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December 11, 2013

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

Dear Mr. Barrington,

Please accept my greetings on behalf of Human Rights Watch. Human Rights Watch is an international nongovernmental human rights organization that conducts research and advocacy in over 90 countries around the world on a wide variety of human rights issues (see www.hrw.org). Among those issues is child labor, which we have reported on in the United States, El Salvador, Mali, Tanzania, Morocco, Uzbekistan, Indonesia, India, and other countries. In 2010 we published a report on hazardous child labor and other human rights abuses in tobacco farming in Kazakhstan.

We are writing to you today to share preliminary findings with you concerning our recent research on child labor in tobacco farming in the United States. We hope to initiate a constructive dialogue with Altria Group, Inc. regarding concerns related to child workers in tobacco farming.

From May-October 2013 Human Rights Watch conducted research on child labor in tobacco farming in North Carolina, Kentucky, Tennessee, and Virginia. We interviewed approximately 140 children ages 7-17 who stated that they worked in tobacco farming in 2012 or 2013, as well as children and parents who described other children working in tobacco farming.

The specific jobs children said they did on tobacco farms included: planting seedlings, weeding, thinning tobacco plants, repositioning plants that were leaning, topping, pulling off suckers, and applying pesticides.

On farms with flue-cured tobacco, children reported doing the following jobs: hand harvesting tobacco leaves, machine harvesting tobacco leaves, filling cages with tobacco leaves for drying, sorting tobacco leaves, and packing tobacco leaves.

On farms growing burley tobacco, children reported: cutting tobacco plants, carrying cut tobacco plants, spearing tobacco plants on sticks for hanging,

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carrying sticks with several tobacco plants, lifting sticks with several tobacco plants onto trucks or to workers to hang the sticks in the rafters of a barn, hanging sticks with tobacco plants in barns, taking down sticks of burley tobacco plants from barns, and stripping leaves off dried tobacco.

The vast majority of children with whom Human Rights Watch spoke were working for hire. Most children were hired by a labor contractor or a labor subcontractor. Some children were working directly for tobacco growers. Only a few children worked on family farms, without pay. A few of the very youngest children worked with their parents sporadically and without pay.

The vast majority of children interviewed by Human Rights Watch stated that they lived in the states in which they worked and worked primarily or exclusively in the summer months. Human Rights Watch also interviewed a few children who migrated to or within the United States for work.

Preliminary Findings

Health and Safety

Nicotine Poisoning/Green Tobacco Sickness and Other Health Risks

A majority of children interviewed by Human Rights Watch described experiencing symptoms consistent with acute nicotine poisoning (Green Tobacco Sickness) while working, including, variously, nausea, dizziness, lightheadedness, headaches, vomiting, and loss of appetite.

Some of these symptoms may be linked to pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Nearly all children interviewed by Human Rights Watch said they lacked personal protective equipment, which would help minimize the amount of exposure to wet tobacco leaves and tobacco leaves that had been treated with pesticides or other hazardous chemicals.

Some also reported difficulty sleeping together with symptoms of nicotine poisoning.

Some children also reported itchy skin and skin rashes.

Some children also told Human Rights Watch that water from tobacco plants would splash into their eyes or mouth during topping or pieces of tobacco leaves would fall into their eyes or mouth while lifting sticks with tobacco plants to be hung in barns.

A few children reported respiratory and allergic symptoms while working in tobacco fields or in curing barns.

Exposure to Pesticides

Many children interviewed by Human Rights Watch reported that they saw tractors spraying pesticides or growth regulators in the fields in which they were working or in fields adjacent to the ones in which they were working. These children often reported being able to smell and/or feel the chemical spray as it drifted towards them. Many reported some or all of the following symptoms

after coming into contact with the spray: burning eyes, burning nose, itchy skin, nausea, vomiting, dizziness, redness and swelling of the mouth, and headaches.

A few children interviewed by Human Rights Watch stated that they applied pesticides to tobacco plants with a handheld sprayer and backpack and a few reported operating tractors that were spraying pesticides on tobacco fields.

Extreme Temperatures

All children interviewed by Human Rights Watch stated that they often worked in high temperatures and high humidity typical for the summer months in North Carolina, Kentucky, Tennessee and Virginia, and many stated that they were expected to work without additional breaks in such conditions.

Water

Most children interviewed by Human Rights Watch stated that the contractor or grower provided water to them while working, usually from a cooler. Some children told Human Rights Watch that the water provided was not clean or drinkable. Other children told Human Rights Watch that employers did not provide water at all.

Lack of Shade

Many children interviewed by Human Rights Watch stated that they did not have the opportunity to shelter in shade during the work day. Some children reported that the shade available was inside vehicles used to transport the workers to the worksite, or in wooded areas, in the event the worksite was located near a wooded area.

Lack of Sanitary Facilities

Very few children interviewed by Human Rights Watch reported having access to a bathroom. Most children told Human Rights Watch that they would relieve themselves in wooded areas, if there were any near to the worksite, or refrain from relieving themselves at all during the day, including by declining to drink liquids. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would use a bathroom.

Lack of Hand Washing Facilities

Most children interviewed by Human Rights Watch stated that they did not have access to hand washing facilities. Many children stated that they rinsed their hands with water from the cooler provided, but did not use soap to wash their hands.

Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would be allowed to wash their hands.

Lack of Personal Protective Equipment

Almost none of the children interviewed by Human Rights Watch were given any kind of personal protective equipment by their employer.

Many children interviewed by Human Rights Watch wore black plastic garbage bags over their clothes to prevent their clothes from becoming soaked by water on the tobacco plants after rain or in high humidity conditions that created heavy dew. Children's parents typically bought the plastic bags for them to wear. Some children interviewed by Human Rights Watch did not wear plastic garbage bags because doing so made them overheat.

Most children interviewed by Human Rights Watch wore latex or cloth gloves, which in most cases they or their parents bought. Some child workers said that the gloves available were too large for their hands or it was difficult for them to perform the work at the pace required while wearing gloves, so they worked without them.

Several children told Human Rights Watch that they worked in bare feet or socks when the mud in the fields was deep and they lacked appropriate footwear.

Repetitive Motions and Lifting Heavy Loads

Children interviewed by Human Rights Watch described performing prolonged repetitive motions, including working bent over at the waist, twisting their wrists to top tobacco plants, crawling on hands and knees, or reaching above their heads for extended periods of time. Children reported muscle soreness, aches, and pain in their backs, shoulders, arms, hands, and fingers after engaging in repetitive motions.

Human Rights Watch interviewed child workers who reported loading heavy sticks of harvested tobacco plants onto flatbed wagons to be transported to barns for curing. Children also said they lifted heavy sticks of tobacco plants over their heads to other workers who would hang the sticks in the rafters of barns for curing.

Work with Dangerous Tools, Machinery, Heavy Loads, and at Heights

Some children interviewed by Human Rights Watch stated that they used hoes to remove weeds from tobacco fields, as well as axes or hatchets to cut burley tobacco during the harvest and spikes to spear burley tobacco plants. Some children told us they sustained cuts and puncture wounds from working with these sharp tools.

A few children said they operated or worked in close proximity to dangerous machinery, including mowers used to trim tobacco plants, tractors used to harvest tobacco leaves, and balers used to

compress leaves into bales. In Kentucky, Human Rights Watch interviewed a few children who drove tractors while working in tobacco. Some children reported injuries related to operating or being near heavy machinery.

Human Rights Watch interviewed children who told us they climbed into the rafters of barns, with and without ladders, to hang sticks of harvested burley tobacco to dry. Children described climbing to significant heights as crews of workers formed several tiers to pass sticks of tobacco upward to be hung in the barn for curing. While engaging in this work, children said, they straddled planks that were sometimes positioned two or three feet apart.

Wages and Hours

Wages

Most children we interviewed reported earning minimum hourly wage for their work. Some children reported being paid by check and some were paid in cash.

Some children interviewed by Human Rights Watch received less than minimum wage. Some children reported to Human Rights Watch earning more than minimum wage. Some children interviewed by Human Rights Watch said that they earned piece rate wages during the burley tobacco harvest based on the number of tobacco plants they cut and/or hung in barns.

Some children reported to Human Rights Watch problems with wages including deductions by the contractor or grower for water or for reasons that were not explained to them or because of what they believed were inaccurate recording of hours by contractors.

Working Hours

Children interviewed by Human Rights Watch described working long hours, typically between 10-12 hours per day, and sometimes more. Some children worked shorter days, because the day's work had been completed or because the contractor or grower allowed workers to end the day early due to heavy rain or very high heat. Other children reported working through adverse weather conditions.

Most children interviewed by Human Rights Watch worked 5 days per week; some worked fewer, and some children reported working 6 or 7 days per week.

Nearly all children interviewed by Human Rights Watch stated that they were allowed two or three breaks per day.

Education

Some children interviewed by Human Rights Watch had migrated for work and missed several months of school. Some children reported skipping days of school to work in tobacco. Some children reported working long hours after school that interfered with their ability to keep up with schoolwork.

Questions

We are interested in learning more about the policies and practices Altria Group, Inc. has in place regarding child labor and other labor practices in its global supply chain. In particular, we are interested in the following information:

1. What policies or procedures does Altria Group, Inc. have in place regarding the use of child labor in tobacco farming in its supply chain? In particular, we note the following Altria Group policies regarding child labor in its supply chain in the United States and internationally as stated in various Altria Group publications:
 - a. The Altria 2013 Supplier Code of Conduct states: “Child Labor: Within the U.S., states have differing laws regarding the employment of minors in tobacco production. Domestic tobacco growers must comply with the applicable state minimum age requirements. In addition, the U.S. Secretary of Labor has declared that certain agricultural occupations are hazardous and cannot be performed by minors under 16. Our contracts, however, provide that domestic tobacco growers may not assign anyone under 18 to work in these occupations” (page 22).

The Altria Supplier Code of Conduct also states: “All other Suppliers, including international tobacco suppliers, must comply with the minimum age requirements prescribed by applicable laws or the International Labor Conventions, whichever are higher, unless a specific contract contains stricter age requirements” (page 7).
http://www.altria.com/Responsibility/Supply-Chain-Responsibility/Documents/Supplier_Code_of_Conduct_Brochure.pdf.
 - b. The Altria 2012 Corporate Responsibility Progress Report states: “Child Labor: Our companies require a minimum age of 18 or the minimum age required by law, whichever is higher, for employment” (page 66):
<http://www.altria.com/Interactive/2012CRReport/index.htm#?page=1>
2. In particular, we would welcome clarification on the following:
 - a. Does Altria Group, Inc. maintain different policies regarding child labor in its United States supply chain and in its supply chain in other countries?
 - b. Under Altria Group, Inc. policies, what specific tasks are children allowed to do and prohibited from doing on tobacco farms in Altria Group, Inc.’s United States supply chain?
 - c. Under Altria Group policies, what is the minimum age specified for child labor in Altria Group, Inc.’s international supply chain?

3. How does Altria Group, Inc. monitor the treatment of child workers on farms supplying tobacco to Altria Group, Inc. or to Altria Group, Inc. subsidiaries or suppliers?
4. Does Altria Group, Inc. have policies or procedures to prevent and alleviate labor rights violations, and other human rights violations in its global supply chain? What are these policies or procedures?
5. What policies does Altria Group, Inc. have in place regarding working hours and breaks for workers engaged in tobacco farming on farms supplying tobacco to Altria Group, Inc. or to Altria Group, Inc. subsidiaries or suppliers o? How does it monitor the implementation of these policies?
6. What policies does Altria Group, Inc. have in place regarding provision of water, shade, sanitary facilities and hand washing facilities to workers on tobacco farms in its global supply chain? How does it monitor the implementation of these policies?
7. What steps does Altria Group, Inc. take to ensure that workers on tobacco farms in its global supply chain, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns?
8. What policies does Altria Group, Inc. have in place regarding the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals by tractors, given the risk of workers' exposure to pesticides as a result of drift when working near tractors that are spraying? How does Altria Group, Inc. monitor the implementation of these policies?
9. What mechanisms does Altria Group, Inc. have to ensure the freedom of association for workers on farms which supply tobacco to Altria Group and to Altria Group subsidiaries and suppliers? Does the company believe that freedom of association includes a process for employers to recognize employee associations for the purposes of collective bargaining? Has Altria Group, Inc. established such a process on farms with which it or its subsidiaries contract?
10. Has Altria Group, Inc. identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on tobacco farms in its supply chain either from workers or from others in 2011, 2012 and 2013? If so, what actions has Altria Group, Inc. taken?
11. Does Altria Group, Inc. have a mechanism whereby workers employed in its global supply chain may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does Altria Group, Inc. take to ensure that workers are informed of this mechanism and the manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What

steps does Altria Group, Inc. take to ensure that workers who file complaints do not face retaliation?

12. We would be grateful to receive data on Altria Group, Inc.'s total tobacco purchases in the United States as well as its total tobacco purchases in each of the following states: North Carolina, Kentucky, Tennessee, and Virginia, in 2011, 2012, and 2013.
13. We would be grateful for data on how these numbers compare to Altria Group, Inc. tobacco purchasing in other countries.
14. We would be grateful for data on worker deaths and injuries, if possible, disaggregated by age, gender, and ethnicity, for all countries from which Altria Group, Inc. and its subsidiaries supply tobacco.

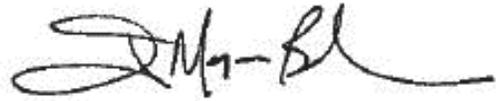
Human Rights Watch seeks to obtain information that will ensure accuracy in our reporting. We will be grateful if you can formally respond to this letter so that we can incorporate your perspective into our analysis and our report. We would welcome your response by January 24, 2014.

We would also like to arrange a meeting with you or senior Altria Group, Inc. staff and Human Rights Watch experts on child labor to discuss these issues. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We will also be in contact with your office in the coming weeks regarding a convenient time for this meeting.

Sincerely,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



February 11, 2014

Arvind Ganesan, Director
Business and Human Rights Division

Jane Buchanan, Associate Director
Children's Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, NY 10118-3299

Dear Arvind and Jane:

Thank you for inviting us to participate in a conversation about child labor in tobacco farming in the United States. I appreciate you speaking with me on the phone recently and sharing more about the work you are doing.

We too are concerned about this issue and have developed and support programs to help growers understand their obligations relative to this topic. We are interested to learn more from your research. We believe that we can both be more effective on this topic by engaging others in the broader U.S. agricultural supply chain to join the conversation.

We are passionate about the sustainability of the agricultural supply chain we rely on for our tobacco, most of which comes from the U.S. In recent years, we have been particularly focused on the on-farm work experience. This drove us to understand more about the labor supply chain in U.S. agriculture. What we learned was agriculture is a diverse and complex industry, inclusive of many stakeholders, such as growers, farmworkers, labor suppliers, government agencies, non-government organizations and companies that source agriculture products.

We also invested time to visit and assess every single one of our contracted domestic growers. These visits highlighted to us that most growers understand the importance of positive grower / worker relationships, but also that additional resources are needed to help growers and those who provide labor understand our expectations as well as the complex legal and regulatory environment associated with sourcing and employing workers. Our approach to fostering improvement is to engage our growers and others in the solution and to work with our growers to raise their understanding of their obligations.

We used our learnings to develop operating principles to help guide our initiatives. As our efforts gain momentum, we hope others in the agricultural system will participate in addressing important issues facing growers and workers. In the meantime, I enclose the following attachments which describe our approach to further improve working conditions on tobacco farms:

- Information and exhibits in response to your questions
- Questions for your consideration

Thank you again for the opportunity to engage with you on this subject. We look forward to further conversation.

Sincerely,

A handwritten signature in black ink that reads "Jeanette Hubbard". The signature is fluid and cursive, with a large loop at the end.

Jeanette Hubbard
Vice President, Procurement

CC: Jennifer Hunter, Senior Vice President, Corporate Affairs, Altria Client Services Inc.
Howard A. Willard, Executive Vice President, Chief Financial Officer, Altria Group, Inc.

**Attachment 1: Information to address questions raised in Human Rights Watch
December 13, 2013, letter**

Our Approach

Our business practices are guided by our Mission and Values and informed by external perspectives. Respect for people is fundamental to the way we conduct business. The ten principles of the United Nations Global Compact and the International Labour Organization Declaration on Fundamental Principles and Rights at Work inform our principles and policies for employees and our expectations of suppliers.

To uphold and promote these principles, Altria and its companies respect the rights of our employees and establish a culture of respect based on our Mission and Values, Code of Conduct and policies. We work with suppliers who promote actions consistent with our Mission and Values and Supplier Code of Conduct. We also collaborate with others in industry and society to address human rights issues where our companies have a role to play.

The sustainability of our tobacco supply chain is critical to our businesses. Altria Client Services (ALCS), on behalf of Philip Morris USA (PM USA), U.S. Smokeless Tobacco Company (USSTC) and John Middleton (Middleton), contracts directly with domestic tobacco growers and buys tobacco from tobacco suppliers who source both domestically and internationally. A significant majority of our tobacco is sourced domestically; however, due to the competitive nature of our industry, we do not share specific sourcing data. We work with growers and suppliers to help improve on-farm practices that contribute to agriculture sustainability. We have established a comprehensive infrastructure to help achieve our goals, including internal principles and policies, programs, assessments, partnerships and external engagements.

Agriculture is a diverse and complex industry that involves many stakeholders, such as growers, farmworkers, labor suppliers, government agencies, non-government organizations and companies that source agriculture products. Tobacco is one crop in this broader agricultural system. In fact, most farms that raise tobacco grow other crops as well. Tobacco represents 1.6% of total field crop acreage across Kentucky, North Carolina, Tennessee and Virginia¹. Within tobacco producing farm enterprises, tobacco represents 15% or less, on average, of their enterprise acreage, depending on tobacco type.² While certain issues are unique to tobacco, such as Green Tobacco Sickness (GTS), most are not.

¹ Source: USDA NASS QuickStats (1/17/2014)

² Source: 2011 Current Grower Survey, Center for Tobacco Grower Research

In light of this broader context, we take a “systems” approach to managing our tobacco supply chain, recognizing that addressing farm labor issues and opportunities require the input and participation of all concerned stakeholders.

Understanding the Issues

As an example of our approach to understanding the issues, in 2010, ALCS initiated an in-depth review of farm labor practices in the U.S. to gain a broader understanding of:

- the size and scope of migrant farm labor in the U.S. across agricultural crops, including tobacco;
- relevant laws and regulations; and
- on-farm opportunities to support our tobacco growers and help them address farm labor issues.

Based on what we learned, we developed the following operating principles to help guide our work and our engagement with stakeholders:

- Focus on enhancing the grower and farmworker relationship, with respect to the laws, regulations and other social norms which govern these relationships
- Engage with the presumption of good intent of our suppliers and involve them in the solution
- Seek agriculture-wide solutions and foster continuous improvement of our suppliers
- Leverage existing infrastructure where possible

Setting Supplier Expectations

We appreciate the importance of setting clear expectations with our suppliers and monitoring their progress against these expectations. Specifically, we address labor and working conditions through the following policies, procedures or programs:

- Supplier Code of Conduct
- Supplier Contracts with Child and Forced Labor Provisions
- Industry Good Agricultural Practices (GAP) Handbook
- GAP Guidelines and Assessment
- Social Compliance Audits

Specific to child labor our position is clear and consistent across all geographies – all suppliers, including tobacco suppliers, must comply with the minimum age requirements prescribed by applicable laws or the International Labour Conventions, whichever is higher.

Domestic tobacco growers must comply with the applicable U.S. and state minimum age requirements. Additionally, the U.S. Secretary of Labor has declared that certain agricultural



occupations are hazardous and cannot be performed by minors under 16. Our grower and supplier contracts take it one step further and provide that domestic tobacco growers may not assign anyone under 18 to work in these hazardous occupations. As deemed by the U.S. Department of Labor, Wage and Hour Division (U.S. DOL), examples of hazardous occupations include: driving a bus, truck or automobile when transporting passengers, or riding on a tractor as a passenger or helper; and in handling or applying agricultural chemicals classified as category I toxins.

While we have policies, procedures and programs that address labor and working conditions, our domestic GAP program, formally launched by PM USA in 2004, forms the cornerstone of our engagement with growers and promotion of improved on-farm practices. The scope of the GAP program has evolved and now focuses on several topics to include supporting good labor management practices, on-farm safety, reducing negative environmental impact and promoting operational efficiencies.

In addition, we recognized the opportunity to:

- work with others to harmonize the domestic GAP guidelines;
- provide training to growers through a credible third-party; and
- assess progress to identify areas for improvement.

Assessing the grower's application of the training is also critical. All direct-contracted growers are required to comply with GAP requirements. PM USA and USSTC began conducting on-farm GAP assessments with direct-contracted growers in July 2010. In 2011, 2012 and 2013, PM USA and USSTC continued the on-farm GAP assessment process and assessed 100% of their domestic direct-contracted growers in each of those years.

In 2012, representatives of Altria's tobacco companies worked with representatives from grower associations, other tobacco manufacturers, land-grant universities and other tobacco stakeholders to develop the first ever industry-wide U.S. Tobacco GAP handbook (enclosed with this letter). This handbook created a harmonized set of guidelines and record-keeping requirements that growers could more easily understand and use. Feedback from growers was positive as prior to this, PM USA, USSTC and their competitors required the growers to adhere to separate GAP guidelines. We also recognized the opportunity to support a training program to build awareness of the obligations associated with the harmonized set of guidelines. To accomplish this ALCS provides funding to enable the Agriculture Extension services of the land grant universities to take on the role of providing consistent harmonized GAP training to all domestic tobacco growers. This is significant as this training had previously been delivered by individual companies.

The U.S. Tobacco GAP handbook contains explicit requirements regarding the topics raised in your questions, including:

- Training farmworkers on GTS prevention and protocols and on how to avoid heat stress
- Scheduling work activity to limit exposure to wet tobacco
- Using workers under the age of 18, other than grower's children
- Prohibiting minor workers from doing work that is hazardous or likely to harm the minor's health or safety
- Providing readily accessible potable water for all workers provided free of charge
- Making available working toilets and hand washing facilities located close to each other and within a ¼ of a mile walk of the fields or transportation is available to workers
- Training, application considerations, required signage and use of protective equipment when applying chemicals.

Each of these assessment items are remediable, meaning that if requirements are not met, the grower is required to implement a remediation plan and will be reassessed to ensure compliance gaps have been addressed.

In addition to the assessment conducted by ALCS on behalf of PM USA or USSTC, a third-party entity also conducts grower assessments using the same GAP assessment tool to assess the grower's implementation of the GAP guidelines.

We also communicate on a regular basis about on-farm health and safety issues through our bi-annual grower newsletter. Past communications include farm labor management requirements and GTS and other health and safety topics (as an example, we have enclosed a Tobacco Leaders Program newsletter).

Additionally, we have grower representatives, who are company employees who live and work in tobacco-growing communities. Their purpose is to build relationships with growers and promote the GAP program. We have observed higher contract and GAP compliance with the implementation of our comprehensive engagement strategy.

Outside the U.S., PM USA and Middleton buy tobacco from suppliers who purchase tobacco in countries including Brazil, Argentina, Macedonia, Turkey and Malawi. International tobacco suppliers must comply with the minimum age requirements prescribed by applicable laws or the International Labour Conventions, whichever are higher, unless a specific contract contains stricter requirements.

Until 2013, Malawi was an auction market system with limited oversight on production practices, including social responsibility issues such as child labor. Beginning with the 2013 crop season, it was estimated that approximately 80 percent of all burley tobacco from Malawi would be produced by growers through an Integrated Production System which is based upon direct contracting between the supplier and grower. A benefit to procuring tobacco through suppliers that source through direct-contracted growers is that the supplier is required to develop and implement a GAP program.

Similar to the domestic program, PM USA and Middleton work with tobacco suppliers to promote and maintain GAP among growers, including crop management, environmental management and labor management, to include where applicable, GTS protocols. We then assess those suppliers to make sure the GAP programs are in place and communicated to their direct-contracted growers. As part of GAP, each supplier must have a documented child labor prevention policy and contractual requirements with contracted growers, train field staff and provide printed materials to growers about preventing the use of child labor.

In 2010, PM USA and Middleton began requiring their tobacco suppliers to certify that they have implemented GAP programs with their respective growers. In 2012, PM USA and Middleton enhanced the international GAP scorecard from a yes/no format to a Likert scale format. This shifted the assessment to focus on continuous improvement in addition to compliance with a minimum standard.

During 2013, PM USA and Middleton continued international GAP assessments. An independent, third-party assessor, via a sampling of growers, validated whether the:

- tobacco supplier had implemented a GAP program;
- program included specific content such as crop management, environmental stewardship and labor management; and
- program had been communicated to the tobacco supplier's contracted growers.

After each third-party assessment, PM USA and Middleton review results with the tobacco suppliers for both immediate remediation and future GAP program enhancements.

Lastly, we actively encourage suppliers to respect the legal rights of their employees to join or not to join any lawful association without fear of reprisal or intimidation. In addition to GAP assessments, we also use social compliance audits, which are conducted by a third-party, to monitor supplier's adherence to specific elements of the Supplier Code of Conduct, including Freedom of Association.

Engaging with Stakeholders

We embrace a multi-stakeholder engagement approach supportive of a systems view of addressing human rights and labor issues in agriculture. Examples of our engagements with stakeholders to address labor challenges are as follows:

Farm Labor Practices Group (FLPG)

In 2012, PM USA, USSTC and Middleton were founding members of the FLPG. The goal of the FLPG is to help both farmers and farmworkers in production of labor-intensive crops better understand and comply with applicable labor laws and regulations, and to foster improved farm labor practices, where needed, that shape a worker's experience on the farm.

Other members of the FLPG include representatives of other tobacco manufacturers, leaf suppliers, growers, workers, faith-based investors and U.S. DOL.

This multi-stakeholder group has agreed to:

- develop and test training and education opportunities to augment the capabilities and impacts of existing training and education efforts;
- explore the potential effectiveness and impact of various grievance mechanisms; and
- explore future partnership opportunities related to workforce sustainability and the health and safety of farmworkers.

In addition, the group is exploring the challenges associated with growers sourcing labor from Farm Labor Contractors (FLCs) and what role additional training could have to help address the issues.

We are excited to share that in conjunction with the U.S. DOL, the FLPG has begun piloting enhanced training on labor issues at certain grower meetings in North Carolina and Kentucky this year. This pilot reflects an early outcome of the collaborative work of the FLPG. The training was developed by the U.S. DOL, with support from other FLPG members, to specifically address common deficiencies U.S. DOL typically finds while conducting farm inspections. The training covers the law and best practices related to record keeping, pay, housing, transportation and use of FLCs. Initial feedback from U.S. DOL and growers indicates that this training is relevant and useful. Further enhancements will be incorporated into the program based on post-training surveys that are being conducted with growers.

Eliminating Child Labour in Tobacco (ECLT)

Altria's tobacco companies are members of the Geneva-based ECLT. PM USA helped found this organization which brings together businesses, growers and labor representatives for the purpose



of ending the inappropriate use of child labor in tobacco growing. This organization undertakes projects to help stop child labor in international tobacco growing regions, including Malawi.

Attachment 2: Questions concerning Human Rights Watch Initiative

Having a better understanding of the Human Rights Watch (HRW) initiative can allow us to gain additional insights into potential opportunities to address.

During our recent conversation, you requested that we share our questions in writing. We appreciate the opportunity to do so in this attachment and offer them below:

- Will HRW make available information about the research methodology, including, for examples, the manner in which respondents were selected and a copy of the interview questions?
- What reportable information did the HRW team collect to help in the interpretation of the data and findings? (e.g., size of farm, location of farm, whether or not the farm participates in a Good Agricultural Practices (GAP) program, whether or not workers were sourced by a Farm Labor Contractors (FLC), whether or not the FLC was certified)
- Has HRW tabulated their data in such a way to report the frequency of specific observations and were these cross-tabulated against characteristics of the respondents and factors such as those listed above?
- Does HRW's research indicate which growers were the sources of the concerns raised? We understand the potential sensitivity here, but ask as we could cross reference this information against our grower database and work with the grower to address the situation highlighted.

We continue encouraging HRW to involve a broader range of stakeholders, including growers, in this effort. Reflecting diverse perspectives can improve understanding of the issues. To help with this, we suggest the following individuals and organizations that we consider to be key stakeholders on the topics you raised.

- Richard Blaylock, District Manager, U.S. Department of Labor, Wage and Hour Division
- Erica Peterson, Executive Vice President, North Carolina Agribusiness Council
- Sonia C. Velazquez, Executive Director, Eliminating Child Labour in Tobacco

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Catherine Zennström

March 31, 2014

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

Dear Mr. Barrington,

Thank you for your letter of February 11, 2014 and for the call of January 9, 2014 and the meeting of March 14, 2014. We appreciate the constructive dialogue with Altria Group. We have appreciated the opportunities to learn more about Altria Group's policies and practices concerning child labor. We look forward to seeing you on April 10 in Raleigh when we will present our findings and recommendations at the Farm Labor Practices Group meeting.

We are writing today to share with you some additional information regarding the counties in North Carolina, Kentucky, and Tennessee in which children reported working. We are also taking this opportunity to share our key recommendations to businesses purchasing tobacco in the United States. We have included answers to the questions you posed in your February 11, 2014 letter.

Counties where Children Reported Working

As we explained previously, consistent with our methodology for investigating human rights worldwide, we go to great lengths to protect the confidentiality of interviewees. Out of concern for interviewees' security, we are unable to report specific farms where children worked, but we can share a list of counties where children reported working in North Carolina, Kentucky, and Tennessee (attached). Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

While we hope our list of counties might help to guide Altria Group's efforts to address hazardous child labor on farms in its supply chain, we would encourage the company to do a comprehensive investigation of child labor in every county from which Altria Group purchases tobacco. Due to the small size of our team and the nature of our methodology, we are not in a position to conduct a broad survey to examine conditions in every tobacco-growing county in the

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US. However, our research indicated patterns of hazardous child labor on tobacco farms in many different locations, and we urge Altria Group to look beyond the counties we identified in order to investigate thoroughly child labor on all US tobacco farms in its supply chain.

Recommendations

We would like to take this opportunity to share our initial recommendations for tobacco manufacturing companies and tobacco leaf companies which we believe are essential to protect children from hazards particular to tobacco farming. We look forward to discussing these recommendations with you. Human Rights Watch has also developed detailed recommendations for other relevant actors, including the US Congress, the US Senate, the President of the United States, the US Department of Labor, the Environmental Protection Agency, tobacco-producing states, tobacco growers' associations and Farm Bureaus, agricultural employers, and the International Labour Organization.

Human Rights Watch bases these recommendations on our research findings which we detailed to you in our December 11, 2013 letter, extensive reviews of available public health literature, interviews with public health researchers, analysis of national laws and practice, analysis of ILO laws and reports, interviews with ILO experts on child labor, interviews with representatives of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), and ECLT materials.

Based on our findings, Human Rights Watch believes that no child under age 18 should be permitted to work with tobacco in any form, including plants of any size or dried tobacco leaves, due to the inherent health risks posed by nicotine and the pesticides applied to the crop.

Because exposure to tobacco in any form is unsafe, Human Rights Watch has determined, based on our field investigations and other research, that as a practical matter there is no way for children under 18 to work safely on US tobacco farms when they have direct contact with tobacco plants of any size or dried tobacco leaves, even if wearing protective equipment. Though protective equipment may help mitigate exposure to nicotine and pesticide residues, rain suits and watertight gloves would not completely eliminate absorption of toxins through the skin and would greatly increase children's risk of suffering heat-related illnesses. The inadequacy of protective equipment to protect children, as documented by Human Rights Watch in the US, seems likely to extend to tobacco farms outside the United States.

A number of countries have laws or regulations prohibiting all children from working in tobacco farming, or from performing the majority of tasks in which they come into direct contact with tobacco in any form, including Brazil, India, Malawi, Kazakhstan, Russia, and Uganda.

Recognizing the risks to children of work in tobacco farming, the US Department of Labor proposed regulations in 2011 that would have prohibited all children under 16 (the minimum age for hazardous work in agriculture in the US) from “all work in the tobacco production and curing, including, but not limited to such activities as planting, cultivating, topping, harvesting, baling, barning, and curing.” The regulations were withdrawn in 2012. The ILO Committee of Experts has strongly urged the US government to reconsider withdrawal of the proposed regulations.

This evidence and our analysis are further detailed in our forthcoming report, as are additional recommendations. Our key recommendations to businesses purchasing tobacco in the United States include:

Regarding Child Labor

- Adopt and implement policies globally prohibiting the use of child labor anywhere in the supply chain. The policy should specify that hazardous work for children under 18 is prohibited, *including any work in which children come into direct contact with tobacco plants of any size and dried tobacco leaves.* Consistent with ILO conventions, the policy should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15, or the minimum age provided by the country’s laws, whichever affords greater protection. *The policy should specify that it is in effect throughout the supply chain in all countries irrespective of local laws that afford lesser protections.*
- Strive to phase out the use of child labor in the supply chain by establishing clear timeframes.
- Ensure that all contracts with growers and suppliers should include specific language prohibiting the use of children in hazardous work under 18, including any work in which children come into contact with tobacco leaves of any size and dried tobacco leaves. Establish and carry out penalties for those in the supply chain who violate the no-child labor policy. The penalties should be sufficiently severe and consistently implemented so as to have a dissuasive effect. Discontinue contracts with farms that repeatedly violate the policy prohibiting child labor.
- Provide training to agronomists, suppliers, growers, workers, and others on the hazards to children of working in tobacco. Utilize outside experts on child labor to conduct these trainings where appropriate.
- Establish a regular and rigorous internal monitoring process in all countries in the supply chain.
- Engage qualified third-party monitoring for child labor in supply chains in all countries.

- Engage a third-party organization to develop a no-child labor policy as outlined above, including the structures for its effective implementation.
- Develop or enhance collaboration with local stakeholders to eliminate child labor on tobacco farms, including by:
 - Working with federal and local government officials, including the Office of Migrant Education, to ensure access to education for farmworker children.
 - Implementing, with meaningful input and participation from farmworker children, their families, and local stakeholders, free summer programs each year for both migrant and local children, as an alternative to working in tobacco farming. Programs should provide age-appropriate educational, recreational, and leadership development opportunities to children under 18.
 - Collaborating with local stakeholders to identify other summer employment opportunities for children as alternatives to working on tobacco farms.
 - Where possible, cooperating with the ILO's International Programme on the Elimination of Child Labour (IPEC), UNICEF, nongovernmental organizations, and others undertaking efforts to prevent child labor, including through the provision of alternatives to working in tobacco farming.
 - Establishing a scholarship fund to provide young farmworkers with economic support to pursue higher education. The scholarship application should account for the unique circumstances of farmworker children's educational paths.
 - Investing in rural health infrastructure to ensure tobacco workers and their children have access to health services.
 - Collaborating with land-grant universities and extension services to enhance agricultural education in tobacco-growing communities, and to provide farmworker families with access to land for small-scale agricultural enterprise.

Regarding Industry-Wide Multilateral Initiatives

- Develop an international industry-wide standard to prohibit hazardous work for children under 18 on tobacco farms, including any work in which children

come into contact with tobacco plants of any size and dried tobacco leaves; establish minimum age requirements consistent with ILO conventions.

- Amend the US Tobacco Good Agricultural Practices (GAP) labor management guidelines to specify that hazardous work for children under 18 is prohibited, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves. Consistent with ILO conventions, the standard should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15. This standard should be a contractual requirement for all US tobacco growers.
- Engage meaningfully in multi-stakeholder initiatives, including with a view to support tobacco industry efforts to promote the elimination of child labor in the tobacco supply chain, effective monitoring of these policies, and initiatives to support alternative employment, education, and recreational opportunities for children in tobacco-growing communities.
- Increase financial support to nongovernmental organizations working to eliminate hazardous child labor in tobacco farming.
- Establish a pooled fund to support programs that provide alternatives to child labor in US tobacco farming and/or consider expanding programs through the Eliminating Child Labour in Tobacco Growing Foundation to include the United States.

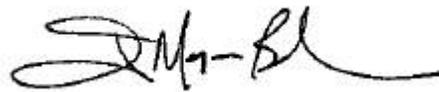
Thank you for the questions you posed in your February 11, 2014 letter. We have attached answers based on our standard methodology and our research for this project.

We look forward to discussing these recommendations with you and welcome any updates to Altria Group's existing policies and practices regarding child labor, so that we have the most up-to-date information for our research and reporting.

Best regards,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

Cc: Jeanette Hubbard, Vice President, Procurement

Question 1: Will HRW make available information about the research methodology, including, for examples, the manner in which respondents were selected and a copy of the interview questions?

Human Rights Watch Methodology around the World

The methodology Human Rights Watch uses in our work worldwide is based principally on in-depth interviews with victims of alleged human rights abuses, in this case with child tobacco workers. Human Rights Watch does not do nor claim to do representative sampling; rather, we identify individuals to interview based on their direct experience with the situation we are investigating. To the greatest extent possible, participants are interviewed individually and in private; children may be interviewed with one or both of their parents present. Interviews are always completely voluntary.

We also conduct interviews with other individuals who can provide additional background and perspectives on the particular issues we are examining, such as relevant experts, members of local organizations, and government officials. And where appropriate, we consult records and official data including court transcripts, medical reports, and data from hospitals, including other sources.

Methodology Specifics regarding Our Research on Child Labor in US Tobacco Farming

For this project, Human Rights Watch interviewed 141 children ages 7-17 who stated that they had worked in tobacco farming in the United States in 2012 or 2013. During multiple field research trips between May and October 2013, Human Rights Watch interviewed 80 children in North Carolina, 46 in Kentucky, 12 in Tennessee, and 3 in Virginia.

We asked each child questions about their employment, employers, wage and hours, working conditions, health, education, and other issues. Interviewees were identified with the assistance of individuals and organizations providing legal, health, educational, and social services to farmworkers; farm labor contractors; and through outreach by Human Rights Watch researchers in farmworker communities.

In addition, Human Rights Watch interviewed three people ages 18-21 who had worked in tobacco as children, and seven parents of child tobacco workers. Human Rights Watch researchers also conducted interviews with 36 people with knowledge on the issue, including representatives of farmworker organizations, lawyers, social services providers, healthcare providers, agricultural employers, government officials, and academic researchers in tobacco-growing regions in the US. In total, 187 people were interviewed for this report.

Two Human Rights Watch researchers, one of whom is fluent in Spanish, conducted the interviews. Interviews were conducted in English or Spanish or a combination of the two, at the interviewee's preference. Some persons interviewed in Spanish were native speakers of other languages indigenous to Mexico or Central America. Most

interviews were conducted individually, though some children were interviewed in small groups of two to five participants. No interviews were conducted in the presence of workers' employers, such as farm labor contractors or tobacco growers.

Interviews took place in a variety of settings including homes, worksites, schools, restaurants and other public spaces, outdoors as part of outreach in farmworker communities, and at religious institutions. Whenever possible, researchers held interviews in private. In a few cases, interviewees preferred to have a family member or another person present. Two interviews were conducted by telephone.

All children and parents interviewed were informed of the purpose of the interview, its voluntary nature, and the ways in which the information would be collected and used. For interviews taking place during mealtimes, Human Rights Watch provided food to interviewees. Human Rights Watch did not provide anyone with compensation in exchange for an interview. Individuals were informed that they could end the interview at any time or decline to answer any questions without any negative consequences. Participants provided oral informed consent to participate and were assured anonymity. All names of children and parents interviewed have been changed to protect their privacy, confidentiality, and safety. Some individuals approached declined to be interviewed.

Question 2: What reportable information did the HRW team collect to help in the interpretation of the data and findings? (e.g., size of farm, location of farm, whether or not the farm participates in a Good Agricultural Practices (GAP) program, whether or not workers were sourced by a Farm Labor Contractor (FLC), whether or not the FLC was certified)

As noted earlier in this letter, we are able to share the names of the counties in North Carolina, Kentucky, and Tennessee, where children reported working. We do not preclude the possibility that children work in tobacco farming in other counties in these states. Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

In our work on labor rights worldwide, Human Rights Watch's methodology relies first and foremost on in-depth interviews of workers to document human rights conditions. For this project, we interviewed children under 18 who reported working on tobacco farms in 2012 or 2013. As we noted during our March 14, 2014 meeting, of the children we interviewed, particularly those employed by farm labor contractors and subcontractors, most could not tell us any specific information about the farms where they worked or the grower for whom they were working. They often knew only the first name or a nickname of their employer, including farm labor contractors, subcontractors and growers. Children often could identify landmarks or towns near the farms where they worked, but they were unable to report specific characteristics of the farms, such as size or specific location.

As a result, Human Rights Watch does not know how many of the growers who employed children—either directly or through farm labor contractors or subcontractors—participated in a Good Agricultural Practices (GAP) program.

The vast majority of child tobacco workers interviewed by Human Rights Watch worked for hire, employed by registered or unregistered farm labor contractors, labor subcontractors, or tobacco growers. Many children worked for several different agricultural employers at different parts of the season. Eighty out of the 141 children we interviewed stated that they worked for a farm labor contractor or subcontractor at some point in 2012 or 2013. Some of these children were also employed directly by growers at other points in the 2012 or 2013 growing seasons. Human Rights Watch does not have information about whether these labor contractors were registered or unregistered.

As we mentioned at our meeting, only a small number of children that we interviewed—9 out of 141—worked on farms owned by family members. Most of the children we interviewed who worked on family farms also worked for hire on farms owned by other tobacco growers.

Question 3: Has HRW tabulated their data in such a way to report the frequency of specific observations and were these cross-tabulated against characteristics of the respondents and factors such as those listed above?

Human Rights Watch obtained information about working conditions on tobacco farms through in-depth interviews of child tobacco workers. We then transcribed interviews and entered participant information into a database.

Because this was not a quantitative study, Human Rights Watch did not gather and therefore cannot share data to determine statistically significant relationships, including those of interest to Altria.

Question 4: Does HRW's research indicate which growers were the sources of the concerns raised? We understand the potential sensitivity here, but ask as we could cross reference this information against our grower database and work with the grower to address the situation highlighted.

Human Rights Watch appreciates Altria's commitment to work with growers to address the issues we documented in our research. Human Rights Watch identified some, but not all, of the tobacco growers who employed children either directly or through farm labor contractors or subcontractors. However, we are unable to share the names of specific growers out of concern for the security of the workers we interviewed.

Counties where Children Reported Working

State	Counties
Kentucky	Barren
	Bath
	Bourbon
	Boyle
	Clark
	Crittenden
	Fayette
	Franklin
	Harrison
	Henry
	Lincoln
	McCrory
	Metcalfe
	Monroe
	Montgomery
	Pulaski
	Scott
Shelby	
Taylor	
Warren	
Washington	
Wayne	
North Carolina	Duplin
	Greene
	Johnston
	Jones
	Lenoir
	Martin
	Nash
	Onslow
	Pitt
	Sampson
	Wayne
	Wilson
Tennessee	Grainger
	Hawkins
	Jefferson
	Macon
	Sumner

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Siri Stolt-Nielsen
Darian W. Swig
John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

April 16, 2014

To the members of the Farm Labor Practices Group,

We are writing to thank you for the opportunity to present our research and recommendations at the April 10, 2014 Farm Labor Practices Group plenary meeting in Raleigh. We were grateful for the informative and constructive discussion with all of you, and we look forward to continued dialogue and meaningful progress on many of the concerns identified.

As discussed during the meeting last week, we are sharing with you the slides from our presentation, along with additional information on the ages of the children we interviewed for this project. Please find a chart with this information below.

We are also writing to let you know that Human Rights Watch will publish the report with our research on child labor in tobacco farming in the US and relevant recommendations next month. The report will describe our methodology, findings, and analysis of US laws and international standards related to child labor. Consistent with Human Rights Watch's approach to our work worldwide, our report will include personal accounts from many of the children we interviewed, along with analysis of public health literature and national and international data. The report will also include a description of the policies and practices of several leading companies that purchase tobacco grown in the United States, including the six companies represented in the FLPG. It will also include detailed versions of the recommendations we presented at the meeting last week, including recommendations to tobacco manufacturing and tobacco leaf companies, the Obama administration, US Congress, state governments, and others.

We were encouraged to learn that the Farm Labor Practices Group took a decision to establish a working group on child labor, which has the possibility to make significant positive impacts. Human Rights Watch would welcome the opportunity to make further contributions to this group and looks forward to learning about the results of this group's efforts. At the same time, in line with the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) and other international standards and guidance, each company in the FLPG and other tobacco

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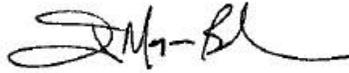
manufacturing and leaf companies individually have responsibilities to prevent and remedy human rights concerns, including hazardous child labor, in their supply chains.

Human Rights Watch is committed to accurately representing and publicizing the measures each company has taken to address child labor in supply chains globally. To that end, we would be pleased to report on any recent changes or further commitments made by your companies concerning policies on child labor. In order to reflect any commitments or policy changes in our publications, we would welcome responses to our recommendations shared with you during the plenary meeting as well as in the March 31 letter by April 30, 2014. We would also welcome written responses from other members of the FLPG to inform our ongoing research on child labor.

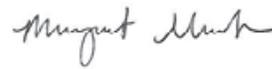
Sincerely,



Jo Becker
Advocacy Director
Children's Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



Margaret Wurth
Researcher
Children's Rights Division

Ages of Children Interviewed by Human Rights Watch

Age	NC	KY	TN	VA	TOTAL
7			1		1
8					0
9	2		2		4
10		1	1		2
11	1	1			2
12	3	2			5
13	5	1	2		8
14	14	8		2	24
15	15	11	1		27
16	20	10	2	1	33
17	12	5	1		18
18*	8	7	2		17
TOTAL	80	46	12	3	141

*All 18-year-old children interviewed for this report worked in tobacco as 17-year-old children in 2012.

Mean age of children interviewed: 15

Median age of children interviewed: 15



April 30, 2014

Arvind Ganesan, Director
Business and Human Rights Division

Jane Buchanan, Associate Director
Children's Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, NY 10118-3299

Dear Arvind and Jane:

Thank you for your ongoing engagement on the important topic of child labor in agriculture. The dialogue has been constructive and informative. We also appreciate the details you provided on your research.

We are committed to continue to explore the issues you have raised and work with others to help address them. As we shared with you, we are focused on enhancing grower and farmworker relationships, with respect to the laws, regulations and other social norms governing these relationships.

Your recommendation to prohibit youth of any age from handling or coming into contact with tobacco is counter to current farming practices in the U.S. It is also at odds with certain communities where family farming is a way of life. As such, it is critical that future actions to address these issues are collectively supported and executed in a thoughtful way.

To help accomplish this, we are committed to taking the following steps:

- Collaborate with the Farm Labor Practices Group (FLPG) and its newly formed committees on farm labor contractors (FLCs) and child labor to help address your findings. We are optimistic these committees can have an impact, especially as your research indicated that over half the children you interviewed stated that they had worked for an FLC at some point.



This collaborative, multi-stakeholder approach allows for careful consideration of your recommendations while improving the chances for achieving change.

- Continue to lead the FPLG's Training and Education Committee and identify opportunities to incorporate your research. The committee has been charged with scaling up its training and education efforts to growers, FLC's and workers in the states where you conducted your research. We believe there is an opportunity to utilize your research findings to raise awareness of the issues and reinforce relevant aspects in the training.
- Evaluate opportunities to enhance existing assessments to better quantify child labor and relevant circumstances on our contracted farms.
- Engage with family growers to get their perspective and input on addressing the issues you have raised. These engagements may provide an opportunity to collaboratively identify and minimize additional potentially hazardous tasks involving youth.

Sincerely,

A handwritten signature in black ink that reads "Jeanette Hubbard". The signature is fluid and cursive, with a large loop at the end.

