

Has Chiquita Truly Reformed or Are They Just Green Washing?

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Photo from Chiquita farms is courtesy of Professor Richard Feinberg

This paper was prepared for the course Corporate Social Responsibility taught by Professor Peter Gourevitch in the winter quarter 2011 at the School of International Relations and Pacific Studies of the University of California San Diego (UCSD). The papers have not been edited after having been submitted to the course. They are posted here to provide others with information and ideas about CSR, NGO's and the private sector.

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I. Introduction and History

Chiquita, formerly known as the United Fruit Company, has one of the most repulsive histories of any corporation ever. Over the last hundred years, they have committed almost every crime possible for a multinational corporation. However, over the past twenty years their image has been transformed into that of a socially conscious and responsible company that takes care of both its employees and the environment. Are we to believe that Chiquita has truly reformed, or have they just developed a better public relations strategy? This paper seeks answers by looking not only at Chiquita's self-reported information and the awards and recognition it has received, but also third party certification, the analysis of academics and independent NGO's, and labor rights organizations.

Chiquita is one of the largest fruit companies in the world, with over 23,000 employees and operations in 80 countries around the world. In 2008, they had net sales of over \$3.6 billion and were the largest banana producer to Europe, the second largest in the United States. In 2005, Chiquita acquired Fresh Express, a bagged salad company, which accounts for 36% of the company's salesⁱ. Bananas account for 57% of the company's sales, with other produce making up the other 7% of its sales. The banana is dominated by three large companies (Chiquita, Dole and Del Monte) and has been for decades. Chiquita also produces avocados, pineapples, mangos and a handful of other fruits.

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The banana industry is oligopolistic: the top 3 companies command 67% of world market, the top 5 control 84%. In 2007, Chiquita alone commanded 25% of the banana industry; slightly behind fierce competitor Dole with 26% (Del Monte holds 16%)ⁱⁱ. As bananas are perfect substitutes for one another, banana producers must compete based on reputation and marketing alone. It is little wonder then why Chiquita has focused so much attention on its brand image.

The United Fruit Company was founded in 1899 when the Boston Fruit Company and the railroad companies of Minor C. Keith merged. Until recently, Chiquita has focused almost exclusively on bananas with farms almost exclusively in Latin America. The United Fruit Company was known in Latin America for its harsh, even slave-like conditions: it was run by American southerners and brought in many of the workers from the West Indies, as they were English-speaking, black and considered more subservient than the local populations. The entire lives of the United Fruit Workers revolved around the company, as most of the workers lived on United Fruit compounds in company provided houses and their children were sent to company administered schools. The United Fruit Company was referred to as "El Pulpo" (Spanish for the octopus) because they were involved in all aspects of the workers lives and even had influence and control over the local and national governments in the countries where they had farms. They owned approximately 1/3 of the land in Guatemala, Honduras, Panama, Costa Rica, Colombia and Ecuador even though only about 2% of the land was actually used for banana cultivation.

El Pulpo certainly did use this power to its advantage. In 1928, thousands of United Fruit farm workers were protesting working conditions in Cienaga, Colombia

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when they were fired upon by the Colombian military. There are differing estimates of the death toll – ranging from the United Fruit Company’s estimate of thirteen to several thousand, the estimate given by Nobel Prize winning author Gabriel García Márquez in his novel One Hundred Years of Solitude, though there are confirmations that this estimate was inflated in order to dramatize the events for the book.

The most flagrant abuses of power came in the 1950’s in Guatemala. When President Juan José Arévalo came to power in 1945, he began pushing for labor reform and ending his support for the farm owners, including United Fruit. After wide spread strikes on United Fruit farms, the United Fruit Company involved the FBI accusing Arévalo of being a communist. He was forced to hand over power to General Jacobo Guzman Arbenz in 1951. However, General Arbenz proved to also be difficult for United Fruit Company, as he insisted on continuing and expanding Arévalo’s land reforms, including the expropriation of 200,000 of United Fruit land in 1953. The following year, the CIA launched a coup d’état removing General Arbenz from power: the coup was “waged for and abetted by United Fruit.ⁱⁱⁱ” After this point, it was clear that United Fruit had gone too far, and several years later was penalized by the Department of Justice, though the power hungry image of United Fruit remained.

