

Pete R. Flores  
Acting Commissioner  
U.S. Custom and Border Protection  
U.S. Department of Homeland Security  
1300 Pennsylvania Avenue, N.W.  
Washington, D.C. 20229

April 24, 2025

Re: Petition to exclude coffee and coffee products produced “wholly or in part” with forced labor in Brazil and imported by Starbucks, Nestlé, Jacobs Douwe Egberts, Dunkin’, Illy, and McDonald’s.

Dear Acting Commissioner Flores,

Coffee Watch submits this petition under Section 307 of the Tariff Act of 1930, 19 U.S.C. § 1307 (“Section 307”), regarding the importation of coffee from Brazil by Starbucks Corporation (“Starbucks”), Nestlé, S.A. and Nestlé, U.S.A. (together “Nestlé”), Jacobs Douwe Egberts (“JDE”), Dunkin’, Illy Caffé (“Illy”), and McDonald’s. These companies purchase coffee beans harvested in Brazil “in whole or in part” by forced labor and import the beans to the United States. Moreover, Starbucks imports coffee from the cooperative Cooxupé, which buys coffee produced with forced labor from numerous farms.

## I. INTRODUCTION

For decades, the coffee industry in Brazil has relied on forced labor, with internal migrant workers working in abusive conditions for low wages. Workers live in unsanitary and overcrowded housing, and far too often go into debt to pay their bus fares to travel to coffee farms and pay for their own equipment. Workers are often frightened of their employers and scared to report issues to the Brazilian government or non-governmental organizations. As a result, the incidents in this petition are only the tip of the iceberg – examples of widespread exploitative working conditions on coffee plantations in Brazil that are far too common.

Multinational coffee companies, including Starbucks, Nestlé, JDE,<sup>1</sup> Dunkin’,<sup>2</sup> Illy,<sup>3</sup> and McDonald’s,<sup>4</sup> all buy Brazilian-produced coffee and sell it in their U.S. stores.<sup>5</sup> Much of this coffee

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<sup>1</sup> *Responsible Sourcing*, JDE Peet’s, [https://www.jdepeets.com/sustainability/responsible-sourcing/?country=Brazil\\_Arabica#interactiveMap](https://www.jdepeets.com/sustainability/responsible-sourcing/?country=Brazil_Arabica#interactiveMap) (last visited Apr. 1, 2025).

<sup>2</sup> *Our Commitment to Coffee*, Dunkin’ Brands, [https://www.dunkindonuts.com/content/dam/dd/img/sustainabilitydunkin/dunkinsustainabilitypdf/Our\\_Commitment\\_to\\_Coffee.pdf](https://www.dunkindonuts.com/content/dam/dd/img/sustainabilitydunkin/dunkinsustainabilitypdf/Our_Commitment_to_Coffee.pdf) (last visited Apr. 1, 2025).

<sup>3</sup> *A Journal Through Coffee-Growing Countries with Sebastião Salgado*, Illy, <https://www.illy.com/en-us/sustainability/sebastiao-salgado> (last visited Apr. 1, 2025).

<sup>4</sup> *Where do the McDonald’s Coffee Beans Come From?*, McDonald’s, <https://www.mcdonalds.com/gb/en-gb/help/faq/where-do-the-mcdonald-s-coffee-beans-come-from.html> (last visited Apr. 1, 2025). Note that McDonald’s also owns and operates McCafé, which sells espresso beverages. See *McDonald’s Relaunches McCafé*, McDonald’s (Sept. 6, 2017), [https://corporate.mcdonalds.com/corpmcd/our-stories/article/mccaf\\_relaunch.html](https://corporate.mcdonalds.com/corpmcd/our-stories/article/mccaf_relaunch.html).

<sup>5</sup> *Starbucks FY23 Coffee Suppliers: Coffee*, Starbucks (2023), <https://about.starbucks.com/uploads/2024/02/Starbucks-FY23-Coffee-Suppliers.pdf> [hereinafter *Starbucks FY23*]

is produced with forced labor.<sup>6</sup> These companies have knowingly benefited from the use of forced labor and forced child labor for at least eight years. Their failure to take impactful and lasting steps to end forced and forced child labor requires action by CBP to ban the importation of their coffee from Brazil. These companies have written policies prohibiting forced labor in their supply chains; yet again and again their supply chains are found to be tainted by forced labor. It is time for these companies to implement their own policies. These companies have publicly committed to investing millions of dollars to expand sustainability and traceability in Brazil,<sup>7</sup> in preparation for the European Union’s (“EU”) Deforestation Regulation (“EUDR”) and the EU Corporate Sustainability Due Diligence Directive (“CSDDD”).<sup>8</sup> There are ample resources for companies on how to conduct proper due diligence in supply chains,<sup>9</sup> and many of these companies have taken steps in other industries.<sup>10</sup> Multinational companies buying Brazilian-produced coffee have the resources and the access to expertise – they simply need to have the will to take the necessary steps.

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*Coffee Suppliers*]; *Starbucks FY24 Coffee Suppliers: Coffee*, Starbucks (2024), <https://content-prod-live.cert.starbucks.com/binary/v2/asset/137-96647.pdf> [hereinafter *Starbucks FY24 Coffee Suppliers*]; *Coffee Sourcing*, Nestlé, <https://www.nestle.com/sustainability/sustainable-sourcing/coffee>.

<sup>6</sup> U.S.C. 19 § 1307 (Forced labor “shall mean all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily. For purposes of this section, the term ‘forced labor or/and indentured labor’ includes forced or indentured child labor.”).

<sup>7</sup> See e.g., *Committed to Transparency – People Planet, Coffee*, Starbucks, <https://www.starbucks.com/responsibility/reporting-hub/>; *C.A.F.E. Practices: Starbucks Approach to Ethically Sourcing Coffee*, Starbucks Stories and News (Feb. 28, 2020), <https://stories.starbucks.com/press/2020/cafe-practices-starbucks-approach-to-ethically-sourcing-coffee/>; *How We Approach Ethical Sourcing*, Starbucks, <https://athome.starbucks.com/learn/how-we-approach-ethical-sourcing#:~:text=In%20total%2C%20Starbucks%20has%20invested,more%20about%20this%20effort%20here.>

<sup>8</sup> Regulation (EU) 2023/1115 of the European Parliament and of the Council of 31 May 2023, on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010, 2023 O.J. (L 150) 206, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023R1115>; Directive (EU) 2024/1760 of the European Parliament and of the Council of 13 June 2024, on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859, 2024 O.J. (L 1760) 1, <https://eur-lex.europa.eu/eli/dir/2024/1760/oj>.

<sup>9</sup> See, e.g., ORG. FOR ECON. CO-OPERATION & DEV. (OECD), *OECD Due Diligence Guidance for Responsible Business Conduct* (2018), <https://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>; WORKING GROUP ON BUS. & HUMAN RIGHTS, *Companion Note II to the Working Group’s 2018 Report to the General Assembly* (A/73/163), <https://www.ohchr.org/Documents/Issues/Business/Session18/CompanionNote2DiligenceReport.pdf>; UNITED NATIONS HUMAN RIGHTS OFFICE OF THE HIGH COMM’R, *The Corporate Responsibility to Respect Human Rights: An Interpretive Guide* (2012), [https://www.ohchr.org/Documents/Publications/HR.PUB.12.2\\_En.pdf](https://www.ohchr.org/Documents/Publications/HR.PUB.12.2_En.pdf); INTERNATIONAL COCOA INITIATIVE, *Human Rights Due Diligence in Supply Chains: A Review of Legislation and Guidelines Through the Lens of the UN Guiding Principles on Business and Human Rights*, ICI REVIEW (Oct. 2019), [https://cocoainitiative.org/wpcontent/uploads/2019/10/HRDD\\_report\\_ICI\\_Final\\_w\\_image.pdf](https://cocoainitiative.org/wpcontent/uploads/2019/10/HRDD_report_ICI_Final_w_image.pdf).

<sup>10</sup> See, e.g., *Managing Grievances*, Cargill, <https://www.cargill.com/sustainability/palm-oil/managing-grievances> (last visited Apr. 4, 2025); *Human Rights*, Nestlé, <https://www.nestle.com/sustainability/human-rights> (last visited Apr. 4, 2025); *Nestlé’s Labor Rights Action Plan for Palm Oil*, <https://www.nestle.com/sites/default/files/2021-04/palm-oil-action-plan-2021.pdf> (last visited Apr. 7, 2025).

This petition focuses on the following five farms in Minas Gerais, the primary coffee-growing region in Brazil. These farms all sold coffee to the Cooxupé cooperative in 2023 and 2024.<sup>11</sup> The Cooxupé cooperative sells coffee to Starbucks<sup>12</sup> and to Nestlé.<sup>13</sup>

- Sítio Coqueiros is a coffee farm located in a rural area near Campestre, Minas Gerais.<sup>14</sup>
- Sítio da Ilha is a coffee farm located in a rural area near Município Alfenas in Minas Gerais.<sup>15</sup>
- Corrego do Jacu and Paquera are two smaller coffee farms located near the Município Juruaia in Minas Gerais<sup>16</sup> that share labor during the coffee harvesting season.<sup>17</sup>
- Sítio São João is a coffee farm located in a rural area by Muzambinho, Minas Gerais.<sup>18</sup>

We submit that the information in this petition constitutes a strong “reason [for CBP] to believe”<sup>19</sup> that the coffee harvested in Brazil and imported into the United States by Starbucks is produced “wholly or in part”<sup>20</sup> with forced labor. We therefore urge CBP to issue a Withhold Release Order (“WRO”) on all coffee and coffee products imported by Starbucks, Nestlé, JDE, Dunkin’, Illy, and McDonald’s into the United States from Brazil, especially products from Cooxupé and the five farms listed below (see Part IV(C)).

## II. LEGAL FRAMEWORK AGAINST FORCED LABOR

### A. Forced Labor Definition Under Section 307

Section 307 of the Tariff Act prohibits imports of all goods produced in a foreign country made wholly or in part through forced labor.<sup>21</sup> Forced labor under Section 307 requires demonstrating (1) menace of penalty and (2) involuntariness.<sup>22</sup> The term “forced labor” in 19 U.S.C. § 1307 is read in light of International Labour Organization (“ILO”) Convention No. 29, ratified the same

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<sup>11</sup> See Declaration, appendix.

<sup>12</sup> Starbucks FY23 Coffee Suppliers, *supra* note 5; Starbucks FY24 Coffee Suppliers, *supra* note 5; Hélien Freitas & Poliana Dallabrida, *Behind Starbucks Coffee*, REPÓRTER BRASIL (Oct. 2023) at 7, [https://reporterbrasil.org.br/wp-content/uploads/2023/11/monitor\\_starbucks\\_coffee\\_slave\\_labor\\_ENG.pdf](https://reporterbrasil.org.br/wp-content/uploads/2023/11/monitor_starbucks_coffee_slave_labor_ENG.pdf).

<sup>13</sup> Nestlé supply chain disclosure: Coffee, Snapshot: December 2022, Nestlé (Sept. 2023), <https://www.nestle.com/sites/default/files/2019-07/nestle-supply-chain-disclosure-coffee-tier-1.pdf>.

<sup>14</sup> MINISTÉRIO DO TRABALHO E EMPREGO, *Relatório de Fiscalização: Rodrigo de Faria Franco (CPF N. 074.521.296.07) Sítio Coqueiros*, SUPERINTENDÊNCIA REGIONAL DO TRABALHO E EMPREGO EM MINAS GERAIS (July 19, 2023) at 1, 6 [hereinafter Sítio Coqueiros Inspection Report].

<sup>15</sup> MINISTÉRIO DO TRABALHO E EMPREGO, *Relatório de Fiscalização: Rodrigo de Faria Franco (CPF N. 074.521.296.07) Sítio da Ilha*, SUPERINTENDÊNCIA REGIONAL DO TRABALHO E EMPREGO EM MINAS GERAIS (July 27, 2024) at 1 [hereinafter Sítio da Ilha Inspection Report].

<sup>16</sup> MINISTÉRIO DO TRABALHO E EMPREGO, *Relatório de Fiscalização: Marcos Florio de Souza (CPF N. 0.49.727.276-83) Sítio Corrego do Jacu and Paquera*, SUPERINTENDÊNCIA REGIONAL DO TRABALHO E EMPREGO EM MINAS GERAIS (July 27, 2024) at 1, 5, 15 [hereinafter Sítios Corrego do Jacu and Paquera Inspection Report].

<sup>17</sup> *Id.* at 8.

<sup>18</sup> MINISTÉRIO DO TRABALHO E EMPREGO, *Relatório de Fiscalização: João Batista Vieira (CPF 0.42.386.516-18) Sítio São João*, SUPERINTENDÊNCIA REGIONAL DO TRABALHO E EMPREGO EM MINAS GERAIS (July 24, 2023) at 1 [hereinafter Sítio São João Inspection Report].

<sup>19</sup> 19 C.F.R. § 12.42 (b).

<sup>20</sup> § 307 of the Tariff Act of 1930, 19 U.S.C. § 1307 (“Section 307”).

<sup>21</sup> 19 U.S.C. § 1307.

<sup>22</sup> *Id.*

year the Tariff Act of 1930 was enacted.<sup>23</sup> The ILO defines “forced or compulsory” labor in Convention No. 29 as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”<sup>24</sup>

The ILO has developed the following eleven indicators of forced labor to assist in determining whether circumstances rise to the level of forced labor: (1) abuse of vulnerability; (2) deception; (3) restriction of movement; (4) isolation; (5) physical and sexual violence; (6) intimidation and threats; (7) retention of identity documents; (8) withholding of wages; (9) debt bondage; (10) abusive working and living conditions; and (11) excessive overtime.<sup>25</sup> The existence of forced labor does not require all indicators to be present and, in some instances, simply one indicator is sufficient to determine the existence of forced labor.<sup>26</sup>

## B. Brazilian Definition of Forced Labor and the Dirty List

In 2003, Brazil created a register of employers, nicknamed the Dirty List<sup>27</sup> (*lista suja*), that were found through inspections to use forced labor and enacted a set of laws to hold those employers accountable.<sup>28</sup> Those on the list are limited in their ability to obtain credit and financing, and they face heavy fines when discovered to be using forced labor.<sup>29</sup> We examined inspection reports from plantations on the Dirty List that sell to one specific cooperative, Cooxupé, which exports coffee to the United States.

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<sup>23</sup> INT’L LABOUR ORG., Convention No. 29 Concerning Forced Labour, Adopted June 28, 1930, 39 U.N.T.S. 55 (entered into force May 1, 1932), <https://www.ohchr.org/en/instruments-mechanisms/instruments/forced-labour-convention-1930-no-29> [hereinafter ILO Convention No. 29]; see also 19 U.S.C. § 1307 (“‘Forced labor’, as herein used, shall mean all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily. For purposes of this section, the term ‘forced labor or/and indentured labor’ includes forced or indentured child labor.”).

<sup>24</sup> ILO Convention No. 29, *supra* note 23.

<sup>25</sup> INT’L LABOUR ORG., *Indicators of Forced Labour*, [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_203832.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_203832.pdf) (last visited Apr. 4, 2025).

<sup>26</sup> *Id.*

<sup>27</sup> Inspeção do Trabalho, *Cadastro de Empregadores Que Tenham Submetido Trabalhadores a Condições Análogas à de Escravo* [List of Employers Who Have Subjugated Workers to Conditions Analogous to Slavery], MINISTÉRIO DO TRABALHO E EMPREGO (Oct. 7, 2024), [https://www.gov.br/trabalho-e-emprego/pt-br/assuntos/inspecao-do-trabalho/areas-de-atuacao/cadastro\\_de\\_empregadores.pdf](https://www.gov.br/trabalho-e-emprego/pt-br/assuntos/inspecao-do-trabalho/areas-de-atuacao/cadastro_de_empregadores.pdf) [in original language] [hereinafter The Dirty List]; ADI-3347: primeiro ataque à Lista Suja do Trabalho Escravo [ADI-3347: First Attack on the Slave Labor Dirty List], CONECTAS (May 17, 2022), <https://www.conectas.org/litigiop/adi-3347-primeiro-ataque-a-lista-suja-do-trabalho-escravo/> [hereinafter ADI-3347]; Sarah Pierce, *Blacklisted: An Overview of Brazil’s “Dirty List,”* HUM. TRAFFICKING SEARCH (May 11, 2015), [https://humantraffickingsearch.org/blacklisted-an-overview-of-brazils-dirty-list/?gad\\_source=1&gclid=CjwKCAjw9p24BhB\\_EiwA8ID5BqSQGfn6xqZtVCLZQJPx1e5uXaoaYilkvBWkIwDQsrXnL-vCWSyVkJRoC0OYQAvD\\_BwE](https://humantraffickingsearch.org/blacklisted-an-overview-of-brazils-dirty-list/?gad_source=1&gclid=CjwKCAjw9p24BhB_EiwA8ID5BqSQGfn6xqZtVCLZQJPx1e5uXaoaYilkvBWkIwDQsrXnL-vCWSyVkJRoC0OYQAvD_BwE); Fabio Teixeira, *Brazil: Major Companies Found Using Courts to Avoid Slave Labour “Dirty List,”* SIGHT (June 19, 2019), <https://sightmagazine.com.au/features/brazil-major-companies-found-using-courts-to-avoid-brazil-s-slave-labour-dirty-list/> (stating that the United Nations recognized the importance of this law in Brazil’s efforts to curtail modern slavery).

<sup>28</sup> *Example in Action: Government’s Role in Multistakeholder Initiatives: Brazil’s “Dirty List” and the Institute of the National Pact for the Eradication of Slave Labor*, U.S. DEPT. OF LAB., <https://www.dol.gov/agencies/ilab/comply-chain/steps-to-a-social-compliance-system/step-1-engage-stakeholders/example-in-action-governments-role-in-multistakeholder-initiatives-brazils-dirty-list-and-the-institute-of-the-nation>.

<sup>29</sup> *Id.*



The principal statutory frameworks on forced labor in the United States and in Brazil significantly overlap with the ILO's Forced Labour Convention. A finding of modern slavery or conditions analogous to slavery under Brazilian law, even if not decisive, reinforces the determination of forced labor according to ILO standards as interpreted by CBP.<sup>30</sup> The Brazilian approach to forced labor is somewhat more expansive than the ILO's, as it may allow for prosecution of employers who subject workers to extremely degrading conditions, regardless of whether coercion was present in the employment relationship.<sup>31</sup> Article 149 of the Brazilian Criminal Code criminalizes practices that force workers to work in conditions "analogous to that of a slave."<sup>32</sup> This includes prohibiting workers from working: in degrading conditions; exhausting working hours; in conditions of forced labour; or in situations whereby their freedom is restricted through debt or isolation.<sup>33</sup> Under the Brazilian definition of slave labor, it is sufficient for one of these factors (rather than all of them combined) to be present for modern slavery to be found.<sup>34</sup> While these five factors differ from the ILO's eleven indicators of forced labor, they align closely enough with those indicators to suggest that the Brazilian standard is similar to the ILO's and can be used as guidance for CBP's decision making.<sup>35</sup>

### III. EVIDENCE

This petition relies on evidence from a range of credible sources, including Brazilian government inspections reports, investigative journalism reports, excerpts from a documentary on forced labor in Brazil, and interviews conducted in March 2025 with workers from these five farms. This section provides further information on each of these evidentiary sources, which the petition complements with publicly accessible reports from international organizations, government sources, and civil society groups.

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<sup>30</sup> See U.S. DEP'T OF LABOR, *Questions And Answers (Q&A): Brazil*, (2015), <https://www.dol.gov/sites/dolgov/files/ILAB/submissions/Brazil20151224.pdf> [hereinafter U.S. DEP'T OF LABOR, *Questions And Answers (Q&A): Brazil*].

<sup>31</sup> Regulatory Instruction No. 2, de 8 de novembro de 2021, <https://in.gov.br/en/web/dou/-/instrucao-normativa-359448244> (Braz.); see also Patrícia Trindade Maranhão Costa, *Fighting Forced Labor: The Example of Brazil*, International Labour Office 36 (2009), <https://www.ilo.org/media/341631/download> [hereinafter *Fighting Forced Labor: The Example of Brazil*]; see also U.S. DEP'T OF LABOR, *Questions And Answers (Q&A): Brazil*, supra note 30 (As a general rule, most countries have used the objective definition linked to forced labor with established concept, which is in the Convention 29 of the International Labor Organization (ILO), ratified by Brazil ... However, in Brazil, article 149 of the Brazilian Penal Code adds other items in addition to mentioning forced labour (ILO Convention 29). Therefore, in Brazil, exhaustive workdays, degrading working conditions and restriction of freedom due to a debt to the employer or responsible agent also characterize crime of "reducing someone to a condition analogous to that of a slave").

<sup>32</sup> Código Penal [C.P.] [Criminal Code] art. 149 (1940) (Braz.).

<sup>33</sup> "Art. 149. Reducing someone to a condition similar to that of a slave, whether by subjecting them to forced labor or exhausting working hours, or by subjecting them to degrading working conditions, or by restricting, by any means, their movement due to debt contracted with the employer or agent ... §1 The same penalties apply to anyone who: I – restricts the use of any means of transport by the worker, in order to retain him at the workplace; II – maintains overt surveillance at the workplace or seizes documents or personal objects from the worker, with the aim of retaining them at the workplace ..." Código Penal [C.P.] [Criminal Code] art. 149 (1940) (Braz.).

<sup>34</sup> *Fighting Forced Labor: The Example of Brazil*, supra note 31, at 14.

<sup>35</sup> "Degrading working conditions" may be defined similarly to "abusive living and working conditions." "Exhausting working hours" may constitute "excessive overtime." A "restriction of freedom" due to debt may be similar to the ILO's "restriction of movement" or to "debt bondage."

## A. Articulação dos Empregadores Rurais de Minas Gerais (ADERE)

The Articulação dos Empregadores Rurais de Minas Gerais [translation: Coordination of Rural Employees of the State of Minas Gerais] (ADERE) is an organization focused on advocating for the rights and well-being of rural workers in Minas Gerais. It collaborates with entities such as the Comissão Pastoral da Terra (CPT/MG) and the Central Única dos Trabalhadores (CUT) to combat exploitative labor practices, including conditions analogous to slavery, particularly in the coffee plantations of southern Minas Gerais. ADERE supports initiatives such as inspections by the Ministério do Trabalho e Emprego (MTE) and the Ministério Público do Trabalho (MPT) to ensure the government enforces labor laws and protects workers' rights.<sup>36</sup> ADERE reported that forced, trafficked, and forced child labor are prevalent in Minas Gerais.<sup>37</sup>

In August 2024, the news outlet *Al Jazeera* partnered with ADERE on a documentary film titled *The Human Cost of Coffee*, which highlighted the dangerous realities of workers on coffee farms in Minas Gerais.<sup>38</sup>

## B. Repórter Brasil

Repórter Brasil “is a nonprofit organization founded by journalists, social scientists and educators with the aim of bringing attention and action to the violation of fundamental rights of people and workers in Brazil.”<sup>39</sup> Repórter Brasil has investigated, on multiple occasions, different farms in Minas Gerais and other areas which revealed numerous incidents of forced, trafficked, and forced child labor.<sup>40</sup>

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<sup>36</sup> Comissão Pastoral da Terra, *CPT Minas Gerais Lança Nota de Apoio às Fiscalizações do Trabalho Durante a Colheita de Café no Sul de Minas Gerais*, CPT Nacional (June 6, 2023), <https://www.cptnacional.org.br/publicacoes-2/noticias-2/6826-cpt-minas-gerais-lanca-nota-de-apoio-as-fiscalizacoes-do-trabalho-durante-a-colheita-de-cafe-no-sul-de-minas-gerais>.

<sup>37</sup> Daniela Penha & Poliana Dallabrida, *Brazil's Largest Coffee Exporter Blocks Members Listed in Dirty List of Slave Labor*, REPÓRTER BRASIL, Apr. 17, 2025, <https://reporterbrasil.org.br/2025/04/brazils-largest-coffee-exporter-blocks-members-listed-dirty-list-slave-labor/>.

<sup>38</sup> *The Human Cost of Coffee: Rescuing Slave Workers in Brazil's Farms*, Al Jazeera (Aug. 19, 2024), <https://www.aljazeera.com/program/witness/2024/8/19/the-human-cost-of-coffee-rescuing-slave-workers-in-brazils-farms> [hereinafter *The Human Cost of Coffee*].

<sup>39</sup> Repórter Brasil, Repórter Brasil (Feb. 28, 2018), <https://gijn.org/fr/member/reporter-brasil-brazil/>.