Jeanette Hubbard
Vice President, Procurement

Cc: Jennifer Hunter, Senior Vice President, Corporate Affairs, Altria Client Services Inc.

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December 11, 2013

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

Dear Mr. Durante,

Please accept my greetings on behalf of Human Rights Watch. Human Rights Watch is an international non-governmental human rights organization that conducts research and advocacy in over 90 countries around the world on a wide variety of human rights issues (see www.hrw.org). Among those issues is child labor, which we have reported on in the United States, El Salvador, Mali, Tanzania, Morocco, Uzbekistan, Indonesia, India, and other countries. In 2010 we published a report on hazardous child labor and other human rights abuses in tobacco farming in Kazakhstan.

We are writing to you today to share preliminary findings with you concerning our recent research on child labor in tobacco farming in the United States. We hope to initiate a constructive dialogue with British American Tobacco p. l. c. regarding concerns related to child workers in tobacco farming.

From May-October 2013 Human Rights Watch conducted research on child labor in tobacco farming in North Carolina, Kentucky, Tennessee, and Virginia. We interviewed over 140 children ages 7-17 who stated that they worked in tobacco farming in 2012 or 2013, as well as children and parents who described other children working in tobacco farming.

The specific jobs children said they did on tobacco farms included: planting seedlings, weeding, thinning tobacco plants, repositioning plants that were leaning, topping, pulling off suckers, and applying pesticides.

On farms with flue-cured tobacco, children reported doing the following jobs: hand harvesting tobacco leaves, machine harvesting tobacco leaves, filling cages with tobacco leaves for drying, sorting tobacco leaves, and packing tobacco leaves.

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On farms growing burley tobacco, children reported: cutting tobacco plants, carrying cut tobacco plants, spearing tobacco plants on sticks for hanging, carrying sticks with several tobacco plants, lifting sticks with several tobacco plants onto trucks or to workers to hang the sticks in the rafters of a barn, hanging sticks with tobacco plants in barns, taking down sticks of burley tobacco plants from barns, and stripping leaves off dried tobacco.

The vast majority of children with whom Human Rights Watch spoke were working for hire. Most children were hired by a labor contractor or a labor subcontractor. Some children were working directly for tobacco growers. Only a few children worked on family farms, without pay. A few of the very youngest children worked with their parents sporadically and without pay.

The vast majority of children interviewed by Human Rights Watch stated that they lived in the states in which they worked and worked primarily or exclusively in the summer months. Human Rights Watch also interviewed a few children who migrated to or within the United States for work.

Preliminary Findings

Health and Safety

Nicotine Poisoning/Green Tobacco Sickness and Other Health Risks

A majority of children interviewed by Human Rights Watch described experiencing symptoms consistent with acute nicotine poisoning (Green Tobacco Sickness) while working, including, variously, nausea, dizziness, lightheadedness, headaches, vomiting, and loss of appetite.

Some of these symptoms may be linked to pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Nearly all children interviewed by Human Rights Watch said they lacked personal protective equipment, which would help minimize the amount of exposure to wet tobacco leaves and tobacco leaves that had been treated with pesticides or other hazardous chemicals.

Some also reported difficulty sleeping together with symptoms of nicotine poisoning.

Some children also reported itchy skin and skin rashes.

Some children also told Human Rights Watch that water from tobacco plants would splash into their eyes or mouth during topping or pieces of tobacco leaves would fall into their eyes or mouth while lifting sticks with tobacco plants to be hung in barns.

A few children reported respiratory and allergic symptoms while working in tobacco fields or in curing barns.

Exposure to Pesticides and Growth Regulators

Many children interviewed by Human Rights Watch reported that they saw tractors spraying pesticides or growth regulators in the fields in which they were working or in fields adjacent to the

ones in which they were working. These children often reported being able to smell and/or feel the chemical spray as it drifted towards them. Many reported some or all of the following symptoms after coming into contact with the spray: burning eyes, burning nose, itchy skin, nausea, vomiting, dizziness, redness and swelling of the mouth, and headaches.

A few children interviewed by Human Rights Watch stated that they applied pesticides to tobacco plants with a handheld sprayer and backpack and a few reported operating tractors that were spraying pesticides on tobacco fields.

Extreme Temperatures

All children interviewed by Human Rights Watch stated that they often worked in high temperatures and high humidity typical for the summer months in North Carolina, Kentucky, Tennessee and Virginia, and many stated that they were expected to work without additional breaks in such conditions.

Water

Most children interviewed by Human Rights Watch stated that the contractor or grower provided water to them while working, usually from a cooler. Some children told Human Rights Watch that the water provided was not clean or drinkable. Other children told Human Rights Watch that employers did not provide water at all.

Lack of Shade

Many children interviewed by Human Rights Watch stated that they did not have the opportunity to shelter in shade during the work day. Some children reported that the shade available was inside vehicles used to transport the workers to the worksite, or in wooded areas, in the event the worksite was located near a wooded area.

Lack of Sanitary Facilities

Very few children interviewed by Human Rights Watch reported having access to a bathroom. Most children told Human Rights Watch that they would relieve themselves in wooded areas, if there were any near to the worksite, or refrain from relieving themselves at all during the day, including by declining to drink liquids. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would use a bathroom.

Lack of Hand Washing Facilities

Most children interviewed by Human Rights Watch stated that they did not have access to hand washing facilities. Many children stated that they rinsed their hands with water from the cooler provided, but did not use soap to wash their hands.

Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would be allowed to wash their hands.

Lack of Personal Protective Equipment

Almost none of the children interviewed by Human Rights Watch were given any kind of personal protective equipment by their employer.

Many children interviewed by Human Rights Watch wore black plastic garbage bags over their clothes to prevent their clothes from becoming soaked by water on the tobacco plants after rain or in high humidity conditions that created heavy dew. Children's parents typically bought the plastic bags for them to wear. Some children interviewed by Human Rights Watch did not wear plastic garbage bags because doing so made them overheat.

Most children interviewed by Human Rights Watch wore latex or cloth gloves, which in most cases they or their parents bought. Some child workers said that the gloves available were too large for their hands or it was difficult for them to perform the work at the pace required while wearing gloves, so they worked without them.

Several children told Human Rights Watch that they worked in bare feet or socks when the mud in the fields was deep and they lacked appropriate footwear.

Repetitive Motions and Lifting Heavy Loads

Children interviewed by Human Rights Watch described performing prolonged repetitive motions, including working bent over at the waist, twisting their wrists to top tobacco plants, crawling on hands and knees, or reaching above their heads for extended periods of time. Children reported muscle soreness, aches, and pain in their backs, shoulders, arms, hands, and fingers after engaging in repetitive motions.

Human Rights Watch interviewed child workers who reported loading heavy sticks of harvested tobacco plants onto flatbed wagons to be transported to barns for curing. Children also said they lifted heavy sticks of tobacco plants over their heads to other workers who would hang the sticks in the rafters of barns for curing.

Work with Dangerous Tools, Machinery, and at Heights

Some children interviewed by Human Rights Watch stated that they used hoes to remove weeds from tobacco fields, as well as axes or hatchets to cut burley tobacco during the harvest and spikes to spear burley tobacco plants. Some children told us they sustained cuts and puncture wounds from working with these sharp tools.

A few children said they operated or worked in close proximity to dangerous machinery, including mowers used to trim tobacco plants, tractors used to harvest tobacco leaves, and balers used to

compress leaves into bales. In Kentucky, Human Rights Watch interviewed a few children who drove tractors while working in tobacco. Some children reported injuries related to operating or being near heavy machinery.

Human Rights Watch interviewed children who told us they climbed into the rafters of barns, with and without ladders, to hang sticks of harvested burley tobacco to dry. Children described climbing to significant heights as crews of workers formed several tiers to pass sticks of tobacco upward to be hung in the barn for curing. While engaging in this work, children said, they straddled planks that were sometimes positioned two or three feet apart.

Wages and Hours

Wages

Most children we interviewed reported earning minimum hourly wage for their work. Some children reported being paid by check and some were paid in cash.

Some children interviewed by Human Rights Watch received less than minimum wage. Some children reported to Human Rights Watch earning more than minimum wage. Some children interviewed by Human Rights Watch said that they earned piece rate wages during the burley tobacco harvest based on the number of tobacco plants they cut and/or hung in barns.

Some children reported to Human Rights Watch problems with wages including deductions by the contractor or grower for water or for reasons that were not explained to them or because of what they believed was inaccurate recording of hours by contractors.

Working Hours

Children interviewed by Human Rights Watch described working long hours, typically between 10-12 hours per day, and sometimes more. Some children worked shorter days, because the day's work had been completed or because the contractor or grower allowed workers to end the day early due to heavy rain or very high heat. Other children reported working through adverse weather conditions.

Most children interviewed by Human Rights Watch worked 5 days per week; some worked fewer, and some children reported working 6 or 7 days per week.

Nearly all children interviewed by Human Rights Watch stated that they were allowed 2 or 3 breaks per day.

Education

Some children interviewed by Human Rights Watch had migrated for work and missed several months of school. Some children reported skipping days of school to work in tobacco. Some children reported working long hours after school that interfered with their ability to keep up with schoolwork.

Questions

We are interested in learning more about the policies and practices British American Tobacco has in place regarding child labor and other labor practices in its global supply chain, including in the United States. We are aware, as stated on British American Tobacco's website, that, "referring to the ILO Declaration on Fundamental Rights and Principles at Work we set expectations of working conditions and labour standards for farmers, their families and hired workers through our SRTP programme" and that the company works "actively to tackle exploitative child labour in tobacco growing." In particular, we are interested in the following information:

1. We would welcome more detail on British American Tobacco's child labor policy concerning the use of child labor in tobacco farming on farms supplying tobacco to British American Tobacco, or British American Tobacco subsidiaries or suppliers.
 - o In particular, we would welcome further elaboration on which specific types of work are prohibited for children, given the policy's statement that "No farm activity that could be considered to put children at risk is undertaken by children."
 - o How does British American Tobacco monitor the treatment of child workers on farms supplying tobacco to British American Tobacco or to its subsidiaries and suppliers?
2. Does British American Tobacco have policies or procedures to prevent and alleviate labor rights violations, and other human rights violations in its global supply chain? What are these policies or procedures? In particular, we would welcome more information on BAT's Social Responsibility in Tobacco Production (SRTP) programme.
3. What policies does British American Tobacco have in place regarding working hours and breaks for workers engaged in tobacco farming on farms supplying tobacco to British American Tobacco or to British American Tobacco subsidiaries or suppliers? How does it monitor the implementation of these policies?
4. What policies does British American Tobacco have in place regarding payment of wages to workers on tobacco farms in its supply chain and deductions from workers' wages (such as for provision of water, transportation, or the like)? How does British American Tobacco monitor the implementation of these policies?
5. What policies does British American Tobacco have in place regarding provision of water, shade, sanitary facilities and hand washing facilities to workers on tobacco farms in its supply chain? How does it monitor the implementation of these policies?
6. What steps does British American Tobacco take to ensure that workers on tobacco farms in its supply chain, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns?

7. What policies does British American Tobacco have in place regarding the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals by tractor, given the risk of workers' exposure to pesticides as a result of drift when working near tractors that are spraying? How does British American Tobacco monitor the implementation of these policies?
8. What mechanisms does British American Tobacco have to ensure the freedom of association for workers on farms which supply tobacco to British American Tobacco and to its subsidiaries and suppliers? Does the company believe that freedom of association includes a process for employers to recognize employee associations for the purposes of collective bargaining? Has British American Tobacco established such a process on farms with which it or its subsidiaries contract?
9. Has British American Tobacco identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on tobacco farms supplying tobacco to British American Tobacco, its subsidiaries and suppliers, either from workers or from others in 2011, 2012 and 2013? If so, what actions has British American Tobacco taken?
10. Does British American Tobacco have a mechanism whereby workers in its global supply chain may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does British American Tobacco take to ensure that workers are informed of this mechanism and the manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What steps does British American Tobacco take to ensure that workers who file complaints do not face retaliation?
11. We would be grateful to receive brief data on British American Tobacco's total tobacco purchases in the United States as well as its total tobacco purchases in each of the following states: North Carolina, Kentucky, Tennessee, and Virginia, in 2011, 2012, and 2013.
12. We would be grateful for data on how these numbers compare to British American Tobacco's tobacco purchasing in other countries.
13. We would be grateful for data on worker deaths and injuries, if possible, disaggregated by age, gender, and ethnicity, for all countries from which British American Tobacco and its subsidiaries supply tobacco.

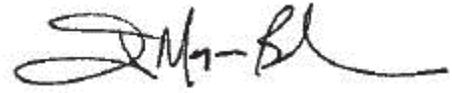
Human Rights Watch seeks to obtain information that will ensure accuracy in our reporting. We will be grateful if you could formally respond to this letter so we can incorporate your perspective into our analysis and our report. We would welcome your response by January 24, 2014.

We would also like to arrange a meeting with you or senior British American Tobacco staff and Human Rights Watch experts on child labor to discuss these issues. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We will also be in contact with your office in the coming weeks regarding a convenient time for a meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arvind Ganesan'.

Arvind Ganesan
Director
Business and Human Rights Division

A handwritten signature in black ink, appearing to read 'Jane Buchanan'.

Jane Buchanan
Associate Director
Children's Rights Division

21st January, 2014

Arvind Ganesan, Director, Human Rights Division
Jane Buchanan, Associate Director, Children's Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, 10118-3299

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Dear Mr Ganesan & Ms Buchanan,

Thank you for your letter dated 11 December 2013 and I note with concern the issues you raise around the use of child labour in US tobacco growing areas.

BAT's current global leaf purchases are around 430,000 tonnes per annum, of which around 2.5% are sourced from the US through third party leaf suppliers, one of which is our associate company, Reynolds American. Within the US, around 95% of the tobacco we purchase is sourced from the states of North Carolina, Kentucky, Tennessee and Virginia.

I have passed on the findings of your survey to Reynolds American and understand they will respond to you directly.

To be clear, British American Tobacco will not employ any children in any capacity in any industrial operation under its control and a Child Labour Policy which makes clear our commitment to the principles of protecting children from labour exploitation has been in place since 2000.

We agree fully with the position and guidance provided by the International Labour Organisation (ILO) in its efforts to promote the rights of the child and for decent work places for all. This includes Convention 138 on minimum age and Convention 182 on the worst forms of child labour.

The Company does acknowledge that it is sometimes customary in agricultural communities for children to play a part in day-to-day work on farms. Nevertheless, the Company aims to apply its commitment to protect children from labour exploitation to all third party leaf suppliers and expects that:

- a) The welfare and health & safety of children on tobacco farms are paramount at all times.

cont'd....

- b) Any form of farm practice including tobacco growing activities undertaken by children for the development of skills, do not conflict with or impede their proper educational development including school attendance. Long hours, normally considered excessive for a child, are clearly not acceptable, even if it is light work helping on the farm as part of the learning process.
- c) No farm activity that could be considered to put children at risk is undertaken by children. No child should be allowed access to moving machinery including driving tractors. All pesticides and other dangerous material need to be out of reach of children and clearly it is dangerous to a child's health to expect them to be involved in lifting heavy loads

The performance of contracted leaf growers in this and other labour and occupational health issues noted in your letter are monitored through our Social Responsibility in Tobacco Production programme (SRTP) and which all suppliers of tobacco leaf to British American Tobacco, including those in the US, are required to act in accordance with.

The programme sets out the minimum performance levels we expect of suppliers and demonstrates best practice by encouraging continuous improvement across our leaf supply chain. The overall score for our US suppliers of leaf in the child labour section of SRTP in 2013 is 98%.

We would be more than happy to meet with you in person to discuss further your findings.

Yours sincerely,

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

KINGSLEY J WHEATON

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Marie Warburg
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March 31, 2014

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

Dear Mr. Durante,

Thank you for your letter of January 21, 2014 and for the call of March 13, 2014. We appreciate the constructive dialogue with British American Tobacco. We have appreciated the opportunities to learn more about British American Tobacco's policies and practices concerning child labor.

We are writing today to share with you some additional information regarding the counties in North Carolina, Kentucky, and Tennessee in which children reported working. We are also taking this opportunity to share our key recommendations to businesses purchasing tobacco in the United States.

Counties where Children Reported Working

As we explained previously, consistent with our methodology for investigating human rights worldwide, we go to great lengths to protect the confidentiality of interviewees. Out of concern for interviewees' security, we are unable to report specific farms where children worked, but we can share a list of counties where children reported working in North Carolina, Kentucky, and Tennessee (attached). We do not preclude the possibility that children work in tobacco farming in other counties in these states. Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

While we hope our list of counties might help to guide British American Tobacco's efforts to address hazardous child labor on farms in its supply chain, we would encourage the company to do a comprehensive investigation of child labor in every county from which British American Tobacco purchases tobacco. Due to the small size of our team and the nature of our methodology, we are not in a position to conduct a broad survey to examine conditions in every tobacco-growing county in the US. However, our research indicated

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patterns of hazardous child labor on tobacco farms in many different locations, and we urge British American Tobacco to look beyond the counties we identified in order to investigate thoroughly child labor on all US tobacco farms in its supply chain.

Recommendations

We would like to take this opportunity to share our initial recommendations for tobacco manufacturing companies and tobacco leaf companies which we believe are essential to protect children from hazards particular to tobacco farming. We look forward to discussing these recommendations with you. Human Rights Watch has also developed detailed recommendations for other relevant actors, including the US Congress, the US Senate, the President of the United States, the US Department of Labor, the Environmental Protection Agency, tobacco-producing states, tobacco growers' associations and Farm Bureaus, agricultural employers, and the International Labour Organization.

Human Rights Watch bases these recommendations on our research findings which we detailed to you in our December 11, 2013 letter, extensive reviews of available public health literature, interviews with public health researchers, analysis of national laws and practice, analysis of ILO laws and reports, interviews with ILO experts on child labor, interviews with representatives of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), and ECLT materials.

Based on our findings, Human Rights Watch believes that no child under age 18 should be permitted to work with tobacco in any form, including plants of any size or dried tobacco leaves, due to the inherent health risks posed by nicotine and the pesticides applied to the crop.

Because exposure to tobacco in any form is unsafe, Human Rights Watch has determined, based on our field investigations and other research, that as a practical matter there is no way for children under 18 to work safely on US tobacco farms when they have direct contact with tobacco plants of any size or dried tobacco leaves, even if wearing protective equipment. Though protective equipment may help mitigate exposure to nicotine and pesticide residues, rain suits and watertight gloves would not completely eliminate absorption of toxins through the skin and would greatly increase children's risk of suffering heat-related illnesses. The inadequacy of protective equipment to protect children, as documented by Human Rights Watch in the US, seems likely to extend to tobacco farms outside the United States.

A number of countries have laws or regulations prohibiting all children from working in tobacco farming, or from performing the majority of tasks in which they come into direct contact with tobacco in any form, including Brazil, India, Malawi, Kazakhstan, Russia, and Uganda.

Recognizing the risks to children of work in tobacco farming, the US Department of Labor proposed regulations in 2011 that would have prohibited all children under 16 (the minimum age for hazardous work in agriculture in the US) from “all work in the tobacco production and curing, including, but not limited to such activities as planting, cultivating, topping, harvesting, baling, barning, and curing.” The regulations were withdrawn in 2012. The ILO Committee of Experts has strongly urged the US government to reconsider withdrawal of the proposed regulations. This evidence and our analysis are further detailed in our forthcoming report, as are additional recommendations. Our key recommendations to businesses purchasing tobacco in the United States include:

Regarding Child Labor

- Adopt and implement policies globally prohibiting the use of child labor anywhere in the supply chain. The policy should specify that hazardous work for children under 18 is prohibited, *including any work in which children come into direct contact with tobacco plants of any size and dried tobacco leaves.* Consistent with ILO conventions, the policy should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15, or the minimum age provided by the country’s laws, whichever affords greater protection. *The policy should specify that it is in effect throughout the supply chain in all countries irrespective of local laws that afford lesser protections.*
- Strive to phase out the use of child labor in the supply chain by establishing clear timeframes.
- Ensure that all contracts with growers and suppliers include specific language prohibiting the use of children in hazardous work under 18, including any work in which children come into contact with tobacco leaves of any size and dried tobacco leaves. Establish and carry out penalties for those in the supply chain who violate the no-child labor policy. The penalties should be sufficiently severe and consistently implemented so as to have a dissuasive effect. Discontinue contracts with farms that repeatedly violate the policy prohibiting child labor.
- Provide training to agronomists, suppliers, growers, workers, and others on the hazards to children of working in tobacco. Utilize outside experts on child labor to conduct these trainings where appropriate.
- Establish a regular and rigorous internal monitoring process in all countries in the supply chain.
- Engage qualified third-party monitoring for child labor in supply chains in all countries.

- Engage a third-party organization to develop a no-child labor policy as outlined above, including the structures for its effective implementation.
- Develop or enhance collaboration with local stakeholders to eliminate child labor on tobacco farms, including by:
 - Working with federal and local government officials, including the Office of Migrant Education, to ensure access to education for farmworker children.
 - Implementing, with meaningful input and participation from farmworker children, their families, and local stakeholders, free summer programs each year for both migrant and local children, as an alternative to working in tobacco farming. Programs should provide age-appropriate educational, recreational, and leadership development opportunities to children under 18.
 - Collaborating with local stakeholders to identify other summer employment opportunities for children as alternatives to working on tobacco farms.
 - Where possible, cooperating with the ILO's International Programme on the Elimination of Child Labour (IPEC), UNICEF, nongovernmental organizations, and others undertaking efforts to prevent child labor, including through the provision of alternatives to working in tobacco farming.
 - Establishing a scholarship fund to provide young farmworkers with economic support to pursue higher education. The scholarship application should account for the unique circumstances of farmworker children's educational paths.
 - Investing in rural health infrastructure to ensure tobacco workers and their children have access to health services.
 - Collaborating with land-grant universities and extension services to enhance agricultural education in tobacco-growing communities, and to provide farmworker families with access to land for small-scale agricultural enterprise.

Regarding Industry-Wide Multilateral Initiatives

- Develop an international industry-wide standard to prohibit hazardous work for children under 18 on tobacco farms, including any work in which children

come into contact with tobacco plants of any size and dried tobacco leaves; establish minimum age requirements consistent with ILO conventions.

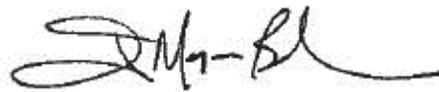
- Amend the US Tobacco Good Agricultural Practices (GAP) labor management guidelines to specify that hazardous work for children under 18 is prohibited, *including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves*. Consistent with ILO conventions, the standard should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15. This standard should be a contractual requirement for all US tobacco growers.
- Engage meaningfully in multi-stakeholder initiatives, including with a view to support tobacco industry efforts to promote the elimination of child labor in the tobacco supply chain, effective monitoring of these policies, and initiatives to support alternative employment, education, and recreational opportunities for children in tobacco-growing communities.
- Increase financial support to nongovernmental organizations working to eliminate hazardous child labor in tobacco farming.
- Establish a pooled fund to support programs that provide alternatives to child labor in US tobacco farming and/or consider expanding programs through the Eliminating Child Labour in Tobacco Growing Foundation to include the United States.

We look forward to discussing these recommendations with you and welcome any updates to British American Tobacco's existing policies and practices regarding child labor, so that we have the most up-to-date information for our research and reporting.

Best regards,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

Cc: Kingsley J. Wheaton, Director, Corporate & Regulatory Affairs

Counties where Children Reported Working

State	Counties
Kentucky	Barren
	Bath
	Bourbon
	Boyle
	Clark
	Crittenden
	Fayette
	Franklin
	Harrison
	Henry
	Lincoln
	McCrory
	Metcalfe
	Monroe
	Montgomery
	Pulaski
	Scott
Shelby	
Taylor	
Warren	
Washington	
Wayne	
North Carolina	Duplin
	Greene
	Johnston
	Jones
	Lenoir
	Martin
	Nash
	Onslow
	Pitt
	Sampson
	Wayne
	Wilson
Tennessee	Grainger
	Hawkins
	Jefferson
	Macon
	Sumner

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April 16, 2014



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To the members of the Farm Labor Practices Group,

We are writing to thank you for the opportunity to present our research and recommendations at the April 10, 2014 Farm Labor Practices Group plenary meeting in Raleigh. We were grateful for the informative and constructive discussion with all of you, and we look forward to continued dialogue and meaningful progress on many of the concerns identified.

As discussed during the meeting last week, we are sharing with you the slides from our presentation, along with additional information on the ages of the children we interviewed for this project. Please find a chart with this information below.

We are also writing to let you know that Human Rights Watch will publish the report with our research on child labor in tobacco farming in the US and relevant recommendations next month. The report will describe our methodology, findings, and analysis of US laws and international standards related to child labor. Consistent with Human Rights Watch's approach to our work worldwide, our report will include personal accounts from many of the children we interviewed, along with analysis of public health literature and national and international data. The report will also include a description of the policies and practices of several leading companies that purchase tobacco grown in the United States, including the six companies represented in the FLPG. It will also include detailed versions of the recommendations we presented at the meeting last week, including recommendations to tobacco manufacturing and tobacco leaf companies, the Obama administration, US Congress, state governments, and others.

We were encouraged to learn that the Farm Labor Practices Group took a decision to establish a working group on child labor, which has the possibility to make significant positive impacts. Human Rights Watch would welcome the opportunity to make further contributions to this group and looks forward to learning about the results of this group's efforts. At the same time, in line with the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) and other international standards and guidance, each company in the FLPG and other tobacco

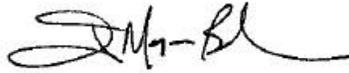
manufacturing and leaf companies individually have responsibilities to prevent and remedy human rights concerns, including hazardous child labor, in their supply chains.

Human Rights Watch is committed to accurately representing and publicizing the measures each company has taken to address child labor in supply chains globally. To that end, we would be pleased to report on any recent changes or further commitments made by your companies concerning policies on child labor. In order to reflect any commitments or policy changes in our publications, we would welcome responses to our recommendations shared with you during the plenary meeting as well as in the March 31 letter by April 30, 2014. We would also welcome written responses from other members of the FLPG to inform our ongoing research on child labor.

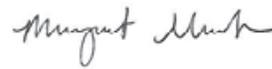
Sincerely,



Jo Becker
Advocacy Director
Children's Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



Margaret Wurth
Researcher
Children's Rights Division

Ages of Children Interviewed by Human Rights Watch

Age	NC	KY	TN	VA	TOTAL
7			1		1
8					0
9	2		2		4
10		1	1		2
11	1	1			2
12	3	2			5
13	5	1	2		8
14	14	8		2	24
15	15	11	1		27
16	20	10	2	1	33
17	12	5	1		18
18*	8	7	2		17
TOTAL	80	46	12	3	141

*All 18-year-old children interviewed for this report worked in tobacco as 17-year-old children in 2012.

Mean age of children interviewed: 15

Median age of children interviewed: 15

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John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

January 2, 2013

China National Tobacco
No. 55 Yue Tan Nan Street
Xicheng District, Beijing China (100045)

Dear Ling Chengqing,

Please accept my greetings on behalf of Human Rights Watch. Human Rights Watch is an international non-governmental human rights organization that conducts research and advocacy in over 90 countries around the world on a wide variety of human rights issues (see www.hrw.org). Among those issues is child labor, which we have reported on in the United States, El Salvador, Mali, Tanzania, Morocco, Uzbekistan, Indonesia, India, and other countries. In 2010 we published a report on hazardous child labor and other human rights abuses in tobacco farming in Kazakhstan.

We are writing to you today to share preliminary findings with you concerning our recent research on child labor in tobacco farming in the United States. We hope to initiate a constructive dialogue with China National Tobacco you regarding concerns related to child workers in tobacco farming. We are aware that China National Tobacco is one of the largest tobacco companies in the world and purchases tobacco from a number of global markets for use in its products.

From May-October 2013 Human Rights Watch conducted research on child labor in tobacco farming in North Carolina, Kentucky, Tennessee, and Virginia. We interviewed over 140 children ages 7-17 who stated that they worked in tobacco farming in 2012 or 2013, as well as children and parents who described other children working in tobacco farming. In our research and reporting we use the definition of child as any person under the age of 18, consistent with usage under international law.

The specific jobs children said they did on tobacco farms included: planting seedlings, weeding, thinning tobacco plants, repositioning plants that were leaning, topping, pulling off suckers, and applying pesticides.

On farms with flue-cured tobacco, children reported doing the following jobs: hand harvesting tobacco leaves, machine harvesting tobacco leaves,

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filling cages with tobacco leaves for drying, sorting tobacco leaves, and packing tobacco leaves.

On farms growing burley tobacco, children reported: cutting tobacco plants, carrying cut tobacco plants, spearing tobacco plants on sticks for hanging, carrying sticks with several tobacco plants, lifting sticks with several tobacco plants onto trucks or to workers to hang the sticks in the rafters of a barn, hanging sticks with tobacco plants in barns, taking down sticks of burley tobacco plants from barns, and stripping leaves off dried tobacco.

The vast majority of children with whom Human Rights Watch spoke were working for hire. Most children were hired by a labor contractor or a labor subcontractor. Some children were working directly for tobacco growers. Only a few children worked on family farms, without pay. A few of the very youngest children worked with their parents sporadically and without pay.

The vast majority of children interviewed by Human Rights Watch stated that they lived in the states in which they worked and worked primarily or exclusively in the summer months. Human Rights Watch also interviewed a few children who migrated to or within the United States for work.

Preliminary Findings

Health and Safety

Nicotine Poisoning/Green Tobacco Sickness and Other Health Risks

A majority of children interviewed by Human Rights Watch described experiencing symptoms consistent with acute nicotine poisoning (Green Tobacco Sickness) while working, including, variously, nausea, dizziness, lightheadedness, headaches, vomiting, and loss of appetite.

Some of these symptoms may be linked to pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Nearly all children interviewed by Human Rights Watch said they lacked personal protective equipment, which would help minimize the amount of exposure to wet tobacco leaves and tobacco leaves that had been treated with pesticides or other hazardous chemicals.

Some also reported difficulty sleeping together with symptoms of nicotine poisoning.

Some children also reported itchy skin and skin rashes.

Some children also told Human Rights Watch that water from tobacco plants would splash into their eyes or mouth during topping or pieces of tobacco leaves would fall into their eyes or mouth while lifting sticks with tobacco plants to be hung in barns.

A few children reported respiratory and allergic symptoms while working in tobacco fields or in curing barns.

Exposure to Pesticides and Growth Regulators

Many children interviewed by Human Rights Watch reported that they saw tractors spraying pesticides or growth regulators in the fields in which they were working or in fields adjacent to the ones in which they were working. These children often reported being able to smell and/or feel the chemical spray as it drifted towards them. Many reported some or all of the following symptoms after coming into contact with the spray: burning eyes, burning nose, itchy skin, nausea, vomiting, dizziness, redness and swelling of the mouth, and headaches.

A few children interviewed by Human Rights Watch stated that they applied pesticides to tobacco plants with a handheld sprayer and backpack and a few reported operating tractors that were spraying pesticides on tobacco fields.

Extreme Temperatures

All children interviewed by Human Rights Watch stated that they often worked in high temperatures and high humidity typical for the summer months in North Carolina, Kentucky, Tennessee and Virginia, and many stated that they were expected to work without additional breaks in such conditions.

Water

Most children interviewed by Human Rights Watch stated that the contractor or grower provided water to them while working, usually from a cooler. Some children told Human Rights Watch that the water provided was not clean or drinkable. Other children told Human Rights Watch that employers did not provide water at all.

Lack of Shade

Many children interviewed by Human Rights Watch stated that they did not have the opportunity to shelter in shade during the work day. Some children reported that the shade available was inside vehicles used to transport the workers to the worksite, or in wooded areas, in the event the worksite was located near a wooded area.

Lack of Sanitary Facilities

Very few children interviewed by Human Rights Watch reported having access to a bathroom. Most children told Human Rights Watch that they would relieve themselves in wooded areas, if there were any near to the worksite, or refrain from relieving themselves at all during the day, including by declining to drink liquids during the day. Some children told Human Rights Watch

that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would use a bathroom.

Lack of Hand Washing Facilities

Most children interviewed by Human Rights Watch stated that they did not have access to hand washing facilities. Many children stated that they rinsed their hands with water from the cooler provided, but did not use soap to wash their hands.

Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would be allowed to wash their hands.

Lack of Personal Protective Equipment

Almost none of the children interviewed by Human Rights Watch were given any kind of personal protective equipment by their employer.

Many children interviewed by Human Rights Watch wore black plastic garbage bags over their clothes to prevent their clothes from becoming soaked by water on the tobacco plants after rain or in high humidity conditions that created heavy dew. Children's parents typically bought the plastic bags for them to wear. Some children interviewed by Human Rights Watch did not wear plastic garbage bags because doing so made them overheat.

Most children interviewed by Human Rights Watch wore latex or cloth gloves, which in most cases they or their parents bought. Some child workers said that the gloves available were too large for their hands or it was difficult for them to perform the work at the pace required while wearing gloves, so they worked without them.

Several children told Human Rights Watch that they worked in bare feet or socks when the mud in the fields was deep and they lacked appropriate footwear.

Repetitive Motions and Lifting Heavy Loads

Children interviewed by Human Rights Watch described performing prolonged repetitive motions, including working bent over at the waist, twisting their wrists to top tobacco plants, crawling on hands and knees, or reaching above their heads for extended periods of time. Children reported muscle soreness, aches, and pain in their backs, shoulders, arms, hands, and fingers after engaging in repetitive motions.

Human Rights Watch interviewed child workers who reported loading heavy sticks of harvested tobacco plants onto flatbed wagons to be transported to barns for curing. Children also said they lifted heavy sticks of tobacco plants over their heads to other workers who would hang the sticks in the rafters of barns for curing.

Work with Dangerous Tools, Machinery, and at Heights

Some children interviewed by Human Rights Watch stated that they used hoes to remove weeds from tobacco fields, as well as axes or hatchets to cut burley tobacco during the harvest and spikes to spear burley tobacco plants. Some children told us they sustained cuts and puncture wounds from working with these sharp tools.

A few children said they operated or worked in close proximity to dangerous machinery, including mowers used to trim tobacco plants, tractors used to harvest tobacco leaves, and balers used to compress leaves into bales. In Kentucky, Human Rights Watch interviewed a few children who drove tractors while working in tobacco. Some children reported injuries related to operating or being near heavy machinery.

Human Rights Watch interviewed children who told us they climbed into the rafters of barns, with and without ladders, to hang sticks of harvested burley tobacco to dry. Children described climbing to significant heights as crews of workers formed several tiers to pass sticks of tobacco upward to be hung in the barn for curing. While engaging in this work, children said, they straddled planks that were sometimes positioned two or three feet apart.

Wages and Hours

Wages

Most children we interviewed reported earning minimum hourly wage for their work. Some children reported being paid by check, and some were paid in cash.

Some children interviewed by Human Rights Watch received less than minimum wage. Some children reported to Human Rights Watch earning more than minimum wage. Some children interviewed by Human Rights Watch said that they earned piece rate wages during the burley tobacco harvest based on the number of tobacco plants they cut and/or hung in barns.

Some children reported to Human Rights Watch problems with wages including deductions by the contractor or grower for water or for reasons that were not explained to them or because of what they believed was inaccurate recording of hours by contractors.

Working Hours

Children interviewed by Human Rights Watch described working long hours, typically between 10-12 hours per day, and sometimes more. Some children worked shorter days, including because the day's work had been completed or because the contractor or grower allowed workers to end the day early due to heavy rain or very high heat. Other children reported working through adverse weather conditions.

Most children interviewed by Human Rights Watch worked 5 days per week; some worked fewer, and some children reported working 6 or 7 days per week.

Nearly all children interviewed by Human Rights Watch stated that they were allowed 2 or 3 breaks per day.

Education

Some children interviewed by Human Rights Watch had migrated for work and missed several months of school. Some children reported skipping days of school to work in tobacco. Some children reported working long hours after school that interfered with their ability to keep up with schoolwork.

Questions

We are interested in learning more about the policies and practices China National Tobacco has in place regarding child labor and other human rights issues in its global supply chain, including with regard to its subsidiaries and suppliers. In particular, we are interested in the following information:

1. What policies or procedures does China National Tobacco have in place regarding the use of child labor in tobacco farming on farms supplying tobacco to China National Tobacco or to intermediary companies from which China National Tobacco buys tobacco?
2. How does China National Tobacco monitor the treatment of child workers on farms supplying tobacco to China National Tobacco or to intermediary companies from which China National Tobacco buys tobacco?
3. Does China National Tobacco have policies or procedures to prevent and alleviate labor rights violations, and other human rights violations on farms in its global supply chain? What are these policies or procedures?
4. What policies does China National Tobacco have in place regarding working hours and breaks for workers on tobacco farms in its supply chain? How does it monitor the implementation of these policies?

5. What policies does China National Tobacco have in place regarding payment of wages to workers on tobacco farms in its supply chain and informal deductions from workers' wages (such as for provision of water, transportation, or the like)? How does China National Tobacco monitor the implementation of these policies?
6. What policies does China National Tobacco have in place regarding provision of water, shade, sanitary facilities and hand washing facilities to workers on tobacco farms in its supply chain? How does it monitor the implementation of these policies?
7. What steps does China National Tobacco take to ensure that workers on tobacco farms in its supply chain, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns?
8. What policies does China National Tobacco have in place regarding the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals by tractor, given the risk of workers' exposure to pesticides as a result of drift when working near tractors that are spraying? How does China National Tobacco monitor the implementation of these policies?
9. What mechanisms does China National Tobacco have to ensure the freedom of association for workers on tobacco farms in its supply chain? Does the company believe that freedom of association includes a process for employers to recognize employee associations for the purposes of collective bargaining? Has China National Tobacco established such a process on farms with which it contracts?
10. Has China National Tobacco identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on its tobacco fields either from workers or from others in 2011, 2012 and 2013? If so, what actions has China National Tobacco taken?
11. Does China National Tobacco have a mechanism whereby workers employed on farms supplying tobacco to China National Tobacco may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does China National Tobacco take to ensure that workers are informed of this mechanism and the manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What steps does China National Tobacco take to ensure that workers who file complaints do not face retaliation?
12. We would be grateful to receive brief data on China National Tobacco's total tobacco purchases in the United States as well as its total tobacco purchases in each of the

following states: North Carolina, Kentucky, Tennessee, and Virginia, in 2011, 2012, and 2013.

13. We would be grateful for data on how these numbers compare to China National Tobacco's tobacco purchasing in other countries.

14. We would be grateful for data on worker deaths and injuries, if possible disaggregated by age, gender, and ethnicity, for all countries from which China National Tobacco and its subsidiaries supply tobacco.

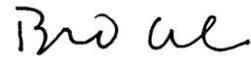
Human Rights Watch seeks to obtain information that will ensure accuracy in our reporting. We will be grateful if you could formally respond to this letter so that we can incorporate your perspective into our analysis and our report. We would welcome your response by January 24, 2014.

We would also like to arrange a meeting with you or senior China National Tobacco staff and Human Rights Watch experts on child labor to discuss these issues. You may reach us by email or phone to arrange a mutually convenient time for such a meeting. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We will also be in contact your office in the coming weeks regarding a convenient time for a meeting.

Sincerely,



Arvind Ganesan
Director
Business and Human Rights Division



Brad Adams
Executive Director
Asia Division

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Darian W. Swig
John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

March 31, 2014

China National Tobacco
55 Yuetan South Street
Xicheng District, Beijing 100045
China

中国北京西城区月坛南街 55 号 (100045)

Dear Ling Chengqing,

We are writing today to share with you some additional information regarding our research on child labor in US tobacco farming, and to reiterate our interest in meeting with you or senior China National Tobacco staff to discuss these issues. We are also taking this opportunity to share our key recommendations to businesses purchasing tobacco in the United States.

Counties where Children Reported Working

As we explained previously, consistent with our methodology for investigating human rights worldwide, we go to great lengths to protect the confidentiality of interviewees. Out of concern for interviewees' security, we are unable to report specific farms where children worked, but we can share a list of counties where children reported working in North Carolina, Kentucky, and Tennessee (attached). Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

While we hope our list of counties might help to guide China National Tobacco's efforts to address hazardous child labor on farms in its supply chain, we would encourage the company to do a comprehensive investigation of child labor in every county from which China National Tobacco purchases tobacco. Due to the small size of our team and the nature of our methodology, we are not in a position to conduct a broad survey to examine conditions in every tobacco-growing county in the US. However, our research indicated patterns of hazardous child labor on tobacco farms in many different locations, and we urge China National Tobacco to look beyond the counties we identified in order to investigate thoroughly child labor on all US tobacco farms in its supply chain.

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Recommendations

We would like to take this opportunity to share our initial recommendations for tobacco manufacturing companies and tobacco leaf companies which we believe are essential to protect children from hazards particular to tobacco farming. We look forward to discussing these recommendations with you. Human Rights Watch has also developed detailed recommendations for other relevant actors, including the US Congress, the US Senate, the President of the United States, the US Department of Labor, the Environmental Protection Agency, tobacco-producing states, tobacco growers' associations and Farm Bureaus, agricultural employers, and the International Labour Organization.

Human Rights Watch bases these recommendations on our research findings which we detailed to you in our January 2, 2014 letter, extensive reviews of available public health literature, interviews with public health researchers, analysis of national laws and practice, analysis of ILO laws and reports, interviews with ILO experts on child labor, interviews with representatives of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), and ECLT materials.

Based on our findings, Human Rights Watch believes that no child under age 18 should be permitted to work with tobacco in any form, including plants of any size or dried tobacco leaves, due to the inherent health risks posed by nicotine and the pesticides applied to the crop.

Because exposure to tobacco in any form is unsafe, Human Rights Watch has determined, based on our field investigations and other research, that as a practical matter there is no way for children under 18 to work safely on US tobacco farms when they have direct contact with tobacco plants of any size or dried tobacco leaves, even if wearing protective equipment. Though protective equipment may help mitigate exposure to nicotine and pesticide residues, rain suits and watertight gloves would not completely eliminate absorption of toxins through the skin and would greatly increase children's risk of suffering heat-related illnesses. The inadequacy of protective equipment to protect children, as documented by Human Rights Watch in the US, seems likely to extend to tobacco farms outside the United States.

A number of countries have laws or regulations prohibiting all children from working in tobacco farming, or from performing the majority of tasks in which they come into direct contact with tobacco in any form, including Brazil, India, Malawi, Kazakhstan, Russia, and Uganda.

Recognizing the risks to children of work in tobacco farming, the US Department of Labor proposed regulations in 2011 that would have prohibited all children under 16 (the minimum age for hazardous work in agriculture in the US) from "all work in the

tobacco production and curing, including, but not limited to such activities as planting, cultivating, topping, harvesting, baling, barning, and curing.” The regulations were withdrawn in 2012. The ILO Committee of Experts has strongly urged the US government to reconsider withdrawal of the proposed regulations.

This evidence and our analysis are further detailed in our forthcoming report, as are additional recommendations. Our key recommendations to businesses purchasing tobacco in the United States include:

Regarding Child Labor

- Adopt and implement policies globally prohibiting the use of child labor anywhere in the supply chain. The policy should specify that hazardous work for children under 18 is prohibited, *including any work in which children come into direct contact with tobacco plants of any size and dried tobacco leaves.* Consistent with ILO conventions, the policy should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15, or the minimum age provided by the country’s laws, whichever affords greater protection. *The policy should specify that it is in effect throughout the supply chain in all countries irrespective of local laws that afford lesser protections.*
- Strive to phase out the use of child labor in the supply chain by establishing clear timeframes.
- Ensure that all contracts with growers and suppliers should include specific language prohibiting the use of children in hazardous work under 18, including any work in which children come into contact with tobacco leaves of any size and dried tobacco leaves. Establish and carry out penalties for those in the supply chain who violate the no-child labor policy. The penalties should be sufficiently severe and consistently implemented so as to have a dissuasive effect. Discontinue contracts with farms that repeatedly violate the policy prohibiting child labor.
- Provide training to agronomists, suppliers, growers, workers, and others on the hazards to children of working in tobacco. Utilize outside experts on child labor to conduct these trainings where appropriate.
- Establish a regular and rigorous internal monitoring process in all countries in the supply chain.
- Engage qualified third-party monitoring for child labor in supply chains in all countries.

- Engage a third-party organization to develop a no-child labor policy as outlined above, including the structures for its effective implementation.
- Develop or enhance collaboration with local stakeholders to eliminate child labor on tobacco farms, including by:
 - Working with federal and local government officials, including the Office of Migrant Education, to ensure access to education for farmworker children.
 - Implementing, with meaningful input and participation from farmworker children, their families, and local stakeholders, free summer programs each year for both migrant and local children, as an alternative to working in tobacco farming. Programs should provide age-appropriate educational, recreational, and leadership development opportunities to children under 18.
 - Collaborating with local stakeholders to identify other summer employment opportunities for children as alternatives to working on tobacco farms.
 - Where possible, cooperating with the ILO’s International Programme on the Elimination of Child Labour (IPEC), UNICEF, nongovernmental organizations, and others undertaking efforts to prevent child labor, including through the provision of alternatives to working in tobacco farming.
 - Establishing a scholarship fund to provide young farmworkers with economic support to pursue higher education. The scholarship application should account for the unique circumstances of farmworker children’s educational paths.
 - Investing in rural health infrastructure to ensure tobacco workers and their children have access to health services.
 - Collaborating with land-grant universities and extension services to enhance agricultural education in tobacco-growing communities, and to provide farmworker families with access to land for small-scale agricultural enterprise.

Regarding Industry-Wide Multilateral Initiatives

- Develop an international industry-wide standard to prohibit hazardous work for children under 18 on tobacco farms, including any work in which children

come into contact with tobacco plants of any size and dried tobacco leaves; establish minimum age requirements consistent with ILO conventions.

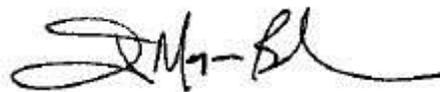
- Amend the US Tobacco Good Agricultural Practices (GAP) labor management guidelines to specify that hazardous work for children under 18 is prohibited, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves. Consistent with ILO conventions, the standard should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15. This standard should be a contractual requirement for all US tobacco growers.
- Engage meaningfully in multi-stakeholder initiatives, including with a view to support tobacco industry efforts to promote the elimination of child labor in the tobacco supply chain, effective monitoring of these policies, and initiatives to support alternative employment, education, and recreational opportunities for children in tobacco-growing communities.
- Increase financial support to nongovernmental organizations working to eliminate hazardous child labor in tobacco farming.
- Establish a pooled fund to support programs that provide alternatives to child labor in US tobacco farming and/or consider expanding programs through the Eliminating Child Labour in Tobacco Growing Foundation to include the United States.

Human Rights Watch welcomes any information you can share with us regarding China National Tobacco's child labor policies and practices. We would also like to arrange a meeting with you or senior China National Tobacco staff and Human Rights Watch experts on child labor to discuss these issues. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We look forward to discussing these recommendations with you.

Best regards,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

Counties where Children Reported Working

State	Counties
Kentucky	Barren
	Bath
	Bourbon
	Boyle
	Clark
	Crittenden
	Fayette
	Franklin
	Harrison
	Henry
	Lincoln
	McCrory
	Metcalfe
	Monroe
	Montgomery
	Pulaski
	Scott
Shelby	
Taylor	
Warren	
Washington	
Wayne	
North Carolina	Duplin
	Greene
	Johnston
	Jones
	Lenoir
	Martin
	Nash
	Onslow
	Pitt
	Sampson
	Wayne
	Wilson
Tennessee	Grainger
	Hawkins
	Jefferson
	Macon
	Sumner

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April 16, 2014

To the members of the Farm Labor Practices Group,

We are writing to thank you for the opportunity to present our research and recommendations at the April 10, 2014 Farm Labor Practices Group plenary meeting in Raleigh. We were grateful for the informative and constructive discussion with all of you, and we look forward to continued dialogue and meaningful progress on many of the concerns identified.

