to pesticides while working in tobacco farming in 2015. Children reported either working in or near fields that were being sprayed with pesticides, or re-entering fields that had been sprayed very recently. These children often said they could smell, feel, or taste the chemical spray, and 9 children reported immediate illness after coming into contact with pesticides.

All 16 and 17-year-old children said they suffered while working in extreme heat on tobacco farms in 2015 with little access to shade. Children did report consistent access to water. Many children reported pain from engaging in repetitive motions. Children said they had inconsistent access to toilets, and many experienced discomfort while waiting long periods of time before relieving themselves.

Most children said they had never received any health education or safety training regarding the dangers of work in tobacco farming. Very few children were provided with personal protective equipment by their employers, and almost no children had access to a suitable handwashing facility with soap at their workplace.

Under international law, a child is anyone under the age of 18, and international labor standards state that children under 18 should be prohibited from hazardous work, defined as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” Based on our field research, interviews with health professionals, and analysis of the public health literature, Human Rights Watch believes that no child under age 18 should be permitted to work in direct contact with tobacco, due to the health risks posed by the work.

We plan to publish a report with detailed findings and recommendations this year. The report will describe our methodology, findings, analysis of international law, analysis of the US legal and regulatory framework regarding child labor, steps taken by tobacco product manufacturers, tobacco leaf supply companies, and tobacco grower associations to address child labor, gaps in protection, and recommendations to US government, Congress, and the tobacco industry.

Human Rights Watch is committed to accurately representing the steps Japan Tobacco has taken to address child labor in tobacco farming. While we recognize that in past correspondence or meetings, Japan Tobacco has provided information

regarding Japan Tobacco's policies on child labor, we want to ensure that we have the most up-to-date and complete information on Japan Tobacco's current policy.

In particular, we are interested in the following information:

1. What is Japan Tobacco's policy regarding work by children under 18 on tobacco farms supplying Japan Tobacco in the US, and globally?
2. Under Japan Tobacco's policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying Japan Tobacco, and under what circumstances?
3. Does Japan Tobacco prohibit "hazardous work" for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does Japan Tobacco define as hazardous?
  - a. Does Japan Tobacco allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?
4. How does Japan Tobacco monitor child labor and the treatment of child workers on farms supplying tobacco to Japan Tobacco and to Japan Tobacco subsidiaries and suppliers?

We would welcome a response to this letter by October 30, 2015. Japan Tobacco's response will be reflected in our report. We will share a copy of the report with you a few days in advance of its publication.

Thank you for your attention to these issues.

Sincerely,



Jo Becker  
Advocacy Director  
Children's Rights Division



Jane Buchanan  
Associate Director  
Children's Rights Division



Margaret Wurth  
Researcher  
Children's Rights Division

Jo Becker  
Advocacy Director, Children's Rights Division  
Human Rights Watch  
350 Fifth Avenue, 34th floor  
New York, NY 10118-3299

October 27th, 2015

Dear Jo,

I am responding to your letter of October 9, 2015 to Mr. Koizumi in which you talk about child labor in US tobacco farming.

We are also pleased with the regular, constructive dialogue that Human Rights Watch and the JT Group have on this issue. From these discussions, you know that we have a comprehensive approach towards labor issues in our agricultural supply chain.

As stated in JTI's *Agricultural Labor Practices* (ALP), which forms a contractual requirement for growers from whom we buy tobacco, our position is clear: Child labor is not acceptable. The way that we define *child labor*, and our approach to dealing with it, was developed together with the recognized authority in this area, the International Labor Organization (ILO). Our practices strictly follow ILO Conventions (182 and 138).

In the absence of a clear and universally agreed definition of what constitutes *hazardous work*, JTI developed a *hazardous work list* (based on ILO convention 138 Art. 3 and Recommendation 190) that explicitly states which activities we consider hazardous. We did this together with the ILO and our own Health & Safety department. The list clearly shows which activities in tobacco farming are hazardous so that our growers clearly understand our expectations.

Companies may be tempted to set the minimum age for all employment at 18. Guided by the ILO, we believe that this can lead to 16-17 year olds being excluded from activities that contribute to their development and to the welfare of their families. This kind of work provides them with skills and experience, and helps to prepare them to be productive members of society during their adult life. We also believe some activities in our hazardous work list (for example, driving a tractor, or lifting more than 10% of body mass) can be safely performed by 16 and 17 year olds who have received appropriate training and assessment to carry out such tasks<sup>1</sup>.

---

<sup>1</sup> ILO Article 16.3 C184 and Article 4 of R190

The hazardous work list is an integral part of our ALP, which, in addition to clearly stating our position on child labor, also covers rights of workers and health & safety issues. This document, together with others that outline our supply chain commitments, can be found on our website, [jti.com – how we are tackling child labor](http://jti.com – how we are tackling child labor)<sup>2</sup>.

In JTI, we have begun a *meaningful* rollout of these practices to the growers whom we source from globally. This involves specific training for the JTI farming experts who visit our growers on a regular basis. In addition to providing advice on how growers can get the best from their land, they inform growers on the standards that we expect them to follow, and carry out observations to determine areas where improvements can be made.

It is only through such observations that we can establish a base of evidence that allows us to create targeted and effective improvement measures. We extend our responsibility beyond supporting only those growers that we directly work with. Through investing in entire communities, we improve conditions for many people who do not contract with JTI or even grow tobacco. In addition, we have begun supporting third-party suppliers to implement an equally stringent process. We believe that progress can be made only when governments, suppliers, manufacturers, NGOs and farmers all recognize and act on their responsibilities.

Our aim is to cover 100% of our growers, including those who are contracted by third parties by 2019. This timeline reflects a realistic view about the scale of the challenges, rolling out the program step-by-step, with a commitment to continuous improvement. In addition to a solid base of evidence, thorough training, and an open-minded attitude, we also refer to local laws, regulations and societal situations.

We believe that issues should be tackled in order of severity, and efforts attributed accordingly. That is why we began by focusing on the countries that have the most profound issues; for us, that's mainly in Africa. ARISE<sup>3</sup>, our tailored program to bring an end to child labor in the grower communities we source our tobacco from, as well as various other grower support programs are examples of that. The benefits of the direct involvement of our farming experts have delivered proven successes beyond ALP; we have been able to substantially improve both the quality and yield of the tobacco that is grown for us, helping elevate growers' income, which is one component in eliminating child labor. For example, the yield of our contracted growers in Malawi has increased by 50% as a direct result of the support given by our farming experts.

It is clear that direct contact with our growers has driven a better understanding of their challenges and enabled us to target our support and measure its effect. While our approach requires time and persistence, we are of the view that it is bringing meaningful and measurable improvements to our supply chain.

---

<sup>2</sup> <http://www.jti.com/how-we-do-business/working-end-child-labor/our-programs/>

<sup>3</sup> [www.ariseprogram.org](http://www.ariseprogram.org)

With regard to the United States (where farmers have contracts with multiple buyers and JTI does not have the sort of unique and exclusive relationships that we have established in our other sourcing countries, where small-scale farmers predominate), we are part of the Industry GAP. The standard covers techniques for better farming and also includes agricultural labor practices. This program is an industry-wide effort that has been designed to work in situations where growers are selling tobacco to multiple buyers and a unified standard is the only practical way to set clear expectations. In the United States, where farming techniques are advanced and our growers have little need for frequent support visits by JTI farming experts, we intend to implement a rigorous auditing program. We are also now working to further enhance Industry GAP and its auditing process.

The industry also engages with a broader stakeholder group: the Farm Labor Practices Group comprises government, industry, unions, and not-for-profit groups. This group should in our view be broadened to all agricultural industries to discuss practicable improvements to the US agricultural laws and regulations.

In a meeting organized by the US Department of Labor we understood that we cannot expect changes to the current agricultural labor laws very soon. We were asked in that meeting to provide ongoing support to labor practices through programs to assist farmers and migrant workers. This includes training and awareness programs for farm labor contractors (FLC), and a database of licensed FLCs who have undergone such training.

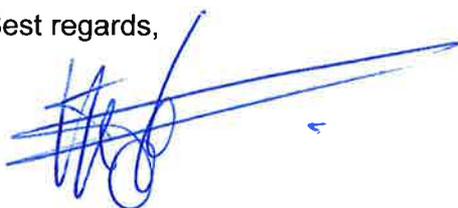
While we are totally committed to this approach, it is clear that tobacco companies like us can only have an influence proportionate to the representation of the tobacco crop in US farming, which is relatively small in terms of acreage. We will continue to engage in these efforts, and believe that improvement in many of the wider agricultural issues that you identified in your research would be much more meaningfully addressed through broader engagement by all agricultural sectors.

Following your 2013 report, we engaged with the governments of North Carolina and Virginia, who have not found the necessary evidence to confirm the problem and its size. Given that our approach is based on documented observations and targeted solutions, it is essential to have details, evidence, and regular observations of labor standards to implement real changes.

I'd like to reiterate how important it is to achieve visibility of the issues in our value chain so we can take responsibility in helping to solve them, working together with other parties where constructive. That is why a process of observation and transparency is at the heart of what we do. That is why we focus on our ALP and the US Industry GAP to help us build an empirically sound foundation for all our efforts to improve the way in which tobacco is grown for the JT Group around the world.

We take our commitments in these areas extremely seriously and we welcome ongoing cooperation with Human Rights Watch, and recognize the work that you do as contributing a piece to the puzzle of how to make labor conditions better on all kinds of farms.

Best regards,

A handwritten signature in blue ink, appearing to be 'Maarten Bevers', with a long horizontal stroke extending to the right.

Maarten Bevers  
Vice-President  
Global Leaf  
Corporate Affairs & Communications

Cc: Jane Buchanan and Margaret Wurth



**VI. Human Rights Watch Correspondence with  
Philip Morris International**

## HUMAN RIGHTS WATCH

350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299  
Tel: 212-290-4700  
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Tom Malinowski, *Washington DC*  
David Mepham, *United Kingdom*  
Wenzel Michalski, *Germany*  
Katharine O'Brien, *Canada*

October 9, 2015

André Calantzopoulos  
Chief Executive Officer  
Philip Morris International, Inc.  
120 Park Avenue  
New York, New York 10017

Cc: Jennifer P. Goodale  
Vice President, Contributions  
Philip Morris International  
Avenue de Rhodanie 50  
1007 Lausanne, Switzerland

**Re: Child labor in US tobacco farming**

Dear Mr. Calantzopoulos,

We are writing today to share key findings from recent research we conducted on child labor in tobacco farming in North Carolina in July 2015. We are encouraged by the steps taken to date to address hazardous child labor in US tobacco farming, and we hope to continue a constructive dialogue with Philip Morris International on this issue.

In July 2015, Human Rights Watch traveled to eastern North Carolina to investigate the health effects of tobacco farming on 16 and 17-year-old children, a population excluded from certain protections under some tobacco companies' policies as well as under US law. Human Rights Watch interviewed 33 children, ages 13 to 17, who worked on tobacco farms in eastern North Carolina in 2015, including 26 children, ages 16 or 17.

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The hazards and conditions Human Rights Watch documented in 2015 are consistent with those documented in our 2013 research. We believe that these hazards and conditions are present on many US tobacco farms.

### **Working Conditions**

All of the children interviewed worked as hired laborers on tobacco farms in North Carolina; none worked on farms owned or operated by their own families. They reported doing a range of tasks on tobacco farms in 2015, including planting seedlings, weeding, uprooting and repositioning tobacco plants, topping, and removing suckers.

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Some children said they were asked their ages when they were hired. Other children said they were not questioned about their age.

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Most children said they had never received any health education or safety training regarding the dangers of work in tobacco farming. Very few children were provided with personal protective equipment by their employers, and almost no children had access to a suitable handwashing facility with soap at their workplace.

Under international law, a child is anyone under the age of 18, and international labor standards state that children under 18 should be prohibited from hazardous work, defined as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” Based on our field research, interviews with health professionals, and analysis of the public health literature, Human Rights Watch believes that no child under age 18 should be permitted to work in direct contact with tobacco, due to the health risks posed by the work.

We plan to publish a report with detailed findings and recommendations this year. The report will describe our methodology, findings, analysis of international law, analysis of the US legal and regulatory framework regarding child labor, steps taken by tobacco product manufacturers, tobacco leaf supply companies, and tobacco grower associations to address child labor, gaps in protection, and recommendations to US government, Congress, and the tobacco industry.

Human Rights Watch is committed to accurately representing the steps PMI has taken to address child labor in tobacco farming. While we recognize that in past correspondence or meetings, PMI has provided information regarding PMI's policies on child labor, we want to ensure that we have the most up-to-date and complete information on PMI's current policy.

In particular, we are interested in the following information:

1. What is PMI's policy regarding work by children under 18 on tobacco farms supplying PMI in the US, and globally?
2. Under PMI's policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying PMI, and under what circumstances?
3. Does PMI prohibit "hazardous work" for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does PMI define as hazardous?
  - a. Does PMI allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?
4. How does PMI monitor child labor and the treatment of child workers on farms supplying tobacco to PMI and to PMI subsidiaries and suppliers?

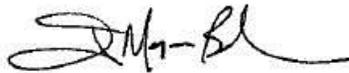
We would welcome a response to this letter by October 30, 2015. PMI's response will be reflected in our report. We will share a copy of the report with you a few days in advance of its publication.