<sup>40</sup> See generally André Campos, *Monitor: Certified Coffee, Rightless Workers*, REPÓRTER BRASIL (Dec. 2016), [https://base.socioeco.org/docs/cafe\\_ing\\_web.pdf](https://base.socioeco.org/docs/cafe_ing_web.pdf) [hereinafter *Monitor: Certified Coffee, Rightless Workers*]; Daniel Giovanaz, *Multinational Coffee Companies Ignore Accusations and Continue Buying from Suppliers Linked to Farms with Slave Labor*, REPÓRTER BRASIL (Dec. 2022), <https://reporterbrasil.org.br/2022/05/multinational-coffee-companies-ignore-accusations-and-continue-buying-from-suppliers-linked-to-farms-with-slave-labour/> [hereinafter *Multinational Coffee Companies Ignore Accusations*]; Poliana Dallabrida, *Starbucks Supplier Farm Ignores Law and Fails to Provide Coffee Harvesting Machine, Workers Say*, REPÓRTER BRASIL (May 2023), <https://reporterbrasil.org.br/2023/05/starbucks-supplier-farm-ignores-law-and-fails-to-provide-coffee-harvesting-machine-workers-say/> [hereinafter *Starbucks Supplier Farm Ignores Law*]; Hélen Freitas & Poliana Dallabrida, *Behind Starbucks Coffee*, REPÓRTER BRASIL (Oct. 2023), [https://reporterbrasil.org.br/wp-content/uploads/2023/11/monitor\\_starbucks\\_coffee\\_slave\\_labor\\_ENG.pdf](https://reporterbrasil.org.br/wp-content/uploads/2023/11/monitor_starbucks_coffee_slave_labor_ENG.pdf) [hereinafter *Behind Starbucks Coffee*]; Hélen Freitas & Poliana Dallabrida, *Starbucks: Slave and Child Labour Found at Certified Coffee Farms in Minas Gerais*, REPÓRTER BRASIL (Nov. 2023), <https://reporterbrasil.org.br/2023/11/starbucks-slave-and-child-labour-found-at-certified-coffee-farms-in-minas-gerais/> [hereinafter *Starbucks: Slave and Child Labour Found at Certified Coffee Farms*]; Poliana Dallabrida, *Amputations and Deaths: Coffee Harvesting Machine Causes Wave of Accidents in Brazil*, REPÓRTER BRASIL (Mar. 2024), <https://reporterbrasil.org.br/2024/03/amputations-and-deaths-coffee->

Repórter Brasil has published the following reports and documentation, outlining instances of forced labor on coffee farms:

- André Campos, *Monitor: Certified Coffee, Rightless Workers* (December 2016);<sup>41</sup>
- Daniel Giovanaz, *Multinational Coffee Companies Ignore Accusations and Continue Buying from Suppliers Linked to Farms with Slave Labor* (December 2022);<sup>42</sup>
- Poliana Dallabrida, *Starbucks Supplier Farm Ignores Law and Fails to Provide Coffee Harvesting Machine, Workers Say* (May 2023);<sup>43</sup>
- Hélen Freitas & Poliana Dallabrida, *Behind Starbucks Coffee* (October 2023);<sup>44</sup>
- Hélen Freitas & Poliana Dallabrida, *Starbucks: Slave and Child Labour Found at Certified Coffee Farms in Minas Gerais* (November 2023);<sup>45</sup>
- Poliana Dallabrida, *Amputations and Deaths: Coffee Harvesting Machine Causes Wave of Accidents in Brazil* (March 2024);<sup>46</sup>
- Poliana Dallabrida & Bruna Borges, *Producers From Brazil's Largest Coffee Exporter are Added to the 'Dirty List' of Slave Labor* (October 2024).<sup>47</sup>

### C. Oxfam Brasil

Oxfam Brasil is a Brazilian non-profit organization established in 2014 that focuses on research, advocacy, and humanitarian aid.<sup>48</sup> Oxfam Brasil's work spans four programmatic areas: (1) rural justice and development; (2) social and economic justice; (3) racial and gender justice; and (4) climate justice and the Amazon.<sup>49</sup>

In 2021, Oxfam Brasil released a short documentary titled *Mancha de Café (Coffee Stain)*.<sup>50</sup> In the documentary, coffee workers in Minas Gerais explain the many ways in which their employers deceived and mistreated them and the unsanitary and abusive living conditions workers lived in.<sup>51</sup> This documentary complements a detailed report with the same name published in July 2021.<sup>52</sup> This report explores the historical ties between the coffee industry and slavery in Brazil by highlighting the power imbalances and informality that characterize the relationships between rural

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[harvesting-machine-causes-wave-of-accidents-in-brazil/](#) [hereinafter *Amputations and Deaths*]; Poliana Dallabrida & Bruna Borges, *Producers From Brazil's Largest Coffee Exporter are Added to the 'Dirty List' of Slave Labor*, REPÓRTER BRASIL (Oct. 2024), <https://reporterbrasil.org.br/2024/04/produtores-exportadora-cafe-brasil-lista-suja-trabalho-escravo/> [hereinafter *Producers From Brazil's Largest Coffee Exporter are Added to the 'Dirty List' of Slave Labor*]

<sup>41</sup> *Monitor: Certified Coffee, Rightless Workers*, supra note 40.

<sup>42</sup> *Multinational Coffee Companies Ignore Accusations*, supra note 40.

<sup>43</sup> *Starbucks Supplier Farm Ignores Law*, supra note 40.

<sup>44</sup> *Behind Starbucks Coffee*, supra note 40.

<sup>45</sup> *Starbucks: Slave and Child Labour Found at Certified Coffee Farms*, supra note 40.

<sup>46</sup> *Amputations and Deaths*, supra note 40.

<sup>47</sup> *Producers From Brazil's Largest Coffee Exporter are Added to the 'Dirty List' of Slave Labor*, supra note 40.

<sup>48</sup> História, Oxfam Brasil, <https://www.oxfam.org.br/historia/> [in original language] (last visited Apr. 4, 2025).

<sup>49</sup> *Id.*

<sup>50</sup> See generally OXFAM Brasil, *Mancha De Café* (2021), <https://www.oxfam.org.br/justica-rural-e-desenvolvimento/por-tras-do-preco/mancha-de-cafe/mancha-de-cafe-filme/> [hereinafter *Mancha De Café* (documentary)].

<sup>51</sup> See generally *id.*

<sup>52</sup> OXFAM Brasil, *Coffee Stain* (2021), <https://www.oxfam.org.br/justica-rural-e-desenvolvimento/por-tras-do-preco/mancha-de-cafe/mancha-de-cafe-filme/> (scroll down to download the report) [hereinafter *Coffee Stain*].

coffee farm workers and their employers.<sup>53</sup> These factors contribute to the workers' exploitation and hinder their ability to assert their rights.<sup>54</sup>

#### D. Conectas

Conectas is a Brazilian human rights organization that contributes to the advancement of human rights from a Global South perspective.<sup>55</sup> Founded in 2001, Conectas has worked with many Global South partners and communities to engage in litigation, legal practices, and with the international human rights system.<sup>56</sup> They have published the following relevant publications:

- *Slave Labor on Coffee Farms in Minas Gerais is Reported to the OECD* (June 9, 2018);<sup>57</sup>
- *ADI-3347: Primeiro ataque à Lista Suja do Trabalho Escravo* (May 17, 2022);<sup>58</sup>
- *Bitter Brew: Modern Slavery in the Coffee Industry* (January 10, 2024);<sup>59</sup>
- *Trabalho escravo no café: das fazendas às multinacionais - Parte 1* (September 2024);<sup>60</sup>
- *Trabalho escravo no café: das fazendas às multinacionais - Parte 2* (October 2024);<sup>61</sup>
- *Trabalho escravo no café: das fazendas às multinacionais - Parte 3* (January 2025).<sup>62</sup>

#### E. Danwatch

Danwatch is an independent, investigative research organization based in Denmark. It centers its research on uncovering global issues relating to human rights abuses, corporate accountability, environmental degradation, and corruption, with a particular focus on international supply chains.<sup>63</sup> Danwatch has published the following reports and investigations on forced labor in the coffee industry in Brazil:

- *Bitter Coffee: Slavery-like Working Conditions and Deadly Pesticides on Brazilian Coffee Plantations* (March 2016);<sup>64</sup>

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<sup>53</sup> See generally *id.*

<sup>54</sup> See generally *id.*

<sup>55</sup> *A Conectas Existe Para Proteger, Efetivar E Ampliar Os Direitos Humanos*, CONECTAS, <https://www.conectas.org/sobre-a-conectas/>.

<sup>56</sup> *Id.*

<sup>57</sup> *Slave Labor on Coffee Farms in Minas Gerais is Reported to the OECD*, CONECTAS (June 9, 2018), <https://www.conectas.org/noticias/trabalho-escravo-cafe-minas-gerais-ocde/>.

<sup>58</sup> *ADI-3347*, *supra* note 27.

<sup>59</sup> *Bitter Brew: Modern Slavery in the Coffee Industry*, SOMO & CONECTAS (Jan. 10, 2024), <https://www.somo.nl/bitter-brew/> (scroll down and download the report).

<sup>60</sup> *Trabalho escravo no café: das fazendas às multinacionais - Parte 1* [Slave Labor in Coffee: From Farms to Multinationals Part 1] CONECTAS (Sept. 2024), [https://www.conectas.org/wp-content/uploads/2024/10/Parte-1-Trabalho-Escravo-no-Cafe\\_Versao-Final.pdf](https://www.conectas.org/wp-content/uploads/2024/10/Parte-1-Trabalho-Escravo-no-Cafe_Versao-Final.pdf) [hereinafter *Trabalho escravo no café - Parte 1*].

<sup>61</sup> *Trabalho escravo no café: das fazendas às multinacionais - Parte 2* [Slave Labor in Coffee: From Farms to Multinationals Part 2], CONECTAS (Oct. 2024), [https://www.conectas.org/wp-content/uploads/2024/10/revisao\\_20241024\\_miolo\\_conectas\\_cafe-e-escravidaos\\_parte-2.pdf](https://www.conectas.org/wp-content/uploads/2024/10/revisao_20241024_miolo_conectas_cafe-e-escravidaos_parte-2.pdf).

<sup>62</sup> CONECTAS, *Trabalho escravo no café: das fazendas às multinacionais - Parte 3*, [https://www.conectas.org/wp-content/uploads/2025/01/24012024\\_miolo\\_conectas\\_cafe-e-escravidaos\\_parte-3-2.pdf](https://www.conectas.org/wp-content/uploads/2025/01/24012024_miolo_conectas_cafe-e-escravidaos_parte-3-2.pdf) [hereinafter *Trabalho escravo no café - Parte 3*].

<sup>63</sup> *About Danwatch*, Danwatch, <https://danwatch.dk/en/about-danwatch/> (last visited Apr. 4, 2025)

<sup>64</sup> DANWATCH, *Bitter Coffee: Slavery-Like Working Conditions and Deadly Pesticides on Brazilian Coffee Plantations* (Mar. 2016), <https://www.ituc-csi.org/IMG/pdf/danwatch-bitter-coffee-march-2016.pdf> [hereinafter *Bitter Coffee*].

- Louise Voller, *In Denmark, the Majority of Our Coffee Comes from Brazil, Where There Are More Slaves Than Ever Before* (August 2022);<sup>65</sup>
- Julie Hjerl Hansen, *Brazilian Coffee is Sprayed With Deadly Pesticides* (March 2016);<sup>66</sup>
- *About Half of Brazil's Coffee Harvesters Work Without a Contract*.<sup>67</sup>

## F. Government Inspection Reports

This petition also relies on Brazilian Government Inspection Reports from 2023 and 2024 that found conditions amounting to “modern slavery” on coffee farms that sell to the cooperative Cooxupé. Information regarding the direct and indirect supply chains was corroborated through various methods, including information contained within the inspection reports, information obtained from an ongoing Trafficking Victims Protection Reauthorization Act (“TVPRA”) case in the United States, and from an affidavit from a credible union member and workers’ rights activist. Lastly, the status of Dirty List designations in Brazilian legal proceedings was checked.

## G. Trafficking Victims Protection Reauthorization Act case

Lastly, this petition relies on information contained in a case filed on April 23, 2025 under the TVPRA (18 U.S.C. § 1595 et. seq.).<sup>68</sup> This claim was brought on behalf of eight individuals who worked on five coffee farms (see Section VI) in Minas Gerais where conditions analogous to slavery were found.<sup>69</sup> These workers worked under conditions of forced labor and are suing Starbucks in a class action suit.<sup>70</sup>

# IV. PARTIES AND SUPPLY CHAINS

## A. Companies

### a. Starbucks Corporation

Founded in 1985, Starbucks is a Seattle-based coffee company that describes itself as “a premier roaster, marketer and retailer of specialty coffee.”<sup>71</sup> According to its most recent annual report (2023), Starbucks operates in 86 markets worldwide,<sup>72</sup> with 19,592 company-owned stores and

<sup>65</sup> Louise Voller, *In Denmark, the Majority of Our Coffee Comes from Brazil, Where There Are More Slaves Than Ever Before*, Danwatch (Aug. 2022), <https://danwatch.dk/en/in-denmark-the-majority-of-our-coffee-comes-from-brazil-where-there-are-more-slaves-than-ever-before/>.

<sup>66</sup> Julie Hjerl Hansen, *Brazilian Coffee is Sprayed With Deadly Pesticides*, DANWATCH (Mar. 2016), <https://danwatch.dk/en/brazilian-coffee-is-sprayed-with-deadly-pesticides/> [hereinafter *Brazilian Coffee is Sprayed With Deadly Pesticides*].

<sup>67</sup> DANWATCH, *About Half of Brazil's Coffee Harvesters Work Without a Contract*, <https://old.danwatch.dk/en/undersogelseskapiel/kapitel-3-cirka-halvdelen-af-brasiliens-kaffeplukkere-arbejder-uden-kontrakt/> (last visited Apr. 7, 2025) [hereinafter *About Half of Brazil's Coffee Harvesters Work Without a Contract*].

<sup>68</sup> *Doe v. Starbucks Corporations*, D.C. Cir. (April 23, 2025).

<sup>69</sup> *Id.* at ¶¶ 14-21.

<sup>70</sup> *Id.* at ¶¶ 23-27.

<sup>71</sup> STARBUCKS CORP., *Form 10-K*, at 1 (Oct. 1, 2023), Part 1, Item 1, <https://www.sec.gov/Archives/edgar/data/829224/000082922423000058/sbx-20231001.htm>.

<sup>72</sup> *Id.*



18,445 additional licensed locations.<sup>73</sup> In the United States alone, Starbucks operates 10,628 company-owned stores and licenses an additional 7,182.<sup>74</sup> The majority of Starbucks' revenue comes from its company-operated stores, which accounted for 82% of total net revenues in fiscal year 2023.<sup>75</sup> Beyond its retail locations, Starbucks also sells packaged coffee in supermarkets and other stores. For such sales, "Nestlé controls distribution of Starbucks packaged coffee products outside of Starbucks stores through the Global Coffee Alliance, and in some cases, also roasts and packages these products."<sup>76</sup>

Starbucks is a massive buyer of the global coffee supply. Starbucks purchases about 3% of the coffee produced across the globe, including from 192,300 farms in Latin America alone.<sup>77</sup>

#### b. Cooxupé

The Regional Cooperative of Coffee Growers of Guaxupé ("Cooxupé") is a coffee cooperative based in southern Minas Gerais.<sup>78</sup> Today, Cooxupé has over 13,000 members across the South and Cerrado regions of Minas Gerais, as well as the Vale do Rio Pardo in São Paulo.<sup>79</sup> Cooxupé exports coffee to 49 countries, including to the United States,<sup>80</sup> and it is Starbucks' largest supplier of Brazilian coffee.<sup>81</sup> According to trade data Repórter Brasi analyzed, between March 2021 and March 2023, 40% of Starbucks' Brazilian coffee for the U.S. market came from Cooxupé.<sup>82</sup> Starbucks also lists Cooxupé as one of its Tier 1 suppliers for the years 2023 and 2024, the most recent lists available.<sup>83</sup>

Cooxupé's president, Carlos Augusto Rodrigues de Melo,<sup>84</sup> and his family's farms have been repeatedly found in violation of Brazilian labor laws.<sup>85</sup> In 2021, Repórter Brasil uncovered labor violations on a farm he owned in Cabo Verde, Minas Gerais, known as the Pedreira farm, where workers were being illegally charged for supplies and fuel.<sup>86</sup> The following year, further violations - including withheld wages and unfair dismissals - were found at Palmital, another farm in Cabo Verde owned by de Melo.<sup>87</sup>

### B. Product Description

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<sup>73</sup> STARBUCKS CORP., *Form 10-K, Form 10-K*, at 1 (Oct. 1, 2023), Part 1, <https://www.sec.gov/Archives/edgar/data/829224/000082922423000058/sbux-20231001.htm>.

<sup>74</sup> *Id.*

<sup>75</sup> *Id.*

<sup>76</sup> STARBUCKS CORP., *Form 10-K, Form 10-K*, at 1 (Oct. 1, 2023), Part 1, Product Supply, <https://www.sec.gov/Archives/edgar/data/829224/000082922423000058/sbux-20231001.htm>.

<sup>77</sup> *Behind Starbucks Coffee*, *supra* note 40, at 7.

<sup>78</sup> *Who We Are*, Cooxupé, <https://www.cooxupe.com.br/exportacao/en/who-we-are/>.

<sup>79</sup> *Id.*

<sup>80</sup> *Id.*

<sup>81</sup> *Behind Starbucks Coffee*, *supra* note 40, at 7.

<sup>82</sup> *Id.*

<sup>83</sup> *Starbucks FY23 Coffee Suppliers*, *supra* note 5; *Starbucks FY24 Coffee Suppliers*, *supra* note 5.

<sup>84</sup> *Behind Starbucks Coffee*, *supra* note 40, at 16.

<sup>85</sup> *Id.*

<sup>86</sup> *Id.*

<sup>87</sup> *Id.*

The two primary coffee species that dominate global consumption are Arabica and Robusta.<sup>88</sup> Coffee can be sold green (beans that are unroasted) or processed (beans that have been sorted and dried).<sup>89</sup> Coffee is classified under Harmonized Tariff Schedule Code 0901, which includes “Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing coffee in any proportion,”<sup>90</sup> and Harmonized Tariff Schedule Code 2101, which includes “Extracts, essences and concentrates of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee.”<sup>91</sup>

### C. The Supply Chain: Farms, Cooxupé, and Imports

#### a. From Farms to Cooxupé

This petition focuses on a few farms where government inspections found conditions analogous to slavery. Sítio Coqueiros, Sítio da Ilha, Corrego do Jacu and Paquera, and Sítio São João all sell coffee to Cooxupé.<sup>92</sup> These farms all sell to Cooxupé.<sup>93</sup>

#### b. From Cooxupé to the United States

Coffee is exported from three main ports in Brazil:

- Port of Santos located in São Paulo, Brazil;<sup>94</sup>
- The maritime complex located in Rio de Janeiro, or the Port of Rio de Janeiro;<sup>95</sup>
- And the Port of Paranaguá.<sup>96</sup> There are other export regions in Brazil, including the Port of Santarem, Port of Itaqui, Ponta da Madeira, Port of Pecem, Port of Salvador, Port of Victoria, Santos Port, and Rio Grande Port.<sup>97</sup>

The key Brazilian coffee ports for export to the United States are Santos and Rio.

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<sup>88</sup> Nathan Myhrvold, *Coffee*, BRITANNICA (Oct. 15, 2024), <https://www.britannica.com/topic/coffee>.

<sup>89</sup> *Washed vs. Natural? What's the Deal with Coffee Processing Methods?*, Nossa Familia Coffee (Jan. 2, 2024), <https://www.nossacoffee.com/blogs/nossa-familia-blog/washed-vs-natural-whats-the-deal-with-coffee-processing-methods>.

<sup>90</sup> 0901, Harmonized Tariff Schedule of the United States (HTSUS), <https://hts.usitc.gov/search?query=coffee>.

<sup>91</sup> *Id.*

<sup>92</sup> *Doe v. Starbucks Corp.*, at ¶ 126 (“Based on ADERE’s subsequent investigation, they determined that São João Farm was part of Cooxupé, which supplies to Starbucks.”); *Id.* at ¶ 134 (“Both farms [Facendo de Serra, a different plantation than the one they agreed to work on, Sítio da Ilha] were determined by ADERE to be part of Cooxupé, which supplies to Starbucks.”); *Id.* at ¶ 120 (“The Gato took them to a farm called Coqueiros, which ADERE determined was part of Cooxupé, which supplies to Starbucks.”);

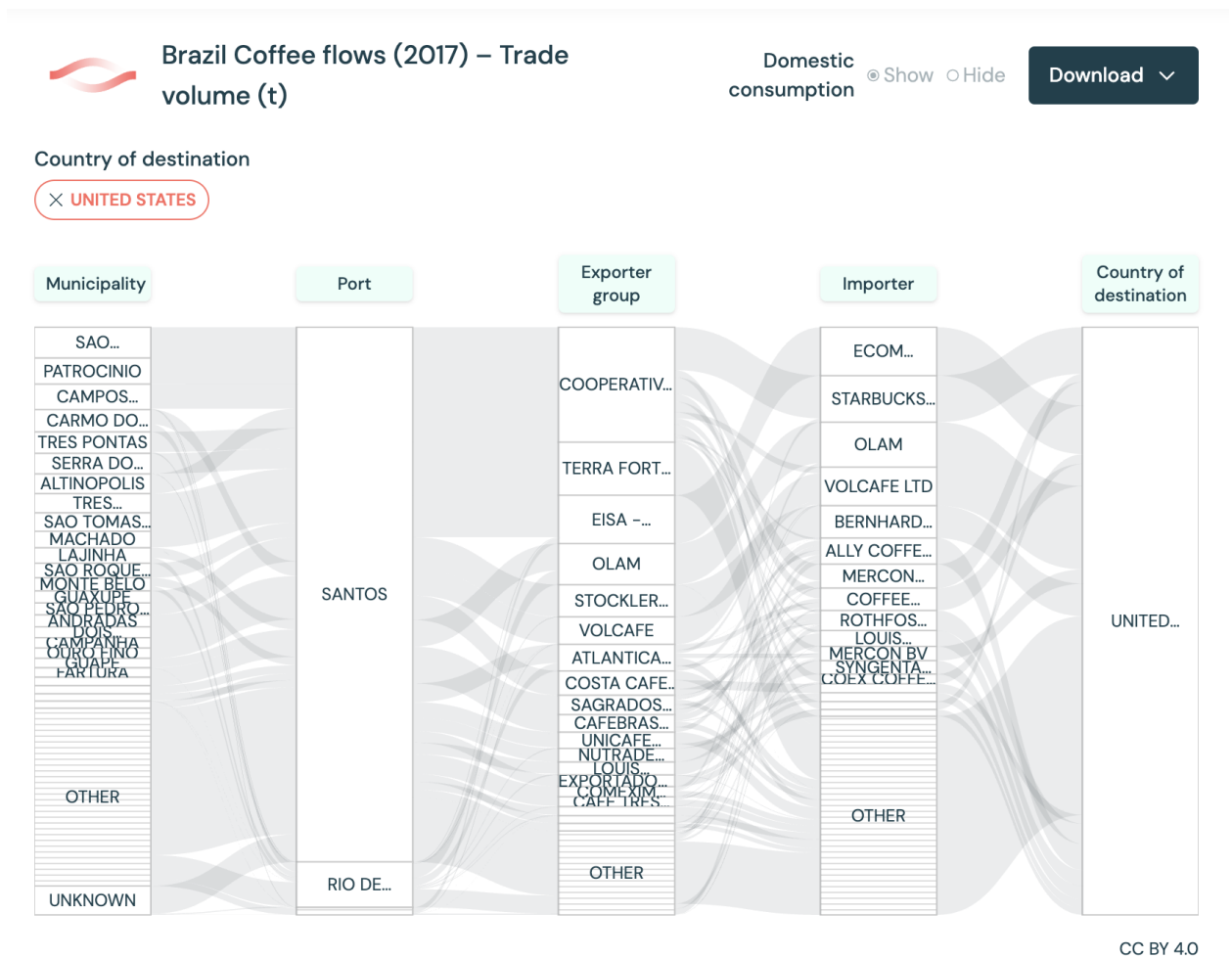
<sup>93</sup> Declaration, *see* appendix.

<sup>94</sup> Gabriel Malheiros, *Port of Santos Count of Coffee Bag Shipments Reach 29 Million Year-to-Date*, DATAMAR NEWS (Jan. 5, 2023), <https://www.datamarnews.com/noticias/port-of-santos-count-of-coffee-bag-shipments-reach-29-million-year-to-date/>.

<sup>95</sup> *Importância dos portos e ferrovias para a exportação de café* [Importance of Ports and Railroads for Coffee Exports], MASSA IND. (Mar. 22, 2023), <https://massa.ind.br/en/exportacao-do-cafe/>.

<sup>96</sup> Gabriel Malheiros, *Brazil's Coffee Exports Reach 39.25 Million Bags In 2023*, DATAMAR NEWS (Jan. 16, 2024), <https://www.datamarnews.com/noticias/brazils-coffee-exports-reach-39-25-million-bags-in-2023/#:~:text=Ports,the%20Cecaf%C3%A9%20website:%20Cecaf%C3%A9%20Report>.

<sup>97</sup> Zahra Ahmed, *10 Major Ports in Brazil*, MARINE INSIGHT (Mar. 30, 2024), <https://www.marineinsight.com/know-more/10-major-ports-in-brazil/>.



Brazil also exports to countries, such as Mexico, where coffee beans are processed and then shipped via road or by ship into the United States.<sup>98</sup>

According to import data from Import Genius, Starbucks imported at least five shipments of coffee from Cooxupé over the last year.<sup>99</sup> The shipments labeled as imported by Starbucks all were shipped from Sao Paulo.<sup>100</sup> The first three shipments arrived on March 11, 2025 in Charleston, North Carolina and the second two shipments arrived in Houston, Texas on April 2, 2025.<sup>101</sup>

Cooxupé sent many more shipments of coffee to the United States in the past year, including to Neumann Gruppe USA, Inc., Paragon Coffee Trading Co., Rothfos Corporation, Sucafina Na Inc.,

<sup>98</sup> Marcelo Teixeira, *Nestlé Opens Large Mexico Coffee Plant, Seen Boosting Brazil Robusta Sourcing*, REUTERS (July 26, 2022), <https://www.reuters.com/business/retail-consumer/nestle-opens-large-mexico-coffee-plant-seen-boosting-brazil-robusta-sourcing-2022-07-26/>.

<sup>99</sup> Import data from Import Genius, *see* appendix.