In addition to these completely egregious violations, United Fruit/Chiquita has been accused of a variety of horrendous crimes including, but not limited to, polluting the environment, the smuggling of drugs on its ships^{iv}, the bribing of government officials^v and the use of paramilitary organizations to intimidate union organizers^{vi}. More recently, Chiquita officials have pled guilty to making payments to paramilitary organizations in Colombia, including the FARC, ELN and AUC^{vii} and have been

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accused of using child labor and unsafe working conditions on their independent supplier farms in Ecuador^{viii}.

It is then no wonder that Chiquita wanted to rework its image. While it is extremely difficult to isolate the effects its brand image on sales as Chiquita's sales have been very volatile over the past twenty years in response to trade restrictions from the European Union, failed attempts to enter the Eastern European market in a big way and natural disasters. However, Chiquita slipped from being the largest banana producer in the United States to being the second largest (behind Dole) and obviously is seeking to regain market share. It appears that early in the 1990's Chiquita realized that by dedicating itself becoming an environmentally friendly company it would both give itself a better brand image and save money in the long run through waste reduction and recycling initiatives. As the banana industry has few large companies and a perfectly substitutable product, the only way to differentiate itself is based on brand perception.

It is useful to compare Chiquita's behavior with that of Nike, another multinational corporation who had received bad publicity for its poor labor standards. Nike had immediately felt the effects of this poor brand image in the form of customer boycotts and, after several botched attempts to regain this credibility, it turned to third party auditors of labor standards. While many remembered Chiquita's sullied history, Chiquita customers never boycotted its goods nor is there evidence that this brand image problem caused sales to drop. It appears that Chiquita's policy shifts were seen to be preventing such a backlash as Nike experienced and being proactive about forming a positive brand image.

II. Self Evaluation and Reporting

Fast forward fifty five years from the coup d'état in Guatemala and Chiquita looks on the surface like a completely different company. Chiquita has a CSR webpage that details their "core values" of integrity, respect, opportunity and responsibility, and their commitment to "ethics and integrity" through their Code of Conduct. It puts out biannual CSR reports detailing the company's progress towards environmental sustainability, fair labor rights for workers, food safety and philanthropic projects. But how can we tell what is really going on in Chiquita's farms? Why should we trust that what was once one of the most untrustworthy corporations on the planet is now being honest about their practices?

One thing worth noting about Chiquita's 2007/2008 CSR Report is that they discuss their lawsuit with the United States Department of Justice. Chiquita voluntarily disclosed that it had been making payments for six years to paramilitary organizations in Colombia. In the report, it claims that the payments were made in order to keep its employees safe from violent attacks and that the decision to make the payments came after a massacre of 28 Chiquita employees in 1995 and the assassination of two other employees in 1998. The report claims that had it stopped making the payments, it would have complied with the law but its workers lives were in jeopardy, and that it disclosed these payments to the United States Department of Justice in a transparent way.

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For starters, we can look at the certifications it mentions in the Corporate Responsibility Report 2007/2008 (the 2009/2010 edition is not yet posted on the company's website). They claim that all of their owned farms are Rainforest Alliance certified, that they have "chosen to apply a slightly modified version of the requirements of Social Accountability 8000 (SA8000), a standard developed by Social Accountability International (SAI), to certain areas of its operations" and that all of its owned farms in Latin America are certified by Global G.A.P. for food safety. Who are these organizations, what are the standards and why should we trust that they are credible?

III. Third Party Certifications

We can start with the Rainforest Alliance. The Rainforest Alliance is a non-profit organization that works to "works to conserve biodiversity and ensure sustainable livelihoods by transforming land-use practices, business practices and consumer behavior.^{ix}" By working with scientists, business leaders, and non-profit organizations, they have developed a series of standards for a variety of different fields, including tourism, sustainable agriculture and logging. The Rainforest Alliance was started by Daniel Katz in 1987 after a workshop and conference on the crisis of rainforest destruction in New York City. Its board members are a wide array of individuals ranging from actors, environmentalists, businessmen and leaders of non-governmental organizations. It started its first certification program "SmartWood" in 1989 and developed the Better Banana Project standards in conjunction with the Sustainable Agriculture Network in 1991. The Rainforest Alliance has received a four star seal of

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approval from Charity Navigator, as well as seals from the Better Business Bureau and American Institute of Philanthropy.