Thank you for your attention to these issues.

Sincerely,



Jo Becker  
Advocacy Director  
Children's Rights Division



Jane Buchanan  
Associate Director  
Children's Rights Division



Margaret Wurth  
Researcher  
Children's Rights Division



PHILIP MORRIS INTERNATIONAL  
MANAGEMENT SA

November 2, 2015

Ms. Jo Becker  
Advocacy Director, Children's Rights Division  
Ms. Jane Buchanan  
Associate Director, Children's Rights Division  
Ms. Margaret Wurth  
Researcher, Children's Rights Division  
Human Rights Watch  
350 Fifth Avenue, 34th Floor  
New York, NY 10118-3299

Dear Jo, Jane and Margaret,

I write in response to your letter to Mr. André Calantzopoulos, Chief Executive Officer of Philip Morris International, Inc. (PMI), dated October 9, 2015.

We take the findings outlined in your letter seriously and thank you for the constructive dialogue we have been maintaining on these issues. We believe you have helped to enable additional progress and stakeholder alignment over the last year.

We would like to reassure you that, notwithstanding PMI's change in business model as of the 2015 season,<sup>1</sup> we remain fully committed to the improvement of farm labor conditions. The final external assessment report released this summer includes detailed action plans developed by our suppliers in collaboration with PMI to address the issues identified in the report.

For the sake of transparency the external report and the detailed action plans are available on our website<sup>2</sup>.

### **PMI's standards**

Regarding your specific questions on PMI current policies:

- 1) *What is PMI's policy regarding work by Children under 18 on tobacco farms supplying PMI in the US and globally?*

---

<sup>1</sup> [http://www.pmi.com/eng/media\\_center/press\\_releases/Pages/philip\\_morris-international-inc--announces-new-u-s--tobacco-purchasing-model.aspx](http://www.pmi.com/eng/media_center/press_releases/Pages/philip_morris-international-inc--announces-new-u-s--tobacco-purchasing-model.aspx)

<sup>2</sup> [http://www.pmi.com/eng/sustainability/good\\_agricultural\\_practices/agricultural\\_labor\\_practices/Documents/CU\\_Third\\_Party\\_Assessment\\_PMIM\\_LLC.pdf](http://www.pmi.com/eng/sustainability/good_agricultural_practices/agricultural_labor_practices/Documents/CU_Third_Party_Assessment_PMIM_LLC.pdf)



PMI's policies have not changed since our last exchanges on the topic<sup>3</sup> and are reflected in our ALP Code<sup>4</sup>. Our policy prohibits hazardous work for children under 18.

*“• There is no employment or recruitment of child labor. The minimum age for admission to work is not less than the age for the completion of compulsory schooling and, in any case, is not less than 15 years or the minimum age provided by the country's laws, whichever affords greater protection.*

- No person below 18 is involved in any type of hazardous work.*
- In the case of family farms, a child may only help on his or her family's farm provided that the work is light work and the child is between 13 and 15 years or above the minimum age for light work as defined by the country's laws, whichever affords greater protection.”*

2) *Under PMI's policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying PMI, and under what circumstances?*

We do not provide global guidance as these can vary significantly depending on many factors (the type of farm, type of tobacco, alternative crops, etc.), and the circumstances in which the work is carried out. For example, off-field activities such as preparing seedbeds or tending to seedlings can be allowed, provided the other circumstances are acceptable (e.g. adequate hours of work, no use of dangerous machinery, no risk of exposure to pesticides, etc.).

We acknowledge that further guidance is necessary for the whole sector. Through the Eliminating Child Labor in Tobacco Growing Foundation, we are supporting a project led by the International Labor Organization to develop global guidance on which tasks constitute hazardous child labor in tobacco growing<sup>5</sup>.

3) *Does PMI prohibit “hazardous work for children under 18, as defined by ILO standards? If the company prohibits hazardous work for children under 18, what specific tasks does PMI define as hazardous? Does PMI allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?*

Our policy prohibits hazardous work for children under 18, without exceptions. We provide growers with specific guidance, guided by ILO's general framework, reflecting the specificities of tobacco growing on what we believe is hazardous work, including:

- Driving vehicles or operating machinery with moving parts

<sup>3</sup> Please see PMI's letters to Mrs. Jane Buchanan and Mr. Arvind Ganesan dated February 4 and April 24, 2014.

<sup>4</sup> [http://www.pmi.com/eng/media\\_center/company\\_statements/documents/alp\\_code.pdf](http://www.pmi.com/eng/media_center/company_statements/documents/alp_code.pdf)

<sup>5</sup> <http://www.eclt.org/news-item/eclt-foundation-ilo-sign-agreement-combat-child-labour-tobacco/>



- Using sharp tools in movement (e.g. stalk cutting with a machete)
- Handling and applying crop protection agents or fertilizers
- Carrying heavy loads (e.g. loading curing barns)
- Working at heights (e.g. in a curing barn)
- Working long hours that interfere with health and well-being
- Working in extreme temperatures
- Working at night
- Harvesting, topping and suckering

4) *How does PMI monitor child labor and the treatment of child workers on farms supplying tobacco to PMI and to PMI subsidiaries and suppliers?*

We have described our general approach in previous exchanges<sup>6</sup>. Notwithstanding, during the 2015 crop, significant changes were introduced as our purchasing model changed.

As such, and in advance of the season, there was substantial preparatory work to enable our two suppliers to implement the ALP program, in line with our contractual requirements.

### **Preparation for the 2015 season**

To support farm monitoring and the overall implementation of the ALP program, each supplier did the following:

- Created its own ALP team and steering committee, involving all the relevant functions and senior management. The suppliers currently have approximately 30 field staff with 6 staff fully dedicated to the program ( PMI maintains two U.S. based agronomists to support our suppliers' efforts)
- Conducted two day training sessions conducted by Verité and PMI's staff and involving all of suppliers' ALP team and steering committee
- Held 5 training sessions for field staff (40 hours of training) and 17 group training sessions on ALP including all contracted farmers
- Delivered to farmers an information toolkit which included the list of hazardous activities as per PMI policies, a GTS information sheet (English and Spanish), a safety training hand-out, a Department of Labor (DOL) Youth Agriculture Pocket Guide, a DOL suggested time sheet, a DOL suggested

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<sup>6</sup> Please see PMI's letters to Mrs. Jane Buchanan and Mr. Arvind Ganesan dated February 4, 2014



Worker Terms and Conditions form (English and Spanish), a worker training log example, and an emergency contact information poster.

### **The 2015 season - monitoring and information gathering**

Since the beginning of the ALP program, we have noted a general improvement in farmers' willingness to align their practices with the ALP Code requirements.

Related to the collection of farm profile information and follow-up farm visits, the two suppliers took different approaches. One supplier collected most of the farm profile information upon contract signing, with additional information gathering and verification conducted in three follow-up farm visits. The second supplier collected basic profile questions upfront, and subsequently collected detailed information for every farm during three farm visits throughout the season (the last one during the peak harvesting season).

Despite the general improvements noted previously, child labor continues being a matter of concern. A majority of the child labor incidents reported (60 in total, mainly in Kentucky) were situations of children helping on a family farm and potentially<sup>7</sup> doing hazardous work (mostly manual labor such as topping or harvesting, but not pesticide application/handling). Typically, these cases were addressed in follow up visits by suppliers' staff with discussions focused on what kind of activities are not appropriate for the farmer's children and why, and suggesting other opportunities for the farmer's children to be involved in the family business without engaging in hazardous work.

Our suppliers did identify a few situations where children were being hired to work on the farm and doing hazardous work. In these cases, there was an immediate follow-up visit and the discussion focused on ending the practice and the immediate business consequences of not doing so, while trying to preserve the interests of the child, as appropriate.

As the season comes to an end, suppliers will conduct an assessment of each farmers' performance and commitment to the ALP program in 2015. This, among other factors, will determine contract renewals, adjustments or non-renewals.

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<sup>7</sup> Information about children's activities on the farms was also collected with the farm profiles. As such, many of the reported incidents relate to information volunteered by the farmer suggesting children involvement with hazardous work and not actual incidents observed by field staff.



## Working with stakeholders and with the local community

We continue to believe the issues in the United States can only be solved as part of a collective sector-wide approach that includes all relevant stakeholders. This is why we were pleased to participate in the meeting held this year with the U.S. Secretary of Labor and the White House Domestic Policy Council. We continue to believe the U.S. standards should be strengthened to come into line with international standards. We also remain committed to the Farm Labor Practices Group (FLPG) and have maintained close contact with potential NGO partners, the U.S. Department of Labor and other stakeholders to advance HRW's recommendations regarding alternative activities for children in tobacco growing communities.

Progress with these multi-stakeholder efforts has been slow and we will continue to strengthen our own initiatives. One such example is our work with the North Carolina State University (NCSU) to provide health and work safety education to farmers, farm labor contractors (crew leaders), farmworkers and their families. This program is particularly focused on immigrant farmworkers and their families, both to improve safety on farms and to support farmworker families on health, nutrition, youth development, educational opportunities and other community-based programs. In 2014-2015 NCSU delivered 47 on-farm training sessions to over 1,300 farmworkers, with the support of 75 tobacco growers<sup>8</sup>. NCSU also organized 9 community events for more than 274 farmworkers and their families, 138 of whom were youth. In September 2015, a large "Farmworkers Appreciation Festival" was held to recognize and educate farmworkers and their families. More than 500 people attended, 360 of whom were farmworkers and their families, benefiting from educational and entertainment activities, health and dental screenings, and information from more than 20 agencies about resources and services available to them in the local community<sup>9</sup>.

\*\*\*\*

The issues you bring to our attention are serious and more work remains to be done. We are confident the information we have exchanged with HRW and the information we have made publically available about continued concerns and progress in our tobacco supply chain leaves no doubt about our efforts and commitment.

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<sup>8</sup> <http://www.cals.ncsu.edu/agcomm/news-center/perspectives/extension-farmworkers-health-and-safety-education-program-connects-growers-immigrant-farm-workers-and-communities/>

<sup>9</sup> <http://www.cals.ncsu.edu/agcomm/news-center/perspectives/wayne-county-farmworkers-appreciation-festival-brings-community-together/>



PHILIP MORRIS INTERNATIONAL  
MANAGEMENT SA

We appreciate the open dialogue and constructive work we have been able to do so far and remain available to discuss these important issues.

Sincerely,

Miguel Coleta

Director, External Labor Policies

Cc: Mr. André Calantzopoulos, Chief Executive Officer  
Mr. Marco Mariotti, Senior Vice President, Corporate Affairs  
Mr. Nicolas Denis, Vice President, Leaf  
Mr. Jon Huenemann, Vice President, US and International Affairs



**VII. Human Rights Watch Correspondence with**  
**Reynolds American**

## HUMAN RIGHTS WATCH

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Wenzel Michalski, *Germany*  
Katharine O'Brien, *Canada*

October 9, 2015

Susan M. Cameron  
President and Chief Executive Officer  
Reynolds American  
401 North Main Street  
Winston-Salem, NC 27101

## Re: Child labor in US tobacco farming

Dear Ms. Cameron,

We are writing today to share key findings from recent research we conducted on child labor in tobacco farming in North Carolina in July 2015. We are encouraged by the steps taken to date to address hazardous child labor in US tobacco farming, and we hope to continue a constructive dialogue with Reynolds American on this issue.

In July 2015, Human Rights Watch traveled to eastern North Carolina to investigate the health effects of tobacco farming on 16 and 17-year-old children, a population excluded from certain protections under some tobacco companies' policies as well as under US law. Human Rights Watch interviewed 33 children, ages 13 to 17, who worked on tobacco farms in eastern North Carolina in 2015, including 26 children, ages 16 or 17.

Human Rights Watch did not seek to monitor implementation of new industry policies or conduct a comprehensive evaluation of how conditions may have changed for child tobacco workers since Human Rights Watch conducted research on hazardous child labor in the US in 2013. We are unable to assess the implementation of any specific tobacco company's child labor policy. However, Human Rights Watch found children under age 16, as well as 16 and 17-year-old children, working on tobacco farms in North Carolina in 2015.

The children we interviewed reported working on tobacco farms in 12 counties in North Carolina. Most children worked for farm labor contractors or subcontractors, and a few children worked directly for tobacco growers. Some children worked for one employer, while others worked for more than one employer. In total, the children we interviewed worked for at least 18 different growers or farm labor contractors in eastern North Carolina.



HRW.org

Many of the children could not identify the owner of the farm on which they worked, and Human Rights Watch could not determine the companies that purchased tobacco from the farms where children reported working.

The hazards and conditions Human Rights Watch documented in 2015 are consistent with those documented in our 2013 research. We believe that these hazards and conditions are present on many US tobacco farms.

### **Working Conditions**

All of the children interviewed worked as hired laborers on tobacco farms in North Carolina; none worked on farms owned or operated by their own families. They reported doing a range of tasks on tobacco farms in 2015, including planting seedlings, weeding, uprooting and repositioning tobacco plants, topping, and removing suckers.

The children interviewed for this report described working in similar conditions as the child workers interviewed by Human Rights Watch in 2013. Most children worked 11 or 12 hours a day on tobacco farms. Some children worked six days a week, while others worked fewer days. Almost all children described fatigue and exhaustion after working long days in tobacco fields.