<sup>100</sup> *Id.*

<sup>101</sup> *Id.*

Keurig Green Mountain Inc., Louis Dreyfus Company Coffee NA LLC, and RGC Coffee Inc, among others.<sup>102</sup>

## V. THE COFFEE INDUSTRY IN BRAZIL: BACKGROUND

### A. The Historical Background

Coffee plantations were first established in Brazil in the 1700s<sup>103</sup> and were heavily dependent on slave labor.<sup>104</sup> Although Brazil formally abolished slavery in the late 1800s – nearly 30 years after the United States<sup>105</sup> – de facto slavery persisted, allowing the coffee industry to remain highly profitable even after the ban.<sup>106</sup>

By the nineteenth century, coffee production in Brazil had surged, making it the country's most important crop. Between 1850 and 1960, coffee exports accounted for approximately 55% of Brazil's total export revenue.<sup>107</sup> In the late 1800s and early 1900s, yield improvements led to an overproduction of coffee, which drove down prices<sup>108</sup> – which, in turn, negatively impacted workers' rights working conditions. In response to these price fluctuations, the Inter-American Coffee Agreement was established in the 1940s to stabilize the global coffee market.<sup>109</sup> The Inter-American Coffee Agreement did exactly what the Brazilian (and global) coffee industry needed, namely curb the supply of coffee exports to stabilize prices and stop prices from crashing due to an oversupply relative to global demand.<sup>110</sup> The Agreement essentially established a quota system; "Producers would restrict the quantity supplied and consumers would agree to pay a negotiated price..."<sup>111</sup> The Inter-American agreement had a far-reaching influence on the global coffee trade and in the 1960s ultimately evolved into the International Coffee Agreement ("ICA").<sup>112</sup> By joining the coalition of 55 members (34 exporters and 21 importers), Brazil became one of the ICA's largest voting members.<sup>113</sup> However, while the agreement helped regulate prices,

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<sup>102</sup> *Id.*

<sup>103</sup> *The History of Coffee in Brazil*, CASA BRASIL, <https://www.casabrazilcoffees.com/coffee-history> [hereinafter *The History of Coffee in Brazil*].

<sup>104</sup> Cory Gilman, *Rooted in Racism: Coffee's Bitter Origins*, Heifer International (July 30, 2020), <https://www.heifer.org/blog/newsworthy/rooted-in-racism-coffees-bitter-origins.html>.

<sup>105</sup> *The History of Coffee in Brazil*, *supra* note 103.

<sup>106</sup> James N. Green & Thomas E. Skidmore, *Brazil: Five Centuries of Change*, Brown Univ. Library: Ctr. for Digital Scholarship, <https://library.brown.edu/create/fivecenturiesofchange/chapters/chapter-3/coffee/> (last visited Apr. 7, 2025); *The History of Coffee in Brazil*, *supra* note 103.

<sup>107</sup> Diana Kruger, *Coffee Production Effects on Child Labor and Schooling in Rural Brazil*, J. OF DEV. ECON. 448, 453 (2007), [https://www.researchgate.net/publication/222422392\\_Coffee\\_Production\\_Effects\\_on\\_Child\\_Labor\\_and\\_Schooling\\_in\\_Rural\\_Brazil](https://www.researchgate.net/publication/222422392_Coffee_Production_Effects_on_Child_Labor_and_Schooling_in_Rural_Brazil).

<sup>108</sup> *Part I – The History of Brazilian Coffees*, FIVE SENSES COFFEE (Dec. 4, 2013), [https://fivesenses.com.au/blogs/news/part-i-the-history-of-brazilian-coffees?srsId=AfmBOoq9nEVJnm9UaQoeL0pjBYwFqz7V5nAXJr-MOBrUD\\_qiDHXXbd4O](https://fivesenses.com.au/blogs/news/part-i-the-history-of-brazilian-coffees?srsId=AfmBOoq9nEVJnm9UaQoeL0pjBYwFqz7V5nAXJr-MOBrUD_qiDHXXbd4O).

<sup>109</sup> *Id.*

<sup>110</sup> Germain N. Pichop & Francis M. Kemegue, *International Coffee Agreement: Incomplete Membership and Instability of the Cooperative Game*, SW. BUS. AND ECON. J. 2005-06, 25, 26-27, 34-35 (2005), <https://www.cameron.edu/storage/departments/business/Journals/Vol-14-International-Coffee-Agreement.pdf>.

<sup>111</sup> *Id.*

<sup>112</sup> *Id.* at 27.

<sup>113</sup> *Id.*

fluctuations often had severe consequences for coffee workers.<sup>114</sup> When supply exceeded demand and prices of coffee decreased, working conditions and labor rights deteriorated, disproportionately affecting workers.<sup>115</sup>

Although the ICA initially stabilized the global coffee market, producers not party to the Agreement began to sell cheaper coffee.<sup>116</sup> In response, ICA member countries, including Brazil, once again lowered the price of coffee.<sup>117</sup>

In 1989, the ICA was suspended,<sup>118</sup> triggering turmoil in the coffee industry, particularly in Brazil.<sup>119</sup> Production increased, the coffee industry in Brazil faced insufficient demand for its coffee, prices fell, and farmworkers and smallholder farmers felt the brunt of the ensuing negative economic effects.<sup>120</sup> Throughout its history – and even into the 2000s – Brazil’s coffee industry has experienced significant fluctuations, with lasting impacts on its workforce.<sup>121</sup>

International coffee agreements have continued to emerge even after the 1980s collapse of the ICA.<sup>122</sup> The most recent, the International Coffee Agreement of 2022, aims to increase global collaboration and regulate trade volumes.<sup>123</sup> While Brazil has signed onto the agreement, as of this submission, it has yet to complete the required procedures for the agreement to take effect domestically.<sup>124</sup>

## **B. The Brazilian Coffee Industry Today**

As of April 2025, Brazil is the world’s top coffee producer, producing 38% of the global coffee supply.<sup>125</sup> For the 2024/25 fiscal year (July–June), Brazil’s total coffee production is projected to

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<sup>114</sup> Verena Stolcke, *Coffee Planters, Politics, and Development in Brazil: A Comment on Mauricio Font’s Analysis*, THE 4 LATIN AM. RES. REV. No 3., 136, 138 (1989), [https://www.jstor.org/stable/pdf/2503702.pdf?refreqid=fastly-default%3A61e4836c2f9a07be861705740c0f8fea&ab\\_segments=&initiator=&acceptTC=1](https://www.jstor.org/stable/pdf/2503702.pdf?refreqid=fastly-default%3A61e4836c2f9a07be861705740c0f8fea&ab_segments=&initiator=&acceptTC=1).

<sup>115</sup> *Id.*

<sup>116</sup> John Baffes, *Set Up to Fail? How Commodity Agreements Collapse*, WORLD BANK BLOGS (June 29, 2020), <https://blogs.worldbank.org/en/voices/set-fail-how-commodity-agreements-collapse>.

<sup>117</sup> *Id.*

<sup>118</sup> *Id.*

<sup>119</sup> Nick Brown, *A Brief History of Coffee Price Volatility in the Modern Era (1963-2013)*, DAILY COFFEE NEWS BY ROAST MAGAZINE (Oct. 6, 2014), <https://dailycoffeenews.com/2014/10/06/a-brief-history-of-coffee-price-volatility-in-the-modern-era-1963-2013/>.

<sup>120</sup> Julie Craves, *The Coffee Crisis*, Coffee and Conservation (Feb. 8, 2006), [https://www.coffeehabitat.com/2006/02/the\\_coffee\\_crisis/](https://www.coffeehabitat.com/2006/02/the_coffee_crisis/); Matthew J. Foli, *International Coffee Agreements and the Elusive Goal of Price Stability*, 4 MINN. J. OF INT’L. L. 79, 79 (1995), <https://core.ac.uk/download/pdf/217210324.pdf> [hereinafter Foli, *International Coffee Agreements*].

<sup>121</sup> Aneliese Foxwell, *Overview of Brazilian Coffee and its Global Influence*, Tank Coffee (Feb. 3, 2024), <https://www.tankcoffee.com/overview-of-brazilian-coffee-and-its-global-influence/>.

<sup>122</sup> Foli, *International Coffee Agreements*, *supra* note 110, at 95 (introducing the fact that a “Coffee Retention Plan” was enacted by the Association of Coffee Producing Countries despite no formal international coffee agreement).

<sup>123</sup> *Int’l Coffee Agreement*, June 2022 at 3, INT’L COFFEE ORG., <https://www.ico.org/documents/cy2021-22/ica-2022-e.pdf> (authenticated text).

<sup>124</sup> INT’L COFFEE ORG., *Membership of the International Coffee Organization Under the International Coffee Agreement 2022 as at 21 December 2023* 1 (Dec. 21, 2023), <https://icocoffee.org/documents/cy2023-24/membershipica2022-e.pdf>.

<sup>125</sup> *Production - Coffee*, FOREIGN AGRIC. SERV. (2023-2024), <https://fas.usda.gov/data/production/commodity/0711100> [hereinafter *Production - Coffee*].



reach 66.4 million bags, each weighing 60 kilograms, for a total of 3,984 million kilograms.<sup>126</sup> The United States is a major importer of Brazilian coffee; in 2023, the United States imported \$1.33 billion USD worth of coffee from Brazil.<sup>127</sup> This accounts for 32% of total U.S. coffee imports for the 2023/2024 period.<sup>128</sup>

Coffee has been,<sup>129</sup> and continues to be, one of the most important economic stimulants to Brazil's export economy.<sup>130</sup> There are over 200,000 coffee farms in Brazil, employing roughly 8 million farmers and farmworkers<sup>131</sup> – about one-third of the 25 million smallholders worldwide.<sup>132</sup>

Coffee is produced in at least fourteen different regions in Brazil, including Minas Gerais, Espírito Santo, São Paulo, and Bahia.<sup>133</sup> Minas Gerais dominates production in the country, producing around half of Brazil's coffee and approximately 70% of its Arabica coffee.<sup>134</sup> The major coffee growing regions in Minas Gerais include Sul de Minas, Cerrado Mineiro, Matas de Minas, and Chapada de Minas.<sup>135</sup> Minas Gerais is home to more than 100,000 coffee farms and over 240,000 coffee workers.<sup>136</sup>

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<sup>126</sup> *Coffee: World Markets and Trade*, U.S. DEP'T. OF AGRIC. FOREIGN AGRIC. SERV. 2 (Dec. 2024), <https://apps.fas.usda.gov/psdonline/circulars/coffee.pdf> [hereinafter *Coffee: World Markets and Trade*].

<sup>127</sup> OECD World, *Coffee in Brazil*, <https://oec.world/en/profile/bilateral-product/coffee/reporter/bra> (last accessed Apr. 2, 2025).

<sup>128</sup> *Coffee: World Markets and Trade*, *supra* note 116.

<sup>129</sup> Bruno Volsi, et. al., *The Dynamics of Coffee Production in Brazil*, PLOS ONE 1, 1 (July 23, 2019), [https://www.researchgate.net/publication/334429850\\_The\\_Coffee\\_Market\\_in\\_Brazil\\_challenges\\_and\\_policy\\_guidelines](https://www.researchgate.net/publication/334429850_The_Coffee_Market_in_Brazil_challenges_and_policy_guidelines).

<sup>130</sup> Carlos E. Caldarelli, Leandro Gilio, & David Zilberman, *The Coffee Market in Brazil: Challenges and Policy Guidelines*, REVISTA DE ECONOMICA 1, 1 (July 2019), <https://core.ac.uk/download/pdf/328060128.pdf>.

<sup>131</sup> Benedict Smith, *The Stock Market is Failing Brazil's Coffee Producers*, COFFEE INTELLIGENCE (Nov. 25, 2022), <https://intelligence.coffee/2022/11/stock-market-brazils-coffee-producers/>; Benjamin Soloway, *In Brazil's Coffee Industry, Some Workers Face "Conditions Analogous to Slavery"*, FOREIGN POLICY (Apr. 13, 2016), <https://foreignpolicy.com/2016/04/13/in-brazils-coffee-industry-some-workers-face-conditions-analogous-to-slavery/#:~:text=Brazil%20is%20the%20largest%20producer,around%208%20million%20Brazilian%20jobs>.

<sup>132</sup> *Coffee Farmers*, Fairtrade Foundation, <https://www.fairtrade.org.uk/farmers-and-workers/coffee/#:~:text=Coffee%20is%20one%20of%20the,on%20coffee%20for%20their%20livelihoods>.

<sup>133</sup> *Brazil*, Melbourne Coffee Merchants, <https://melbournecoffeemerchants.com.au/origin/brazil/> (last visited Apr. 4, 2025) [hereinafter *Brazil*, Melbourne Coffee Merchants]; Carolina da Silveira Bueno & Marcelo Marques de Magalhães, *Living Income in Brazilian Coffee Production*, Global Coffee Platform (2023), [https://www.globalcoffeeplatform.org/wp-content/uploads/2023/05/1-LIVING-INCOME\\_GCP\\_english\\_OK-FINAL.pdf](https://www.globalcoffeeplatform.org/wp-content/uploads/2023/05/1-LIVING-INCOME_GCP_english_OK-FINAL.pdf).

<sup>134</sup> *Brazilian Coffee: Production, Taste, and Buying Guide*, Colipse Coffee (Mar. 25, 2025) <https://colipsecoffee.com/blogs/coffee/brazilian#:~:text=Minas%20Gerais%20produces%20about%20half,quality%20specialty%20to%20standard%20grades> [hereinafter *Brazilian Coffee: Production, Taste, and Buying Guide*].

<sup>135</sup> *A Concise Guide to Brazil's Major Coffee-Producing Regions*, PERFECT DAILY GRIND (Apr. 11, 2016), <https://perfectdailygrind.com/2016/04/a-concise-guide-to-brazils-major-coffee-producing-regions/> [hereinafter *A Concise Guide to Brazil's Major Coffee-Producing Regions*].

<sup>136</sup> BUREAU OF INT'L LAB. AFFS., *List of Goods Produced by Child Labor or Forced Labor* (Sept. 5, 2024), [https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods-print?tid=All&field\\_exp\\_good\\_target\\_id=5773&field\\_exp\\_exploitation\\_type\\_target\\_id=1=All&items\\_per\\_page=25#:~:text=There%20are%20more%20than%20100%20C000,is%20widespread%20in%20this%20state](https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods-print?tid=All&field_exp_good_target_id=5773&field_exp_exploitation_type_target_id=1=All&items_per_page=25#:~:text=There%20are%20more%20than%20100%20C000,is%20widespread%20in%20this%20state) [hereinafter *List of Goods Produced by Child Labor or Forced Labor* (2024)].

Espírito Santo is Brazil's second largest coffee producing state,<sup>137</sup> producing 24% of Brazil's coffee as of 2020.<sup>138</sup> Espírito Santo is Brazil's leading producer of Robusta coffee, although it also produces Arabica varieties.<sup>139</sup> The state's landscape varies from coastal regions to mountainous areas.<sup>140</sup> It is also a hub for sustainable coffee initiatives.<sup>141</sup>

São Paulo is another large coffee producing state in Brazil.<sup>142</sup> São Paulo was the center of Brazil's coffee boom in the nineteenth century.<sup>143</sup> While its production has since declined,<sup>144</sup> it still produced about 9% of Brazil's total coffee output in 2020.<sup>145</sup> São Paulo also contains the Port of Santos, Brazil's largest coffee export hub, where a large portion of the country's coffee is shipped worldwide.<sup>146</sup>

Bahia is a newer coffee-producing region that began cultivating coffee in the 1970s.<sup>147</sup> Bahia grows both Arabica and Robusta coffee.<sup>148</sup> Unlike older coffee regions, Bahia's farms are often large and highly mechanized.<sup>149</sup> The state is unique for its use of advanced irrigation techniques, which allows for stable production, despite Brazil's climate variations.<sup>150</sup> It is one of Brazil's main exporting states and often exports coffee to the United States.<sup>151</sup> Bahia employs fewer workers than other regions, in part because workers are lured to distant plantations "with fake promises of high wages and decent working conditions."<sup>152</sup>

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<sup>137</sup> Rob Sulkow, *Brazilian Coffee | Origin Update 2023*, GENUINE ORIGIN (2023), <https://blog.genuineorigin.com/2023/06/brazilian-coffee-origin-update-2023/#:~:text=The%20biggest%20coffee%2Dproducing%20regions,at%201%2C000%20to%201%2C500masl> [hereinafter Sulkow, *Brazilian Coffee*].

<sup>138</sup> *Modern Slavery in Brazil's Coffee Sector: What Businesses Need to Know*, RIGHTSDD (Oct. 19, 2020), <https://www.rightsdd.com/posts/modern-slavery-in-brazils-coffee-sector-what-businesses-need-to-know> [hereinafter *Modern Slavery in Brazil's Coffee Sector*].

<sup>139</sup> U.S. DEP'T. OF AGRIC. FOREIGN AGRIC. SERV., *Coffee Annual: Brazil 3* (June 6, 2023), [https://apps.fas.usda.gov/newgainapi/api/Report/DownloadReportByFileName?fileName=Coffee%20Annual\\_Brazilia\\_Brazil\\_BR2023-0011.pdf](https://apps.fas.usda.gov/newgainapi/api/Report/DownloadReportByFileName?fileName=Coffee%20Annual_Brazilia_Brazil_BR2023-0011.pdf).

<sup>140</sup> *Espírito Santo Villages*, Trabocca, <https://www.trabocca.com/village-project/espírito-santo-villages/>.

<sup>141</sup> Paulo A. C. Kawasaki, *Adoption of Sustainable Practices Optimizes CO<sub>2</sub> Balance in Conilon Espírito Santo Coffee*, REVISTA CULTIVAR (May 29, 2024), <https://revistacultivar.com/news/Adoption-of-sustainable-practices-optimizes-CO2-balance-at-Conilon-Caf%C3%A9-in-Esp%C3%ADrito-Santo>.

<sup>142</sup> Sulkow, *Brazilian Coffee*, *supra* note 137.

<sup>143</sup> *Id.*

<sup>144</sup> *Brazilian Coffee: Production, Taste, and Buying Guide*, *supra* note 134.

<sup>145</sup> *Modern Slavery in Brazil's Coffee Sector*, *supra* note 138.

<sup>146</sup> Sulkow, *Brazilian Coffee*, *supra* note 137.

<sup>147</sup> *Id.*

<sup>148</sup> *A Concise Guide to Brazil's Major Coffee-Producing Regions*, *supra* note 135.

<sup>149</sup> SOLIDARIDAD NETWORK, *Coffee Producer Country Profile: Brazil 11*, <https://www.solidaridadnetwork.org/wp-content/uploads/2024/06/The-Grounds-for-Sharing-annex-Brazil.pdf> (last visited Apr. 4, 2024); Sulkow, *Brazilian Coffee*, *supra* note 137.

<sup>150</sup> Ziga, *Guide to Brazilian Coffee Regions*, Tuka Beans (Nov. 9, 2022), <https://tuka-beans.com/2022/11/09/guide-to-brazilian-coffee-regions/> [hereinafter *Guide to Brazilian Coffee Regions*].

<sup>151</sup> Sulkow, *Brazilian Coffee*, *supra* note 137; Marcela Formiga & Joseph Degreenia, *Coffee Semi-Annual*, US DEP. OF AGR. FOREIGN AGR. SERV. & GAIN GLOBAL AGRI. INFORM. NET. 11 (Nov. 17, 2023) [https://apps.fas.usda.gov/newgainapi/api/Report/DownloadReportByFileName?fileName=Coffee%20Semi-annual\\_Brasilia\\_Brazil\\_BR2023-0031.pdf](https://apps.fas.usda.gov/newgainapi/api/Report/DownloadReportByFileName?fileName=Coffee%20Semi-annual_Brasilia_Brazil_BR2023-0031.pdf).

<sup>152</sup> Marina Lopes, *The Hidden Suffering Behind the Brazilian Coffee that Jumpstarts American Mornings*, WASH. POST (Aug. 31, 2018), [https://www.washingtonpost.com/world/the\\_americas/the-hidden-suffering-behind-the-](https://www.washingtonpost.com/world/the_americas/the-hidden-suffering-behind-the-)

Brazilian coffee farms vary in size. While many are small to medium in size,<sup>153</sup> there are some larger coffee estates that exceed 2,000 hectares.<sup>154</sup> There is even one Brazilian plantation that allegedly produces more coffee than all of Bolivia.<sup>155</sup> The size of farms vary by region. For example, Sul do Minas in Minas Gerais is characterized by small to medium-sized farms, often family-run, with traditional cultivation methods,<sup>156</sup> while Centro-Oeste de São Paulo in São Paulo features mostly small to medium-sized farms.<sup>157</sup>

### C. Forced Labor Is Widespread in the Brazilian Coffee Sector

For decades, forced labor has been a constant in the coffee sector in Brazil. The U.S. Department of Labor has long recognized the sector as especially exploitative,<sup>158</sup> listing coffee from Brazil as produced with forced labor in its List of Goods Produced with Child or Forced Labor from 2018 to 2024.<sup>159</sup> Similarly, the Trafficking in Persons Report has regularly mentioned the coffee sector.<sup>160</sup> As the 2024 TIP Report explains, “[t]raffickers exploit Brazilian men – notably Afro-Brazilian men – women, and, to a lesser extent, children in situations that could amount to forced labor in rural [areas] (including in...agriculture...) ...Forced labor in Brazil’s agricultural sector is associated with the production of...coffee...”<sup>161</sup>

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[brazilian-coffee-that-jump-starts-american-mornings/2018/08/30/e5e5a59a-8ad4-11e8-9d59-dccc2c0cabcf\\_story.html](https://www.brazilian-coffee-that-jump-starts-american-mornings/2018/08/30/e5e5a59a-8ad4-11e8-9d59-dccc2c0cabcf_story.html).

<sup>153</sup> *Guide to Brazilian Coffee Regions*, *supra* note 150.

<sup>154</sup> *Brazil*, Melbourne Coffee Merchants, *supra* note 133.

<sup>155</sup> *Id.*

<sup>156</sup> *Guide to Brazilian Coffee Regions*, *supra* note 150.

<sup>157</sup> *A Concise Guide to Brazil’s Major Coffee-Producing Regions*, *supra* note 135.

<sup>158</sup> U.S. DEP’T OF LAB., *Consolidating and Disseminating Efforts to Combat Forced Labor in Brazil and Peru*, <https://www.dol.gov/agencies/ilab/consolidating-and-disseminating-efforts-combat-forced-labor-brazil-and-peru-0#> (last visited Apr. 7, 2025).

From December 2012 to December 2018, the U.S. Department of Labor enacted its own initiatives to combat forced labor in Brazil, “Consolidating and Disseminating Efforts to Combat Forced Labor in Brazil and Peru” (CDECFL). The U.S. Department of Labor planned to “work with governmental institutions, private sector, and civil society organizations to strengthen their capacity to combat forced labor.” *Id.* In its final report on the CDECFL, the U.S. Department of Labor acknowledged that “The availability and quality of information on slave labor in Brazil has notably increased through the project intervention.” *Id.* at 35. Essentially, Brazil has made efforts to curtail forced labor but was falling short. *Id.* Additionally, “Challenges remain on the institutional arrangements for the use and appropriation of some of the products...and to properly target the information for the different vulnerable target groups.” *Id.* The U.S. Department of Labor acknowledged that the report did not help prevent forced and child labor in Brazil, but only that it helped in remedial effects, such as post-rescue support. *Id.*

<sup>159</sup> U.S. DEP’T OF LAB. AFFS., *List of Goods Produced by Child Labor or Forced Labor* (Sept. 2018), <https://www.dol.gov/sites/dolgov/files/ILAB/ListofGoods.pdf> [hereinafter *List of Goods Produced by Child Labor or Forced Labor* (2018)]; U.S. DEP’T OF LAB. AFFS., *List of Goods Produced by Child Labor or Forced Labor* (Sept. 2020), [https://www.dol.gov/sites/dolgov/files/ILAB/child\\_labor\\_reports/tda2019/2020\\_TVPRAListOnlineFinal.pdf](https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/2020_TVPRAListOnlineFinal.pdf) [hereinafter *List of Goods Produced by Child Labor or Forced Labor* (2020)]; *List of Goods Produced by Child Labor or Forced Labor* (2024), *supra* note 136.

<sup>160</sup> U.S. DEP’T OF STATE, *Trafficking in Persons Report June 2023* (June 2023), at 52, 63, [https://www.state.gov/wp-content/uploads/2023/05/Trafficking-in-Persons-Report-2023\\_Introduction-Additional-Pagesv4\\_FINAL.pdf](https://www.state.gov/wp-content/uploads/2023/05/Trafficking-in-Persons-Report-2023_Introduction-Additional-Pagesv4_FINAL.pdf); U.S. DEP’T OF STATE, *Trafficking in Persons Report June 2018* (June 2018), <https://www.state.gov/wp-content/uploads/2019/01/282798.pdf>.

<sup>161</sup> U.S. DEP’T OF STATE, *2024 Trafficking in Persons Report: Brazil* (2024), <https://www.state.gov/reports/2024-trafficking-in-persons-report/brazil/>.

The Brazilian government has also found numerous incidents of forced labor in the coffee sector, documenting the following indicators of forced labor: abuse of vulnerability, deception, restriction of movement, isolation, intimidation and threats, withholding of wages, abusive working and living conditions, and excessive overtime.<sup>162</sup> Between 1995 and 2020, Oxfam Brasil reported that 2,808 workers were rescued from slave-like labor on coffee plantations in Brazil, with the majority of rescues taking place in Minas Gerais.<sup>163</sup> Between 2013 and 2023, more workers were rescued from coffee farms than from any other single industry, accounting for 11.4% of all forced labor victims in Brazil.<sup>164</sup>

Between 1995 and 2023, 47.5% of workers rescued from forced labor in the coffee sector were working on coffee plantations in Minas Gerais, more than in any other state, followed by Bahia, Espírito Santo, Goiás, and São Paulo.<sup>165</sup> Minas Gerais' predominance has increased over the years; by 2023, a large percentage of workers rescued from coffee plantations worked in Minas Gerais.<sup>166</sup>

Brazilian prosecutor Mateus Biondi said he was “alarmed by the number of investigations into labor violations in the main coffee growing area of Minas Gerais in recent years, but that such efforts did not match up to the true scale of the problem.”<sup>167</sup> In Minas Gerais alone there are over 100,000 coffee plantations,<sup>168</sup> with hundreds of thousands of workers, but there are only 245 inspectors, leaving many farms uninspected.<sup>169</sup> Even when labor inspectors make it out to these farms, they are plagued by a “shortage of staff, money and political will” and they “fear abuse” despite an increased consumer demand for slave-free products.<sup>170</sup> Brazilian authorities only investigate or inspect farms if they receive formal complaints, but many workers fear repercussions if their complaints are leaked and many farm owners will hide their workers when inspectors

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<sup>162</sup> Between 1996 and 2023, the Brazilian Labor Inspection Department identified 3,700 workers subjected to forced labor conditions in coffee plantations in Brazil. *Bitter Brew*: *supra* note 59, at 3.