However, for several reasons Rainforest Alliance is not entirely credible. First of all, it charges inspection fees from its clients in order to cover the time and travel costs of the inspectors. Secondly, it accepts corporate donations, which in addition to government and foundation donations, amount to 46% of its budget (some accounts put the level of corporate donations as high as 36% though I was unable to verify that figure), and many of the donor corporations are Rainforest Alliance clients. Additionally, several board members work for client corporations, which is a clear conflict of interest^x. When comparing Rainforest Alliance certification to that of Fairtrade or other certifications, the Rainforest Alliance is generally indicated to be the weakest certification standard. While the Rainforest Alliance may still be a strong standard, and is certainly better than no standard at all, we must view this standard skeptically. The Rainforest Alliance responds to such criticism by claiming that this is the cost of doing business with the large corporations that are able to make the biggest difference in environmental practices and it would rather work with an company to improve its conditions even if the process is not perfect than simply stand on the sidelines and criticize^{xi}.

In order to comply with the Rainforest Alliance standards, Chiquita needed to plant a million trees and bushes on its land that act as buffers between the farms and public roads and waterways, eliminated the use of the seven most deadly pesticides, provide protective gear and showering facilities for its workers, and recycle thousands of plastic bags and twine every year. Chiquita's certified farms are visited at least once

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per year by inspectors from Rainforest Alliance's partner organization (Sustainable Agriculture Network) though there is little evidence that any surprise visits have been conducted^{xii}. While a handful of farms have had their certification suspended or removed at one point or another, "but the companies quickly corrected those problems and the farms were subsequently recertified."^{xiii} By November of 2000, all 127 of Chiquita's wholly owned farms in Latin America and 307 of its independent suppliers are Rainforest Alliance certified^{xiv}. It's 2007/2008 Corporate Report states that it is working to increase the proportion of its independent suppliers that are certified and work towards certifying suppliers of non-banana produce as well. By November 2000, Chiquita had spent \$20 million to meet these standards^{xv}.

As the Rainforest Alliance serves to certify the environmental sustainability of a company, it does not carefully address the labor standards and working conditions on a farm. For this reason, Chiquita chose to implement the SA8000 labor standard (an auditable standard that certifies individual farms or factories, not the brands themselves) developed by Social Accountability International. While SAI does not do the certifying itself, the actual audits are conducted by SAI certified organizations (Social Accountability Accreditation Services), very few of which are actually NGOs. This is a fairly new certification organization, which has also encountered several criticisms of its independence. Some complaints include the lack of independence between SAI and the SAAS, the length of the audits (one day once every three years with limited monitoring), lack of surprise visits, and little detail on the criteria for "freedom of association and the right to collective bargaining."^{xvi} Similar to our analysis of Rainforest Alliance, we can conclude that the SA8000 certification is better than

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nothing, but not trustworthy enough to remove all doubts of Chiquita's unethical practices. Chiquita's CR 2007/2008 indicates that while 100% of owned farms in Latin America were SA8000 certified, by 2008 only 42% of Chiquita's total banana volume came from SA8000 certified farms.

The third certification that Chiquita highlights in its CR Report is that of Global G.A.P. Global G.A.P. is a German NGO that certifies "good agricultural practices and food safety". Unlike the SA8000, Global G.A.P. conducts unannounced visits to farms, indicating that its results may be more reliable than other organizations. This certification is required for all products entering European markets, and all Chiquita wholly owned farms and all Chiquita products entering Europe come from farms that have been certified by Global G.A.P.^{xvii}. However, the Global G.A.P. certification means only that the food is safe to eat and of good quality, not that it was made under environmentally sustainable or ethical labor conditions.

