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Aerial Pulverisation of Pesticides and its Legal Order

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Abstract

Brazil is a country of agrarian base, which finds in agriculture an important source of economic income. Since the implementation of the technological package in the country, the national politics are directed towards the spread of this mechanism of empowering agriculture. In 1965, the National System of Rural Credit used to provide agricultural credits, making it obligatory for the farmers to buy agricultural inputs, including pesticides. Thus, the aerial spraying was adopted due to its speed on applying pesticides and by the possibility of its execution in situations with soaked soils. However, the efficiency of the aerial spraying is questionable, because, on average, 50 % of the quantity of pesticides stay chained on the plantation, which means that the percentage that doesn't stay withheld is lost in soil or is carried by the wind, generating drifts. The drifts induce contamination of neighbour areas, forests, fountains and even residences, and they depend on aspects like temperature, air humidity and wind speed to disseminate. The state of Goiás registered the accident of Municipal Rural School São José do Pontal, in rural zone of the city of Rio Verde, that occurred on May 3rd, 2013, when 92 students, teachers and workers of the referred school were victims of pesticides aerial sprayed. Considering the context in the State, the present investigative work intends to analyse the current legislation and the one in approval process about the aerial spray of pesticides, in the three levels of government (federal, state and municipal), specifically in the city of Morrinhos, Goiás, Brazil, to verify how the Brazilian State treats this instrument of socio-environmental degradation. To reach this general objective, the following specific objectives are pointed out: gather bibliography and build a theoretical mark about the use of pesticide and the aerial spray; gather the federal, state and municipal legislation on aerial spraying; and collate that legislation, with the aim of analysing the Brazilian legal treatment on the use of this pulverisation instrument. The objectives will be reached out by bibliographical research, analysis of legislation projects and legislation.

Keywords: Aerial pulverisation of pesticides, Brazilian legislation, environmental damage