<sup>163</sup> *Coffee Stain*, *supra* note 52, at 18.

<sup>164</sup> *Trabalho escravo no café - Parte 3*, *supra* note 62, at 5; Serhat Demirkol, *Ministry of Labor Rescues Record Number of Workers from Modern-Day Slavery in 2023*, BRAZILIAN NR (Jan. 13, 2024), <https://braziliannr.com/2024/01/13/ministry-of-labor-rescues-record-number-of-workers-from-modern-day-slavery-in-2023/>.

<sup>165</sup> *Trabalho escravo no café - Parte 1*, *supra* note 60, at 18.

<sup>166</sup> *Id.*; *Addressing Forced Labor in Brazil*, FAIR LABOR 3 (Aug. 21, 2023), <https://www.fairlabor.org/resource/addressing-forced-labor-in-brazil/#:~:text=The%20workers%20were%20forced%20to,should%20take%20to%20mitigate%20risk> (scroll down and click on the PDF); *List of Goods Produced by Child Labor or Forced Labor* (2024), *supra* note 136; *Modern Slavery in Brazil's Coffee Sector*, *supra* note 138.

Major coffee plantations rely on large quantities of workers, and therefore traffic large quantities of farmworkers at harvest time, especially in the Minas Gerais region. They accomplish this by hiring *gatos*, or individuals who go out and seek workers by making false promises of high wages and then charging travel expenses that place workers in debt.

<sup>167</sup> There have been an average of 25 probes per year into coffee plantations since early 2014. Fabio Teixeira, *Picked by Slaves: Coffee Crisis Brews in Brazil*, REUTERS (Dec. 12, 2019), <https://www.reuters.com/article/world/picked-by-slaves-coffee-crisis-brews-in-brazil-idUSKBN1YG13D/> [hereinafter *Picked by Slaves: Coffee Crisis Brews in Brazil*].

<sup>168</sup> *List of Goods Produced by Child Labor or Forced Labor* (2024), *supra* note 136.

<sup>169</sup> *Picked by Slaves: Coffee Crisis Brews in Brazil*, *supra* note 167.

<sup>170</sup> *Id.*

arrive.<sup>171</sup> As a result, the farms from which workers have been rescued by the Brazilian government likely constitute a small percentage of the coffee farms with conditions analogous to slavery.

TRABALHO ESCRAVO POR ANO	Nº PESSOAS IDENTIFICADAS EM TRABALHO ESCRAVO NO CAFÉ	Nº CASOS [CAFÉ]	Nº PESSOAS IDENTIFICADAS EM TRABALHO ESCRAVO [TODAS AS ATIVIDADES]	Nº CASOS [TOD.ATIV.]
2003	1,043	3	5,229	239
2004	138	3	3,236	232
2005	80	2	4,458	270
2006	46	4	3,807	275
2007	44	4	6,038	268
2008	157	5	5,129	285
2009	127	5	4,235	241
2010	204	9	2,980	212
2011	119	7	2,512	250
2012	26	2	2,795	195
2013	101	6	2,896	204
2014	228	7	1,994	172
2015	114	5	1,537	124
2016	94	11	1,032	109
2017	27	3	648	91
2018	308	15	1,755	116
2019	124	8	1,219	135
2020	111	9	1,053	116
2021	310	21	2,081	223
2022	173	20	2,621	273
2023	333	39	3,472	367
2024	221	16	1,172	136
TOTAL 2003-24	4,128	204	61,899	4,533

POR ESTADO	Nº PESSOAS IDENTIFICADAS EM TRABALHO ESCRAVO NO CAFÉ	Nº CASOS [CAFÉ]	Nº PESSOAS IDENTIFICADAS EM TRABALHO ESCRAVO [TODAS AS ATIVIDADES]	Nº CASOS [TOD.ATIV.]
BA	1,256	16	4,079	202
DF	33	1	269	18
ES	750	35	1,486	57
GO	195	4	5,499	238
MG	1,733	139	9,845	509
MT	0	1	4,527	290
PA	5	1	11,041	1,217
PR	17	1	1,434	116
RJ	29	2	2,229	113
SP	110	4	3,066	233
total 2003-24	4,128	204	43,475	2,993
Brasil - total 2003-24	4,128	204	61,899	4,533

Mais informações no	PANORAMA DO TRABALHO ESCRAVO			CPT - atualizado em 31/10/24
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## D. The Coffee Industry: How Employers Exploit Workers

Abuse of vulnerability, deception, abusive living and working conditions, debt bondage, and withholding of wages are all common occurrences on coffee farms in Brazil. Additionally, hazardous child labor is far too common, with teenage workers regularly rescued from farms along with adults. In many cases, workers “knew they were being exploited but felt they had no choice in a country of rising poverty and scarce jobs.”<sup>173</sup>

<sup>171</sup> *The Human Cost of Coffee*, *supra* note 38.

<sup>172</sup> Translation of headers in order from left to right and top to bottom: Slave Labor Per Year; Number of People Identified in Slave Labor in Coffee; Number of Cases [Coffee]; Number of People Identified in Slave Labor [All of the Activities]; Number of Cases [All of the Activities (abbreviated)]; Per State; Number of People Identified in Slave Labor in Coffee; Number of Cases [Coffee]; Number of People Identified in Slave Labor [All of the Activities]; Number of Cases [All of the Activities (abbreviated)].

<sup>173</sup> *Picked by Slaves: Coffee Crisis Brews in Brazil*, *supra* note 167.



The deception of workers begins before they even leave home. Labor recruiters, known as *gatos*, deceive vulnerable workers from poor municipalities in Brazil with false promises of well-paid jobs.<sup>174</sup> Every year at the beginning of the harvest season, thousands of workers board clandestine buses and travel to farms hundreds of kilometers away from their homes.<sup>175</sup> While companies must legally pay for workers' bus tickets, many do not.<sup>176</sup> At the end of the month, the seasonal workers earned less than half of a minimum wage – too low even to buy a bus ticket back home.<sup>177</sup>

When workers arrive at their destination, they often learn that the situation is very different from what was promised.<sup>178</sup> In some cases, employers promised workers they would not have to pay rent or pay for supplies such as personal protective equipment (PPE), machines, or work tools.<sup>179</sup> Yet in far too many cases, workers are forced to pay for such equipment, increasing their debt to the farmer or *gato*.<sup>180</sup>

There are also instances of employers withholding workers' wages altogether. Sometimes employers claim that they will pay workers at the end of the harvest – and then never do.<sup>181</sup> In other cases, employers push their employees to work as fast as they can, under the false promise that workers will be paid a high price for large quantities of harvested coffee.<sup>182</sup>

The working conditions on coffee farms are often dangerous and abusive. There have been reports of farm owners in Brazil instructing workers to spray dangerous pesticides on coffee plants, many of which are illegal in the European Union due to their toxicity.<sup>183</sup> One such pesticide is a potentially lethal chemical called terbufos.<sup>184</sup> Terbufos “can overstimulate the nervous system causing nausea, dizziness, confusion, and at very high exposures (e.g., accidents or major spills), respiratory paralysis and death.”<sup>185</sup> There have been numerous incidents of pesticide poisoning on coffee farms in Minas Gerais.<sup>186</sup> Researchers collected blood and urine samples from 190 volunteers from 2021 and 2022 and found that the use of triazole fungicides, commonly used on coffee plantations and associated with possible liver damage, caused an increase in the frequency

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<sup>174</sup> Fair Lab. Ass'n, *Issue Brief: Forced Labor Risks in Brazil's Coffee Sector 2* (2023), <https://www.fairlabor.org/wp-content/uploads/2023/08/09.11.2023-Issue-Brief-Forced-Labor-in-Brazil-English.pdf>.

<sup>175</sup> Binka Le Breton, *Modern Day Slavery in Brazil: A Report from the Field*, GLOB. POL'Y J. (Aug. 13, 2021), <https://www.globalpolicyjournal.com/blog/13/08/2021/modern-day-slavery-brazil-report-field> [hereinafter *Modern Day Slavery in Brazil*].

<sup>176</sup> *Id.*

<sup>177</sup> See, e.g., *Multinational Coffee Companies Ignore Accusations*, *supra* note 40.

<sup>178</sup> See *Modern Day Slavery in Brazil*, *supra* note 175.

<sup>179</sup> Starbucks: *Slave and Child Labour Found at Certified Coffee Farms*, *supra* note 40.

<sup>180</sup> *Modern Slavery in Brazil's Coffee Sector*, *supra* note 138.

<sup>181</sup> *Trabalho escravo no café - Parte 3*, *supra* note 62; Poliana Dallabrida, *Produtor certificado e membros de grandes cooperativas estão entre os flagrados com trabalho escravo no setor do café*, REPÓRTER BRASIL 26 (Oct. 22, 2021), [https://reporterbrasil.org.br/2021/10/produtor-certificado-e-membros-de-grandes-cooperativas-estao-entre-os-flagrados-com-trabalho-escravo-no-setor-do-cafe/?fbclid=IwAR1fzQ50A1C5OPypSnIwYAw7\\_F67lM8y3dA4kIzAcwFt6zRq2-37rDfLN7M](https://reporterbrasil.org.br/2021/10/produtor-certificado-e-membros-de-grandes-cooperativas-estao-entre-os-flagrados-com-trabalho-escravo-no-setor-do-cafe/?fbclid=IwAR1fzQ50A1C5OPypSnIwYAw7_F67lM8y3dA4kIzAcwFt6zRq2-37rDfLN7M).

<sup>182</sup> *Mancha De Cafe* (documentary), *supra* note 50, at 3:05–3:15.

<sup>183</sup> *Bitter Coffee*, *supra* note 64, at 38.

<sup>184</sup> *Id.*

<sup>185</sup> Earthjustice, *Terbufos*, <https://earthjustice.org/feature/organophosphate-pesticides-united-states/terbufos> (last visited Apr. 7, 2025).

<sup>186</sup> *Bitter Coffee*, *supra* note 64, at 41.

of cellular changes, oxidative imbalance, and a reduction in hormone levels such as androstenedione and testosterone.<sup>187</sup> While PPE, such as gloves and goggles, protects workers from the risk of pesticide poisoning, not all employers provide them.<sup>188</sup>

Working hours can also be excessively long, with workers often working ten to fourteen hour days.<sup>189</sup> Harvesters are usually transported from the accommodations to the coffee plants on old and often dangerous buses.<sup>190</sup> It is common for workers to leave for work at 5:30 in the morning and not return home until six in the evening, with brief breaks for meals.<sup>191</sup>

The living conditions can also be unsanitary. According to labor inspectors' descriptions, many accommodations can be infested with bats, rats, mice, cockroaches, mosquitoes and other insects.<sup>192</sup> In some cases, workers sleep on thin mattresses on the floor, with dirty bedding, and share small rooms with multiple people.<sup>193</sup> In one case, workers even had to collect firewood to heat their living quarters.<sup>194</sup> There are often no sanitary facilities – in some cases, not even a dry septic tank – and workers relieve themselves in the middle of the coffee plantation or in the nearby forest.<sup>195</sup>

Workers also struggle to gain access to adequate food and drinking water. Due to lack of payment, there are instances in which workers spend days eating only leftover rice and papayas harvested on the farm.<sup>196</sup> At one farm, there were no cupboards to store food.<sup>197</sup> As a result, cooked food was stored inside pots on the stove, and groceries were scattered in cardboard boxes and bags on the floor of the rooms.<sup>198</sup> The employer did not provide containers for meals, a refrigerator, or drinking water.<sup>199</sup> Workers therefore purchased refrigerators for their personal use.<sup>200</sup> There are also often no adequate places to eat, either in the living accommodations or near the coffee fields,<sup>201</sup> resulting in workers often eating their meals on the floor or their beds.<sup>202</sup> Additionally, workers may have limited access to potable drinking water. Pesticides can pollute the surrounding environment, including the local drinking water.<sup>203</sup> Empty pesticide containers are often used to collect drinking

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<sup>187</sup> See generally Costa, L. F. et al., *Assessment of Cellular Damage with Cytome Assay Among Environmental/Occupational Triazole*, *Chemico-Biological Interactions* 383(25) (2023), <https://www.sciencedirect.com/science/article/abs/pii/S0009279723003563>.

<sup>188</sup> *Bitter Coffee*, *supra* note 64, at 39.

<sup>189</sup> *Id.* at 11.

<sup>190</sup> *Id.* at 12.

<sup>191</sup> *Id.* at 11.

<sup>192</sup> *Bitter Brew*, *supra* note 59, at 7.

In July 2021, twelve workers at the Capoeira Grande and Córrego das Pedras farms in Cabo Verde (MG) reported that their accommodations were infested with rats, cockroaches, mosquitoes and other insects, due to the filth.

*Mancha De Cafe* (documentary), *supra* note 50, 5:52:6–12.

<sup>193</sup> *Mancha De Cafe* (documentary), *supra* note 50, 5:52:6–12.

<sup>194</sup> *Id.* at 8:38–8:50.

<sup>195</sup> *Trabalho escarvo no café - Parte 3*, *supra* note 62, at 46–49.

<sup>196</sup> *Id.* at 31.

<sup>197</sup> *Id.* at 49.

<sup>198</sup> *Id.*

<sup>199</sup> *Id.* at 30, 45–46, 49.

<sup>200</sup> *Id.* at 49.

<sup>201</sup> *Bitter Coffee*, *supra* note 64, at 31, 49.

<sup>202</sup> *Trabalho escarvo no café - Parte 3*, *supra* note 62, at 49.

<sup>203</sup> *Bitter Coffee*, *supra* note 64, at 43.

water, by workers who are unaware of the adverse health consequences that result from ingesting the residual chemicals in the container.<sup>204</sup>

Women face additional challenges on coffee farms, often receiving lower wages for the same work as their male counterparts.<sup>205</sup> They are less likely to occupy higher-paying positions on farms,<sup>206</sup> and they are often required to take on unpaid domestic tasks.<sup>207</sup> In Minas Gerais, men working in the coffee supply chain receive an average income that is 16.2% higher than women's earnings.<sup>208</sup> Moreover, sometimes when a husband and wife are working together, in some cases only the husband will be a registered worker; any coffee collected by the wife is treated as part of the husband's volume of coffee picked and any payment is made only to him.<sup>209</sup> Women in these cases are "absolutely invisible."<sup>210</sup>

Hazardous child labor is also common in the sector. There have been cases of the Brazilian Government rescuing 13-year-old children, who were "undocumented, underpaid and lacking safety equipment as required by law."<sup>211</sup> These children are required to handle coffee sacks weighing 60 kilograms, work in dangerous weather conditions, and live in inhumane conditions.<sup>212</sup>

#### **E. Coffee Companies Knew or Should Have Known They Were Importing Coffee Produced with Forced Labor**

Starbucks, Nestlé, JDE, Dunkin', Illy, and McDonald's are not hapless consumers of coffee harvested by forced, trafficked, and forced child labor in Brazil. Repórter Brasil, ADERE, Conectas, Oxfam Brasil, *Reuters*, *Mongabay*, and the Brazilian authorities have documented widespread forced labor in the Brazilian coffee sector for years. Such repeated high profile media exposés provided companies with ample notice as did the large numbers of workers rescued from coffee farms by Brazilian authorities.

These companies knowingly perpetuate a system of forced, trafficked, and forced child labor that they will continue to benefit from until they are forced to stop. They have proven that they cannot be trusted to monitor themselves. While Section 307 does not require that companies had knowledge of forced labor on coffee plantations they source from, their longstanding knowledge and lack of action emphasizes the issue's acuteness and need for CBP to issue a WRO.

##### **1. Evidence of Forced Labor on Coffee Farms in 2014-15**

In 2014, Danwatch released a report entitled *Brazilian Coffee is Sprayed with Deadly Pesticides*.<sup>213</sup> The report highlights that farm owners in Brazil instruct workers to spray pesticides containing

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<sup>204</sup> *Id.* at 38–45.

<sup>205</sup> *Coffee Stain*, *supra* note 52, at 15.

<sup>206</sup> *Id.*

<sup>207</sup> *Trabalho escravo no café - Parte 3*, *supra* note 62, at 32.

<sup>208</sup> *Coffee Stain*, *supra* note 52, at 15.

<sup>209</sup> *Trabalho escravo no café - Parte 3*, *supra* note 62, at 32.

<sup>210</sup> *Id.*

<sup>211</sup> *Picked by Slaves: Coffee Crisis Brews in Brazil*, *supra* note 167.

<sup>212</sup> *Starbucks: Slave and Child Labour Found at Certified Coffee Farms*, *supra* note 40.

<sup>213</sup> See generally *Brazilian Coffee is Sprayed With Deadly Pesticides*, *supra* note 66.

dangerous terbufos.<sup>214</sup> The use of these pesticides poisons workers, who are not given the necessary protective clothing, equipment, or training, and pollutes the surrounding environment, including the local drinking water.<sup>215</sup> Moreover, empty pesticide containers are later used for collecting drinking water, which further endangers workers.<sup>216</sup>

In 2015, Danwatch released another report titled *Slavery-like Working Conditions at Suppliers to World's Largest Coffee Company*.<sup>217</sup> This report documents findings from Brazilian inspection reports and international coffee companies' supply chains as well as observing Brazilian authorities during their inspections of coffee plantations.<sup>218</sup> Danwatch reports that "coffee from plantations with slavery-like conditions has on several occasions been bought and re-sold by middlemen from whom international coffee companies purchase their coffee."<sup>219</sup>

Danwatch is referring to at least two instances in 2015 where Nestlé admitted to purchasing coffee from plantations where workers were rescued.<sup>220</sup> In one of these cases, Brazilian authorities freed nineteen migrant workers from Fazenda Lagoa and 22 workers from Fazenda da Pedra.<sup>221</sup> Many of these workers were internal migrants from Bahia.<sup>222</sup> Nestlé had purchased coffee via the export firm Carmo Coffees from both plantations during the summer of 2015.<sup>223</sup>

Additionally, Starbucks, McDonald's, Dunkin', and Illy all confirmed, during an investigation by Danwatch, that they purchased coffee from cooperatives and middlemen – including from Cooxupé – that conducted business with Brazilian plantations that placed workers in "slavery-like conditions."<sup>224</sup> These "slavery-like conditions" included debt bondage and a lack of wages, work contracts, protective equipment, doors and mattresses in lodging spaces, and clean drinking water.<sup>225</sup>

## 2. Evidence of Forced Labor on Coffee Farms in 2018

On August 21, 2018, ADERE and Conectas filed a complaint with Brazil's National Contact Point ("NCP") for the Organization for Economic Cooperation and Development ("OECD").<sup>226</sup> The complaint detailed violations against 37 workers rescued from these seventeen farms.<sup>227</sup> According

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<sup>214</sup> *Id.*

<sup>215</sup> *Id.*

<sup>216</sup> *Id.*

<sup>217</sup> See generally *Slavery-Like Working Conditions at Suppliers to World's Largest Coffee Company*, DANWATCH, <https://old.danwatch.dk/en/undersogelseskapitel/slavery-like-working-conditions/>.

<sup>218</sup> See generally *id.*

<sup>219</sup> *Id.*

<sup>220</sup> *Id.*

<sup>221</sup> *Id.*

<sup>222</sup> *Id.*

<sup>223</sup> *Id.*

<sup>224</sup> *Id.*

<sup>225</sup> *Id.*

<sup>226</sup> See generally *Trabalho escravo em fazendas de café em MG é denunciado na OCDE* [Slave labor on coffee farms in Minas Gerais denounced by OECD], CONECTAS (June 9, 2018), <https://www.conectas.org/noticias/trabalho-escravo-cafe-minas-gerais-ocde/> [hereinafter *Trabalho escravo em fazendas de café em MG*].

<sup>227</sup> *Id.*

to this complaint, several multinational companies, – including Nestlé, JDE, McDonald’s, Dunkin’, Starbucks, and Illy – purchased coffee from these farms.<sup>228</sup>

Despite plausible links between these companies and the farms, Brazil’s NCP failed to follow OECD guidelines and in 2020 rejected the complaint against Starbucks and Illy.<sup>229</sup> The NCP did not wait for the submission of additional evidence and did not allow the parties to have a dialogue.<sup>230</sup> While the NCP did accept complaints against Dunkin’, JDE, and McDonald’s, these companies “refused to engage in the process in a meaningful, good faith manner, as is required by the OECD Guidelines.”<sup>231</sup> The mediation with Dunkin’ ended quickly in 2023 without an agreement, while JDE and McDonald’s both “refused to even enter into meaningful mediation facilitated by the NCP, in breach of the OECD Guidelines.”<sup>232</sup> The OECD’s NCP system is one of few existing mechanisms for complaints related to human rights abuses in supply chains, yet the system’s ineffectiveness often leaves victims without recourse.<sup>233</sup>

The evidence that formed the basis for these complaints came from several sources, including from reports from Danwatch, Repórter Brasil, and testimonies from 37 coffee workers rescued in 2018.<sup>234</sup> The testimonies were obtained during meetings and field missions ADERE and Conectas conducted in the south of Minas Gerais, as well as in the municipalities from which migrant workers were from, such as Tanhaçu, Bahia.<sup>235</sup> The workers’ reports, which are consistent with the Danwatch’s and Repórter Brasil’s findings, were corroborated by government inspection reports.<sup>236</sup> The evidence in these reports included incidents of fraud in recruitment; unhealthy, precarious, undignified, and unsafe housing conditions; food costs deducted from wages or lack of food; exhausting work; long hours; failure to provide safety equipment (PPE); and informal work.<sup>237</sup>

According to Conectas’ and ADERE’s analysis, Illy, Dunkin’, and McDonald’s all purchased coffee through the Canadian distributor Mother Parkers – which, in turn, purchased the coffee from Cooxupé.<sup>238</sup> Cooxupé also purchased coffee from another cooperative, Cocatrel, which had

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<sup>228</sup> *Id.*

<sup>229</sup> *Bitter Brew*, *supra* note 59, at 10.

<sup>230</sup> *Id.* at 10.

<sup>231</sup> *Id.*

<sup>232</sup> *Id.*

<sup>233</sup> Direct links to the OECD complaints can be found below here:

- 1) Conectas Human Rights & ADERE MG v. McDonald’s, OECD Watch (Aug. 21, 2018), <https://www.oecdwatch.org/complaint/conectas-human-rights-adere-mg-v-mcdonalds/>.
- 2) Conectas Human Rights & ADERE MG v. Jacobs Douwe Egberts, OECD Watch (Aug. 21, 2018), <https://www.oecdwatch.org/complaint/conectas-human-rights-adere-mg-v-jacobs-douwe-egberts/>.
- 3) Conectas Human Rights & ADERE MG v. Nestlé, OECD Watch (Aug. 21, 2018), <https://www.oecdwatch.org/complaint/conectas-human-rights-adere-mg-v-nestle/>.
- 4) Conectas Human Rights & ADERE MG v. Illy, OECD Watch (Aug. 21, 2018), <https://www.oecdwatch.org/complaint/conectas-human-rights-adere-mg-v-illy/>.
- 5) Conectas Human Rights & ADERE MG v. Starbucks, OECD Watch (Aug. 21, 2018), <https://www.oecdwatch.org/complaint/conectas-human-rights-adere-mg-v-starbucks/>.

<sup>234</sup> *Bitter Brew*, *supra* note 59, at 4.

<sup>235</sup> *Id.* at 10, 12.

<sup>236</sup> *Id.* at 4, 10.

<sup>237</sup> *Bitter Coffee*, *supra* note 64, at 53.

<sup>238</sup> *Id.* at 50–21.



commercial relations with a producer on the Dirty List.<sup>239</sup> Nestlé, JDE, and Starbucks therefore had direct and indirect relationships with producers who have engaged in slave labor practices.<sup>240</sup>

### 3. Evidence of Forced Labor on Coffee Farms in 2019

ADERE<sup>241</sup> reported that forced, trafficked, and forced child labor are prevalent in Minas Gerais, finding instances of withholding of wages, abusive working and living conditions, deception, and debt bondage.<sup>242</sup> ADERE has performed many investigations with labor and tax auditors that have documented human trafficking, withholding of documents, illegal and abusive discounts on workers' wages, and inhumane housing conditions.<sup>243</sup> ADERE explained that due to rural workers' high rates of illiteracy, in many cases workers did not understand the contracts they were signing, pushing them into vulnerable and deceptive working conditions and signing away their rights.<sup>244</sup> In signing these contracts, workers gave up their right to sue the employer and agreed to pay any employer's legal fees if they later tried to sue in the Labor Court.<sup>245</sup>

In 2019, *Mongabay* reported that Brazilian labor inspectors had found "six employees in dire working conditions. Some were forced to work 17-hour shifts, from 6am to 11pm, and slept in substandard unhygienic housing, according to the government inspectors who rescued them."<sup>246</sup> Such excessive working hours, far beyond the eight permitted hours under Brazilian law, are exploitative.<sup>247</sup> Additionally, these workers were subjected to abusive working and living conditions, with workers left to sleep in dirty housing and lacking basic supplies.<sup>248</sup>

In 2019, *Repórter Brasil* found that the family-owned company Bernardes Estate Coffee had been fined nine times for failure to provide personal protective equipment, toilet paper, and a clean and uncontaminated water tank.<sup>249</sup> This same farm had a manager who had been fined sixteen times for multiple violations, "including not having receipts on payments made to employees, not offering training required by law, and not providing toilets at the workplace."<sup>250</sup>

### 4. Evidence of Forced Labor on Coffee Farms in 2020

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<sup>239</sup> *Trabalho escravo em fazendas de café em MG*, *supra* note 226.

