

Secret Ingredient - List of References

All links working as of 13th September 2024 – Earthsight has pdf backups of most pages - contact info@earthsight.org.uk

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[7] European Commission, 'Regulation on Deforestation-free products', 31 May 2023, available at https://environment.ec.europa.eu/topics/forests/deforestation/regulation-deforestation-free-products_en

[8] Under the EUDR, commodities entering the EU cannot be produced on land deforested after 31 December 2020 – referred to as the law's deforestation 'cut-off date' in accordance with Article 2 of the regulation. The EUDR also requires that products have been produced in accordance with relevant producer-country legislation, such as laws relating to land use rights and corruption, as outlined in Articles 2 and 3 of the regulation. The EUDR covers cattle, wood,

cocoa, soy, palm oil, coffee, rubber, and some of their derived products like chocolate and leather. European Parliament and the Council of the European Union, “Regulation (EU) 2023/1115 of the European Parliament and of the Council, 31 May 2023, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32023R1115>

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[19] Ministry of Science, Technology and Innovation, 'Third National Communication of Brazil to the United Nations Framework Convention on Climate Change', 2016, available at

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[23] Geraizeiros live low-impact, traditional ways of life. They collect fruits and medicinal plants, grow traditional crops – such as manioc, beans and pumpkins – and drive cattle over natural grasslands. When wildlife was still abundant and rivers clean, they could hunt and fish. Some of these communities have existed for over 200 years and started as an assortment of fugitive enslaved people, peasants and anyone who wanted or needed to escape mainstream society. The communities identified as fundo e fecho de pasto in the municipality of Correntina, further south of Formosa do Rio Preto, have a similar way of life. In the community of Capão do Modesto around 80 families try to live as their ancestors did. Houses are not connected to the electricity grid. Spotty internet connection is only available via satellite.

[24] Instituto Sociedade, População e Natureza (ISPAN), 'Cerrado pode perder um terço da água, aponta estudo', 10 Nov 2022, available at

<https://ispan.org.br/cerrado-pode-perder-um-terco-da-agua-aponta-estudo>

[25] Earthsight interview with local environmentalist, activist and filmmaker Marcos Rogério Beltrão dos Santos, who has studied the region's history extensively.

[26] Matopiba is a region formed by the state of Tocantins and parts of the states of Maranhão, Piauí and Bahia, which has seen intense agricultural expansion in recent decades, particularly of major grain production. There are about 4,800,000 hectares of planted soybeans in Matopiba, yielding 18.5 million tonnes in the 2022/23 harvest period. This represents about 12.3% of the total soy produced in Brazil. Empresa Brasileira de Pesquisa Agropecuária (Embrapa), 'About Matopiba', available at <https://www.embrapa.br/en/tema-matopiba/sobre-o-tema>

[27] Faverin, V., 'Reis do Matopiba: quais municípios mais produzem soja na região?', Canal Rural, 05 May 2022, available at

<https://www.canalrural.com.br/agricultura/soja/municipios-mais-produzem-soja-matopiba/>

[28] Observatory of Economic Complexity (OEC), 'Bahia', Jun 2024, available at

https://oec.world/en/profile/subnational_bra_state/bahia#latest-trends

[29] Mighty Earth, 'Promises, Promises - Analysis of European Supermarkets' Implementation of the Retail Soy Group's Roadmap to End Deforestation Connected to Meat', Jul 2022, available at

<https://www.mightyearth.org/wp-content/uploads/Mighty-Earth-Soy-tracker-Promises-Promises-V6.pdf>

[30] Franciosi Agro, 'Company structure and Team', available at

<https://www.franciosiagro.com.br/en/#team>

[31] While Franciosi Agro's website lists only six farms, cross-referencing of data and maps provided by Brazil's Rural Environment Registry (CAR) and Bahia's environment agency (Inema) in addition to Earthsight's undercover work, has established that the group owns dozens of farms across Bahia.

