



# DuPont

## Overview

DuPont has a long history of promoting the use of dangerous pesticides in developing countries, harming the environment, and violating the law. It is a clear example of a company that fails to comply with World Bank guidelines for private sector partnerships.<sup>1</sup>

## Damaging the environment and public health

### Obsolete pesticides dumps in Nepal

Over 70 tons of obsolete pesticides have been dumped in Nepal over the past 20 years. Agrochemical companies including DuPont abandoned the pesticides in Nepal after the chemicals reached their expiration date or were banned. The companies originally exported most of the pesticides to Nepal as donations or as part of international “aid” packages.<sup>2</sup>

### Superfund sites

Government designated “Superfund” sites are uncontrolled or abandoned sites in the United States where hazardous waste is located. As of January 2002, DuPont was responsible for at least 19 Superfund sites.<sup>3</sup>

## Ignoring health risks

### Teflon & PHOs

According to internal company documents, DuPont has suspected for decades that chemicals used in production of its product Teflon poses serious health hazards. DuPont knew since the 1980s that one of these chemicals, perfluorooctane sulfonate (PHOs), can be absorbed by the human body and was concerned enough about the chemical’s potential cancer causing properties to search for a substitute in the 1990s. Despite this however, DuPont ignored the health risks and even attempted to silence critics while evidence of human and wildlife contamination mounted.<sup>4</sup>

### CFCs and leaded gasoline

DuPont scientists also were responsible for developing CFCs as well as tetraethyl lead (TEL), gasoline additive. In the 1980s, DuPont was considered an environmental laggard for its stance on CFCs, a potent ozone depleter. “Any resistance we had to phasing out CFCs was science-based,” said a company spokesperson.<sup>5</sup> Studies have shown lead, a primary component of TEL, to be extremely toxic, particularly to children. Because of these concerns, leaded gasoline was phased out in the United States from 1975 to 1986, but DuPont continued making TEL for export until 1991.<sup>6</sup>

## Violations, fines and settlements

### Benlate (benomyl)

Benlate is one of DuPont’s most notorious pesticides. Benomyl, listed as one of PAN North America’s ‘Bad Actors,’ is a potent developmental and reproductive toxin, and listed by the U.S. EPA as a possible carcinogen and suspected endocrine disrupter. Benlate drift exposure of pregnant women has been linked to birth defects.<sup>7</sup>

- **Shrimp stock destruction in Ecuador.** In February 2001, a South Florida jury ordered DuPont to pay US\$12.3 million in damages to Ecuadorian shrimp farm Aquamar after finding that agricultural runoff of DuPont’s fungicide Benlate had harmed the farm’s shrimp production.<sup>8</sup>
- **Worldwide impacts.** After 33 years, DuPont moved to withdraw U.S. registration of this fungicide by 2002, in part because of significant monetary, legal and public relations setbacks surrounding the chemical and its harmful effects on human health and crops. Benlate has come under repeated attacks for serious adverse health impacts and for damaging farmers’ crops (tomato, fern, orchid, others) in several countries (U.S., Philippines, Costa Rica, Ecuador, Thailand and more)

## Company Profile

DuPont was founded in 1802 by E. I. DuPont, who began a gunpowder works in Delaware. It diversified from explosives to paints, plastics, dyes, metals and synthetic fibers in the early 1900s, and has since become the largest chemical company in the world. DuPont scientists are responsible for developing CFCs as well as tetraethyl lead (TEL), the gasoline additive.<sup>1</sup>

DuPont has more than 85,000 employees; approximately half work in the United States.<sup>2</sup> The corporation operates in 70 countries worldwide and has more than 135 manufacturing and processing facilities. Subsidiaries include Pioneer Hi-Bred (the world’s largest seed company), UNIAX, Sentinel Transportation, Teijin Films, DuPont Protein Products International, Camtex Fabrics, and Dupont Agrichemical Caribe.

In 2000, DuPont’s agrochemical sales were over US\$2.5 billion worldwide.<sup>3</sup>

### Notes

1 DuPont’s Goal—Change Nature of Its Business, *Philadelphia Inquirer*, September 2, 2001.

2 DuPont Web site <http://www.dupont.com>.

3 PANUPS: Dupont Withdraws Benlate from the Market, May 7, 2001; PANUPS: Right-to-Know Wins Over DuPont Trade Secrets Claim, February 1, 1994.

because the fungicide was contaminated with an herbicide. DuPont, however, cited high legal costs for their decision to withdraw the fungicide, rather than admitting the chemical caused harm to human health and the environment.<sup>9</sup>

## DuPont convicted of racketeering

In 2001, a Florida jury found DuPont liable for racketeering, negligence, fraud and defective product claims in a lawsuit filed by two Costa Rican-based plant nurseries. The racketeering charges were based on internal DuPont documents showing that the company conducted tests on Benlate in Costa Rica in 1992, but destroyed test records as claims against the chemical mounted. The growers' attorney maintained that DuPont had launched a corporate "damage control" program, skewing some results and discarding those that were unfavorable. DuPont was ordered to pay US\$78.3 million to the nurseries, but announced that it would appeal the decision.