<sup>240</sup> *See id.*

<sup>241</sup> ADERE presented its findings at the eighth United Nations Forum on Business and Human Rights in November 2019. *See generally* ADERE, *Slave Labor In Coffee Farms In Brazil and the Role of Transnational Companies* (Nov. 27, 2019), [www.bit.ly/AdereUNForum2019](http://www.bit.ly/AdereUNForum2019).

<sup>242</sup> *Id.* at 4–5.

<sup>243</sup> *Id.* at 4.

<sup>244</sup> *Id.* at 11.

<sup>245</sup> *Id.*

<sup>246</sup> Daniel Camargos, *Slave Labor Found at Second Starbucks-Certified Brazilian Coffee Farm*, MONGABAY (May 3, 2019), <https://news.mongabay.com/2019/05/slave-labor-found-at-second-starbucks-certified-brazilian-coffee-farm/> [hereinafter *Slave Labor Found at Second Starbucks-Certified Brazilian Coffee Farm*].

<sup>247</sup> *Maximum Working Hours & Overtime Laws in Brazil*, BOUNDLESS, <https://boundlesshq.com/guides/brazil/hours-of-work/#:~:text=Maximum%20Working%20Hours%20&%20Overtime%20Laws,exchange%20for%20a%20longer%20weekend.>

<sup>248</sup> *Slave Labor Found at Second Starbucks-Certified Brazilian Coffee Farm*, *supra* note 246.

<sup>249</sup> *Starbucks: Slave and Child Labour Found at Certified Coffee Farms*, *supra* note 40.

<sup>250</sup> *Id.*

In June 2020, government authorities rescued 34 workers from the Mesa Farm in Campos Altos (MG).<sup>251</sup> The workers included men and women, as well as children and the elderly.<sup>252</sup> The conditions found at the farm were degrading, with no toilets at the work site, forcing the workers to relieve themselves in the forest.<sup>253</sup>

## 5. Evidence of Forced Labor on Coffee Farms in 2021

In 2021, OXFAM Brasil released a short documentary titled *Mancha de Café*, meaning “coffee stain.”<sup>254</sup> Produced by Papel Social, with the support of ADERE, the documentary includes interviews with workers on plantations in Minas Gerais, who detailed how they were deceived and mistreated by their employers.<sup>255</sup> The employers had promised workers that they would not have to pay for rent or supplies such as personal protective equipment and machinery.<sup>256</sup> However, not only were these items deducted from workers’ pay, but they were also never paid their wages.<sup>257</sup> At the same time, farm owners pushed their employees to work as quickly as possible.<sup>258</sup> The documentary provides video evidence of the squalid conditions in which the workers lived – dirty spaces with multiple mattresses placed on the floors of small rooms shared by multiple people, a single unsanitary bathroom and kitchen, and mice crawling around.<sup>259</sup> The workers also had to collect firewood from the woods to heat their cold living quarters.<sup>260</sup>

This documentary accompanies a report by OXFAM Brasil, *Coffee Stain*, published in July 2021.<sup>261</sup> This report details the history and interconnectedness of the coffee industry and slavery in Brazil and discusses the power asymmetries and informalities existing in rural coffee farm workers’ relationships with their employers that exacerbate their exploitation and inability to defend their rights.<sup>262</sup> From 1995 to 2020, Oxfam Brasil reported that 2,808 people were rescued from slave-like labor on coffee plantations in the country, with almost all of those rescues taking place in Minas Gerais.<sup>263</sup>

On multiple occasions, Repórter Brasil has investigated various farms in Minas Gerais and other areas. These investigations revealed numerous incidents of forced, trafficked, and forced child labor, based on evidence of abuse of vulnerability, deception, withholding wages, abusive working and living conditions, excessive overtime, intimidation, and threats.<sup>264</sup>

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<sup>251</sup> *Trabalho escravo no café - Parte 3*, *supra* note 62, at 48.

<sup>252</sup> *Id.*

<sup>253</sup> *Id.*

<sup>254</sup> *Mancha De Café* (documentary), *supra* note 50.

<sup>255</sup> *Id.*

<sup>256</sup> *Id.*

<sup>257</sup> *Id.*

<sup>258</sup> *Id.*

<sup>259</sup> *Id.*

<sup>260</sup> *Id.*

<sup>261</sup> *Coffee Stain*, *supra* note 52.

<sup>262</sup> *Id.*

<sup>263</sup> *Id.* at 18.

<sup>264</sup> *Trabalho escravo no café - Parte 3*, *supra* note 62, at 42.

In 2021, according to Repórter Brasil, labor inspectors rescued 310 victims of conditions analogous to slavery on 20 coffee farms in Brazil.<sup>265</sup> Repórter Brasil investigated Laranjeiras Farm in Ilicínea in July 2021, owned by Job Carvalho de Brito Filho, where 24 workers were identified in conditions analogous to slavery.<sup>266</sup> They found that the farm had a high risk of conditions analogous to slavery and a medium risk for sexual, physical, or psychological harassment or abuse.<sup>267</sup>

In July 2021, at the Laranjeiras Farm in Ilicínea in Minas Gerais, 24 workers were rescued from conditions analogous to slavery.<sup>268</sup> One of them was a sixteen-year-old.<sup>269</sup> According to the inspection report, the workers had to pay for bus tickets and food expenses on the trip to the farm out of their own resources. Inspectors found the following violations: no toilets or eating areas at the work sites; no drinking water; failure to provide adequate mattresses, bedding, work tools, and PPE; illegal deductions and failure to pay wages (the employer said he would only pay at the end of the harvest).<sup>270</sup>

In July 2021, government officials rescued twelve workers from conditions analogous to slavery from the Capoeira Grande and Córrego das Pedras farms in Cabo Verde in Minas Gerais.<sup>271</sup> Workers reported that their accommodations were infested with rats, cockroaches, mosquitoes, and other insects.<sup>272</sup> Without cupboards, cooked food had to be stored inside pots on the stove, and groceries were scattered in cardboard boxes and bags on the floor.<sup>273</sup> The employer did not provide containers for meals, a refrigerator, or drinking water.<sup>274</sup> Workers purchased refrigerators for their personal use.<sup>275</sup> They ate their meals on the floor or on their beds.<sup>276</sup> Lunch was taken to the coffee plantation, where they also had to eat sitting on the floor.<sup>277</sup> There were no sanitary facilities – not even a dry septic tank – and workers relieved themselves in the middle of the coffee plantation or in the nearby forest.<sup>278</sup>

In August 2021, 20 workers were rescued from conditions analogous to slavery at Fazenda Floresta in Heliódora in Minas Gerais.<sup>279</sup> The farm had several certifications, including from Rainforest Alliance.<sup>280</sup> As described by labor inspectors, one of the accommodations was in front of an open-

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<sup>265</sup> *Multinational Coffee Companies Ignore Accusations*, *supra* note 40.

<sup>266</sup> *Id.*

<sup>267</sup> *Id.*

<sup>268</sup> *Id.*

<sup>269</sup> Poliana Dallabrida, *Certified Producer and Members of Large Cooperatives are Among Those Caught Using Slave Labor in the Coffee Sector*, REPÓRTER BRASIL (Oct. 22, 2021), <https://reporterbrasil-br.comunicamaranhao.com/2021/10/produtor-certificado-e-membros-de-grandes-cooperativas-estao-entre-os-flagrados-com-trabalho-escravo-no-setor-do-cafe/>.

<sup>270</sup> *Id.*; *Trabalho escravo no café - Parte 3*, *supra* note 62, at 30.

<sup>271</sup> *Id.* at 48.

<sup>272</sup> *Id.* at 49.

<sup>273</sup> *Id.*

<sup>274</sup> *Id.*

<sup>275</sup> *Id.*

<sup>276</sup> *Id.*

<sup>277</sup> *Id.*

<sup>278</sup> *Id.*

<sup>279</sup> *Id.* at 47.

<sup>280</sup> *Id.*

air pit.<sup>281</sup> The workers were required to pay for PPE, food, gas, and bus tickets from Bahia to Heliadora.<sup>282</sup> They also had to buy a machine used to pull coffee beans from trees, costing R\$2,050 (approximately \$354.97 (USD)).<sup>283</sup> One worker reported that he shared equipment with a colleague, and both had monthly deductions of R\$300 (approximately \$51.45 USD) from their salaries to pay for it.<sup>284</sup>

During the COVID-19 pandemic, working conditions on coffee farms deteriorated. In 2021, in a single labor inspection, 60 workers were rescued from a coffee farm in Espírito Santo from conditions analogous to slavery, a third of whom were infected with the coronavirus.<sup>285</sup>

Repórter Brasil confirmed government findings when, in 2021, they investigated two other farms, Floresta Farm and Haras July Farm.<sup>286</sup> A month after government inspectors rescued 20 workers at Floresta Farms, Repórter Brazil identified seven more workers who needed to be rescued from conditions analogous to slavery at the same farm.<sup>287</sup>

## 6. Evidence of Forced Labor on Coffee Farms in 2022

In 2022, Repórter Brasil found that the Floresta Farm had not changed their practices, and the workers still did not have protective gear.<sup>288</sup> Workers also reported that they were recruited from distant towns but were forced to travel to the farms to sign contracts so the owner did not have to pay for transportation.<sup>289</sup>

In 2022, Repórter Brasil reported that 159 workers from 39 coffee estates were rescued by labor inspectors from modern slavery in the coffee plantations in Brazil.<sup>290</sup> In August 2022, labor inspectors rescued seventeen workers, including three teenagers, from conditions analogous to slavery.<sup>291</sup> Their employer failed to provide basic tools for their workers, including harvesting rakes, grain bags and cloths, gloves, hats, boots, food, or even accommodations.<sup>292</sup> On most farms, managers did not provide workers with toilets, leaving workers with no choice but to relieve themselves in the bushes or among the coffee plantations.<sup>293</sup> Such living and working conditions are abusive. The lack of proper sanitation is not only degrading to workers, but also harmful to the

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<sup>281</sup> *Id.*

<sup>282</sup> *Id.*

<sup>283</sup> *Id.*

<sup>284</sup> *Id.*

<sup>285</sup> John H. Castro, *21 Workers Rescued From Slavery-Like Situations in Espírito Santo Have Covid*, A GAZETA (May 10, 2021), <https://www.agazeta.com.br/es/economia/21-trabalhadores-resgatados-de-situacao-analoga-a-escravidao-no-es-estao-com-covid-0521>.

<sup>286</sup> *Multinational Coffee Companies Ignore Accusations*, *supra* note 40.

<sup>287</sup> *Id.*

<sup>288</sup> *Id.*

<sup>289</sup> *Starbucks: Slave and Child Labour Found at Certified Coffee Farms*, *supra* note 40.

<sup>290</sup> *Id.*

<sup>291</sup> *Id.*

<sup>292</sup> *Id.*

<sup>293</sup> *Id.*

coffee harvests.<sup>294</sup> Workers are forced to engage in difficult and hazardous work with no protection from the elements or the standard work hazards.<sup>295</sup>

## 7. Evidence of Forced Labor on Coffee Farms in 2024

In late 2024 and early 2025, Conectas released a three-part report titled, *Trabalho escravo no café: das fazendas às multinacionais* [Slave Labor in Coffee: From Farms to Multinationals].<sup>296</sup> The reports' first installment explains that between 2014 and 2023, conflicts in Minas Gerais between union leaders and human rights defenders regarding incidents of slave labor resulted in 420 murders, along with other forms of violence, such as physical attacks, threats, and the destruction of worker leaders' property.<sup>297</sup>

Coffee farms can also have dangerous working conditions. A March 2024 report by Repórter Brasil showed that, in the past two years, accidents involving coffee picking machinery resulted in at least nine amputations and two deaths.<sup>298</sup> In one case, a 24-year-old man was pulled into the machinery and did not survive his injuries.<sup>299</sup>



Photo from Repórter Brasil<sup>300</sup>

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<sup>294</sup> *Id.*

<sup>295</sup> *Id.*

<sup>296</sup> See generally *Trabalho escravo no café - Parte 1*, supra note 60; *Trabalho escravo no café - Parte 2*, supra note 61; *Trabalho escravo no café - Parte 3*, supra note 62.

<sup>297</sup> See generally *Trabalho escravo no café - Parte 1*, supra note 60.

<sup>298</sup> *Amputations and Deaths*, supra note 40.

<sup>299</sup> *Id.*

<sup>300</sup> Poliana Dallabrida, *Amputations and Deaths: Coffee Harvesting Machine Generates Wave of Accidents in ES*, REPÓRTER BRASIL (Apr. 3, 2024), <https://reporterbrasil.org.br/2024/03/amputations-and-deaths-coffee-harvesting-machine-causes-wave-of-accidents-in-brazil/>.



Repórter Brasil reported that, in June 2024, 23 workers, including a sixteen-year-old, were rescued from harsh working conditions in Minas Gerais.<sup>301</sup> Labor inspectors found that employers were illegally deducting the costs of gas and work supplies from workers' wages.<sup>302</sup> Repórter Brasil also disclosed that 24 more workers were rescued from slave-like conditions on three coffee farms in Nova Resende, Juruaia, and Areado, in the south of Minas Gerais.<sup>303</sup>

In June 2024, Repórter Brasil reported that federal authorities identified a man who was sending threatening audio messages to labor inspectors.<sup>304</sup> The National Union of Labor Auditors ("Union") stated that "the presence of police authorities in operations is a security measure, not an act of intimidation against producers."<sup>305</sup> They went on to explain that "[s]uch a measure is necessary because cases of aggression, threats, intimidation, and even murder are unfortunately constant."<sup>306</sup> The Union emphasized the need for security ever since the Unaí Massacre that occurred two decades ago, in which rural landowners in Minas Gerais ordered the execution of four Ministry of Labor employees.<sup>307</sup>

In August 2024, *Al Jazeera* partnered with ADERE to release a documentary titled *The Human Cost of Coffee*, highlighting the dangerous realities faced by workers on coffee farms in Minas Gerais.<sup>308</sup> The film details forced, trafficked, and child labor conditions on coffee farms in Brazil.<sup>309</sup> Workers interviewed in the documentary stated that they were denied access to bathrooms and seating for lunch, and were not given basic necessities, such as blankets for sleeping.<sup>310</sup> The documentary reveals that workers were paid extremely low wages, charged for maintenance, denied most necessities, and subjected to long working hours, among other abuses.<sup>311</sup> It also explains that Brazilian authorities investigate or inspect farms only if they receive formal complaints.<sup>312</sup> However, many workers fear repercussions if their complaints are leaked, as many farm owners hide their workers when inspectors arrive.<sup>313</sup>

## VI. FORCED LABOR IN STARBUCKS' COFFEE SUPPLY CHAIN

### A. Forced Labor in Starbucks' Supply Chains (Public Reporting, 2014-2024)

Forced labor in both the Brazilian coffee sector generally and in Starbucks' supply chain specifically has been well documented for over a decade. The following are instances of forced

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<sup>301</sup> Renatta Leite and Poliana Dallabrida, *Cooxupé Cooperative Members Caught Using Slave Labor During Coffee Harvest*, REPÓRTER BRASIL (July 12, 2024), <https://reporterbrasil.org.br/2024/07/cooxupe-trabalho-escravo-cafe/>.

<sup>302</sup> *Id.*

<sup>303</sup> Leonardo Sakamoto, *Coffee Slaves: Worker Rescues in Minas Gerais Face Attacks and Threats*, REPÓRTER BRASIL (July 1, 2024), <https://reporterbrasil.org.br/2024/07/escravizados-cafe-resgates-trabalhadores-mg-ataques-ameacas>.

<sup>304</sup> *Id.*

<sup>305</sup> *Id.*

<sup>306</sup> *Id.*

<sup>307</sup> *Id.*

<sup>308</sup> See generally *The Human Cost of Coffee*, *supra* note 38.

<sup>309</sup> See generally *id.*

<sup>310</sup> See generally *id.*

<sup>311</sup> See generally *id.*

<sup>312</sup> See generally *id.*

<sup>313</sup> See generally *id.*

labor on coffee farms in Starbucks' supply chain that demonstrate how widespread such practices are.

In 2015, the Ministry of Labor inspected the Pedra Preta and São Benedito farms.<sup>314</sup> At the time, both farms were participants in Starbucks C.A.F.E. Practices. Labor inspectors found human rights violations including the improper storage and use of pesticides in spaces without ventilation and too close to workers' eating areas.<sup>315</sup> In July 2015, the Ministry of Labor fined the owner of Rancho São Benedito, which was also certified by Rainforest Alliance, for hiring thirteen unregistered workers during the coffee harvest season and for failing to provide required medical tests to workers prior to starting the harvest.<sup>316</sup> In response to these violations, Starbucks told Repórter Brasil that it had not purchased coffee from either of the two farms and that both farms were included in the audit process in 2015.<sup>317</sup>

In 2016, Repórter Brasil published a report revealing that two farms in Minas Gerais that participated in Starbucks C.A.F.E. Practices program had been inspected and fined by the Ministry of Labor for multiple labor rights violations.<sup>318</sup> When Repórter Brasil contacted Starbucks in 2016 after reporting on these allegations, Starbucks replied that it had used its own ethical sourcing program to carry out audits on the farms described in the reports.<sup>319</sup> But when Repórter Brasil asked if problems had also been found in those audits, Starbucks refused to respond.<sup>320</sup> In fact, initially, Starbucks did not report that it was aware of labor rights violations prior to Repórter Brasil's reporting, indicating that it was failing to actively monitor the coffee farms it sources from in Brazil.<sup>321</sup>

Between July and September 2018, labor inspectors rescued eighteen workers from conditions analogous to slavery at the Córrego das Almas farm (known as Fazenda Fartura), in Piumhi, Minas Gerais.<sup>322</sup> The farm was certified by UTZ, 4C, and C.A.F.E. and supplied Starbucks in the United States.<sup>323</sup> Workers were found living in degrading conditions and without access to drinking

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<sup>314</sup> See generally *Monitor: Certified Coffee, Rightless Workers*, *supra* note 40.

<sup>315</sup> *Id.* at 11.

<sup>316</sup> *Behind Starbucks Coffee*, *supra* note 40, at 11.

<sup>317</sup> *Monitor: Certified Coffee, Rightless Workers*, *supra* note 40, at 18.

<sup>318</sup> *Id.* at 9–11, 19, 20.

<sup>319</sup> *Behind Starbucks Coffee*, *supra* note 40, at 12–13, 18.

<sup>320</sup> *Id.* at 12–13, 18.

<sup>321</sup> *Monitor: Certified Coffee, Rightless Workers*, *supra* note 40, at 9–11, 19, 20.

<sup>322</sup> Daniela Penha, *Fazenda de Café Certificada Pela Starbucks é Flagrada com Trabalho Escravo* [Starbucks-certified coffee farm caught with slave labor], REPÓRTER BRASIL (Aug. 3, 2018), <https://reporterbrasil.org.br/2018/08/fazenda-de-cafe-certificada-pela-starbucks-e-flagrada-com-trabalho-escravo/> [hereinafter *Fazenda de Café Certificada Pela Starbucks é Flagrada com Trabalho Escravo*]; Daniela Penha, *Slave Labor Found at Starbucks-Certified Brazil Coffee Plantation*, MONGABAY (Sept. 18, 2018), <https://news.mongabay.com/2018/09/slave-labor-found-at-starbucks-certified-brazil-coffee-plantation/> [hereinafter *Slave Labor Found at Starbucks-Certified Brazil Coffee*].

<sup>323</sup> *Fazenda de Café Certificada Pela Starbucks é Flagrada com Trabalho Escravo*, *supra* note 312. “According to Starbucks, the Fartura farm has been certified since 2016, but the firm denied having purchased or received any coffee from this farm in recent years. It said it is starting a process of investigation to re-evaluate the seal. ‘We are already investigating this matter and will continue to pay very close attention to issuances from the Ministry of [Brazilian] Labor and Employment and communicate expectations to our suppliers that no farm on the list may supply coffee to Starbucks,’ the statement said.” *Slave Labor Found at Starbucks-certified Brazil Coffee Plantation*, *supra* note 312.

water.<sup>324</sup> Rats fed on workers' food and dead bats had fallen into the water tank used for cooking and drinking.<sup>325</sup> Employers either ignored workers' complaints or ridiculed workers for making them.<sup>326</sup> Workers were forced to continue to work under these degrading conditions as they were unable to escape the isolated farm.<sup>327</sup> If workers wanted to leave the farm for simple tasks, such as cashing a paycheck or purchasing food, they had to pay R\$ 20 (about USD 3.45) to board a "clandestine bus" from the farm to a town.<sup>328</sup>

In the latter half of 2018, in one of the largest inspection operations in the sector, 87 people were rescued from conditions analogous to slavery on the Nova Esperança, Nova Corrente, and Gralha Azul coffee farms, all located in the municipality of Sítio D'Abadia in the northwest of Goiás, and all owned by a coffee grower included on the Dirty List in 2020.<sup>329</sup> To reduce costs, the farm administrators ran a deceptive recruitment scheme allowing them to guarantee a constant flow of cheap labor.<sup>330</sup> Workers were promised R\$ 10 per bag harvested and free food. But when they arrived at these properties, the workers slept on the floor and were exposed to pesticides, without any protection.<sup>331</sup>

Moreover, the employer withheld their work authorization cards and did not register their work activity, which left workers without access to crucial labor rights such as unemployment insurance and social security benefits.<sup>332</sup> In 2018, these farms supplied Cooxupé.<sup>333</sup> Since then, more workers, including vulnerable migrant workers and minors, were rescued from farms supplying to Cooxupé.<sup>334</sup> In 2020, 34 workers, including a minor, were rescued from a farm supplying Cooxupé with "[u]ndignified, dangerous, and unsanitary working conditions."<sup>335</sup> In 2021, 24 migrant workers, including a sixteen year-old, were rescued from a farm that "failed to provide workers with tools, personal protective equipment, drinking water, toilets, and shelter at the work front."<sup>336</sup>

In 2019, Repórter Brasil found a farm that had been fined nine times for failure to provide personal protective equipment, toilet paper, and a clean and uncontaminated water tank.<sup>337</sup> This same farm had a manager that had been fined sixteen times for multiple violations, "including not having

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<sup>324</sup> *Trabalho escravo no café - Parte 3*, *supra* note 62, at 45.

<sup>325</sup> *Id.*

<sup>326</sup> See *Slave Labor Found at Starbucks-certified Brazil Coffee Plantation*, *supra* note 322.

<sup>327</sup> See *id.*

<sup>328</sup> *Id.*

<sup>329</sup> *Trabalho escravo no café - Parte 3*, *supra* note 62, at 5, 11, 48.

<sup>330</sup> See *id.* at 26–28.

<sup>331</sup> SIT – SECRETARIA DE INSEÇÃO DO TRABALHO, *Relatório de Fiscalização – Op. 138/2018* (July–Dec. 2018), <https://www.gov.br/trabalho-e-emprego/pt-br/assuntos/inspecao-do-trabalho/areas-de-atuacao/relatorios-op-2018/op-138-de-2018-fazenda-nova-esperanca-nova-corrente-e-gralha-azul-a-t-e-o-t-go.pdf> (Braz.).

<sup>332</sup> *Trabalho escravo no café - Parte 3*, *supra* note 62, at 22, 32, 40. For more information on work authorization cards, Int'l Soc. Sec. Ass'n, *Employment Register Card (CTPS Digital)* (2019), <https://www.issa.int/gp/244370#:~:text=The%20Brazilian%20Work%20and%20Social,insurance%20and%20social%20security%20benefits.>

<sup>333</sup> *Trabalho escravo no café - Parte 3*, *supra* note 62, at 5.

<sup>334</sup> *Id.* at 46, 48–50.

<sup>335</sup> *Id.* at 40.

<sup>336</sup> *Id.*

<sup>337</sup> *Starbucks: Slave and Child Labour Found at Certified Coffee Farms*, *supra* note 40.

receipts on payments made to employees, not offering training required by law, and not providing toilets at the workplace.”<sup>338</sup>

Abusive living conditions on farms were exacerbated by the COVID-19 pandemic. In 2021, when nearly 80 workers, originally from Minas Gerais, were rescued from conditions analogous to slavery on a farm in Vila Valério, Espírito Santo, 21 of those workers tested positive for COVID-19.<sup>339</sup> Workers who were COVID-19 positive were placed in close proximity to non-sick workers, leading to the disease spreading amongst workers.<sup>340</sup> On this farm, the workers were confined to crowded living quarters, with up to ten women residing in a single room.<sup>341</sup> Three teenagers, aged sixteen through seventeen, were found to be working at the site.<sup>342</sup>

Repórter Brasil has also investigated the president of Cooxupé, Carlos Augusto Rodrigues de Melo, and found that his properties were fined for irregularly deducting 30% of the wages of nineteen workers on his family farm, Pedreira Farm, in 2021 and 2022.<sup>343</sup> For more information on Rodrigues de Melo, *see* Part IV(A)(b).