[32] TV Bahia, 'Bahia Rural - Agronegócio no Oeste baiano', YouTube, uploaded by Hendrik Aquino, 16 Jun 2019, available at <https://www.youtube.com/watch?v=MdCGOLZBkT8>

[33] Imovelweb, 'Fazendas Rurais à venda na Bahia', available at

<https://www.imovelweb.com.br/rurais-fazenda-venda-bahia.html>

[34] EU Observatory on Deforestation and Forest Degradation. Available at:

<https://forest-observatory.ec.europa.eu/>

[35] Data shared by MapBiomass/IPAM with Earthsight.

[36] Aidenvironment, 'Realtime Deforestation Monitoring System – Soy and cattle supply chains - Amazon and Cerrado biomes – Brazil', Oct 2023, available at

https://aidenvironment.org/wp-content/uploads/2023/10/LIFE_RDM_Report_13_June_2023_UPDATED_Oct23.pdf

[37] Inema Ordinance Nº 25309, 18 Feb 2022.

[38] According to documents stored within Inema's Cefir database.

[39] According to documents stored within Inema's Cefir database.

[40] Ibama's Public Database, available at <https://servicos.ibama.gov.br/ctf/publico/areasembargadas/ConsultaPublicaAreasEmbargadas.php>

[41] Sistema Estadual de Informações Ambientais e de Recursos Hídricos (Seia)'s Public Database, available at <http://sistema.seia.ba.gov.br/home.xhtml>

[42] Aidenvironment, 'Realtime Deforestation Monitoring System – Soy and cattle supply chains - Amazon and Cerrado biomes – Brazil', Sep 2022, available at https://aidenvironment.org/wp-content/uploads/2022/09/ECF_RDM_Report_5_Sept_2022.pdf

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[45] Inema Ordinance Nº 22.078, Article 9, 08 Jan 2021. It states: "The Legal Reserve that has already been approved may exceptionally be relocated, with Inema's authorisation, based on an analysis of technical criteria for the environmental quality of the areas, with a view to improving the quality of their environmental functions (see definition in item VIII of article 2), in the same basin and preferably in the same micro-basin, observing the limitations and safeguarding the specifications set out in Law No. 10,431/2006 and Law No. 12,651/2012." Following public prosecutors' challenges, Inema Ordinance n. 22636/2022 revoked its Ordinance Nº 22.078/2021.

[46] This change entailed that if a farm's the original vegetation was deforested prior to 2008, farmers were then permitted to 'offset it' by allocating their legal reserves to other areas rather than being obligated to preserve an area within their farm.

[47] Establishing legal reserves in areas far away from the original farm undermines the ecological benefits of protecting an area, particularly in heterogeneous biomes like the Cerrado made up of a patchwork of different ecosystems. It can encourage high contrast between basins, with some areas heavily deplete and others with a high number of legal reserves, creating biologically poor landscapes. The ecosystem benefits of legal reserves are greater if they are close to productive areas. Da Silva, J. S. and Ranieri, V. E. L., 'The legal reserve areas compensation mechanism and its economic and environmental implications', Scielo Brazil, 08 May 2014, available at <https://www.scielo.br/j/asoc/a/6GzhNYnScryYHRbyJNcFNtq/?lang=en>

[48] This information was confirmed in an Earthsight interview with the Bahia Public Prosecutor's Office in August 2024. Earthsight also had access to the administrative procedure and civil inquiry related to the case.

[49] Mighty Earth, 'Rapid Response # 2, Soy, Monitoring deforestation in Brazilian supply chains', Mar 2024, available at

https://mightyearth.org/wp-content/uploads/2024/03/Mighty-Earth_Rapid-Response-Report-2_Soy_March2024.pdf

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[51] Ibama's Public Database, available at <https://servicos.ibama.gov.br/ctf/publico/areasembargadas/ConsultaPublicaAreasEmbargadas.php>

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[53] Sistema Estadual de Informações Ambientais e de Recursos Hídricos (Seia)'s Public Database, available at <http://sistema.seia.ba.gov.br/home.xhtml>

[54] Earthsight investigators examined documents on Inema's Cefir database for authorisation for the total land deforested on Santa Isabel farm complex.