As discussed during the meeting last week, we are sharing with you the slides from our presentation, along with additional information on the ages of the children we interviewed for this project. Please find a chart with this information below.

We are also writing to let you know that Human Rights Watch will publish the report with our research on child labor in tobacco farming in the US and relevant recommendations next month. The report will describe our methodology, findings, and analysis of US laws and international standards related to child labor. Consistent with Human Rights Watch's approach to our work worldwide, our report will include personal accounts from many of the children we interviewed, along with analysis of public health literature and national and international data. The report will also include a description of the policies and practices of several leading companies that purchase tobacco grown in the United States, including the six companies represented in the FPLG. It will also include detailed versions of the recommendations we presented at the meeting last week, including recommendations to tobacco manufacturing and tobacco leaf companies, the Obama administration, US Congress, state governments, and others.

We were encouraged to learn that the Farm Labor Practices Group took a decision to establish a working group on child labor, which has the possibility to make significant positive impacts. Human Rights Watch would welcome the opportunity to make further contributions to this group and looks forward to learning about the results of this group's efforts. At the same time, in line with the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) and other international standards and guidance, each company in the FPLG and other tobacco

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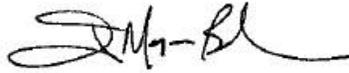
manufacturing and leaf companies individually have responsibilities to prevent and remedy human rights concerns, including hazardous child labor, in their supply chains.

Human Rights Watch is committed to accurately representing and publicizing the measures each company has taken to address child labor in supply chains globally. To that end, we would be pleased to report on any recent changes or further commitments made by your companies concerning policies on child labor. In order to reflect any commitments or policy changes in our publications, we would welcome responses to our recommendations shared with you during the plenary meeting as well as in the March 31 letter by April 30, 2014. We would also welcome written responses from other members of the FLPG to inform our ongoing research on child labor.

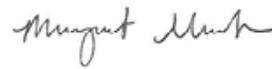
Sincerely,



Jo Becker
Advocacy Director
Children's Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



Margaret Wurth
Researcher
Children's Rights Division

Ages of Children Interviewed by Human Rights Watch

Age	NC	KY	TN	VA	TOTAL
7			1		1
8					0
9	2		2		4
10		1	1		2
11	1	1			2
12	3	2			5
13	5	1	2		8
14	14	8		2	24
15	15	11	1		27
16	20	10	2	1	33
17	12	5	1		18
18*	8	7	2		17
TOTAL	80	46	12	3	141

*All 18-year-old children interviewed for this report worked in tobacco as 17-year-old children in 2012.

Mean age of children interviewed: 15

Median age of children interviewed: 15

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Ambassador Robin Sanders
Javier Solana
Siri Stolt-Nielsen
Darian W. Swig
John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

December 11, 2013

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

Dear Ms. Cooper,

Please accept my greetings on behalf of Human Rights Watch. Human Rights Watch is an international non-governmental human rights organization that conducts research and advocacy in over 90 countries around the world on a wide variety of human rights issues (see www.hrw.org). Among those issues is child labor, which we have reported on in the United States, El Salvador, Mali, Tanzania, Morocco, Uzbekistan, Indonesia, India, and other countries. In 2010 we published a report on hazardous child labor and other human rights abuses in tobacco farming in Kazakhstan.

We are writing to you today to share preliminary findings with you concerning our recent research on child labor in tobacco farming in the United States. We hope to initiate a constructive dialogue with Imperial Tobacco Group regarding concerns related to child workers in tobacco farming.

From May-October 2013 Human Rights Watch conducted research on child labor in tobacco farming in North Carolina, Kentucky, Tennessee, and Virginia. We interviewed over 140 children ages 7-17 who stated that they worked in tobacco farming in 2012 or 2013, as well as children and parents who described other children working in tobacco farming.

The specific jobs children said they did on tobacco farms included: planting seedlings, weeding, thinning tobacco plants, repositioning plants that were leaning, topping, pulling off suckers, and applying pesticides.

On farms with flue-cured tobacco, children reported doing the following jobs: hand harvesting tobacco leaves, machine harvesting tobacco leaves, filling cages with tobacco leaves for drying, sorting tobacco leaves, and packing tobacco leaves.

On farms growing burley tobacco, children reported: cutting tobacco plants, carrying cut tobacco plants, spearing tobacco plants on sticks for hanging, carrying sticks with several tobacco plants, lifting sticks with several tobacco plants onto trucks or to workers to hang the sticks in the rafters of a barn, hanging sticks with tobacco plants in barns, taking down sticks of burley tobacco plants from barns, and stripping leaves off dried tobacco.

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The vast majority of children with whom Human Rights Watch spoke were working for hire. Most children were hired by a labor contractor or a labor subcontractor. Some children were working directly for tobacco growers. Only a few children worked on family farms, without pay. A few of the very youngest children worked with their parents sporadically and without pay.

The vast majority of children interviewed by Human Rights Watch stated that they lived in the states in which they worked and worked primarily or exclusively in the summer months. Human Rights Watch also interviewed a few children who migrated to or within the United States for work.

Preliminary Findings

Health and Safety

Nicotine Poisoning/Green Tobacco Sickness and Other Health Risks

A majority of children interviewed by Human Rights Watch described experiencing symptoms consistent with acute nicotine poisoning (Green Tobacco Sickness) while working, including, variously, nausea, dizziness, lightheadedness, headaches, vomiting, and loss of appetite.

Some of these symptoms may be linked to pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Nearly all children interviewed by Human Rights Watch said they lacked personal protective equipment, which would help minimize the amount of exposure to wet tobacco leaves and tobacco leaves that had been treated with pesticides or other hazardous chemicals.

Some also reported difficulty sleeping together with symptoms of nicotine poisoning.

Some children also reported itchy skin and skin rashes.

Some children also told Human Rights Watch that water from tobacco plants would splash into their eyes or mouth during topping or pieces of tobacco leaves would fall into their eyes or mouth while lifting sticks with tobacco plants to be hung in barns.

A few children reported respiratory and allergic symptoms while working in tobacco fields or in curing barns.

Exposure to Pesticides and Growth Regulators

Many children interviewed by Human Rights Watch reported that they saw tractors spraying pesticides or growth regulators in the fields in which they were working or in fields adjacent to the ones in which they were working. These children often reported being able to smell and/or feel the chemical spray as it drifted towards them. Many reported some or all of the following symptoms after coming into contact with the spray: burning eyes, burning nose, itchy skin, nausea, vomiting, dizziness, redness and swelling of the mouth, and headaches.

A few children interviewed by Human Rights Watch stated that they applied pesticides to tobacco plants with a handheld sprayer and backpack and a few reported operating tractors that were spraying pesticides on tobacco fields.

Extreme Temperatures

All children interviewed by Human Rights Watch stated that they often worked in high temperatures and high humidity typical for the summer months in North Carolina, Kentucky, Tennessee and Virginia, and many stated that they were expected to work without additional breaks in such conditions.

Water

Most children interviewed by Human Rights Watch stated that the contractor or grower provided water to them while working, usually from a cooler. Some children told Human Rights Watch that the water provided was not clean or drinkable. Other children told Human Rights Watch that employers did not provide water at all.

Lack of Shade

Many children interviewed by Human Rights Watch stated that they did not have the opportunity to shelter in shade during the work day. Some children reported that the shade available was inside vehicles used to transport the workers to the worksite, or in wooded areas, in the event the worksite was located near a wooded area.

Lack of Sanitary Facilities

Very few children interviewed by Human Rights Watch reported having access to a bathroom. Most children told Human Rights Watch that they would relieve themselves in wooded areas, if there were any near to the worksite, or refrain from relieving themselves at all during the day, including by declining to drink liquids. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would use a bathroom.

Lack of Hand Washing Facilities

Most children interviewed by Human Rights Watch stated that they did not have access to hand washing facilities. Many children stated that they rinsed their hands with water from the cooler provided, but did not use soap to wash their hands.

Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would be allowed to wash their hands.

Lack of Personal Protective Equipment

Almost none of the children interviewed by Human Rights Watch were given any kind of personal protective equipment by their employer.

Many children interviewed by Human Rights Watch wore black plastic garbage bags over their clothes to prevent their clothes from becoming soaked by water on the tobacco plants after rain or in high humidity conditions that created heavy dew. Children's parents typically bought the plastic bags for them to wear. Some children interviewed by Human Rights Watch did not wear plastic garbage bags because doing so made them overheat.

Most children interviewed by Human Rights Watch wore latex or cloth gloves, which in most cases they or their parents bought. Some child workers said that the gloves available were too large for their hands or it was difficult for them to perform the work at the pace required while wearing gloves, so they worked without them.

Several children told Human Rights Watch that they worked in bare feet or socks when the mud in the fields was deep and they lacked appropriate footwear.

Repetitive Motions and Lifting Heavy Loads

Children interviewed by Human Rights Watch described performing prolonged repetitive motions, including working bent over at the waist, twisting their wrists to top tobacco plants, crawling on hands and knees, or reaching above their heads for extended periods of time. Children reported muscle soreness, aches, and pain in their backs, shoulders, arms, hands, and fingers after engaging in repetitive motions.

Human Rights Watch interviewed child workers who reported loading heavy sticks of harvested tobacco plants onto flatbed wagons to be transported to barns for curing. Children also said they lifted heavy sticks of tobacco plants over their heads to other workers who would hang the sticks in the rafters of barns for curing.

Work with Dangerous Tools, Machinery, and at Heights

Some children interviewed by Human Rights Watch stated that they used hoes to remove weeds from tobacco fields, as well as axes or hatchets to cut burley tobacco during the harvest and spikes to spear burley tobacco plants. Some children told us they sustained cuts and puncture wounds from working with these sharp tools.

A few children said they operated or worked in close proximity to dangerous machinery, including mowers used to trim tobacco plants, tractors used to harvest tobacco leaves, and balers used to compress leaves into bales. In Kentucky, Human Rights Watch interviewed a few children who drove tractors while working in tobacco. Some children reported injuries related to operating or being near heavy machinery.

Human Rights Watch interviewed children who told us they climbed into the rafters of barns, with and without ladders, to hang sticks of harvested burley tobacco to dry. Children described climbing to significant heights as crews of workers formed several tiers to pass sticks of tobacco upward to be hung in the barn for curing. While engaging in this work, children said, they straddled planks that were sometimes positioned two or three feet apart.

Wages and Hours

Wages

Most children we interviewed reported earning minimum hourly wage for their work. Some children reported being paid by check and some were paid in cash.

Some children interviewed by Human Rights Watch received less than minimum wage. Some children reported to Human Rights Watch earning more than minimum wage. Some children interviewed by Human Rights Watch said that they earned piece rate wages during the burley tobacco harvest based on the number of tobacco plants they cut and/or hung in barns.

Some children reported to Human Rights Watch problems with wages including deductions by the contractor or grower for water or for reasons that were not explained to them or because of what they believed was inaccurate recording of hours by contractors.

Working Hours

Children interviewed by Human Rights Watch described working long hours, typically between 10-12 hours per day, and sometimes more. Some children worked shorter days, because the day's work had been completed or because the contractor or grower allowed workers to end the day early due to heavy rain or very high heat. Other children reported working through adverse weather conditions.

Most children interviewed by Human Rights Watch worked 5 days per week; some worked fewer, and some children reported working 6 or 7 days per week.

Nearly all children interviewed by Human Rights Watch stated that they were allowed 2 or 3 breaks per day.

Education

Some children interviewed by Human Rights Watch had migrated for work and missed several months of school. Some children reported skipping days of school to work in tobacco. Some children reported working long hours after school that interfered with their ability to keep up with schoolwork.

Questions

We are interested in learning more about the policies and practices Imperial Tobacco Group has in place regarding child labor and other labor practices in its global supply chain, including in the United States. We are aware, that Imperial Tobacco Group has stated on its website, that it will “follow and reference internationally recognised standards for good practice including... ILO core conventions for human rights and employment practices.” In particular, we are interested in the following information:

1. What policies or procedures does Imperial Tobacco Group have in place regarding the use of child labor in tobacco farming on farms supplying tobacco to Imperial Tobacco Group or to Imperial Tobacco Group subsidiaries and suppliers?
2. How does Imperial Tobacco Group monitor the treatment of child workers on farms supplying tobacco to Imperial Tobacco Group or to its subsidiaries and suppliers?

3. Does Imperial Tobacco Group have policies or procedures to prevent and alleviate labor rights violations, and other human rights violations in its global supply chain? What are these policies or procedures?
4. What policies does Imperial Tobacco Group have in place regarding working hours and breaks for workers engaged in tobacco farming on farms supplying tobacco to Imperial Tobacco Group or to its subsidiaries and suppliers? How does it monitor the implementation of these policies?
5. What policies does Imperial Tobacco Group have in place regarding payment of wages to workers on tobacco farms in its supply chain and deductions from workers' wages (such as for provision of water, transportation, or the like)? How does Imperial Tobacco Group monitor the implementation of these policies?
6. What policies does Imperial Tobacco Group have in place regarding provision of water, shade, sanitary facilities and hand washing facilities to workers on tobacco farms in its supply chain? How does it monitor the implementation of these policies?
7. What steps does Imperial Tobacco Group take to ensure that workers on tobacco farms in its supply chain, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns?
8. What policies does Imperial Tobacco Group have in place regarding the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals by tractor, given the risk of workers' exposure to pesticides as a result of drift when working near tractors that are spraying? How does Imperial Tobacco Group monitor the implementation of these policies?
9. What mechanisms does Imperial Tobacco Group have to ensure the freedom of association for workers on farms which supply tobacco to Imperial Tobacco Group and to its subsidiaries and suppliers? Does the company believe that freedom of association includes a process for employers to recognize employee associations for the purpose of collective bargaining? Has Imperial Tobacco Group established such a process on farms with which it or its subsidiaries contract?
10. Has Imperial Tobacco Group identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on tobacco farms supplying tobacco to Imperial Tobacco Group, its subsidiaries and suppliers, either from workers or from others in 2011, 2012 and 2013? If so, what actions has Imperial Tobacco Group taken?
11. Does Imperial Tobacco Group have a mechanism whereby workers in its global supply chain may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does Imperial Tobacco Group take to ensure that workers are informed of this

mechanism and the manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What steps does Imperial Tobacco Group take to ensure workers who file complaints do not face retaliation?

12. We would be grateful to receive brief data on Imperial Tobacco Group's total tobacco purchases in the United States as well as its total tobacco purchases in each of the following states: North Carolina, Kentucky, Tennessee, and Virginia, in 2011, 2012, and 2013.
13. We would be grateful for data on how these numbers compare to Imperial Tobacco Group's tobacco purchasing in other countries.
14. We would be grateful for data on worker deaths and injuries, if possible disaggregated by age, gender, and ethnicity, for all countries from which Imperial Tobacco Group and its subsidiaries supply tobacco.

Human Rights Watch seeks to obtain information that will ensure accuracy in our reporting. We will be grateful if you can formally respond to this letter so that we can incorporate your perspective into our analysis and our report. We would welcome your response by January 24, 2014.

We would also like to arrange a meeting with you or senior Imperial Tobacco Group staff and Human Rights Watch experts on child labor to discuss these issues. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We will also be in contact with your office in the coming weeks regarding a convenient time for a meeting.

Sincerely,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



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22 January 2014

Dear Ms Jane Buchanan and Mr Arvind Ganesan,

I am writing in response to your letter, which was dated 11th December 2013 and passed to me by the CEO's office. The letter posed a number of questions in relation to human rights and child labour in our global supply chain, including in the United States of America.

I thank you for the interest that you have shown in our company's sourcing practices and for the opportunity to provide further information, in addition to that disclosed in the 'Responsibility' section of our corporate website www.imperial-tobacco.com/cr.

Child Labour

Imperial Tobacco's policy is to ensure that the Group and its subsidiaries do not employ children.

We are committed to working with our suppliers to encourage their compliance with international standards on child labour. We work with relevant stakeholders to eliminate the exploitation of children in the tobacco sector.

This applies to all our global operations and suppliers.

We consider that the freedom from child labour is essential for the development and wellbeing of children, for the protection of children's rights and the promotion of socio-economic development.

We understand that child labour refers to any work that subjects a child to economic exploitation or is hazardous, or interferes with the child's education, or is harmful to the child's health or physical, mental or social development. Child labour can therefore be defined as 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).

Supplier Standards and Code of Conduct

In our supply chain we seek to promote fair and decent work. Our supplier standards therefore address working conditions including fair remuneration, working hours, freedom from forced labour, child labour, respect, non-discrimination and health and safety.

We expect all of our suppliers to be aligned with working practices as defined within our Code of Conduct. Our Code of Conduct is available on our website and details the expectations we place on all our employees and suppliers. Relevant areas of our Code of Conduct include 'Responsible Procurement and Supplier Partnerships', 'A Healthy and Safe Working Environment' and 'Human Rights'.

Tobacco Origins

We purchase the majority of our raw tobacco from third party suppliers, mainly through the leading international leaf supplying companies. Our tobacco is sourced from various countries including Brazil, China, India, EU member states and Tanzania. A small amount of our tobacco is purchased through direct involvement in the cultivation of tobacco leaf, principally in Madagascar, Morocco and Laos. In addition, a small percentage of our tobacco (under 5%) is purchased from the US through our international leaf merchants.

Standards for tobacco leaf suppliers

Continuity of good-quality tobacco supplies is a strategic issue and it is therefore important for us to address supply chain sustainability, which we continue to do through our Social Responsibility in Tobacco Production (SRiTP) programme. This applies to all of our suppliers globally.

SRiTP monitors the social, environmental and economic standards in our tobacco supply, from farms through to the leaf processing facilities that produce the finished agricultural products ready for shipping. SRiTP places an emphasis on continuous improvement and the ability of all parties to work together to find solutions to supply chain social and environmental issues.

Whilst all elements of good socio-economic and environmental standards are rigorously covered by the programme, I would like to draw your particular attention to the aspects of the programme which I think best relate to your questions.

Farm Safety

The SRiTP programme gives guidance and scores suppliers on their adherence to CORESTA Good Agricultural Practise Guidelines¹ on the topics of:

Secure storage of agrochemicals, safe disposal of agrochemicals, issue and use of Personal Protective Equipment (PPE), re-entry times after agrochemical application and Green Tobacco Sickness.

Child Labour

The SRiTP programme gives guidance and scores suppliers on their adherence to ILO Convention No.s 138ⁱⁱ and 182ⁱⁱⁱ, plus:

School attendance monitoring, programmes to enhance school attendance and exposure to risk out of school hours.

Farm Labour Codes and Conventions

The SRiTP programme gives guidance and scores suppliers on their adherence to internationally recognised good working practises, including:

Forced Labour, Freedom of Association, Working Hours, Safe and Hygienic Working Conditions, Health and Safety Training, Working Hours, Wages and Benefits, and Fair Treatment.

Monitoring and Improvement

Each year, our tobacco suppliers are sent the SRiTP questionnaire to allow them to assess their performance and generate an improvement action plan. Based on previous responses and country supply volumes, we prepare a schedule of site visits to review the self-assessments, improvement plans and progress. We are assisted by experienced consultants, who share international best practice during these supplier visits. In addition, our Leaf Sustainability Managers use the SRiTP programme to consistently monitor supplier standards during their field visits (usually at least 3 times per year per country.)

We have minimum standards within the SRiTP programme. These standards reflect the issues of greatest concern and therefore need to be addressed to support leaf sustainability. These issues include working environment, child labour and natural resource management.

We will consider ceasing to purchase from tobacco suppliers who persistently fail to operate to these minimum standards and have done so in the past. In addition the results of the SRiTP programme form a considerable part of our supplier rating model, which influences purchasing decisions.

We periodically review the SRiTP programme with the consultants, our major leaf suppliers and other industry participants. This is to ensure it continues to raise standards and covers important emerging issues.

Further address of child labour

We have not received reports on child labour relating to any of our specific suppliers, however given the global incidence of child labour in agricultural supply chains we understand that it is an issue that we must address.

We understand that the greatest risk of child labour is in smallholder farming communities particularly in countries where there is a greater prevalence of poverty, diseases such as HIV / AIDS and lower levels of public infrastructure.

In addition to our SRiTP programme we therefore seek to support a number of community livelihoods projects and support the work of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT). ECLT aims to tackle the root causes of child labour by improving access to education and providing alternatives to childhood working. It also has an advocacy role raising awareness with governments and communities. More information on the ECLT can be found at www.eclt.org.

Our own community projects are targeted in tobacco growing countries that have been identified as having the most need, as guided by the UN Human Development Index. Our projects seek to deliver benefits which can help alleviate the risk of child labour: particularly by improving farmer's access to labour-saving technology, access to finance and education.

Farmer Training and Good Agricultural Practice

Farmer training and good agricultural practice is a specific feature of the SRiTP programme. Our suppliers and growers are encouraged to establish sustainable agricultural and post-harvest practices.

These include good agricultural practices such as integrated pest management (IPM), soil conservation, water conservation, pollution prevention, minimised dependence on agrochemicals and farmer training in safety and environmental management. For example during 2013, our Leaf

Sustainability department progressed partnerships with leaf suppliers and sustainability experts in Nicaragua, Honduras and the Dominican Republic, to develop new training materials and execute specific field-based learning sessions.

These were to show growers how they can produce their tobacco in a more sustainable manner. The training had a particular focus on integrated pest management, improving biodiversity, the safe and responsible use of plant protection products, plus farm labour and safety.

I hope you find the information provided useful in relation to the questions you raised. Please be aware that your letter, with its preliminary findings, has also been passed to our leaf department, so that they can incorporate into their supplier review planning.

As we have a well-developed traceability system with our suppliers, we are able to track down to the farm level. We would therefore be grateful if you could provide any further details of the farms potentially implicated in your studies.

Although we do not purchase a great deal of tobacco from the regions covered by your survey, both Imperial Tobacco and our leaf suppliers take the issue of child labour extremely seriously. I therefore thank you for you sharing your concerns with us.

Yours sincerely,



Kirsty Mann
Senior CR Engagement Manager
Imperial Tobacco Group

Email: Kirsty.mann@uk.impleb.com

ⁱ http://www.coresta.org/Guides/Guide-No03-GAP_Feb05.pdf

ⁱⁱ http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C138

ⁱⁱⁱ http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182

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John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

March 31, 2014

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

Dear Ms. Cooper,

Thank you for your letter of January 22, 2014. We appreciate the constructive dialogue with Imperial Tobacco Group. We have appreciated the opportunities to learn more about Imperial Tobacco Group's policies and practices concerning child labor.

We are writing today to share with you some additional information regarding the counties in North Carolina, Kentucky, and Tennessee in which children reported working. We are also taking this opportunity to share our key recommendations to businesses purchasing tobacco in the United States.

Counties where Children Reported Working

As we explained previously, consistent with our methodology for investigating human rights worldwide, we go to great lengths to protect the confidentiality of interviewees. Out of concern for interviewees' security, we are unable to report specific farms where children worked, but we can share a list of counties where children reported working in North Carolina, Kentucky, and Tennessee (attached). We do not preclude the possibility that children work in tobacco farming in other counties in these states. Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

While we hope our list of counties might help to guide Imperial Tobacco Group's efforts to address hazardous child labor on farms in its supply chain, we would encourage the company to do a comprehensive investigation of child labor in every county from which Imperial Tobacco Group purchases tobacco. Due to the small size of our team and the nature of our methodology, we are not in a position to conduct a broad survey to examine conditions in every tobacco-growing county in the US. However, our research indicated patterns of hazardous child labor on tobacco farms in many different

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locations, and we urge Imperial Tobacco Group to look beyond the counties we identified in order to investigate thoroughly child labor on all US tobacco farms in its supply chain.

Recommendations

We would like to take this opportunity to share our initial recommendations for tobacco manufacturing companies and tobacco leaf companies which we believe are essential to protect children from hazards particular to tobacco farming. We look forward to discussing these recommendations with you. Human Rights Watch has also developed detailed recommendations for other relevant actors, including the US Congress, the US Senate, the President of the United States, the US Department of Labor, the Environmental Protection Agency, tobacco-producing states, tobacco growers' associations and Farm Bureaus, agricultural employers, and the International Labour Organization.

Human Rights Watch bases these recommendations on our research findings which we detailed to you in our December 11, 2013 letter, extensive reviews of available public health literature, interviews with public health researchers, analysis of national laws and practice, analysis of ILO laws and reports, interviews with ILO experts on child labor, interviews with representatives of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), and ECLT materials.

Based on our findings, Human Rights Watch believes that no child under age 18 should be permitted to work with tobacco in any form, including plants of any size or dried tobacco leaves, due to the inherent health risks posed by nicotine and the pesticides applied to the crop.

Because exposure to tobacco in any form is unsafe, Human Rights Watch has determined, based on our field investigations and other research, that as a practical matter there is no way for children under 18 to work safely on US tobacco farms when they have direct contact with tobacco plants of any size or dried tobacco leaves, even if wearing protective equipment. Though protective equipment may help mitigate exposure to nicotine and pesticide residues, rain suits and watertight gloves would not completely eliminate absorption of toxins through the skin and would greatly increase children's risk of suffering heat-related illnesses. The inadequacy of protective equipment to protect children, as documented by Human Rights Watch in the US, seems likely to extend to tobacco farms outside the United States.

A number of countries have laws or regulations prohibiting all children from working in tobacco farming, or from performing the majority of tasks in which they come into direct contact with tobacco in any form, including Brazil, India, Malawi, Kazakhstan, Russia, and Uganda.

Recognizing the risks to children of work in tobacco farming, the US Department of Labor proposed regulations in 2011 that would have prohibited all children under 16 (the minimum age for hazardous work in agriculture in the US) from “all work in the tobacco production and curing, including, but not limited to such activities as planting, cultivating, topping, harvesting, baling, barning, and curing.” The regulations were withdrawn in 2012. The ILO Committee of Experts has strongly urged the US government to reconsider withdrawal of the proposed regulations.

This evidence and our analysis are further detailed in our forthcoming report, as are additional recommendations. Our key recommendations to businesses purchasing tobacco in the United States include:

Regarding Child Labor

- Adopt and implement policies globally prohibiting the use of child labor anywhere in the supply chain. The policy should specify that hazardous work for children under 18 is prohibited, *including any work in which children come into direct contact with tobacco plants of any size and dried tobacco leaves.* Consistent with ILO conventions, the policy should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15, or the minimum age provided by the country’s laws, whichever affords greater protection. *The policy should specify that it is in effect throughout the supply chain in all countries irrespective of local laws that afford lesser protections.*
- Strive to phase out the use of child labor in the supply chain by establishing clear timeframes.
- Ensure that all contracts with growers and suppliers include specific language prohibiting the use of children in hazardous work under 18, including any work in which children come into contact with tobacco leaves of any size and dried tobacco leaves. Establish and carry out penalties for those in the supply chain who violate the no-child labor policy. The penalties should be sufficiently severe and consistently implemented so as to have a dissuasive effect. Discontinue contracts with farms that repeatedly violate the policy prohibiting child labor.
- Provide training to agronomists, suppliers, growers, workers, and others on the hazards to children of working in tobacco. Utilize outside experts on child labor to conduct these trainings where appropriate.
- Establish a regular and rigorous internal monitoring process in all countries in the supply chain.

- Engage qualified third-party monitoring for child labor in supply chains in all countries.
- Engage a third-party organization to develop a no-child labor policy as outlined above, including the structures for its effective implementation.
- Develop or enhance collaboration with local stakeholders to eliminate child labor on tobacco farms, including by:
 - Working with federal and local government officials, including the Office of Migrant Education, to ensure access to education for farmworker children.
 - Implementing, with meaningful input and participation from farmworker children, their families, and local stakeholders, free summer programs each year for both migrant and local children, as an alternative to working in tobacco farming. Programs should provide age-appropriate educational, recreational, and leadership development opportunities to children under 18.
 - Collaborating with local stakeholders to identify other summer employment opportunities for children as alternatives to working on tobacco farms.
 - Where possible, cooperating with the ILO's International Programme on the Elimination of Child Labour (IPEC), UNICEF, nongovernmental organizations, and others undertaking efforts to prevent child labor, including through the provision of alternatives to working in tobacco farming.
 - Establishing a scholarship fund to provide young farmworkers with economic support to pursue higher education. The scholarship application should account for the unique circumstances of farmworker children's educational paths.
 - Investing in rural health infrastructure to ensure tobacco workers and their children have access to health services.
 - Collaborating with land-grant universities and extension services to enhance agricultural education in tobacco-growing communities, and to provide farmworker families with access to land for small-scale agricultural enterprise.

Regarding Industry-Wide Multilateral Initiatives

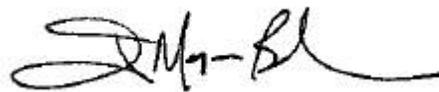
- Develop an international industry-wide standard to prohibit hazardous work for children under 18 on tobacco farms, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves; establish minimum age requirements consistent with ILO conventions.
- Amend the US Tobacco Good Agricultural Practices (GAP) labor management guidelines to specify that hazardous work for children under 18 is prohibited, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves. Consistent with ILO conventions, the standard should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15. This standard should be a contractual requirement for all US tobacco growers.
- Engage meaningfully in multi-stakeholder initiatives, including with a view to support tobacco industry efforts to promote the elimination of child labor in the tobacco supply chain, effective monitoring of these policies, and initiatives to support alternative employment, education, and recreational opportunities for children in tobacco-growing communities.
- Increase financial support to nongovernmental organizations working to eliminate hazardous child labor in tobacco farming.
- Establish a pooled fund to support programs that provide alternatives to child labor in US tobacco farming and/or consider expanding programs through the Eliminating Child Labour in Tobacco Growing Foundation to include the United States.

We look forward to discussing these recommendations with you and welcome any updates to Imperial Tobacco Group's existing policies and practices regarding child labor, so that we have the most up-to-date information for our research and reporting.

Best regards,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

Cc: Kirsty Mann, Senior CR Engagement Manager

Counties where Children Reported Working

State	Counties
Kentucky	Barren
	Bath
	Bourbon
	Boyle
	Clark
	Crittenden
	Fayette
	Franklin
	Harrison
	Henry
	Lincoln
	McCrory
	Metcalfe
	Monroe
	Montgomery
	Pulaski
	Scott
Shelby	
Taylor	
Warren	
Washington	
Wayne	
North Carolina	Duplin
	Greene
	Johnston
	Jones
	Lenoir
	Martin
	Nash
	Onslow
	Pitt
	Sampson
	Wayne
	Wilson
Tennessee	Grainger
	Hawkins
	Jefferson
	Macon
	Sumner

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Amy Towers
Marie Warburg
Catherine Zennström

April 16, 2014

To the members of the Farm Labor Practices Group,

We are writing to thank you for the opportunity to present our research and recommendations at the April 10, 2014 Farm Labor Practices Group plenary meeting in Raleigh. We were grateful for the informative and constructive discussion with all of you, and we look forward to continued dialogue and meaningful progress on many of the concerns identified.

As discussed during the meeting last week, we are sharing with you the slides from our presentation, along with additional information on the ages of the children we interviewed for this project. Please find a chart with this information below.

We are also writing to let you know that Human Rights Watch will publish the report with our research on child labor in tobacco farming in the US and relevant recommendations next month. The report will describe our methodology, findings, and analysis of US laws and international standards related to child labor. Consistent with Human Rights Watch's approach to our work worldwide, our report will include personal accounts from many of the children we interviewed, along with analysis of public health literature and national and international data. The report will also include a description of the policies and practices of several leading companies that purchase tobacco grown in the United States, including the six companies represented in the FLPG. It will also include detailed versions of the recommendations we presented at the meeting last week, including recommendations to tobacco manufacturing and tobacco leaf companies, the Obama administration, US Congress, state governments, and others.

We were encouraged to learn that the Farm Labor Practices Group took a decision to establish a working group on child labor, which has the possibility to make significant positive impacts. Human Rights Watch would welcome the opportunity to make further contributions to this group and looks forward to learning about the results of this group's efforts. At the same time, in line with the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) and other international standards and guidance, each company in the FLPG and other tobacco

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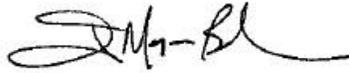
manufacturing and leaf companies individually have responsibilities to prevent and remedy human rights concerns, including hazardous child labor, in their supply chains.

Human Rights Watch is committed to accurately representing and publicizing the measures each company has taken to address child labor in supply chains globally. To that end, we would be pleased to report on any recent changes or further commitments made by your companies concerning policies on child labor. In order to reflect any commitments or policy changes in our publications, we would welcome responses to our recommendations shared with you during the plenary meeting as well as in the March 31 letter by April 30, 2014. We would also welcome written responses from other members of the FLPG to inform our ongoing research on child labor.

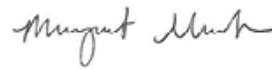
Sincerely,



Jo Becker
Advocacy Director
Children's Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



Margaret Wurth
Researcher
Children's Rights Division

Ages of Children Interviewed by Human Rights Watch

Age	NC	KY	TN	VA	TOTAL
7			1		1
8					0
9	2		2		4
10		1	1		2
11	1	1			2
12	3	2			5
13	5	1	2		8
14	14	8		2	24
15	15	11	1		27
16	20	10	2	1	33
17	12	5	1		18
18*	8	7	2		17
TOTAL	80	46	12	3	141

*All 18-year-old children interviewed for this report worked in tobacco as 17-year-old children in 2012.

Mean age of children interviewed: 15

Median age of children interviewed: 15

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Marie Warburg
Catherine Zennström

December 12, 2013

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

Dear Mr. Kozumi,

Please accept my greetings on behalf of Human Rights Watch. Human Rights Watch is an international non-governmental human rights organization that conducts research and advocacy in over 90 countries around the world on a wide variety of human rights issues (see www.hrw.org). Among those issues is child labor, which we have reported on in the United States, El Salvador, Mali, Tanzania, Morocco, Uzbekistan, Indonesia, India, and other countries. In 2010 we published a report on hazardous child labor and other human rights abuses in tobacco farming in Kazakhstan.

We are writing to you today to share preliminary findings with you concerning our recent research on child labor in tobacco farming in the United States. We hope to initiate a constructive dialogue with Japan Tobacco, Inc. regarding concerns related to child workers in tobacco farming.

From May-October 2013 Human Rights Watch conducted research on child labor in tobacco farming in North Carolina, Kentucky, Tennessee, and Virginia. We interviewed over 140 children ages 7-17 who stated that they worked in tobacco farming in 2012 or 2013, as well as children and parents who described other children working in tobacco farming.

The specific jobs children said they did on tobacco farms included: planting seedlings, weeding, thinning tobacco plants, repositioning plants that were leaning, topping, pulling off suckers, and applying pesticides.

On farms with flue-cured tobacco, children reported doing the following jobs: hand harvesting tobacco leaves, machine harvesting tobacco leaves, filling cages with tobacco leaves for drying, sorting tobacco leaves, and packing tobacco leaves.

On farms growing burley tobacco, children reported: cutting tobacco plants, carrying cut tobacco plants, spearing tobacco plants on sticks for hanging, carrying sticks with several tobacco plants, lifting sticks with several tobacco plants onto trucks or to workers to hang the sticks in the rafters of a barn, hanging sticks with

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tobacco plants in barns, taking down sticks of burley tobacco plants from barns, and stripping leaves off dried tobacco.

The vast majority of children with whom Human Rights Watch spoke were working for hire. Most children were hired by a labor contractor or a labor subcontractor. Some children were working directly for tobacco growers. Only a few children worked on family farms, without pay. A few of the very youngest children worked with their parents sporadically and without pay.

The vast majority of children interviewed by Human Rights Watch stated that they lived in the states in which they worked and worked primarily or exclusively in the summer months. Human Rights Watch also interviewed a few children who migrated to or within the United States for work.

Preliminary Findings

Health and Safety

Nicotine Poisoning/Green Tobacco Sickness and Other Health Risks

A majority of children interviewed by Human Rights Watch described experiencing symptoms consistent with acute nicotine poisoning (Green Tobacco Sickness) while working, including, variously, nausea, dizziness, lightheadedness, headaches, vomiting, and loss of appetite.

Some of these symptoms may be linked to pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Nearly all children interviewed by Human Rights Watch said they lacked personal protective equipment, which would help minimize the amount of exposure to wet tobacco leaves and tobacco leaves that had been treated with pesticides or other hazardous chemicals.

Some also reported difficulty sleeping together with symptoms of nicotine poisoning.

Some children also reported itchy skin and skin rashes.

Some children also told Human Rights Watch that water from tobacco plants would splash into their eyes or mouth during topping or pieces of tobacco leaves would fall into their eyes or mouth while lifting sticks with tobacco plants to be hung in barns.

A few children reported respiratory and allergic symptoms while working in tobacco fields or in curing barns.

Exposure to Pesticides and Growth Regulators

Many children interviewed by Human Rights Watch reported that they saw tractors spraying pesticides or growth regulators in the fields in which they were working or in fields adjacent to the ones in which they were working. These children often reported being able to smell and/or feel the chemical spray as it drifted towards them. Many reported some or all of the following symptoms after coming into contact with the spray: burning eyes, burning nose, itchy skin, nausea, vomiting, dizziness, redness and swelling of the mouth, and headaches.

A few children interviewed by Human Rights Watch stated that they applied pesticides to tobacco plants with a handheld sprayer and backpack and a few reported operating tractors that were spraying pesticides on tobacco fields.

Extreme Temperatures

All children interviewed by Human Rights Watch stated that they often worked in high temperatures and high humidity typical for the summer months in North Carolina, Kentucky, Tennessee and Virginia, and many stated that they were expected to work without additional breaks in such conditions.

Water

Most children interviewed by Human Rights Watch stated that the contractor or grower provided water to them while working, usually from a cooler. Some children told Human Rights Watch that the water provided was not clean or drinkable. Other children told Human Rights Watch that employers did not provide water at all.

Lack of Shade

Many children interviewed by Human Rights Watch stated that they did not have the opportunity to shelter in shade during the work day. Some children reported that the shade available was inside vehicles used to transport the workers to the worksite, or in wooded areas, in the event the worksite was located near a wooded area.

Lack of Sanitary Facilities

Very few children interviewed by Human Rights Watch reported having access to a bathroom. Most children told Human Rights Watch that they would relieve themselves in wooded areas, if there were any near to the worksite, or refrain from relieving themselves at all during the day, including by declining to drink liquids. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would use a bathroom.

Lack of Hand Washing Facilities

Most children interviewed by Human Rights Watch stated that they did not have access to hand washing facilities. Many children stated that they rinsed their hands with water from the cooler provided, but did not use soap to wash their hands.

Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would be allowed to wash their hands.

Lack of Personal Protective Equipment

Almost none of the children interviewed by Human Rights Watch were given any kind of personal protective equipment by their employer.

Many children interviewed by Human Rights Watch wore black plastic garbage bags over their clothes to prevent their clothes from becoming soaked by water on the tobacco plants after rain or in high humidity conditions that created heavy dew. Children's parents typically bought the plastic bags for them to wear. Some children interviewed by Human Rights Watch did not wear plastic garbage bags because doing so made them overheat.

Most children interviewed by Human Rights Watch wore latex or cloth gloves, which in most cases they or their parents bought. Some child workers said that the gloves available were too large for their hands or it was difficult for them to perform the work at the pace required while wearing gloves, so they worked without them.

Several children told Human Rights Watch that they worked in bare feet or socks when the mud in the fields was deep and they lacked appropriate footwear.

Repetitive Motions and Lifting Heavy Loads

Children interviewed by Human Rights Watch described performing prolonged repetitive motions, including working bent over at the waist, twisting their wrists to top tobacco plants, crawling on hands and knees, or reaching above their heads for extended periods of time. Children reported muscle soreness, aches, and pain in their backs, shoulders, arms, hands, and fingers after engaging in repetitive motions.

Human Rights Watch interviewed child workers who reported loading heavy sticks of harvested tobacco plants onto flatbed wagons to be transported to barns for curing. Children also said they lifted heavy sticks of tobacco plants over their heads to other workers who would hang the sticks in the rafters of barns for curing.

Work with Dangerous Tools, Machinery, and at Heights

Some children interviewed by Human Rights Watch stated that they used hoes to remove weeds from tobacco fields, as well as axes or hatchets to cut burley tobacco during the harvest and spikes to spear burley tobacco plants. Some children told us they sustained cuts and puncture wounds from working with these sharp tools.

A few children said they operated or worked in close proximity to dangerous machinery, including mowers used to trim tobacco plants, tractors used to harvest tobacco leaves, and balers used to compress leaves into bales. In Kentucky, Human Rights Watch interviewed a few children who drove tractors while working in tobacco. Some children reported injuries related to operating or being near heavy machinery.

Human Rights Watch interviewed children who told us they climbed into the rafters of barns, with and without ladders, to hang sticks of harvested burley tobacco to dry. Children described climbing to significant heights as crews of workers formed several tiers to pass sticks of tobacco upward to be hung in the barn for curing. While engaging in this work, children said, they straddled planks that were sometimes positioned two or three feet apart.

Wages and Hours

Wages

Most children we interviewed reported earning minimum hourly wage for their work. Some children reported being paid by check and some were paid in cash.

Some children interviewed by Human Rights Watch received less than minimum wage. Some children reported to Human Rights Watch earning more than minimum wage. Some children interviewed by Human Rights Watch said that they earned piece rate wages during the burley tobacco harvest based on the number of tobacco plants they cut and/or hung in barns.

Some children reported to Human Rights Watch problems with wages including deductions by the contractor or grower for water or for reasons that were not explained to them or because of what they believed was inaccurate recording of hours by contractors.

Working Hours

Children interviewed by Human Rights Watch described working long hours, typically between 10-12 hours per day, and sometimes more. Some children worked shorter days, because the day's work had been completed or because the contractor or grower allowed workers to end the day early due to heavy rain or very high heat. Other children reported working through adverse weather conditions.

Most children interviewed by Human Rights Watch worked 5 days per week; some worked fewer, and some children reported working 6 or 7 days per week.

Nearly all children interviewed by Human Rights Watch stated that they were allowed 2 or 3 breaks per day.

Education

Some children interviewed by Human Rights Watch had migrated for work and missed several months of school. Some children reported skipping days of school to work in tobacco. Some children reported working long hours after school that interfered with their ability to keep up with schoolwork.

Questions

We are interested in learning more about the policies and practices Japan Tobacco, Inc. has in place concerning child labor and other labor rights in its global supply chain, including with regard to Japan Tobacco, Inc. subsidiaries, such as Japan Tobacco International (JTI), as well as Japan Tobacco and JTI suppliers.

We are aware that, as stated in its 2013 Corporate Social Responsibility report, Japan Tobacco, Inc. “reinforces the importance of human rights, in all areas of its business activities and workplaces” and that “JT Group makes it clear to the growers who supply our tobacco that child labor is not acceptable.” In particular, we are interested in the following information:

1. What specific policies or procedures does Japan Tobacco, Inc. have in place regarding the use of child labor in tobacco farming on farms supplying tobacco to Japan Tobacco, Inc. and to its subsidiaries and suppliers?

2. How does Japan Tobacco, Inc. monitor the treatment of child workers on farms supplying tobacco to Japan Tobacco, Inc. and to its subsidiaries and suppliers?
3. Does Japan Tobacco, Inc. have policies or procedures to prevent and alleviate labor rights violations, and other human rights violations? What are these policies or procedures?
4. What policies does Japan Tobacco, Inc. have in place regarding working hours and breaks for workers on tobacco farms in its supply chain? How does it monitor the implementation of these policies?
5. What policies does Japan Tobacco, Inc. have in place regarding payment of wages to workers on tobacco farms in its supply chain and deductions from workers' wages (such as for provision of water, transportation, or the like)? How does Japan Tobacco, Inc. monitor the implementation of these policies?
6. What policies does Japan Tobacco, Inc. have in place regarding provision of water, shade, sanitary facilities and hand washing facilities to workers on tobacco farms in its supply chain? How does it monitor the implementation of these policies?
7. What steps does Japan Tobacco, Inc. take to ensure that workers on tobacco farms, and not only growers, are informed about nicotine poisoning (Green Tobacco Sickness), risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns?
8. What policies does Japan Tobacco, Inc. have in place regarding the proximity of workers on tobacco farms to active spraying of pesticides or other hazardous chemicals by tractors, given the risk of workers' exposure to pesticides as a result of drift when working near tractors that are spraying? How does Japan Tobacco, Inc. monitor the implementation of these policies?
9. What mechanisms does Japan Tobacco, Inc. have to ensure the freedom of association for workers on farms supplying tobacco to Japan Tobacco, Inc., its subsidiaries and suppliers? Does the company believe that freedom of association includes a process for employers to recognize employee associations for the purposes of collective bargaining? Has Japan Tobacco, Inc. established such a process on farms with which it or its subsidiaries contract?
10. Has Japan Tobacco, Inc. identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on tobacco farms in its supply chain either from workers or from others in 2011, 2012 and 2013? If so, what actions has Japan Tobacco, Inc. taken?
11. Does Japan Tobacco, Inc. have a mechanism whereby workers employed on farms supplying tobacco to Japan Tobacco, Inc., its subsidiaries, or suppliers may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does Japan Tobacco, Inc. take to ensure that workers are informed of this mechanism and the manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What steps does Japan Tobacco, Inc. take to ensure that workers who file complaints do not face retaliation?

12. We would be grateful to receive brief data on Japan Tobacco, Inc.'s total tobacco purchases in the United States as well as its total tobacco purchases in each of the following states in the United States: North Carolina, Kentucky, Tennessee, and Virginia, in 2011, 2012, and 2013.
13. We would be grateful for data on how these numbers compare to Japan Tobacco, Inc.'s tobacco purchasing in other countries.
14. We would be grateful for data on worker deaths and injuries, if possible disaggregated by age, gender, and ethnicity, for all countries from which Japan Tobacco, Inc. and its subsidiaries supply tobacco.

Human Rights Watch seeks to obtain information that will ensure accuracy in our reporting. We will be grateful if you could formally respond to this letter so that we can incorporate your perspective into our analysis and our report. We would welcome your response by January 24, 2014.

We would also like to arrange a meeting with you or senior Japan Tobacco, Inc. staff and Human Rights Watch experts on child labor to discuss these issues. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We will also be in contact with your office in the coming weeks regarding a convenient time for this meeting.

Sincerely,



Arvind Ganesan
Director
Business and Human Rights Division



Kanae Doi
Director
Human Rights Watch Japan



JAPAN TOBACCO INC.
JT Bldg. 2-1, Toranomom 2-chome
Minato-ku, Tokyo 105-8422, JAPAN
Phone:03-3582-3111

February 4, 2014

Mr. Arvind Ganesan
Director, Business and Human Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, New York 10118 – 3299

Dear Mr. Ganesan,

I am writing in response to your letter of December 12, 2013 to Mr. Koizumi, which details Human Rights Watch's research into child labor in tobacco growing in the USA. We acknowledge the important role of civil society and respect the objectives and work of Human Rights Watch.

The JT Group purchases tobacco around the world from farmers in Asia, Europe, Africa and the Americas, including the USA. While Japan Tobacco Inc. (JT) procures tobacco of Japanese origin, Japan Tobacco International (JTI), the international tobacco operation of the JT Group, is responsible for the procurement of tobacco from countries outside Japan for the whole JT Group. About half of our tobacco is purchased through dealers who source on our behalf, whereas the remainder is bought directly through our own operations. That means that in some locations, specifically in Brazil, Japan, Malawi, Serbia, Zambia and the USA, we have direct contractual relationships with farmers.

It was only in 2009 that we created a dedicated department within JTI to purchase tobacco and work directly with growers. For us, the advantages of close relationships with growers include predictability of supply and the ability to positively influence the way in which tobacco is grown. This direct contact allows us to play a more important role in helping to improve behavior in our value chain that does not meet our own standards.

