

Alliance For Fair Food

Challenging Chipocrisy: “Food With Integrity” Must Respect Farmworkers’ Human Rights

Does it matter whether an heirloom tomato is local and organic if it was harvested with slave labor?

- Eric Schlosser, author of *Fast Food Nation*, a book recommended as “Further Reading” in Chipotle’s Manifesto regarding Food With Integrity

Chipotle’s “Vision” Must Widen Its Lens

In the fifteen years since CEO Steve Ells opened the first Chipotle Mexican Grill, the company’s history has been one of unbridled success. After McDonalds’ bought a majority interest in the company in 1998, and until its divestment in 2006, the new chain benefited from McDonalds’ bulk purchasing agreements with suppliers, growing quickly from over a dozen stores to several hundred. Chipotle now boasts of over 500 stores nationwide.

During its time under McDonalds’ wing, Chipotle embarked on a commitment to the welfare of animals. On Chipotle’s website, Steve Ells shares his “vision” for Chipotle, including his awakening to the extremely inhumane conditions under which the majority of pigs are raised in this country.¹ He tells of a journey to witness these farm conditions for himself and his subsequent commitment to naturally raised meats. This awakening led to the development of a larger concept of “Food With Integrity.” Currently, all the pork and chicken, and fifty percent of the beef, served in Chipotle’s stores is naturally raised, with the explicit goal that all meats served at Chipotle will eventually meet this standard.

Chipotle notes that although purchasing naturally raised meats is “an essential part of our larger Food With Integrity mission,” its describes that mission as going well beyond the humane treatment of animals, and as “a philosophy that we can always do better in terms of the food we buy” and can, through that process, “help create a more sustainable food chain that emphasizes the welfare of people, animals, and the land.”

Chipotle’s Manifesto explains its goals as “no less ambitious than revolutionizing the way America grows, gathers, serves and eats its food.” Doing this requires “working back along the food chain. It means going beyond distributors to discover how the vegetables are grown, how the pigs, cows and chickens are raised, where the best spices come from.” Chipotle consciously wields its market power for change. Its Manifesto explains that “[o]ur size helps us influence the decisions of our suppliers” and “lets us shoulder our way into the consciousness of the American eating public.” In the case of naturally raised meats, for example, “[b]y creating a market for meats raised in a healthier

¹ “Steve’s Vision” and Chipotle’s “Manifesto” can be found at <http://www.chipotle.com>.

environment, we make it worthwhile for these farmers to raise even more. That's how Food for Integrity works for everyone." **The problem, however, is that Food With Integrity has not been working for everyone.**

Human Rights Conditions in the Fields

While Chipotle's rhetoric includes references to "a more sustainable food chain that emphasizes the welfare of people" as well as animals and sets forth a goal of revolutionizing the way America "grows and gathers" its food, Chipotle has failed to follow in the footsteps of its much less explicitly socially conscious market competitors, such as McDonalds', Burger King and Taco Bell, who have agreed to work in partnership with the Coalition for Immokalee Workers (CIW) to help improve the wages and working conditions of Florida tomato pickers.

Farmworkers, who make up an indispensable part of the retail food industry's supply chain, are excluded from portions of this country's most basic labor laws. In practice, this means that they have fewer wage protections (for example, they have no right to overtime pay) than other workers in the economy, and, if they were to attempt to organize and bargain collectively to improve their condition, employers can fire them without facing any legal penalties.

In short, how workers are treated depends - to a great extent - on the whims of their employers. This has led to well-documented human rights violations, including seven successful federal criminal prosecutions in Florida for forced labor and slavery committed primarily by farm labor contractors used by growers to supply cheap labor. The laborers whose situation does not rise to the level of forced labor or slavery earn annual salaries well below the national poverty line. In fact, their wages have not changed significantly in over twenty-five years, which means that their income has decreased by 65% relative to inflation.² These workers also lack other important benefits of employment, such health insurance or sick leave, and are forced to pay high prices out of their meager wages for overcrowded, substandard housing.³ Senator Bernie Sanders has described the current conditions for farmworkers represented by CIW as: "***the norm is disaster, the extreme is slavery.***"

CIW's attempts to communicate with Chipotle were met at first with silence and then with threats to simply purchase produce elsewhere. However, the pressure on Chipotle to join with CIW to counter these injustices has increased since Whole Foods Market, the world's leading natural and organic supermarket, recently agreed to work in partnership with CIW. In the past, Chipotle has used its similarities to Whole Foods as a marketing tool. The Chipotle website features two reviews in which Chipotle is referred to as the "fast-food equivalent of Whole Foods Market." No doubt these comparisons were made

² Like Machines in the Fields: Workers Without Rights in American Agriculture, Oxfam America, March 2004, at 12-13.

³ Id. at 15-22.

in reference to Chipotle's stated commitment to sustainable and organic food. As another featured review from the March 26, 2008 Washington Post remarks, "Chipotle has long been a pioneer in bringing sustainable and organic food to the masses."