All children reported having opportunities to take breaks while working, usually three times a day, including an hour break for lunch. Almost all children said they were paid between \$7.50 and \$8.50 an hour, usually in cash. Very few children reported problems with their wages.

Some children said they were asked their ages when they were hired. Other children said they were not questioned about their age.

### **Health and Safety of 16 and 17-Year-Old Child Workers**

Almost all of the 16 and 17-year-old children interviewed—25 out of 26—reported feeling sick while working in tobacco farming in 2015, or after returning home from working in tobacco fields, with nausea, vomiting, headaches, dizziness, skin irritation, or respiratory symptoms.

Most of the children interviewed—23 out of 26—reported experiencing the sudden onset of at least one specific symptom consistent with acute nicotine poisoning while working in tobacco farming in 2015, or after returning home from working in tobacco fields, including nausea, vomiting, headaches, dizziness, and lightheadedness. Some children also experienced a loss of appetite or recurrent sleeplessness, also symptoms associated with nicotine exposure. In some cases,

the symptoms they reported could be linked to or exacerbated by pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Many of the children interviewed—20 out of 26—described exposure to pesticides while working in tobacco farming in 2015. Children reported either working in or near fields that were being sprayed with pesticides, or re-entering fields that had been sprayed very recently. These children often said they could smell, feel, or taste the chemical spray, and 9 children reported immediate illness after coming into contact with pesticides.

All 16 and 17-year-old children said they suffered while working in extreme heat on tobacco farms in 2015 with little access to shade. Children did report consistent access to water. Many children reported pain from engaging in repetitive motions. Children said they had inconsistent access to toilets, and many experienced discomfort while waiting long periods of time before relieving themselves.

Most children said they had never received any health education or safety training regarding the dangers of work in tobacco farming. Very few children were provided with personal protective equipment by their employers, and almost no children had access to a suitable handwashing facility with soap at their workplace.

Under international law, a child is anyone under the age of 18, and international labor standards state that children under 18 should be prohibited from hazardous work, defined as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” Based on our field research, interviews with health professionals, and analysis of the public health literature, Human Rights Watch believes that no child under age 18 should be permitted to work in direct contact with tobacco, due to the health risks posed by the work.

We plan to publish a report with detailed findings and recommendations this year. The report will describe our methodology, findings, analysis of international law, analysis of the US legal and regulatory framework regarding child labor, steps taken by tobacco product manufacturers, tobacco leaf supply companies, and tobacco grower associations to address child labor, gaps in protection, and recommendations to US government, Congress, and the tobacco industry.

Human Rights Watch is committed to accurately representing the steps Reynolds American has taken to address child labor in tobacco farming. While we recognize that in past correspondence or meetings, Reynolds American has provided information regarding Reynolds American’s policies on child labor, we want to ensure that we have the most up-to-date and complete information on Reynolds American’s current policy.

In particular, we are interested in the following information:

1. What is Reynolds American’s policy regarding work by children under 18 on tobacco farms supplying Reynolds American in the US, and globally?
2. Under Reynolds American’s policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying Reynolds American, and under what circumstances?
3. Does Reynolds American prohibit “hazardous work” for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does Reynolds American define as hazardous?
  - a. Does Reynolds American allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?
4. How does Reynolds American monitor child labor and the treatment of child workers on farms supplying tobacco to Reynolds American and to Reynolds American subsidiaries and suppliers?

We would welcome a response to this letter by October 30, 2015. Reynolds American’s response will be reflected in our report. We will share a copy of the report with you a few days in advance of its publication.

Thank you for your attention to these issues.

Sincerely,



Jo Becker  
Advocacy Director  
Children’s Rights Division



Jane Buchanan  
Associate Director  
Children’s Rights Division



Margaret Wurth  
Researcher  
Children’s Rights Division



RAI Services Company

**John Wilson III**  
Vice President  
Corp Sustainability  
and Commercial  
Equity

Ms. Jo Becker  
Ms. Jane Buchanan  
Ms. Margaret Wurth  
Human Rights Watch  
350 Fifth Ave., 34<sup>th</sup> Floor  
New York, NY 10118-3299

October 30, 2015

Dear Ms. Becker, Buchanan and Worth:

I am writing on behalf of Reynolds American Inc. in response to your letter to our CEO, Susan Cameron. Reynolds American Inc. and its operating subsidiary, R.J. Reynolds Tobacco Co. (RJRT), appreciate the opportunity to continue our discussion with HRW concerning the employment of minors in tobacco growing and harvesting.

Our policy with respect to the employment of minors has not changed since our last communication. Contracted growers will not employ youth under 16.<sup>1</sup> Youth 16 and 17 will not be employed for work in tobacco unless:

1. They have written permission from a parent or guardian;
2. They receive safety training and appropriate personal protective equipment prior to commencing work; and
3. They refrain from engaging in "Hazardous Occupations" as defined by the U.S. Department of Labor.

In addition, major associations of growers have adopted policies against child labor.

I understand that HRW prefers policies that prohibit the employment of anyone under 18, either expressly, or by defining "hazardous work" to include any contact with a tobacco plant by anyone under 18, regardless of training or protective gear. However, present monitoring systems based around on-farm audits detect so little employment of minors that it is not clear whether any particular policy makes a difference to the number of youth employed on farms.

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<sup>1</sup> As you are aware, this policy does not apply to members of the growers' families.

If RJRT had adopted HRW's preferred policy in 2010, the available evidence would indicate nearly universal compliance. The aggregated results of the third-party audits conducted in 2011-12 and 2014 found only four of 507 audited growers employed non-family workers under 18. While HRW reports finding 33 workers under 18 in its July 2015 investigation, the information does not appear actionable: Many youth apparently could not identify the growers who owned the farms where they worked, and HRW is admittedly "... unable to assess the implementation of any specific tobacco company's child labor policy." In other words, we cannot presently ascertain whether there are more youth on farms selling to purchasers with policies prohibiting the employment of anyone under 18 than on farms subject to other policies, or no policy at all.

I do not claim that RJRT's supply chain is free of child labor issues. Audits are subject to certain limits. They speak to conditions on an audited farm at the time of the audit, and cannot characterize conditions on unaudited farms. However, it is not clear whether the information generated by manufacturers' on-farm audit programs is inconsistent with the data generated by HRW's research because HRW's research does not indicate an expected rate of youth workers in the tobacco workforce. The best way to reconcile manufacturers' on-farm audits with HRW's research and the experience of civil society organizations that work in rural immigrant communities is to focus on farm labor contractors and subcontractors.

HRW's research confirms the wisdom of this approach. Most of the youth identified in HRW's recent research apparently worked for farm labor contractors or subcontractors. Many of the problems HRW is rightly concerned about, such as inadequate training, safety equipment, field sanitation, and pesticide exposure, are more likely to arise among farm labor contractors than growers who receive training from, and are more visible to, manufacturers and regulators.

As you are aware, the Farm Labor Practices Group is working to identify opportunities to promote compliance among farm labor contractors. If other stakeholders with an interest in child labor monitoring systems can align their efforts with this focus on improving compliance among farm labor contractors, it may be possible not only to better protect the health and safety of youth workers, but also understand how many youth are working and whether or not their employment is consistent with the relevant manufacturer's policy.

We recognize, of course, that manufacturers need the appropriate policy, whatever the available monitoring systems. RJRT believes that its policy is appropriate. Green tobacco sickness is a serious concern, but it can be avoided by workers with the necessary training and gear. We believe that workers 16 years of age – old enough to be entrusted with a driver's license – are old enough to understand GTS and other risks and act responsibly to stay safe, if they receive the proper training and equipment. In prohibiting the employment of youth under 16, we are significantly more restrictive than the government agencies charged with protecting worker safety. It is a serious thing for a private entity to forbid the

employment of people in jobs they may lawfully perform, and RJRT believes that its present policy strikes the right balance.

Thank you for the opportunity to address these issues prior to the publication of your report. Further information about the audits RJRT and its affiliates who purchase tobacco use to monitor compliance with agronomic and labor policies, including child labor policies, are available on the Reynolds American website. Although the 2015 audits of approximately 300 growers has been completed, the auditor has not yet completed its report. The report will be made available on the website upon completion.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Tripp Wilson", written in a cursive style.

Tripp Wilson



RAI Services Company

John Wilson III  
Vice President  
Corp Sustainability  
and Commercial  
Equity

November 2, 2015

Stuart Thompson  
U.S. Tobacco Cooperative  
1304 Annapolis Drive  
Raleigh, North Carolina 27608

Dear Mr. Thompson:

Thank you for your letter to Ms. Cameron in regard to the Human Rights Watch campaign on child labor.

Reynolds American Inc. believes that the more sustainable U.S. agronomic and labor practices are and are seen to be, the better for future U.S. tobacco production. While that statement is not terribly profound, the obstacles to getting there are real.

Accordingly, we are pleased to participate in multi-stakeholder groups such as the Farm Labor Practices Group, which is focused on addressing and promoting understanding of many of the issues raised in your letter.

Thank you for your kind invitation to visit USTC. I'd suggest that an initial first step for USTC to become more involved in the effort would be to attend a meeting of the Farm Labor Practices Group. If you are interested, please let me know and I will work to arrange an invitation.

Please call me anytime if you would like to chat about how industry can work together with other stakeholders to address labor practices issues in an appropriate and sustainable manner.

Thanks again for your correspondence.

Regards,

A handwritten signature in black ink that reads "Tripp Wilson". The signature is written in a cursive style with a large, prominent "T".

Tripp Wilson



**VIII. Human Rights Watch Correspondence with**  
**Alliance One International**

## HUMAN RIGHTS WATCH

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Wenzel Michalski, *Germany*  
Katharina Di Biase, *Germany*

October 9, 2015

J. Pieter Sikkel  
President and Chief Executive Officer  
Alliance One International, Inc.  
8001 Aerial Center Parkway  
Morrisville, NC 27560-2009

## Re: Child labor in US tobacco farming

Dear Mr. Sikkel,

We are writing today to share key findings from recent research we conducted on child labor in tobacco farming in North Carolina in July 2015. We are encouraged by the steps taken to date to address hazardous child labor in US tobacco farming, and we hope to continue a constructive dialogue with Alliance One International on this issue.

In July 2015, Human Rights Watch traveled to eastern North Carolina to investigate the health effects of tobacco farming on 16 and 17-year-old children, a population excluded from certain protections under some tobacco companies' policies as well as under US law. Human Rights Watch interviewed 33 children, ages 13 to 17, who worked on tobacco farms in eastern North Carolina in 2015, including 26 children, ages 16 or 17.

Human Rights Watch did not seek to monitor implementation of new industry policies or conduct a comprehensive evaluation of how conditions may have changed for child tobacco workers since Human Rights Watch conducted research on hazardous child labor in the US in 2013. We are unable to assess the implementation of any specific tobacco company's child labor policy. However, Human Rights Watch found children under age 16, as well as 16 and 17-year-old children, working on tobacco farms in North Carolina in 2015.

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Many of the children could not identify the owner of the farm on which they worked, and Human Rights Watch could not determine the companies that purchased tobacco from the farms where children reported working.

The hazards and conditions Human Rights Watch documented in 2015 are consistent with those documented in our 2013 research. We believe that these hazards and conditions are present on many US tobacco farms.

### **Working Conditions**

All of the children interviewed worked as hired laborers on tobacco farms in North Carolina; none worked on farms owned or operated by their own families. They reported doing a range of tasks on tobacco farms in 2015, including planting seedlings, weeding, uprooting and repositioning tobacco plants, topping, and removing suckers.

The children interviewed for this report described working in similar conditions as the child workers interviewed by Human Rights Watch in 2013. Most children worked 11 or 12 hours a day on tobacco farms. Some children worked six days a week, while others worked fewer days. Almost all children described fatigue and exhaustion after working long days in tobacco fields.

All children reported having opportunities to take breaks while working, usually three times a day, including an hour break for lunch. Almost all children said they were paid between \$7.50 and \$8.50 an hour, usually in cash. Very few children reported problems with their wages.

Some children said they were asked their ages when they were hired. Other children said they were not questioned about their age.

### **Health and Safety of 16 and 17-Year-Old Child Workers**

Almost all of the 16 and 17-year-old children interviewed—25 out of 26—reported feeling sick while working in tobacco farming in 2015, or after returning home from working in tobacco fields, with nausea, vomiting, headaches, dizziness, skin irritation, or respiratory symptoms.

Most of the children interviewed—23 out of 26—reported experiencing the sudden onset of at least one specific symptom consistent with acute nicotine poisoning while working in tobacco farming in 2015, or after returning home from working in tobacco fields, including nausea, vomiting, headaches, dizziness, and lightheadedness. Some children also experienced a loss of appetite or recurrent sleeplessness, also symptoms associated with nicotine exposure. In some cases,

the symptoms they reported could be linked to or exacerbated by pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Many of the children interviewed—20 out of 26—described exposure to pesticides while working in tobacco farming in 2015. Children reported either working in or near fields that were being sprayed with pesticides, or re-entering fields that had been sprayed very recently. These children often said they could smell, feel, or taste the chemical spray, and 9 children reported immediate illness after coming into contact with pesticides.

All 16 and 17-year-old children said they suffered while working in extreme heat on tobacco farms in 2015 with little access to shade. Children did report consistent access to water. Many children reported pain from engaging in repetitive motions. Children said they had inconsistent access to toilets, and many experienced discomfort while waiting long periods of time before relieving themselves.