Following a settlement with 20 farmers in 1996, DuPont made a secret agreement with the growers' lawyers, paying the attorneys US\$6.4 million on the condition that they would never again bring a Benlate case against the chemical company.<sup>10</sup>

## Further charges

In at least four other cases, judges have charged DuPont with withholding damaging information and showing "utter disregard" for ethics and legal procedure. The judges levied fines of US\$1.5 million to \$115 million against DuPont. Several company documents, uncovered by judicial order, proved DuPont attempted to sabotage the research and credibility of scientists who possessed evidence that Benlate was contaminated. Furthermore, DuPont's own scientists were required to report directly to the company's attorneys, noted by a judge as being "suggestive of bias." DuPont is appealing the cases.<sup>11</sup>

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### Notes

- 1 Partnerships with the Private Sector: Assessment and Approval, Business Partnership & Outreach Group, The World Bank Group, Washington, DC. <http://www.worldbank.org/business/03assessment.html#guidance>.
- 2 "Companies Slow to Clean Up Obsolete Pesticide Stocks," PANUPS, November 2, 2001.
- 3 Sources: <http://www.scorecard.org>, <http://www.ntis.gov/search.htm>, [http://www.epa.gov/enviro/html/cerdis/cerdis\\_query.html](http://www.epa.gov/enviro/html/cerdis/cerdis_query.html).
- 4 Morris, J. "Coming Clean: Did 3M and DuPont ignore evidence of health risks?" *Mother Jones*, September/October 2001.
- 5 DuPont's Goal—Change Nature of Its Business, *Philadelphia Inquirer*, September 2, 2001.

## Pushing Pesticides in Developing Countries

**Lannate** (methomyl)—Despite the fact that methomyl is a restricted use pesticide in the U.S., DuPont continues to manufacture this potent insecticide for shipment overseas. Methomyl is considered a "severely hazardous pesticide formulation" by the Prior Informed Consent Rotterdam Convention<sup>1</sup> EPA warns that methomyl is an acute toxin suspected of interfering with hormone pathways.

- **Poisonings in Guatemala.** According to a report prepared for the World Bank, there were 11,000–30,000 pesticide poisoning cases annually in Guatemala, based on estimates of under-reporting of pesticide illnesses. The majority of poisonings were due to the insecticides, methomyl and methamidophos and the herbicide paraquat.<sup>2</sup>
- **Poisonings in Costa Rica.** A study conducted by a Costa Rican NGO found melon producers in that country using dangerous chemicals including Lannate (methomyl), classified by the World Health Organization as Class Ib, Highly hazardous chemical. Farmers reported incidences of domestic and/or wild animals dying after chemical applications and 58% of water supplies were contaminated as the result of agricultural runoff. Three-quarters of the farmers also reported health problems attributed to the use of pesticides.<sup>3</sup>

### Notes

- 1 PAN UK, "Multistakeholder Collaboration for Reduced Exposure to Pesticides in Developing Countries," website <http://www.pan-uk.org/www.pan%2Duk.org/briefing/sida%5Ffil/>.
- 2 Zahedy, Zancy, "Pesticide Use in Guatemala—Impacts, Causes, and Proposed Solutions," Ministry of the Environment, Guatemala, 1994, p. 15. PAN UK, "Safe use in Guatemala—are industry projects effective?" website <http://www.pan-uk.org/www.pan%2Duk.org/pestnews/pn43/pn43p8.htm>.
- 3 Korten, A., "A Bitter Pill: Structural Adjustment in Costa Rica," Institute for Food and Development Policy, Food First, June 1995.

6 Ibid.

7 "DuPont Withdraws Benlate from Market," PANUPS, May 7, 2001.

8 "Dupont Owes Millions To Shrimp Farmers," *Global Pesticide Campaigner*, April 2001.

9 PANUPS, May 7, 2001, op. cit; "Right-to-Know Wins Over DuPont Trade Secrets Claim," PANUPS, February 1, 1994.

10 "DuPont Convicted of Racketeering in Benlate Case," PANUPS, August 17, 2001.

11 Fagin, D. and Lavelle, M., 1999, *Toxic Deception: How the Chemical Industry Manipulates Science, Bends the Law and Endangers your Health*, Common Courage Press, Monroe, Maine.