Our contracts with growers address the issue of child labor specifically. For example, in the USA, our grower contracts stipulate that the "Producer undertakes not to use, at any



time and for any purpose, any kind of child labor and/or forced labor [as defined by the applicable legislation and ILO (International Labor Organization) conventions] for the growing, harvesting, curing, classifying and baling of [...] tobacco.”

Contracts also allow us to improve growers’ livelihoods through sustainable returns, and provide a stable future where tobacco continues to make a valuable contribution to the economy. In most countries where we enter into a contract with a farmer, we create a relationship that gives technical support to help get the best yield from the land, enabling a sustainable return year after year.

While the JT Group’s approach to sustainability in tobacco helps to address environmental concerns, such as reducing the number of trees used to cure tobacco through agroforestry and commitment to wood neutrality, it gives equal recognition to the importance of safe and fair conditions for workers on farms and social issues such as child labor.

In developing closer contacts with tobacco farmers, we come to better understand the complex way in which child labor is interlinked with grower income, labor practices, access to education and general wellbeing of the community. That is why improving the livelihoods of farmers, their families and their communities through commitment to a sustainable income is a fundamental part of reducing child labor.

We support growers with visits from our farming experts who advise on technical and environmental aspects of producing a high-quality crop. Direct access to farms also allows us to observe labor conditions, or occurrences of unacceptable practices such as unsafe storage of chemicals or children working in the fields. We call this Know Your Grower (KYG). In KYG, explaining our expectations is the first step. JTI’s Agricultural Labor Practices (ALP) makes these expectations clear to the farmer.

Between 2013 and 2016, we are rolling out KYG in all of the countries outside of Japan where we have direct contracts with tobacco growers.

The fundamental concept of KYG is that by knowing growers and understanding their situation, our farming experts can work with them to improve in those cases where they are unable to meet their contractual commitment to decent work conditions and no child labor. This also enables us to more accurately target our social investments. Through



ARISE, the JT Group's unique program addressing the problem of child labor in our value chain, and our grower community programs, which create access to safe water, improve hygiene and invest in education, we focus on projects that benefit the grower's wider community.

By continuously improving, and continuing to observe, we can achieve real change and establish the most effective and tailored programs. Where we don't see improvement, we will propose alternative measures that respond to the question "What support does this grower or their community need to help end their reliance on child labor?"

In addition to providing this support, our farming experts continue to advise on growing the best crop possible. They also give training and explanatory materials to help farm workers avoid Green Tobacco Sickness by wearing protective clothing, choosing the right time for harvesting, and following simple rules such as regular breaks and washing hands after work.

In the USA, we are working together with other tobacco companies, as well as State Departments of Labor and Agriculture, and universities in five different states to develop the program called Good Agricultural Practices for tobacco farmers (US Tobacco GAP Program). This requires all growers to recognize their legal obligations to provide safe and fair conditions for farm workers. It gives detailed guidance on farm workers' rights, including freedom of association and decent accommodation and requires that farmers document how they are meeting their commitments to their employees and to us. GAP requires all growers to attend yearly training classes and present certification at their annual contract signing. Third party auditors will assess the growers, on-farm, each year. These yearly assessments will cover grower's compliance with everything from field sanitation to housing standards and transport for workers. These assessments will seek to ensure that growers are compliant with municipal, state and federal laws. The US Tobacco GAP Program also requires that workers be made aware of their rights and can raise their concerns without fear of reprisals. You can find detailed information on the US GAP Program at:

<http://tobaccogrowerresearch.com/gap/us.tobacco.gap.program.pdf>.

Our tobacco leaf operation in the United States is also part of the Farm Labor Practices Group (FLPG). The FLPG brings together key stakeholders from the tobacco industry, including farmers and manufacturers, as well as government agencies, such as the US



Department of Labor and non-governmental organizations to facilitate constructive dialogue about farm labor practices. The goal of the FLPG is to help both farmers and farmworkers better understand and comply with applicable labor laws and regulations, and to foster improved farm labor practices. The FLPG's three working groups focus on: Education and Training, Policy Changes, and Grievance Mechanisms.

We welcome independent expertise because we know that we cannot solve the problem of child labor on our own. That's why we partner with the ILO and Winrock International to address the fundamental causes of child labor, by improving living standards and access to education. Our ARISE partnership focuses exclusively on our own value chain by targeting our growers and their communities in Brazil, Malawi and Zambia. We aim to broaden the opportunities of children and boost local economies through entrepreneurial training, reducing reliance on child labor due to poverty.

Although launched only two years ago, the tailored approach has already delivered positive results. For example in 2012 in Malawi, ARISE prevented over 1,000 children from entering into child labor and enrolled approximately 1,400 children in education programs. This was further supported through education of more than 3,000 community members to better understand the risks of child labor. For more information, please visit ARISEprogram.org.

All the above activities follow the JT Group Principles in Leaf Tobacco Production¹ and JTI's Code of Conduct² that states that the use of child labor can never be justified.

Our unique partnership with the ILO and Winrock International, as well as research by specialized organizations such as Human Rights Watch, provides a valuable part of building an accurate picture of complex issues such as child labor. We welcome your findings and share your concerns over workers' welfare and the rights of children in particular. We hope that the brief overview we have given of our unique approach to working with growers makes this clear. However, we believe that we can continue to improve by refining our approach and learning as we implement it worldwide.

¹ The JT Group Principles in Leaf Tobacco Production:
http://www.jt.com/csr/procurement/leaf_tobacco/index.html

² JTI's Code of Conduct:
<http://www.jti.com/how-we-do-business/code-conduct/>



Our commitment is to lead sustainable leaf supply, and we believe that we can only achieve this through continuing our open and inclusive approach. Your suggestion that we can enter into a constructive dialogue is appreciated and our team look forward to meeting you on February 6, in your offices in New York.

Yours sincerely,

A handwritten signature in black ink, which appears to read 'Ryoko Nagata', is positioned above the printed name.

Ryoko Nagata
Senior Vice President
Corporate Social Responsibility
Japan Tobacco Inc.

Cc: Ms. Kanae Doi, Director, Human Rights Watch Japan

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March 31, 2014

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

Dear Mr. Kozumi,

Thank you for your letter of February 4, 2014 and for the meetings of February 6, 2014 and March 11, 2014. We appreciate the constructive dialogue with Japan Tobacco Group. We have appreciated the opportunities to learn more about Japan Tobacco Group's policies and practices concerning child labor. We look forward to seeing you on April 10 in Raleigh when we will present our findings and recommendations at the Farm Labor Practices Group meeting.

We are writing today to share with you some additional information regarding the counties in North Carolina, Kentucky, and Tennessee in which children reported working. We are also taking this opportunity to share our key recommendations to businesses purchasing tobacco in the United States.

Counties where Children Reported Working

As we explained previously, consistent with our methodology for investigating human rights worldwide, we go to great lengths to protect the confidentiality of interviewees. Out of concern for interviewees' security, we are unable to report specific farms where children worked, but we can share a list of counties where children reported working in North Carolina, Kentucky, and Tennessee (attached). We do not preclude the possibility that children work in tobacco farming in other counties in these states. Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

While we hope our list of counties might help to guide Japan Tobacco Group's efforts to address hazardous child labor on farms in its supply chain, we would encourage the company to do a comprehensive investigation of child labor in every county from which Japan Tobacco Group purchases tobacco. Due to the small size of our team and the nature of our methodology, we are not in a



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position to conduct a broad survey to examine conditions in every tobacco-growing county in the US. However, our research indicated patterns of hazardous child labor on tobacco farms in many different locations, and we urge Japan Tobacco Group to look beyond the counties we identified in order to investigate thoroughly child labor on all US tobacco farms in its supply chain.

Recommendations

We would like to take this opportunity to share our initial recommendations for tobacco manufacturing companies and tobacco leaf companies which we believe are essential to protect children from hazards particular to tobacco farming. We look forward to discussing these recommendations with you. Human Rights Watch has also developed detailed recommendations for other relevant actors, including the US Congress, the US Senate, the President of the United States, the US Department of Labor, the Environmental Protection Agency, tobacco-producing states, tobacco growers' associations and Farm Bureaus, agricultural employers, and the International Labour Organization.

Human Rights Watch bases these recommendations on our research findings which we detailed to you in our December 12, 2013 letter, extensive reviews of available public health literature, interviews with public health researchers, analysis of national laws and practice, analysis of ILO laws and reports, interviews with ILO experts on child labor, interviews with representatives of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), and ECLT materials.

Based on our findings, Human Rights Watch believes that no child under age 18 should be permitted to work with tobacco in any form, including plants of any size or dried tobacco leaves, due to the inherent health risks posed by nicotine and the pesticides applied to the crop.

Because exposure to tobacco in any form is unsafe, Human Rights Watch has determined, based on our field investigations and other research, that as a practical matter there is no way for children under 18 to work safely on US tobacco farms when they have direct contact with tobacco plants of any size or dried tobacco leaves, even if wearing protective equipment. Though protective equipment may help mitigate exposure to nicotine and pesticide residues, rain suits and watertight gloves would not completely eliminate absorption of toxins through the skin and would greatly increase children's risk of suffering heat-related illnesses. The inadequacy of protective equipment to protect children, as documented by Human Rights Watch in the US, seems likely to extend to tobacco farms outside the United States.

A number of countries have laws or regulations prohibiting all children from working in tobacco farming, or from performing the majority of tasks in which they come into

direct contact with tobacco in any form, including Brazil, India, Malawi, Kazakhstan, Russia, and Uganda.

Recognizing the risks to children of work in tobacco farming, the US Department of Labor proposed regulations in 2011 that would have prohibited all children under 16 (the minimum age for hazardous work in agriculture in the US) from “all work in the tobacco production and curing, including, but not limited to such activities as planting, cultivating, topping, harvesting, baling, barning, and curing.” The regulations were withdrawn in 2012. The ILO Committee of Experts has strongly urged the US government to reconsider withdrawal of the proposed regulations.

This evidence and our analysis are further detailed in our forthcoming report, as are additional recommendations. Our key recommendations to businesses purchasing tobacco in the United States include:

Regarding Child Labor

- Adopt and implement policies globally prohibiting the use of child labor anywhere in the supply chain. The policy should specify that hazardous work for children under 18 is prohibited, *including any work in which children come into direct contact with tobacco plants of any size and dried tobacco leaves.* Consistent with ILO conventions, the policy should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15, or the minimum age provided by the country’s laws, whichever affords greater protection. *The policy should specify that it is in effect throughout the supply chain in all countries irrespective of local laws that afford lesser protections.*
- Strive to phase out the use of child labor in the supply chain by establishing clear timeframes.
- Ensure that all contracts with growers and suppliers include specific language prohibiting the use of children in hazardous work under 18, including any work in which children come into contact with tobacco leaves of any size and dried tobacco leaves. Establish and carry out penalties for those in the supply chain who violate the no-child labor policy. The penalties should be sufficiently severe and consistently implemented so as to have a dissuasive effect. Discontinue contracts with farms that repeatedly violate the policy prohibiting child labor.
- Provide training to agronomists, suppliers, growers, workers, and others on the hazards to children of working in tobacco. Utilize outside experts on child labor to conduct these trainings where appropriate.
- Establish a regular and rigorous internal monitoring process in all countries in the supply chain.

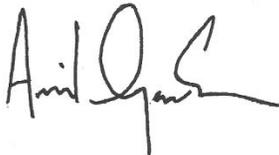
- Engage qualified third-party monitoring for child labor in supply chains in all countries.
- Engage a third-party organization to develop a no-child labor policy as outlined above, including the structures for its effective implementation.
- Develop or enhance collaboration with local stakeholders to eliminate child labor on tobacco farms, including by:
 - Working with federal and local government officials, including the Office of Migrant Education, to ensure access to education for farmworker children.
 - Implementing, with meaningful input and participation from farmworker children, their families, and local stakeholders, free summer programs each year for both migrant and local children, as an alternative to working in tobacco farming. Programs should provide age-appropriate educational, recreational, and leadership development opportunities to children under 18.
 - Collaborating with local stakeholders to identify other summer employment opportunities for children as alternatives to working on tobacco farms.
 - Where possible, cooperating with the ILO's International Programme on the Elimination of Child Labour (IPEC), UNICEF, nongovernmental organizations, and others undertaking efforts to prevent child labor, including through the provision of alternatives to working in tobacco farming.
 - Establishing a scholarship fund to provide young farmworkers with economic support to pursue higher education. The scholarship application should account for the unique circumstances of farmworker children's educational paths.
 - Investing in rural health infrastructure to ensure tobacco workers and their children have access to health services.
 - Collaborating with land-grant universities and extension services to enhance agricultural education in tobacco-growing communities, and to provide farmworker families with access to land for small-scale agricultural enterprise.

Regarding Industry-Wide Multilateral Initiatives

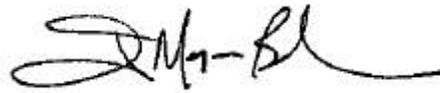
- Develop an international industry-wide standard to prohibit hazardous work for children under 18 on tobacco farms, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves; establish minimum age requirements consistent with ILO conventions.
- Amend the US Tobacco Good Agricultural Practices (GAP) labor management guidelines to specify that hazardous work for children under 18 is prohibited, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves. Consistent with ILO conventions, the standard should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15. This standard should be a contractual requirement for all US tobacco growers.
- Engage meaningfully in multi-stakeholder initiatives, including with a view to support tobacco industry efforts to promote the elimination of child labor in the tobacco supply chain, effective monitoring of these policies, and initiatives to support alternative employment, education, and recreational opportunities for children in tobacco-growing communities.
- Increase financial support to nongovernmental organizations working to eliminate hazardous child labor in tobacco farming.
- Establish a pooled fund to support programs that provide alternatives to child labor in US tobacco farming and/or consider expanding programs through the Eliminating Child Labour in Tobacco Growing Foundation to include the United States.

We look forward to discussing these recommendations with you and welcome any updates to Japan Tobacco Group's existing policies and practices regarding child labor, so that we have the most up-to-date information for our research and reporting.

Best regards,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

Cc: Ryoko Nagata, Senior Vice President, Corporate Social Responsibility

Counties where Children Reported Working

State	Counties
Kentucky	Barren
	Bath
	Bourbon
	Boyle
	Clark
	Crittenden
	Fayette
	Franklin
	Harrison
	Henry
	Lincoln
	McCrory
	Metcalfe
	Monroe
	Montgomery
	Pulaski
	Scott
Shelby	
Taylor	
Warren	
Washington	
Wayne	
North Carolina	Duplin
	Greene
	Johnston
	Jones
	Lenoir
	Martin
	Nash
	Onslow
	Pitt
	Sampson
	Wayne
	Wilson
Tennessee	Grainger
	Hawkins
	Jefferson
	Macon
	Sumner

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John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

April 16, 2014

To the members of the Farm Labor Practices Group,

We are writing to thank you for the opportunity to present our research and recommendations at the April 10, 2014 Farm Labor Practices Group plenary meeting in Raleigh. We were grateful for the informative and constructive discussion with all of you, and we look forward to continued dialogue and meaningful progress on many of the concerns identified.

As discussed during the meeting last week, we are sharing with you the slides from our presentation, along with additional information on the ages of the children we interviewed for this project. Please find a chart with this information below.

We are also writing to let you know that Human Rights Watch will publish the report with our research on child labor in tobacco farming in the US and relevant recommendations next month. The report will describe our methodology, findings, and analysis of US laws and international standards related to child labor. Consistent with Human Rights Watch's approach to our work worldwide, our report will include personal accounts from many of the children we interviewed, along with analysis of public health literature and national and international data. The report will also include a description of the policies and practices of several leading companies that purchase tobacco grown in the United States, including the six companies represented in the FLPG. It will also include detailed versions of the recommendations we presented at the meeting last week, including recommendations to tobacco manufacturing and tobacco leaf companies, the Obama administration, US Congress, state governments, and others.

We were encouraged to learn that the Farm Labor Practices Group took a decision to establish a working group on child labor, which has the possibility to make significant positive impacts. Human Rights Watch would welcome the opportunity to make further contributions to this group and looks forward to learning about the results of this group's efforts. At the same time, in line with the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) and other international standards and guidance, each company in the FLPG and other tobacco

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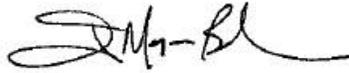
manufacturing and leaf companies individually have responsibilities to prevent and remedy human rights concerns, including hazardous child labor, in their supply chains.

Human Rights Watch is committed to accurately representing and publicizing the measures each company has taken to address child labor in supply chains globally. To that end, we would be pleased to report on any recent changes or further commitments made by your companies concerning policies on child labor. In order to reflect any commitments or policy changes in our publications, we would welcome responses to our recommendations shared with you during the plenary meeting as well as in the March 31 letter by April 30, 2014. We would also welcome written responses from other members of the FLPG to inform our ongoing research on child labor.

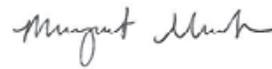
Sincerely,



Jo Becker
Advocacy Director
Children's Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



Margaret Wurth
Researcher
Children's Rights Division

Ages of Children Interviewed by Human Rights Watch

Age	NC	KY	TN	VA	TOTAL
7			1		1
8					0
9	2		2		4
10		1	1		2
11	1	1			2
12	3	2			5
13	5	1	2		8
14	14	8		2	24
15	15	11	1		27
16	20	10	2	1	33
17	12	5	1		18
18*	8	7	2		17
TOTAL	80	46	12	3	141

*All 18-year-old children interviewed for this report worked in tobacco as 17-year-old children in 2012.

Mean age of children interviewed: 15

Median age of children interviewed: 15



JAPAN TOBACCO INC.
JT Bldg. 2-1, Toranomon 2-chome
Minato-ku, Tokyo 105-8422, JAPAN
Phone:03-3582-3111

April 30, 2014

Mr. Arvind Ganesan
Director, Business and Human Rights Division
Human Rights Watch
350 Fifth Avenue
34th Floor
New York, New York 10118 - 3299

Dear Mr. Ganesan

I am writing in response to your letter of March 31 to Mr. Koizumi and the letter of April 16 to the FLPG members in which you share some of your findings and recommendations regarding your research into child labor in the United States.

First of all, I would like to thank you for your participation in the FLPG meeting in Raleigh earlier this month.

The FLPG meetings have always produced useful outcomes and enabled us to talk openly about our concerns with participating stakeholders. This is why we were pleased that you took part in the last meeting, which enabled us to discuss the ways in which we can adapt our practices to further reduce the incidence of child labor in agriculture. We believe we can achieve this through ongoing collaboration with specialists such as Human Rights Watch and by supporting and actively participating in industry-wide efforts. With this in mind, an FLPG working group, chaired by JTI, was set up during the meeting with a clear remit to tackle child labor in agriculture and develop workable solutions in the United States.

While we share the same concerns and commitment to addressing child labor issues in tobacco growing communities, it was also productive that we identified areas where our current approaches differ. I believe that working to build a common understanding of these areas should form the basis of meaningful future discussions. I would like to further elaborate these areas so that we can continue to work together to come up with the most effective way forward to address child labor while making sure that tobacco growing communities sustainably prosper.

It is clear that Human Rights Watch and the JT Group firmly agree on the need to address the issue of child labor, and that there are work activities in which youngsters below a certain age



should never be involved regardless of industry, or type of crop being grown in the case of agriculture. I believe that we both agree with the ILO Conventions, which state that children between the ages of 16 and 18 should not carry out hazardous work without appropriate training and protection. Where we are not currently aligned is around the definition of what constitutes a hazard, or an unacceptable degree of risk, in tobacco farming. Arriving at a shared understanding in this area is prerequisite in tackling the issue since a multi-stakeholder approach combined with industry-wide initiatives will provide the most effective and lasting solutions.

We understand that your current position is that any work involving tobacco is intrinsically hazardous due to the fact that tobacco plants contain nicotine. That is not a position that the JT Group agrees with, nor do we believe it is supported by published research. As far as local legislations and regulations permit, many activities can be safely carried out on a farm by young people between 16 and 18, enabling them to learn vocational skills and, in many cases, contribute to their family livelihood, without harming their wellbeing, health and safety, or schooling. We believe that they have a right to perform these activities and that certain work with the tobacco crop can be considered to be in this category of activity.

At the FPLG meeting with multiple stakeholder participants, including NGOs, government officials and representatives of farmers and workers, there was a consensus of opinion on the above points. One of the concerns raised, which we share, is that arbitrary bans on certain types of farming activity would have detrimental effects on the community and on the young people growing up in that community as well.

Our challenge is in assessing to what degree each activity carries risk, and then identifying ways that these risks can be acceptably mitigated. It is equally important to identify those activities where the degree of risk is unacceptable for anybody except fully-trained adult farm workers. We intend to address that challenge by carrying out a full assessment of all working activities over the tobacco crop cycle and using established methods to classify them into those that can be carried out without significant risk, those where training is prerequisite and those which are not acceptable under any circumstances.

We intend to do this risk-classification work in conjunction with the Environment, Health & Safety function within JTI, supported by our strong partnership with the ILO, and using additional external expertise where necessary. We will make our findings available to relevant stakeholders through frameworks such as the FPLG working group, so that through a common understanding of risks in tobacco growing in the United States, tobacco growers can adapt, where necessary, to implement best practices.



We would like to share the outcomes with you, in the hope that we can make a useful contribution to your understanding of farming practices and any future recommendations that you may develop.

On a final note, successful rural communities are essential to our business, and we believe that beyond the economic contribution that tobacco brings, we have a role to play in nurturing that success. To this end, we intend to continue the community support that we provide to those areas where we buy tobacco. In the United States, we've made a start through supporting the community college in Danville VA (where our US leaf buying and processing operations are based and where we employ more than 300 people on a seasonal basis). We also partner with local groups to offer further educational opportunities for the area's underprivileged. Through this sort of direct support and our social programs, we hope to broaden educational, social and work opportunities for young people.

We remain open for further discussion and I would like to thank you again for your contribution to the FLPG meeting early this month and in the future.

With my best regards,

A handwritten signature in black ink, appearing to read 'Ryoko Nagata'. The signature is fluid and cursive, with a large, sweeping flourish at the end.

Ryoko Nagata
Senior Vice President, Corporate Social Responsibility
Japan Tobacco Inc.

Cc: Ms. Jane Buchanan, Associate Director, Children's Rights Division
Ms. Joe Becker, Advocacy Director, Children's Rights Division
Ms. Margaret Wurth, Researcher, Children's Rights Division

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December 11, 2013

Murray S. Kessler
Chairman, President, and Chief Executive Officer
Lorillard, Inc.
714 Green Valley Road
Greensboro, North Carolina 27408-7018

Dear Mr. Kessler,

Please accept my greetings on behalf of Human Rights Watch. Human Rights Watch is an international non-governmental human rights organization that conducts research and advocacy in over 90 countries around the world on a wide variety of human rights issues (see www.hrw.org). Among those issues is child labor, which we have reported on in the United States, El Salvador, Mali, Tanzania, Morocco, Uzbekistan, Indonesia, India, and other countries. In 2010 we published a report on hazardous child labor and other human rights abuses in tobacco farming in Kazakhstan.

We are writing to you today to share preliminary findings with you concerning our recent research on child labor in tobacco farming in the United States. We hope to initiate a constructive dialogue with Lorillard, Inc. regarding concerns related to child workers in tobacco farming.

From May-October 2013 Human Rights Watch conducted research on child labor in tobacco farming in North Carolina, Kentucky, Tennessee, and Virginia. We interviewed over 140 children ages 7-17 who stated that they worked in tobacco farming in 2012 or 2013, as well as children and parents who described other children working in tobacco farming.

The specific jobs children said they did on tobacco farms included: planting seedlings, weeding, thinning tobacco plants, repositioning plants that were leaning, topping, pulling off suckers, and applying pesticides.

On farms with flue-cured tobacco, children reported doing the following jobs: hand harvesting tobacco leaves, machine harvesting tobacco leaves, filling cages with tobacco leaves for drying, sorting tobacco leaves, and packing tobacco leaves.

On farms growing burley tobacco, children reported: cutting tobacco plants, carrying cut tobacco plants, spearing tobacco plants on sticks for hanging, carrying sticks with several tobacco plants, lifting sticks with several tobacco plants onto trucks or to workers to hang the sticks in the rafters of a barn,

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hanging sticks with tobacco plants in barns, taking down sticks of burley tobacco plants from barns, and stripping leaves off dried tobacco.

The vast majority of children with whom Human Rights Watch spoke were working for hire. Most children were hired by a labor contractor or a labor subcontractor. Some children were working directly for tobacco growers. Only a few children worked on family farms, without pay. A few of the very youngest children worked with their parents sporadically and without pay.

The vast majority of children interviewed by Human Rights Watch stated that they lived in the states in which they worked and worked primarily or exclusively in the summer months. Human Rights Watch also interviewed a few children who migrated to or within the United States for work.

Preliminary Findings

Health and Safety

Nicotine Poisoning/Green Tobacco Sickness and Other Health Risks

A majority of children interviewed by Human Rights Watch described experiencing symptoms consistent with acute nicotine poisoning (Green Tobacco Sickness) while working, including, variously, nausea, dizziness, lightheadedness, headaches, vomiting, and loss of appetite.

Some of these symptoms may be linked to pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Nearly all children interviewed by Human Rights Watch said they lacked personal protective equipment, which would help minimize the amount of exposure to wet tobacco leaves and tobacco leaves that had been treated with pesticides or other hazardous chemicals.

Some also reported difficulty sleeping together with symptoms of nicotine poisoning.

Some children also reported itchy skin and skin rashes.

Some children also told Human Rights Watch that water from tobacco plants would splash into their eyes or mouth during topping or pieces of tobacco leaves would fall into their eyes or mouth while lifting sticks with tobacco plants to be hung in barns.

A few children reported respiratory and allergic symptoms while working in tobacco fields or in curing barns.

Exposure to Pesticides and Growth Regulators

Many children interviewed by Human Rights Watch reported that they saw tractors spraying pesticides or growth regulators in the fields in which they were working or in fields adjacent to the ones in which they were working. These children often reported being able to smell and/or feel the chemical spray as it drifted towards them. Many reported some or all of the following symptoms

after coming into contact with the spray: burning eyes, burning nose, itchy skin, nausea, vomiting, dizziness, redness and swelling of the mouth, and headaches.

A few children interviewed by Human Rights Watch stated that they applied pesticides to tobacco plants with a handheld sprayer and backpack and a few reported operating tractors that were spraying pesticides on tobacco fields.

Extreme Temperatures

All children interviewed by Human Rights Watch stated that they often worked in high temperatures and high humidity typical for the summer months in North Carolina, Kentucky, Tennessee and Virginia, and many stated that they were expected to work without additional breaks in such conditions.

Water

Most children interviewed by Human Rights Watch stated that the contractor or grower provided water to them while working, usually from a cooler. Some children told Human Rights Watch that the water provided was not clean or drinkable. Other children told Human Rights Watch that employers did not provide water at all.

Lack of Shade

Many children interviewed by Human Rights Watch stated that they did not have the opportunity to shelter in shade during the work day. Some children reported that the shade available was inside vehicles used to transport the workers to the worksite, or in wooded areas, in the event the worksite was located near a wooded area.

Lack of Sanitary Facilities

Very few children interviewed by Human Rights Watch reported having access to a bathroom. Most children told Human Rights Watch that they would relieve themselves in wooded areas, if there were any near to the worksite, or refrain from relieving themselves at all during the day, including by declining to drink liquids. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would use a bathroom.

Lack of Hand Washing Facilities

Most children interviewed by Human Rights Watch stated that they did not have access to hand washing facilities. Many children stated that they rinsed their hands with water from the cooler provided, but did not use soap to wash their hands.

Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would be allowed to wash their hands.

Lack of Personal Protective Equipment

Almost none of the children interviewed by Human Rights Watch were given any kind of personal protective equipment by their employer.

Many children interviewed by Human Rights Watch wore black plastic garbage bags over their clothes to prevent their clothes from becoming soaked by water on the tobacco plants after rain or in high humidity conditions that created heavy dew. Children's parents typically bought the plastic bags for them to wear. Some children interviewed by Human Rights Watch did not wear plastic garbage bags because doing so made them overheat.

Most children interviewed by Human Rights Watch wore latex or cloth gloves, which in most cases they or their parents bought. Some child workers said that the gloves available were too large for their hands or it was difficult for them to perform the work at the pace required while wearing gloves, so they worked without them.

Several children told Human Rights Watch that they worked in bare feet or socks when the mud in the fields was deep and they lacked appropriate footwear.

Repetitive Motions and Lifting Heavy Loads

Children interviewed by Human Rights Watch described performing prolonged repetitive motions, including working bent over at the waist, twisting their wrists to top tobacco plants, crawling on hands and knees, or reaching above their heads for extended periods of time. Children reported muscle soreness, aches, and pain in their backs, shoulders, arms, hands, and fingers after engaging in repetitive motions.

Human Rights Watch interviewed child workers who reported loading heavy sticks of harvested tobacco plants onto flatbed wagons to be transported to barns for curing. Children also said they lifted heavy sticks of tobacco plants over their heads to other workers who would hang the sticks in the rafters of barns for curing.

Work with Dangerous Tools, Machinery, and at Heights

Some children interviewed by Human Rights Watch stated that they used hoes to remove weeds from tobacco fields, as well as axes or hatchets to cut burley tobacco during the harvest and spikes to spear burley tobacco plants. Some children told us they sustained cuts and puncture wounds from working with these sharp tools.

A few children said they operated or worked in close proximity to dangerous machinery, including mowers used to trim tobacco plants, tractors used to harvest tobacco leaves, and balers used to

compress leaves into bales. In Kentucky, Human Rights Watch interviewed a few children who drove tractors while working in tobacco. Some children reported injuries related to operating or being near heavy machinery.

Human Rights Watch interviewed children who told us they climbed into the rafters of barns, with and without ladders, to hang sticks of harvested burley tobacco to dry. Children described climbing to significant heights as crews of workers formed several tiers to pass sticks of tobacco upward to be hung in the barn for curing. While engaging in this work, children said, they straddled planks that were sometimes positioned two or three feet apart.

Wages and Hours

Wages

Most children we interviewed reported earning minimum hourly wage for their work. Some children reported being paid by check and some were paid in cash.

Some children interviewed by Human Rights Watch received less than minimum wage. Some children reported to Human Rights Watch earning more than minimum wage. Some children interviewed by Human Rights Watch said that they earned piece rate wages during the burley tobacco harvest based on the number of tobacco plants they cut and/or hung in barns.

Some children reported to Human Rights Watch problems with wages including deductions by the contractor or grower for water or for reasons that were not explained to them or because of what they believed was inaccurate recording of hours by contractors.

Working Hours

Children interviewed by Human Rights Watch described working long hours, typically between 10-12 hours per day, and sometimes more. Some children worked shorter days, because the day's work had been completed or because the contractor or grower allowed workers to end the day early due to heavy rain or very high heat. Other children reported working through adverse weather conditions.

Most children interviewed by Human Rights Watch worked 5 days per week; some worked fewer, and some children reported working 6 or 7 days per week.

Nearly all children interviewed by Human Rights Watch stated that they were allowed 2 or 3 breaks per day.

Education

Some children interviewed by Human Rights Watch had migrated for work and missed several months of school. Some children reported skipping days of school to work in tobacco. Some children reported working long hours after school that interfered with their ability to keep up with schoolwork.

Questions

We are interested in learning more about the policies and practices Lorillard, Inc. has in place regarding child labor and other labor practices in its global supply chain. We are aware that Lorillard, Inc. has stated on its website that it is “committed to maintaining high standards for honest and ethical conduct in all of its business dealings,” and that it is “confident that our supply chains do not utilize slavery, child labor or other human trafficking in the manufacture of our products.” The company also states that it encourages suppliers “to follow social responsibility policies and to comply with fair labor standards, including the protection of farm labor and the elimination of exploitive child and forced labor.” In this regard, we are interested in the following information:

1. What policies or procedures does Lorillard, Inc. have in place regarding the use of child labor in tobacco farming on farms supplying tobacco to Lorillard, Inc. or to intermediary companies from which Lorillard, Inc. buys tobacco?
2. How does Lorillard, Inc. monitor the treatment of child workers on farms supplying tobacco to Lorillard, Inc. or to intermediary companies from which Lorillard, Inc. buys tobacco?
3. Does Lorillard, Inc. have policies or procedures to prevent and alleviate labor rights violations, and other human rights violations in its global supply chain? What are these policies or procedures?
4. What policies does Lorillard, Inc. have in place regarding working hours and breaks for workers engaged in tobacco farming on farms supplying tobacco to Lorillard, Inc. or to intermediary companies from which Lorillard, Inc. buys tobacco? How does it monitor the implementation of these policies?
5. What policies does Lorillard, Inc. have in place regarding payment of wages to workers in its supply chain and deductions from workers’ wages (such as for provision of water, transportation, or the like)? How does Lorillard, Inc. monitor the implementation of these policies?
6. What policies does Lorillard, Inc. have in place regarding provision of water, shade, sanitary facilities and hand washing facilities to workers on tobacco farms in its supply chain? How does it monitor the implementation of these policies?
7. What steps does Lorillard, Inc. take to ensure that workers on tobacco farms in its supply chain, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns?
8. What policies does Lorillard, Inc. have in place regarding the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals by tractor, given the risk of workers’ exposure to pesticides as a result of drift when working near tractors that are spraying? How does Lorillard, Inc. monitor the implementation of these policies?

9. What mechanisms does Lorillard, Inc. have to ensure the freedom of association for workers on farms supplying tobacco to Lorillard, Inc.? Does the company believe that freedom of association includes a process for employers to recognize employee associations for the purposes of collective bargaining?
10. Has Lorillard, Inc. identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on tobacco farms supplying tobacco to Lorillard, Inc., either from workers or from others in 2011, 2012 and 2013? If so, what actions has Lorillard, Inc. taken?
11. Does Lorillard, Inc. have a mechanism whereby workers on tobacco farms in its supply chain may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does Lorillard, Inc. take to ensure that workers are informed of this mechanism and the manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What steps does Lorillard, Inc. take to ensure that workers who file complaints do not face retaliation?
12. We would be grateful to receive brief data on Lorillard, Inc.'s total tobacco purchases in the United States as well as its total tobacco purchases in each of the following states: North Carolina, Kentucky, Tennessee, and Virginia, in 2011, 2012, and 2013.
13. We would be grateful for data on how these numbers compare to Lorillard, Inc.'s tobacco purchasing in other countries.
14. We would be grateful for data on worker deaths and injuries, if possible disaggregated by age, gender, and ethnicity, for all countries from which Lorillard, Inc. and its subsidiaries supply tobacco.

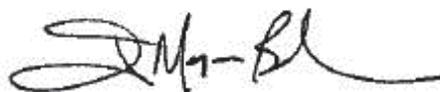
Human Rights Watch seeks to obtain information that will ensure accuracy in our reporting. We will be grateful if you can formally respond to this letter so that we can incorporate your perspective into our analysis and our report. We would welcome your response by January 24, 2014.

We would also like to arrange a meeting with you or senior Lorillard, Inc. staff and Human Rights Watch experts on child labor to discuss these issues. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We will also be in contact with your office in the coming weeks regarding a convenient time for a meeting.

Sincerely,



Arvind Ganesan
Director



Jane Buchanan
Associate Director

Business and Human Rights Division

Children's Rights Division

Lorillard, Inc.

Ronald S. Milstein
Executive Vice President,
Legal and External Affairs,
General Counsel and Secretary

(336) 335-7718
Fax (336) 335-7707

January 21, 2014

Arvind Ganesan, Director
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, NY 10118-3299

Dear Mr. Ganesan:

Your letter of December 11, 2013 to Murray Kessler, Chairman, President and CEO of Lorillard, Inc., has been referred to me for response. Lorillard Tobacco Company ("Lorillard"), a wholly-owned subsidiary of Lorillard, Inc., is engaged in the manufacture of cigarettes in the United States and sources its tobacco leaf from domestic and international suppliers.

We share your concerns regarding compliance with child labor laws within the tobacco supply chain. Upon receipt of your letter, we contacted our tobacco suppliers to review their child labor policies and discuss any violations within the supply chain. As background, unlike other major cigarette manufacturers, we do not buy our domestic or foreign tobacco directly from growers and accordingly have no contracts with growers for the tobacco leaf we purchase. Rather Lorillard contracts with Alliance One International ("Alliance One") and Universal Corporation ("Universal Leaf") for the purchase of its domestic tobacco leaf requirements. After we received the latest child labor policies and responses to our inquiry from our suppliers, we requested that they maintain and abide by these policies, which is a process we undertake on a regular basis. Links to the child labor policies for Alliance One and Universal Leaf are available on their respective websites.¹ We strongly urged Alliance One and Universal Leaf to continue to comply with their existing child labor and other social responsibility policies and to support efforts to improve workplace conditions for farm workers.

In response to the questions included in your letter, our Code of Business Conduct and Ethics and Supply Chain Compliance Policy reflect our policies regarding compliance with child labor laws and the prohibition of human trafficking and slavery within our global supply chain (Questions 1 and 3). We do not directly monitor the treatment of laborers on tobacco farms since we do not contract directly with growers, but rely on the implementation of policies and procedures and monitoring by our tobacco suppliers to ensure that there are no child labor law violations. We review our supplier policies on child labor and other compliance matters on a regular basis and inquire as to any issues identified (Question 2). Since we do not contract with tobacco farms directly for our tobacco supply, we do not have any more specific policies or

¹ Alliance One Child Labor Policy: <http://www.aointl.com/cg/clp.asp>
Universal Leaf Child Labor Policy: <http://www.universalcorp.com/SCIP/SCIP-ChildLabor.asp>

procedures in place to address the matters identified in Questions 4-9 and 11. The information requested in Questions 12 and 13 is proprietary and has not been provided. We have not received any reports of child labor or other labor violations or data on worker deaths or injuries from our tobacco suppliers (Questions 10 and 14).

We appreciate the efforts your organization expends on these matters. However, we do not believe that a meeting would be the most constructive use of your time given our indirect relationship with the tobacco farms. We encourage you to engage directly with the tobacco farms and those suppliers in contractual privity with them. From our end, we will continue to work with our tobacco suppliers to address child labor and other compliance matters in our supply chain. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ronald S. Milstein', written over a horizontal line.

Ronald S. Milstein

RSM/asp

cc: Murray S. Kessler
Jane Buchanan, Associate Director, Human Rights Watch

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Amy Towers
Marie Warburg
Catherine Zennström

March 31, 2014

Murray S. Kessler
Chairman, President, and Chief Executive Officer
Lorillard, Inc.
714 Green Valley Road
Greensboro, North Carolina 27408-7018

Dear Mr. Kessler,

Thank you for your letter of January 21, 2014. We appreciate the constructive dialogue with Lorillard. We have appreciated the opportunities to learn more about Lorillard's policies and practices concerning child labor.

We are writing today to share with you some additional information regarding the counties in North Carolina, Kentucky, and Tennessee in which children reported working. We are also taking this opportunity to share our key recommendations to businesses purchasing tobacco in the United States.

Counties where Children Reported Working

As we explained previously, consistent with our methodology for investigating human rights worldwide, we go to great lengths to protect the confidentiality of interviewees. Out of concern for interviewees' security, we are unable to report specific farms where children worked, but we can share a list of counties where children reported working in North Carolina, Kentucky, and Tennessee (attached). We do not preclude the possibility that children work in tobacco farming in other counties in these states. Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

While we hope our list of counties might help to guide Lorillard's efforts to address hazardous child labor on farms in its supply chain, we would encourage the company to do a comprehensive investigation of child labor in every county from which Lorillard purchases tobacco. Due to the small size of our team and the nature of our methodology, we are not in a position to conduct a broad survey to examine conditions in every tobacco-growing county in the US. However, our research indicated patterns of hazardous child labor on tobacco farms in many different locations, and we urge



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Lorillard to look beyond the counties we identified in order to investigate thoroughly child labor on all US tobacco farms in its supply chain.

Recommendations

We would like to take this opportunity to share our initial recommendations for tobacco manufacturing companies and tobacco leaf companies which we believe are essential to protect children from hazards particular to tobacco farming. We look forward to discussing these recommendations with you. Human Rights Watch has also developed detailed recommendations for other relevant actors, including the US Congress, the US Senate, the President of the United States, the US Department of Labor, the Environmental Protection Agency, tobacco-producing states, tobacco growers' associations and Farm Bureaus, agricultural employers, and the International Labour Organization.

Human Rights Watch bases these recommendations on our research findings which we detailed to you in our December 11, 2013 letter, extensive reviews of available public health literature, interviews with public health researchers, analysis of national laws and practice, analysis of ILO laws and reports, interviews with ILO experts on child labor, interviews with representatives of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), and ECLT materials.

Based on our findings, Human Rights Watch believes that no child under age 18 should be permitted to work with tobacco in any form, including plants of any size or dried tobacco leaves, due to the inherent health risks posed by nicotine and the pesticides applied to the crop.

Because exposure to tobacco in any form is unsafe, Human Rights Watch has determined, based on our field investigations and other research, that as a practical matter there is no way for children under 18 to work safely on US tobacco farms when they have direct contact with tobacco plants of any size or dried tobacco leaves, even if wearing protective equipment. Though protective equipment may help mitigate exposure to nicotine and pesticide residues, rain suits and watertight gloves would not completely eliminate absorption of toxins through the skin and would greatly increase children's risk of suffering heat-related illnesses. The inadequacy of protective equipment to protect children, as documented by Human Rights Watch in the US, seems likely to extend to tobacco farms outside the United States.

A number of countries have laws or regulations prohibiting all children from working in tobacco farming, or from performing the majority of tasks in which they come into direct contact with tobacco in any form, including Brazil, India, Malawi, Kazakhstan, Russia, and Uganda.

Recognizing the risks to children of work in tobacco farming, the US Department of Labor proposed regulations in 2011 that would have prohibited all children under 16 (the minimum age for hazardous work in agriculture in the US) from “all work in the tobacco production and curing, including, but not limited to such activities as planting, cultivating, topping, harvesting, baling, barning, and curing.” The regulations were withdrawn in 2012. The ILO Committee of Experts has strongly urged the US government to reconsider withdrawal of the proposed regulations.

This evidence and our analysis are further detailed in our forthcoming report, as are additional recommendations. Our key recommendations to businesses purchasing tobacco in the United States include:

Regarding Child Labor

- Adopt and implement policies globally prohibiting the use of child labor anywhere in the supply chain. The policy should specify that hazardous work for children under 18 is prohibited, *including any work in which children come into direct contact with tobacco plants of any size and dried tobacco leaves.* Consistent with ILO conventions, the policy should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15, or the minimum age provided by the country’s laws, whichever affords greater protection. *The policy should specify that it is in effect throughout the supply chain in all countries irrespective of local laws that afford lesser protections.*
- Strive to phase out the use of child labor in the supply chain by establishing clear timeframes.
- Ensure that all contracts with growers and suppliers include specific language prohibiting the use of children in hazardous work under 18, including any work in which children come into contact with tobacco leaves of any size and dried tobacco leaves. Establish and carry out penalties for those in the supply chain who violate the no-child labor policy. The penalties should be sufficiently severe and consistently implemented so as to have a dissuasive effect. Discontinue contracts with farms that repeatedly violate the policy prohibiting child labor.
- Provide training to agronomists, suppliers, growers, workers, and others on the hazards to children of working in tobacco. Utilize outside experts on child labor to conduct these trainings where appropriate.
- Establish a regular and rigorous internal monitoring process in all countries in the supply chain.

- Engage qualified third-party monitoring for child labor in supply chains in all countries.
- Engage a third-party organization to develop a no-child labor policy as outlined above, including the structures for its effective implementation.
- Develop or enhance collaboration with local stakeholders to eliminate child labor on tobacco farms, including by:
 - Working with federal and local government officials, including the Office of Migrant Education, to ensure access to education for farmworker children.
 - Implementing, with meaningful input and participation from farmworker children, their families, and local stakeholders, free summer programs each year for both migrant and local children, as an alternative to working in tobacco farming. Programs should provide age-appropriate educational, recreational, and leadership development opportunities to children under 18.
 - Collaborating with local stakeholders to identify other summer employment opportunities for children as alternatives to working on tobacco farms.
 - Where possible, cooperating with the ILO's International Programme on the Elimination of Child Labour (IPEC), UNICEF, nongovernmental organizations, and others undertaking efforts to prevent child labor, including through the provision of alternatives to working in tobacco farming.
 - Establishing a scholarship fund to provide young farmworkers with economic support to pursue higher education. The scholarship application should account for the unique circumstances of farmworker children's educational paths.
 - Investing in rural health infrastructure to ensure tobacco workers and their children have access to health services.
 - Collaborating with land-grant universities and extension services to enhance agricultural education in tobacco-growing communities, and to provide farmworker families with access to land for small-scale agricultural enterprise.

Regarding Industry-Wide Multilateral Initiatives

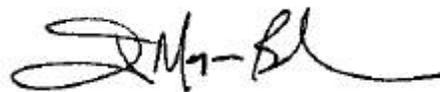
- Develop an international industry-wide standard to prohibit hazardous work for children under 18 on tobacco farms, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves; establish minimum age requirements consistent with ILO conventions.
- Amend the US Tobacco Good Agricultural Practices (GAP) labor management guidelines to specify that hazardous work for children under 18 is prohibited, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves. Consistent with ILO conventions, the standard should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15. This standard should be a contractual requirement for all US tobacco growers.
- Engage meaningfully in multi-stakeholder initiatives, including with a view to support tobacco industry efforts to promote the elimination of child labor in the tobacco supply chain, effective monitoring of these policies, and initiatives to support alternative employment, education, and recreational opportunities for children in tobacco-growing communities.
- Increase financial support to nongovernmental organizations working to eliminate hazardous child labor in tobacco farming.
- Establish a pooled fund to support programs that provide alternatives to child labor in US tobacco farming and/or consider expanding programs through the Eliminating Child Labour in Tobacco Growing Foundation to include the United States.

We look forward to discussing these recommendations with you and welcome any updates to Lorillard's existing policies and practices regarding child labor, so that we have the most up-to-date information for our research and reporting.

Best regards,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

Cc: Ronald S. Milstein, Executive Vice President, Legal and External Affairs

Counties where Children Reported Working

State	Counties
Kentucky	Barren
	Bath
	Bourbon
	Boyle
	Clark
	Crittenden
	Fayette
	Franklin
	Harrison
	Henry
	Lincoln
	McCrory
	Metcalfe
	Monroe
	Montgomery
	Pulaski
	Scott
Shelby	
Taylor	
Warren	
Washington	
Wayne	
North Carolina	Duplin
	Greene
	Johnston
	Jones
	Lenoir
	Martin
	Nash
	Onslow
	Pitt
	Sampson
	Wayne
	Wilson
Tennessee	Grainger
	Hawkins
	Jefferson
	Macon
	Sumner

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John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

April 16, 2014

To the members of the Farm Labor Practices Group,

We are writing to thank you for the opportunity to present our research and recommendations at the April 10, 2014 Farm Labor Practices Group plenary meeting in Raleigh. We were grateful for the informative and constructive discussion with all of you, and we look forward to continued dialogue and meaningful progress on many of the concerns identified.

As discussed during the meeting last week, we are sharing with you the slides from our presentation, along with additional information on the ages of the children we interviewed for this project. Please find a chart with this information below.

We are also writing to let you know that Human Rights Watch will publish the report with our research on child labor in tobacco farming in the US and relevant recommendations next month. The report will describe our methodology, findings, and analysis of US laws and international standards related to child labor. Consistent with Human Rights Watch's approach to our work worldwide, our report will include personal accounts from many of the children we interviewed, along with analysis of public health literature and national and international data. The report will also include a description of the policies and practices of several leading companies that purchase tobacco grown in the United States, including the six companies represented in the FLPG. It will also include detailed versions of the recommendations we presented at the meeting last week, including recommendations to tobacco manufacturing and tobacco leaf companies, the Obama administration, US Congress, state governments, and others.