IV. Awards

In addition to its third party certifications, Chiquita has received the following awards and recognitions over the years:

- Distribution Business Management Association (DBMA) Circle of Excellence Award 2009
- Rainforest Alliance's Sustainable Standard-Setter Award
- Wal-Mart's Environmental Supplier of the Year Award
- Green Award from US Plastic Lumber Ltd

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- ACCA Award for Sustainable Reporting
- Article 13 CSR Best Practice
- Contributions to the Community Award (US-Costa Rican Chamber of Commerce)

However, none of these awards have stringent criteria attached to them, and most of these organizations selected Chiquita due to their certifications by Rainforest Alliance and the SA8000, their Corporate Responsibility Reports or philanthropy projects. While awards never hurt an organization's reliability, if they are based on loose criteria or criteria we have already examined, they do little to convince us of the organization's credibility.

V. Stakeholder Relationships

Another way we can evaluate Chiquita's credibility as a socially responsible corporation is based on its relationships with stakeholders. Its 2007/2008 CR Report highlights the following relationships:

- 2001 IUF/COLSIBA Agreement
- 2002 BSR Board
- 2002 Ethical Trading Initiative
- 2003 SAI Advisory Board
- 2004 Nogal Project with Migros & GTZ
- 2005 KLD Domini 400 Social Index
- 2005 Meso-American Reef Project with WWF
- 2008 Biodiversity Project in Panama

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Its 2001 labor agreement with the International Union of Foodworkers and Coordinadora Latinoamericana de Sindicatos Bananeros (Organization of Latinamerican Banana Unions) was a very significant agreement signaling a shift in policy that allows Chiquita workers to safely unionize. Chiquita now has far more unionized banana workers than any other transnational, and therefore Chiquita employees receive better wages and benefits than their competitors^{xviii}. This agreement was widely applauded by labor unions and labor union promoting NGOs worldwide, including those who had been highly critical of Chiquita during the 1980's and 1990's.

In 2002, Chiquita formalized its arrangement with Business for Social Responsibility, a San Francisco based non-profit organization that allows its members to share best practices, access its research and potentially take advantage of its CSR consulting services. From BSR, Chiquita learned how to engage with outside stakeholders and what some of the best practices were from peer organizations – this information was used to help rework the company's Code of Conduct into something that was consistent with a socially responsible business^{xix}. Chiquita's relationship with BSR is unique from its relationship with Rainforest Alliance, SAI and Global G.A.P. as BSR does not claim to be a third party organization, nor is it a membership that company's can point to in an attempt to prove their credibility. Companies seek out BSR's services when they actually want to improve their company's sustainability and learn how they can be more efficient in the future.

Also in 2002, Chiquita joined the Ethical Trading Initiative, a UK-based "alliance of companies, trade unions and voluntary organizations" that works "in partnership to improve the working lives of people across the globe who make or grow consumer

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goods - everything from tea to T-shirts, from flowers to footballs.^{xx} While this relationship may have increased Chiquita's credibility and partnership with its workers, this relationship was dissolved in 2010, though its dissolution has not yet been updated on Chiquita's website. According to a representative from ETI "They (Chiquita) lost their business with UK supermarkets so pulled out of ETI to focus on other vehicles for their CSR work. Regrettable (from our point of view), but understandable; it was an amicable split. We still talk to Chiquita and would welcome them back if the occasion arose."^{xxi}

The Nogal Project, Meso-American Reef Project and Biodiversity Project demonstrate Chiquita's dedication to engaging in philanthropic environmentally focused projects. These projects are conducted in areas where Chiquita has operations, though the projects are not directly related to Chiquita's operations, and partner with reputable organizations such as the World Wildlife Fund and producers such as Swiss supermarket chain Migros. While Chiquita receives bonus points for engaging in such philanthropic activities, and this does demonstrate a commitment to the environment, it does little to convince us of its equitable labor practices.