[55] Twenty-one fines issued against Walter Yukio Horita and Ricardo Lhossuke Horita for violations committed on the group's farms in São Desidério, Barreiras, Luís Eduardo Magalhães and Correntina. Ibama's Public Database, available at <https://servicos.ibama.gov.br/ctf/publico/areasembargadas/ConsultaPublicaAreasEmbargadas.php>. The amount in USD was calculated using historical conversion rates from Oanda Currency Converter, and then converted to current value equivalent.

[56] Inema was unable to identify permits for 11,285ha of deforestation carried out between 2012 and 2018. Inema, 'Análise Espacial e Temporal de Cadastros de Imóveis Cefir - Agronegócio Condomínio Cachoeira do Estrondo', Technical Report COTIC, 13 Jul 2020, copy held by Earthsight.

[57] Earthsight, 'Fashion Crimes', 11 Apr 2024, available at <https://www.earthsight.org.uk/fashion-crimes>

[58] Bahia's High Court of Justice (TJBA), 'Ownership repossession claim 8000574-63.2017.8.05.0069', 2017, p.321, copy held by Earthsight.

[59] Bahia's High Court of Justice (TJBA), 'Ownership repossession claim 8000574-63.2017.8.05.0069', 2017, p.321, copy held by Earthsight.

[60] Bahia's High Court of Justice (TJBA), 'Ownership repossession claim (8000574-63.2017.8.05.0069)', 2017, copy held by Earthsight.

[61] Most of these properties were sold by a poor and illiterate couple who did not live in the area and were supposedly the heirs of 16,000 hectares of land, despite there being no documents proving this. Residents at Capão do Modesto told Earthsight they suspect the couple were used as a front for a land grabbing scheme. This is supported by the suspiciously low prices farmers paid for the land. In December 2022, Bahia's attorney general launched a lawsuit against the agribusinesses that own properties at Capão do Modesto, including the Horita Group, referring to it as "one of the most serious land grabbing cases in Bahia." Bahia's High Court of Justice (TJBA), 'Land Discrimination Process (8001328-29.2022.8.05.0069)', 2022, copy held by Earthsight.

[62] 'Green land grabbing' has been commonly used by large agribusinesses in western Bahia as a method to acquire land for their legal reserves.

[63] First Court of Correntina, 'Decision on the Land Discrimination Process (8001328-29.2022.8.05.0069)', 2023, copy held by Earthsight.

[64] Estrondo currently extends for 320,000ha, an area almost four times the size of New York City. Today, there are 365 different land titles within the estate, but Estrondo has retained a central administrative structure in charge of running certain aspects of the whole estate.

[65] Based on Earthsight's research of the Horita Group's properties in western Bahia, which included consultations of rural property databases maintained by Brazil's National Institute for Colonization and Agrarian Reform, Incra (Sigef and SNCI), the Cefir (CAR) database, and notary records. See note above about the discrepancies related to Estrondo's size.

[66] Earthsight, 'Fashion Crimes', 11 Apr 2024, available at <https://www.earthsight.org.uk/fashion-crimes>

[67] Associação de Advogados/as de Trabalhadores/as Rurais (AATR), 'Em novo ataque, seguranças da fazenda Estrondo "prendem" geraizeiro de Formosa do Rio Preto (BA)', 2019, available at https://www.facebook.com/notes/associa%C3%A7%C3%A3o-de-advogadoras-de-trabalhadore-sas-rurais-aatrbahia/em-novo-ataque-seguran%C3%A7as-da-fazenda-estrondo-prendem-gerai-zeiro-de-formosa-do-r/1020263041509182/?_tn_=H-R

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[69] Although Bahia's rural land agency, CDA, recognised the community's right to occupy more than 82,000 hectares, Bahia's high court (TJBA) still upheld the initial analysis that assigned the communities just over 43,000 hectares of land. The residents are still waiting for this decision to be reviewed. Court documents held by Earthsight.

