

BUSINESS DAY

Just 13, and Working Risky 12-Hour Shifts in the Tobacco Fields

By STEVEN GREENHOUSE SEPT. 6, 2014



Saray Cambray Alvarez, 13, tries to avoid nicotine dripping from plants in fields where she works.
Credit Travis Dove for The New York Times

PINK HILL, N.C. — On many mornings, as tobacco plants tower around her, Saray Cambray Alvarez pulls a black plastic garbage bag over her 13-year-old body to protect her skin from leaves dripping with nicotine-tinged dew.

When Saray and other workers — including several more teenagers — get to the fields at 6, they punch holes through the bags for their arms. They are trying to avoid what is known as “green tobacco sickness,” or nicotine poisoning, which can cause vomiting, dizziness and irregular heart rates, among other symptoms.

Saray says that she sometimes has trouble breathing in the middle of all the heat, humidity and leaves, and that she often feels weary during her 12-hour shifts, when she moves through the rows to pluck unwanted flowers or pull off oversize leaves for the harvest.

“You get very thirsty,” said Saray, who sometimes waits an hour in 90-plus heat for a drink until her crew returns to the opposite side of a field, where the water jugs are parked. “It’s too hard for me, and it’s too hot.”

Saray says she is lucky not to have become really sick, whereas others have become visibly ill. “Last week, they made us work when it was raining, and I got water in my mouth and I felt dizziness and nausea,” Ana Flores said of exposure to wet tobacco leaves — the plants’ nicotine often dissolves in rain and dew. At 16, she is spending her third summer in the tobacco fields. “I didn’t throw up, but other people did.”

For years, public health experts and federal labor officials have sought to bar teenagers under 16 from the tobacco fields, citing the grueling hours and the harmful exposure to nicotine and other chemicals, but their efforts have been blocked. Three years ago, Hilda Solis, then the labor secretary, proposed declaring work in tobacco fields and with tractors hazardous — making that type of work illegal for those under 16. Opponents of child labor note that Brazil, India and some other tobacco-producing nations already prohibit anyone under 18 from working on tobacco farms.

The Obama administration withdrew Ms. Solis’s proposed rule after encountering intense opposition from farm groups and Republican lawmakers. Agricultural organizations said the move would hurt family farms and make it harder for young people to learn farming skills.

The administration killed the proposal in April 2012, when the president was running for re-election, saying it would not pursue these regulations for “the duration of the Obama administration.” But some proponents still hope to revive the tobacco part of the proposal once this year’s midterm elections are over.



Cured tobacco hangs in a barn in Deep Run, N.C.
Travis Dove for The New York Times

In the meantime, public health experts say hundreds of children under 16 like Saray continue to work in America’s tobacco fields. Dr. Thomas A. Arcury, an expert on tobacco and migrant workers and a professor at the Wake Forest Baptist Medical Center, said tobacco work was particularly harmful to children, pointing to nicotine poisoning, pesticides and dehydration.

“They’re not small adults, they’re children,” he said. “They have more surface area to body mass. They’re still developing neurologically. Their reproductive systems are developing.”

Federal law allows those 12 and older to work on farms for unlimited hours, as long as there is no conflict with school. For nonfarm work, federal law sets 14 as the minimum age and restricts work for children under 16 to eight hours a day.

Tobacco growers say that the practice of using young teenagers is rare, and that many growers decline to employ anyone under 16. But interviews with many teenagers and experts suggest that the practice is still prevalent. Many of the young workers are immigrants or children of migrant workers, whose families often have few employment options and are struggling to make ends meet.

Carl Fillichio, a Labor Department spokesman, declined to discuss the failure of Ms. Solis’s effort, but he said that since then, his agency had stepped up enforcement and urged growers and workers to

reduce health risks. “We are concerned about the serious health effects that may be experienced by young people working on tobacco farms,” he said.

Even as smoking has declined in the United States, North Carolina remains the nation’s largest producer of tobacco, with roughly 1,800 tobacco farms employing 30,000 workers picking 400 million pounds of the crop annually.

Graham Boyd, executive vice president for the Tobacco Growers Association of North Carolina, said most tobacco farmers go beyond what is required in terms of labor compliance. “There is absolutely zero benefit in mistreating farm workers,” he said, noting that abusing workers was a quick way to end up without enough people at harvest time. And he acknowledged the danger of nicotine poisoning and other tough conditions in the fields.

“No one is going to say it’s a day at the beach,” Mr. Boyd said.

