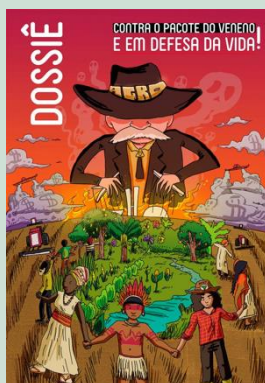




## Pesticide newsletter

Nº6 - December 2021

### Legislative and regulatory news



#### **Brazil: Jair Bolsonaro changes the law on pesticides, endangering human and environmental health**

Brazil closes the year 2021 with a serious and sad news regarding pesticides.

Through the [Presidential Decree Nº 10.833/2021](#), enacted on October 7, 2021, the president Jair Bolsonaro changed the [Pesticide Law](#) and the [decree](#) that regulated it, through a procedure understood, by many lawyers, as unconstitutional, because this Decree escapes the competence of the Executive Branch and interferes in the competencies of the Legislative Branch.

In Brazil, for some years now, there has been a Bill going through the House of Representatives that has been nicknamed the "Poison Package", because this Bill aimed to change the Law on Pesticides from 1989, making the country's regulation much more permissive than it already was. According to the Brazilian Association of Collective Health (Abrasco), the main points to be highlighted in this "[Poison Package](#)" are:

1. It makes the registration of products associated with disabling, irreversible and/or lethal diseases more flexible;
2. It removes the power of the health and environment areas to manage the approval of new pesticides;
3. It compromises the access to important information about the registration and the products used

in the country; 4. It leaves open the manufacturing in Brazil of products without registration.

In practice, the Decree published on October 7th by President Jair Bolsonaro establishes the so-called "Poison Package". That is, without any discussion with organized civil society, without scientific institutions having been heard, and even more, without any debate in the National Congress, the President of the Republic changed the Law of Pesticides in Brazil, in another very clear choice of his administration, which goes against environmental preservation and human rights.

Some of the points highlighted by Abrasco about this Decree illustrate the main harmful effects of its implementation, both for human health and environmental health. According to [Abrasco](#), the Decree:

1. May make optional the publication of registration or applications for pesticides in the Official Gazette of the Union, an official instrument of control and monitoring of registrations by civil society, press and research institutions.
2. Eliminates the obligation of the Ministry of Health to evaluate the effectiveness of agrotoxic products used to control animals, insects and disease-transmitting microorganisms.
3. Does not provide for periodic review of registered products.
4. Makes ineffective the provision of the pesticide law 7.802/1989 that imposes the prohibition of registration of products that can cause cancer, genetic mutation, reproductive and hormonal problems and malformations in babies (art. 6, items I and III; art. 31). Before the new Decree, all pesticides that trigger these effects were immediately indicated for a registration ban, right at the beginning of the product risk assessment process conducted by ANVISA (National Health Surveillance Agency).

In a country that in the last ten years had more than 56 thousand people [intoxicated by pesticides](#), in which every two days a person dies intoxicated by pesticides, and in which about 20% of the population intoxicated by pesticides are children and adolescents from 0 to 19 years old, the enactment of a Decree like this is an unprecedented violence against human rights and against the environment.

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