We were encouraged to learn that the Farm Labor Practices Group took a decision to establish a working group on child labor, which has the possibility to make significant positive impacts. Human Rights Watch would welcome the opportunity to make further contributions to this group and looks forward to learning about the results of this group's efforts. At the same time, in line with the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) and other international standards and guidance, each company in the FLPG and other tobacco

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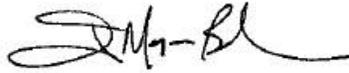
manufacturing and leaf companies individually have responsibilities to prevent and remedy human rights concerns, including hazardous child labor, in their supply chains.

Human Rights Watch is committed to accurately representing and publicizing the measures each company has taken to address child labor in supply chains globally. To that end, we would be pleased to report on any recent changes or further commitments made by your companies concerning policies on child labor. In order to reflect any commitments or policy changes in our publications, we would welcome responses to our recommendations shared with you during the plenary meeting as well as in the March 31 letter by April 30, 2014. We would also welcome written responses from other members of the FLPG to inform our ongoing research on child labor.

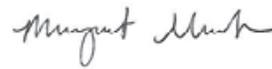
Sincerely,



Jo Becker
Advocacy Director
Children's Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



Margaret Wurth
Researcher
Children's Rights Division

Ages of Children Interviewed by Human Rights Watch

Age	NC	KY	TN	VA	TOTAL
7			1		1
8					0
9	2		2		4
10		1	1		2
11	1	1			2
12	3	2			5
13	5	1	2		8
14	14	8		2	24
15	15	11	1		27
16	20	10	2	1	33
17	12	5	1		18
18*	8	7	2		17
TOTAL	80	46	12	3	141

*All 18-year-old children interviewed for this report worked in tobacco as 17-year-old children in 2012.

Mean age of children interviewed: 15

Median age of children interviewed: 15

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Graham Robeson
Shelley Rubin
Kevin P. Ryan
Ambassador Robin Sanders
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Siri Stolt-Nielsen
Darian W. Swig
John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

December 11, 2013

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

Dear Mr. Calantzopoulos,

Please accept my greetings on behalf of Human Rights Watch. Human Rights Watch is grateful for the constructive dialogue we have had with Philip Morris International concerning protections for workers and child labor in Philip Morris International's global supply chain since we first contacted Philip Morris Kazakhstan and Philip Morris International in October 2009 regarding child labor and exploitation of migrant workers on farms in Kazakhstan supplying tobacco to Philip Morris Kazakhstan.

We are writing to you today to share preliminary findings with you concerning our recent research on child labor in tobacco farming in the United States. We hope that this new research will help deepen our dialogue with you regarding concerns related to child workers in tobacco farming and further Philip Morris International's implementation of its Agricultural Labor Policy program throughout its global supply chain.

From May-October 2013 Human Rights Watch conducted research on child labor in tobacco farming in North Carolina, Kentucky, Tennessee, and Virginia. We interviewed approximately 140 children ages 7-17 who stated that they worked in tobacco farming in 2012 or 2013 or in both years, as well as children and parents who described other children working in tobacco farming.

The specific jobs children said they did on tobacco farms included: planting seedlings, weeding, thinning tobacco plants, repositioning plants that were leaning, topping, pulling off suckers, and applying pesticides.

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On farms with flue-cured tobacco, children reported doing the following jobs: hand harvesting tobacco leaves, machine harvesting tobacco leaves, filling cages with tobacco leaves for drying, sorting tobacco leaves, and packing tobacco leaves.

On farms growing burley tobacco, children reported: cutting tobacco plants, carrying cut tobacco plants, spearing tobacco plants on sticks for hanging, carrying sticks with several tobacco plants, lifting sticks with several tobacco plants onto trucks or to workers to hang the sticks in the rafters of a barn, hanging sticks with tobacco plants in barns, taking down sticks of burley tobacco plants from barns, and stripping leaves off dried tobacco.

The vast majority of children with whom Human Rights Watch spoke were working for hire. Most children were hired by a labor contractor or a labor subcontractor. Some children were working directly for tobacco growers. Only a few children worked on family farms, without pay. A few of the very youngest children worked with their parents sporadically and without pay.

The vast majority of children interviewed by Human Rights Watch stated that they lived in the states in which they worked and worked primarily or exclusively in the summer months. Human Rights Watch also interviewed a few children who migrated to or within the United States for work.

Preliminary Findings

Health and Safety

Nicotine Poisoning/Green Tobacco Sickness and Other Health Risks

A majority of children interviewed by Human Rights Watch described experiencing symptoms consistent with acute nicotine poisoning (Green Tobacco Sickness) while working, including, variously, nausea, dizziness, lightheadedness, headaches, vomiting, and loss of appetite.

Some of these symptoms may be linked to pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Nearly all children interviewed by Human Rights Watch said they lacked personal protective equipment, which would help minimize the amount of exposure to wet tobacco leaves and tobacco leaves that had been treated with pesticides or other hazardous chemicals.

Some also reported difficulty sleeping together with symptoms of nicotine poisoning.

Some children also reported itchy skin and skin rashes.

Some children also told Human Rights Watch that water from tobacco plants would splash into their eyes or mouth during topping or pieces of tobacco leaves would fall into their eyes or mouth while lifting sticks with tobacco plants to be hung in barns.

A few children reported respiratory and allergic symptoms while working in tobacco fields or in curing barns.

Exposure to Pesticides and Growth Regulators

Many children interviewed by Human Rights Watch reported that they saw tractors spraying pesticides or growth regulators in the fields in which they were working or in fields adjacent to the ones in which they were working. These children often reported being able to smell and/or feel the chemical spray as it drifted towards them. Many reported some or all of the following symptoms after coming into contact with the spray: burning eyes, burning nose, itchy skin, nausea, vomiting, dizziness, redness and swelling of the mouth, and headaches.

A few children interviewed by Human Rights Watch stated that they applied pesticides to tobacco plants with a handheld sprayer and backpack and a few reported operating tractors that were spraying pesticides on tobacco fields.

Extreme Temperatures

All children interviewed by Human Rights Watch stated that they often worked in high temperatures and high humidity typical for the summer months in North Carolina, Kentucky, Tennessee and Virginia, and many stated that they were expected to work without additional breaks in such conditions.

Water

Most children interviewed by Human Rights Watch stated that the contractor or grower provided water to them while working, usually from a cooler. Some children told Human Rights Watch that the water provided was not clean or drinkable. Other children told Human Rights Watch that employers did not provide water at all.

Lack of Shade

Many children interviewed by Human Rights Watch stated that they did not have the opportunity to shelter in shade during the work day. Some children reported that the shade available was inside vehicles used to transport the workers to the worksite, or in wooded areas, in the event the worksite was located near a wooded area.

Lack of Sanitary Facilities

Very few children interviewed by Human Rights Watch reported having access to a bathroom. Most children told Human Rights Watch that they would relieve themselves in wooded areas, if there were any near to the worksite, or refrain from relieving themselves at all during the day, including by declining to drink liquids. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would use a bathroom.

Lack of Hand Washing Facilities

Most children interviewed by Human Rights Watch stated that they did not have access to hand washing facilities. Many children stated that they rinsed their hands with water from the cooler provided, but did not use soap to wash their hands.

Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would be allowed to wash their hands.

Lack of Personal Protective Equipment

Almost none of the children interviewed by Human Rights Watch were given any kind of personal protective equipment by their employer.

Many children interviewed by Human Rights Watch wore black plastic garbage bags over their clothes to prevent their clothes from becoming soaked by water on the tobacco plants after rain or in high humidity conditions that created heavy dew. Children's parents typically bought the plastic bags for them to wear. Some children interviewed by Human Rights Watch did not wear plastic garbage bags because doing so made them overheat.

Most children interviewed by Human Rights Watch wore latex or cloth gloves, which in most cases they or their parents bought. Some child workers said that the gloves available were too large for their hands or it was difficult for them to perform the work at the pace required while wearing gloves, so they worked without them.

Several children told Human Rights Watch that they worked in bare feet or socks when the mud in the fields was deep and they lacked appropriate footwear.

Repetitive Motions and Lifting Heavy Loads

Children interviewed by Human Rights Watch described performing prolonged repetitive motions, including working bent over at the waist, twisting their wrists to top tobacco plants, crawling on hands and knees, or reaching above their heads for extended periods of time. Children reported muscle soreness, aches, and pain in their backs, shoulders, arms, hands, and fingers after engaging in repetitive motions.

Human Rights Watch interviewed child workers who reported loading heavy sticks of harvested tobacco plants onto flatbed wagons to be transported to barns for curing. Children also said they lifted heavy sticks of tobacco plants over their heads to other workers who would hang the sticks in the rafters of barns for curing.

Work with Dangerous Tools, Machinery, Heavy Loads, and at Heights

Some children interviewed by Human Rights Watch stated that they used hoes to remove weeds from tobacco fields, as well as axes or hatchets to cut burley tobacco during the harvest and spikes

to spear burley tobacco plants. Some children told us they sustained cuts and puncture wounds from working with these sharp tools.

A few children said they operated or worked in close proximity to dangerous machinery, including mowers used to trim tobacco plants, tractors used to harvest tobacco leaves, and balers used to compress leaves into bales. In Kentucky, Human Rights Watch interviewed a few children who drove tractors while working in tobacco. Some children reported injuries related to operating or being near heavy machinery.

Human Rights Watch interviewed children who told us they climbed into the rafters of barns, with and without ladders, to hang sticks of harvested burley tobacco to dry. Children described climbing to significant heights as crews of workers formed several tiers to pass sticks of tobacco upward to be hung in the barn for curing. While engaging in this work, children said, they straddled planks that were sometimes positioned two or three feet apart.

Wages and Hours

Wages

Most children we interviewed reported earning minimum hourly wage for their work. Some children reported being paid by check and some were paid in cash.

Some children interviewed by Human Rights Watch received less than minimum wage. Some children reported to Human Rights Watch earning more than minimum wage. Some children interviewed by Human Rights Watch said that they earned piece rate wages during the burley tobacco harvest based on the number of tobacco plants they cut and/or hung in barns.

Some children reported to Human Rights Watch problems with wages including deductions by the contractor or grower for water or for reasons that were not explained to them or because of what they believed were inaccurate recording of hours by contractors.

Working Hours

Children interviewed by Human Rights Watch described working long hours, typically between 10-12 hours per day, and sometimes more. Some children worked shorter days, because the day's work had been completed or because the contractor or grower allowed workers to end the day early due to heavy rain or very high heat. Other children reported working through adverse weather conditions.

Most children interviewed by Human Rights Watch worked 5 days per week; some worked fewer, and some children reported working 6 or 7 days per week.

Nearly all children interviewed by Human Rights Watch stated that they were allowed 2 or 3 breaks per day.

Education

Some children interviewed by Human Rights Watch had migrated for work and missed several months of school. Some children reported skipping days of school to work in tobacco. Some children reported working long hours after school that interfered with their ability to keep up with schoolwork.

Questions

We are aware that Philip Morris International states in its Agricultural Labor Policy (ALP) that, “There shall be no child labor,” and specifies the following 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.

We are interested in learning more about Philip Morris International’s implementation of this policy and the practices PMI has in place regarding child labor and other labor rights in the United States, as well as to receive the latest information regarding Philip Morris International’s implementation of the ALP policy globally. In particular, we are interested in the following information:

1. What types of tasks on tobacco farms does Philip Morris International consider to be “hazardous work” under its policy that “No person below 18 is involved in any type of hazardous work”? What steps does PMI take to enforce the prohibition on children working in these types of tasks in its global supply chain and, in particular, in its United States supply chain?
2. What is meant by the ALP measurable standard: “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” in the context of the measurable standard: “No person below 18 is involved in any type of hazardous work”?
3. Given the ALP’s prohibition on persons under 18 being involved in hazardous work, how does Philip Morris International monitor for child labor on farms supplying tobacco to PMI or to intermediary companies from which PMI buys tobacco? Specifically, how does Philip Morris International conduct this monitoring in the United States?

4. How does Philip Morris International monitor the implementation of ALP policies concerning payment of wages to workers on tobacco farms in its supply chain and deductions from workers' wages (such as for provision of water, transportation, or the like) and working hours? Does PMI have a policy concerning breaks for workers?
5. What steps does Philip Morris International take to ensure that workers on tobacco farms in its supply chain, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns? How does PMI monitor the implementation of these policies?
6. What policies does Philip Morris International have in place regarding the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals by tractor, given the risk of workers' exposure to pesticides as a result of drift when working near tractors that are spraying? How does PMI monitor the implementation of these policies?
7. What mechanisms does Philip Morris International have to ensure the ALP standard: "Farmers shall recognize and respect workers' rights to freedom of association and to bargain collectively" is met on farms supplying tobacco to PMI and its subsidiaries and suppliers? Does PMI believe that freedom of association includes a process for employers to recognize employee associations for the purposes of collective bargaining? Has PMI established such a process on farms with which it contracts directly?
8. Has Philip Morris International identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on its tobacco fields in the United States either from workers or from others in 2011, 2012 and 2013? If so, what actions has Philip Morris International taken?
9. Does Philip Morris International have a mechanism whereby workers employed on farms in the United States supplying tobacco to PMI may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does PMI take to ensure that workers are informed of this mechanism and the manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What steps does PMI take to ensure that workers who file complaints do not face retaliation?
10. We would be grateful to receive data on Philip Morris International's total tobacco purchases in the United States as well as its total tobacco purchases in each of the following states: North Carolina, Kentucky, Tennessee, and Virginia, in 2011, 2012, and 2013.

11. We would be grateful for data on how these numbers compare to Philip Morris International's tobacco purchasing in other countries.

12. We would be grateful for data on worker deaths and injuries, if possible disaggregated by age, gender, and ethnicity, for all countries from which Philip Morris International and its subsidiaries supply tobacco.

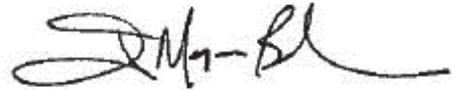
Human Rights Watch seeks to obtain information that will ensure accuracy in our reporting. We will be grateful if you can formally respond to this letter so that we can incorporate your perspective into our analysis and our report. We would welcome your response by January 24, 2014.

We would also like to arrange a meeting with you or senior Philip Morris International staff and Human Rights Watch experts on child labor to discuss the issues raised in this letter. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We will also be in contact with your office in the coming weeks regarding a convenient time for a meeting.

Sincerely,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



PHILIP MORRIS INTERNATIONAL

February 4, 2014

Ms. Jane Buchanan
Associate Director, Children's Rights Division
Mr. Arvind Ganesan
Director, Business & Human Rights Division
Human Rights Watch
350 5th Avenue, 34th Floor
New York, New York 10118-3299

Dear Ms. Buchanan and Mr. Ganesan,

I write in response to your inquiry to Mr. André Calantzopoulos, Chief Executive Officer of Philip Morris International, Inc. (PMI), dated December 11, 2013, regarding Human Rights Watch's (HRW) recent research on child labor in the United States. Thank you for continuing this constructive dialogue and for recognizing PMI's efforts to address child labor and other labor related issues in tobacco growing. PMI is committed to progressively eliminate child labor and other labor related abuses on all farms from which we source tobacco and takes responsibility for our role in achieving this goal.

We take the findings outlined in your letter very seriously and are eager to understand how they relate to the farms with which PMI contracts in the United States. Included in this letter are responses to your specific questions and, as we have done before, we would like to exchange additional information with you in order to help us address specific issues occurring on farms contracted by PMI.

We would also like to take the opportunity to share the key steps we are taking to implement our Agricultural Labor Practices (ALP) program around the world and highlight aspects relevant to implementation in the United States. Through ALP, we aim to promote fair and safe labor practices on all farms that grow the tobacco we buy.

As you know, since 2011 we have had a strategic partnership with Verité, a US-based international not-for-profit organization, whose mission is to ensure people worldwide work under safe, fair, and legal conditions. Verité has played a critical role for us, providing experience, advice and hands-on support in the creation, implementation, and monitoring of the ALP Program to improve conditions for workers on farms in countries where tobacco is purchased for PMI products.

¹ In this letter, "PMI", "we", "us" and "our" refer to Philip Morris International Inc. and/or its subsidiaries including affiliates.



Since ALP's inception, over 3,700 PMI employees (and our suppliers) and nearly 500,000 tobacco growers² in more than 30 countries have been trained on ALP principles and standards for the farms where we source tobacco. This was an important step toward achieving one of the program's first phase goals which was to provide field technicians and others in contact with growers, basic knowledge on human rights and labor practices, the ALP Code's measurable standards, and to build the necessary skills to implement the Code on the farms they support. Subsequent to the training, field technicians started to communicate and explain the ALP Code requirements to all farmers, discuss how these standards relate to the way they run their farms, and to win farmers' commitment and support for their implementation.

Also during the first phase of the program, each PMI affiliate or supplier collected basic socio-economic profiles for every contracted farm (Farm Profiles)³. This data helped to identify relevant risks and set priorities to address them. We also trained affiliates and suppliers to manage "prompt action" issues, which we define as situations where workers, growers, or their families are in danger and immediate action to resolve the problem is necessary.

In 2013 we began the second phase of the ALP program which focuses on tackling the top priority issues identified in phase one and investing in capacity to systematically address issues and measure our progress on a long-term basis. More detailed information regarding our approach, the various components of ALP and our progress worldwide is available on our website at www.pmi.com, including a link to our 2012 ALP progress report. The 2013 report will be published later this month.

In the United States, we have worked to better understand labor practices and to adapt the ALP program to address the unique complexities of the environment. While we have direct contracts with growers, our direct contact with them is limited. In addition, there are no field technicians in United States. Instead, the role of the field technician has traditionally been performed in the US by land-grant universities, which have provided farmers in all agriculture sectors the services of "university farm extension specialists" who provide technical guidance to growers on agronomy related issues.

In addition, in 2011 we commissioned Verité to conduct a limited, preliminary assessment of labor conditions on US flue-cured and burley tobacco farms, mainly in North Carolina and Kentucky. Our objective was to use this information to improve our understanding of farm labor practices and define priority areas for the ALP program. This preliminary assessment, while narrow in scope, included onsite research and interviews with growers, workers and local, state and national stakeholders over the course of several weeks.

Verité's limited assessment raised concerns about the use of farm labor contractors (crew leaders), particularly on burley tobacco farms. Specifically, Verité found a lack of growers' knowledge about crew composition and practices. The assessment also raised concerns regarding minors performing hazardous work on family farms; however the fact that minors were working as part of hired crews was not raised as an issue or a specific area of concern.

² Independent farmers growing tobacco under contract with a PMI affiliate or supplier. In the US, we adopt the common designation of "growers" instead of "farmers."

³ Farm profiles include detailed information about, among many things, the type of labor employed, farming activities in which minors may be involved in, and hiring practices. For more detailed information see ALP Progress Report 2012, p.19 and Att.



Verité's assessments have helped shape our initial training and communications efforts with growers and the detailed Farm Profiles collected have enabled us to conduct farm visits more strategically, based on individual farm risk assessment.

While these are steps in the right direction, we recognize many systemic issues in US agriculture impact the implementation of the ALP Program. For this reason, we are exploring other avenues to make real progress in this area. We were one of only two companies to collaborate with Oxfam America's research on human rights and labor conditions in tobacco growing in North Carolina. We pursued the recommendations set out in Oxfam America's report, engaging with farm worker representatives, growers associations, other companies, NGOs and government authorities in North Carolina, and established a structured and meaningful dialogue to improve working conditions on tobacco farms and, more broadly, in the agricultural sector.

These engagements led to the creation of the Farm Labor Practices Group, which includes other tobacco manufacturers, leaf buying companies, growers' organizations, labor representatives, NGOs and the U.S. Department of Labor. This group met for the first time in April 2012 in Raleigh, North Carolina, with subsequent meetings held in 2012 and 2013. As a result of these discussions, working groups were created to develop farmworker health-and-safety training and education, recommend policy changes, improve worker access to effective grievance mechanisms and address potentially related matters, such as freedom of association. PMI has assumed leadership roles in each of these groups, and more information on progress to date is included in the enclosed document.

We would like to invite Human Rights Watch to present your findings to this group at its next meeting in April 2014, and to help us to better define a common industry approach to addressing these serious issues. If this is of interest to you, we welcome a more in-depth discussion about this work and logistics for attending when we meet in New York.

As always we appreciate the opportunity for an open and constructive dialogue and look forward to discussing these issues further on February 6th.

Best regards,

Jennifer P. Goodale

Vice President, Contributions and External Labor Policies

- Encls:
- Annex I – PMI's answers to the questions raised by HRW
 - Annex II – PMI's newsletter informing US growers about the implementation of the ALP Program - Q4 2011
 - Annex III – PMI's newsletter to US growers focused on farm labor contractors, Q3 2013

cc: Mr. André Calantzopoulos, Chief Executive Officer
Mr. Miguel Coleta, Director, External Labor Policies

Annex I – PMI's answers to the questions
raised by HRW

Question #1: What types of tasks on tobacco farms does Philip Morris International consider to be “hazardous work” under its policy that “No person below 18 is involved in any type of hazardous work”? What steps does PMI take to enforce the prohibition on children working in these types of tasks in its global supply chain and, in particular, in its United States supply chain?

A significant part of our guidance and training to growers is about child labor and hazardous work; we provide concrete examples of the hazardous activities in tobacco growing, which we define as:

- Driving vehicles or operating machinery with moving parts
- 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

Our ALP Code maintains generally stricter standards than defined in US federal law¹ and the relevant states’ laws, both in terms of the types of activities deemed hazardous and the age limits for performing such activities. This was a key focus in discussions with growers during training sessions and during implementation of the ALP program in the United States.

We included guidance on PMI’s ALP child labor standards in the first newsletter sent to all US contracted growers in the 4th Quarter of 2011², informing them about the ALP program implementation. In early 2012, we incorporated the ALP Code standards in our contractual arrangements with all growers, trained relevant PMI staff as “trainers”, and conducted a total of 76 local training sessions during the period of February, March, and April, covering all farms contracted by PMI (more than 3000) in the US.

During these training sessions, we discussed in detail the ALP Code principles and standards and our approach to its implementation: to work with growers to address problems and provide support to improve practices. We also made it clear that if there

¹ US Government’s Definition of Hazardous work (Occupational Health and Safety Administration): <http://www.dol.gov/elaws/esa/flsa/docs/hazag.asp>

² See annex II

is no commitment to corrective actions, or if there is a persistent lack of action and improvement, we would terminate our relationship with the grower³.

During the initial stage, we found several cases in which growers were unwilling to follow our child labor standards. These growers did not agree with our positions and we therefore could not expect these farms to comply with our standards. Due to these disagreements, we severed ties with approximately 20 growers when the ALP standards became part of our contracts.

In the absence of field technicians, we mobilized personnel from various Leaf functions who, together with Verité and colleagues from the Corporate Affairs team in Washington, DC, conducted the initial training and collected Farm Profiles. Our team then conducted follow-up farm visits based on the analysis of the Farm Profile data which revealed two main areas of concern: children performing hazardous work in the context of family farms and use of crew leaders (farm labor contractors). We visited 111 farms and discussed with each grower specific situations on their farm related to child labor. The main purpose of these visits was to underscore PMI's attention to the issue of child labor, and to confirm that growers clearly understood hazardous activities for children on the farm, and most importantly, why these activities were hazardous.

We believe that the growers' buy-in and commitment are key factors for ALP Code adherence and for genuine behavior change. This is even more relevant in the US, given the lack of field technicians and of regular PMI presence on the contracted farms.

While all the growers we visited were adamant that children should never be put in hazardous situations, the specific limits set in the ALP Code were often perceived as being at odds with growers' traditional practices and beliefs (which are reinforced by the US regulatory framework). Nonetheless, we discussed and growers agreed to changes in practices where necessary. In a small number of cases, growers indicated they hired "high-schoolers" (ages 16 and 17) to "help on the farm." Normally, this extra help was sought during peak harvest season, when most tobacco related activities can be deemed hazardous, so growers were asked to find another source of labor and/or to ensure these "high-schoolers" did not work in tobacco on their farms. Our team also conducted unannounced follow-up visits on approximately 20% of the farms to check on implementation of the agreed changes.

³ http://www.pmi.com/eng/media_center/company_statements/documents/aip_code.pdf (p.10)

During the second phase of the ALP program which has just begun in the US - we will proceed with farm-by-farm systematic monitoring of the ALP Code standards. Phase two will involve not only technical staff and receiving station operators, but also additional staff to support monitoring of ALP implementation, and to address the limitations posed by the lack of field technicians. Our objective is to develop the capacity to cover at least 50% of the grower base in 2014 and 100% in 2015.

Additionally, Control Union, a third party auditor, will conduct an external assessment⁴ of ALP implementation status during the 2014 peak season. As you are aware, these external assessments are an intrinsic part of the overall ALP monitoring system, and we scheduled this 2014 assessment in the US over a year ago.

We recognize there are challenges in gaining visibility to the presence of this vulnerable minority population in US agriculture. We continue to expand our outreach to US stakeholders, and we hope the knowledge you have gained as part of your research can assist us in this effort.

Regarding our worldwide implementation of ALP, and particularly our efforts to enforce child labor standards, children involved in hazardous work fall under the “prompt action” category, and steps taken to address the issues vary depending on the seriousness of the problem and the particular context of the farm. These issues could lead to non-renewal of a grower’s contract, but typically involve additional farm visits by managers or supervisors to verify the issue and/or how it is/was being remedied⁵. While we have sought remedial action for the individual child labor cases identified, more often than not these were a reflection of systemic social and economic issues, and not isolated problems.

We focus on practical approaches to support growers, workers and their families and our initiatives have ranged from reducing a growers’ reliance on family labor, to bringing in child labor specialists to provide direct social support to growers’ or workers’ families when issues are identified. In Ecuador, for example, we partner with a local NGO (Desarrollo y Autogestion - DyA) specialized in tackling child labor. Under this partnership, social workers from DyA are now visiting farms on a regular basis, following up with the families when child labor situations are identified, and implementing an extracurricular activities’ program that currently reaches 80% of tobacco farms. In

⁴ Complete information on our ALP’s monitoring system can be found in PMI’s 2012 ALP Progress Report (p. 17-20). Further we refer to our meeting in New York City, May 30, 2012 where we had the chance to discuss the monitoring system in detail.

⁵ Consistent with the feedback received from various stakeholders, we have made clear in our ALP Code that “in all actions concerning children, the best interests of the child shall be the primary consideration.”

Pakistan, we implemented a pilot to help farmers switch from “sticking” the tobacco for curing, often done by children, to a much less labor intensive process using a simple device (“clip-sticks”). In parallel we worked with a local NGO and the education department to provide recreational and educational alternatives for farmer’s children and ensure the commitment of local communities. There was a significant reduction in the number of child labor incidents reported and we are taking the learnings from this pilot to expand the initiatives in Pakistan. In our upcoming 2013 ALP Progress Report we include detailed information about other initiatives worldwide.

Question #2: What is meant by the ALP measurable standard: “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” in the context of the measurable standard: “No person below 18 is involved in any type of hazardous work”?

The minimum age requirements for admission to work are defined by the International Labor Organization (ILO) Convention 138, which states that these requirements “shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years”. In absence of stricter national law, the ALP Code sets the ILO’s convention standard as the minimum age acceptable to us. Also in line with ILO’s Convention 138, no person under 18 can be involved in hazardous work. With regard to tobacco growing, this means that none of the activities listed as part of our answer to Question #1 may be carried out by children, regardless of age.

This does not mean, however, that all activities related to tobacco growing are prohibited for minors. Based on our research and in consultation with experts and stakeholders, we believe this approach is consistent with international standards, including the ILO conventions related to child labor.

Question #3: Given the ALP’s prohibition on persons under 18 being involved in hazardous work, how does Philip Morris International monitor for child labor on farms supplying tobacco to PMI or to intermediary companies from which PMI buys tobacco? Specifically, how does Philip Morris International conduct this monitoring in the United States?

The implementation of the ALP Program is compulsory for all companies supplying tobacco to PMI. Our contractual arrangements reflect these obligations, and our suppliers worldwide have rolled out implementation of the ALP program just as PMI

affiliates have done. This includes systematic monitoring of child labor as well as the other standards and principles of the ALP Code. Our two main global suppliers have shown complete commitment to the ALP Program and we have seen concrete evidence of this worldwide. As an example, over the course of last two years, our suppliers added hundreds of new staff to its operations worldwide to support ALP implementation, and in Africa have set up dedicated teams focused solely on supporting field technicians to monitor and address labor issues.

Question #4: How does Philip Morris International monitor the implementation of ALP policies concerning payment of wages to workers on tobacco farms in its supply chain and deductions from workers' wages (such as for provision of water, transportation, or the like) and working hours? Does PMI have a policy concerning breaks for workers?

As discussed in prior meetings, the ALP monitoring system covers all principles and standards of the ALP Code, including those related to workers' wages and working hours. Our ALP Code requires working hours to be in compliance with local laws and—although we do not set specific standards for “breaks”—we recommend through guidance and training, that proper rest time and time for workers to spend with their families is respected and implemented.

In the US, one key concern in Verité's preliminary assessment was the presence of farm labor contractors in our tobacco growing supply chain, specifically, many growers' lack of visibility into contractors' practices, including workers' payment. Verité's preliminary assessment also suggested a much higher prevalence of this practice in burley producing areas (Kentucky) than in flue-cured (North Carolina) farms, and different levels of risk depending on various factors⁶.

Accordingly, the US team adapted the Farm Profiles to gather more detailed information during the 2012 season. Data showed that in 2012, 20% of our total base utilized the H-2A federal migrant worker visa program, 21% utilized crew leaders, 57% utilized other sources of labor (such as local labor), and 2% used a combination of H-2A and another source. Additionally, our data showed that all growers using the H-2A program paid

⁶ Burley farms are typically much smaller than flue-cured farms, and only hire labor for a limited period during the season. Flue-cured farms are typically larger, more crop diverse, and have higher labor needs for longer periods of time. As such, in North Carolina, the majority of growers use H-2A labor, whereas in Kentucky the use of the program is very limited as H-2A is perceived as expensive and is geared toward large farm operations. Levels of risk varied depending on whether growers use the H-2A program (lower risk), the type of relationships established between growers and workers in the crews (many times workers come back to the same farms and have a good close relationship with growers), methods of payment (whether directly to the workers or to the crew leader), etc.

their workers directly, while only 30% of growers using crew leaders paid workers directly.

In 2013, we focused our ALP training and communication with growers on the use of farm labor contractors⁷, increasing our outreach in high risk areas (burley region), where we organized meetings with over 400 growers to raise awareness and increase the utilization of the H-2A program. We also conducted 336 follow-up farm visits during the season to discuss and assess situations on farms based on the previous season Farm Profile data⁸.

During these initial visits held after the trainings, we found that 23% of growers had already taken action since the previous season when they completed the Farm Profiles. On remaining farms when we identified situations not in line with the ALP Code (the most common being the indirect payment of workers through crew leaders), we agreed to changes with growers. Changes included switching to sourcing labor through the H-2A program, paying workers directly or, as an interim step, to require proof of workers' pay and hours from crew leaders. In subsequent random follow-up visits, which covered 20% of the farms already visited, we found that approximately 50% had made changes to align with the ALP Code.

Farm Profile information collected thus far for the 2013 buying season indicates progress related to our ALP standards as preliminary data suggests a 10% increase in labor sourced through the H-2A federal program on US flue-cured farms and 5% increase on burley tobacco farms. In our meeting we can further discuss additional anecdotal evidence that seems to corroborate this point.

With regards to the deep-rooted systemic issues that control the way agricultural labor is sourced and managed in the US, and in addition to the collective efforts of the Farm Labor Practices Group (referenced above), since 2012 we have advocated before the US Congress and worked with additional stakeholders to encourage an improvement in the H-2A system so that growers are better able to utilize this regulated labor source.

Question #5: What steps does Philip Morris International take to ensure that workers on tobacco farms in its supply chain, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure,

⁷ See annex III

⁸ These visits occupied 12 PMI personnel between the months of April and August.

risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns? How does PMI monitor the implementation of these policies?

PMI's commitment to farm safety has long been reflected in our Good Agricultural Practices (GAP) Program⁹ and our ALP Code sets specific standards to help growers achieve a safe work environment on tobacco farms. Monitoring of our progress in this area is part of the ALP monitoring system discussed with HRW on earlier occasions.

Implementation of the ALP program broadened and deepened the scope and focus of our health and safety policies and brought greater determination to our initiatives, namely, in assessing how these policies translate into both grower and worker behavior change. For example, with regards green tobacco sickness (GTS) we have observed differences in growers' and workers' practices in some areas and have now put more focus on how workers are informed and trained to undertake the adequate protective measures¹⁰.

In all countries where we purchase tobacco, there are many, diverse initiatives in place focused on the specific risk areas identified to improve safety on farms. These include:

- Leveraging the expertise of colleagues from PMI's Environment, Health and Safety Department (EHS) to develop specialist approaches to farm risk assessment and training programs for field technicians.
- In countries where the availability of proper safety equipment on farms is a concern, PMI and its suppliers will include this equipment as inputs provided to all growers (this includes Personal Protection Equipment (PPE) for applying Crop Protection Agents (CPA), rubberized gloves, capes, CPA lock-up boxes, etc.). We emphasize and check that workers do not pay for PPE.
- Working with PPE equipment suppliers to evaluate alternative fabrics and equipment design that will improve "wearability", and who have cooperated in industry-wide studies to design improved safety equipment.
- Working with chemical manufacturers and distributors on the retrieval of CPA packaging and extending existing recycling programs.
- Providing financial and logistical support for growers to attend specialized training (e.g., by third parties such as government agencies).
- Extending existing credit lines for urgent repairs or implementation of safety measures.

⁹http://www.pmi.com/eng/sustainability/good_agricultural_practices/pages/good_agricultural_practices.aspx

¹⁰ Anecdotal evidence suggests significant differences in GTS incidence according to crop types and climatic zones (humidity levels in particular), which are likely associated with different levels of risk perception, but these do not explain differences between growers' and workers' practices within a given area.

- Integration of safety and prevention into community-wide efforts sponsored by PMI. For example, during some growers' gatherings, we have set up external third party medical missions where we disseminate GTS information for growers and their families.
- Investigating the critical success factors where GTS awareness and precautions are high (e.g., training by external, professional bodies).

In the US, we discuss worker safety at our annual grower meeting and we provide growers with information and training materials in both English and Spanish to use as part of their own on-farm training with workers.

Since 2009, GTS information materials developed by experts at Wake Forest University, in both English and Spanish, have been distributed to growers. In 2012 and 2013, we also provided ALP program packets to growers, which contained a safety training video from the North Carolina Department of Labor (NC DOL), entitled "Making Safety a Priority". This DVD covered topics such as GTS, heat stress, forklift safety, tobacco harvester safety, and tobacco baler safety, all in both English and Spanish. Growers are encouraged to use these materials as part of their on-farm training for workers.

Based on our data, 69% of our growers reported providing training to their workers on GTS in 2012. According to Verité's preliminary findings in 2011, growers and workers were very aware of GTS and the risks associated with handling wet tobacco, even if they may not have always taken the adequate precautions.

Additionally, as part of our involvement with the Farm Labor Practices Group, we have been working on a common approach to growers' and workers' health and safety training. During this growing season the Farm Labor Practices Group, with support from the US DOL and NC DOL, will implement a pilot in 2014 to deliver enhanced safety training to workers and growers. Feedback from this pilot will then be used to refine and scale the training for broader implementation.

PMI is also partnering with North Carolina State University (NCSU) and their farm extension service (NCCE) in 2014 to pilot a program to support growers, farmworkers and their families on issues associated with health and work safety. The PMI/NCSU pilot program will focus on farmworkers and their families living in one tobacco producing county along the I-95 corridor with a high percentage of immigrant farmworkers. As part of the program, NCSU farm extension staff will provide pesticide safety training to farmworkers and their families using the *NCCE Pesticide Safety Tool Kit* for adults and the *José Aprende Acerca de los Pesticidas /José Learns about Pesticides Curriculum* for

youth NCSU will provide safety training with a curriculum that trains farmworkers to recognize the symptoms of heat stress, how to prevent it, and what to do in cases of emergency. The program will also provide training on GTS to prevent exposure and how to recognize the symptoms if affected. Another key component of this pilot will be to connect farmworkers and their families with other NCCE extension services resources such as food programs, and other community resources such as pre-Kindergarten programs.

While not a PMI-specific initiative, H-2A workers who come to the US to work for North Carolina Growers Association (NCGA) farmers will receive pesticide and safety training the moment they arrive at the NCGA headquarters for processing, and will have the opportunity to meet with and discuss worker safety with representatives from NC DOL, US DOL, the farm union (FLOC) and with representatives from the Mexican consulate.

Question #6: What policies does Philip Morris International have in place regarding the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals by tractor, given the risk of workers' exposure to pesticides as a result of drift when working near tractors that are spraying? How does PMI monitor implementation of these policies?

Our ALP Code requires that only those trained and using adequate PPE are involved in CPA application, and that workers do not enter a field where CPA have been applied unless and until it is safe to do so as determined by those properly trained. We also recommend avoiding the use of CPAs wherever possible and our guidelines include a number of alternative, more sustainable strategies¹¹. When conditions do demand that growers use a CPA to defend against crop failure, our GAP program works to balance the potential environmental effects of using a CPA with growers' economic concerns, always minimizing risk for both growers and workers present on the farm. Since its inception, PMI's GAP Program has reflected this approach and includes comprehensive training and education programs to educate growers about how to safely apply and store CPAs.

CPAs in the US are regulated, and 53% of our growers reported that they or a farm employee have a pesticide license provided by the state. To obtain a pesticide license, a grower must attend a pesticide training class (administered by a state agency or farm extension service), pass an examination, or in some cases both. Certain states also require a licensee to obtain continuing education credits to maintain their license. In

¹¹ http://www.pmi.com/eng/sustainability/good_agricultural_practices/pages/integrated_pest_management.aspx

conjunction with the US DOL and state DOLs, many tobacco growers additionally receive a US Tobacco GAP Certification¹², which emphasizes farm safety and CPA application.

We expect growers to comply with all applicable laws related to CPAs and with the health and safety ALP Code standards which, as noted above, is part of the ALP monitoring system.

Question #7: What mechanisms does Philip Morris International have to ensure the ALP standard: “Farmers shall recognize and respect workers’ rights to freedom of association and to bargain collectively” is met on farms supplying tobacco to PMI and its subsidiaries and suppliers? Does PMI believe that freedom of association includes a process for employees to recognize employee associations for the purposes of collective bargaining? Has PMI established such a process on farms with which it contracts directly?

Workers’ right to freedom of association and to collectively bargain are clearly affirmed in PMI’s ALP Code. This, together with the other ALP Code principles and standards, is reflected in the contractual arrangements that define the commercial relationship we establish with our growers. As independent entrepreneurs and when hiring labor on their farms, growers are expected to respect our principles and standards. Therefore workers must have the right to join a union (or not to join) and to bargain collectively with the union(s) representing workers. In the US, as previously mentioned, approximately half of the flue-cured growers are voluntary members of the North Carolina Growers Association (NCGA) – a group with a long-standing collective bargaining agreement with the farm union (FLOC). While it is intrinsic to the ALP monitoring system to monitor how growers are implementing our standards, we recognize that in this particular area, other mechanisms are needed to ensure visibility into an individual worker’s reality.

The same is true for other areas of the ALP Code—such as the Fair Treatment principle. This is why we have included a standard in the ALP Code stating that workers should have “access to a fair, transparent and anonymous grievance mechanism”. We consider this a key element of the ALP program. In 2013 we have started with pilot initiatives in Brazil, Mexico, Macedonia and the Philippines, involving a wide range of stakeholders – from local unions to government agencies and NGOs. Plans are underway also in other markets and during 2014 we will be sharing more information about the outcome of these initiatives. We discuss our efforts in the US further in response to Question #9.

¹² More information on the US Tobacco GAP certification program can be found at <http://tobaccogrowerresearch.com/gap.html>.

Question #8: Has Philip Morris International identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on its tobacco fields in the United States either from workers or from others in 2011, 2012, 2013? If so, what actions has Philip Morris International taken?

In 2010, we voluntarily took part in Oxfam America's research prior to the release of its report, "State of fear: Human rights abuses in North Carolina's tobacco industry."¹³ Of the 10 companies approached, we were one of two who participated in this research. We then followed up on report recommendations by becoming a founding member of the Farm Labor Practices Group. Further, we asked Verité to conduct two preliminary assessments in North Carolina and Kentucky, collected additional information directly from farmers, and have taken the actions already described in previous answers.

Additionally, in 2012 we were approached by CNBC regarding child labor in North Carolina. Although we asked for specific information related to the farms where children were present, the reporters declined to provide this information to us. We did, however, determine which farm was the subject of CNBC's story, and PMI personnel met with the grower to discuss conditions and corrections.

In June 2013, a North Carolina-based grassroots organization, NC Field, contacted PMI through a receiving station operator to discuss child labor and poverty concerns in central North Carolina. PMI employees met with the Executive Director on three occasions, and currently maintain a relationship with her through the receiving station operator. The Executive Director described conditions in which children worked in blueberry or tobacco fields and were in need of high quality education, vocational and training programs. When asked about specific farms where child labor was present, the Executive Director indicated that divulging this information would put income sources in jeopardy for these poor, migrant families who already live on the edge of poverty. These continued engagements with NC Field, together with Verité's assessments, have helped us shape our community program with the NCSU, already referred above under Question #5.

Question #9: Does Philip Morris International have a mechanism whereby workers employed on farms in the United States supplying tobacco to PMI may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does PMI take to ensure that workers are informed of this mechanism and

¹³ <http://www.oxfamamerica.org/explore/research-publications/a-state-of-fear-human-rights-abuses-in-north-carolinas-tobacco-industry/>

the matter in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, 2013? What steps does PMI take to ensure that workers who file complaints do not face retaliation?

Workers who come in through the North Carolina Growers Association (NCGA), which represents approximately half of the flue-cured crop grown in North Carolina, have access to a grievance mechanism in conjunction with farm union (FLOC). They are informed of this mechanism through Union communications and orientation when they arrive in the country. NCGA members are the largest user of H-2A labor in the United States. For statistics and information related to this mechanism, we would recommend directly contacting NCGA and FLOC.

For remaining PMI farms, we recognize the importance of grievance mechanisms and remain committed to establishing them individually or through an industry-wide approach. As part of the Farm Labor Practices Group, we have actively pushed the Group to concur on and put into place a pilot grievance mechanism in 2014. We have consulted directly with Verité on a prospective US grievance mechanism and with a leading expert on grievance mechanism development. We believe that grievance mechanisms involving many stakeholders are likely to be the most effective way forward. Regardless of outcomes from discussions with the Farm Labor Practices Group in 2014, PMI is committed to moving forward collectively or individually with a grievance mechanism, working with Verité and other experts. We also understand that a grievance mechanism will need to be communicated to the worker community through multiple avenues, and we will need the input of both growers and workers in order to make this successful.

In addition to the FLOC/NCGA grievance mechanism, workers have access to other resources in the United States, including state and federal DOL hotlines, consulates for migrants, and other NGO resources that vary by state and community. We realize, of course, that many workers – especially undocumented farm workers – may be unaware or unwilling to use these resources for fear of deportation, and may not be aware that their rights are protected regardless of status. This is a challenge in all agriculture sectors and not unique to tobacco. Lastly, under the ALP Code's Fair Treatment principle, we expect growers to ensure the fair treatment of workers. We will not tolerate harassment, discrimination, physical or mental punishment, or any other forms of abuse.

Question #10: We would be grateful to receive data on Philip Morris International's total tobacco purchases in the United States as well as its total tobacco purchases in each of the following states: North Carolina, Kentucky, Tennessee, and Virginia in 2011, 2012 and 2013.

Given the commercially sensitive nature of tobacco purchase data, we do not disclose specific information related to our purchases.

Question #11: We would be grateful for data on how these numbers compare to Philip Morris International's tobacco purchasing in other countries.

Without providing specific data related to our tobacco purchases, tobacco leaf from the United States totals approximately 10% of PMI's worldwide leaf purchases.

Question #12: We would be grateful for data on worker deaths and injuries, if possible disaggregated by age, gender, and ethnicity, for all countries from which Philip Morris International and its subsidiaries supply tobacco.

As part of our ALP standards, we expect growers to provide a safe and sanitary working environment and take all reasonable measures to prevent accidents, injury and exposure to health risks. As part of ALP best practices and to demonstrate alignment with our standards, we encourage growers to maintain a record of injuries and fatalities on their farms, but we do not systematically collect this information ourselves. In the United States, federal and state authorities maintain and collect data on farm-related fatalities and injuries.

Annex II – PMI's newsletter informing US growers about the implementation of the ALP Program - Q4 2011



The Agricultural Labor Practices Code



As an International Tobacco Procurement (ITP) tobacco grower, by now you should have heard about Philip Morris International's (PMI) Agricultural Labor Practices (ALP) Program. (The second quarter 2011 ITP Grower newsletter contained an article introducing ALP.)

The objective of the ALP Program is to progressively eliminate child labor and other labor abuses where they are found, and to achieve safe and fair working conditions on all farms from which PMI sources tobacco.

The Agricultural Labor Practices Code supports this objective by defining the labor practices, principles and standards PMI expects to be met on all tobacco farms with which PMI or PMI's suppliers have contracts to grow tobacco. This Code is based on the labor standards of the International Labor Organization (ILO) Declaration on Fundamental Principles and Rights at Work and other relevant ILO conventions.

The ALP Code includes seven principles, and measurable standards under each principle. (Please see pages 2 and 3 for ALP principles and standards.)

Designing the ALP Program

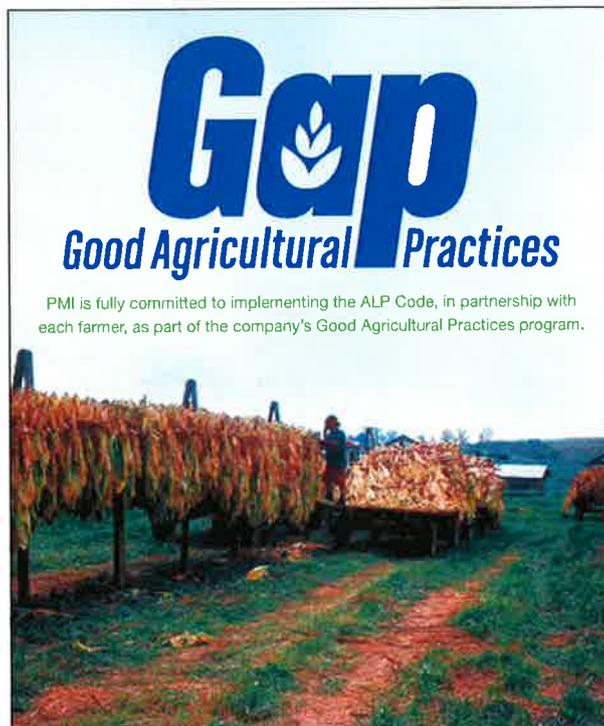
In early 2010, PMI began partnering with Verité, a non-governmental organization (NGO) specializing in labor practices, to help design and implement the ALP Program. Verité works with international businesses, governments and civil society organizations to ensure people around the world work under safe, fair and legal conditions.

Achieving PMI's objective for ALP requires the ability to deploy the Program in tobacco-growing countries around the world.

Customizing ALP Implementation by Country

PMI sources tobacco from more than 30 countries, which involves dozens of suppliers and more than half a million tobacco farmers. Each country is unique, with different laws, cultural norms and values, educational systems, public institutions – as well as different tobacco supply chains and growing seasons.