In 2004, Chiquita became a member of KLD Domini 400 Social Index – an investment firm that specializes "exclusively in socially responsible investing."^{xxii} In order to become a member of this organization a firm must exhibit the following characteristics:

- Contribute to the local communities in which they are located
- Produce high-quality, safe, and useful products
- Enrich the ecosystems on which they depend
- Invest in the health and development of their employees

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- Treat their investors and lenders openly and transparently
- Strengthen the capabilities of their suppliers

While these criteria are admirable and in line with socially responsible corporation, they are all mission based and do not have specific identifiable or auditable characteristics to judge firms based on. Therefore, while this membership again does not harm Chiquita's credibility, cannot boost it considerably.

VI. Academic Evaluations

In addition to its stakeholder relationship and partnerships with certifying NGO's, Chiquita has been analyzed and evaluated in academic literature. The book Smart Alliance^{xxiii} details both the history of Chiquita and the United Fruit Company and the relationship between Chiquita and the Rainforest Alliance and its analysis indicates that Chiquita has truly reformed from the inside out and is legitimately working to improve its environmental sustainability though "most of Chiquita's commitments to workers' rights must still be demonstrated". However, it must be noted that one of the authors of this book is a former member of the Board of Directors for Rainforest Alliance, and therefore the analysis in this book may be biased.

Another independent analysis was done by Dr. Marina Prieto-Cárron of the University of Bristol in her paper "Corporate Social Responsibility in Latin America: Chiquita, Women Banana Workers and Structural Inequalities"^{xxiv}. From her analysis "Chiquita is one of the most progressive companies on paper and in practice, Chiquita seems to be trying". Most of Dr. Prieto-Cárron's complaints are a result of the hidden

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structural gender inequalities in the banana industry, which would be difficult for Chiquita to address through certification standards and are embedded in the local culture where its farms are located. Additionally, IR/PS professor Richard Feinberg visited a Chiquita owned farm Guayacan in Costa Rica in 2008 where he informally interviewed several banana workers. All workers appeared to be wearing protective gear, complying with safety standards and the farm seemed to be compliant with environmental safety standards. However, the workers indicated to Dr. Feinberg that management did not encourage unionization and that union organizers were discriminated against, passed up for promotions or could be in jeopardy of losing their jobs^{xxv}.

VII. Evaluations by Labor Rights Organizations

International labor rights organizations are another place to look to get an independent view of Chiquita's labor rights policies. USLEAP (US Labor Education in the Americas Project) had been one of Chiquita's biggest critics in the 1980's and 1990's but commended Chiquita for signing the 2001 labor rights agreement with IUF/COLSIBA and believes that Chiquita has the highest quantity of workers with fair pay and benefits of any company in the industry. That being said, its website also highlights several incidents in which Chiquita violated this agreement once in 2006 in Honduras and again in Costa Rica in 2007^{xxvi}. Additionally, they are currently considering a new campaign geared towards North American and European consumers shaming Chiquita for violating labor agreements by firing union workers and blocking

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organization efforts in Guatemala and Ecuador, though IUF and COLSIBA still “consider Dole to be enemy number one^{xxvii}”.

Peuples Solidaires, a French labor rights NGO, claims that paramilitary groups have been used torture, threaten, intimidate and potentially kill union members on strike at the Olga Maria plantation of one of Chiquita’s producers in Guatemala, Frutera Internacional. While the supposed incidents occurred on a farm that was not owned by Chiquita, Chiquita turned a deaf ear to the claims and concerns of Peuples Solidaires when they failed to respond to the organizations mailing campaign^{xxviii}.

VIII. Conclusions

While this analysis yields inconsistent conclusions, we can deduce something of the truth about Chiquita’s current corporate social responsibility policies. Given Chiquita’s sullied past, it is easy to understand how it may be in the best interest of the organization to hone its image as that of a socially responsible company. While Rainforest Alliance may not be the most independent, stringent or reliable standard in the world, no one will claim that Chiquita has not made significant strides towards environmental sustainability in order to comply with these standards.

On the labor side, we can draw much less clear conclusions. Chiquita has made some clear progress acknowledged by all parties in signing significant labor agreements and tolerating a large number of unions on its farms. There appears to be real improvements in the working conditions of Chiquita employees, particularly those working on Chiquita owned farms. There seem to have been a variety of violations of

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these working conditions over the past ten years throughout Latin America (Ecuador in 2002, Honduras in 2006 and Costa Rica and Guatemala in 2007) mostly on farms that Chiquita buys from but does not own. Chiquita's focus on workers' rights has been more recent (Chiquita began its partnership with the Rainforest Alliance in 1992 but only signed its first major labor agreement in 2001), so we may see incidence of this type decreasing in the future.