SOMO and CONECTAS partnered in 2024 and released several documents detailing incidents of forced, trafficked, and child labor in multiple coffee producing regions of Brazil, with evidence of abuse of vulnerability, abusive working and living conditions, restriction of movement, isolation, and withholding of wages. The farms they were rescued from were supplying Cooxupé, which is directly linked to multinational companies such as Nestlé, JDE, Illy, Dunkin’, and McDonald’s and more than 2,000 of its member farms supply Starbucks.<sup>344</sup>

One of the children rescued was a sixteen-year-old whose employer illegally withheld wages and made unlawful deductions for expenses related to fuel and harvesting tools workers used.<sup>345</sup> The employer was also found not to have provided “tools, personal protective equipment, drinking water, toilets, and shelter at the work front.”<sup>346</sup> In August 2022, a fifteen year-old girl and three boys under the age of eighteen were rescued from a farm belonging to Montesanto Tavares Group, one of the largest agricultural companies in Brazil and a Nestlé supplier that was certified by Rainforest Alliance.<sup>347</sup> The farm lacked drinking water and did not provide protective

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<sup>338</sup> *Id.*

<sup>339</sup> João Henrique Castro, *21 Trabalhadores Resgatados de Situação Análoga à Escravidão no ES Estão com Covid* [21 Workers Rescued from Slavery-like Situation in ES Have Covid], A GAZETA (May 10, 2021), <https://www.agazeta.com.br/es/economia/21-trabalhadores-resgatados-de-situacao-analoga-a-escravidao-no-es-estao-com-covid-0521>.

<sup>340</sup> *Id.*

<sup>341</sup> *Id.*

<sup>342</sup> *Id.*

<sup>343</sup> *Starbucks Supplier Farm Ignores Law*, *supra* note 40.

<sup>344</sup> *Bitter Brew*, *supra* note 59, at 4; Daniel Camargos, *Labor Rights Violations at Brazil Coffee Farm Linked to Starbucks, Nespresso*, MONGABAY (Sept. 30, 2021), <https://news.mongabay.com/2021/09/labor-rights-violations-at-brazil-coffee-farm-linked-to-starbucks-nespresso/>.

<sup>345</sup> *Bitter Brew*, *supra* note 59, at 5.

<sup>346</sup> *Id.*

<sup>347</sup> *Id.* at 9.

equipment.<sup>348</sup> Workers' wages were also withheld to pay for protective equipment that the employer should have provided.<sup>349</sup>

In April 2024, Repórter Brasil reported that two coffee producers included in the Dirty List were found to supply Cooxupé.<sup>350</sup> It stated that in July 2023, eleven workers were rescued from conditions analogous to slavery at Sítio Douradinha, in São Pedro da União in Minas Gerais.<sup>351</sup> The workers were not registered employees and had to pay for their own bus fare for the 900 kilometer (559 mile) drive from Varzelândia to the farm.<sup>352</sup> The rescued workers had been housed in a space with ten dormitories with moldy walls.<sup>353</sup> At the peak of the harvest, 22 people were crowded together in a dorm, where all meals were eaten since there was no kitchen and no designated dining area.<sup>354</sup> In these rooms, workers' flammable belongings, including their clothes and mattresses, were stored alongside fire hazards, including gasoline, cooking gas, portable stoves, and the fuel used in coffee harvesting machines.<sup>355</sup> According to the inspection report, the employer charged workers R\$250 per room (approximately USD 42) and also charged them for the gasoline used in harvesting, which was deducted from their pay.<sup>356</sup>

In June 2024, 23 workers were rescued from farms in Minas Gerais. Six of these workers were employed by producers who were members of Cooxupé's cooperative in two farms located in Juruiaia and Nova Resende, both in Minas Gerais.<sup>357</sup> Inspectors found workers living in degrading living conditions without access to drinking water, bathrooms, and adequate places for meals on the coffee farms.<sup>358</sup>

## **B. Forced Labor in Starbucks' Supply Chains (Inspection Reports 2022)**

### **1. Fazenda Mesas**

Fazenda Mesas is owned and operated by Guilherme de Oliveira Lemos and is located in a remote area of Minas Gerais.<sup>359</sup> Lemos owns three other farms: Fazenda Bom Jesus and Fazenda Pedras, located in Santa Rosa da Serra in Minas Gerais, and Fazenda Ourizona farm and the Café Ourizona

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<sup>348</sup> *Id.* at 7–9.

<sup>349</sup> *Id.*

<sup>350</sup> *See generally Producers From Brazil's Largest Coffee Exporter are Added to the 'Dirty List' of Slave Labor*, *supra* note 40.

<sup>351</sup> *Id.*

<sup>352</sup> *Id.*

<sup>353</sup> *Id.*

<sup>354</sup> *Id.*

<sup>355</sup> *Id.*

<sup>356</sup> *Id.*

<sup>357</sup> Renatta Leite, Poliana Dallabrida, & Bruna Borges, *Cooperados da Cooxupé São Flagrados com Trabalho Escravo em Colheita de Café* [Cooxupé Cooperative Members Are Caught with Slave Labor in Coffee Harvesting], REPÓRTER BRASIL (July 12, 2024), <https://reporterbrasil.org.br/2024/07/cooxupe-trabalho-escravo-cafe/>.

<sup>358</sup> *Id.*

<sup>359</sup> Ministério do Trabalho e Emprego, Relatório de Fiscalização: Guilherme de Oliveira Lemos (CPF N. 009.287.721-44) Fazenda Mesas, Superintendência Regional do Trabalho e Emprego em Minas Gerais (Aug. 24, 2022), at 5. Repórter Brasil also reported on hazardous living and working conditions on Fazenda Mesas; *Behind Starbucks Coffee*, *supra* note 40; *see also Starbucks: Slave and Child Labour Found at Certified Coffee Farms*, *supra* note 40.



roastery, which are both located in the municipality of Córrego Danta in Minas Gerais.<sup>360</sup> Café Ourizona was certified under Starbucks’s C.A.F.E. PRACTICES; the farm joined this certification program one month prior to labor inspectors finding conditions analogous to slavery at the Mesas Farm.<sup>361</sup> The Mesas and Ourizona farms in Córrego Danta and Campos Altos had the same management, headed by Lemos and one of his employees.<sup>362</sup> Workers who had been at the Mesas farm “had their contracts signed by the Ourizona farm during the inspection.”<sup>363</sup>

On August 24, 2022, investigators from the Brazilian Ministry of Work and Employment rescued seventeen workers who were found in conditions analogous to slavery on Fazenda Mesas.<sup>364</sup> These seventeen workers came from the state of Alagoas.<sup>365</sup> Three minors were found on Fazenda Mesas, including a fifteen-year-old girl, a sixteen-year-old boy, and a seventeen-year-old boy.<sup>366</sup> The fifteen year-old girl had come to the farm, alongside her mother-in-law who was also rescued, and had stopped attending school to work.<sup>367</sup> Most of the workers were migrants.<sup>368</sup> These workers had been brought to the farm by the *gato*, Marlus Sebastião Bernabé, known by the nickname Barnabé, and none of them were registered workers.<sup>369</sup>

Workers lived in abusive and hazardous conditions that the Labor Audit Department described as “violat[ing] human dignity.”<sup>370</sup> Workers had neither drinking water nor a place to eat at the work sites; workers ate their meals sitting amongst the coffee plants and depended on other workers to share water they brought from their accommodations to the worksite in water bottles they had to purchase.<sup>371</sup> Workers were not granted personal protective equipment and had to purchase their own hats, boots, and gloves.<sup>372</sup> Nor were they given work tools, such as their buckets, rakes, cloths to place harvested coffee, or access to first aid materials.<sup>373</sup> There was no access to toilets and the workers, including ten women, relieved themselves among the coffee plants for privacy.<sup>374</sup>

This work carried physical, social, ergonomic, and emotional risks.<sup>375</sup> Workers were at risk of exposure to solar ultraviolet radiation from the harsh sun in the region, chemical exposure due to coffee dust spreading in the air, ergonomic risks from carrying more than 20 kilograms bags of coffee, and risk of physical harm from animal bites, including from scorpions, snakes, and spiders.<sup>376</sup> They were also likely to have the following health conditions: “skin burns, premature

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<sup>360</sup> *Behind Starbucks Coffee*, *supra* note 40, at 11.

<sup>361</sup> *Id.*

<sup>362</sup> *Id.*

<sup>363</sup> *Id.*

<sup>364</sup> Inspection Report OP 314: Fazenda Mesas, *supra* note 359, at 6, 157, 170.

<sup>365</sup> *Id.* at 12, 159.

<sup>366</sup> *Id.* at 10.

<sup>367</sup> *Id.* at 284–85.

<sup>368</sup> *Id.* at 12.

<sup>369</sup> *Id.* at 10.

<sup>370</sup> *Id.*

<sup>371</sup> *Id.* at 10, 127, 293.

<sup>372</sup> *Id.* at 10.

<sup>373</sup> *Id.* at 10, 12, 293.

<sup>374</sup> *Id.* at 10, 293.

<sup>375</sup> *Id.* at 13–15, 128.

<sup>376</sup> *Id.* at 19, 145.

aging, skin cancer; dehydration; respiratory diseases; actinian keratoses; hyperthermia; dermatoses; conjunctivitis; keratitis; pneumonitis and fatigue.”<sup>377</sup>

In addition, workers were not granted access to appropriate medical care. Despite their working with rusty tools, their employer failed to provide them with tetanus vaccinations, leaving them vulnerable to a risk of infection that could be fatal.<sup>378</sup> The employer also failed to maintain a regular functioning Internal Commission for the Prevention of Accidents in Rural Work (CIPATR), a committee required by Brazilian law that discusses issues related to safety and health in rural work and guides the employer in making decisions regarding safety and health in rural work.<sup>379</sup>

Workers were transported to their worksites in a repurposed public bus that was unclean, unsuitable for safe transport, and in poor condition.<sup>380</sup> There were no seatbelts and workers’ tools were left loose on the floor of the vehicle.<sup>381</sup> Furthermore, this vehicle was not authorized by the traffic authority and lacked an annual inspection certificate.<sup>382</sup>

Workers worked from 7 AM to 4 PM.<sup>383</sup> At the time of rescue, these seventeen workers were owed a total of R\$ 76,027.37 (about USD 13,235).<sup>384</sup>

## 2. Fazendas Cedro & Conquista

Fazendas Cedro and Conquista were owned and operated by Sebastião Aluisio de Sales and are located near the municipality of Ilícinea in Minas Gerais.<sup>385</sup> At the time that forced labor was investigated, the farms were supplying coffee to Starbucks. At the entrance of the farm, a large billboard displayed the Rainforest Alliance and Starbucks logos.<sup>386</sup> An Instagram post by the farm celebrating its C.A.F.E. practices certification also confirms that it was supplied to Starbucks at that time.<sup>387</sup>

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<sup>377</sup> *Id.* at 19, 169.

<sup>378</sup> *Id.* at 26.

<sup>379</sup> *Id.* at 26.

<sup>380</sup> *Id.* at 24.

<sup>381</sup> *Id.* at 24.

<sup>382</sup> *Id.* at 24.

<sup>383</sup> *Id.* at 12.

<sup>384</sup> *Id.* at 6, 65–97.

<sup>385</sup> Ministério do Trabalho e Emprego, Relatório de Fiscalização: Sebastião Aluisio de Sales (CPF N. 329.099.776-68) Fazendas Cedro e Conquista, Superintendência Regional do Trabalho e Emprego em Minas Gerais (July 11, 2022), at 1.

<sup>386</sup> *Id.* at 8.

<sup>387</sup> *Behind Starbucks Coffee*, *supra* note 40, at 12.

<sup>388</sup> *Id.* at 11; *see also* Inspection Report OP 322: Fazendas Cedro and Conquista, *supra* note 385, at 8.



One worker who was rescued from conditions analogous to slavery was seventeen-years-old and not with his family.<sup>389</sup> At the time of rescue, his employer owed him R\$ 3,218.54 (about USD 570).<sup>390</sup> This worker was not rescued at Cedro farm, which holds the C.A.F.E Practices seal; he was rescued at Conquista.<sup>391</sup> However, in an interview between de Sales and Repórter Brasil, it was confirmed that laborers worked at both farms.<sup>392</sup> In that interview, de Sales' son, Rodrigo Sales, stated that "[t]he Cedro-Chapadão United Farms are a group and therefore are jointly managed, harvest workers are aware of the work schedule for the season that starts at Conquista and goes on to the other farms as coffee matures."

This minor was trafficked and brought to the farm by the *gato* Gercivaldo Pereira da Silva.<sup>393</sup> Both the minor and the *gato* lived in the city of Irecê in Bahia, which is approximately 1,500 kilometers from the farms where the minor was found.<sup>394</sup> The *gato* recruited the workers with promises of work harvesting coffee and required workers to pay for a bus transporting them to the farms.<sup>395</sup> Transportation cost R\$400.00 (approximately USD 70) and was deducted from the minor's first paycheck.<sup>396</sup>

Working conditions were hazardous and abusive. The employer did not provide bed linens, blankets, or pillows.<sup>397</sup> Workers collected drinking water from the taps with no filtration systems and carried this water to their work sites, where there was no drinking water available.<sup>398</sup> There was no access to cabinets to store belongings and no table or chairs.<sup>399</sup> Electrical wiring in the accommodations was uncovered, exposing workers to a risk of short circuits and fire.<sup>400</sup>

An energized grinder without a hood or other protective barrier, with an exposed grinding stone, was found near an agrochemicals warehouse.<sup>401</sup> This created a risk that particles could be projected

<sup>389</sup> Inspection Report OP 312: Fazendas Cedro and Conquista, *supra* note 385, at 9, 21.

<sup>390</sup> *Id.* at 6.

<sup>391</sup> *Behind Starbucks Coffee*, *supra* note 40, at 12; *see also* Inspection Report OP 312: Fazendas Cedro and Conquista, *supra* note 385, at 8.

<sup>392</sup> *Behind Starbucks Coffee*, *supra* note 40, at 12.

<sup>393</sup> Inspection Report OP 312: Fazendas Cedro and Conquista, *supra* note 385, at 10.

<sup>394</sup> *Id.* at 12.

<sup>395</sup> *Id.*

<sup>396</sup> *Id.*

<sup>397</sup> *Id.* at 10, 16.

<sup>398</sup> *Id.* at 10.

<sup>399</sup> *Id.*

<sup>400</sup> *Id.* at 17, 24–25.

<sup>401</sup> *Id.* at 27–28.

and hurt workers; it could cause a serious risk of harm were the stone to break off and hit a worker.<sup>402</sup>

Workers began work at 7:00 AM and finished the work at 5:00 PM.<sup>403</sup> The minor worked these same hours six days a week and had his meals, the cost of a cleaning lady, and the cost of a cook who cleaned the accommodation deducted from his salary, which “contributed to his indebtedness” by not allowing him to “cover all the expenses imposed on him.”<sup>404</sup> Workers were driven from their accommodations to the worksite in a tractor-drawn trailer by a man who did not have the necessary license to operate that type of vehicle.<sup>405</sup> The minor was exposed to ultraviolet solar radiation, pesticides, ergonomic risks, and risk of attacks by venomous animals such as snakes, spiders, scorpions, and wasps.<sup>406</sup>

### C. Forced Labor in Starbucks’ Supply Chains (2023–2024)

The most recent Dirty List, dated October 7, 2024, included the names of ten employers who subjected a total of 225 workers to conditions analogous to slavery on coffee farms in Brazil.<sup>407</sup> Seven of the ten plantations where the incidents occurred are in Minas Gerais – in the municipalities of Medeiros, Campestre, Alfenas, Campos Altos, Lajinha, Santa Rita do Itueto and Pratinha.<sup>408</sup>

This petition outlines the specific forced labor conditions in the following farms located in Minas Gerais: Sítio da Ilha; Sítio São João; Sítios Corrego do Jacu and Paquera; and Sítio Coqueiros. On these farms, nine of the eleven ILO indicators of forced labor were found: (1) abuse of vulnerability; (2) deception; (3) restriction of movement; (4) isolation; (5) intimidation and threats; (6) withholding of wages; (7) debt bondage; (8) abusive working and living conditions; and (9) excessive overtime. These indicators demonstrate that both menace of penalty and involuntariness are present.

Forced labor refers to “all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily.”<sup>409</sup> Involuntariness refers to “the free and informed consent of a worker to take a job and his or her freedom to leave at any time.”<sup>410</sup> Some indicators, such as the hazardous and dangerous working and living conditions of the workers, indicate that they were not working on these farms out of their own volition. The ILO defines degrading and hazardous working conditions as “situations in which workers must endure working conditions whose nature or severity make it unlikely that they have

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<sup>402</sup> *Id.* at 27–28.

<sup>403</sup> *Id.* at 15.

<sup>404</sup> *Id.* at 18–19.

<sup>405</sup> *Id.* at 15, 26.

<sup>406</sup> *Id.* at 11, 21.

<sup>407</sup> See generally The Dirty List, *supra* note 27.

<sup>408</sup> See generally *id.*

<sup>409</sup> INT’L LABOUR ORG., *Hard to See, Harder to Count: Handbook on Forced Labour Surveys* 4–6 (2024), [https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed\\_norm/%40ipec/documents/publication/wcms\\_914768.pdf](https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_norm/%40ipec/documents/publication/wcms_914768.pdf) [hereinafter *Hard to See, Harder to Count*].

<sup>410</sup> *Id.*

been freely agreed to.”<sup>411</sup> This includes “work that is performed under conditions that a worker perceives as posing serious risks to their health and safety” and “that a worker perceives as degrading or humiliating.”<sup>412</sup> Here, the living and working conditions were so degrading and dangerous that it is unlikely any of these workers would have agreed to them sans coercion. Each worker rescued was working long days without proper pay, government benefits, or personal protective equipment. A large proportion of coffee workers, including those discussed below, are paid under the Brazilian monthly minimum wage; one activist estimates that “[f]orty percent of agricultural workers in Minas Gerais are paid less than the minimum wage.”<sup>413</sup> The minimum wage in Brazil in 2024 was R\$ 1,412 (about 250 USD).<sup>414</sup>

These workers also lived in hazardous conditions without access to privacy or access to clean water and were at risk of harm by faulty machinery and venomous wildlife. Workers were reliant on their employers for every aspect of their lives, including food, transport, and access to potable water. Workers cannot exercise free and informed consent to working conditions that violate the law, nor can workers and employers contract according to illegal conditions. This illegality, coupled with the horridness of these conditions, demonstrates that the workers were not choosing to stay at these farms.

Furthermore, the farms discussed are in rural areas isolated from major towns and roads, making it difficult for workers to escape forced labor. Workers depended on transportation from their employers to access different sections of the farms. They cannot escape the conditions of their employment without serious risk of injury via walking long distances with improper clothing through forests laden with venous wildlife in hazardous weather conditions.

ILO guidance provides that “menace of penalty” is to “be understood in a very broad sense” and covers a “wide range of means of coercion used to compel someone to perform work.”<sup>415</sup> This coercion constitutes actual or credible threats, including “restriction of movement,” “financial penalties,” “withholding wages or other promised benefits,” and “deprivation of food, shelter or other necessities,” all of which are widespread in the Brazilian coffee industry and present in the farms discussed below.<sup>416</sup> Furthermore, the ILO states that menace of penalty must be regarded from the “point of view of those affected,”<sup>417</sup> meaning that the unique vulnerabilities of workers, including their migration status, inability to speak the local language, and age, should be considered while evaluating their belief in a threat’s credibility.<sup>418</sup> Many of the workers identified

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<sup>411</sup> *Id.* at 23.

<sup>412</sup> *Id.*

<sup>413</sup> *About Half of Brazil’s Coffee Harvesters Work Without a Contract*, *supra* note 67.

<sup>414</sup> “The legally guaranteed minimum wage in Brazil was 1,518 Brazilian reais [about USD 270] per month in 2025. This is more than double the minimum monthly wage in 2010 and an increase of 106 [about USD 19] Brazilian reais from the previous year.” *Minimum Monthly Wage in Brazil from 2010 to 2025*, Statista (2025), <https://www.statista.com/statistics/949779/evolution-minimum-wage-brazil/>.

<sup>415</sup> INT’L LABOUR ORG., *ILO Toolkit on Developing National Action Plans on Forced Labour: Tool No. 2: Forced Labour and Related Concepts 1*, [https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms762168.pdf](https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms762168.pdf).

<sup>416</sup> *Id.* at 1–2.

<sup>417</sup> *Id.* at 2.

<sup>418</sup> *Id.*



in the inspection reports relied on in the petition had vulnerabilities that affected how they understood threats and those threats' credibility.

In each of the farms, workers were lured onto these farms under the false pretenses of better working conditions, a paid salary, set contracts, and no debt bondage.<sup>419</sup> The involuntariness and coercion these workers experienced is encapsulated by one Brazilian coffee worker who, in a documentary, explained, “[m]aybe you would not want to go through that, but you had to. It’s not because we wanted to, it’s because we did not have money. If we knew it would be this way, we would not have stepped foot there. Who wants to go through slavery? No one.”<sup>420</sup>

Furthermore, the killing of human rights defenders and labor organizers in Brazil is so widespread and well known that the workers had a credible fear of being killed were they to escape. In August 2024, the news outlet *Al Jazeera* partnered with ADERE on a documentary film titled *The Human Cost of Coffee*, which highlighted the dangerous realities of workers on coffee farms in Minas Gerais.<sup>421</sup> It details forced, trafficked, and forced child labor conditions on coffee farms in Brazil. There, workers and activists recounted the threats they had received in trying to ameliorate conditions for coffee workers:

*“As we were packing to leave, a man arrived and threatened us with a gun, saying ‘no, you’re not going.’ He took our papers and we had to stay”*<sup>422</sup>

*“These guys here, if they know I talked, they’ll kill me.”*<sup>423</sup>

*“Do you remember that landowner who wanted your head on a tray?”*<sup>424</sup>

These threats are serious and have been acted upon. Brazil’s National Union of Labor Tax Auditors stated that police presence in rescue operations on coffee farms was “necessary because cases of aggression, threats, intimidation, and even murder are unfortunately constant.” In the past, four inspectors have been murdered in Unaí, Minas Gerais while inspecting rural labor conditions.<sup>425</sup> Since then, Brazilian labor inspectors continue to face “death threats, direct attacks and even restrictions on their movement,”<sup>426</sup> reflecting the dangerous conditions that are widely recognized by human rights organizations and labor advocates as a persistent and pervasive threat to those defending workers’ rights.

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<sup>419</sup> *Mancha de Café* (documentary), *supra* note 50, at 2:30–8:50 [in original language, with English subtitles].

<sup>420</sup> *Id.* at 0:38–0:50 [in original language, with English subtitles].

<sup>421</sup> See generally *The Human Cost of Coffee*, *supra* note 38 [in original language with English subtitles].

<sup>422</sup> *Id.* at 3:15–3:20.

<sup>423</sup> *Id.* at 9:20–9:23.

<sup>424</sup> *Id.* at 15:10–15:20.

<sup>425</sup> Serhat Demirkol, *Remembering the Unaí Massacre*, BRAZILIANNR (Feb. 1, 2024), <https://braziliannr.com/2024/02/01/remembering-the-unai-massacre/>.

<sup>426</sup> Jorge C. Carrasco, *The Prosecutors Who Have Rescued Tens of Thousands of People from Slave Labor in Brazil*, EL PAÍS (Nov. 9, 2024), <https://english.elpais.com/international/2024-11-10/the-prosecutors-who-have-rescued-tens-of-thousands-of-people-from-slave-labor-in-brazil.html>.

Brazil has been described as “one of the most dangerous and restrictive countries for environmental and human rights defenders in the world.”<sup>427</sup> After visiting Brazil in 2024, the United Nations Special Rapporteur on the situation of human rights defenders Mary Lawlor described Brazilian human rights defenders as being “under extreme threat in Brazil” with a risk of “extremely violent” attacks.<sup>428</sup> A survey conducted by civil society organizations found that 169 human rights defenders in Brazil were murdered from 2019 to 2022.<sup>429</sup> In 2023, Brazil was ranked the second likeliest country for activists and environmentalists to be killed, with 25 deaths reported in 2023 alone.<sup>430</sup> “Most murders happen in the context of disputes ... and involve the police, private security or other private actors including landowners....”<sup>431</sup>

ADERE has been threatened for its work in the coffee industry in Minas Gerais.<sup>432</sup> Following their investigations, ADERE publicly accused Starbucks of profiting from forced and trafficked labor in Brazil’s coffee sector.<sup>433</sup> Following these allegations, ADERE received threats,<sup>434</sup> although they still do not know from whom.<sup>435</sup>

Furthermore, as will be discussed, each of the workers rescued from the five farms suffered financial abuses that would have made it difficult, if not impossible, for the workers to leave their respective employers. Withholding workers’ wages is an indicator of forced labor when it incentivizes employees to remain in their job and prevents them from changing employers. This means that workers were owed months of payment that were crucial for these workers to escape their employers and to begin a new career. Furthermore, at each farm discussed, workers reported never having had a vacation or holiday off. They also reported working long hours. On all five farms, the working hours were “so demanding and onerous that they are unlikely to have been freely agreed to,” which the ILO states is a sign of forced labor.<sup>436</sup> Furthermore, workers cannot consent to illegal working conditions.<sup>437</sup> The mere fact that these workers worked beyond the legal maximum number of hours is evidence that they did not freely consent to the terms of their employment. Due to their precarious financial positions, these workers were financially coerced into remaining in forced labor situations.

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<sup>427</sup> Gabriela Quijiano & Mauro Kiithi Arima Junior, *Threats to Environmental and Human Rights Defenders in Brazil: Legal and Policy Gaps*, OECD WATCH ET AL. 7 (Mar. 2022), <https://www.oecdwatch.org/wp-content/uploads/sites/8/2022/03/Bridging-Brazilian-governance-gaps-Environmental-and-human-rights-defenders-2.pdf> [hereinafter *Threats to Environmental and Human Rights Defenders in Brazil*].