All these factors require that ALP Code training and implementation be customized to each country. PMI is working with its suppliers to create the right conditions within each country to support ALP.



PMI is fully committed to implementing the ALP Code, in partnership with each farmer, as part of the company's Good Agricultural Practices program.

Phased Implementation

In each country, the ALP Program is being implemented in two phases. Phase 1 entails understanding the Code, communicating it to farmers and building farm profiles. (A farm profile includes basic farm information: the size of the farm, who owns it, who lives there, who works there, and how workers are paid, dates and ALP topics discussed, and potential labor issues that require follow up.) The second phase involves monitoring, enforcement and reporting.

ALP Phase 1:

- Understanding the ALP Code
- Communicating to all farmers
- Building farm profiles
- Tracking progress on farms

ALP Phase 2:

- Gathering detailed information
- Systematically assessing farm compliance
- Creating farm improvement plans
- Systematic reporting

The goal is to reach all contracted farmers – in every country growing tobacco destined for PMI – with the first phase of ALP training by the end of 2012. During Phase 2, all farmers will be working to improve labor practices on their farms, and PMI will begin monitoring labor practices on farms, necessary through systematic gathering of information and reporting.

Continuous Improvement is Key

PMI understands that improving labor conditions on tobacco farms throughout the world is a process. Our guiding approach with ALP is Continuous Improvement. We want to work with suppliers and farmers to achieve, over time, measurable, tangible improvements in the working conditions for farm labor.

Implementing the ALP Code is the starting point to promote good labor practices on all farms that contract with PMI. We will have reached our destination when all farmers have achieved fair and safe conditions on the farm.

PMI implementing the Agricultural Labor Practices Code

By Louis C. Camilleri
Chairman of the Board
and Chief Executive Officer
Philip Morris International

Sustainable tobacco growing is about a lot more than the quality and price of the crop. It's also about protecting the environment and ensuring labor practices that promote the safety, well-being, social and economic security of tobacco farmers and workers. Specifically with respect to labor practices, we're committed to achieving safe and fair working conditions on all farms from which we source tobacco – and to progressively eliminate child labor and other labor abuses where they are found.

With this objective in mind, we've undertaken both an internal and third-party review of our practices and policies worldwide. In doing so, we've sought the advice of local and international nonprofit organizations with expertise in the area of fair labor practices.

We're now in process of implementing a strong, comprehensive Agricultural Labor Practices (ALP) Code, which strengthens and expands our existing practices and policies. This Code and its supporting programs go well beyond child labor and worker safety – and will also vigorously address issues such as work hours, wages, migrant worker treatment and potential forced labor situations.

Among other things, this includes tailored in-depth training programs for our tobacco crop professionals and suppliers, farmers and their workers, as well as external third-party assessments to monitor the progress we are making. These assessments, as well as information about our labor practices, are available on our website.

Of course, as the International Labor Organization recognizes, eliminating child labor and other labor abuses that stem from systemic issues such as poverty and lack of education, requires a serious and lasting commitment from everyone in the supply chain, as well as governments and other stakeholders. Accordingly, we are continuing to work with a range of governmental and non-governmental organizations in our tobacco-growing markets, including our significant contributions in the field of poverty eradication and education. ●





AGRICULTURAL LABOR PRACTICES



CHILD LABOR

There shall be no 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.

FAIR TREATMENT

Farmers shall ensure fair treatment of workers. There shall be no harassment, discrimination, physical or mental punishment, or any other forms of abuse.

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 abuse or harassment.
- There is no 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.

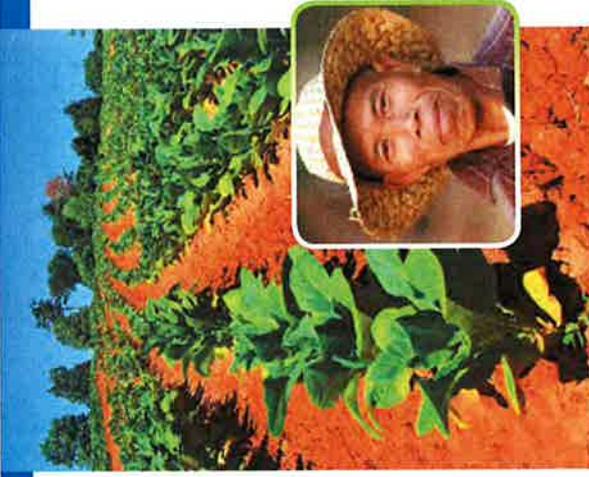


INCOME & WORK HOURS

Income earned during a pay period or growing season shall always be enough to meet workers' basic needs and shall be of a sufficient level to enable the generation of discretionary income. Workers shall not work excessive or illegal 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.



FORCED LABOR

All farm labor must be voluntary. There shall be no forced labor.

Measurable Standards

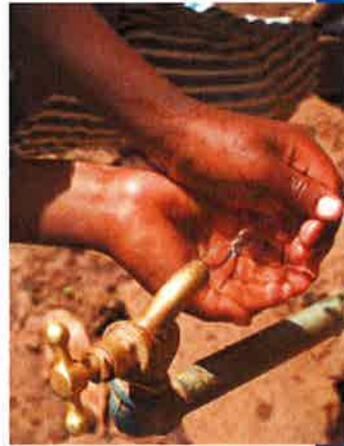
- Workers do not work under bond, debt or threat and must receive wages directly from the employer
- Workers are free to leave their employment at any time with reasonable notice.
- Workers are not required to make financial deposits with employers.
- Wages or income from crops and work done are not 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.

SAFE WORK ENVIRONMENT

Farmers shall provide a safe work environment to prevent accidents and injury and to minimize health risks. Accommodation, where provided, shall be clean, safe and meet the basic needs of the workers.

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 barns 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.



FREEDOM OF ASSOCIATION

Farmers shall recognize and respect workers' rights to freedom of association and to bargain collectively.

Measurable Standards

- The farmer does not interfere with workers' right to freedom of association.
- Workers and farmers are free to join or form organizations and unions of their own choosing and to bargain collectively.
- Worker representatives are not discriminated against and have access to carry out their representative functions in the workplace.

COMPLIANCE WITH THE LAW

Farmers shall comply with all laws of their country relating to employment.

Measurable Standards

- 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.



Farmers and suppliers are expected to apply this Code in a **diligent and transparent** manner, and to work with PMI on **continuously improving** agricultural labor practices.

Philip Morris International, Inc. (PMI) is committed to progressively eliminate child labor and other labor abuses where they are found and to achieve safe and fair working conditions on all farms from which PMI sources tobacco.

This Agricultural Labor Practices Code supports this objective by defining the labor practices, principles and standards PMI expects to be met on all tobacco farms with which PMI or PMI's suppliers have contracts to grow tobacco for PMI. This Code is based on 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 this Code must be interpreted and implemented in line with these ILO conventions.

PMI recognizes that labor abuse can often have underlying systemic causes that this Code on its own cannot address. Long term solutions to address these systemic issues will require the serious and lasting commitment from all actors in the supply chain as well as government and other stakeholders. PMI is committed to engage with all such actors.

Farmers and suppliers are expected to apply this Code in a diligent and transparent manner, and to work with PMI on continuously improving agricultural labor practices. In all actions concerning children, the best interests of the child shall be the primary consideration.

ALP Code in the United States- Child Labor Restrictions

The Agricultural Labor Practices (ALP) Code is based on International Labor Organization (ILO) conventions. The ILO is a United Nations agency that brings together representatives of governments, employers, and workers to set global labor standards.

However, child labor is not all work done by children. Child labor is work for which the child is too young. This means work that is mentally, physically, socially, or morally dangerous and harmful to children. Further, work that interferes with a child's schooling is also considered child labor.

In the United States, in line with the ALP Code, farmers can hire children, 15 and above, to work in tobacco as long as the job is not hazardous. Children can also work on their family farm as of 13 years of age, provided they are doing light work, as long as it does not threaten their health and safety, or hinder their education.

Hazardous work is a subset of child labor and it is 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. Hazardous work is considered a worst form of child labor and countries, including the United States, have committed to its elimination as a matter of priority.

Considering the tasks involved in tobacco production and the ILO guidance on this topic, the following tasks or work are deemed hazardous:

- Driving vehicles or operating machinery with moving parts
- 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 may involve exposure to Green Tobacco Sickness (GTS) and therefore can also be hazardous work

The U.S. Department of Labor is proposing new regulations that would prohibit the employment of young hired farm workers in tobacco production and curing in order to prevent occupational illness due to GTS. If these regulations are approved, the ALP Code will have to be read in line with the final wording of these regulations. For more information, visit: <http://www.dol.gov/opa/media/press/whd/WHD20111250.htm> ●

ALP Farmer Guidance: You Need to ...

Child Labor

- Know your country's laws on the minimum age for hiring tobacco workers.
- Know the age of all young workers you hire, and how many hours they work.
- Know what tasks can and cannot be done by minors – whether your own children, neighbors' children or hired employees.
- Know what type of work your children should not do if they help out on the farm during the holidays or after school.
- Know what tasks on your farm are hazardous.

Income and Work Hours

- Understand your legal obligations as an employer regarding minimum wages, work hours, overtime, and benefits – and how to meet these obligations.
- Be able to prove your pay is fair and workers are not working excessive hours.
- Ensure your workers understand their rights, what they can expect for normal work hours, overtime, and when they can refuse.

Fair Treatment

- Hire workers and set conditions based only on the job to be performed.
- Have clear and fair disciplinary procedures.
- Provide formal or informal ways for workers to express grievances.
- Act immediately to stop physical abuse or sexual harassment.

Forced Labor

- Supervise the hiring process directly, and ensure there is a fair and effective grievance mechanism.
- Prevent brokers charging fees to the workers, and check that workers were not deceived or coerced by a labor broker.
- Refuse to accept a deposit from worker.
- Allow workers to keep their identity documents.

Safe Work Environment

- Train workers on Crop Protection Agent (CPA) handling, Green Tobacco Sickness (GTS) prevention and when to wear Personal Protective Equipment (PPE).
- Keep records of who is a trained worker, and keep CPA locked away.
- Ask only trained workers to handle or apply CPA or other hazardous substances.
- Ensure accommodations provided to workers have clean cooking, sleeping and washing facilities, working toilets, and safe and sufficient rooms suited to the climate.
- Provide PPE free of charge.
- Ensure that soap and water are available, as well as drinking water.
- Keep dangerous tools or equipment properly stored.
- Have a first-aid kit to treat common injuries.

Freedom of Association

- Negotiate openly with workers or their representative on all working conditions, including pay.
- Treat all workers equally, including union members.
- Hire workers regardless of their past or present union membership.
- Allow workers' representatives to play this role at the workplace without losing pay.

Compliance with the Law

- Understand that if you hire workers, even seasonal, casual or temporary workers, you are an employee.
- Know your legal obligations as an employer.
- Ensure your workers are informed of and understand their legal rights.



Philip Morris International c/o PMIM LLC
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Maps for Philip Morris International | Management & Agricultural Tobacco Hookahment Growers

Annex III – PMI's newsletter to US growers
focused on farm labor contractors, Q3 2013

ITP Grower

-VOLUME FOUR | NUMBER TWO | AUGUST 2013

News for Philip Morris International Management & U.S. International Tobacco Producers / Growers



Agricultural Labor Practices

Focus Point: Farm Labor Crew Leaders



The Philip Morris International (PMI) Agricultural Labor Practices (ALP) Program

was introduced to ITP growers in late 2011, and since that time has been an important focus of PMI worldwide. We take the concerns of our growers and farm worker base seriously and are committed to reducing and eliminating labor abuses where they are found.

The focus point of this communication is to inform ITP growers of their responsibilities and accountabilities under ALP when using a labor crew leader or farm labor contractor (FLC) to bring workers to farms. Even though the work is contracted out, a grower using a farm crew leader has responsibilities under the ALP Code as well as state and federal law.

Remember: A grower is responsible for worker conditions and pay (and verification of that pay) for all workers who work on his/her farm, even when the workers are secured by a crew leader.

The grower is responsible for being able to prove that individual workers were paid – how much and for what time period. Simply having a record of paying a crew leader is not sufficient. Records should be available showing, among other things, that individual workers by name were paid a specified amount for a specified time period doing a specified job. Please contact your local Department of Labor representative for more detailed information on payroll records and recordkeeping, and visit the following Department of Labor website: <http://www.dol.gov/compliance/guide/mspa.htm>.

How can the necessary worker pay information be documented?

1. Preferably, you should arrange with the crew leader for you, the grower, to pay the individual workers directly (and still pay the crew leader his/her fees). In this case, you will keep your own records of these payments.
2. Alternatively, arrange with the crew leader to provide documentation to you, the grower (preferably weekly), of individual worker's pay as discussed above.

Regardless of your labor arrangements, as an employer, you are responsible for keeping detailed records (documentation) of workers' pay, knowing who is on your farm at all times – even if they have been brought to your farm by a crew leader – and the conditions in which they are working.

There are many laws surrounding farm labor and the use of crew leaders. For more information related to licensing requirements of farm labor contractors and other issues, contact your local Department of Labor representative.

Agricultural Labor Practices • Continued, page 2



PHILIP MORRIS INTERNATIONAL

Agricultural Labor Practices • From page 1

Seven Agricultural Labor Principles

While the focus of this newsletter is labor crew leader situations, the ALP Program contains seven principles, all of which are important. All seven focus on ensuring safe and fair working conditions for workers on all farms from which PMI sources tobacco. The seven ALP principles are:

- 1. Child labor:** There shall be no child labor.
- 2. Fair treatment:** Farmers shall ensure fair treatment of workers. There shall be no harassment, discrimination, physical or mental punishment, or any other forms of abuse.
- 3. Income and work hours:** Income earned during a pay period or growing season shall always be enough to meet workers' basic needs and shall be of a sufficient level to enable the generation of discretionary income. Workers shall not work excessive or illegal hours.
- 4. Forced labor:** All farm labor must be voluntary. There shall be no forced labor.
- 5. Safe work environment:** Farmers shall provide a safe work environment to prevent accidents and injury and to minimize health risks. Accommodations, where provided, shall be clean, safe and meet the basic needs of the workers.

6. Freedom of association: Farmers shall recognize and respect workers' rights to freedom of association and to bargain collectively.

7. Compliance with the law: Farmers shall comply with all laws of their country relating to employment.

The ALP Code is based on 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 this ALP Code must be interpreted and implemented in line with these ILO conventions.

ITP farmers are expected to apply this Code in a diligent and transparent manner, and to work with PMI on continuously improving agricultural labor practices.

PMI recognizes that labor abuse can often have underlying systemic causes that this Code on its own cannot address. Long-term solutions to address these systemic issues will require the serious and lasting commitment from all actors in the supply chain as well as government and other stakeholders. PMI is committed to engage with all such actors.



Philip Morris International c/o PMIM LLC
9711 Farrar Ct · Richmond, VA 23236

News for Philip Morris International Management S.A. International Tobacco Procurement Growers



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John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

March 31, 2014

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

Dear Mr. Calantzopoulos,

Thank you for your letter of February 4, 2014 and for the meeting of February 6, 2014. We appreciate the constructive dialogue with Philip Morris International. We have appreciated the opportunities to learn more about Philip Morris International's policies and practices concerning child labor. We look forward to seeing you on April 10 in Raleigh when we will present our findings and recommendations at the Farm Labor Practices Group meeting.

We are writing today to share with you some additional information regarding the counties in North Carolina, Kentucky, and Tennessee in which children reported working. We are also taking this opportunity to share our key recommendations to businesses purchasing tobacco in the United States.

Counties where Children Reported Working

As we explained previously, consistent with our methodology for investigating human rights worldwide, we go to great lengths to protect the confidentiality of interviewees. Out of concern for interviewees' security, we are unable to report specific farms where children worked, but we can share a list of counties where children reported working in North Carolina, Kentucky, and Tennessee (attached). We do not preclude the possibility that children work in tobacco farming in other counties in these states. Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

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While we hope our list of counties might help to guide Philip Morris International's efforts to address hazardous child labor on farms in its supply chain, we would encourage the company to do a comprehensive investigation of child labor in every county from which Philip Morris International purchases tobacco. Due to the small size of our team and the nature of our methodology, we are not in a position to conduct a broad survey to examine conditions in every tobacco-growing county in the US. However, our research indicated patterns of hazardous child labor on tobacco farms in many different locations, and we urge Philip Morris International to look beyond the counties we identified in order to investigate thoroughly child labor on all US tobacco farms in its supply chain.

Recommendations

We would like to take this opportunity to share our initial recommendations for tobacco manufacturing companies and tobacco leaf companies which we believe are essential to protect children from hazards particular to tobacco farming. We look forward to discussing these recommendations with you. Human Rights Watch has also developed detailed recommendations for other relevant actors, including the US Congress, the US Senate, the President of the United States, the US Department of Labor, the Environmental Protection Agency, tobacco-producing states, tobacco growers' associations and Farm Bureaus, agricultural employers, and the International Labour Organization.

Human Rights Watch bases these recommendations on our research findings which we detailed to you in our December 11, 2013 letter, extensive reviews of available public health literature, interviews with public health researchers, analysis of national laws and practice, analysis of ILO laws and reports, interviews with ILO experts on child labor, interviews with representatives of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), and ECLT materials.

Based on our findings, Human Rights Watch believes that no child under age 18 should be permitted to work with tobacco in any form, including plants of any size or dried tobacco leaves, due to the inherent health risks posed by nicotine and the pesticides applied to the crop.

Because exposure to tobacco in any form is unsafe, Human Rights Watch has determined, based on our field investigations and other research, that as a practical matter there is no way for children under 18 to work safely on US tobacco farms when they have direct contact with tobacco plants of any size or dried tobacco leaves, even if wearing protective equipment. Though protective equipment may help mitigate exposure to nicotine and pesticide residues, rain suits and watertight gloves would not completely eliminate absorption of toxins through the skin and would greatly increase children's risk of suffering heat-related illnesses. The inadequacy of protective equipment to protect children, as documented by Human

Rights Watch in the US, seems likely to extend to tobacco farms outside the United States.

A number of countries have laws or regulations prohibiting all children from working in tobacco farming, or from performing the majority of tasks in which they come into direct contact with tobacco in any form, including Brazil, India, Malawi, Kazakhstan, Russia, and Uganda.

Recognizing the risks to children of work in tobacco farming, the US Department of Labor proposed regulations in 2011 that would have prohibited all children under 16 (the minimum age for hazardous work in agriculture in the US) from “all work in the tobacco production and curing, including, but not limited to such activities as planting, cultivating, topping, harvesting, baling, barning, and curing.” The regulations were withdrawn in 2012. The ILO Committee of Experts has strongly urged the US government to reconsider withdrawal of the proposed regulations.

This evidence and our analysis are further detailed in our forthcoming report, as are additional recommendations. Our key recommendations to businesses purchasing tobacco in the United States include:

Regarding Child Labor

- Adopt and implement policies globally prohibiting the use of child labor anywhere in the supply chain. The policy should specify that hazardous work for children under 18 is prohibited, *including any work in which children come into direct contact with tobacco plants of any size and dried tobacco leaves.* Consistent with ILO conventions, the policy should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15, or the minimum age provided by the country’s laws, whichever affords greater protection. *The policy should specify that it is in effect throughout the supply chain in all countries irrespective of local laws that afford lesser protections.*
- Strive to phase out the use of child labor in the supply chain by establishing clear timeframes.
- Ensure that all contracts with growers and suppliers include specific language prohibiting the use of children in hazardous work under 18, including any work in which children come into contact with tobacco leaves of any size and dried tobacco leaves. Establish and carry out penalties for those in the supply chain who violate the no-child labor policy. The penalties should be sufficiently severe and consistently implemented so as to have a dissuasive effect. Discontinue contracts with farms that repeatedly violate the policy prohibiting child labor.

- Provide training to agronomists, suppliers, growers, workers, and others on the hazards to children of working in tobacco. Utilize outside experts on child labor to conduct these trainings where appropriate.
- Establish a regular and rigorous internal monitoring process in all countries in the supply chain.
- Engage qualified third-party monitoring for child labor in supply chains in all countries.
- Engage a third-party organization to develop a no-child labor policy as outlined above, including the structures for its effective implementation.
- Develop or enhance collaboration with local stakeholders to eliminate child labor on tobacco farms, including by:
 - Working with federal and local government officials, including the Office of Migrant Education, to ensure access to education for farmworker children.
 - Implementing, with meaningful input and participation from farmworker children, their families, and local stakeholders, free summer programs each year for both migrant and local children, as an alternative to working in tobacco farming. Programs should provide age-appropriate educational, recreational, and leadership development opportunities to children under 18.
 - Collaborating with local stakeholders to identify other summer employment opportunities for children as alternatives to working on tobacco farms.
 - Where possible, cooperating with the ILO's International Programme on the Elimination of Child Labour (IPEC), UNICEF, nongovernmental organizations, and others undertaking efforts to prevent child labor, including through the provision of alternatives to working in tobacco farming.
 - Establishing a scholarship fund to provide young farmworkers with economic support to pursue higher education. The scholarship application should account for the unique circumstances of farmworker children's educational paths.
 - Investing in rural health infrastructure to ensure tobacco workers and their children have access to health services.
 - Collaborating with land-grant universities and extension services to enhance agricultural education in tobacco-growing communities, and to provide farmworker families with access to land for small-scale agricultural enterprise.

Regarding Industry-Wide Multilateral Initiatives

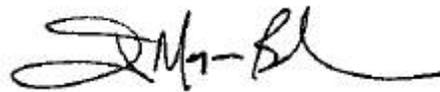
- Develop an international industry-wide standard to prohibit hazardous work for children under 18 on tobacco farms, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves; establish minimum age requirements consistent with ILO conventions.
- Amend the US Tobacco Good Agricultural Practices (GAP) labor management guidelines to specify that hazardous work for children under 18 is prohibited, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves. Consistent with ILO conventions, the standard should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15. This standard should be a contractual requirement for all US tobacco growers.
- Engage meaningfully in multi-stakeholder initiatives, including with a view to support tobacco industry efforts to promote the elimination of child labor in the tobacco supply chain, effective monitoring of these policies, and initiatives to support alternative employment, education, and recreational opportunities for children in tobacco-growing communities.
- Increase financial support to nongovernmental organizations working to eliminate hazardous child labor in tobacco farming.
- Establish a pooled fund to support programs that provide alternatives to child labor in US tobacco farming and/or consider expanding programs through the Eliminating Child Labour in Tobacco Growing Foundation to include the United States.

We look forward to discussing these recommendations with you and welcome any updates to Philip Morris International's existing policies and practices regarding child labor, so that we have the most up-to-date information for our research and reporting.

Best regards,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

Counties where Children Reported Working

State	Counties
Kentucky	Barren
	Bath
	Bourbon
	Boyle
	Clark
	Crittenden
	Fayette
	Franklin
	Harrison
	Henry
	Lincoln
	McCrory
	Metcalfe
	Monroe
	Montgomery
	Pulaski
	Scott
Shelby	
Taylor	
Warren	
Washington	
Wayne	
North Carolina	Duplin
	Greene
	Johnston
	Jones
	Lenoir
	Martin
	Nash
	Onslow
	Pitt
	Sampson
	Wayne
	Wilson
Tennessee	Grainger
	Hawkins
	Jefferson
	Macon
	Sumner

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Catherine Zennström

April 16, 2014

To the members of the Farm Labor Practices Group,

We are writing to thank you for the opportunity to present our research and recommendations at the April 10, 2014 Farm Labor Practices Group plenary meeting in Raleigh. We were grateful for the informative and constructive discussion with all of you, and we look forward to continued dialogue and meaningful progress on many of the concerns identified.

As discussed during the meeting last week, we are sharing with you the slides from our presentation, along with additional information on the ages of the children we interviewed for this project. Please find a chart with this information below.

We are also writing to let you know that Human Rights Watch will publish the report with our research on child labor in tobacco farming in the US and relevant recommendations next month. The report will describe our methodology, findings, and analysis of US laws and international standards related to child labor. Consistent with Human Rights Watch's approach to our work worldwide, our report will include personal accounts from many of the children we interviewed, along with analysis of public health literature and national and international data. The report will also include a description of the policies and practices of several leading companies that purchase tobacco grown in the United States, including the six companies represented in the FLPG. It will also include detailed versions of the recommendations we presented at the meeting last week, including recommendations to tobacco manufacturing and tobacco leaf companies, the Obama administration, US Congress, state governments, and others.

We were encouraged to learn that the Farm Labor Practices Group took a decision to establish a working group on child labor, which has the possibility to make significant positive impacts. Human Rights Watch would welcome the opportunity to make further contributions to this group and looks forward to learning about the results of this group's efforts. At the same time, in line with the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) and other international standards and guidance, each company in the FLPG and other tobacco

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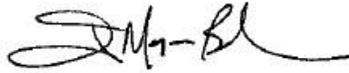
manufacturing and leaf companies individually have responsibilities to prevent and remedy human rights concerns, including hazardous child labor, in their supply chains.

Human Rights Watch is committed to accurately representing and publicizing the measures each company has taken to address child labor in supply chains globally. To that end, we would be pleased to report on any recent changes or further commitments made by your companies concerning policies on child labor. In order to reflect any commitments or policy changes in our publications, we would welcome responses to our recommendations shared with you during the plenary meeting as well as in the March 31 letter by April 30, 2014. We would also welcome written responses from other members of the FLPG to inform our ongoing research on child labor.

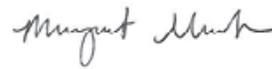
Sincerely,



Jo Becker
Advocacy Director
Children's Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



Margaret Wurth
Researcher
Children's Rights Division

Ages of Children Interviewed by Human Rights Watch

Age	NC	KY	TN	VA	TOTAL
7			1		1
8					0
9	2		2		4
10		1	1		2
11	1	1			2
12	3	2			5
13	5	1	2		8
14	14	8		2	24
15	15	11	1		27
16	20	10	2	1	33
17	12	5	1		18
18*	8	7	2		17
TOTAL	80	46	12	3	141

*All 18-year-old children interviewed for this report worked in tobacco as 17-year-old children in 2012.

Mean age of children interviewed: 15

Median age of children interviewed: 15



PHILIP MORRIS
INTERNATIONAL

April 24, 2014

Ms. Jane Buchanan
Associate Director, Children's Rights Division
Mr. Arvind Ganesan
Director, Business & Human Rights Division
Human Rights Watch
350 5th Avenue, 34th Floor
New York, New York 10118-3299

Dear Ms. Buchanan and Mr. Ganesan,

I write in response to your letter to Mr. André Calantzopoulos, CEO, Philip Morris International, Inc. (PMI), dated March 31, 2014, in which you shared recommendations to manufacturers purchasing tobacco in the United States.

Since our meeting in New York, we published our second Agricultural Labor Practices (ALP) progress report for the 2012-2013 season on our website¹. This report is not meant to be an exhaustive account of all issues and actions taken in every country, but much of the information complements our answers to your questions regarding our global program implementation.

We appreciate the county specific information provided in your letter, and we understand the sensitivities around sharing further information. However most companies buying tobacco in the United States also have contracts in the counties you listed. This renders it impossible for us to correlate the findings in your research with the occurrence and prevalence of the issues on the farms we contract.

As discussed in our February 4 letter, in the first phase of our ALP program, we commissioned Verité to conduct two preliminary assessments of labor conditions and collected basic socio-economic profiles for every contracted farm. This allowed us to identify risk areas, set priorities and, as a consequence, during last season we conducted 444 follow-up visits to at-risk farms. Most of these farms were in counties identified by HRW, which we believe also reinforces the validity of our own risk-assessment.

Nevertheless, we acknowledge the need to broaden this monitoring effort and are currently extending our internal capacity to visit all contracted farms in the US. Also prior to your research, we already commissioned a comprehensive third-party assessment of ALP implementation in the US during 2014's peak season.

¹http://www.pmi.com/eng/media_center/documents/pmi_progress_report_final_not_watermarked_low_res_0328.pdf

Philip Morris International Management S.A.

Child labor regulations in the US and PMI's policy

As you are aware, our ALP Code introduces standards that are generally stricter than US federal law and relevant state laws, both in types of activities deemed hazardous and age limits for performing such activities. Our child labor policy is reflected in our contracts and we take actions to enforce it, including not renewing contracts.

PMI's policy prohibits hazardous work for children under 18, whereas US law defines 16 as the general minimum age, including handling of pesticides. We introduce a minimum age of 15 to work, and state that children between the ages of 13 and 15 should only do light work, acceptable only in the context of the family farm.

Our policy is consistent with the International Labor Organization (ILO) conventions and was developed in consultation with experts and stakeholders. We do not believe that all activities related to tobacco growing should be deemed hazardous, and we respectfully disagree with the HRW recommended standard. The ILO provides the framework to determine what constitutes hazardous work, which we adopted in our guidance and training for growers, reflecting the specificities of tobacco growing:

- Driving vehicles or operating machinery with moving parts
- 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

These clearly include tobacco related activities during specific stages of the crop cycle for which there is a documented risk of green tobacco sickness. In our view, extending this restriction to all stages of the crop and to any situation where there might be "contact with tobacco plants of any size and dried tobacco leaves" lacks substantiation and pragmatism. However, we share a common goal and the fact is that the issues pointed out in your research would not be admissible under our standards laid above.

Child labor is a complex issue and we take very seriously our share of responsibility in addressing the problem in practice. We believe that generalizing all tobacco related work as "hazardous" is an impractical oversimplification, particularly when dealing with children working on the family farm. As you will recognize, in a smallholder farm context, children are expected to help on the family farm. As long as this work is not harmful and does not deprive children of their childhood, their education and their dignity, that is generally recognized as something positive. Thus, in order to succeed in preventing child labor in this context, we need to help growers understand what is acceptable and under which circumstances, including understanding what constitutes hazardous work and why. This requires convincing and explanation anchored on clear facts. As you know, previous efforts from the U.S. Government to strengthen the protection for children in agriculture have failed also because these crucial points were not properly taken into account.

Multilateral initiative in the United States

We thank you for sharing the results of your research and recommendations with the Farm Labor Practices Group (FLPG) in Raleigh. As we stated at the meeting, we would welcome a strengthening of the US regulatory framework to align it with ours and ILO's international standards and would support a sector wide approach to this issue. We are pleased to inform you that after your presentation, the FLPG agreed to create a dedicated working group to address child labor, explore opportunities to align companies' policies and to discuss the other recommendations from your letter of March 31st.

Other recommendations from HRW

Lastly, we are pleased that most recommendations you propose are broadly in line with our efforts under the ALP program and the recommendations of our strategic partner, Verité. In addition we would like to highlight other efforts currently under way in the US:

- We are partnering with North Carolina State University (NCSU) and their farm extension service (NCCE) to implement a program in Wayne County, North Carolina (one of the counties mentioned in your letter as an at-risk area), to support growers, farmworkers and their families on issues associated with health and work safety. A key component of this initiative is to connect farmworkers and their families with NCCE extension services resources, such as food programs, and pre-Kindergarten programs.
- Since 2004, we have provided scholarships for children of our contract growers, and in 2015 our partnership with NCSU will involve a higher education scholarship program for children of farmworkers.
- We are piloting a YMCA project in Kernersville, North Carolina, to support a summer school program for migrant farm children that will eliminate the need for migrant families to bring children to the fields and offer additional learning opportunities in the summer months.
- In 2014, we will pilot a migrant farmworker support line in Kentucky with Verité and Polaris. The Polaris Project will provide a confidential support line for approximately 2,000 agricultural workers in Kentucky who are seeking to connect to various vetted local and national resources, ranging from access to health and safety information, social services, labor rights, legal aid and migrant labor services.

We appreciate HRW's open dialogue and look forward to opportunities to continue to collaborate in the future. Many thanks.

Sincerely,



Jennifer P. Goodale
Vice President, Contributions and External Labor Policies

Cc: Mr. André Calantzopoulos, Chief Executive Officer
Mr. Miguel Coleta, Director, External Labor Policies

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December 11, 2013

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Winston-Salem, NC 27101

Dear Mr. Delen,

Please accept my greetings on behalf of Human Rights Watch. Human Rights Watch is an international non-governmental human rights organization that conducts research and advocacy in over 90 countries around the world on a wide variety of human rights issues (see www.hrw.org). Among those issues is child labor, which we have reported on in the United States, El Salvador, Mali, Tanzania, Morocco, Uzbekistan, Indonesia, India, and other countries. In 2010 we published a report on hazardous child labor and other human rights abuses in tobacco farming in Kazakhstan.

We are writing to you today to share preliminary findings with you concerning our recent research on child labor in tobacco farming in the United States. We hope to initiate a constructive dialogue with Reynolds American, Inc. regarding concerns related to child workers in tobacco farming.

From May-October 2013 Human Rights Watch conducted research on child labor in tobacco farming in North Carolina, Kentucky, Tennessee, and Virginia. We interviewed over 140 children ages 7-17 who stated that they worked in tobacco farming in 2012 or 2013, as well as children and parents who described other children working in tobacco farming.

The specific jobs children said they did on tobacco farms included: planting seedlings, weeding, thinning tobacco plants, repositioning plants that were leaning, topping, pulling off suckers, and applying pesticides.

On farms with flue-cured tobacco, children reported doing the following jobs: hand harvesting tobacco leaves, machine harvesting tobacco leaves, filling cages with tobacco leaves for drying, sorting tobacco leaves, and packing tobacco leaves.

On farms growing burley tobacco, children reported: cutting tobacco plants, carrying cut tobacco plants, spearing tobacco plants on sticks for hanging, carrying sticks with several tobacco plants, lifting sticks with several tobacco plants onto trucks or to workers to hang the sticks in the rafters of a barn, hanging sticks with tobacco plants in barns, taking down sticks of burley tobacco plants from barns, and stripping leaves off dried tobacco.

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The vast majority of children with whom Human Rights Watch spoke were working for hire. Most children were hired by a labor contractor or a labor subcontractor. Some children were working directly for tobacco growers. Only a few children worked on family farms, without pay. A few of the very youngest children worked with their parents sporadically and without pay.

The vast majority of children interviewed by Human Rights Watch stated that they lived in the states in which they worked and worked primarily or exclusively in the summer months. Human Rights Watch also interviewed a few children who migrated to or within the United States for work.

Preliminary Findings

Health and Safety

Nicotine Poisoning/Green Tobacco Sickness and Other Health Risks

A majority of children interviewed by Human Rights Watch described experiencing symptoms consistent with acute nicotine poisoning (Green Tobacco Sickness) while working, including, variously, nausea, dizziness, lightheadedness, headaches, vomiting, and loss of appetite.

Some of these symptoms may be linked to pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Nearly all children interviewed by Human Rights Watch said they lacked personal protective equipment, which would help minimize the amount of exposure to wet tobacco leaves and tobacco leaves that had been treated with pesticides or other hazardous chemicals.

Some also reported difficulty sleeping together with symptoms of nicotine poisoning.

Some children also reported itchy skin and skin rashes.

Some children also told Human Rights Watch that water from tobacco plants would splash into their eyes or mouth during topping or pieces of tobacco leaves would fall into their eyes or mouth while lifting sticks with tobacco plants to be hung in barns.

A few children reported respiratory and allergic symptoms while working in tobacco fields or in curing barns.

Exposure to Pesticides and Growth Regulators

Many children interviewed by Human Rights Watch reported that they saw tractors spraying pesticides or growth regulators in the fields in which they were working or in fields adjacent to the ones in which they were working. These children often reported being able to smell and/or feel the chemical spray as it drifted towards them. Many reported some or all of the following symptoms after coming into contact with the spray: burning eyes, burning nose, itchy skin, nausea, vomiting, dizziness, redness and swelling of the mouth, and headaches.

A few children interviewed by Human Rights Watch stated that they applied pesticides to tobacco plants with a handheld sprayer and backpack and a few reported operating tractors that were spraying pesticides on tobacco fields.

Extreme Temperatures

All children interviewed by Human Rights Watch stated that they often worked in high temperatures and high humidity typical for the summer months in North Carolina, Kentucky, Tennessee and Virginia, and many stated that they were expected to work without additional breaks in such conditions.

Water

Most children interviewed by Human Rights Watch stated that the contractor or grower provided water to them while working, usually from a cooler. Some children told Human Rights Watch that the water provided was not clean or drinkable. Other children told Human Rights Watch that employers did not provide water at all.

Lack of Shade

Many children interviewed by Human Rights Watch stated that they did not have the opportunity to shelter in shade during the work day. Some children reported that the shade available was inside vehicles used to transport the workers to the worksite, or in wooded areas, in the event the worksite was located near a wooded area.

Lack of Sanitary Facilities

Very few children interviewed by Human Rights Watch reported having access to a bathroom. Most children told Human Rights Watch that they would relieve themselves in wooded areas, if there were any near to the worksite, or refrain from relieving themselves at all during the day, including by declining to drink liquids. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would use a bathroom.

Lack of Hand Washing Facilities

Most children interviewed by Human Rights Watch stated that they did not have access to hand washing facilities. Many children stated that they rinsed their hands with water from the cooler provided, but did not use soap to wash their hands.

Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would be allowed to wash their hands.

Lack of Personal Protective Equipment

Almost none of the children interviewed by Human Rights Watch were given any kind of personal protective equipment by their employer.

Many children interviewed by Human Rights Watch wore black plastic garbage bags over their clothes to prevent their clothes from becoming soaked by water on the tobacco plants after rain or in high humidity conditions that created heavy dew. Children's parents typically bought the plastic bags for them to wear. Some children interviewed by Human Rights Watch did not wear plastic garbage bags because doing so made them overheat.

Most children interviewed by Human Rights Watch wore latex or cloth gloves, which in most cases they or their parents bought. Some child workers said that the gloves available were too large for their hands or it was difficult for them to perform the work at the pace required while wearing gloves, so they worked without them.

Several children told Human Rights Watch that they worked in bare feet or socks when the mud in the fields was deep and they lacked appropriate footwear.

Repetitive Motions and Lifting Heavy Loads

Children interviewed by Human Rights Watch described performing prolonged repetitive motions, including working bent over at the waist, twisting their wrists to top tobacco plants, crawling on hands and knees, or reaching above their heads for extended periods of time. Children reported muscle soreness, aches, and pain in their backs, shoulders, arms, hands, and fingers after engaging in repetitive motions.

Human Rights Watch interviewed child workers who reported loading heavy sticks of harvested tobacco plants onto flatbed wagons to be transported to barns for curing. Children also said they lifted heavy sticks of tobacco plants over their heads to other workers who would hang the sticks in the rafters of barns for curing.

Work with Dangerous Tools, Machinery, and at Heights

Some children interviewed by Human Rights Watch stated that they used hoes to remove weeds from tobacco fields, as well as axes or hatchets to cut burley tobacco during the harvest and spikes to spear burley tobacco plants. Some children told us they sustained cuts and puncture wounds from working with these sharp tools.

A few children said they operated or worked in close proximity to dangerous machinery, including mowers used to trim tobacco plants, tractors used to harvest tobacco leaves, and balers used to compress leaves into bales. In Kentucky, Human Rights Watch interviewed a few children who drove tractors while working in tobacco. Some children reported injuries related to operating or being near heavy machinery.

Human Rights Watch interviewed children who told us they climbed into the rafters of barns, with and without ladders, to hang sticks of harvested burley tobacco to dry. Children described climbing to significant heights as crews of workers formed several tiers to pass sticks of tobacco upward to be hung in the barn for curing. While engaging in this work, children said, they straddled planks that were sometimes positioned two or three feet apart.

Wages and Hours

Wages

Most children we interviewed reported earning minimum hourly wage for their work. Some children reported being paid by check and some were paid in cash.

Some children interviewed by Human Rights Watch received less than minimum wage. Some children reported to Human Rights Watch earning more than minimum wage. Some children interviewed by Human Rights Watch said that they earned piece rate wages during the burley tobacco harvest based on the number of tobacco plants they cut and/or hung in barns.

Some children reported to Human Rights Watch problems with wages including deductions by the contractor or grower for water or for reasons that were not explained to them or because of what they believed was inaccurate recording of hours by contractors.

Working Hours

Children interviewed by Human Rights Watch described working long hours, typically between 10-12 hours per day, and sometimes more. Some children worked shorter days, because the day's work had been completed or because the contractor or grower allowed workers to end the day early due to heavy rain or very high heat. Other children reported working through adverse weather conditions.

Most children interviewed by Human Rights Watch worked 5 days per week; some worked fewer, and some children reported working 6 or 7 days per week.

Nearly all children interviewed by Human Rights Watch stated that they were allowed 2 or 3 breaks per day.

Education

Some children interviewed by Human Rights Watch had migrated for work and missed several months of school. Some children reported skipping days of school to work in tobacco. Some children reported working long hours after school that interfered with their ability to keep up with schoolwork.

Questions

We are interested in learning more about the policies and practices Reynolds American, Inc. has in place regarding child labor and other labor practices in its global supply chain, including in the United States. We are aware, as stated on Reynolds American, Inc.'s website, that the company believes "that universally recognized human rights should be respected. This principle and its day-to-day practice is one of the foundations of how we conduct our businesses...." In particular, we are interested in the following information:

1. What policies or procedures does Reynolds American, Inc. have in place regarding the use of child labor in tobacco farming on farms supplying tobacco to Reynolds American, Inc. and to Reynolds American, Inc. subsidiaries and suppliers?

2. How does Reynolds American, Inc. monitor the treatment of child workers on farms supplying tobacco to Reynolds American, Inc. and to Reynolds American, Inc. subsidiaries and suppliers?
3. Does Reynolds American, Inc. have policies or procedures to prevent and alleviate labor rights violations, and other human rights violations in its global supply chain? What are these policies or procedures?
4. What policies does Reynolds American, Inc. have in place regarding working hours and breaks for workers engaged in tobacco farming on farms supplying tobacco to Reynolds American, Inc. or to its subsidiaries and suppliers? How does it monitor the implementation of these policies?
5. What policies does Reynolds American, Inc. have in place regarding payment of wages to workers on tobacco farms in its supply chain and deductions from workers' wages (such as for provision of water, transportation, or the like)? How does Reynolds American, Inc. monitor the implementation of these policies?
6. What policies does Reynolds American, Inc. have in place regarding provision of water, shade, sanitary facilities and hand washing facilities to workers on tobacco farms in its supply chain? How does it monitor the implementation of these policies?
7. What steps does Reynolds American, Inc. take to ensure that workers on tobacco farms in its supply chain, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns?
8. What policies does Reynolds American, Inc. have in place regarding the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals by tractor, given the risk of workers' exposure to pesticides as a result of drift when working near tractors that are spraying? How does Reynolds American, Inc. monitor the implementation of these policies?
9. What mechanisms does Reynolds American, Inc. have to ensure the freedom of association for workers on farms which supply tobacco to Reynolds American, Inc. and to its subsidiaries and suppliers? Does the company believe that freedom of association includes a process for employers to recognize employee associations for the purposes of collective bargaining? Has Reynolds American, Inc. established such a process on farms with which it or its subsidiaries contract?
10. Has Reynolds American, Inc. identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on tobacco farms supplying tobacco to Reynolds American, Inc., its subsidiaries and suppliers, either from workers or from others in 2011, 2012 and 2013? If so, what actions has Reynolds American, Inc. taken?
11. Does Reynolds American, Inc. have a mechanism whereby workers in its global supply chain may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does Reynolds American, Inc. take to ensure that workers are informed of this mechanism and the manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What steps does Reynolds American, Inc. take to ensure that workers who file complaints do not face retaliation?

12. We would be grateful to receive brief data on Reynolds American, Inc.'s total tobacco purchases in the United States as well as its total tobacco purchases in each of the following states: North Carolina, Kentucky, Tennessee, and Virginia, in 2011, 2012, and 2013.
13. We would be grateful for data on how these numbers compare to Reynolds American, Inc.'s tobacco purchasing in other countries.
14. We would be grateful for data on worker deaths and injuries, if possible disaggregated by age, gender, and ethnicity, for all countries from which Reynolds American, Inc. and its subsidiaries supply tobacco.

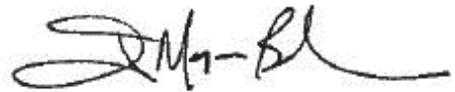
Human Rights Watch seeks to obtain information that will ensure accuracy in our reporting. We will be grateful if you would formally respond to this letter so that we can incorporate your perspective into our analysis and our report. We would welcome your response by January 24, 2014.

We would also like to arrange a meeting with you or senior Reynolds American, Inc. staff and Human Rights Watch experts on child labor to discuss these issues. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We will also be in contact with your office in the coming weeks regarding a convenient time for this meeting.

Sincerely,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



RAI Services Company

February 28, 2014

Arvind Ganesan
Director
Business and Human Rights Division

Jane Buchanan
Associate Director
Children's Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, NY 10118-3299

Dear Mr. Ganesan and Ms. Buchanan:

Daniel Delen, president and chief executive of Reynolds American Inc. (RAI), has asked me to respond on his behalf to your inquiry related to research your organization conducted regarding the use of child labor in tobacco farming.

Through services agreements, RAI's largest operating company, R.J. Reynolds Tobacco Company (RJRT), provides administration of leaf purchases and related issues for the other RAI tobacco-products manufacturing subsidiaries.

It's important to note that RJRT doesn't employ farm workers or grow its own tobacco. Because farm workers are not our employees, we have no control over their recruitment, their hiring, or the terms and conditions of their employment. However, we can – and do—bring significant efforts to bear to ensure that our contracted growers understand our expectation that they will comply with the law and good agricultural practices, and that they and their workers have the information necessary to operate in a safe and legally compliant manner.

RJRT expects that its contracted growers will comply with the law, and the company communicates this expectation by putting it into its contracts with growers. Consequently, growers are contractually obligated to abide by all local, state and federal laws, including those laws regarding the use of child labor in agriculture.

RJRT's practice is to provide extensive training and educational resources to growers and their workers in order to help them meet our expectations that they will operate in a safe and legally compliant manner. RJRT has long provided training materials for farmers on

key issues related to workplace safety and proper use of equipment and agrochemicals. Contracted growers are required to participate in annual training programs administered by the Cooperative Extension Services in their states before RJRT will purchase their tobacco. These programs include training on child labor regulations; heat stress; green tobacco sickness; proper use of farm equipment and personal protective equipment; state and federal regulations on hiring practices, wages and hours; and a range of other issues.

RJRT's practice is not only to provide resources for growers, but for their workers as well. RJRT funded the creation of Spanish-language DVDs that provide information to workers to help them stay safe on the farms. These DVDs are distributed to growers for their use in training their workers. RJRT has also pioneered live training sessions for workers, in partnership with the U.S. and North Carolina departments of labor. These sessions provide farm workers information about operating safely and about their rights under the law.

RJRT's understanding of conditions on its contracted farms has always been informed by RJRT personnel who visit growers as part of their job responsibilities. RJRT also uses audits to monitor compliance with laws and good agricultural practices. Over the two-year period of 2011 and 2012, RJRT commissioned an audit of farms in North Carolina with which RJRT contracted for tobacco. These audits, conducted by Underwriters' Laboratories' Responsible Sourcing unit, involved, among other things, site visits and interviews with 922 farm workers. The results of that audit are available on the company's website, www.rjrt.com. Auditors identified only three instances in which workers under 18 were working on a contracted farm. In each instance, the grower was in legal compliance. Other key findings included:

- 95 percent of the growers audited provided a safe environment for tobacco workers;
- 73 percent of the growers provided documented health and safety training to workers;
- 90 percent of the growers audited made personal protective equipment available to workers, and in most cases where they did not, the workers had their own equipment;
- More than 94 percent of workers interviewed reported knowing whom to contact if they had a complaint; and
- One percent of workers reported receiving less than the minimum age.