One reason for Chiquita's success in environmental protection and inadequate progress towards fair labor standards is that fair labor conditions are far more difficult to monitor than environmental conditions: if one needs to plant trees as buffers in order to comply with RA's standards, the trees will be there no matter when the farm is certified; managers can treat workers a certain way while inspectors are present and then turn around and change their practices as soon as the certifier leaves. This would indicate that while Chiquita is trying to have better labor conditions, in practice it is difficult to enforce. While this is no excuse for tolerating horrific working conditions or egregious violations of labor rights agreements, it is understandable that Chiquita may need some more time to ensure consistent and enforced labor standards at all of its farms, particularly from its independent producers. Another theory for the difference in policy success is that while being more environmentally sustainable actually saves the company money in the long run, labor rights is a much more zero sum game and it would be hard to imagine a scenario where having strong unions would be better for Chiquita's profits in the long run. I would agree with Dr. Prieto-Cárron – Chiquita appears to be trying. It may not yet have the perfect conditions that it portrays in its Corporate Responsibility Reports and CSR website and has a long way to go to

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improve working conditions for its laborers, but at least everyone can agree that it is no longer the evil corporation massacred its protestors or overthrew governments.

ⁱ Chiquita CR Report 2007/2008

ⁱⁱ UNCTAD <http://www.unctad.org/infocomm/anglais/banana/companies.htm>

ⁱⁱⁱ Smart Alliance Chapter 4

^{iv} Cincinnati Enquirer Article

^v 1975 Bananagate

^{vi} Peuples Solidaires

^{vii} Chiquita CR Report 2007/2008

^{viii} Human Rights Watch “Tainted Harvest: Child Labor and Obstacles to Organizing on Ecuador’s Banana Plantations” 2002

^{ix} Rainforest Alliance website <http://rainforest-alliance.org/about>

^x IR/PS Paper Rainforest Alliance

^{xi} Smart Alliance

^{xii} Idib

^{xiii} Rainforest Alliance website <http://rainforest-alliance.org/agriculture/crops/fruits/bananas>

^{xiv} Bananalink <http://www.banalink.org.uk/content/view/112/64/lang,en/>

^{xv} Idib

^{xvi} IR/PS SA8000 paper

^{xvii} Chiquita CR Report 2007/2008

^{xviii} USLEAP <http://usleap.org/usleap-initiatives/-banana-worker-justice-initiative/more-information-banana-workers/top-banana-com-1>

^{xix} Smart Alliance Chapter 10

^{xx} ETI website <http://www.ethicaltrade.org/>

^{xxi} Email ETI Membership Services Representative Martin Cooke February 28, 2011

^{xxii} Domini Social Investments website <http://www.domini.com/about-domini/index.htm>

^{xxiii} Smart Alliance

^{xxiv} Corporate Social Responsibility in Latin America: Chiquita, Banana Workers

^{xxv} Interview with Professor Richard Feinberg, Tuesday March 1, 2011

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^{xxvii} USLEAP March 2011 Newsletter “New Chiquita Campaign”

^{xxviii} Peuples Solidaires “Appels Urgents: 315 Guatemala: Mettre fin à l’impunité” <http://www.peuples-solidaires.org/315-guatemala-mettre-fin-a-limpunite/>

Discussion Questions

1. As a consumer, how does the knowledge of Chiquita's CSR policies affect your decision on which brand of banana to purchase? Do you have brand loyalty to your bananas? Would knowledge of Chiquita's historical misdeeds cause you to avoid buying Chiquita's product if they had no CSR program?
2. This paper addresses many different opinions on Chiquita's policies. Which do you find the most compelling? Which do you believe to be the most independent and accurate? Why?
3. If you were in charge of Chiquita's CSR policies, what would you do differently? What would you focus on and how would you silence critics of your company?

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