Most children said they had never received any health education or safety training regarding the dangers of work in tobacco farming. Very few children were provided with personal protective equipment by their employers, and almost no children had access to a suitable handwashing facility with soap at their workplace.

Under international law, a child is anyone under the age of 18, and international labor standards state that children under 18 should be prohibited from hazardous work, defined as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” Based on our field research, interviews with health professionals, and analysis of the public health literature, Human Rights Watch believes that no child under age 18 should be permitted to work in direct contact with tobacco, due to the health risks posed by the work.

We plan to publish a report with detailed findings and recommendations this year. The report will describe our methodology, findings, analysis of international law, analysis of the US legal and regulatory framework regarding child labor, steps taken by tobacco product manufacturers, tobacco leaf supply companies, and tobacco grower associations to address child labor, gaps in protection, and recommendations to US government, Congress, and the tobacco industry.

Human Rights Watch is committed to accurately representing the steps Alliance One has taken to address child labor in tobacco farming. While we recognize that in past correspondence or meetings, Alliance One has provided information regarding Alliance One’s policies on child labor, we want to ensure that we have the most up-to-date and complete information on Alliance One’s current policy.

In particular, we are interested in the following information:

1. What is Alliance One's policy regarding work by children under 18 on tobacco farms supplying Alliance One in the US, and globally?
2. Under Alliance One's policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying Alliance One, and under what circumstances?
3. Does Alliance One prohibit "hazardous work" for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does Alliance One define as hazardous?
  - a. Does Alliance One allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?
4. How does Alliance One monitor child labor and the treatment of child workers on farms supplying tobacco to Alliance One and to Alliance One subsidiaries and suppliers?

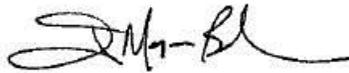
We would welcome a response to this letter by October 30, 2015. Alliance One's response will be reflected in our report. We will share a copy of the report with you a few days in advance of its publication.

Thank you for your attention to these issues.

Sincerely,



Jo Becker  
Advocacy Director  
Children's Rights Division



Jane Buchanan  
Associate Director  
Children's Rights Division



Margaret Wurth  
Researcher  
Children's Rights Division

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Human Rights Watch  
350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299

October 30, 2015

Dear Ms. Becker, Ms. Buchanan and Ms. Wurth,

We are in receipt of your letter dated as of October 9, 2015. Thank you for your continued efforts to address hazardous child labor in connection with U.S. and global tobacco production. Alliance One International, Inc. (AOI or Alliance One) does not tolerate any labor abuses in our supply chain, and your engagement with this issue and continued constructive dialogue has helped us support our mission to end child labor and drive progress on this critically important issue.

As you are aware from our previous exchanges<sup>1</sup>, AOI implemented a global Agricultural Labor Practices<sup>2</sup> (ALP) program in 2012 and it is being implemented in all of the countries from which AOI sources tobacco<sup>3</sup>. In each of these origins, our staff works closely with our contracted growers to identify the root causes of labor issues and collaboratively develop lasting, effective solutions. We are committed to progressively eliminating child labor and other labor abuses in our supply chain.

We take the findings of your research very seriously. Child labor in tobacco farming, and agriculture as a whole, is a systemic issue that must be addressed through collaboration with all stakeholders. We believe that continued dialogue between Human Rights Watch, tobacco companies and others involved in the industry is driving progress on the issue, evidenced by the meeting that we attended with the U.S. Secretary of Labor, Thomas Perez, in March of this year.

The concerns you have raised in your letter are consistent with those raised in the past. However, your research does not seem to address any general improvements made since your previous report. It does clearly demonstrate that more work must be done in order to address some of the labor challenges on U.S. tobacco farms, particularly in the flue-cured region of eastern North Carolina. We request that Human Rights Watch include in its report the names of the counties where youth reported working in tobacco so that we may incorporate that information into our 2016 planning.

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<sup>1</sup> Please refer to AOI's letters sent to Human Rights Watch dated April 22, 2015 and March 7, 2014.

<sup>2</sup> [http://aoisustainability.com/files/1413/8610/2918/AOI\\_Agricultural\\_Labor\\_Practices\\_Brochure.pdf](http://aoisustainability.com/files/1413/8610/2918/AOI_Agricultural_Labor_Practices_Brochure.pdf)

<sup>3</sup> Please refer to AOI's sustainability website (<http://aoisustainability.com/>) and our most recent sustainability report (<http://mydigimag.rrd.com/publication/?i=257360>) for more information regarding our global ALP implementation.

We appreciate Human Rights Watch's commitment to accurately representing Alliance One's child labor policy and the steps that we have taken to address this issue.

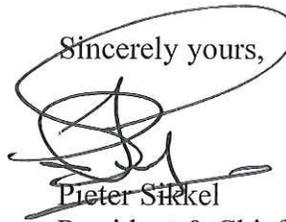
As requested, please find our responses to the various questions raised in your letter attached hereto as Annex A. We would be happy to respond to any follow-up questions you may have.

In addition to answering your specific questions, we would like to take this opportunity to update and remind you of some key steps that our United States team has taken this year to further contracted growers' compliance with our ALP code, particularly with regards to child labor. You may find this additional information attached hereto as Annex B.

While we are taking steps in the right direction, there is room for improvement in many areas. After the 2015 season ends, Alliance One will conduct its annual assessment of growers to determine which contracts will be renewed and/or adjusted as a result of multiple factors, including labor violations.

There is much more work to be done and we are committed to doing our part to eliminate child labor from tobacco production in our supply chain.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Pieter Siekel', is written over a horizontal line. The signature is enclosed within a hand-drawn oval.

Pieter Siekel  
President & Chief Executive Officer  
Alliance One International, Inc.

## **Annex A**

### **Alliance One answers to the questions raised by Human Rights Watch Letter of October 9, 2015**

## **1. What is Alliance One's policy regarding work by children under 18 on tobacco farms supplying Alliance One in the US, and globally?**

Alliance One's global ALP policy states the following:

- There is no employment or recruitment of child labor. The minimum age for admission to work is not less than the age for the completion of compulsory schooling and, in any case, is not less than 15 years or the minimum age provided by the country's laws, whichever affords greater protection.
- No person below 18 is involved in any type of hazardous work.
- In the case of family farms, a child may only help on his or her family's farm provided that the work is light work and the child is between 13 and 15 years or above the minimum age for light work as defined by the country's laws, whichever affords greater protection.

Alliance One's minimum age to work is based upon the varied market conditions in the regions where our growers are located. Through our various sustainability programs, we are working to lift the economic conditions in the areas where we operate which we hope will alleviate labor pressures. As noted in our policy, where the minimum age to work is greater than 15 by law, AOI abides by the greater age. For example, our growers in Brazil do not employ anyone under the age of 18.

Recognizing that the United States is an economically advanced country, AOI's minimum age to work for hire in the United States is age 16<sup>1</sup>. Our age requirements for hazardous work and family farms remain the same as in our current global policy.

## **2. Under Alliance One's policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying Alliance One, and under what circumstances?**

Currently, Alliance One does not specifically identify tasks permissible for youth under 18, as the tasks needed on a farm vary substantially depending on a variety of factors, including but not limited to, the type of tobacco being grown, other types of crops being grown, mechanization level, as well as the general conditions in which the work is being performed.

However, because growers do often request guidance on this topic, Alliance One has provided examples of appropriate tasks for youth under 18 on U.S. farms. Below are examples of some non-hazardous tasks for youth under the age of 18 that AOI has provided to its contracted U.S. growers in the past:

- Hand removing weeds in fields
- Inserting box rods into filled boxes of tobacco
- For youth 16 and older with a valid driver's license, driving trucks to transport tobacco from fields to barn
- Hand removing cured leaves from boxes to baler
- Removing non-tobacco related material (NTRM) from cured leaves prior to baling

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<sup>1</sup> Please refer to AOI's letter sent to Human Rights Watch dated April 22, 2015.

- Applying metal bands on pressed bales of cured tobacco
- Sweeping cured leaf and other general clean-up tasks

This is not a comprehensive list, but has been used as guidance for growers who may have 16- and 17-year-olds working on their farm.

**3. Does Alliance One prohibit “hazardous work” for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does Alliance One define as hazardous?**

**a. Does Alliance One allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?**

As indicated in our child labor policy, Alliance One prohibits hazardous work for youth under the age of 18 under any circumstances.

As indicated in your letter, the International Labour Organization (ILO) defines “hazardous employment or work” as any work which is “likely to jeopardise the health, safety or morals of young persons.” Unfortunately, the ILO does not then go on provide any guidance as to what specific tasks or activities may actually jeopardize the health, safety or morals of youth. Nonetheless, AOI recognizes that several activities associated with tobacco production certainly could impact youth in a negative fashion and we are committed prohibiting such activities and protecting the health, safety and well-being of all youth that may be impacted by tobacco production.

To this end, AOI uses the following non-exhaustive list of potentially hazardous tasks as examples to guide growers.

- Participating in an activity that may cause exposure to green tobacco leaves, which could cause Green Tobacco Sickness (such as harvesting, topping or suckering)
- Operating machinery with moving parts or moving vehicles, except for when otherwise allowed by law.
- Using sharp tools in movement (such as machetes, knives or implements used for planting, weeding, stalk cutting, etc.)
- Handling fertilizers or crop protection agents
- Working at heights, above which a fall is likely to cause injury
- Carrying heavy loads, where weight of load, repetition of lifting and person’s physical stature are considered to determine risk of injury
- Working in poorly lit environments
- Working in extreme temperatures (such as very hot or cold conditions)
- Working long hours that interfere with health and well-being

In addition to ILO’s general guidance, many countries have laws specifying the activities that are considered hazardous work. AOI trains and monitors our contracted growers around the globe to

ensure that they understand and abide by the laws in their countries and our ALP code. No person under the age of 18, whether they are the children of the grower or a young worker above minimum legal working age, can be involved in hazardous work. If there are no specific laws, we work with growers to help them determine which tasks on their farm could be considered hazardous, to prevent anyone under the age of 18 from being involved.

In an effort to shed more light on what actually constitutes “hazardous” tasks and gain consensus in the industry, Alliance One, through the ECLT Foundation, is supporting a project<sup>2</sup> aimed at examining the nature and conditions of hazardous child labor in tobacco growing. We believe that this project will provide much needed clarity and guidance on this issue.

#### **4. How does Alliance One monitor child labor and the treatment of child workers on farms supplying tobacco to Alliance One and to Alliance One subsidiaries and suppliers?**

Alliance One has fostered a culture of compliance among its workforce and that of its subsidiaries, including but not limited to, intolerance of child labor, or any other labor abuses, anywhere in the supply chain, including on its contracted tobacco farms. In addition, Alliance One has a global network of more than 1,000 agronomists and field technicians who work closely with our contracted growers to educate them on the principles of ALP and help them continuously improve their labor practices.

Alliance One’s global approach to monitoring for child labor and other labor abuses on our contracted farms includes on-farm monitoring, including use of Alliance One’s proprietary award-winning, mobile farm data collection tool Grower’s Management System (GMS)<sup>3</sup>, as well as third-party audits.

Alliance One’s on-farm monitoring practices are adaptive to the varying needs and socio-economic conditions of the countries from where we source tobacco. Around the world, our agronomists and leaf technicians work with growers to address dangerous conditions and practices first, and then work with the growers to collaboratively develop a solution. We have found that taking the time to understand the root causes of an issue and educating the grower on the reasons for and how to implement change is critical to driving permanent behavioral change.

In 2011, Alliance One recognized the need for a global data capture system that would provide real-time visibility into our grower base. Although historically our agronomists and field technicians collected information, we needed greater visibility in order to identify trends and high-risk situations. To meet this challenge, we developed the Grower’s Management System. GMS is designed to collect data for each measurable standard included in the three pillars of GAP (Crop – Environment – People). Within this global data capture system, we can build a profile of each grower that we work with, including information such as a GPS position of the farm, type of tobacco being grown, curing equipment being used, and GAP and ALP education.

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<sup>2</sup> <http://www.eclt.org/news-item/eclt-foundation-ilo-sign-agreement-combat-child-labour-tobacco/>

<sup>3</sup> Please refer to pages 22-23 of Alliance One’s 2014 sustainability report: <http://mydigimag.rrd.com/publication/?i=257360>.

GMS is incorporated into a handheld mobile device (tablet) for each of our leaf technicians, and these technicians input data into the system as they visit each grower. We can easily generate reports from GMS which allow the Company to identify labor risks and develop solutions. The GMS system also allows AOI to track non-compliance issues, which expedites the timeliness of any follow-up conversations/visits. One hundred percent of Alliance One's contracted growers around the world have profiles within GMS.

Third-party audits and assessments are an additional component of our efforts to monitor and address labor issues in our supply chain. Alliance One and its contracted farms are regularly audited by third-parties to identify areas that need improvement and to determine whether or not our practices are effective. The findings of assessments to date have been incredibly helpful to identify and address high-risk situations as well as opportunities to provide additional education to our staff and our contracted growers.

In 2015, Alliance One substantially increased its U.S. monitoring activities. We visited 100 percent of our contracted U.S. flue-cured growers at least three times this year. During each visit in 2015, AOI staff monitored growers for compliance with the ALP code, including but not limited to, child labor concerns, and collaboratively worked with the growers to develop solutions to any issues observed on the farms. Grower profiles were established for 100 percent of our contracted U.S. growers. In addition to our increased self-monitoring and reporting, Alliance One had 39 independent third-party Social Responsibility in Tobacco Production (SRTP) and GAP audits that included confidential farmworker interviews by Footprint Benchmark + Talent, through GAP Connections, and ABSustain.