But few tobacco growers use workers under 18, he said, adding that his organization would be “open-minded” to a ban on workers under 18.



Workers harvesting tobacco on a farm in Deep Run. North Carolina remains the nation’s largest producer of tobacco. Travis Dove for The New York Times

With no government regulations in the offing, 54 groups, including the American Academy of Pediatrics, the National Consumers League and the A.F.L.-C.I.O., appealed to the major tobacco companies in June, urging them to prohibit their growers from employing anyone under 18.

Big tobacco corporations say they strongly oppose the illegal use of child labor. Philip Morris International bans its growers from using workers under 18, a measure that goes well beyond American law. Some labor contractors, however, evidently flout this requirement without the growers’ knowledge.

“Our standards are generally stricter than U.S. law both in terms of the age limits for children to do work on the farm and for the types of activities that children can do on the farms,” said Miguel Coleta, the company’s director of external labor policies. “We would welcome a strengthening of the U.S. regulatory framework to align with our standards.”

Mr. Coleta said the company had stopped doing business with 20 American growers over the last year because they were using workers under age 18.

Neither Reynolds nor Altria has rules as tough as Philip Morris.

Jeffrey Caldwell, an Altria spokesman, said his company did not “condone the unlawful employment of farm workers, especially under 18.” In a statement, Reynolds said its supplier code of conduct “states that domestic tobacco growers may not assign anyone under 18 to work” that is defined as hazardous. Because federal law and regulations do not define tobacco field work as hazardous, it remains permissible for workers under age 18.

Pat Raines, president of the Burley Tobacco Growers Cooperative Association, based in Lexington, Ky., said he believed that the use of young teenagers in tobacco fields was minimal. And he said he agreed that minors should be barred from hazardous tobacco work, like climbing 20-foot ladders in tobacco barns, but added that most field work was not hazardous.

To proponents of higher age limits, however, dangers lurk in many corners. The tobacco fields pose “a whole environment of risk,” said Margaret Wurth, an expert on children’s health at Human Rights Watch. “It’s the nicotine, the pesticides, the heat, the long hours, the pressure they get from employers.”

Last year, Human Rights Watch interviewed 141 tobacco workers, ages 7 to 17, for a lengthy study, finding that three-quarters had suffered nausea, dizziness and rashes.



Esmeralda Juarez, 15, right, earns \$8.50 an hour. Her sister Neftali, 19, has been working in the tobacco fields since she was 12. Travis Dove for The New York Times

Esmeralda Juarez, 15, related other problems. With long, dark hair and a shy smile, she told of a labor contractor who had pulled at her clothes, snapped pictures of her from behind and called her “princess” and “baby.” Most tobacco farms, she said, had no portable bathrooms, and while some women go to the woods, “I wait until I get home. I just hold it in.”

“There’s nothing good about this job, except that you get paid,” said Esmeralda, who earns \$8.50 an hour. Her sister, Neftali, 19, has been working in the fields since she was 12.

Edinson Bueso Ramirez, 15, recalled summers when he worked with many 12- and 13-year-olds, even a 10-year-old. But this year, he is the youngest on his crew.

“They take advantage of the younger workers,” he said. “They rip you off on pay.” Edinson, whose family fled Honduras because of gang violence, plans to join the Marines after high school.

“My mom, she worries I might get hurt at work,” he said. “I tell her, ‘We need it to pay the bills.’”

Many of the teenagers said they worked to help their families.

Jessica Rodriguez, a cashier at Hardees, said she worried about her sons, Fernando, 13, and Brandon, 16, working in tobacco, although she said they could protect themselves from the chemicals.

“If my boys are going to be responsible, I don’t see why they can’t do it,” Ms. Rodriguez said. They work, she explained, because “I was behind on bills. We were close to being evicted last year. That’s why they started.”

Ana Flores, whose mother also works in the fields, shares similar concerns about making ends meet, with younger siblings and little money to go around. “They once sprayed right next to us,” Ana, who runs cross-country for her high school, said of pesticides. “My head was hurting. At night, I could hardly sleep.”

Ana has a brother, 9, and a sister, 11, who will be old enough to work tobacco next summer.

“I wouldn’t want them to be working in this,” Ana said. “But my mom, she’s single and has a lot of kids, and I have to help her.”

A version of this article appears in print on September 7, 2014, on page A1 of the New York edition with the headline: Just 13, and Working Risky 12-Hour Shifts in the Tobacco Fields.