<sup>428</sup> MARY LAWLOR, UNITED NATIONS SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS DEFENDERS (Apr. 19, 2024), <https://www.ohchr.org/sites/default/files/documents/issues/defenders/statements/20240419-Brazil-eom-statement.pdf>, at 2, 7.

<sup>429</sup> Terra de Direitos, *Survey Points to 169 Homicides Against Human Rights Defenders in the Last Four Years, in Brazil* (June 14, 2023), <https://terradedireitos.org.br/en/news/news/survey-points-to-169-homicides-against-human-rights-defenders-in-the-last-four-years-in-brazil/23888>.

<sup>430</sup> AMNESTY INTERNATIONAL, *Brazil: The Jury Trial in the Case of Marielle and Anderson May Be a Response From the State to Violence Against Human Rights Defenders* (Oct. 30, 2024), <https://www.amnesty.org/en/latest/news/2024/10/brasil-juicio-jurado-caso-marielle-anderson-puede-ser-una-respuesta-del-estado-violencia-contra-defensores-derechos-humanos/>.

<sup>431</sup> *Threats to Environmental and Human Rights Defenders in Brazil*, *supra* note 427, at 7.

<sup>432</sup> *Doe v. Starbucks Corp.*, at ¶ 122.

<sup>433</sup> *Id.*

<sup>434</sup> *Id.*

<sup>435</sup> *Id.*

<sup>436</sup> *Hard to See, Harder to Count*, *supra* note 409, at 23.

<sup>437</sup> *Id.*

## 1. Sítio Coqueiros



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*Image of Sítio Coqueiros's GPS coordinates*

Sítio Coqueiros is a coffee farm located in a rural area near Campestre, Minas Gerais.<sup>439</sup> There are two primary employers on this farm, who are brothers: Rodrigo de Faria Franco and Rogério Luiz Franco.<sup>440</sup> Five workers were rescued from conditions analogous to slavery.<sup>441</sup> Four of these workers are from the municipality of Berilo in Minas Gerais and one worker is from Santana do Ipanema, in the State of Alagoas.<sup>442</sup> As a result of this infraction, Rodrigo de Faria Franco's name is listed on the dirty list.<sup>443</sup> On this farm, the following ILO indicators of forced labor were found: (1) abuse of vulnerability; (2) deception; (3) restriction of movement; (4) isolation; (5) withholding of wages; (6) debt bondage; (7) abusive working and living conditions; and (8) excessive overtime.

These workers were hired by the *gato* Deusdite, who worked with Rodrigo de Faria Franco to bring workers to his property on June 2, 2023 through clandestine transportation.<sup>444</sup> They were not registered employees, and the employer did not keep any documents showing their employment.<sup>445</sup> According to Brazilian law, when workers are recruited to work from a different area, they must have formalized employment contracts by the day of departure.<sup>446</sup>

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<sup>438</sup> Screenshot of Google Maps geographic coordinates (21°43'30.0"S 46°15'57.0"W) of Sítio Coqueiros showing its isolation and location in a rural area.

<sup>439</sup> Sítio Coqueiros Inspection Report, *supra* note 14, at 1, 6.

<sup>440</sup> *Id.* at 4, 7.

<sup>441</sup> *Id.* at 5.

<sup>442</sup> *Id.* at 6.

<sup>443</sup> *Id.* at 48; Dirty List, *supra* note 27, at 37.

<sup>444</sup> Sítio Coqueiros Inspection Report, *supra* note 14, at 6–7, 46.

<sup>445</sup> *Id.* at 7.

<sup>446</sup> *Id.* at 46.

Workers were exposed to “a series of physical, chemical, biological, ergonomic and accident risks, including the following: exposure to bad weather, heat, solar radiation (non-ionizing); noise and vibration originating from stripping machines; exposure to vapors from the fuel used in the stripping machine; attack by venomous animals, such as snakes, centipedes, spiders, and scorpions; poor posture; accidents with stumps, holes, branches of coffee trees, and uneven terrain; development of musculoskeletal problems due to intense physical effort.”<sup>447</sup> Workers were not given medical examinations upon beginning their work, as is required by Brazilian law.<sup>448</sup>

Workers’ dormitories were inhospitable. Workers slept on mattresses of poor quality and used wood shavings as bed frames.<sup>449</sup> Bunk beds lacked side safety barriers and ladders for workers to access the upper level.<sup>450</sup> No cabinets were provided so workers’ personal items were scattered across the floor in bags and suitcases.<sup>451</sup> There were also no doors in the rooms, which affected worker privacy and security.<sup>452</sup> Cardboard boxes and plastic bags were hung up on walls and dispersed across the floor, serving as makeshift garbage bags.<sup>453</sup> Stoves were located inside workers’ rooms.<sup>454</sup> Workers also ate in their rooms as the designated dining area did not have sufficient tables or seating.<sup>455</sup> The inspection report described the “lack of hygiene and minimum comfort in the accommodations” as a “threat to the health and safety of the workers.”<sup>456</sup>

Workers were not given personal protective equipment (PPE) such as boots, gloves, and ear protectors.<sup>457</sup> The employer purchased the tools and supplies workers used and deducted the corresponding amounts from their salaries.<sup>458</sup> Three workers paid the employer R\$ 2,650.00 (about USD 473) per stripping machine and another worker paid R\$ 800.00 (about USD 142) for a blower.<sup>459</sup> All workers had the cost of cooking gas, gasoline, and lubricating oil deducted from their salaries.<sup>460</sup> Salaries were between R\$ 14.00 and R\$ 18.00 (about USD 2.50–3.20) per plant harvested, depending on where on the farm it was harvested and the quantity of coffee.<sup>461</sup> In addition, the employer paid for workers’ transportation to the farm and deducted this amount from the workers’ salaries.<sup>462</sup> Workers’ food was purchased in a market in Campestre, Minas Gerais using an account the employer created.<sup>463</sup> Working hours were from 7:00 AM to 4:00 PM, which violated Brazil’s 44-hour weekly limit.<sup>464</sup> Sometimes, workers also worked on Saturdays and unpaid overtime.<sup>465</sup>

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<sup>447</sup> *Id.* at 64.

<sup>448</sup> *Id.* at 66.

<sup>449</sup> *Id.* at 7, 52.

<sup>450</sup> *Id.* at 52.

<sup>451</sup> *Id.* at 7, 68.

<sup>452</sup> *Id.* at 7, 42.

<sup>453</sup> *Id.* at 7.

<sup>454</sup> *Id.* at 7, 56, 92.

<sup>455</sup> *Id.* at 7, 56, 92.

<sup>456</sup> *Id.* at 52.

<sup>457</sup> *Id.* at 7, 42.

<sup>458</sup> *Id.* at 50, 62.

<sup>459</sup> *Id.* at 50.

<sup>460</sup> *Id.* at 7, 50.

<sup>461</sup> *Id.* at 48.

<sup>462</sup> *Id.* at 8.

<sup>463</sup> *Id.* at 42.

<sup>464</sup> *Id.* at 8, 42.

<sup>465</sup> *Id.* at 48.



Workers also reported that they had complained to the farm manager about the abusive working conditions.<sup>466</sup> According to the workers, the farm manager threatened them, telling them to stop complaining and to work.<sup>467</sup> After that, a worker was able to contact ADERE, which investigated the farm. Not very long thereafter, government inspectors rescued the workers.<sup>468</sup>

## 2. Sítio da Ilha



Sítio da Ilha is a coffee farm owned and operated by Luiz Carlos Moreira.<sup>470</sup> The labor broker, or *gato* is Vander Machado Sales (also known as “Vandinho”).<sup>471</sup> The farm is located in a rural area near Município Alfenas in Minas Gerais.<sup>472</sup> It was inspected on June 18, 2024,<sup>473</sup> and seven employees were rescued from conditions analogous to slavery.<sup>474</sup> All seven of these workers were internal migrants from Berilo, a town 900 kilometers (559 miles) away in northern Minas Gerais, and they were working informally without contracts, proper registration, or government benefits.<sup>475</sup> They were found to be in conditions analogous to slavery and in “degrading working

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<sup>466</sup> *Doe v. Starbucks Corp.*, at ¶ 120.

<sup>467</sup> *Id.* at ¶ 120.

<sup>468</sup> *Id.* at ¶ 120.

<sup>469</sup> Image of Sítio da Ilha, including geographic coordinates, demonstrating its remoteness and highlighting workers’ isolation from the outside world. Image obtained from Sítio da Ilha Inspection Report, *supra* note 15, at 1. *See also id.* at 5.

<sup>470</sup> *Id.* at 1.

<sup>471</sup> *Id.* at 5, 85.

<sup>472</sup> *Id.* at 1.

<sup>473</sup> *Id.* at 1.

<sup>474</sup> *Id.* at 6.

<sup>475</sup> *Id.* at 9, 13–14, 15, 97.



conditions” that “constitute contempt for the dignity of the human person [] due to the failure to comply with the fundamental rights of the worker.”<sup>476</sup>

The workers each paid R\$ 350 (about USD 61) for the van that transported them from their hometown to the farm on May 3, 2024.<sup>477</sup> Workers did not know pertinent information about their working conditions before arriving on the farm,<sup>478</sup> including “where they would be staying, what expenses they would have to cover, whether or not they would be registered, among other details.”<sup>479</sup> Some workers did not know how much they would receive for their work and were told salaries would be negotiated after they started working.<sup>480</sup> One worker reported discovering that he would be paid by coffee produced, as opposed to a fixed sum, only after he had made the journey to the farm.<sup>481</sup> Meanwhile, others thought they would be living on the farm for free instead of in a house they rented for R\$ 500 per month (about R\$ 72 or about 12 USD per worker).<sup>482</sup> The workers were also obligated to pay for water and electricity at the house.<sup>483</sup> Workers were required to cover around R\$ 2,000 (approximately USD 348) for the harvesting equipment needed to perform their tasks.<sup>484</sup> They were also responsible for the costs associated with fuel, oil, and maintenance for these machines.<sup>485</sup>

Once they arrived at the farm, the workers were exposed to various risks on these coffee farms, including: risk of deafness from operating heavy machinery; ergonomic risks; exposure to extreme heat and sunlight; and risk of physical harm, including through venomous animal and insect bites falling, and handling sharp tools.<sup>486</sup> One worker reported having killed a bothrops jararaca,<sup>487</sup> a type of highly venomous pit viper whose bite can cause spontaneous bleeding, blood coagulability, necrosis that necessitates limb amputation, and in some cases death.<sup>488</sup> The same worker reported having seen a “taturana,” a *Lonomia obliqua* caterpillar,<sup>489</sup> which has venom along spines covering its entire body that, if touched, “can cause severe hemorrhagic syndromes, leading to diffuse hemorrhages, renal failure, brain damage and, in severe cases, death.”<sup>490</sup>

The employer failed to implement the Rural Work Risk Management Program (“PGRTR”), a national governmental program aimed at mitigating risks in rural work.<sup>491</sup> The employer did not

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<sup>476</sup> *Id.* at 28.

<sup>477</sup> *Id.* at 85.

<sup>478</sup> *Id.* at 13.

<sup>479</sup> *Id.* at 14, 26, 85.

<sup>480</sup> *Id.* at 14.

<sup>481</sup> *Id.* at 25.

<sup>482</sup> *Id.* at 14, 16, 89.

<sup>483</sup> *Id.* at 26.

<sup>484</sup> *Id.* at 22, 86.

<sup>485</sup> *Id.* at 22.

<sup>486</sup> *Id.* at 12–13, 84–85.

<sup>487</sup> *Id.* at 27.

<sup>488</sup> Marcelo L. Santoro et al., *Haematological Evaluation of Patients Bitten by the Jararaca, Bothrops Jararaca, in Brazil*, SCIENCE DIRECT 1 (June 15, 2008), <https://www.sciencedirect.com/science/article/abs/pii/S0041010108001104#:~:text=People%20bitten%20by%20B.,Patients%20bitten%20by%20Bothrops%20spp.>

<sup>489</sup> Sítio da Ilha Inspection Report, *supra* note 15, at 27.

<sup>490</sup> Camila González et al., *Deadly and Venomous Lonomia Caterpillars are More than the Two Usual Suspects*, NAT’L. LIBR. OF MED. 1 (Feb. 23, 2023), <https://pmc.ncbi.nlm.nih.gov/articles/PMC9949635/>.

<sup>491</sup> Sítio da Ilha Inspection Report, *supra* note 15, at 23, 104.

provide any PPE; the workers who had boots, hats, and gloves purchased these items themselves.<sup>492</sup> Employers were supposed to provide workers with leather boots, pants, gloves, safety glasses, hats, sleeves, sunscreen, and noise suppressors for workers when handling machinery.<sup>493</sup> One worker reported buying his own boots and hat, but was unable to buy sunscreen or protective eyewear because he could not afford it.<sup>494</sup> No medical examinations<sup>495</sup> or first aid kits were provided, both of which are required under Brazilian law.<sup>496</sup>

The employer failed to provide workers with enough clean drinking water in the workplace,<sup>497</sup> or even water to wash their hands.<sup>498</sup> There was no designated place for meals or rest while at work or a place to store or heat meals.<sup>499</sup> No bathrooms were provided; workers relieved themselves in the coffee fields or in nearby forests.<sup>500</sup> The workers' housing was cramped, with seven workers sharing one bathroom, two bedrooms, and one kitchen.<sup>501</sup> There was no storage space for workers' personal items.<sup>502</sup> While the house had a fridge and mattresses, workers were required to buy a stove and gas to cook. Workers were required to buy their own food and only had access to unfiltered tap water.<sup>503</sup>

Working hours went far beyond the norm. One worker reported that a van picks up the workers at their lodgings at 5:40 AM to begin work at 6:20 or 6:30 AM and that the workers worked until 3:30 PM but were required to stay until 4:30 PM until the harvested coffee was measured.<sup>504</sup> Workers worked from Monday to Saturday, with Saturday being a half day.<sup>505</sup> Workers were also not compensated properly for their time. At the end of each day, a younger relative of the farm owner measured the coffee harvested, and claimed that workers harvested less coffee than they did in actuality.<sup>506</sup> One worker reported believing that he harvested an additional five liters of coffee per day than was recognized.<sup>507</sup> In addition, workers were not given receipts of how much coffee they produced, and were required to keep a mental note of their own production once measured to ensure they were paid for that number.<sup>508</sup> The prices paid for coffee varied from R\$25 (about USD 4) to R\$40 (about USD 7), depending on the quality and quantity of coffee harvested.<sup>509</sup>

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<sup>492</sup> *Id.* at 21.

<sup>493</sup> *Id.*

<sup>494</sup> *Id.* at 26.

<sup>495</sup> *Id.* at 88.

<sup>496</sup> *Id.* at 21–22.

<sup>497</sup> *Id.* at 19, 86.

<sup>498</sup> *Id.* at 20.

<sup>499</sup> *Id.*

<sup>500</sup> *Id.* at 20, 83.

<sup>501</sup> *Id.* at 25–26.

<sup>502</sup> *Id.* at 89.

<sup>503</sup> *Id.* at 25–26.

<sup>504</sup> *Id.*

<sup>505</sup> *Id.* at 27, 84.

<sup>506</sup> *Id.* at 26, 90.

<sup>507</sup> *Id.* at 26.

<sup>508</sup> *Id.*

<sup>509</sup> *Id.*

Three of the farm workers had travelled from their homes in a *Quilombo*<sup>510</sup> near Berilo, Minas Gerais.<sup>511</sup> In April 2024, a *gato* had approached these men, recruiting them to work at Sítio da Ilha.<sup>512</sup> The workers agreed to work on the farm after being shown a photo of a plantation with plenty of coffee beans ripe for harvesting.<sup>513</sup> The three men traveled by bus for sixteen hours and arrived in Alfenas, a town in Southern Minas Gerais.<sup>514</sup> They were then taken to a different farm, Facendo de Serra,<sup>515</sup> which was not the farm in the photo and had much less coffee ready to harvest.<sup>516</sup> The farmer told them to work at Facendo de Serra first, and that he would take them to the Sítio da Ilha farm later.<sup>517</sup>

By the time the men arrived at Facendo de Serra, there was already a complaint, that they were unaware of, on file at the Ministry of Labor regarding the conditions at the farm.<sup>518</sup> Shortly after their arrival, ADERE, Brazilian federal police officials, and representatives of the Ministry of Labor went to Facendo de Serra to rescue the workers.<sup>519</sup> The workers were at the other farm, and the farmer lied and said they had gone home.<sup>520</sup> Another worker overheard this and told the enforcement team that the workers were at Sítio da Ilha.<sup>521</sup> The enforcement team then went and rescued these three men and five additional workers.<sup>522</sup>

### 3. Sítios Corrego do Jacu and Paquera

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<sup>510</sup> Quilombos are traditional Brazilian encampments created by Indigenous communities and Black persons fleeing from slavery and forced labor in the mid-sixteenth century. Quilombos continue to exist today in Brazil as communities in rural areas. Flavio Gomes, *Quilombos, Hotbeds of Afro-Brazilian Resistance*, UNESCO (July 3, 2024), <https://courier.unesco.org/en/articles/quilombos-hotbeds-afro-brazilian-resistance>.

<sup>511</sup> *Doe v. Starbucks Corp.*, at ¶ 133.

<sup>512</sup> *Id.* at ¶ 133.

<sup>513</sup> *Id.*

<sup>514</sup> *Id.* at ¶ 134.

<sup>515</sup> *Id.*

<sup>516</sup> *Id.*

<sup>517</sup> *Id.*

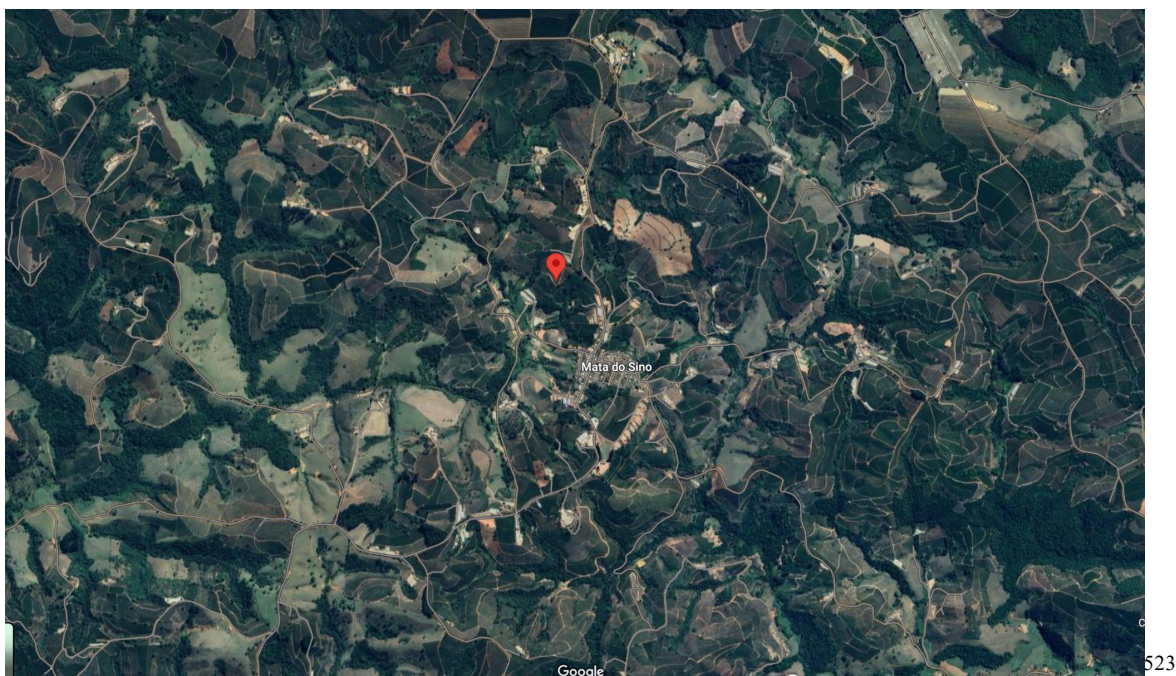
<sup>518</sup> *Id.*

<sup>519</sup> *Id.* at ¶ 136.

<sup>520</sup> *Id.*

<sup>521</sup> *Id.*

<sup>522</sup> *Id.*



*Image of Sítio Corrego do Jacu's and Paquera's GPS coordinates*

The coffee farms Corrego do Jacu and Paquera are located near the Município Juruaia in Minas Gerais and are owned and operated by Marcos Flório de Souza.<sup>524</sup> These are two smaller scale coffee-producing farms that share labor during the coffee harvesting season.<sup>525</sup> When the inspection occurred, workers were staying at Sítio Corregos do Jacu and harvesting at Sítio Corrego Paquera, except for a sixteen year-old minor who provided services in the vicinity of the accommodation, on a neighboring property.<sup>526</sup> The inspection report highlighted that Marcos Florio is a member of Cooxupé.<sup>527</sup> The *gato* responsible for transporting workers onto these farms is Wilton Ramos Pereiram, who had been working for de Souza for four years.<sup>528</sup> Six workers, including the minor, were rescued from conditions analogous to slavery.<sup>529</sup>

Workers arrived on Sítio Corrego do Jacu on June 2, 2024, traveling in a van for which each worker paid R\$ 350 (about USD 61), a sum that was added to their debt before they even began to work.<sup>530</sup> Inspectors arrived shortly thereafter on June 17, 2024.<sup>531</sup> When workers arrived at the farm, the coffee on Marcos Flório de Souza's farms was not yet ready for harvest so the workers harvested

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<sup>523</sup> Google Maps screenshot of the geographic coordinates (21°10'28.75"S, 46°31'33.02"W) of Sítio Corrego do Jacu and Paquera showing the isolation of the farms. As shown above, the farms are close to the small town of Mato do Sino where workers buy food on consignment and the minor worker was penalized for walking towards without permission. There are no other towns nearby.

<sup>524</sup> Sítios Corrego do Jacu and Paquera Inspection Report, *supra* note 16, at 1, 5, 15.

<sup>525</sup> *Id.* at 8.

<sup>526</sup> *Id.* at 8. The minor's father was harvesting coffee at another farm. *Id.* at 23.

<sup>527</sup> *Id.* at 8.

<sup>528</sup> *Id.* at 5, 15.

<sup>529</sup> *Id.* at 6.

<sup>530</sup> *Id.* at 15, 24.

<sup>531</sup> *Id.* at 15.

coffee for other producers in the region,<sup>532</sup> but continued to reside on de Souza's property.<sup>533</sup> As soon as workers arrived at the property, they went into debt at a market in the town of Juruaia, where they bought food, stoves, cooking gas and personal protective equipment, such as boots and gloves.<sup>534</sup> Some workers' debt was worsened by the costs of purchasing coffee harvesting machines and the gasoline and oil necessary for operating these machines.<sup>535</sup> Workers were also responsible for purchasing cloths spread on the ground to collect the dropped coffee.<sup>536</sup>

Some workers arrived at the farm with limited knowledge of where they would be working, where they would be residing, what expenses they would incur, and how much they would earn.<sup>537</sup> Workers were not registered, which made them ineligible for governmental benefits such as unemployment.<sup>538</sup>

When the minor was found, he was working barefoot in a coffee field.<sup>539</sup> According to the inspection report, he was barefoot due to having hurt his toe while going to the house and was unable to wear shoes.<sup>540</sup> He was a migrant worker from the municipality of Chapada do Norte, which is about 850 kilometers (528 miles) from the farm. He had been an eighth grade student at Antônio Marcos State School de Abreu.<sup>541</sup> He reported feeling pain throughout his body from the work, which included carrying over 20 kilograms.<sup>542</sup> The minor also claimed that, after a disagreement with the *gato* for having gone into the city without authorization, he was punished by being separated from the group of coffee pickers and made to work alone on the land adjacent to the workers' lodgings.<sup>543</sup> As part of this punishment, the *gato* also took away the harvesting equipment the minor had rented for the harvest season, having already paid R\$ 1,000 (about USD 174).<sup>544</sup> The minor had entered the city trying to get a haircut, but claimed "he was forbidden from leaving the accommodation due to the fact that he was a teenager and harvesting work was prohibited for minors under eighteen years of age."<sup>545</sup> In other words, the *gato* was attempting to prevent the minor from leaving to conceal him, as he was not legally permitted to work on the farm.

There are also reports that after they arrived, the *gato* became aggressive towards the minor.<sup>546</sup> According to a recently filed case, the *gato* forced the minor to wake up at 4:00 am and make food for the other workers, threatening to beat him if he did not comply.<sup>547</sup> Fellow workers warned the

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<sup>532</sup> *Id.* at 13, 111.

<sup>533</sup> *Id.* at 13.

<sup>534</sup> *Id.*

<sup>535</sup> *Id.* at 13, 21.

<sup>536</sup> *Id.* at 13.

<sup>537</sup> *Id.* at 13, 111.

<sup>538</sup> *Id.* at 13, 138.

<sup>539</sup> *Id.* at 9.

<sup>540</sup> *Id.* at 17.

<sup>541</sup> *Id.* at 16, 24.

<sup>542</sup> *Id.* at 24.

<sup>543</sup> *Id.* at 17, 176.

<sup>544</sup> *Id.* at 17, 118.

<sup>545</sup> *Id.* at 17, 113.

<sup>546</sup> *Doe v. Starbucks Corp.*, at ¶ 115.

<sup>547</sup> *Id.*



teenager that the *gato* had beaten others.<sup>548</sup> On his first day of harvesting coffee, the *gato* made the minor harvest coffee on steep hills without providing any protective equipment.<sup>549</sup> For a full week, the teenager worked eleven or twelve hours each day.<sup>550</sup> On the eighth day, he and six other workers were rescued.