We are in the process of reviewing and summarizing our 2015 data for the United States, and we are also awaiting feedback from our third-party audits. We believe the findings will be beneficial in helping us recognize any areas where increased education is needed and we look forward to incorporating such findings into our 2016 planning.

## **Annex B**

### **Update on Alliance One's 2015 ALP Education and Monitoring Efforts in the United States**

## **2015 U.S. ALP Policy Adjustments**

Alliance One's global child labor policy states that the minimum age for admission to work is not less than 15 years of age, or the minimum age provided by the country's laws, whichever affords greater protection. Recognizing that the United States is an economically advanced country, Alliance One raised our minimum age to work on farms contracted with AOI in the United States to age 16<sup>1</sup>. Our age requirements for hazardous work and family farms remain the same as in our global policy – that is, no one under the age of 18 can be involved in hazardous work and, in the case of family farms, a child may only help on his or her family's farm provided that the work is light work and the child is at least 13 years old.

## **2015 U.S. Education and Planning**

As you know, with the transition in one of our customers' business models<sup>2</sup>, Alliance One's volume of contracted U.S. growers increased significantly in 2015. To ensure continued compliance with our ALP program and minimize risk, we invested in additional training and staff resources. We established an ALP Country team that is cross-functional in nature and includes representatives from AOI's U.S. Grower Affairs, Corporate Affairs, Corporate Sustainability and Corporate Legal Departments. The team has met regularly since January 2015 to review progress in the ALP program and discuss any labor issues that were identified on our contracted farms.

In addition to the U.S. ALP Country team, Alliance One established a U.S. ALP steering committee to support management of severe ALP infractions or trends and a Farm Monitoring team to manage the on-site farm visits. The steering committee includes two members of AOI's senior management team. AOI's Farm Monitoring team includes 12 staff members.

To enhance our staff's understanding of the ALP principles and how to identify labor issues on tobacco farms, the ALP Country and Farm Monitoring teams participated in a two-day training session led by Verité, an international leader in supply chain social responsibility and sustainability. Alliance One also had three separate in-house training sessions for its Farm Monitoring team. These training sessions were strategically scheduled prior to the start of each round of visits so that additional emphasis could be placed on labor challenges most likely to present during that time.

Grower education was a primary area of focus for Alliance One, as grower buy-in and commitment are essential for compliance as well as genuine behavior change. This ongoing education began at contract signing, as AOI contracts require that growers abide by, among other things, the principles set forth in our ALP code. Contract signings were followed by grower meetings, which have been identified as the most effective method for communicating the ALP principle. One of AOI's primary objectives at these meetings is to educate growers on the ALP principles and measurable standards and to transfer knowledge to them on how to successfully implement the ALP program. Alliance One held these meetings at several locations throughout North Carolina, Kentucky, Tennessee and Georgia. More than 99 percent of our contracted flue-

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<sup>1</sup> Please refer to AOI's letter sent to Human Rights Watch dated April 22, 2015.

<sup>2</sup> <http://phx.corporate-ir.net/phoenix.zhtml?c=96341&p=irol-newsArticle&ID=1986085>

cured growers attended the grower meetings in 2015 and, for the small number who missed the meetings, AOI covered ALP material in detail during the farm visits.

All AOI personnel visiting farms were equipped with an ALP toolbox<sup>3</sup> that included, among other items, a variety of material, including Green Tobacco Sickness (GTS) information, farm safety training DVDs, sample time sheets, examples of Personal Protective Equipment (PPE) and training record templates.

Alliance One was a lead sponsor and coordinator for grower and worker safety trainings held at two farms located in eastern North Carolina. These trainings were held in June 2015, which is the beginning of the most labor-intensive time of the U.S. tobacco season, and included involvement from the both the U.S. and North Carolina Departments of Labor, the North Carolina Farmworker Health Program, the Equal Employment Opportunity Commission (EEOC), and one other tobacco company. Growers were encouraged to bring 3-4 workers with them, and topics were covered in Spanish and English. The training sessions covered a variety of topics aimed at addressing some of the concerns raised in your research, including Green Tobacco Sickness, field sanitation and pesticide safety. There was also a session, led by the U.S. Department of Labor Wage and Hour Division, focused on Farm Labor Contractors (FLCs), Farm Labor Contractor Employees (FLCEs) and child labor. A total of 61 growers and 190 workers attended the training sessions. These individuals represented seven counties in eastern North Carolina: Bertie, Edgecombe, Halifax, Martin, Pitt, Sampson and Washington. Both groups asked a substantial number of questions throughout the workshops and indicated that they found the events to be valuable.

Also in June, Alliance One distributed a newsletter<sup>4</sup> to all contracted growers to reinforce and remind them of certain ALP code principles that may be at greater risk to arise during this particular time of the crop season. This newsletter also provided brief tips on how to meet the measurable standards associated with the principles. Alliance One followed this letter with a postcard<sup>5</sup> specifically addressing the issues surrounding freedom of association, as a third-party assessment<sup>6</sup> indicated that growers have a lack of awareness of the right of freedom of association and the purpose that it serves in relation to other ALP principles, including child labor.

## **2015 U.S. Monitoring and Findings**

We visited 100 percent of our contracted U.S. flue-cured growers at least three times this year. During each visit in 2015, AOI staff monitored growers for compliance with the ALP code and collaboratively worked with the growers to develop solutions to any issues observed on the farms. Overall, growers and their managers seemed receptive to the ALP principles and welcomed guidance on how they could ensure compliance.

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<sup>3</sup> Please refer to Annex C for examples of items included in AOI's 2015 ALP toolbox.

<sup>4</sup> Please refer to Annex D.

<sup>5</sup> Please refer to Annex D.

<sup>6</sup>[http://www.pmi.com/eng/sustainability/good\\_agricultural\\_practices/agricultural\\_labor\\_practices/Documents/CU\\_T hird\\_Party\\_Assessment\\_PMIM\\_LLC.pdf](http://www.pmi.com/eng/sustainability/good_agricultural_practices/agricultural_labor_practices/Documents/CU_T hird_Party_Assessment_PMIM_LLC.pdf)

The information gathered during these visits was documented in Alliance One's GMS tool. GMS helps us manage our growers through the creation of risk profiles which help to predict outcomes related to farm labor practices, good agricultural practices and input requirements. Grower profiles were established for 100 percent of our contracted U.S. growers, and data collected in 2015 will be used as a baseline for improvement in future seasons. Where legally possible, we are happy to share data with you regarding those visits and the results thereof.

In 2015, four youth under the age of 18 were discovered to be working in tasks related to tobacco production on less than 1 percent of Alliance One's contracted flue-cured farms in the United States. In both cases, AOI advised the growers to avoid having anyone younger than the age of 18 working in tobacco due to the potential risk of the youth being involved in hazardous tasks. On follow-up visits, the youth had been transitioned to other crops and then were no longer working on the farm as they had returned to school because it was in session again.

One specific example of Alliance One's commitment to addressing child labor on the farm involves a grower and one of his hired workers who insisted that his 16- and 17-year-old teenagers work on the farm with him; the worker, who is well-established in the local community, threatened to go work for another grower if his children were not hired to work on the same farm. Alliance One advised the grower that the youth needed to be assigned to such functions as removing Non-Tobacco Related Material (NTRM) from cured leaves prior to baling or sweeping/general clean-up of cured leaf.

In addition to our increased internal monitoring and reporting of farm labor practices, Alliance One had 39 independent 3<sup>rd</sup> party SRTP and GAP on-farm assessments that included confidential farmworker interviews by Footprint Benchmark + Talent, through GAP Connections, and ABSustain. We have not yet received the results from those audits, but we look forward to hearing the feedback and incorporating it into our 2016 planning.

We are pleased that our increased monitoring demonstrated that instances of hazardous child labor are not widespread within our grower base. However, we welcome feedback from Human Rights Watch on how we could improve our monitoring efforts while remaining in compliance with employment regulations.

## **Stakeholder Engagement**

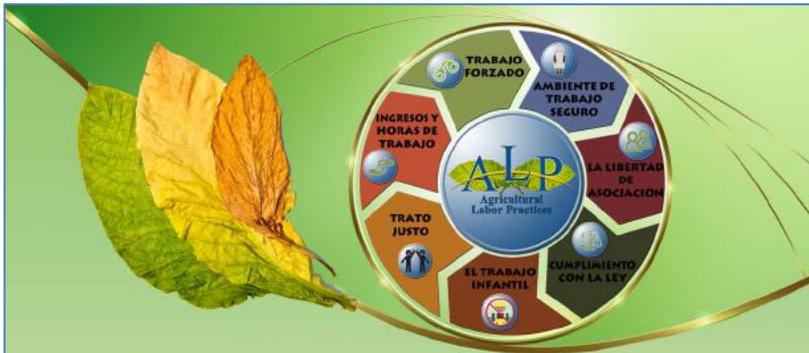
It will take a continued, multi-stakeholder approach to address the issue of child labor in tobacco growing in the United States. Permanent, effective change can only be achieved if all relevant parties are engaged in the development and implementation of solutions. To that end, we plan to maintain our involvement in multi-stakeholder initiatives including the U.S. Farm Labor Practices Group (FLPG), an initiative which is focused on improving labor practices on farms and enhancing the farm workers' experience; the Eliminating Child Labor in Tobacco (ECLT) Foundation, a nonprofit that aims to prevent child labor in tobacco agriculture and improve the lives of children in tobacco-growing areas; and GAP Connections, a U.S.-based organization that develops, maintains and provides leadership for agricultural standards and practices.

Within the FPLG, Alliance One is involved with workgroups related to child labor, grievance mechanisms, farm labor contractors, and training and education. As you acknowledge in your research, many of the youth you interviewed worked for FLCs, also known as crew leaders. We have found that there is often a disconnect between the grower and the FLCs with regards to labor practices – the grower often does not know who is on his farm and the farm labor contractor often does not abide by, or understand, the laws and principles by which the grower is expected to abide. This includes federal and state laws as well as individual company policies. Recognizing the higher risk that FLCs may pose to compliance with farm labor requirements, Alliance One actively participates on a FLC workgroup sub-team that is developing pilot programs focused on bridging this gap between growers and FLCs and enhancing FLC compliance with legal and regulatory requirements. These programs are planned to launch during the 2016 season.

While progress through these multi-stakeholder efforts has been slower than we would like, we remain committed to the issues and intend to continue leveraging the information shared and projects created to strengthen and inform our own initiatives. In fact, as a result of a self-assessment tool provided by the ECLT Foundation, Alliance One is in the process of revising our global child labor policy. Given AOI's ongoing commitment to addressing this issue, many of the recommendations from ECLT were already in practice at Alliance One; however, they were not well-documented through formal policies or procedures. Our intention through revision of the child labor policy is to be more transparent with stakeholders, such as Human Rights Watch, about our practices as well as to develop more consistency between our origins. At the time of this letter, the policy is undergoing executive review. We will share a copy of our updated policy with you once it is finalized.

## **Annex C**

### **AOI ALP Toolbox Material**



## PRÁCTICAS LABORALES AGRÍCOLAS

Alliance One International, Inc. (AOI) está comprometida a eliminar el trabajo infantil y otros abusos laborales donde fuera que se encuentre y para lograr condiciones de trabajo seguras y justas en todas las fincas que proveen de tabaco a AOI.

El código de Prácticas Laborales Agrícola (PLA) define las prácticas laborales, principios y normas que la compañía espera que se cumplan en todas las fincas que proveen de tabaco a AOI. El código se basa en las leyes estatales y nacionales de trabajo en áreas de las que operamos, así como las normas laborales de la Organización Internacional del Trabajo (OIT) Declaración relativa a los principios y derechos fundamentales en el trabajo y otros convenios pertinentes de la OIT. Los principios y normas del código PLA de AOI deben interpretarse y ponerse en práctica según dichas convenciones de la OIT y leyes del Estado.

AOI reconoce que, en algunos casos, las soluciones a largo plazo a los problemas laborales sistémicos tienen mayor sustento a través de la acción reguladora del gobierno o de las iniciativas de la industria desarrolladas en colaboración con otras partes interesadas. Trabajamos estrechamente con toda nuestra cadena de suministro para entender que las causas profundas de los abusos laborales y en colaboración desarrollamos soluciones que tendrán un impacto duradero. Los cambios permanentes sólo puede lograrse si todas las partes interesadas están involucradas en el desarrollo e implementación de soluciones.

AOI está comprometida a ayudar a los productores contratados para cumplir con el código de Prácticas Laborales Agrícolas a través de entrenamiento y soporte técnico. Por su parte, se espera que los agricultores revean aquellas prácticas que puedan contradecir estos códigos y realicen cambios en consecuencia para garantizar el cumplimiento verificable a través de auditorías independientes. Trabajaremos juntos para mejorar continuamente las prácticas laborales agrícolas.

SE ESPERA QUE LOS AGRICULTORES ENTIENDAN Y APLIQUEN LOS PRINCIPIOS DE ESTE CÓDIGO DE TRABAJO Y JUNTO CON ALLIANCE ONE SE ESFUERZEN PARA MEJORAR CONTINUAMENTE LAS PRÁCTICAS LABORALES AGRÍCOLAS.