In order to live up to its status as a pioneer in sustainable food, however, Chipotle must bring its actions into alignment with its commitment to "sustainability," which by definition includes the protection of the human rights of the people whose labor makes up an indispensable link in Chipotle's supply chain.

The Role of Human Rights Protection in Sustainable Food Systems

A sustainable food system [is] one that provides healthy food to meet current food needs while maintaining healthy ecosystems that can also provide food for generations to come with minimal negative impact to the environment. . . . Further, it is humane and just, protecting farmers and other workers, consumers, and communities.

- "Toward a Healthy, Sustainable Food System," American Public Health Association, Policy No. 200712 (2007-06-11)

The sustainable food movement, with which Chipotle identifies its "Food With Integrity" vision, concerns itself with the way food is grown, raised and produced. A commitment to sustainable food requires its production to be analyzed in terms of its impact, not only on the environment and animals, but also on the human beings that seed, cultivate, and pick the produce. As noted by the Agriculture Justice Project, "[e]nvironmental and humane practices alone cannot achieve sustainability in our food system, we must have justice." Thus, to realize the core tenet of sustainability, producing food without degrading the resources upon which food production depends, it is imperative to pursue the respect and protection of farmworkers' human rights.

"No major social or economic system may be permitted to function at the expense of basic human rights; the food system is no exception. There are viable solutions in agriculture that ensure the human rights of farmworkers, while also better protecting sustainable and healthy food production."

Larry Cox, Executive Director of Amnesty International

The human rights of farmworkers that must be protected in the production of sustainable food include:

- Decent wages
- Freedom from violence and intimidation
- The ability to lodge effective complaints against abuses
- Protection for health and safety
- Access to clean water
- Association and collective bargaining without fear of retaliation

Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity.

- Universal Declaration of Human Rights, Article 23(3)

Even companies that have expressed a commitment to sustainable food, such as Chipotle, often buy produce from growers who have subcontracted labor under conditions clearly violating these basic human rights norms. Increasingly, however, as evidenced by Whole Foods' recent agreement to join in partnership with CIW, the sustainable food community is speaking and acting out against benefiting from these human rights violations by receiving cheap fresh produce picked at the expense of human dignity. More importantly, the sustainable food community, in particular large food purchasers like Whole Foods, as well as the consumers themselves, are recognizing that they are the ones that have the power to change this abusive system.

In order to live up to its commitment to serve sustainable food, Chipotle must join those, such as CIW, who are seeking to implement viable solutions in agriculture to protect farmworkers' human rights.

Chipotle Must Bring Its Actions In Line With Its Image

If Chipotle wants to maintain its image as a leader in bringing sustainable food to the mainstream market, and to merit its treasured comparison to Whole Foods, it needs to take responsibility for pursuing sustainability throughout its supply chain, including with regards to the human beings who pick the produce integral to its menu.

In the meantime, the great distance between Chipotle's stated ideals as presented in its marketing campaigns and its behavior can only serve as fodder for tragic irony, or "Chipocrisy."

For example, every Chipotle store features original artwork by Bruce Gueswel, which is inspired by the artistic style of the ancient Mayans. At the same time, the farmworkers represented by the CIW include a large number of actual Mayan Indians. Yet, Chipotle seems more concerned with preserving the remnants of Mayan artistic influence than in protecting the rights of the present-day descendants of the Mayans whose artwork adds an "authentic" touch to Chipotle's stores.

Similarly, in promoting its t-shirts and baseball caps, Chipotle is careful to alert its customers to the fact that the supplier of its custom-designed apparel and merchandise –

Evolve – goes to great lengths to ensure that its supply chain delivers its products in an ethical manner. Yet, Chipotle itself in delivering its own product, fails to address the unethical treatment of farmworkers in its supply chain.

Chipotle, however, has an opportunity to close the distance between its image and its actions. In fact, it has an opportunity to become a leader in recommitting the sustainable food movement to the protection of the human rights of workers:

Sustainable agriculture is often compared to a three-legged stool, resting on the three “E’s” of Environment, Economy and Equity. For an agricultural system to be truly sustainable, it must be environmentally sound, economically viable and socially equitable. Nonetheless, until now, social aspects of sustainable agriculture have been eclipsed by greater attention to environmental and economic concerns. In order to more fully embrace the social side of sustainability, farmers and advocates alike need more information regarding what social sustainability means in practice, its benefits for farmers and farmworkers, and what is feasible within the context of the economic constraints facing growers.⁴

Chipotle has already demonstrated its ability to engage in effective consumer education and food system reform in the area of naturally raised meat. By joining Whole Foods and others in working with CIW to improve the wages and working conditions of farmworkers, Chipotle could both follow through on its own vision to serve “Food With Integrity” that respects the welfare of people as well as animals **and** reenergize its image by serving as an important public reminder to the sustainable food movement that sustainability, by definition, requires social justice and the protection of workers’ human rights.

⁴ Ron Strohlik and Kari Hamerschlag, Best Labor Practices on Twelve California Farms: Toward a More Sustainable Food System (California Institute for Rural Studies, January 2006).