Your letter, in many cases, did not provide enough information to permit the reader to distinguish between lawful and unlawful employment of workers under 18 years of age. We hope that if your researchers believed a minor was employed in violation of applicable law, those circumstances were reported to the applicable authorities. We would encourage you to identify in your final report which instances appeared to constitute a violation of law and which did not, as such information would make the report more useful and actionable.

RJRT is not the largest purchaser of tobacco in the states in which you conducted your research, and the company only contracts with a finite number of farmers in each state. It cannot be discerned from your letter whether any of the observations your researchers noted were on farms with which RJRT contracts. The extensive training RJRT provides for

its contracted growers, the results of our audit of the farms with which we contract, and the farmers' understanding of the importance RJRT places on compliance issues certainly contribute to our belief that our contract growers work hard to comply with the law and provide a safe workplace for their workers.

RJRT has not only taken steps to promote responsibility within its own supply chain, but has also worked with other stakeholders to address the larger supply chain for agricultural products in North Carolina, in particular. Since 2011, RJRT has participated in the Farm Labor Practices Group, a multilateral stakeholder dialogue group convened to address issues in the tobacco supply chain. The group includes tobacco-products manufacturers, grower representatives, the Farm Labor Organizing Committee, and government agencies.

RJRT is proud of its efforts to promote responsibility in the tobacco supply chain. While we are not the largest purchaser of tobacco, we work hard to promote sustainability and responsibility with our contracted growers. We are committed to working with others in the tobacco industry, with other agribusinesses, with appropriate state government representatives, and with advocacy and public policy groups to exchange viewpoints and pursue opportunities for further improvement in this important area.

I hope this information is helpful as you work to complete your report. I encourage you to visit our website, which addresses many of these issues in more detail. I appreciate the invitation to meet, and I think a conversation about this topic is in order. You will be receiving an invitation to attend the FLPG meeting in Raleigh, which is scheduled for April 9-10, 2014. It makes sense to me that we take advantage of our both being in the same place at the same time to have a private meeting.

Sincerely,



John S. Wilson, III
Vice President
Corporate Sustainability and Commercial Equity
RAI Services Company

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March 31, 2014

Daniel M. Delen
President and Chief Executive Officer
Reynolds American Inc.
401 North Main Street
Winston-Salem, NC 27101

Dear Mr. Delen,

Thank you for your letter of February 28, 2014. We appreciate the constructive dialogue with Reynolds American. We have appreciated the opportunities to learn more about Reynolds American's policies and practices concerning child labor. We look forward to seeing you on April 10 in Raleigh when we will present our findings and recommendations at the Farm Labor Practices Group meeting.

We are writing today to share with you some additional information regarding the counties in North Carolina, Kentucky, and Tennessee in which children reported working. We are also taking this opportunity to share our key recommendations to businesses purchasing tobacco in the United States.

Counties where Children Reported Working

As we explained previously, consistent with our methodology for investigating human rights worldwide, we go to great lengths to protect the confidentiality of interviewees. Out of concern for interviewees' security, we are unable to report specific farms where children worked, but we can share a list of counties where children reported working in North Carolina, Kentucky, and Tennessee (attached). Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

While we hope our list of counties might help to guide Reynolds American's efforts to address hazardous child labor on farms in its supply chain, we would encourage the company to do a comprehensive investigation of child labor in every county from which Reynolds American purchases tobacco. Due to the small size of our team and the nature of our methodology, we are not in a position to conduct a broad survey to examine conditions in every tobacco-growing county in the US. However, our research indicated patterns of

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hazardous child labor on tobacco farms in many different locations, and we urge Reynolds American to look beyond the counties we identified in order to investigate thoroughly child labor on all US tobacco farms in its supply chain.

Recommendations

We would like to take this opportunity to share our initial recommendations for tobacco manufacturing companies and tobacco leaf companies which we believe are essential to protect children from hazards particular to tobacco farming. We look forward to discussing these recommendations with you. Human Rights Watch has also developed detailed recommendations for other relevant actors, including the US Congress, the US Senate, the President of the United States, the US Department of Labor, the Environmental Protection Agency, tobacco-producing states, tobacco growers' associations and Farm Bureaus, agricultural employers, and the International Labour Organization.

Human Rights Watch bases these recommendations on our research findings which we detailed to you in our December 11, 2013 letter, extensive reviews of available public health literature, interviews with public health researchers, analysis of national laws and practice, analysis of ILO laws and reports, interviews with ILO experts on child labor, interviews with representatives of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), and ECLT materials.

Based on our findings, Human Rights Watch believes that no child under age 18 should be permitted to work with tobacco in any form, including plants of any size or dried tobacco leaves, due to the inherent health risks posed by nicotine and the pesticides applied to the crop.

Because exposure to tobacco in any form is unsafe, Human Rights Watch has determined, based on our field investigations and other research, that as a practical matter there is no way for children under 18 to work safely on US tobacco farms when they have direct contact with tobacco plants of any size or dried tobacco leaves, even if wearing protective equipment. Though protective equipment may help mitigate exposure to nicotine and pesticide residues, rain suits and watertight gloves would not completely eliminate absorption of toxins through the skin and would greatly increase children's risk of suffering heat-related illnesses. The inadequacy of protective equipment to protect children, as documented by Human Rights Watch in the US, seems likely to extend to tobacco farms outside the United States.

A number of countries have laws or regulations prohibiting all children from working in tobacco farming, or from performing the majority of tasks in which they come into direct contact with tobacco in any form, including Brazil, India, Malawi, Kazakhstan, Russia, and Uganda.

Recognizing the risks to children of work in tobacco farming, the US Department of Labor proposed regulations in 2011 that would have prohibited all children under 16 (the minimum age for hazardous work in agriculture in the US) from “all work in the tobacco production and curing, including, but not limited to such activities as planting, cultivating, topping, harvesting, baling, barning, and curing.” The regulations were withdrawn in 2012. The ILO Committee of Experts has strongly urged the US government to reconsider withdrawal of the proposed regulations.

This evidence and our analysis are further detailed in our forthcoming report, as are additional recommendations. Our key recommendations to businesses purchasing tobacco in the United States include:

Regarding Child Labor

- Adopt and implement policies globally prohibiting the use of child labor anywhere in the supply chain. The policy should specify that hazardous work for children under 18 is prohibited, *including any work in which children come into direct contact with tobacco plants of any size and dried tobacco leaves.* Consistent with ILO conventions, the policy should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15, or the minimum age provided by the country’s laws, whichever affords greater protection. *The policy should specify that it is in effect throughout the supply chain in all countries irrespective of local laws that afford lesser protections.*
- Strive to phase out the use of child labor in the supply chain by establishing clear timeframes.
- Ensure that all contracts with growers and suppliers should include specific language prohibiting the use of children in hazardous work under 18, including any work in which children come into contact with tobacco leaves of any size and dried tobacco leaves. Establish and carry out penalties for those in the supply chain who violate the no-child labor policy. The penalties should be sufficiently severe and consistently implemented so as to have a dissuasive effect. Discontinue contracts with farms that repeatedly violate the policy prohibiting child labor.
- Provide training to agronomists, suppliers, growers, workers, and others on the hazards to children of working in tobacco. Utilize outside experts on child labor to conduct these trainings where appropriate.
- Establish a regular and rigorous internal monitoring process in all countries in the supply chain.

- Engage qualified third-party monitoring for child labor in supply chains in all countries.
- Engage a third-party organization to develop a no-child labor policy as outlined above, including the structures for its effective implementation.
- Develop or enhance collaboration with local stakeholders to eliminate child labor on tobacco farms, including by:
 - Working with federal and local government officials, including the Office of Migrant Education, to ensure access to education for farmworker children.
 - Implementing, with meaningful input and participation from farmworker children, their families, and local stakeholders, free summer programs each year for both migrant and local children, as an alternative to working in tobacco farming. Programs should provide age-appropriate educational, recreational, and leadership development opportunities to children under 18.
 - Collaborating with local stakeholders to identify other summer employment opportunities for children as alternatives to working on tobacco farms.
 - Where possible, cooperating with the ILO's International Programme on the Elimination of Child Labour (IPEC), UNICEF, nongovernmental organizations, and others undertaking efforts to prevent child labor, including through the provision of alternatives to working in tobacco farming.
 - Establishing a scholarship fund to provide young farmworkers with economic support to pursue higher education. The scholarship application should account for the unique circumstances of farmworker children's educational paths.
 - Investing in rural health infrastructure to ensure tobacco workers and their children have access to health services.
 - Collaborating with land-grant universities and extension services to enhance agricultural education in tobacco-growing communities, and to provide farmworker families with access to land for small-scale agricultural enterprise.

Regarding Industry-Wide Multilateral Initiatives

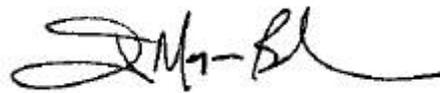
- Develop an international industry-wide standard to prohibit hazardous work for children under 18 on tobacco farms, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves; establish minimum age requirements consistent with ILO conventions.
- Amend the US Tobacco Good Agricultural Practices (GAP) labor management guidelines to specify that hazardous work for children under 18 is prohibited, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves. Consistent with ILO conventions, the standard should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15. This standard should be a contractual requirement for all US tobacco growers.
- Engage meaningfully in multi-stakeholder initiatives, including with a view to support tobacco industry efforts to promote the elimination of child labor in the tobacco supply chain, effective monitoring of these policies, and initiatives to support alternative employment, education, and recreational opportunities for children in tobacco-growing communities.
- Increase financial support to nongovernmental organizations working to eliminate hazardous child labor in tobacco farming.
- Establish a pooled fund to support programs that provide alternatives to child labor in US tobacco farming and/or consider expanding programs through the Eliminating Child Labour in Tobacco Growing Foundation to include the United States.

We look forward to discussing these recommendations with you and welcome any updates to Reynolds American's existing policies and practices regarding child labor, so that we have the most up-to-date information for our research and reporting.

Best regards,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

Cc: John S. Wilson, III, Vice President, Corporate Sustainability and Commercial Equity

Counties where Children Reported Working

State	Counties
Kentucky	Barren
	Bath
	Bourbon
	Boyle
	Clark
	Crittenden
	Fayette
	Franklin
	Harrison
	Henry
	Lincoln
	McCrory
	Metcalfe
	Monroe
	Montgomery
	Pulaski
	Scott
Shelby	
Taylor	
Warren	
Washington	
Wayne	
North Carolina	Duplin
	Greene
	Johnston
	Jones
	Lenoir
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	Onslow
	Pitt
	Sampson
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Tennessee	Grainger
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April 16, 2014

To the members of the Farm Labor Practices Group,

We are writing to thank you for the opportunity to present our research and recommendations at the April 10, 2014 Farm Labor Practices Group plenary meeting in Raleigh. We were grateful for the informative and constructive discussion with all of you, and we look forward to continued dialogue and meaningful progress on many of the concerns identified.

As discussed during the meeting last week, we are sharing with you the slides from our presentation, along with additional information on the ages of the children we interviewed for this project. Please find a chart with this information below.

We are also writing to let you know that Human Rights Watch will publish the report with our research on child labor in tobacco farming in the US and relevant recommendations next month. The report will describe our methodology, findings, and analysis of US laws and international standards related to child labor. Consistent with Human Rights Watch's approach to our work worldwide, our report will include personal accounts from many of the children we interviewed, along with analysis of public health literature and national and international data. The report will also include a description of the policies and practices of several leading companies that purchase tobacco grown in the United States, including the six companies represented in the FPLG. It will also include detailed versions of the recommendations we presented at the meeting last week, including recommendations to tobacco manufacturing and tobacco leaf companies, the Obama administration, US Congress, state governments, and others.

We were encouraged to learn that the Farm Labor Practices Group took a decision to establish a working group on child labor, which has the possibility to make significant positive impacts. Human Rights Watch would welcome the opportunity to make further contributions to this group and looks forward to learning about the results of this group's efforts. At the same time, in line with the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) and other international standards and guidance, each company in the FPLG and other tobacco

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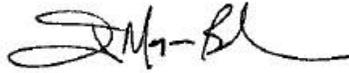
manufacturing and leaf companies individually have responsibilities to prevent and remedy human rights concerns, including hazardous child labor, in their supply chains.

Human Rights Watch is committed to accurately representing and publicizing the measures each company has taken to address child labor in supply chains globally. To that end, we would be pleased to report on any recent changes or further commitments made by your companies concerning policies on child labor. In order to reflect any commitments or policy changes in our publications, we would welcome responses to our recommendations shared with you during the plenary meeting as well as in the March 31 letter by April 30, 2014. We would also welcome written responses from other members of the FLPG to inform our ongoing research on child labor.

Sincerely,



Jo Becker
Advocacy Director
Children's Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



Margaret Wurth
Researcher
Children's Rights Division

Ages of Children Interviewed by Human Rights Watch

Age	NC	KY	TN	VA	TOTAL
7			1		1
8					0
9	2		2		4
10		1	1		2
11	1	1			2
12	3	2			5
13	5	1	2		8
14	14	8		2	24
15	15	11	1		27
16	20	10	2	1	33
17	12	5	1		18
18*	8	7	2		17
TOTAL	80	46	12	3	141

*All 18-year-old children interviewed for this report worked in tobacco as 17-year-old children in 2012.

Mean age of children interviewed: 15

Median age of children interviewed: 15

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John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

February 4, 2014

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

Please accept my greetings on behalf of Human Rights Watch. Human Rights Watch is an international non-governmental human rights organization that conducts research and advocacy in over 90 countries around the world on a wide variety of human rights issues (see www.hrw.org). Among those issues is child labor, which we have reported on in the United States, El Salvador, Mali, Tanzania, Morocco, Uzbekistan, Indonesia, India, and other countries. In 2010 we published a report on hazardous child labor and other human rights abuses in tobacco farming in Kazakhstan.

We are writing to you today to share preliminary findings with you concerning our recent research on child labor in tobacco farming in the United States. We hope to initiate a constructive dialogue with Alliance One regarding concerns related to child workers in tobacco farming.

From May-October 2013 Human Rights Watch conducted research on child labor in tobacco farming in North Carolina, Kentucky, Tennessee, and Virginia. We interviewed over 140 children ages 7-17 who stated that they worked in tobacco farming in 2012 or 2013, as well as children and parents who described other children working in tobacco farming.

The specific jobs children said they did on tobacco farms included: planting seedlings, weeding, thinning tobacco plants, repositioning plants that were leaning, topping, pulling off suckers, and applying pesticides.

On farms with flue-cured tobacco, children reported doing the following jobs: hand harvesting tobacco leaves, machine harvesting tobacco leaves, filling cages with tobacco leaves for drying, sorting tobacco leaves, and packing tobacco leaves.

On farms growing burley tobacco, children reported: cutting tobacco plants, carrying cut tobacco plants, spearing tobacco plants on sticks for hanging, carrying sticks with several tobacco plants, lifting sticks with several tobacco plants onto trucks or to workers to hang the sticks in the rafters of a barn, hanging sticks with tobacco plants in barns, taking down sticks of burley tobacco plants from barns, and stripping leaves off dried tobacco.

The vast majority of children with whom Human Rights Watch spoke were working for hire. Most children were hired by a labor contractor or a labor

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subcontractor. Some children were working directly for tobacco growers. Only a few children worked on family farms, without pay.

A few of the very youngest children worked with their parents sporadically and without pay.

The vast majority of children interviewed by Human Rights Watch stated that they lived in the states in which they worked and worked primarily or exclusively in the summer months. Human Rights Watch also interviewed a few children who migrated to or within the United States for work.

Preliminary Findings

Health and Safety

Nicotine Poisoning/Green Tobacco Sickness and Other Health Risks

A majority of children interviewed by Human Rights Watch described experiencing symptoms consistent with acute nicotine poisoning (Green Tobacco Sickness) while working, including, variously, nausea, dizziness, lightheadedness, headaches, vomiting, and loss of appetite.

Some of these symptoms may be linked to pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Nearly all children interviewed by Human Rights Watch said they lacked personal protective equipment, which would help minimize the amount of exposure to wet tobacco leaves and tobacco leaves that had been treated with pesticides or other hazardous chemicals.

Some also reported difficulty sleeping together with symptoms of nicotine poisoning.

Some children also reported itchy skin and skin rashes.

Some children also told Human Rights Watch that water from tobacco plants would splash into their eyes or mouth during topping or pieces of tobacco leaves would fall into their eyes or mouth while lifting sticks with tobacco plants to be hung in barns. A few children reported respiratory and allergic symptoms while working in tobacco fields or in curing barns.

Exposure to Pesticides and Growth Regulators

Many children interviewed by Human Rights Watch reported that they saw tractors spraying pesticides or growth regulators in the fields in which they were working or in fields adjacent to the ones in which they were working. These children often reported being able to smell and/or feel the chemical spray as it drifted towards them. Many reported some or all of the following symptoms after coming into contact with the spray: burning eyes, burning nose, itchy skin, nausea, vomiting, dizziness, redness and swelling of the mouth, and headaches.

A few children interviewed by Human Rights Watch stated that they applied pesticides to tobacco plants with a handheld sprayer and backpack and a few reported operating tractors that were spraying pesticides on tobacco fields.

Extreme Temperatures

All children interviewed by Human Rights Watch stated that they often worked in high temperatures and high humidity typical for the summer months in North Carolina, Kentucky, Tennessee and Virginia, and many stated that they were expected to work without additional breaks in such conditions.

Water

Most children interviewed by Human Rights Watch stated that the contractor or grower provided water to them while working, usually from a cooler. Some children told Human Rights Watch that the water provided was not clean or drinkable. Other children told Human Rights Watch that employers did not provide water at all.

Lack of Shade

Many children interviewed by Human Rights Watch stated that they did not have the opportunity to shelter in shade during the work day. Some children reported that the shade available was inside vehicles used to transport the workers to the worksite, or in wooded areas, in the event the worksite was located near a wooded area.

Lack of Sanitary Facilities

Very few children interviewed by Human Rights Watch reported having access to a bathroom. Most children told Human Rights Watch that they would relieve themselves in wooded areas, if there were any near to the worksite, or refrain from relieving themselves at all during the day, including by declining to drink liquids. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would use a bathroom.

Lack of Hand Washing Facilities

Most children interviewed by Human Rights Watch stated that they did not have access to hand washing facilities. Many children stated that they rinsed their hands with water from the cooler provided, but did not use soap to wash their hands. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would be allowed to wash their hands.

Lack of Personal Protective Equipment

Almost none of the children interviewed by Human Rights Watch were given any kind of personal protective equipment by their employer. Many children interviewed by Human Rights Watch wore black plastic garbage bags over their clothes to prevent their clothes from becoming soaked by water on the tobacco plants after rain or in high humidity conditions that created heavy dew. Children's parents typically bought the plastic bags for them to wear. Some children interviewed by Human Rights Watch did not wear plastic garbage bags because doing so made them overheat.

Most children interviewed by Human Rights Watch wore latex or cloth gloves, which in most cases they or their parents bought. Some child workers said that the gloves available were too large for their hands or it was difficult for them to perform the work at the pace required while wearing gloves, so they worked without them. Several children told Human Rights

Watch that they worked in bare feet or socks when the mud in the fields was deep and they lacked appropriate footwear.

Repetitive Motions and Lifting Heavy Loads

Children interviewed by Human Rights Watch described performing prolonged repetitive motions, including working bent over at the waist, twisting their wrists to top tobacco plants, crawling on hands and knees, or reaching above their heads for extended periods of time. Children reported muscle soreness, aches, and pain in their backs, shoulders, arms, hands, and fingers after engaging in repetitive motions.

Human Rights Watch interviewed child workers who reported loading heavy sticks of harvested tobacco plants onto flatbed wagons to be transported to barns for curing. Children also said they lifted heavy sticks of tobacco plants over their heads to other workers who would hang the sticks in the rafters of barns for curing.

Work with Dangerous Tools, Machinery, and at Heights

Some children interviewed by Human Rights Watch stated that they used hoes to remove weeds from tobacco fields, as well as axes or hatchets to cut burley tobacco during the harvest and spikes to spear burley tobacco plants. Some children told us they sustained cuts and puncture wounds from working with these sharp tools. A few children said they operated or worked in close proximity to dangerous machinery, including mowers used to trim tobacco plants, tractors used to harvest tobacco leaves, and balers used to compress leaves into bales. In Kentucky, Human Rights Watch interviewed a few children who drove tractors while working in tobacco. Some children reported injuries related to operating or being near heavy machinery.

Human Rights Watch interviewed children who told us they climbed into the rafters of barns, with and without ladders, to hang sticks of harvested burley tobacco to dry. Children described climbing to significant heights as crews of workers formed several tiers to pass sticks of tobacco upward to be hung in the barn for curing. While engaging in this work, children said, they straddled planks that were sometimes positioned two or three feet apart.

Wages and Hours

Wages

Most children we interviewed reported earning minimum hourly wage for their work. Some children reported being paid by check and some were paid in cash. Some children interviewed by Human Rights Watch received less than minimum wage. Some children reported to Human Rights Watch earning more than minimum wage. Some children interviewed by Human Rights Watch said that they earned piece rate wages during the burley tobacco harvest based on the number of tobacco plants they cut and/or hung in barns.

Some children reported to Human Rights Watch problems with wages including deductions by the contractor or grower for water or for reasons that were not explained to them or because of what they believed was inaccurate recording of hours by contractors.

Working Hours

Children interviewed by Human Rights Watch described working long hours, typically between 10-12 hours per day, and sometimes more. Some children worked shorter days,

because the day's work had been completed or because the contractor or grower allowed workers to end the day early due to heavy rain or very high heat. Other children reported working through adverse weather conditions. Most children interviewed by Human Rights Watch worked 5 days per week; some worked fewer, and some children reported working 6 or 7 days per week. Nearly all children interviewed by Human Rights Watch stated that they were allowed 2 or 3 breaks per day.

Education

Some children interviewed by Human Rights Watch had migrated for work and missed several months of school. Some children reported skipping days of school to work in tobacco. Some children reported working long hours after school that interfered with their ability to keep up with schoolwork.

Questions

We are interested in learning more about the policies and practices Alliance One has in place regarding child labor and other labor practices in its global supply chain. We are aware that, concerning child labor, Alliance One has stated on its website that:

It is the policy of the Company that it:

- Will comply fully with the child labor laws and regulations in each country in which it operates;
- Will not employ, directly or indirectly, minors (as defined by the laws of the relevant jurisdiction) in violation of this Policy;
- Will not contract for the purchase of tobacco with any producer who employs child labor in violation of this Policy;
- Will not purchase tobacco from any producer who employs child labor in violation of this Policy.

In this regard, we are interested in the following information:

1. Under the Alliance One Child Labor Policy, what kinds of jobs and tasks are children under 18 allowed to perform on tobacco farms in the United States supplying tobacco to Alliance One and its subsidiaries? What kinds of jobs and tasks are children under 18 allowed to perform on tobacco farms supplying tobacco to Alliance One and its subsidiaries in other countries?
2. In its Social Responsibility Policy stated on its website, Alliance One states that it sees an obligation for the company to adopt "fair labor standards, including the protection of farm labor and elimination of exploitive child and forced labor." We would welcome more information as to how Alliance One defines exploitive child labor and how it communicates that definition to its subsidiaries and to tobacco growers from which Alliance One and its subsidiaries purchase tobacco.
3. How does Alliance One monitor the treatment of child workers on farms supplying tobacco to Alliance One and its subsidiaries in the United States and other countries?

4. Does Alliance One have policies or procedures to prevent and alleviate labor rights violations and other human rights violations on farms supplying tobacco to Alliance One and its subsidiaries? What are these policies or procedures?
5. What policies does Alliance One have in place regarding working hours and breaks for workers engaged in tobacco farming on farms supplying tobacco to Alliance One and its subsidiaries? How does it monitor the implementation of these policies?
6. What policies does Alliance One have in place regarding payment of wages to workers on farms supplying tobacco to Alliance One and its subsidiaries and deductions from workers' wages (such as for provision of water, transportation, or the like)? How does Alliance One monitor the implementation of these policies?
7. What policies does Alliance One have in place regarding provision of water, shade, sanitary facilities, and hand washing facilities to workers on farms supplying tobacco to Alliance One and its subsidiaries? How does it monitor the implementation of these policies?
8. What steps does Alliance One take to ensure that workers on farms supplying tobacco to Alliance One and its subsidiaries, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns?
9. What policies does Alliance One have in place regarding the proximity of workers on farms supplying tobacco to Alliance One and its subsidiaries to active spraying of pesticides or other hazardous chemicals by tractor, given the risk of workers' exposure to pesticides as a result of drift when working near tractors that are spraying? How does Alliance One monitor the implementation of these policies?
10. What mechanisms does Alliance One have to ensure the freedom of association for workers on farms supplying tobacco to Alliance One and its subsidiaries? Does the company believe that freedom of association includes a process for employers to recognize employee associations for the purposes of collective bargaining?
11. Has Alliance One identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on tobacco farms supplying tobacco to Alliance One and its subsidiaries, either from workers or from others in 2011, 2012, and 2013? If so, what actions has Alliance One taken?
12. Does Alliance One have a mechanism whereby workers on tobacco farms supplying tobacco to Alliance One and its subsidiaries may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does Alliance One take to ensure that workers are informed of this mechanism and the manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What steps does Alliance One take to ensure that workers who file complaints do not face retaliation?

13. We would welcome brief data on how many tobacco growers Alliance One and its subsidiaries contract with in each of the following states: North Carolina, Kentucky, Tennessee, and Virginia? What was the volume of tobacco purchased in each of those states in 2011, 2012, and 2013? To which companies does Alliance One sell tobacco leaf and in what volume to each company?

14. We would be grateful for data on how these numbers compare to Alliance One's tobacco purchasing in other countries.

15. We would be grateful for data on worker deaths and injuries, if possible disaggregated by age, gender, and ethnicity, for all countries from which Alliance One and its subsidiaries purchase tobacco.

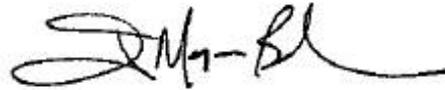
Human Rights Watch seeks to obtain information that will ensure accuracy in our reporting. We will be grateful if you can formally respond to this letter so that we can incorporate your perspective into our analysis and our report. We would welcome your response by March 12, 2014.

We would also like to arrange a meeting with you or senior Alliance One staff and Human Rights Watch experts on child labor to discuss these issues. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We will also be in contact with your office in the coming weeks regarding a convenient time for a meeting.

Sincerely,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

cc: William O'Quinn, SVP - Chief Legal Officer and Secretary

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March 7, 2014

Mr. Arvind Ganesan
Director, Business and Human Rights Division
Ms. Jane Buchanan
Associate Director, Children's Rights Division
Human Rights Watch
350 5th Avenue, 34th Floor
New York, New York 10118-3299

Dear Mr. Ganesan and Ms. Buchanan:

This letter is in response to your letter dated February 4, 2014, discussing the recent child labor study that Human Rights Watch conducted in the United States. We appreciate your organization's continued commitment to this difficult and important issue, and are grateful for your involvement of our company ("Alliance One" or "AOI") in the conversation.

Eliminating the use of child labor on farms that we do business with is only one component of our overall commitment to creating a sustainable farming culture, based on improved agricultural practices and mechanization. These improvements relieve farmers of some of the financial pressures that often lead to labor abuses, including with respect to child labor. For example, improved practices and mechanization allows farmers to produce a variety of cash and food crops, including tobacco, thereby elevating the family's net income and improving their food security, while protecting the environment and complying with legislation. When you remove basic concerns such as whether the farmer will have enough food to feed his or her family, the farmer is much less likely to rely on forms of labor that are harmful to others.

Farm sustainability also requires the backing of local communities. Our support of schools, clean water projects, medical facilities, micro-financing and other community programs has been recognized locally and internationally. By creating educated, stable communities, people are less likely to employ harmful labor, such as child labor, as they will understand the impact on the laborers and the community as a whole, and the laborers will understand their rights.

We would like to discuss our overall sustainability program with you at greater length, including how we believe that stable communities lead to fewer instances of reliance on harmful labor such

as child labor. Please consider when would be a good time for us to meet with you at your New York offices to discuss this further.

Additionally, we are very interested in understanding more about the findings of your study. We take a proactive approach to addressing child labor by acknowledging the problem, educating our farmer base, and reducing instances of child labor on farms that we contract with. We have policies and procedures in place to prevent the use of child labor in tobacco farming, which we have outlined more specifically below in response to the questions you enumerated in your original letter. The findings outlined in your letter are therefore very disconcerting to us and we are thankful for your inclusion of us in this process. To that end, we would respectfully request that you share the underlying data with us, so that we may immediately address and investigate child labor violations on farms that we do business with. As you will see below, we do not intend to do business with farmers who employ child labor.

Throughout our replies to your specific questions, we mention certain resources. Where appropriate we have included internet links within the text of our responses. Additionally, we encourage you to view our sustainability website, <http://aoisustainability.com/> which outlines in greater detail our global approach and vision for improving agricultural practices and mechanization around the globe. Specifically, please view our Child Labor Policy, Agricultural Labor Policy, Agricultural Labor Practice Code, and Corporate Social Responsibility Policy.

Please find the responses to your questions below.

- 1. Under the Alliance One Child Labor Policy, what kinds of jobs and tasks are children under 18 allowed to perform on tobacco farms in the United States supplying tobacco to Alliance One and its subsidiaries? What kinds of jobs and tasks are children under 18 allowed to perform on tobacco farms supplying tobacco to Alliance One and its subsidiaries in other countries?**

No person below 18 is involved in any type of hazardous work. AOI requires full compliance with all country child labor laws and regulations, and mandates that AOI will not contract with or purchase from any producer who employs child labor in violation of AOI policy. Further, in each of AOI's purchase contracts for tobacco, AOI includes language that prohibits the farmer, or the farmer's subcontractors, from using illegal child labor in the performance of the purchase agreement.

For more information on U.S. child labor laws:

<http://www.dol.gov/whd/regs/compliance/whdfs40.htm>

<http://www.dol.gov/whd/regs/compliance/childlabor102.pdf>

- 2. In its Social Responsibility Policy stated on its website, Alliance One states that it sees an obligation for the company to adopt “fair labor standards, including the protection of farm labor and elimination of exploitive child and forced labor.” We would welcome more information as to how Alliance One defines exploitive child labor and how it communicates that definition to its subsidiaries and to tobacco growers from which Alliance One and its subsidiaries purchase tobacco.**

Child Labor principles and expectations are communicated directly to AOI contracted farmers, generally by AOI Field Technicians and Agronomy Area Managers. Communication plans were made at each country level to best communicate the information while considering cultural and language issues and local resources available. Communication was conducted and continues to be reinforced during farm visits, at farmer meetings, using media, through printed brochures and working with NGO’s, industry organizations and governments, as applicable.

Child Labor is defined within the Agricultural Labor Practice (ALP) Code, which is based upon principles developed by the International Labor Organization (ILO). The definition of Child Labor lies within the principle: 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.

For children under 15 years of age but over 13 years, the child may only help on his or her family’s farm, and provided that the work is light work. If a country’s definition of the minimum age for light work affords greater protection than this policy, then AOI complies with that law rather than this policy.

- 3. How does Alliance One monitor the treatment of child workers on farms supplying tobacco to Alliance One and its subsidiaries in the United States and other countries?**

Globally, Field Technicians are trained to look for evidence of child labor use during each farm visit and to regularly remind farmers of the importance of not allowing this practice. In the United States, for example, AOI personnel visit approximately 10-12 farms per week during the growing season.

If AOI were to find evidence of child labor, then the Field Technician would remind the farmer of the policy and explain the harm that child labor inflicts on developing children. The Field Technician then would document the evidence and intervention. If the use of child labor were to continue, AOI would escalate penalties, up to and including rejecting purchase of tobacco and non-renewal of future contracts.

In addition to AOI's own internal policies and procedures, AOI is audited for compliance with child labor and other social responsibility requirements every three years as part of the Social Responsibility in Tobacco Production audits conducted by Leaf TC, and has from time to time been audited by customers.

4. Does Alliance One have policies or procedures to prevent and alleviate labor rights violations and other human rights violations on farms supplying tobacco to Alliance One and its subsidiaries? What are these policies and procedures?

Field Technicians are trained on farm labor rights, to look for evidence of violations during each farm visit, and to regularly remind farmers of the importance of following these principles. These AOI policies addressing these issues include the Agricultural Labor Policy, the Child Labor Policy and the Social Responsibility Policy. Local affiliates may have further defined policies at the country level. AOI requires full compliance with country laws and regulations regarding human rights.

The contract with U.S. farmers stipulate:

- (a) Grower will comply, and will require its subcontractors engaged in the performance of this Agreement (collectively, "Subcontractors") to comply, with all applicable laws and regulations, including without limitation all laws and regulations relating to (i) labor standards (e.g., compensation, working hours, non-discrimination, fair treatment, safe working environment, freedom of association, etc.), including specifically but without limitation the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Workers Protection Act, (ii) labor practices, including specifically but without limitation the Immigration Reform and Control Act of 1986, and (iii) the production and/or transportation of tobacco, including specifically but without limitation the rules and regulations of the United States Department of Agriculture (the USDA) and all other governmental agencies applicable to growers of tobacco. Without limiting the generality of the foregoing, Grower specifically agrees that it will not, and will require its Subcontractors to not (1) employ or engage persons under conditions that demand work or service under the threat of any penalty and for which such person has not offered himself/herself voluntarily, or as a means of repayment of debt, (2) engage any personnel in the performance of this Agreement who cannot establish eligibility for employment according to the verification

requirements of the Immigration Reform and Control Act of 1986, as applicable, and/or (3) use child labor in the performance of this Agreement; and further that it and its Subcontractors will at all times be in strict compliance with all Federal and State laws, statutes, regulations and standards regarding child labor. Grower additionally agrees (a) that it will at all times provide, and will cause its Subcontractors to provide, all personnel engaged in the performance of this Agreement (including specifically but without limitation personnel engaged in the production of the Tobacco (e.g., planting, cultivation, harvesting, curing, storage, transportation, etc.)), with humane working conditions, access to clean drinking water, reasonable access to decontamination facilities (to clean after application of crop protection agents), sanitary toilet facilities, adequate breaks for food and rest and other practices to protect worker health and safety, (b) to promptly inform AOI in the event it becomes aware that any employee, agent, representative or Subcontractor of Grower involved in the performance of this Agreement becomes a government official or is close relative of a government official, (c) not to offer, pay or agree to pay, directly or indirectly, anything of value to any government official to influence the act, decision or omission of such government official in connection with Grower's performance of this Agreement, (d) not to make a gift or political contribution or entertain any government official or any other persons on behalf of AOI without the prior written approval of AOI, and (e) that no part of any payments by AOI to Grower will be used for any purpose that would constitute a violation of applicable laws.

For more information, please see the following links:

<http://www.dol.gov/compliance/laws/comp-msawpa.htm>

<http://www.dol.gov/whd/regs/compliance/posters/mspaensp.htm>

https://www.osha.gov/pls/oshaweb/owastand.display_standard_group?p_toc_level=1&p_part_number=1928

5. What policies does Alliance One have in place regarding working hours and breaks for workers engaged in tobacco farming on farms supplying tobacco to Alliance One and its subsidiaries? How does it monitor the implementation of these policies?

Work hours must be in compliance with the country's laws. This policy is monitored through Good Agricultural Practice assessments during the growing and harvesting season.

- 6. What policies does Alliance One have in place regarding payment of wages to workers on farms supplying tobacco to Alliance One and its subsidiaries and deductions from workers' wages (such as for provision of water, transportation, or the like)? How does Alliance One monitor the implementation of these policies?**

In the United States, Alliance One contracted growers must comply with federal and state laws governing the minimum wage requirement. Farmers must provide to their workers, or post in a visible area, a disclosure of the period of employment, wages per hour or piece rate, job description, transportation and housing (if provided). Farmers must provide workers with a wage statement of hours worked each day, week, or other payment period.

Alliance One monitors this policy during Good Agricultural Practice on farm assessments.

Please see the following links for reference:

<http://www.dol.gov/whd/regs/compliance/posters/wh1386Agrcltr.pdf>

<http://www.dol.gov/whd/regs/compliance/whdfs12.pdf>

Globally, the issue of wages is addressed within the "Income and Work Hours" principle of the Agricultural Labor Policy Code. All AOI contracted farmers have been trained on this code and principle.

- 7. What policies does Alliance One have in place regarding provision of water, shade, sanitary facilities, and hand washing facilities to workers on farms supplying tobacco to Alliance One and its subsidiaries? How does it monitor implementation of these policies?**

Globally, the issue of provision of water, shade, sanitary facilities, and hand washing facilities to workers is addressed within the "Safe Work Environment" principle of the ALP Code. All AOI contracted farmers have been trained on this code and principle. Field Technicians are trained to make observations during each farm visit for compliance with this principle. If the Field Technician were to make an observation of non-compliance, then that would lead to discussions with farmers to understand the issue and to work toward a resolution.

In the United States, Alliance One farmers must comply with Field Sanitation Standards as outlined in the "Migrant and Seasonal Agricultural Worker Protection Act"

This Policy is monitored during Good Agricultural Practice on farm assessments.

<http://www.dol.gov/whd/regs/compliance/whdfs51.htm>

- 8. What steps does Alliance One take to ensure that workers on farms supplying tobacco to Alliance One and its subsidiaries, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns?**

Globally, the issue of Green Tobacco Sickness (GTS) is addressed within the “Safe Work Environment” principle of the ALP Code. Workers must be trained on avoidance of GTS and must be provided with appropriate Personal Protective Equipment (PPE) for each farm task that they are involved with. All AOI contracted farmers have been trained on this code and principle. Field Technicians are trained to make observations during each farm visit for compliance with this principle. If the Field Technician were to make an observation of non-compliance, then that would lead to discussions with farmers to understand the issue and to work toward a resolution.

In the United States, Alliance One requires farmers to document worker training. Training may be provided by bilingual videos such as “Making Safety a Priority,” or by representatives of the Department of Labor, which provides worker training. Training videos, posters, and brochures are given to farmers to display to the workers for risk associated with tobacco.

- 9. What policies does Alliance One have in place regarding the proximity of workers on farms supplying tobacco to Alliance One and its subsidiaries to active spraying of pesticides or other hazardous chemicals by tractor, given the risk of workers’ exposure to pesticides as a result of drift when working near tractors that are spraying? How does it monitor implementation of these policies?**

Globally, the issue of farm safety, including safe use of Chemical Protective Agents (CPA’s), is addressed within the “Safe Work Environment” principle of the ALP Code. Workers must be trained on safe application practices and must be provided with appropriate Personal Protective Equipment (PPE) if they are applying pesticides. All AOI contracted farmers have been trained on this code and principle. Field Technicians are trained to make observations during each farm visit for compliance with this principle. If the Field Technician were to make an observation of non-compliance, then that would lead to discussions with farmers to understand the issue and to work toward a resolution.

The acceptable application procedures require PPE, safe distance, and minimum time until safe field re-entry, and are included on the label of the pesticide (CPA). This label governs the local legal requirements that must be followed for each CPA.

In the United States, Alliance One requires farmers to comply with the United States Environmental Protection Agency (EPA), Department of Agriculture (USDA), and state agrochemical divisions. No chemical spraying is allowed in fields in which workers are present. Restricted entry interval is provided on each agrochemical label, and must be observed by the farmers. When using restrictive pesticides, farmers must post the fields for date of application and date of safe reentry. Farmers must document each application of any agrochemical according to EPA standards. Alliance One provided for each contracted farmer a poster from EPA titled "Protect Yourself From Pesticides." This poster is to be displayed in a visible area for all employees.

Alliance One monitors this procedure during Good Agricultural Practice on farm assessments.

<http://www.wsfb.com/system/files/Pesticide+Safety+Poster+Spanish+and+English.pdf>

10. What mechanisms does Alliance One have to ensure the freedom of association for workers on farms supplying tobacco to Alliance One and its subsidiaries? Does the company believe that the freedom of association includes a process for employers to recognize employee associations for the purposes of collective bargaining?

The issue of Freedom of Association is addressed within the "Freedom of Association" principle of the ALP Code, stating "Farmers shall recognize and respect workers' rights to freedom of association and to bargain collectively." All AOI contracted farmers have been trained on this code and principle. Field Technicians are trained to make observations during each farm visit for compliance with this principle. Observations of non-compliance lead to discussions with farmers to understand the issue and to work toward a resolution. Through the principle, AOI expects:

The farmer does not interfere with worker's right to freedom of association.

Workers and farmers 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.

11. Has Alliance One identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on tobacco farms supplying tobacco to Alliance One and its subsidiaries, either from workers or from others in 2011, 2012, and 2013? If so, what actions has Alliance One taken?

Field Technicians are trained to look for evidence of child labor use during each farm visit and to regularly remind farmers of the importance of not allowing this practice. If evidence of child labor were to be noted, the Field Technician would remind the farmer of the policy, explain the harm child labor inflicts on developing children, and document the evidence and intervention. If the use of child labor were to continue, AOI would escalate penalties, up to and including rejecting purchase of tobacco and non-renewal of future contracts. Egregious child labor use, such as a child spraying pesticides or using hazardous equipment, would be stopped immediately and reported to the Area Manager.

Reports of child labor would also be documented using the Grower Management System (GMS), where it is available, and reports would be summarized at the country level. This would also include remedial action plans and follow-up with the farmer during future visits.

Field Technicians are aware that, if they were to discover an issue, it would be critical for them to ask questions and understand the full story of what was happening on the farm and with the family. It could be a case, for example, where the adult(s) are too sick to work and the children are helping temporarily to prevent the family food and cash crops from wasting and leaving the family with no income or food. Understanding the situation would allow the Field Technician to help the farmer develop a workable solution working as a partner. A policy of automatically disqualifying the farmer from selling their tobacco would not be in the best interest of sustaining the farm family or the community. Instead, educating the family on the hazards, re-training regularly and providing technical and financial assistance to produce a sustainable income and food source would be the best solution toward long term changes in cultural practices.

12. Does Alliance One have a mechanism whereby workers on tobacco farms supplying tobacco to Alliance One and its subsidiaries may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does Alliance One take to ensure that workers are informed of this mechanism and the manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What steps does Alliance One take to ensure that workers who file complaints do not face retaliation?

A grievance mechanism must be managed by an independent third party in order for workers to have confidence that there will be no retaliation for complaints. Pilot projects have been initiated in two Eastern European countries with positive results to date.

We plan to continue expansion of this program in other countries as appropriate partners are located and trained, and mechanisms put in place. Workers may be made aware of the program through billboards, radio advertisements, newspapers, labor groups, etc.

In the United States, Alliance One requires farmers to display in a visible area the Migrant and Seasonal Agricultural Worker Protection Act. This poster has been given to all AOI growers and is part of the Good Agricultural Practice on farm assessment. This poster states that workers can call the U.S. Department of Labor (DOL) with complaints of rights violations. Instructions for contacting the DOL are listed on the poster. AOI is not aware of workers calling the DOL. We have not been notified from DOL that violations have been reported with AOI contracted growers.

- 13. We would welcome brief data on how many tobacco growers Alliance One and its subsidiaries contract with in each of the following states: North Carolina, Kentucky, Tennessee, and Virginia? What was the volume of tobacco purchased in each of those states in 2011, 2012, and 2013? To which companies does Alliance One sell tobacco leaf and in what volume to each company?**

AOI contracted with the following number of growers, by state, in 2013:

North Carolina - 397

Virginia - 5

Kentucky - 226

Tennessee - 446

- 14. We would be grateful for data on how these numbers compare to Alliance One's tobacco purchasing in other countries.**

We contract with over three hundred thousand farmers internationally. However, due to the complexity and commercial sensitivity of this question we cannot give more specific information.

- 15. We would be grateful for data on worker deaths and injuries, if possible disaggregated by age, gender, and ethnicity, for all countries from which Alliance One and its subsidiaries purchase tobacco.**

We do not collect this data internally. However, we encourage our growers to follow ALP best practices and collect and retain this information. Additionally, serious accidents and deaths are investigated by independent government agencies and reported publicly through the relevant governmental departments.

Thank you again for including AOI in the process and please let us know if you are willing to meet so that we may discuss our holistic approach to farm labor and sustainability in greater detail.

Sincerely

A handwritten signature in blue ink, appearing to read 'J. Pieter Sikkel', with a large, loopy flourish above the name.

J. Pieter Sikkel
President and Chief Executive Officer
Alliance One International, Inc.

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Catherine Zennström

March 31, 2014

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

Dear Mr. Sikkel,

Thank you for your letter of March 7, 2014. We appreciate the constructive dialogue with Alliance One International. We have appreciated the opportunities to learn more about Alliance One's policies and practices concerning child labor. We look forward to seeing you on April 10 in Raleigh when we will present our findings and recommendations at the Farm Labor Practices Group meeting.

We are writing today to share with you some additional information regarding the counties in North Carolina, Kentucky, and Tennessee in which children reported working. We are also taking this opportunity to share our key recommendations to businesses purchasing tobacco in the United States.

Counties where Children Reported Working

As we explained previously, consistent with our methodology for investigating human rights worldwide, we go to great lengths to protect the confidentiality of interviewees. Out of concern for interviewees' security, we are unable to report specific farms where children worked, but we can share a list of counties where children reported working in North Carolina, Kentucky, and Tennessee (attached). Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

While we hope our list of counties might help to guide Alliance One's efforts to address hazardous child labor on farms in its supply chain, we would encourage the company to do a comprehensive investigation of child labor in every county from which Alliance One purchases tobacco. Due to the small size of our team and the nature of our methodology, we are not in a position to conduct a broad survey to examine conditions in every tobacco-growing county in the US. However, our research indicated patterns of hazardous child



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labor on tobacco farms in many different locations, and we urge Alliance One to look beyond the counties we identified in order to investigate thoroughly child labor on all US tobacco farms in its supply chain.

Recommendations

We would like to take this opportunity to share our initial recommendations for tobacco manufacturing companies and tobacco leaf companies which we believe are essential to protect children from hazards particular to tobacco farming. We look forward to discussing these recommendations with you. Human Rights Watch has also developed detailed recommendations for other relevant actors, including the US Congress, the US Senate, the President of the United States, the US Department of Labor, the Environmental Protection Agency, tobacco-producing states, tobacco growers' associations and Farm Bureaus, agricultural employers, and the International Labour Organization.

Human Rights Watch bases these recommendations on our research findings which we detailed to you in our February 4, 2014 letter, extensive reviews of available public health literature, interviews with public health researchers, analysis of national laws and practice, analysis of ILO laws and reports, interviews with ILO experts on child labor, interviews with representatives of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), and ECLT materials.

Based on our findings, Human Rights Watch believes that no child under age 18 should be permitted to work with tobacco in any form, including plants of any size or dried tobacco leaves, due to the inherent health risks posed by nicotine and the pesticides applied to the crop.

Because exposure to tobacco in any form is unsafe, Human Rights Watch has determined, based on our field investigations and other research, that as a practical matter there is no way for children under 18 to work safely on US tobacco farms when they have direct contact with tobacco plants of any size or dried tobacco leaves, even if wearing protective equipment. Though protective equipment may help mitigate exposure to nicotine and pesticide residues, rain suits and watertight gloves would not completely eliminate absorption of toxins through the skin and would greatly increase children's risk of suffering heat-related illnesses. The inadequacy of protective equipment to protect children, as documented by Human Rights Watch in the US, seems likely to extend to tobacco farms outside the United States.

A number of countries have laws or regulations prohibiting all children from working in tobacco farming, or from performing the majority of tasks in which they come into direct contact with tobacco in any form, including Brazil, India, Malawi, Kazakhstan, Russia, and Uganda.