## ALP Posters (Available in English and Spanish)



### Prácticas Laborales Agrícolas

#### TRABAJO FORZADO

Todo trabajo agrícola debe ser voluntario. No habrá trabajo forzoso.

##### Estándares Medibles

- Los trabajadores no trabajaran bajo garantía, deuda ni amenaza y deben recibir sus salarios directamente del empleador.
- Los trabajadores son libres de dejar el empleo en cualquier momento con un tiempo de preaviso razonable.
- Los trabajadores no están obligados a hacer depósitos de dinero a los empleadores.
- Los sueldos e ingresos provenientes de los cultivos y el trabajo realizado no serán retenidos más allá de las condiciones legales y acordadas.
- Los agricultores no retienen los documentos de identidad originales de ningún trabajador.
- El productor no emplea mano de obra carcelaria o de forma obligatoria.

#### LA LIBERTAD DE ASOCIACION

Los agricultores deberán reconocer y respetar los derechos de los trabajadores a la libertad de asociación y de negociación colectiva.

##### Estándares Medibles

- El productor no interfiera con el derecho de los trabajadores a la libertad de asociación.
- Los trabajadores son libres de afiliarse o formar organización y sindicatos que estimen convenientes y para negociar en forma colectiva.
- Representantes de los trabajadores no serán discriminados y deben tener acceso para llevar a cabo su función representativa en el lugar de trabajo.

#### EL TRABAJO INFANTIL

No deberá haber trabajo infantil.

##### Estándares Medibles

- No se empleara ni contratará mano de obra infantil. La edad mínima de admisión al trabajo no deberá ser inferior a la edad de finalización de la educación obligatoria y en ningún caso, será menor de 15 años o de la edad mínima prevista por las leyes del país, que ofrezca mayor protección.
- Ninguna persona menor de 18 años realizara algún tipo de trabajo peligroso.
- En el caso de fincas familiares, el niño sólo puede ayudar en la finca de su familia siempre que el trabajo sea ligero y su edad fuera entre 13 y 15 años o por encima de la edad mínima para realizar trabajo ligero conforme a la ley del país, o la que provea mayor protección.

#### CUMPLIMIENTO CON LA LEY

Los productores deberán cumplir con las leyes laborales del país.

##### Estándares Medibles

- Todos los trabajadores son informados de sus derechos legales y las condiciones de su empleo cuando comienzan a trabajar.
- Los agricultores y trabajadores han firmado contratos de trabajo por escrito cuando sea requerido por las leyes de un país y los trabajadores reciben una copia del contrato.
- Términos y condiciones de los contratos de empleos no deben contravenir las leyes del país.

#### INGRESOS Y HORAS DE TRABAJO

Ingresos obtenidos durante un periodo o durante la cosecha siempre será suficiente para satisfacer las necesidades básicas de los trabajadores y deberá ser de un nivel suficiente para permitir la generación de ingresos discretionales. Los trabajadores no deberán trabajar más horas de las que exige la ley.

##### Estándares Medibles

- Los salarios de todos los trabajadores (incluidos los de temporarios, a destajo y los trabajadores migrantes) deben cumplir, como mínimo, las normas legales nacionales o los estándares del sector agrícola.
- El salario de todos los trabajadores se paga regularmente, como mínimo, de acuerdo con las leyes del país.
- Las horas de trabajo están en conformidad con las leyes del país. Excluyendo las horas extras, las horas de trabajo no superen, de forma regular, las 48 horas semanales.
- Las horas de trabajo de horas extras son voluntarias.
- Pago de horas extras se pagan a una prima como es requerido por las leyes del país o por los convenios colectivos aplicables.
- Todos los trabajadores cuentan con los beneficios, días feriados y a los que las leyes del país establezcan.

#### AMBIENTE DE TRABAJO SEGURO

Los productores deberán proporcionar un ambiente de trabajo seguro para evitar accidentes, lesiones y así reducir al mínimo los riesgos para la salud. Alojamiento, cuando se provea, estará limpio, seguro y deberá satisfacer las necesidades de básicas de los trabajadores.

##### Estándares Medibles

- El agricultor ofrece un entorno de trabajo seguro e higiénico y toma las medidas razonables para prevenir accidentes, lesiones y la exposición a riesgos para la salud.
- A ningún trabajador se le permite desflorar o cosechar, o cargar galpones de curado a menos que hayan sido entrenados para evitar la enfermedad del tabaco verde.
- Ningún trabajador está autorizado a utilizar, manipular o aplicar agentes de protección de los cultivos (APC) u otras sustancias peligrosas, como los fertilizantes, sin haber recibido el entrenamiento adecuado y sin utilizar el equipo de protección personal necesario. Las personas menores de 18 años, las mujeres embarazadas y las madres lactantes no deben manipular o aplicar APC.

- Los trabajadores no deben entrar a un campo donde se ha aplicado APC hasta que sea seguro hacerlo.

- Los trabajadores deben tener acceso a agua limpia potable y para lavarse, cerca de donde trabajen y vivan.

- El alojamiento, cuando se provea, deberá ser limpio, seguro, que cumpla con todas las necesidades básicas de los trabajadores y se ajuste a las leyes del país.

#### TRATO JUSTO

Los productores deberán garantizar un trato justo a los trabajadores. No habrá acoso, discriminación, castigo físico o mental, o cualquier otra forma de abuso.

##### Estándares Medibles

- No habrá maltrato, amenaza, abuso, o contacto físico con la intención de herir o intimidar.
- No habrá abuso sexual/ verbal o acoso.
- No habrá discriminación por motivos de raza, color, casta, sexo, religión, afiliación política, afiliación sindical, estatus de representante de los trabajadores, etnia, embarazo, origen social, discapacidad, orientación sexual, ciudadanía o nacionalidad.
- Los trabajadores tendrán acceso a un mecanismo de reclamo transparente y anónimo.



AOI recognizes that, in some cases, long-term solutions to systemic labor issues are best supported through regulatory action from the government or industry initiatives developed in collaboration with other stakeholders. We work closely with our entire supply chain to understand the root causes of any labor abuses and then collaboratively develop solutions that will have a long-lasting impact. Permanent change can only be achieved if all relevant parties are engaged in the development and implementation of solutions.

AOI is committed to helping our contracted growers remain in compliance with the ALP Code through training and technical support. For their part, farmers are expected to review their practices against the Code requirements and make changes accordingly to ensure compliance verifiable through independent audits. We will work together to continuously improve agricultural labor practices.

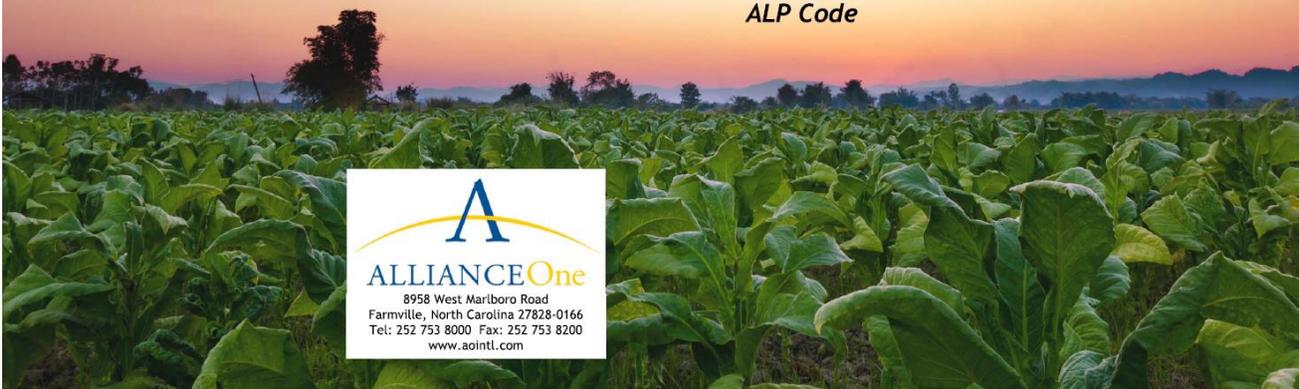


## Agricultural Labor Practices

### Understanding and Applying the Principles of the ALP Code

Alliance One International, Inc. (AOI) is committed to eliminating child labor and other labor abuses where they are found and to achieving safe and fair working conditions on all farms from which AOI sources tobacco.

Alliance One's Agricultural Labor Practice (ALP) Code defines the labor practices, principles and standards that the company expects to be met on all farms from which AOI sources tobacco. The Code is based on state and national labor laws in the areas where we operate, as well as the labor standards of the International Labor Organization (ILO) Declaration on Fundamental Principles and Rights at Work and other relevant ILO conventions. The principles and standards of AOI's ALP code must be interpreted and implemented in line with ILO conventions and regional law.




**ALLIANCE One**  
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#### FORCED LABOR



##### Measurable Standards

- Workers do not work under bond, debt or threat and must receive wages directly from the employer.
- Workers are free to leave their employment at any time with reasonable notice.
- Workers are not required to make financial deposits with employers.
- Wages or income from crops and work done are not withheld beyond the legal and agreed payment conditions.
- Farmers do not retain the original identity documents of any worker.
- The farmer does not employ prison or compulsory labor.

#### FREEDOM OF ASSOCIATION



##### Measurable Standards

- The farmer does not interfere with workers' right to freedom of association.
- Workers are free to join or form organizations and unions of their own choosing and to bargain collectively.
- Worker representatives are not discriminated against and should have access to carry out their representative functions in the workplace.
- Farmers do not retain the original identity documents of any worker.
- The farmer does not employ prison or compulsory labor.



#### CHILD LABOR



##### Measurable Standards

- There is no employment or recruitment of child labor. The minimum age for admission to work is not less than the age for the completion of compulsory schooling and, in any case, is not less than 15 years or the minimum age provided by the country's laws, whichever affords greater protection.
- No person below 18 is involved in any type of hazardous work.
- In the case of family farms, a child may only help on his or her family's farm provided that the work is light work and the child is between 13 and 15 years or above the minimum age for light work as defined by the country's laws, whichever affords greater protection.

#### COMPLIANCE WITH THE LAW



##### Measurable Standards

- Farmers shall comply with all laws of their country relating to employment.
- All workers are informed of their legal rights and the conditions of their employment when they start to work.
- Farmers and workers have entered into written employment contracts when required by a country's laws and workers receive a copy of the contract.
- Terms and conditions of employment contracts do not contravene the country's laws.

#### INCOME AND WORK HOURS



##### Measurable Standards

- Wages of all workers (including for temporary, piece rate, seasonal and migrant workers) meet, at a minimum, national legal standards or agricultural benchmark standards.
- Wages of all workers are paid regularly, at a minimum, in accordance with the country's laws.
- Work hours are in compliance with the country's laws. Excluding overtime, work hours do not exceed, on a regular basis, 48 hours per week.
- Overtime work hours are voluntary.
- Overtime wages are paid at a premium as required by the country's laws or by any applicable collective agreement.
- All workers are provided with the benefits, holidays, and leave to which they are entitled by the country's laws.

Farmers are expected to **understand and apply** the principles of this Code with regards to labor and to work with Alliance One to **continuously improve** agricultural labor practices.

#### SAFE WORK ENVIRONMENT



##### Measurable Standards

- The farmer provides a safe and sanitary working environment, and takes all reasonable measures to prevent accidents, injury and exposure to health risks.
- No worker is permitted to top or harvest tobacco, or to load burs unless they have been trained on avoidance of green tobacco sickness.
- No worker is permitted to use, handle or apply crop protection agents (CPA) or other hazardous substances such as fertilizers, without having first received adequate training and without using the required personal protection equipment. Persons under the age of 18, pregnant women, and nursing mothers must not handle or apply CPA.
- Workers do not enter a field where CPA have been applied unless and until it is safe to do so.
- Workers have access to clean drinking and washing water close to where they work and live.
- Accommodation, where provided, is clean, safe, meets the basic needs of workers, and conforms to the country's laws.