[70] Agência 10envolvimento, 'Famílias geraizeiras vencem mais uma batalha judicial contra o mega-latifúndio Estrondo', NovoEste, 07 Abr 2024, available at <https://www.novoeste.com/noticias/70514/familias-geraizeiras-vencem-mais-uma-batalha-judicial-contra-o-mega-latifundio-estrondo>

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[74] Paes, C.F., 'Justiça bloqueia fazendas da elite do agronegócio por suspeita de grilagem na Bahia', Agência Pública, 10 May 2023, available at <https://apublica.org/2023/05/justica-bloqueia-fazendas-da-elite-do-agronegocio-por-suspeita-de-grilagem-na-bahia/>

[75] Federal Prosecutor's Office (MPF), 'OPERATION FAR WEST – Initial Complaint', Nov 2020, copy held by Earthsight.

[76] Bonin, R., 'Corrupção leva CNJ a avaliar plano de intervenção no Judiciário da Bahia', Veja, 9 May 2024, available at <https://veja.abril.com.br/coluna/radar/corruptao-leva-cnj-a-avaliar-plano-de-intervencao-no-judiciario-da-bahia>

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<https://www.earth sight.org.uk/news/US-agribusiness-soy-linked-to-stolen-indigenous-land>

[79] According to shipment records for Brazilian exports.

[80] According to shipment records for Brazilian exports.

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[82] Bunge, 'Non-deforestation Commitment', available at <https://www.bunge.com/Sustainability/Non-Deforestation-Commitment>

[83] Bahia's High Court of Justice (TJBA), 'Civil Lawsuit 0501269-77.2016.8.05.0022', 2016, copy held by Earthsight.

[84] Aidenvironment, 'Realtime Deforestation Monitoring System – Soy and cattle supply chains - Amazon and Cerrado biomes – Brazil', Feb 2022, available at <https://www.aidenvironment.org/wp-content/uploads/2022/02/Realtime-Deforestation-Monitoring-Report-February-2022.pdf>

[85] According to shipment records for Brazilian exports.

[86] Lopo, J., 'A história de sucesso da Fazenda Franciosi', BadeValor, 01 Nov 2022, available at <https://badevalor.com.br/152119-2/>

[87] Mighty Earth, 'Rapid Response # 2, Soy, Monitoring deforestation in Brazilian supply chains', Mar 2024, available at https://mightyearth.org/wp-content/uploads/2024/03/Mighty-Earth_Rapid-Response-Report-2_Soy_March2024.pdf

[88] World Wild Fund for Nature (WWF), 'Average European consumes over 60kg of soy a year - new research', 07 Mar 2022, available at <https://www.wwf.eu/?6146966/Average-European-consumes-over-60kg-of-soy-a-year---new-research>

[89] Mighty Earth, 'Major European Supermarkets Launch Investigations over US Animal Feed Giant Bunge's Links to Cerrado Deforestation', 21 Jun 2023, available at <https://mightyearth.org/article/major-european-supermarkets-launch-investigations-over-us-animal-feed-giant-bunges-links-to-cerrado-deforestation/#:~:text=With%20annual%20revenues%20of%20%2467.commodities%20giants%2C%20ADM%20and%20Cargill>

[90] According to Our World in Data, approximately 1.7kg of meat is produced from one chicken and 3.3kg of animal feed is needed to produce 1kg of chicken meat. This entails that 5.6kg of animal feed is needed to produce the entire 1.7kg of meat available from one chicken, of which 30% is soy, or 1.68 kg. This means that the average soy exported by Bunge from Bahia to the EU per year between 2021 and 2023 was enough for the animal feed for over 214 million chickens. Each chicken produces two chicken thighs.