<sup>551</sup>

The work performed by this minor is “totally inappropriate for workers of his age group” and constitutes “the worst form[] of child labor.”<sup>552</sup> In contrast to adults, children under eighteen are unable to consent to being trafficked.<sup>553</sup> Children are inherently vulnerable and trafficking children is a clear abuse of their vulnerability. Therefore, while trafficking of adults requires threats, intimidation, and coercion, the simple act of bringing a child to a new location to work constitutes trafficking of children.<sup>554</sup> This sixteen-year-old could not have consented to being sent to work on a farm far from home. Moreover, because so much work on coffee farms is hazardous – being exposed to heavy machinery, spraying or being exposed to pesticides, and carrying heavy loads – children are likely exposed to at least one form of hazardous child labor while working on coffee farms. Such work, when done by children, is an abusive working condition that constitutes the “worst form of child labor,” as it is dangerous to their health and safety.<sup>555</sup> Again, children cannot consent to carry out hazardous child labor, as such work is inherently coercive and illegal.

No PPE was provided to the minor or to any of the other workers.<sup>556</sup> Workers had no drinking water or water to wash their hands available at the work site, nor did they have anywhere to store, eat, or heat up their lunches.<sup>557</sup> Workers ate in the middle of the coffee plantation where they could find shade and sat on the ground, stones, or on top of water bottles they brought from home.<sup>558</sup> Workers were not given access to shelter that could protect them from harsh weather at the worksite; once in the coffee fields, they were at the mercy of the elements.<sup>559</sup> Due to the lack of restroom facilities at the worksite, they resorted to addressing their personal needs in the coffee plantation, seeking a bit of privacy.<sup>560</sup>

Workers faced numerous risks on these coffee farms, including a risk of deafness from operating heavy machinery, ergonomic risks, exposure to extreme heat and sunlight, and a risk of physical

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<sup>548</sup> *Id.*

<sup>549</sup> *Id.*

<sup>550</sup> *Id.*

<sup>551</sup> *Id.*

<sup>552</sup> Sítios Corrego do Jacu and Paquera, *supra* note 16, at 17.

<sup>553</sup> “A person cannot be considered to have consented to being exploited where consent was obtained through improper means or, in the case of children, where their particularly vulnerable status makes it impossible for them to consent in the first place.” UNITED NATIONS, *Toolkit to Combat Trafficking in Persons* (n.d.), [https://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296\\_tool\\_1-3.pdf](https://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296_tool_1-3.pdf), at 1.

<sup>554</sup> *Id.*

<sup>555</sup> INT’L LABOUR ORG., *Worst Forms of Child Labour Convention* (No. 182), June 17, 1999, [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C182](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182). (Article 3 states “For the purposes of this Convention, the term the worst forms of child labour comprises: (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;”).

<sup>556</sup> Sítios Corrego do Jacu and Paquera, *supra* note 16, at 9, 20–21, 138.

<sup>557</sup> *Id.* at 9, 18–19, 157.

<sup>558</sup> *Id.* at 18–19, 25.

<sup>559</sup> *Id.* at 9, 116–17.

<sup>560</sup> *Id.* at 19.

harm, including through venomous animal and insect bites, and from handling sharp tools.<sup>561</sup> These injuries could have been caused by rusty tools, which posed a risk of tetanus, a serious and sometimes fatal disease.<sup>562</sup> Workers were not vaccinated against tetanus and received no training on how to provide first aid.<sup>563</sup> Nor were they provided with the legally required medical examinations prior to beginning work.<sup>564</sup>

Workers were supposed to be paid R\$ 22 (about USD 4) for every 60 liters of coffee beans harvested.<sup>565</sup> These bags had to be carried to the ends of the rows at the coffee plantation every day, meaning that workers, including the minor, were required to carry over 20 kilograms when moving these bags.<sup>566</sup> They had no formal working hours; however, they worked every day from Monday to Saturday.<sup>567</sup> Workers began their day by cooking and preparing food to take to the farm in lunch boxes.<sup>568</sup>

Workers were in debt bondage that began with owing their employer R\$ 350 (about USD 61) for transportation to the farm.<sup>569</sup> Workers were required to pay for the harvesting machines necessary for their jobs; one worker reported owing his employer R\$ 1,700 (about USD 296) for his machine and at least an additional R\$ 1,000 (about USD 174).<sup>570</sup> They purchased necessities at a grocery store where they became further indebted by purchasing food, gloves, and boots, on the employer's credit.<sup>571</sup> Upon rescue, the minor reported that he had not received any compensation for his work.<sup>572</sup>

Workers typically left their lodgings around 6:30 AM, when a van would transport them from to the farms.<sup>573</sup> They would begin work around 7:00 AM, work until 4:30 PM picking coffee, and measure the coffee until 5:30 PM, after which they were allowed to return home.<sup>574</sup> Since workers earned by amount of coffee harvested, they only took a 20-30 minute break once a day for lunch, at which time they ate cold food while sitting on the ground in the coffee farm.<sup>575</sup> These workers were owed a total sum of R\$ 17,787.75 (about USD 3,098).<sup>576</sup>

Workers resided in a brick building with asbestos tiles.<sup>577</sup> There was one bedroom with six beds and cabinets so small that a backpack did not fit inside.<sup>578</sup> There was a kitchen and a functioning

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<sup>561</sup> *Id.* at 12, 15, 17, 114–16.

<sup>562</sup> *Id.* at 19, 186.

<sup>563</sup> *Id.* at 19–20.

<sup>564</sup> *Id.* at 22, 24.

<sup>565</sup> *Id.* at 15, 24, 117.

<sup>566</sup> *Id.* at 17.

<sup>567</sup> *Id.* at 15.

<sup>568</sup> *Id.* at 19.

<sup>569</sup> *Id.* at 24, 116–17.

<sup>570</sup> *Id.* at 24, 118.

<sup>571</sup> *Id.* at 19, 24, 117.

<sup>572</sup> *Id.* at 24.

<sup>573</sup> *Id.* at 18.

<sup>574</sup> *Id.*

<sup>575</sup> *Id.* at 18, 117–18.

<sup>576</sup> *Id.* at 6.

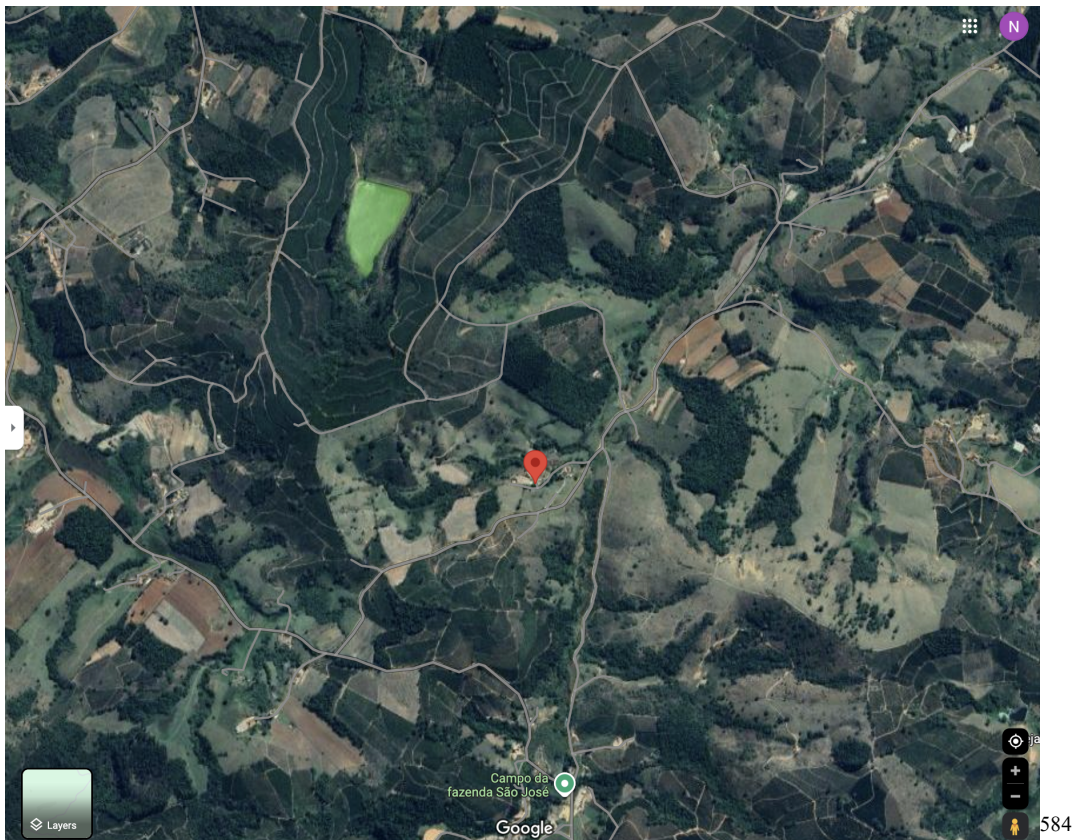
<sup>577</sup> *Id.* at 22.

<sup>578</sup> *Id.* at 22–23.

bathroom, but there were no suitable places to eat in the home.<sup>579</sup> One worker noted that he only came because there was no steady work in his hometown, that he regretted coming onto this farm, and that he would never again work for this employer.<sup>580</sup> Another worker reported that he only came because he did not know what the working and living conditions would look like,<sup>581</sup> implying he would not have agreed to work under these conditions.

These conditions, taken in conjunction, were so horrendous that the inspection report described them as “degrad[ing] human dignity.”<sup>582</sup> Inspectors also noted that these conditions qualified as “Human Trafficking for the Purposes of Labor Exploitation.”<sup>583</sup>

#### 4. Sítio São João



*Image of Sítio São João's GPS Coordinates*

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<sup>579</sup> *Id.*

<sup>580</sup> *Id.* at 25.

<sup>581</sup> *Id.*

<sup>582</sup> *Id.* at 9.

<sup>583</sup> *Id.* at 13.

<sup>584</sup> Image of a Google maps screenshot of the farm with Sítio São João's coordinates (21°22'44.5"S 46°35'52.5"W) showing the ruralness of the farm and workers' isolation.

Sítio São João is a coffee farm located in a rural area near Muzambinho, Minas Gerais.<sup>585</sup> It is owned and operated by João Batista Vieira.<sup>586</sup> Five workers from Berilo, Minas Gerais were found in conditions analogous to slavery.<sup>587</sup> One of these workers, José Gonçalves Cardoso, also known as Zé Viola, worked as a *gato*, bringing workers onto the farm.<sup>588</sup> Although he acted as the *gato*, once on the farm, he found himself working under the same abusive conditions as the other employees and housed in the same building.<sup>589</sup> None of these employees had official work contracts, nor were they registered as workers, preventing them from accessing their government benefits.<sup>590</sup>

Workers resided in a small house containing a living room, kitchen, two bedrooms (each occupied by two workers), and one bathroom.<sup>591</sup> Mattresses were provided; however, they were “old, torn, and uncomfortable.”<sup>592</sup> No bed linens were provided, which meant the workers were cold as the coffee harvesting season occurs during Brazilian winter.<sup>593</sup> There were no cabinets for workers’ personal items.<sup>594</sup> Harvesting machines were stored in the living room (where an additional worker slept) and in the bedrooms alongside gallons of gasoline, which exposed workers to a “serious and imminent risk” of chemical contamination and fire.<sup>595</sup> The kitchen was unsuitable for cooking as it was dirty, there was no place to eat, and the stove was a fire hazard, as it had an improvised wooden top.<sup>596</sup> There was no garbage collection so the outside of the building was covered with piles of trash.<sup>597</sup> The building lacked a wastewater collection system, and employees noted there were times when they were without water access.<sup>598</sup> Labor inspectors confirmed this upon their arrival, observing that the workers’ water tank was empty and that they had no access to water.<sup>599</sup>

At the work front, there was also no drinking water nor was there water available for workers to wash their hands.<sup>600</sup> Workers took water to work in water bottles they purchased.<sup>601</sup> There were also no restrooms available, so workers went into a nearby forest, exposing their colleagues to diseases transmitted by human feces.<sup>602</sup> There were also no tables, seats, places for trash disposal, or places to store meals.<sup>603</sup>

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<sup>585</sup> Sítio São João Inspection Report, *supra* note 18, at 1.

<sup>586</sup> *Id.* at 3.

<sup>587</sup> *Id.* at 4, 6.

<sup>588</sup> *Id.* at 6.

<sup>589</sup> *Id.*

<sup>590</sup> *Id.* at 15

<sup>591</sup> *Id.* at 7.

<sup>592</sup> *Id.*

<sup>593</sup> *Id.*

<sup>594</sup> *Id.* at 21.

<sup>595</sup> *Id.* at 7–8.

<sup>596</sup> *Id.* at 9–10.

<sup>597</sup> *Id.*

<sup>598</sup> *Id.* at 11.

<sup>599</sup> *Id.* at 21.

<sup>600</sup> *Id.* at 12.

<sup>601</sup> *Id.* at 13.

<sup>602</sup> *Id.* at 12.

<sup>603</sup> *Id.*

Medical exams were not provided to workers upon arrival to the farm, nor were workers trained on how to safely use the coffee harvesting machines.<sup>604</sup> PPE was not provided; workers were required to purchase their own gloves, safety glasses, ear protectors, and leg guards.<sup>605</sup> Workers who did not wear gloves were exposed to a risk of cuts, abrasion, and bites from venomous animals and insects.<sup>606</sup> Workers either walked to the work front from their accommodations or were pulled in a trailer by the farm's tractor.<sup>607</sup> Workers carried gasoline to work from their lodgings in a plastic bottle.<sup>608</sup>

Workers were required to pay for the harvesting machines and blowers used in their work, as well as the costs of gasoline, oil, and maintenance for these machines.<sup>609</sup> Harvesting machines are known to have mechanical problems, which require high maintenance costs.<sup>610</sup> One worker reported spending R\$ 1,159.50 (about USD 202) on maintenance for his harvesting machine. Prices the workers received for coffee varied from R\$ 25 to R\$ 60 (about 4–10 USD).<sup>611</sup> Due to these fluctuations in cost, it is possible that the debts for the acquisition of equipment, fuel, oil and maintenance each month could outweigh the payment workers received for their monthly production.<sup>612</sup> At the end of their employment, the five workers were owed a total sum of R\$ 41,533.33 (about USD 7,234).<sup>613</sup>

Two workers at the farm reported being indebted before arriving at the farm.<sup>614</sup> When the *gato* tried to recruit them, the workers explained that they had no money for bus fare, food, or supplies.<sup>615</sup> The *gato* convinced them to accept the jobs by loaning them money for transport, food, and supplies – indebting before they began to work.<sup>616</sup> The two men and the *gato* traveled sixteen hours by bus to reach the coffee farm.<sup>617</sup>

Once they arrived on the farm, both workers continued to go further into debt.<sup>618</sup> The *gato* paid for the groceries they needed to survive, but the only market in the area was overpriced and of low quality.<sup>619</sup> The workers believe that the market was connected either to the farm or to the *gato*.<sup>620</sup> Additionally, the workers did not receive the full payment they were owed.<sup>621</sup> The farmer took 40 days to pay them and when he did, he deducted money for gas, oil, maintenance of the machinery used, and a kickback to the *gato* for recruiting them.<sup>622</sup> When the workers' received their reduced

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<sup>604</sup> *Id.* at 13.

<sup>605</sup> *Id.*

<sup>606</sup> *Id.*

<sup>607</sup> *Id.*

<sup>608</sup> *Id.* at 13, 23.

<sup>609</sup> *Id.* at 16.

<sup>610</sup> *Id.*

<sup>611</sup> *Id.*

<sup>612</sup> *Id.*

<sup>613</sup> *Id.* at 4, 24.

<sup>614</sup> *Doe v. Starbucks Corp.*, at ¶ 127.

<sup>615</sup> *Id.*

<sup>616</sup> *Id.*

<sup>617</sup> *Id.*

<sup>618</sup> *Id.* at ¶¶ 126–30.

<sup>619</sup> *Id.* at ¶ 128.

<sup>620</sup> *Id.*

<sup>621</sup> *Id.* at ¶ 129.

<sup>622</sup> *Id.*

pay, they paid the *gato* what they owed him<sup>623</sup> and had almost no money left.<sup>624</sup> They wanted to stop working and leave the farm, but they did not have enough money for bus fare to return home.<sup>625</sup>

The employees were “overexploit[ed]” and in a “vulnerable condition.”<sup>626</sup> The amount workers earned, and the uncertainty surrounding their payment, was insufficient to pay for their return to northern Minas Gerais or to even pay for their tools.<sup>627</sup> Based on their income, these workers were at a high risk of debt bondage.<sup>628</sup> As the inspection report describes, the “workers were subjected to conditions that violated human dignity, in a flagrant disregard for worker protection standards.”<sup>629</sup>

## VII. RECOMMENDED ACTION

### A. Issuance of a WRO

The information provided in this petition establishes a reason to believe that coffee and coffee products from Brazil – and especially from Cooxupé and the five farms in Part VI(C) – that are imported into the United States by Starbucks, Nestlé, JDE, Dunkin’, Illy, and McDonald’s are produced at least in part with forced labor. As set out in previous sections of the petition, these regions warrant particular attention for the following reasons:

- Brazil is the world’s top coffee producer, producing approximately 39% of the global coffee supply.<sup>630</sup>
- There are over 100,000 coffee plantations, with hundreds of thousands of workers, in Minas Gerais,<sup>631</sup> which is the primary coffee-growing region in Brazil and produces about half of all of Brazil’s coffee.<sup>632</sup>
- Coffee from Brazil has been listed on the United States Department of Labor’s List of Goods Produced with Child or Forced Labor since 2018.<sup>633</sup>
- The Brazilian government inspection reports referenced in this petition disclose conditions indicating forced labor at coffee farms in Minas Gerais.

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<sup>623</sup> *Id.*

<sup>624</sup> *Id.*

<sup>625</sup> *Id.*

<sup>626</sup> Sítio São João Inspection Report, *supra* note 18, at 16.

<sup>627</sup> *Id.*

<sup>628</sup> “An employer or controller will use different tactics to trap the victim in an endless cycle of debt which can never be repaid and may even be passed on to their families. Poverty, threats, violence, surveillance and imprisonment are used to make sure they cannot leave or get help. Debt bondage can also be a significant factor in human trafficking.” GANGMASTERS & LABOR ABUSE AUTHORITIES, *Human Trafficking, Forced Labour and Debt Bondage*, (n.d.) U.K. GOV. <https://www.gla.gov.uk/who-we-are/modern-slavery/who-we-are-modern-slavery-human-trafficking-forced-labour-and-debt-bondage>.

<sup>629</sup> Sítio São João Inspection Report, *supra* note 18, at 16.

<sup>630</sup> *Production - Coffee*, *supra* note 125.

<sup>631</sup> *List of Goods Produced by Child Labor or Forced Labor* (2024), *supra* note 136.

<sup>632</sup> *Brazilian Coffee: Production, Taste, and Buying Guide*, *supra* note 134.

<sup>633</sup> See, e.g., *List of Goods Produced by Child Labor or Forced Labor* (2018), *supra* note 159; International Labor Affairs, *List of Goods Produced by Child Labor or Forced Labor* (2020), *supra* note 159; *List of Goods Produced by Child Labor or Forced Labor* (2024), *supra* note 136.



- Four recent supply chains in this petition illustrate how farms on the Dirty List – that is, farms that the Brazilian Government has determined use forced labor – in the states of Minas Gerais are linked to Cooxupé, which exports coffee and coffee products to Starbucks, Nestlé, and other companies in the United States.

Accordingly, the petitioners request a determination pursuant to 19 C.F.R. § 12.42(b) (1997) that there is reason to believe that coffee and coffee products imported by Starbucks, Nestlé, JDE, Dunkin', Illy, and McDonald's from Brazil, especially products from Cooxupé and from the above-named five coffee farms (see Part IV(C)), are produced in part with forced labor, and the issuance of a WRO under Section 307 of the Tariff Act of 1930, 19 U.S.C. § 1307 prohibiting the entry of all such products into the United States.

The information provided in the petition, including inspection reports produced by the Brazilian government and information from other credible sources, indicates that the use of forced labor in coffee supply chains in Minas Gerais is not exclusive to specific corporations, but rather is more widely practiced, such that any enforcement action limited to particular coffee farms risks being under-inclusive. The risk of under-inclusivity is especially pertinent given the opaque nature of supply chains in the Brazilian coffee industry, with strong indications that the supply chains that the petitioners were able to conclusively trace to Cooxupé are representative of a larger phenomenon.

In the event that it is determined that more targeted enforcement action is necessary, petitioners request in the alternative that CBP issue a WRO in respect of coffee and coffee products produced by, or affiliated with, Cooxupé and from coffee farms authorized to export to the United States that are operated by other corporations proven to have links to farms on the Dirty List – that is, Sítio Coqueiros, Sítio da Ilha, Sítios Corrego do Jacu e Paquera, and Sítio São João.

## B. Conditions for Lifting a WRO

In addition to the issuance of a WRO, the petitioners recommend that CBP make the modification of any WRO issued on coffee or coffee products from Brazil conditional on the following:

- **Traceability:** Companies must ensure full supply chain traceability down to the farmer or farm cluster, starting with traceability to the cooperative/other local first-level aggregator level (such as a warehouse).<sup>634</sup>
- **Transparency:** Companies must disclose supply chain information in an easily accessible way, including suppliers' names, identifiers (e.g., coop number) and locations (GPS points) publicly and make such information available online.<sup>635</sup>

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<sup>634</sup> See Anuj Saush & Praisya Abraham, *Ensuring Human Rights in the Supply Chain: An Eight-Step Guide*, SUPPLY CHAIN BRAIN (May 5, 2023), <https://www.supplychainbrain.com/articles/37183-ensuring-human-rights-in-the-supply-chain-an-eight-step-guide>; see also Christine Hansen, *Why Supply Chain Traceability Matters*, EPICOR (Dec. 2, 2024), <https://www.epicor.com/en-us/blog/supply-chain-management/why-supply-chain-traceability-matters/#:~:text=By%20providing%20detailed%20insights%20into,disruptors%E2%80%94even%20labor%20rights%20abuses.>

<sup>635</sup> *Id.*

- **Training:** Companies must invest in programs that provide training to farmers and cooperatives on fundamental workers' rights.<sup>636</sup>
- **Contracts:** Companies must ensure that workers have read, signed, and are given a genuine copy of their employment contract in a language they understand.
- **Freedom of Association:** Companies must ensure and proactively support all coffee workers' right to freedom of association and collective bargaining and require suppliers to do so.
- **Non-retaliation:** Companies must protect workers' rights groups and workers from retaliation (by setting up dedicated protected complaint mechanisms), including through legal harassment by companies, government entities, or criminal actors. Companies must also require suppliers to withdraw any open criminal or civil cases against workers whom they are suing for reporting abuse or attempting to organize or defend rights.
- **Gender Discrimination:** Companies must curb gender based violence in supply chains and ensure gender parity equal pay for equal work.
- **Living Conditions:** Companies must ensure all coffee farmers and their communities have access to clean and potable water; adequate, balanced, and healthy food; a clean environment; sanitation; adequate housing; and basic healthcare.
- **Living Income:** Companies must pay suppliers prices that ensure they can – and do – pay living income prices to farmers, and living wages to workers, and make sure all suppliers and farmers receive adequate prices for the coffee purchased to fulfill these obligations.
- **Grievance Mechanisms:** Companies must ensure effective, accessible, and transparent company grievance mechanisms at the supplier and buyer level that involve workers directly. Grievance mechanisms must be secure, anonymous, confidential, and independent, with strong protections against retaliation.<sup>637</sup>
- **Direct buying relationships:** Companies must establish direct relationships with farmers and provide farmers with public standardized farmer-friendly long-term contracts that shift the burden of risk from farmer to buyer.
- **Pesticide Use:** Companies must ensure farmers only use legally approved pesticides, at the scientifically recommended frequency, and promote safe pesticide use and disposal, in line with Food and Agricultural Organization and World Health Organization guidance.<sup>638</sup>
- **Public Reporting:** Companies must publicly report on the progress made against their sustainability objectives and publicly account for the measures implemented for prevention, mitigation, and remediation.
- **Non-Compliance:** Companies must address supplier non-compliance through time-bound and transparent performance improvement programs and clearly define consequences for different types of non-compliance. Companies must also reintegrate suppliers after they have addressed and remediated non-compliance problems (for example, reintegrate a trader after they commence paying a living income price to coffee smallholder farmers) to avoid excluding certain smallholders permanently.

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<sup>636</sup> Ergon Assocs., *Addressing Worker Vulnerability in Agricultural and Food Supply Chains: Toolkit, Ethical Trading Initiative* (Sept. 2016),

[https://www.ethicaltrade.org/sites/default/files/shared\\_resources/vulnerable\\_workers\\_toolkit.pdf](https://www.ethicaltrade.org/sites/default/files/shared_resources/vulnerable_workers_toolkit.pdf), at 23.

<sup>637</sup> See generally, UNITED NATIONS, *Guiding Principles on Business and Human Rights*, OFF. OF THE HUGH COMM'R FOR HUM. RTS.,

[https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf).

<sup>638</sup> FOOD & AGRIC. ORG. OF THE U.N. & World Health Org., *Manual on Development and Use of FAO and WHO Specifications for Pesticides*, PLANT PRODUCTION & PROTECTION PAPER NO. 228 (3d rev. 1st ed. 2016).

We believe the above conditions are the minimum necessary to ensure sufficient monitoring of U.S. imports of Brazilian coffee and coffee products from supply chains containing goods produced using forced labor.

Based on the information provided in this petition, pursuant to C.F.R. § 12.42 (g), we urge CBP to issue a WRO prohibiting the importation by Starbucks, Nestlé, JDE, Dunkin', Illy, and McDonald's of all coffee and coffee products from Brazil, especially products from Cooxupé and from the above-named five coffee farms.

Respectfully submitted,

Coffee Watch