#### FAIR TREATMENT

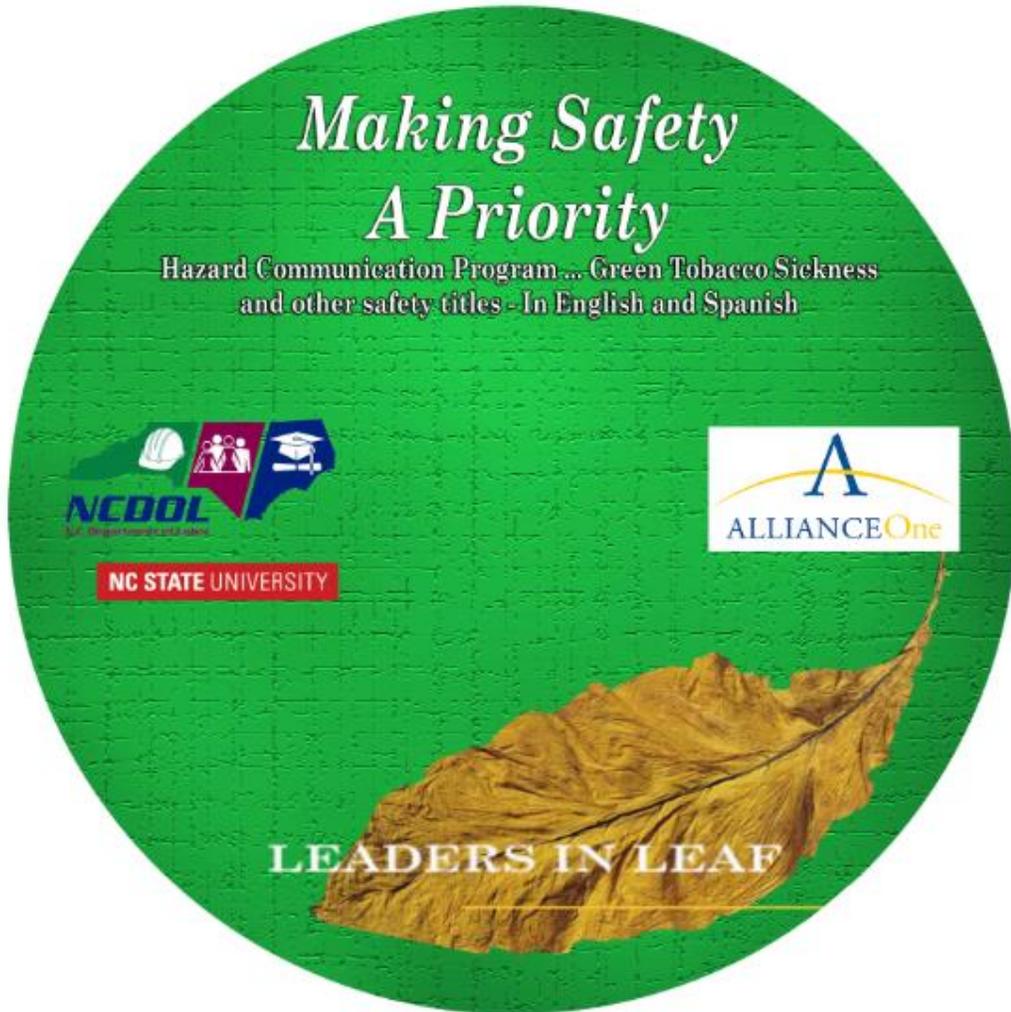


##### Measurable Standards

- There is no physical abuse, threat of physical abuse, or physical contact with the intent to injure or intimidate.
- There is no sexual/verbal abuse or harassment.
- There is no discrimination on the basis of race, color, caste, gender, religion, political affiliation, union membership, status as a worker representative, ethnicity, pregnancy, social origin, disability, sexual orientation, citizenship, or nationality.
- Workers have access to a fair, transparent and anonymous grievance mechanism.

# Making Safety A Priority DVD

(Produced in collaboration with the N.C. Department of Labor and NC State University)



# Green Tobacco Sickness Poster

(Available in English and Spanish)

**ALLIANCEOne**

## Enfermedad del Tabaco Verde

Enfermedad del Tabaco Verde (GTS) es una forma de envenenamiento por nicotina que te hará sentir débil, cansado e incómodo. Puedes contraerlo por el manejo de hojas de tabaco verdes frescas húmedas.

Los síntomas del Tabaco Verde son:

- Náuseas y vómitos
- Debilidad
- Mareos
- Calambres en el estómago
- Dificultad para respirar
- Palidez
- Sudoración excesiva
- Dolor de cabeza
- Cambios en la Presión Arterial
- Cambios en la Frecuencia Cardíaca

Usted puede comenzar a sentir estos síntomas en tan sólo una hora después de empezar a trabajar y pueden durar hasta 48 horas. Póngase en contacto con un Profesional Médico si siente algunos de estos síntomas.

### Como mantenerse a salvo

**1** Permanecer Cubierto



Use ropa de protección para reducir el contacto de la piel con el tabaco húmedo. Lavarse las manos y el cuerpo con agua tibia y jabón después de trabajar con tabaco verde.

**2** Permanecer Seco



Evitar el uso de ropa mojada y la entrega de las hojas mojadas sin ropa protectora. Cambiar periódicamente ropa que se moja o empapada con la savia de tabaco.

**3** Permanecer Fresco



Cuando sea posible, trabajar durante las horas más frescas del día y en condiciones más seco. Asegúrese de tomar descansos, ingerir suficientes líquidos y evitar el alcohol.

**ALLIANCEOne**

## Green Tobacco Sickness

Green Tobacco Sickness (GTS) is a form of nicotine poisoning that will make you feel weak, tired and uncomfortable. You can contract it by handling wet, fresh, green tobacco leaves.

Symptoms of GTS include:

- Nausea and/or vomiting
- Weakness
- Dizziness
- Stomach Cramps
- Difficulty Breathing
- Paleness
- Excessive Sweating
- Headache
- Changes in Blood Pressure
- Changes in Heart Rate

You may start to feel these symptoms in as little as one hour after starting work and they can last up to 48 hours. Contact a medical professional if you feel any of these symptoms.

### How To Stay Safe

**1** Stay Covered



Wear protective clothing to reduce skin contact with tobacco. Wash hands and body with warm soapy water after working with green tobacco.

**2** Stay Dry



Avoid wearing wet clothes and handling wet leaves. Regularly change clothing that becomes wet or soaked with tobacco sap.

**3** Stay Cool



Try to work on cooler days in drier conditions. Make sure you take breaks, limit harvesting to 7 hours, increase fluid intake and avoid alcoholic beverages.

## **Annex D**

### **AOI Contracted Grower Education Material**

# June 2015 AOI Grower Newsletter



**GROWING TOGETHER FOR SUCCESS**

**GROWER NEWSLETTER JUNE 2015**

**NEWSLETTER CONTENTS**

- ALP** Agricultural Labor Practices: ALP POLICIES AND WHAT IS EXPECTED
- MH** (MALEIC-HYDRAZIDE) AND OTHER CPA RESIDUES
- NTRM** (NON-TOBACCO RELATED MATERIAL)

**Dear Alliance One Contracted Growers:**

As discussed during our spring meetings, labor issues are a major concern for Alliance One as well as the entire tobacco industry. Tobacco is a labor-intensive crop and therefore farm workers should be considered one of your greatest assets. Fair treatment and respect of those that work in the field should be the goal of every farmer.

Your commitment to complying with labor laws and Alliance One's ALP (Agricultural Labor Practices) policy will make a difference in maintaining a sustainable future in U.S. tobacco production. Enclosed are some reminders regarding important aspects of our ALP policy and how you can abide by its principles.

Please don't hesitate to call us should you have any questions.

**Best Regards,**

<b>Jeff Griffin</b> Grower Affairs Management (252) 753-8243	<b>Blake Sutton</b> Grower Affairs Assistant (252) 753-8236
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**Quality Indicators**  
During our spring meeting, we discussed "Quality Indicators" for the tobacco that is processed for Alliance One's customers. The cleaner your tobacco is, the more desirable it will be for our customers. Help us preserve the integrity of our tobacco.

**Summary**  
Let's do what we can to make U.S. tobacco desirable for both our domestic and international customers. If you have any questions about implementation of Alliance One's ALP policy or how to meet the "Quality Indicators," please contact Alliance One's Grower Affairs Department.



**Child Labor**  
Our ALP policy in the United States is to not hire workers under the age of 16, but we strongly recommend that you avoid hiring workers under the age of 18. If you have family members or anyone else under the age of 18 working on the farm, make sure their jobs are non-hazardous. For examples of hazardous work, refer to the "What you need to know about child labor" handout given to you during our spring meeting.

**Compliance with the Law**  
Be sure that all workers are informed of their legal rights and the conditions of their employment before they start to work. The form titled "Terms and Conditions of Employment" should be completed before work begins. Alliance One will be checking for this completed document during our visits to your farms. An example of this form is in the "Labor Management Resource Guide" given to you during GAP training.

**Income and Work Hours**  
Make sure that employee time sheets and payroll records are maintained for all of your workers. Workers must be paid at least U.S. minimum wage. We recommend that farmers pay workers directly.



**Freedom of Association**  
Workers are free to join organizations and unions of their own choosing. They have the right to bargain collectively, and they may not be retaliated against for doing so. Allowing union representatives to speak to your workers during non-working hours is not only the right thing to do, but it is the LAW.

**Safe Work Environment**  
Be sure that your workers are trained on how to stay safe while working on the farm. The "Making Safety a Priority" DVD is good resource for training. Alliance One provided you with a copy of this DVD at our grower meeting. The DVD covers many safety hazards that your workers may experience on your farm. We urge you to do the right thing, show this DVD to your workers before work begins, and don't forget to document the training with names of attendees and their signatures. A sample worker training documentation form was included in your GAP training material.



**MH (Maleic-Hydrazide) And Other CPA Residues**  
CPA residues on packed tobacco are closely scrutinized to ensure that they are within tolerance levels. In order for Alliance One to minimize its risk with tobacco high in CPA residues, we test every grower's tobacco in advance of processing. We highly recommend that you use Integrated Pest Management (IPM) practices such as scouting your fields and only applying chemicals when the economic threshold levels are reached. Be sure that the CPAs you use are labeled for tobacco. When using labelled products, make sure you observe application rates, REI (labor re-entry) and post-harvest intervals. **Note:** Orthene (Acephate) should only be used prior to topping. Late season applications may cause residues above customer allowable limits.

**NTRM Reduction**  
Clean tobacco (free of NTRM) is another "Quality Indicator" for tobacco processed for our customers. We urge you to take all necessary steps to prevent NTRM from entering your baled tobacco. Maintaining a clean work area when handling green and cured leaf will prevent many of the items found in tobacco during processing. As mentioned at our grower meetings, the customer tolerance for NTRM is zero!



## July 2015 AOI Freedom of Association Postcard

Workers have the right to freedom of association and to bargain collectively.

Freedom of Association



*If a union representative visits your worker housing, they only need the workers' permission to enter the housing. Remind workers that it is their choice whether they speak to union representatives or not, and they are under no obligation one way or the other. If you use farm labor contractors, make sure that they understand the laws surrounding freedom of association and that they are committed to following them. No one may threaten workers with retaliation if they join a union.*

**Questions? Contact Jeff Griffin or Blake Sutton at Alliance One International. 252-753-8000**





## **IX. Human Rights Watch Correspondence with Universal Corporation**

## HUMAN RIGHTS WATCH

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Tel: 212-290-4700  
Fax: 212-736-1300 ; 917-591-3452

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October 9, 2015

George C. Freeman III  
Chairman, President, and Chief Executive Officer  
Universal Corporation  
9201 Forest Hill Avenue  
Stony Point II Building  
Richmond, Virginia 23235

## Re: Child labor in US tobacco farming

Dear Mr. Freeman,

We are writing today to share key findings from recent research we conducted on child labor in tobacco farming in North Carolina in July 2015. We are encouraged by the steps taken to date to address hazardous child labor in US tobacco farming, and we hope to continue a constructive dialogue with Universal Corporation on this issue.

In July 2015, Human Rights Watch traveled to eastern North Carolina to investigate the health effects of tobacco farming on 16 and 17-year-old children, a population excluded from certain protections under some tobacco companies' policies as well as under US law. Human Rights Watch interviewed 33 children, ages 13 to 17, who worked on tobacco farms in eastern North Carolina in 2015, including 26 children, ages 16 or 17.

Human Rights Watch did not seek to monitor implementation of new industry policies or conduct a comprehensive evaluation of how conditions may have changed for child tobacco workers since Human Rights Watch conducted research on hazardous child labor in the US in 2013. We are unable to assess the implementation of any specific tobacco company's child labor policy. However, Human Rights Watch found children under age 16, as well as 16 and 17-year-old children, working on tobacco farms in North Carolina in 2015.

The children we interviewed reported working on tobacco farms in 12 counties in North Carolina. Most children worked for farm labor contractors or subcontractors, and a few children worked directly for tobacco growers. Some children worked for one employer, while others worked for more than one employer. In total, the children we



HRW.org

interviewed worked for at least 18 different growers or farm labor contractors in eastern North Carolina.

Many of the children could not identify the owner of the farm on which they worked, and Human Rights Watch could not determine the companies that purchased tobacco from the farms where children reported working.

The hazards and conditions Human Rights Watch documented in 2015 are consistent with those documented in our 2013 research. We believe that these hazards and conditions are present on many US tobacco farms.

### **Working Conditions**

All of the children interviewed worked as hired laborers on tobacco farms in North Carolina; none worked on farms owned or operated by their own families. They reported doing a range of tasks on tobacco farms in 2015, including planting seedlings, weeding, uprooting and repositioning tobacco plants, topping, and removing suckers.

The children interviewed for this report described working in similar conditions as the child workers interviewed by Human Rights Watch in 2013. Most children worked 11 or 12 hours a day on tobacco farms. Some children worked six days a week, while others worked fewer days. Almost all children described fatigue and exhaustion after working long days in tobacco fields.

All children reported having opportunities to take breaks while working, usually three times a day, including an hour break for lunch. Almost all children said they were paid between \$7.50 and \$8.50 an hour, usually in cash. Very few children reported problems with their wages.

Some children said they were asked their ages when they were hired. Other children said they were not questioned about their age.

### **Health and Safety of 16 and 17-Year-Old Child Workers**

Almost all of the 16 and 17-year-old children interviewed—25 out of 26—reported feeling sick while working in tobacco farming in 2015, or after returning home from working in tobacco fields, with nausea, vomiting, headaches, dizziness, skin irritation, or respiratory symptoms.