Recognizing the risks to children of work in tobacco farming, the US Department of Labor proposed regulations in 2011 that would have prohibited all children under 16 (the minimum age for hazardous work in agriculture in the US) from “all work in the tobacco production and curing, including, but not limited to such activities as planting, cultivating, topping, harvesting, baling, barning, and curing.” The regulations were withdrawn in 2012. The ILO Committee of Experts has strongly urged the US government to reconsider withdrawal of the proposed regulations.

This evidence and our analysis are further detailed in our forthcoming report, as are additional recommendations. Our key recommendations to businesses purchasing tobacco in the United States include:

Regarding Child Labor

- Adopt and implement policies globally prohibiting the use of child labor anywhere in the supply chain. The policy should specify that hazardous work for children under 18 is prohibited, *including any work in which children come into direct contact with tobacco plants of any size and dried tobacco leaves.* Consistent with ILO conventions, the policy should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15, or the minimum age provided by the country’s laws, whichever affords greater protection. *The policy should specify that it is in effect throughout the supply chain in all countries irrespective of local laws that afford lesser protections.*
- Strive to phase out the use of child labor in the supply chain by establishing clear timeframes.
- Ensure that all contracts with growers and suppliers should include specific language prohibiting the use of children in hazardous work under 18, including any work in which children come into contact with tobacco leaves of any size and dried tobacco leaves. Establish and carry out penalties for those in the supply chain who violate the no-child labor policy. The penalties should be sufficiently severe and consistently implemented so as to have a dissuasive effect. Discontinue contracts with farms that repeatedly violate the policy prohibiting child labor.
- Provide training to agronomists, suppliers, growers, workers, and others on the hazards to children of working in tobacco. Utilize outside experts on child labor to conduct these trainings where appropriate.
- Establish a regular and rigorous internal monitoring process in all countries in the supply chain.

- Engage qualified third-party monitoring for child labor in supply chains in all countries.
- Engage a third-party organization to develop a no-child labor policy as outlined above, including the structures for its effective implementation.
- Develop or enhance collaboration with local stakeholders to eliminate child labor on tobacco farms, including by:
 - Working with federal and local government officials, including the Office of Migrant Education, to ensure access to education for farmworker children.
 - Implementing, with meaningful input and participation from farmworker children, their families, and local stakeholders, free summer programs each year for both migrant and local children, as an alternative to working in tobacco farming. Programs should provide age-appropriate educational, recreational, and leadership development opportunities to children under 18.
 - Collaborating with local stakeholders to identify other summer employment opportunities for children as alternatives to working on tobacco farms.
 - Where possible, cooperating with the ILO's International Programme on the Elimination of Child Labour (IPEC), UNICEF, nongovernmental organizations, and others undertaking efforts to prevent child labor, including through the provision of alternatives to working in tobacco farming.
 - Establishing a scholarship fund to provide young farmworkers with economic support to pursue higher education. The scholarship application should account for the unique circumstances of farmworker children's educational paths.
 - Investing in rural health infrastructure to ensure tobacco workers and their children have access to health services.
 - Collaborating with land-grant universities and extension services to enhance agricultural education in tobacco-growing communities, and to provide farmworker families with access to land for small-scale agricultural enterprise.

Regarding Industry-Wide Multilateral Initiatives

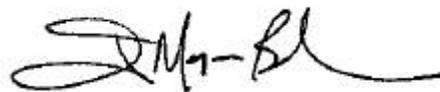
- Develop an international industry-wide standard to prohibit hazardous work for children under 18 on tobacco farms, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves; establish minimum age requirements consistent with ILO conventions.
- Amend the US Tobacco Good Agricultural Practices (GAP) labor management guidelines to specify that hazardous work for children under 18 is prohibited, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves. Consistent with ILO conventions, the standard should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15. This standard should be a contractual requirement for all US tobacco growers.
- Engage meaningfully in multi-stakeholder initiatives, including with a view to support tobacco industry efforts to promote the elimination of child labor in the tobacco supply chain, effective monitoring of these policies, and initiatives to support alternative employment, education, and recreational opportunities for children in tobacco-growing communities.
- Increase financial support to nongovernmental organizations working to eliminate hazardous child labor in tobacco farming.
- Establish a pooled fund to support programs that provide alternatives to child labor in US tobacco farming and/or consider expanding programs through the Eliminating Child Labour in Tobacco Growing Foundation to include the United States.

We look forward to discussing these recommendations with you and welcome any updates to Alliance One's existing policies and practices regarding child labor, so that we have the most up-to-date information for our research and reporting.

Best regards,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

Counties where Children Reported Working

State	Counties
Kentucky	Barren
	Bath
	Bourbon
	Boyle
	Clark
	Crittenden
	Fayette
	Franklin
	Harrison
	Henry
	Lincoln
	McCrory
	Metcalfe
	Monroe
	Montgomery
	Pulaski
	Scott
Shelby	
Taylor	
Warren	
Washington	
Wayne	
North Carolina	Duplin
	Greene
	Johnston
	Jones
	Lenoir
	Martin
	Nash
	Onslow
	Pitt
	Sampson
	Wayne
	Wilson
Tennessee	Grainger
	Hawkins
	Jefferson
	Macon
	Sumner

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Darian W. Swig
John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

April 16, 2014

To the members of the Farm Labor Practices Group,

We are writing to thank you for the opportunity to present our research and recommendations at the April 10, 2014 Farm Labor Practices Group plenary meeting in Raleigh. We were grateful for the informative and constructive discussion with all of you, and we look forward to continued dialogue and meaningful progress on many of the concerns identified.

As discussed during the meeting last week, we are sharing with you the slides from our presentation, along with additional information on the ages of the children we interviewed for this project. Please find a chart with this information below.

We are also writing to let you know that Human Rights Watch will publish the report with our research on child labor in tobacco farming in the US and relevant recommendations next month. The report will describe our methodology, findings, and analysis of US laws and international standards related to child labor. Consistent with Human Rights Watch's approach to our work worldwide, our report will include personal accounts from many of the children we interviewed, along with analysis of public health literature and national and international data. The report will also include a description of the policies and practices of several leading companies that purchase tobacco grown in the United States, including the six companies represented in the FPLG. It will also include detailed versions of the recommendations we presented at the meeting last week, including recommendations to tobacco manufacturing and tobacco leaf companies, the Obama administration, US Congress, state governments, and others.

We were encouraged to learn that the Farm Labor Practices Group took a decision to establish a working group on child labor, which has the possibility to make significant positive impacts. Human Rights Watch would welcome the opportunity to make further contributions to this group and looks forward to learning about the results of this group's efforts. At the same time, in line with the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) and other international standards and guidance, each company in the FPLG and other tobacco

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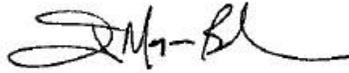
manufacturing and leaf companies individually have responsibilities to prevent and remedy human rights concerns, including hazardous child labor, in their supply chains.

Human Rights Watch is committed to accurately representing and publicizing the measures each company has taken to address child labor in supply chains globally. To that end, we would be pleased to report on any recent changes or further commitments made by your companies concerning policies on child labor. In order to reflect any commitments or policy changes in our publications, we would welcome responses to our recommendations shared with you during the plenary meeting as well as in the March 31 letter by April 30, 2014. We would also welcome written responses from other members of the FLPG to inform our ongoing research on child labor.

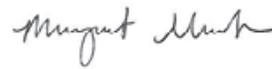
Sincerely,



Jo Becker
Advocacy Director
Children's Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



Margaret Wurth
Researcher
Children's Rights Division

Ages of Children Interviewed by Human Rights Watch

Age	NC	KY	TN	VA	TOTAL
7			1		1
8					0
9	2		2		4
10		1	1		2
11	1	1			2
12	3	2			5
13	5	1	2		8
14	14	8		2	24
15	15	11	1		27
16	20	10	2	1	33
17	12	5	1		18
18*	8	7	2		17
TOTAL	80	46	12	3	141

*All 18-year-old children interviewed for this report worked in tobacco as 17-year-old children in 2012.

Mean age of children interviewed: 15

Median age of children interviewed: 15

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February 4, 2014

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

Please accept my greetings on behalf of Human Rights Watch. Human Rights Watch is an international non-governmental human rights organization that conducts research and advocacy in over 90 countries around the world on a wide variety of human rights issues (see www.hrw.org). Among those issues is child labor, which we have reported on in the United States, El Salvador, Mali, Tanzania, Morocco, Uzbekistan, Indonesia, India, and other countries. In 2010 we published a report on hazardous child labor and other human rights abuses in tobacco farming in Kazakhstan.

We are writing to you today to share preliminary findings with you concerning our recent research on child labor in tobacco farming in the United States. We hope to initiate a constructive dialogue with Universal Corporation regarding concerns related to child workers in tobacco farming.

From May-October 2013 Human Rights Watch conducted research on child labor in tobacco farming in North Carolina, Kentucky, Tennessee, and Virginia. We interviewed over 140 children ages 7-17 who stated that they worked in tobacco farming in 2012 or 2013, as well as children and parents who described other children working in tobacco farming.

The specific jobs children said they did on tobacco farms included: planting seedlings, weeding, thinning tobacco plants, repositioning plants that were leaning, topping, pulling off suckers, and applying pesticides.

On farms with flue-cured tobacco, children reported doing the following jobs: hand harvesting tobacco leaves, machine harvesting tobacco leaves, filling cages with tobacco leaves for drying, sorting tobacco leaves, and packing tobacco leaves.

On farms growing burley tobacco, children reported: cutting tobacco plants, carrying cut tobacco plants, spearing tobacco plants on sticks for hanging, carrying sticks with several tobacco plants, lifting sticks with several tobacco plants onto trucks or to workers to hang the sticks in the rafters of a barn, hanging sticks with tobacco plants in barns, taking down sticks of burley tobacco plants from barns, and stripping leaves off dried tobacco.

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The vast majority of children with whom Human Rights Watch spoke were working for hire. Most children were hired by a labor contractor or a labor subcontractor. Some children were working directly for tobacco growers. Only a few children worked on family farms, without pay.

A few of the very youngest children worked with their parents sporadically and without pay.

The vast majority of children interviewed by Human Rights Watch stated that they lived in the states in which they worked and worked primarily or exclusively in the summer months. Human Rights Watch also interviewed a few children who migrated to or within the United States for work.

Preliminary Findings

Health and Safety

Nicotine Poisoning/Green Tobacco Sickness and Other Health Risks

A majority of children interviewed by Human Rights Watch described experiencing symptoms consistent with acute nicotine poisoning (Green Tobacco Sickness) while working, including, variously, nausea, dizziness, lightheadedness, headaches, vomiting, and loss of appetite.

Some of these symptoms may be linked to pesticide exposure or working in conditions of high heat and high humidity without sufficient rest, shade, and hydration.

Nearly all children interviewed by Human Rights Watch said they lacked personal protective equipment, which would help minimize the amount of exposure to wet tobacco leaves and tobacco leaves that had been treated with pesticides or other hazardous chemicals.

Some also reported difficulty sleeping together with symptoms of nicotine poisoning.

Some children also reported itchy skin and skin rashes.

Some children also told Human Rights Watch that water from tobacco plants would splash into their eyes or mouth during topping or pieces of tobacco leaves would fall into their eyes or mouth while lifting sticks with tobacco plants to be hung in barns. A few children reported respiratory and allergic symptoms while working in tobacco fields or in curing barns.

Exposure to Pesticides and Growth Regulators

Many children interviewed by Human Rights Watch reported that they saw tractors spraying pesticides or growth regulators in the fields in which they were working or in fields adjacent to the ones in which they were working. These children often reported being able to smell and/or feel the chemical spray as it drifted towards them. Many reported some or all of the following symptoms after coming into contact with the spray: burning eyes, burning nose, itchy skin, nausea, vomiting, dizziness, redness and swelling of the mouth, and headaches.

A few children interviewed by Human Rights Watch stated that they applied pesticides to tobacco plants with a handheld sprayer and backpack and a few reported operating tractors that were spraying pesticides on tobacco fields.

Extreme Temperatures

All children interviewed by Human Rights Watch stated that they often worked in high temperatures and high humidity typical for the summer months in North Carolina, Kentucky, Tennessee and Virginia, and many stated that they were expected to work without additional breaks in such conditions.

Water

Most children interviewed by Human Rights Watch stated that the contractor or grower provided water to them while working, usually from a cooler. Some children told Human Rights Watch that the water provided was not clean or drinkable. Other children told Human Rights Watch that employers did not provide water at all.

Lack of Shade

Many children interviewed by Human Rights Watch stated that they did not have the opportunity to shelter in shade during the work day. Some children reported that the shade available was inside vehicles used to transport the workers to the worksite, or in wooded areas, in the event the worksite was located near a wooded area.

Lack of Sanitary Facilities

Very few children interviewed by Human Rights Watch reported having access to a bathroom. Most children told Human Rights Watch that they would relieve themselves in wooded areas, if there were any near to the worksite, or refrain from relieving themselves at all during the day, including by declining to drink liquids. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would use a bathroom.

Lack of Hand Washing Facilities

Most children interviewed by Human Rights Watch stated that they did not have access to hand washing facilities. Many children stated that they rinsed their hands with water from the cooler provided, but did not use soap to wash their hands. Some children told Human Rights Watch that a contractor or grower would drive them to a nearby gas station, store, or other public facility, or allow them to walk to a public facility or to the grower's home if it was located near the worksite, where children would be allowed to wash their hands.

Lack of Personal Protective Equipment

Almost none of the children interviewed by Human Rights Watch were given any kind of personal protective equipment by their employer. Many children interviewed by Human Rights Watch wore black plastic garbage bags over their clothes to prevent their clothes from becoming soaked by water on the tobacco plants after rain or in high humidity conditions that created heavy dew. Children's parents typically bought the plastic bags for them to wear. Some children interviewed by Human Rights Watch did not wear plastic garbage bags because doing so made them overheat.

Most children interviewed by Human Rights Watch wore latex or cloth gloves, which in most cases they or their parents bought. Some child workers said that the gloves available were

too large for their hands or it was difficult for them to perform the work at the pace required while wearing gloves, so they worked without them. Several children told Human Rights Watch that they worked in bare feet or socks when the mud in the fields was deep and they lacked appropriate footwear.

Repetitive Motions and Lifting Heavy Loads

Children interviewed by Human Rights Watch described performing prolonged repetitive motions, including working bent over at the waist, twisting their wrists to top tobacco plants, crawling on hands and knees, or reaching above their heads for extended periods of time. Children reported muscle soreness, aches, and pain in their backs, shoulders, arms, hands, and fingers after engaging in repetitive motions.

Human Rights Watch interviewed child workers who reported loading heavy sticks of harvested tobacco plants onto flatbed wagons to be transported to barns for curing. Children also said they lifted heavy sticks of tobacco plants over their heads to other workers who would hang the sticks in the rafters of barns for curing.

Work with Dangerous Tools, Machinery, and at Heights

Some children interviewed by Human Rights Watch stated that they used hoes to remove weeds from tobacco fields, as well as axes or hatchets to cut burley tobacco during the harvest and spikes to spear burley tobacco plants. Some children told us they sustained cuts and puncture wounds from working with these sharp tools. A few children said they operated or worked in close proximity to dangerous machinery, including mowers used to trim tobacco plants, tractors used to harvest tobacco leaves, and balers used to compress leaves into bales. In Kentucky, Human Rights Watch interviewed a few children who drove tractors while working in tobacco. Some children reported injuries related to operating or being near heavy machinery.

Human Rights Watch interviewed children who told us they climbed into the rafters of barns, with and without ladders, to hang sticks of harvested burley tobacco to dry. Children described climbing to significant heights as crews of workers formed several tiers to pass sticks of tobacco upward to be hung in the barn for curing. While engaging in this work, children said, they straddled planks that were sometimes positioned two or three feet apart.

Wages and Hours

Wages

Most children we interviewed reported earning minimum hourly wage for their work. Some children reported being paid by check and some were paid in cash. Some children interviewed by Human Rights Watch received less than minimum wage. Some children reported to Human Rights Watch earning more than minimum wage. Some children interviewed by Human Rights Watch said that they earned piece rate wages during the burley tobacco harvest based on the number of tobacco plants they cut and/or hung in barns.

Some children reported to Human Rights Watch problems with wages including deductions by the contractor or grower for water or for reasons that were not explained to them or because of what they believed was inaccurate recording of hours by contractors.

Working Hours

Children interviewed by Human Rights Watch described working long hours, typically between 10-12 hours per day, and sometimes more. Some children worked shorter days, because the day's work had been completed or because the contractor or grower allowed workers to end the day early due to heavy rain or very high heat. Other children reported working through adverse weather conditions. Most children interviewed by Human Rights Watch worked 5 days per week; some worked fewer, and some children reported working 6 or 7 days per week. Nearly all children interviewed by Human Rights Watch stated that they were allowed 2 or 3 breaks per day.

Education

Some children interviewed by Human Rights Watch had migrated for work and missed several months of school. Some children reported skipping days of school to work in tobacco. Some children reported working long hours after school that interfered with their ability to keep up with schoolwork.

Questions

We are interested in learning more about the policies and practices that Universal Corporation has in place regarding child labor and other labor practices in its global supply chain. We are aware that, concerning child labor, Universal Corporation has stated on its website that:

Universal does not employ child labor in any of its facilities worldwide. We actively encourage farmers and suppliers to follow this standard, and we work with communities to increase awareness and further understanding of the importance of this issue. Child labor is a serious concern within all agricultural industries, as it not only jeopardizes children's health and safety, but also their attainment of education, which has a lasting impact throughout their lives.

Universal Corporation also states its goal "to promote the protection of a child's physical, mental, and social development."

In this regard, we are interested in the following information regarding children working on farms supplying tobacco to Universal Corporation and its subsidiaries:

1. We would welcome more information as to what specific standards, policies, and procedures Universal Corporation has in place to prevent the use of child labor in tobacco farming on farms supplying tobacco to Universal Corporation and its subsidiaries. In what ways does Universal Corporation "actively encourage farmers and suppliers to follow this [child labor] standard"? What are the penalties or consequences for farmers or suppliers who do not follow this standard?
2. What kinds of jobs and tasks are children under 18 allowed to perform on tobacco farms in the United States supplying tobacco to Universal Corporation and its subsidiaries? What kinds of jobs and tasks are children under 18 allowed to perform on tobacco farms supplying tobacco to Universal Corporation and its subsidiaries in other countries?

3. How does Universal Corporation monitor the treatment of child workers on farms supplying tobacco to Universal Corporation and its subsidiaries in the United States and other countries?
4. Does Universal Corporation have policies or procedures to prevent and alleviate labor rights violations and other human rights violations on farms supplying tobacco to Universal Corporation and its subsidiaries? What are these policies or procedures?
5. What policies does Universal Corporation have in place regarding working hours and breaks for workers engaged in tobacco farming on farms supplying tobacco to Universal Corporation and its subsidiaries? How does it monitor the implementation of these policies?
6. What policies does Universal Corporation have in place regarding payment of wages to workers on farms supplying tobacco to Universal Corporation and its subsidiaries and deductions from workers' wages (such as for provision of water, transportation, or the like)? How does Universal Corporation monitor the implementation of these policies?
7. What policies does Universal Corporation have in place regarding provision of water, shade, sanitary facilities, and hand washing facilities to workers on farms supplying tobacco to Universal Corporation and its subsidiaries? How does it monitor the implementation of these policies?
8. What steps does Universal Corporation take to ensure that workers on farms supplying tobacco to Universal Corporation and its subsidiaries, and not only growers, are informed about nicotine poisoning/Green Tobacco Sickness, risks associated with pesticide exposure, risks associated with dangerous tools, heavy machinery, and working at heights, and other health concerns?
9. What policies does Universal Corporation have in place regarding the proximity of workers on farms supplying tobacco to Universal Corporation and its subsidiaries to active spraying of pesticides or other hazardous chemicals by tractor, given the risk of workers' exposure to pesticides as a result of drift when working near tractors that are spraying? How does Universal Corporation monitor the implementation of these policies?
10. What mechanisms does Universal Corporation have to ensure the freedom of association for workers on farms supplying tobacco to Universal Corporation and its subsidiaries? Does the company believe that freedom of association includes a process for employers to recognize employee associations for the purposes of collective bargaining?
11. Has Universal Corporation identified or received any reports of child labor or other labor violations or other concerns about the treatment of workers on tobacco farms supplying tobacco to Universal Corporation and its subsidiaries, either from workers or from others in 2011, 2012, and 2013? If so, what actions has Universal Corporation taken?
12. Does Universal Corporation have a mechanism whereby workers on tobacco farms supplying tobacco to Universal Corporation and its subsidiaries may submit complaints regarding labor practices or other concerns? If such a mechanism exists, what steps does Universal Corporation take to ensure that workers are informed of this mechanism and the

manner in which they can use it? If such a mechanism exists, how many child workers or other workers have used it in 2011, 2012, and 2013? What steps does Universal Corporation take to ensure that workers who file complaints do not face retaliation?

13. We would welcome brief data on how many tobacco growers Universal Corporation and its subsidiaries contract with in each of the following states: North Carolina, Kentucky, Tennessee, and Virginia? What was the volume of tobacco purchased in each of those states in 2011, 2012, and 2013? To which companies does Universal Corporation sell tobacco leaf and in what volume to each company?

14. We would be grateful for data on how these numbers compare to Universal Corporation's tobacco purchasing in other countries.

15. We would be grateful for data on worker deaths and injuries, if possible disaggregated by age, gender, and ethnicity, for all countries from which Universal Corporation and its subsidiaries purchase tobacco.

16. Finally, what is the structure of Universal Corporation's business operations, including how do you identify and source from tobacco growers? What are the mechanisms and structures for Universal Corporation to supply tobacco to tobacco manufacturing companies?

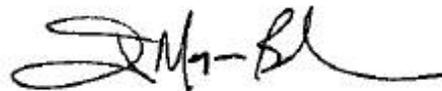
Human Rights Watch seeks to obtain information that will ensure accuracy in our reporting. We will be grateful if you can formally respond to this letter so that we can incorporate your perspective into our analysis and our report. We would welcome your response by March 12, 2014.

We would also like to arrange a meeting with you or senior Universal Corporation staff and Human Rights Watch experts on child labor to discuss these issues. You may reach us by email or phone to arrange a mutually convenient time for such a meeting (buchanj@hrw.org and +1 212 216 1857). We will also be in contact with your office in the coming weeks regarding a convenient time for a meeting.

Sincerely,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

cc: Preston Wigner, Vice President, General Counsel & Secretary, Universal Corporation



Universal Leaf Tobacco Company, Inc.

No. of pages incl. this one: 8

Telefax To: Mr. Arvind Ganesan
Director, Business and Human Rights Division
Ms. Jane Buchanan
Associate Director, Children's Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
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Fax No. 212-736-1300
917-591-3452

From: H. Michael Ligon

Date: March 11, 2014

Return Fax: 804-915-2202
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Universal Leaf Tobacco Company, Inc.

Richmond, Virginia 23260

March 10, 2014

Mr. Arvind Ganesan
Director, Business and Human Rights Division
Ms. Jane Buchanan
Associate Director, Children's Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, New York 10118-3299

Dear Mr. Ganesan and Ms. Buchanan,

Thank you for your letter dated February 4, 2014, regarding your organization's preliminary findings concerning research on child labor in tobacco farming in the United States. George Freeman asked me to respond to your letter on behalf of the Universal group. We are interested to learn more about your findings and their relationship to growers with whom we contract for tobacco. We welcome the opportunity to meet with you to discuss the same and to better understand the use and prevalence of child labor on US tobacco farms.

Universal Corporation, through Universal Leaf Tobacco Company, Incorporated and other subsidiaries (collectively, "Universal"), is an international leaf tobacco supplier to many tobacco product manufacturers around the world. We buy leaf tobacco from growers all over the world, we process that tobacco in our facilities, and we sell the processed tobacco to our customers. (For clarification, "processing" for Universal involves the removal of stem from the leaf, sizing the leaf particles and packing them at optimum moisture levels for extended warehouse storage.) In most tobacco growing regions, we maintain direct contractual relationships with growers for the purchase of their leaf tobacco. In other regions the legal structure of the tobacco market is such that we are not permitted to purchase all our tobacco directly from tobacco growers, so we buy leaf tobacco at auction or from third party suppliers and only maintain an indirect relationship with those growers. In most countries in which we contract with growers, we dedicate resources to supporting our growers through extension support, training, and related activities that address good agricultural practices, including labor practices. The United States is a unique growing region because Universal contracts with growers but government and non-government entities other than Universal provide growers with the majority of extension services and related support they need.

Mr. Arvind Ganesan
Ms. Jane Buchanan
Human Rights Watch
March 10, 2014
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Good Agricultural Practices (GAP), Sustainability Programs and the Importance of Universal's Agronomy Support to Growers.

One of Universal's strengths is our ability to support tobacco growers around the world. Our support helps growers improve the quality of the leaf they produce in a responsible and sustainable manner. Good agricultural practices, or "GAP", are central to our business and that of our growers. It improves the grower's livelihood while it also strengthens the community and environment in which he or she lives. We believe that a key to sustainable tobacco production is growers' acceptance of, and compliance with GAP, which includes the use of responsible labor practices. The reduction of child labor is of paramount importance in this regard, and it is an area Universal takes seriously.

Universal employs hundreds of agronomy employees globally who provide technical support to our contracted growers. In many locations in which we have agronomy employees, tobacco growers would have no technical support if we or others in the tobacco industry did not provide it. Our agronomy employees visit with our contracted growers, educate them about GAP for growing tobacco, observe them produce tobacco during the season, and answer questions they may have. The level of such interaction differs depending on location, but generally speaking we offer more support to growers in developing countries due to the lack of existing resources and structures on which tobacco growers can rely.

What GAP includes.

GAP programs around the world promote successful farming procedures and guidance covering many technical aspects to tobacco farming. They also cover matters that support the sustainability of tobacco farming. GAP supports sustainable, economically viable production of usable tobacco while protecting, sustaining or enhancing the environment with regard to natural resources as well as protecting and promoting the rights of farm laborers. It is largely driven by local, regional or global industry practices (including our own agronomy practices we have developed or supported), applicable laws, rules and regulations, and robust customer requirements including sustainability programs and targets. GAP programs may differ slightly by region to reflect particular regional farming practices or laws, but most GAP programs consist of uniform policies and procedures where practical. GAP programs typically cover crop management (variety integrity and selection; pest management; nutrient management; crop and operation management; non-tobacco related materials; on-farm storage of materials), environmental management (soil and water management; agrochemical management) and labor management (safety; accommodations; working conditions; wages; freedom of association; and child labor). In one form or another, each issue you raised in your letter that was incidental to the issue of child labor is covered by standard GAP programs. The United States GAP program is no exception.

Mr. Arvind Ganesan
Ms. Jane Buchanan
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How customer programs are included in what we do.

Our customers are heavily engaged in the development of global GAP programs. A number of our customers have implemented agronomic or sustainability programs that are applicable to the tobacco they purchase. In some regions, like the U.S., some of our multi-national customers are vertically integrated so they manage their programs with their own leaf buying and agronomy departments. More importantly to Universal, however, each of those customers conditions purchases on our compliance with their programs. As a consequence, we include those customer programs in the GAP programs we apply to growers supplying tobacco for those customers. Whether it is called an “Agricultural Labor Practices program” (ALP) or a “Social Responsibility in Tobacco Production program” (SRTP), the customers’ requirements include robust requirements concerning human rights for farm labor, including child labor policies and prohibitions.

Customer programs require Universal, as a leaf tobacco supplier, to implement and monitor fair and safe labor practices on the farms that produce tobacco we sell to them. Customers consulted with us, along with other suppliers, as well as nongovernment organizations and other experts to develop their programs and they have provided us their program materials and trained us on their expected use. These steps outlined the human rights and labor practices foundation for the GAP programs we apply, the measurable standards used, and the method by which performance is monitored. Our direct access to contracted growers is the vehicle by which we help implement these programs on farms around the world. In any given GAP topic, there is a realistic expectation that systematic improvement is something that will be achieved over time through monitoring and continued communication and education. Customers’ ALP or SRTP programs score us on our adherence to program components and customers expect continuous improvement.

Child labor is a particularly challenging GAP topic in various parts of the world for the agricultural section, including tobacco production. Universal and each customer that established an ALP or SRTP program has agreed with the fundamental positions contained in the International Labor Organization’s Convention 138 on minimum age and Convention 182 on the worst forms of child labor. Those conventions, however, are challenging for growers to follow in some parts of the world because they may depart from what local custom or law expects. As you are aware, in some locations it may be customary or culturally accepted for children to work on the farm. Many regions have conflicting laws about minimum age or the definitions of “child labor” and “hazardous work” (or there are no laws at all). In developing countries, farmers may rely on family labor – including their children – because they believe hired labor is scarce, and in most countries farming operations are passed from generation to generation and children are taught the business at an early age. Neither Universal nor any other responsible company in the tobacco industry wants tobacco growers to employ child labor in a way that violates law or GAP requirements. Total elimination of child labor in such situations, however, is a goal whose success will depend on the continued application of GAP programs by Universal and others as well as support from other stakeholders in the regions.

Mr. Arvind Ganesan
Ms. Jane Buchanan
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How the United States Market Differs Regarding GAP Programs and Universal's Agronomy Support.

The U.S. market is similar to other regions in that the U.S. follows a GAP program and we contract directly with growers, but there are key differences in the U.S. that impact the issue of child labor. The most important difference is our access to growers. We contract with U.S. growers to purchase their leaf tobacco while employing only limited agronomy personnel for support and training. Growers receive such agronomic support and training from extension services provided by the land grant universities in tobacco producing states, such as North Carolina State University. The university extension specialists provide the technical guidance and training to growers, so the university specialists visit farms, educate growers on GAP requirements, and observe production. In addition, U.S. growers and their farm laborers have significantly more resources available to them than do growers and laborers in other countries. The Federal and State Departments of Labor, for example, perform inspections, provide training, and maintain anonymous hotlines to receive complaints. Local building and permitting codes apply to farm labor accommodations. Various federal and state laws govern wage and hour issues pertaining to the various forms of labor used on farms. In North Carolina, H-2A workers receive additional training and they have access to an additional grievance mechanism maintained by the North Carolina Growers Association and the Farm Labor Organizing Committee of the AFL-CIO.

The United States Tobacco GAP Program.

Universal actively participated in the development of the U.S. Tobacco GAP Program. The guidelines document for the national GAP program is a public document, and can be found at:

<https://gapconnections-public.sharepoint.com/Pages/US-Tobacco-GAP.aspx>

The program involved the participation of the tobacco industry, state Departments of Agriculture, state Departments of Labor, state land grant universities, and others. The U.S. GAP program addresses safety and fairness on the farms for farm labor, and provides information and guidance on appropriate accommodations, freedom of association, and other labor issues, and requires growers to inform farm labor about their rights. Growers are required under GAP to document their performance in those regards. In addition, growers are required under GAP to attend annual training classes. Specifically with respect to child labor, U.S. GAP requires compliance with applicable federal or state laws and provides guidance materials to growers on both. Included in the references is the US Department of Labor's Child Labor Bulletin 102, a note about the possibility of state law being more stringent, and contact information for each state's Department of Labor.

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Grower performance is monitored in a variety of ways. Land grant university extension specialists interact with the growers on the farm during the growing season, as mentioned above. Various state agencies perform inspections on farms in certain situations, including when violations are

reported. In addition, starting next season third party auditors will be used to evaluate grower compliance on the farm on an annual basis. Audits will cover all areas in GAP, including the use of child labor and compliance with applicable child labor regulations and requirements. Also, as mentioned above, various customers look to us to monitor U.S. grower adherence to GAP principles, including those applicable to child labor. We do so with the support of the land grant extension specialists who help us monitor and report results to our customers. Various customers, in turn, audit those results through independent verification and reporting.

Contractual requirements in our grower contracts.

In addition to the national GAP program requirements, Universal requires our U.S. growers to adhere to certain standards as part of their contractual arrangement with us. Our contracts include express requirements to comply with applicable pesticide requirements, wage and hour laws, income tax and withholding laws, labor and discrimination laws, migrant and seasonal worker protection laws, environmental laws, immigration laws, and applicable safety laws. We also require growers to verify the eligibility of all their laborers and to train workers about green tobacco sickness. Specifically with respect to child labor, in addition to the requirements previously mentioned, we expressly forbid our growers to employ workers under the applicable minimum legal age for the specific work performed. We reserve the right to terminate a grower's contract in the event the grower breaches any of their contractual obligations.

Multi-stakeholder Programs Addressing Human Rights for Farm Labor.

We see the U.S. market as being significantly more sophisticated than many other tobacco growing regions around the world. The U.S. provides resources, regulation, and rights that other regions do not or cannot provide their growers and laborers. Despite all those advantages, however, we recognize that the U.S. is not a perfect market and there is still work to be done to improve the experience for laborers on tobacco farms. Tobacco is not unique in this respect, as similar issues and challenges exist for most agricultural crops. In order to further identify, address and monitor those areas for improvement we believe the support of additional stakeholders is needed. That is why Universal participates in multi-stakeholder initiatives in the tobacco industry.

Mr. Arvind Ganesan
Ms. Jane Buchanan
Human Rights Watch
March 10, 2014
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Farm Labor Practices Group.

Universal is a member of the Farm Labor Practices Group (FLPG). The FLPG brings together key stakeholders from industry (including growers, manufacturers, and labor union representatives), government agencies and relevant non-government organizations to facilitate constructive dialogue about farm labor practices, with the focus being on the North Carolina market. The goal of the FLPG is to help both growers and farmworkers better understand and comply with applicable labor laws and regulations, and to foster improved farm labor practices where needed that shape a worker's experience on the farm. Through the FLPG we hope to learn more about significant farm labor issues, to work with others in a collaborative way to address farm labor challenges, and to support growers and their farm labor through the FLPG's work product. The FLPG started in 2012, and initially created work groups to specifically focus on health-and-safety training and education, necessary policy changes, and worker access to effective grievance mechanisms. We have already seen progress made in issue awareness among FLPG members, and we believe our continued participation in the FLPG will help us better address farm labor issues with our own growers. Significant issues identified by the FLPG to date include the use of disreputable labor contractors, the protection of undocumented migrant labor, and housing conditions for farm laborers. The FLPG had not identified child labor as a significant problem in U.S. tobacco farming relative to the other issues being discussed, but we will raise this issue with the FLPG during future meetings for consideration by the plenary group.

Elimination of Child Labor in Tobacco Growing Foundation.

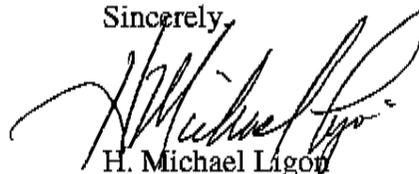
Universal is also a member of the Elimination of Child Labor in Tobacco Growing Foundation (ECLT) (<http://www.eclt.org/>). The ECLT was founded in 2001 to serve as a global leader in preventing child labor in tobacco production around the world. Members of the ECLT include growers associations, major tobacco suppliers and our larger multi-national customers, and Save the Children and the International Labor Organization have supported the ECLT in an advisory role. The ECLT seeks to address the root cause of child labor in tobacco production through community programs, global policies and advocacy, and research, among other efforts. The ECLT's efforts and resources to date have been focused on developing countries, due to the impact that poverty, lack of education resources and related issues have on child labor, so the ECLT has not been active in the U.S. market. Our experiences with the ECLT, however, have helped shape our view of child labor issues in every market in which we buy tobacco.

* * *

Mr. Arvind Ganesan
Ms. Jane Buchanan
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In summary, Universal has an important role in the global leaf tobacco market to support growers and farm labor. We believe sustainable tobacco production is the key to tobacco's long future, and to improving the livelihood of the growers and their laborers. We recognize the significance of child labor in the global market, and we have dedicated substantial resources to addressing it. While we focus a great deal of our resources on addressing child labor and other GAP issues in countries less developed than the United States, our desire is to systematically eliminate child labor in every one of our tobacco growing regions. We appreciate the efforts you have made to research this important issue in the United States. We look forward to meeting with you and learning more about your findings, their relation to growers with whom we may contract, and to better understanding the use and prevalence of child labor in the United States.

Sincerely,



H. Michael Ligon
Vice President

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

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Marie Warburg
Catherine Zennström

March 31, 2014

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

Dear Mr. Freeman,

Thank you for your letter of March 10, 2014 and for the call of March 24, 2014. We appreciate the constructive dialogue with Universal Corporation. We have appreciated the opportunities to learn more about Universal's policies and practices concerning child labor. We look forward to seeing you on April 10 in Raleigh when we will present our findings and recommendations at the Farm Labor Practices Group meeting.

We are writing today to share with you some additional information regarding the counties in North Carolina, Kentucky, and Tennessee in which children reported working. We are also taking this opportunity to share our key recommendations to businesses purchasing tobacco in the United States.

Counties where Children Reported Working

As we explained previously, consistent with our methodology for investigating human rights worldwide, we go to great lengths to protect the confidentiality of interviewees. Out of concern for interviewees' security, we are unable to report specific farms where children worked, but we can share a list of counties where children reported working in North Carolina, Kentucky, and Tennessee (attached). Due to the very small number of children we interviewed in Virginia, we are unable to provide county-level information for that state.

While we hope our list of counties might help to guide Universal's efforts to address hazardous child labor on farms in its supply chain, we would encourage the company to do a comprehensive investigation of child labor in every county from which Universal purchases tobacco. Due to the small size of our team and the nature of our methodology, we are not in a position to conduct a broad survey to examine conditions in every tobacco-growing county in the

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US. However, our research indicated patterns of hazardous child labor on tobacco farms in many different locations, and we urge Universal to look beyond the counties we identified in order to investigate thoroughly child labor on all US tobacco farms in its supply chain.

Recommendations

We would like to take this opportunity to share our initial recommendations for tobacco manufacturing companies and tobacco leaf companies which we believe are essential to protect children from hazards particular to tobacco farming. We look forward to discussing these recommendations with you. Human Rights Watch has also developed detailed recommendations for other relevant actors, including the US Congress, the US Senate, the President of the United States, the US Department of Labor, the Environmental Protection Agency, tobacco-producing states, tobacco growers' associations and Farm Bureaus, agricultural employers, and the International Labour Organization.

Human Rights Watch bases these recommendations on our research findings which we detailed to you in our February 4, 2014 letter, extensive reviews of available public health literature, interviews with public health researchers, analysis of national laws and practice, analysis of ILO laws and reports, interviews with ILO experts on child labor, interviews with representatives of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), and ECLT materials.

Based on our findings, Human Rights Watch believes that no child under age 18 should be permitted to work with tobacco in any form, including plants of any size or dried tobacco leaves, due to the inherent health risks posed by nicotine and the pesticides applied to the crop.

Because exposure to tobacco in any form is unsafe, Human Rights Watch has determined, based on our field investigations and other research, that as a practical matter there is no way for children under 18 to work safely on US tobacco farms when they have direct contact with tobacco plants of any size or dried tobacco leaves, even if wearing protective equipment. Though protective equipment may help mitigate exposure to nicotine and pesticide residues, rain suits and watertight gloves would not completely eliminate absorption of toxins through the skin and would greatly increase children's risk of suffering heat-related illnesses. The inadequacy of protective equipment to protect children, as documented by Human Rights Watch in the US, seems likely to extend to tobacco farms outside the United States.

A number of countries have laws or regulations prohibiting all children from working in tobacco farming, or from performing the majority of tasks in which they come into direct contact with tobacco in any form, including Brazil, India, Malawi, Kazakhstan, Russia, and Uganda.

Recognizing the risks to children of work in tobacco farming, the US Department of Labor proposed regulations in 2011 that would have prohibited all children under 18 (the minimum age for hazardous work in agriculture in the US) from “all work in the tobacco production and curing, including, but not limited to such activities as planting, cultivating, topping, harvesting, baling, barning, and curing.” The regulations were withdrawn in 2012. The ILO Committee of Experts has strongly urged the US government to reconsider withdrawal of the proposed regulations.

This evidence and our analysis are further detailed in our forthcoming report, as are additional recommendations. Our key recommendations to businesses purchasing tobacco in the United States include:

Regarding Child Labor

- Adopt and implement policies globally prohibiting the use of child labor anywhere in the supply chain. The policy should specify that hazardous work for children under 18 is prohibited, *including any work in which children come into direct contact with tobacco plants of any size and dried tobacco leaves.* Consistent with ILO conventions, the policy should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15, or the minimum age provided by the country’s laws, whichever affords greater protection. *The policy should specify that it is in effect throughout the supply chain in all countries irrespective of local laws that afford lesser protections.*
- Strive to phase out the use of child labor in the supply chain by establishing clear timeframes.
- Ensure that all contracts with growers and suppliers should include specific language prohibiting the use of children in hazardous work under 18, including any work in which children come into contact with tobacco leaves of any size and dried tobacco leaves. Establish and carry out penalties for those in the supply chain who violate the no-child labor policy. The penalties should be sufficiently severe and consistently implemented so as to have a dissuasive effect. Discontinue contracts with farms that repeatedly violate the policy prohibiting child labor.
- Provide training to agronomists, suppliers, growers, workers, and others on the hazards to children of working in tobacco. Utilize outside experts on child labor to conduct these trainings where appropriate.
- Establish a regular and rigorous internal monitoring process in all countries in the supply chain.

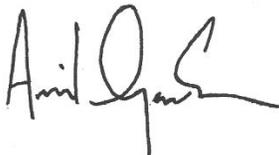
- Engage qualified third-party monitoring for child labor in supply chains in all countries.
- Engage a third-party organization to develop a no-child labor policy as outlined above, including the structures for its effective implementation.
- Develop or enhance collaboration with local stakeholders to eliminate child labor on tobacco farms, including by:
 - Working with federal and local government officials, including the Office of Migrant Education, to ensure access to education for farmworker children.
 - Implementing, with meaningful input and participation from farmworker children, their families, and local stakeholders, free summer programs each year for both migrant and local children, as an alternative to working in tobacco farming. Programs should provide age-appropriate educational, recreational, and leadership development opportunities to children under 18.
 - Collaborating with local stakeholders to identify other summer employment opportunities for children as alternatives to working on tobacco farms.
 - Where possible, cooperating with the ILO's International Programme on the Elimination of Child Labour (IPEC), UNICEF, nongovernmental organizations, and others undertaking efforts to prevent child labor, including through the provision of alternatives to working in tobacco farming.
 - Establishing a scholarship fund to provide young farmworkers with economic support to pursue higher education. The scholarship application should account for the unique circumstances of farmworker children's educational paths.
 - Investing in rural health infrastructure to ensure tobacco workers and their children have access to health services.
 - Collaborating with land-grant universities and extension services to enhance agricultural education in tobacco-growing communities, and to provide farmworker families with access to land for small-scale agricultural enterprise.

Regarding Industry-Wide Multilateral Initiatives

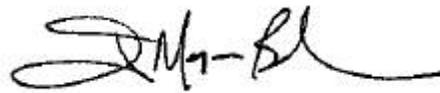
- Develop an international industry-wide standard to prohibit hazardous work for children under 18 on tobacco farms, including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves; establish minimum age requirements consistent with ILO conventions.
- Amend the US Tobacco Good Agricultural Practices (GAP) labor management guidelines to specify that hazardous work for children under 18 is prohibited, *including any work in which children come into contact with tobacco plants of any size and dried tobacco leaves*. Consistent with ILO conventions, the standard should also prohibit work by children under the age of 15, except for light work by children ages 13 to 15. This standard should be a contractual requirement for all US tobacco growers.
- Engage meaningfully in multi-stakeholder initiatives, including with a view to support tobacco industry efforts to promote the elimination of child labor in the tobacco supply chain, effective monitoring of these policies, and initiatives to support alternative employment, education, and recreational opportunities for children in tobacco-growing communities.
- Increase financial support to nongovernmental organizations working to eliminate hazardous child labor in tobacco farming.
- Establish a pooled fund to support programs that provide alternatives to child labor in US tobacco farming and/or consider expanding programs through the Eliminating Child Labour in Tobacco Growing Foundation to include the United States.

We look forward to discussing these recommendations with you and welcome any updates to Universal's existing policies and practices regarding child labor, so that we have the most up-to-date information for our research and reporting.

Best regards,



Arvind Ganesan
Director
Business and Human Rights Division



Jane Buchanan
Associate Director
Children's Rights Division

Cc: H. Michael Ligon, Vice President

Counties where Children Reported Working

State	Counties
Kentucky	Barren
	Bath
	Bourbon
	Boyle
	Clark
	Crittenden
	Fayette
	Franklin
	Harrison
	Henry
	Lincoln
	McCrory
	Metcalfe
	Monroe
	Montgomery
	Pulaski
	Scott
Shelby	
Taylor	
Warren	
Washington	
Wayne	
North Carolina	Duplin
	Greene
	Johnston
	Jones
	Lenoir
	Martin
	Nash
	Onslow
	Pitt
	Sampson
	Wayne
	Wilson
Tennessee	Grainger
	Hawkins
	Jefferson
	Macon
	Sumner

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Amy Towers
Marie Warburg
Catherine Zennström

April 16, 2014

To the members of the Farm Labor Practices Group,

We are writing to thank you for the opportunity to present our research and recommendations at the April 10, 2014 Farm Labor Practices Group plenary meeting in Raleigh. We were grateful for the informative and constructive discussion with all of you, and we look forward to continued dialogue and meaningful progress on many of the concerns identified.

As discussed during the meeting last week, we are sharing with you the slides from our presentation, along with additional information on the ages of the children we interviewed for this project. Please find a chart with this information below.

We are also writing to let you know that Human Rights Watch will publish the report with our research on child labor in tobacco farming in the US and relevant recommendations next month. The report will describe our methodology, findings, and analysis of US laws and international standards related to child labor. Consistent with Human Rights Watch's approach to our work worldwide, our report will include personal accounts from many of the children we interviewed, along with analysis of public health literature and national and international data. The report will also include a description of the policies and practices of several leading companies that purchase tobacco grown in the United States, including the six companies represented in the FLPG. It will also include detailed versions of the recommendations we presented at the meeting last week, including recommendations to tobacco manufacturing and tobacco leaf companies, the Obama administration, US Congress, state governments, and others.

We were encouraged to learn that the Farm Labor Practices Group took a decision to establish a working group on child labor, which has the possibility to make significant positive impacts. Human Rights Watch would welcome the opportunity to make further contributions to this group and looks forward to learning about the results of this group's efforts. At the same time, in line with the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) and other international standards and guidance, each company in the FLPG and other tobacco

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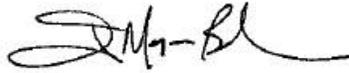
manufacturing and leaf companies individually have responsibilities to prevent and remedy human rights concerns, including hazardous child labor, in their supply chains.

Human Rights Watch is committed to accurately representing and publicizing the measures each company has taken to address child labor in supply chains globally. To that end, we would be pleased to report on any recent changes or further commitments made by your companies concerning policies on child labor. In order to reflect any commitments or policy changes in our publications, we would welcome responses to our recommendations shared with you during the plenary meeting as well as in the March 31 letter by April 30, 2014. We would also welcome written responses from other members of the FLPG to inform our ongoing research on child labor.

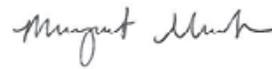
Sincerely,



Jo Becker
Advocacy Director
Children's Rights Division



Jane Buchanan
Associate Director
Children's Rights Division



Margaret Wurth
Researcher
Children's Rights Division

Ages of Children Interviewed by Human Rights Watch

Age	NC	KY	TN	VA	TOTAL
7			1		1
8					0
9	2		2		4
10		1	1		2
11	1	1			2
12	3	2			5
13	5	1	2		8
14	14	8		2	24
15	15	11	1		27
16	20	10	2	1	33
17	12	5	1		18
18*	8	7	2		17
TOTAL	80	46	12	3	141

*All 18-year-old children interviewed for this report worked in tobacco as 17-year-old children in 2012.

Mean age of children interviewed: 15

Median age of children interviewed: 15