- [91] Roembke, J., 'Top 32 European feed companies in 2021', Feed Strategy, 10 Nov 2022, available at <https://www.feedstrategy.com/business-markets/feed-production-by-region/article/15443204/top-32-european-feed-companies-in-2021>
- [92] Le Douarin, P., 'En poulet, les opérateurs belges et néerlandais font leur nid en Ardennes et dans la Marne', Reussir, 24 Nov 2020, available at <https://www.reussir.fr/volailles/en-poulet-les-operateurs-belges-et-neerlandais-font-leur-nid-en-ardennes-et-dans-la-marne>
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- [94] Krusselbrink, E., 'Plukon op plek 4 Europese pluimveeslachters', Pluimveeweb, 6 Oct 2023, available at <https://www.pluimveeweb.nl/artikel/840072-plukon-op-plek-4-europese-pluimveeslachters/>
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- [98] Based upon Earthsight's calculations of the number of stores per company in European countries.
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[106] See <https://responsiblesoy.org/?lang=en>

[107] Greenpeace, 'Destruction: Certified', Apr 2021, available at https://www.greenpeace.org/static/planet4-international-stateless/2021/04/b1e486be-greenpeace-international-report-destruction-certified_finaloptimised.pdf

[108] Round Table on Responsible Soy (RTRS), 'Meet the Producers', available at <https://responsiblesoy.org/productores?lang=en#meet-producers>. After Earthsight shared its findings with RTRS, Horita's farms have been removed from the scheme's list of producers while it carries out an investigation. Copies of Horita's certificate for Sagarana farm and Centúria farm are held by Earthsight.

[109] Inema, 'Análise Espacial e Temporal de Cadastros de Imóveis Cefir - Agronegócio Condomínio Cachoeira do Estrondo', Technical Report COTIC, 13 Jul 2020, copy held by Earthsight.

[110] Round Table on Responsible Soy (RTRS), 'RTRS Standard for Responsible Soy Production V4.0', approved in Dec 2021, mandatory from Dec 2022, available at <https://responsiblesoy.org/documentos/rtrs-standard-for-responsible-soy-production-v4-0?lang=en>

[111] Round Table on Responsible Soy (RTRS), 'RTRS Standard for Responsible Soy Production V4.0', approved in Dec 2021, mandatory from Dec 2022, available at <https://responsiblesoy.org/documentos/rtrs-standard-for-responsible-soy-production-v4-0?lang=en>

[112] Food Chain, 'Relatório de Resumo Público – Programa de Certificação RTRS – Grupo de Produtores Horita', Dec 2022, copy held by Earthsight.

[113] Round Table on Responsible Soy (RTRS), 'About RTRS', available at <https://responsiblesoy.org/about-rtrs?lang=en>

[114] Documents issued by certification bodies show that Franciosi Agro farms were undergoing the certification process under Bunge group certifications in 2022. Franciosi Agro properties are currently certified under group certification for Cerquality. After Earthsight shared its findings with RTRS, Cerquality's group certificate containing farms owned by Franciosi Agro has been removed from the RTRS website while it carries out an investigation. Copies of Cerquality's group certificate and documents related to Bunge's group certification in 2022 are held by Earthsight.

[115] Franciosi Agro's certified properties were certified under the group certificate Cerquality Consultoria em Sustentabilidade e Certificação Ltda - Grupo IV. It is this group certificate including Franciosi Agro's farms that has been suspended.

[116] Together4Forests, 'Letter to Ursula von der Leyen regarding the Implementation of the EU Deforestation Regulation', 11 Apr 2024, available at https://together4forests.eu/resources/11042024_EUDR%20implementation%20_Letter%20to%20President%20VDL.pdf