Most of the children interviewed—23 out of 26—reported experiencing the sudden onset of at least one specific symptom consistent with acute nicotine poisoning while working in tobacco farming in 2015, or after returning home from working in tobacco fields, including nausea, vomiting, headaches, dizziness, and

lightheadedness. Some children also experienced a loss of appetite or recurrent sleeplessness, also symptoms associated with nicotine exposure. In some cases, the symptoms they reported could be linked to or exacerbated by pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Many of the children interviewed—20 out of 26—described exposure to pesticides while working in tobacco farming in 2015. Children reported either working in or near fields that were being sprayed with pesticides, or re-entering fields that had been sprayed very recently. These children often said they could smell, feel, or taste the chemical spray, and 9 children reported immediate illness after coming into contact with pesticides.

All 16 and 17-year-old children said they suffered while working in extreme heat on tobacco farms in 2015 with little access to shade. Children did report consistent access to water. Many children reported pain from engaging in repetitive motions. Children said they had inconsistent access to toilets, and many experienced discomfort while waiting long periods of time before relieving themselves.

Most children said they had never received any health education or safety training regarding the dangers of work in tobacco farming. Very few children were provided with personal protective equipment by their employers, and almost no children had access to a suitable handwashing facility with soap at their workplace.

Under international law, a child is anyone under the age of 18, and international labor standards state that children under 18 should be prohibited from hazardous work, defined as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” Based on our field research, interviews with health professionals, and analysis of the public health literature, Human Rights Watch believes that no child under age 18 should be permitted to work in direct contact with tobacco, due to the health risks posed by the work.

We plan to publish a report with detailed findings and recommendations this year. The report will describe our methodology, findings, analysis of international law, analysis of the US legal and regulatory framework regarding child labor, steps taken by tobacco product manufacturers, tobacco leaf supply companies, and tobacco grower associations to address child labor, gaps in protection, and recommendations to US government, Congress, and the tobacco industry.

Human Rights Watch is committed to accurately representing the steps Universal Corporation has taken to address child labor in tobacco farming. While we recognize that in past correspondence or meetings, Universal Corporation has provided information regarding Universal Corporation’s policies on child labor, we want to

ensure that we have the most up-to-date and complete information Universal Corporation's current policy.

In particular, we are interested in the following information:

1. What is Universal Corporation's policy regarding work by children under 18 on tobacco farms supplying Universal Corporation in the US, and globally?
2. Under Universal Corporation's policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying Universal Corporation, and under what circumstances?
3. Does Universal Corporation prohibit "hazardous work" for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does Universal Corporation define as hazardous?
  - a. Does Universal Corporation allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?
4. How does Universal Corporation monitor child labor and the treatment of child workers on farms supplying tobacco to Universal Corporation and to Universal Corporation subsidiaries and suppliers?

We would welcome a response to this letter by October 30, 2015. Universal Corporation's response will be reflected in our report. We will share a copy of the report with you a few days in advance of its publication.

Thank you for your attention to these issues.

Sincerely,



Jo Becker  
Advocacy Director  
Children's Rights Division



Jane Buchanan  
Associate Director  
Children's Rights Division



Margaret Wurth  
Researcher  
Children's Rights Division



## Universal Corporation

October 29, 2015

Ms. Jo Becker  
Advocacy Director, Children's Rights Division  
Ms. Jane Buchanan  
Associate Director, Children's Rights Division  
Ms. Margaret Wurth, Researcher  
Human Rights Watch  
350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, New York 10118-3299

Dear Jo, Jane and Margaret,

Thank you for your letter dated October 9, 2015, regarding your organization's key findings concerning research on child labor in tobacco farming in Eastern part of North Carolina. George Freeman asked me to respond to your letter on behalf of the Universal group.

We appreciate the open dialogue we have with you and your team at Human Rights Watch. It has been helpful for us to speak with you directly on the topic of child labor to better understand what your group has seen during your visits and to discuss ideas for how this issue can best be addressed in the United States. We hope you have benefitted from the information we have provided you about the United States tobacco market and our policies and practices concerning child labor and other farm labor issues. We are optimistic that working together with all the relevant stakeholders will further improve labor practices in the United States. Our joint meeting with Secretary Perez of the United States Department of Labor in March of this year is a good example of the value of a multi-stakeholder approach to discussing and addressing issues.

As we requested earlier, we welcome any information you can provide us concerning the locations of the children who said they worked in tobacco or the farms on which they worked. If any of those farms are associated with tobacco growers with whom we have contracts, we would like to speak with those growers about the circumstances surrounding the children you interviewed and the activities they reported to you.

We have answered the questions you posed in your October 9<sup>th</sup> letter. You will find our responses below. First, we thought it would be helpful to reiterate what we have already discussed with you on a few occasions. Philip Morris International ("PMI") changed its tobacco purchasing business model in the United States in November 2014, moving from direct contracting with tobacco growers to purchasing their desired volumes from us and Alliance One International. In connection with their business model shift, PMI assigned a significant portion of their flue-cured

and burley grower contracts to Universal and we adopted and implemented PMI's Agricultural Labor Practices ("ALP") program for all our flue-cured and burley tobacco growers in the United States. We have devoted considerable time and resources to implementing the ALP program with our growers this season. We believe the program enables us to more effectively educate growers regarding responsible and sustainable labor practices and to monitor growers' commitment and compliance to the ALP program. Our implementation efforts included educational training sessions with all our growers, the dissemination of information and materials to our growers to support their understanding and compliance with the program, and periodic meetings with all growers during the season to further communicate program requirements and to monitor and assess grower commitment and compliance. Although all the growers associated with contracts PMI assigned to us have previously been trained by PMI regarding the ALP program, we included them in our implementation efforts this season and trained them ourselves in our grower training sessions and meetings.

In addition, PMI previously retained a Control Union, an independent third party, to conduct an assessment of PMI's ALP implementation with its then-existing grower base. Control Union conducted their assessment in August 2014. After their November 2014 business model change, PMI shared Control Union's draft assessment with us and invited us to submit an action plan addressing their findings. The final version of Control Union's report, as well as our written action plan in response, can be found at the following link:

[http://www.pmi.com/eng/sustainability/good\\_agricultural\\_practices/agricultural\\_labor\\_practices/Documents/CU\\_Third\\_Party\\_Assessment\\_PMIM\\_LLC.pdf](http://www.pmi.com/eng/sustainability/good_agricultural_practices/agricultural_labor_practices/Documents/CU_Third_Party_Assessment_PMIM_LLC.pdf)

Of course, our work with Human Rights Watch, the Farm Labor Practices Group multi-stakeholder initiative, the Eliminating Child Labour in Tobacco Growing Foundation, and other groups also supported our implementation efforts this season by helping shape our communications and training with our growers.

Like you, we are encouraged by the many steps that have been taken by multiple stakeholders to address hazardous child labor in the United States. Through the implementation of the ALP program with our growers, we believe we will be able to demonstrate continuous improvement in eliminating child labor in our own grower base. In order to expand such improvement to the entire United States tobacco crop, we believe it is imperative that we continue working with all the relevant stakeholders, including Human Rights Watch.

Finally, our responses in this letter are directed towards the United States market. We have adopted the same ALP program and policies in other countries as well. They are simply implemented in ways that take into account the various differences in the growing environment, farming practices and other circumstances that exist on the farms in those countries.

**1. What is Universal Corporation’s policy regarding work by children under 18 on tobacco farms supplying Universal Corporation in the US, and globally?**

The ALP program limits work that can be performed by children under 18 years old. The program prohibits anyone under 18 from performing “hazardous work”, it prohibits employment of children below 15 (or the higher of (i) the minimum age of compulsory education or (ii) the minimum age provided by the relevant country’s laws), and with respect to children on family farms it only permits children between the ages of 13 and 15 to perform “light work” (or above the minimum age for light work as defined by the country’s laws if higher). These limitations are consistent with International Labour Standard – Convention 138 on Minimum Age. The ALP Code, which contains the core principals and measurable standards for the program, can be found here: [http://www.pmi.com/eng/media\\_center/company\\_statements/documents/alp\\_code.pdf](http://www.pmi.com/eng/media_center/company_statements/documents/alp_code.pdf). As you will see, the principle prohibiting child labor is the first principle of the program.

**2. Under Universal Corporation’s policy, what specific tasks are permissible for children under 18 to do on tobacco farms supplying Universal Corporation, and under what circumstances?**

The ALP program does not specifically list all the tasks that are permissible on the farm. Tasks differ on farms depending on what style of tobacco is grown, the size of the farm, the location of the farm, the extent to which the farm is mechanized, and other factors. Instead, the program outlines those tasks that are prohibited or limited based on age, as discussed in response to Question 1. This approach is consistent with the ILO Conventions, which seek to identify areas of abuse and establish corresponding restrictions as opposed to listing all the tasks or types of work that are permissible.

**3. Does Universal Corporation prohibit “hazardous work” for children under 18, as defined by International Labour Organization standards? If the company prohibits hazardous work for children under 18, what specific tasks does Universal Corporation define as hazardous?**

As noted above and in our previous discussions with you, the ALP program prohibits anyone under 18 from engaging in any type of “hazardous work”. PMI developed a non-exhaustive list of what is deemed to be “hazardous work” under the ALP program based on the ILO guidelines and certain activities that are generally considered common with most types of tobacco. We use that list as well and we provided it to our contract growers as part of our ALP program implementation. That list includes (1) harvesting, topping, and suckering, (2) operating moving vehicles or machinery with moving parts, (3) using sharp tools in movement, (4) handling and applying crop protection agents or fertilizers, (5) carrying heavy loads, (6) working at heights, (7) working long hours that interfere with health and well-being, and (8) working in extreme temperatures.

When we discuss with growers the types of activities that are deemed to be hazardous work under the ALP program, we also review those tasks with them so they recognize why those tasks are limited to people over the age of 18. We also consider the actual farming practices that exist on each of our growers' farms. In the event a grower is engaged in activity that we believe is potentially harmful to the worker's well-being but that is not already listed in the existing guidance, we will advise the grower accordingly. In addition, as members of the Eliminating Child Labour in Tobacco Growing Foundation ("ECLT"), we have engaged the ILO to study and identify what tasks should be considered "hazardous work" in tobacco. The purpose of the ECLT-ILO engagement is to develop global guidance on hazardous child labor and occupational safety and health in tobacco growing.

**a. Does Universal Corporation allow for any circumstances under which children under 18 can perform these types of tasks? If so, under what specific circumstances?**

The ALP program provides no exceptions to the prohibition of hazardous work by anyone under 18. If our personnel observe anyone under 18 performing hazardous work, or if they identify the risk of such activities taking place through their review of our grower files or in discussions with growers, we promptly follow up with the grower to ensure he or she understands and will comply with the ALP program prohibitions.

**4. How does Universal Corporation monitor child labor and the treatment of child workers on farms supplying tobacco to Universal Corporation and to Universal Corporation subsidiaries and suppliers?**

Universal has for several years had a physical presence on our grower's farms. Farm visits are an integral part of our grower communications. Visits allow Universal personnel to further discuss Good Agricultural Practices and ALP program topics with growers, and to gather information from the grower regarding their workers and the tasks they perform (including the grower's own children). Much of that information is included in an initial grower profile we prepare at the beginning of each season. During subsequent visits with the grower, we monitor ALP implementation and compliance by visually verifying the information the grower has given us with regards their farm and their labor practices, as well as reviewing corresponding records and documentation. In addition, if our personnel identify risk factors for child labor and other labor concerns in a grower's profile, our personnel address those risks with the grower during their visits and in their visual inspections.

Prior to the beginning of each season, our personnel are thoroughly trained on the ALP program and on how to inspect and monitor activities on the farm. The training they receive prepares them to identify and address potential issues with growers, or effectively communicate and address actual observations with growers. We believe our implementation of the ALP program

in the United States has been effective, but we are will analyze all our documentation and information at the end of the current season. That review will help us identify ways in which we can improve ALP program implementation and communication, as well as our monitoring activities. For example, we believe our ability to identify and address potential labor issues during farm visits if we meet directly with more workers. In order to communicate with workers who speak Spanish, we intend to add bilingual personnel for some of the farm visits we conduct next season.

Our own efforts are supplemented by reviews performed by others. As noted above, PMI uses Control Union to independently assess ALP implementation and compliance and the results of those assessments are shared with us. We also have other customers that retain their own independent third parties to assess our labor and agricultural practices. Those assessments evaluate our compliance with the labor policies and requirements the customers require us to follow, and those assessments are also shared with us. Finally, we also consider any other assessments or reports, such as your organization's reports, pertaining to labor practices in tobacco. Although those assessments and reports often do not identify the grower, thereby making it impossible for us to determine whether they reflect any of our own growers' practices, the information contained in them highlights the existence of risks that we incorporate into the risk assessments of our own contracted growers.

\* \* \*

We appreciate the opportunity to discuss these issues with you. Universal is committed to the ALP program and we are working diligently to educate our growers on these important issues. Through communication, education and monitoring, we believe we will achieve our goal of continuous improvement of labor practices through the ALP program. As your recent observations indicate, the United States tobacco market has made progress in these important areas, but there is always room for further improvement.

Sincerely,



H. Michael Ligon  
Vice President

cc: George C. Freeman, III  
Chairman, President and Chief Executive Officer  
Universal Corporation