

Ms. Stella Kyriakides  
Commissioner for Health and Food Safety  
European Commission - Directorate-General for Health and Food Safety

**Subject: Call for a swift ban of the active substance s-metolachlor**

Dear Commissioner Kyriakides,

We, the undersigned organisations working for the protection of human health and the environment from pesticides, are writing to you to ask you to ensure that the European Commission's Directorate-General for Health and Food Safety, in its role as a chair of the Standing Committee of Food Animals Food and Feed, to promptly present a proposal for the non-renewal of the active substance s-metolachlor to the Member State representatives of the Committee, based on the recent negative opinion by the European Food Safety Authority (EFSA).

S-metolachlor is an herbicide substance approved in the EU since 1 April 2005. While its approval was set to expire on 31 March 2015<sup>1</sup>, it has been continually extended in recent years, presumably to address delays in its risk reassessment. On 28 February, EFSA's conclusions<sup>2</sup>, excluding the assessment of the endocrine disrupting properties, were finally published. They clearly show that the approval criteria laid down in Article 4 of Regulation (EC) No 1107/2009 are not met by the substance s-metolachlor. Yet, while these conclusions were shared with the Commission and the Member States already in February, a proposal to further extend the substance's approval to s-metolachlor to 15 November 2024 was again adopted on 23 March by the Standing Committee on Plants, Animals, Food and Feed.

We deeply deplore this extension of approval and the failure of the Commission to immediately present for discussion with Member States a non-renewal proposal of s-metolachlor. Our organisations consider that this situation compromises the high level of protection of human health, animal health and the environment required by Regulation (EC) No 1107/2009.

Indeed, EFSA scientific conclusions indicate that the substance does not meet several of the safety requirements of Regulation (EC) 1107/2009. More specifically, EFSA's assessment has identified three critical areas of concern preventing it to conclude, at least for one of the representative uses, that the products containing s-metolachlor will not have any harmful effect on human or animal health, or any unacceptable effects on the environment. These areas are the listed below:

1. Exceedance of the drinking water limit of 0.1µg/L by s-metolachlor and its relevant active metabolite SYN547977, confirmed by monitoring programmes.
2. High potential for groundwater exceedance of the drinking water limit of 0.1µg/L by the relevant metabolites ESA (CGA354743), OXA (CGA51202), CGA50720, CGA368208, NOA436611, CGA357704, NOA413173, SYN542488,

<sup>1</sup> [EUR-Lex - 32011R0540 - EN - EUR-Lex \(europa.eu\)](#)

<sup>2</sup> [Peer review of the pesticide risk assessment of the active substance S-metolachlor excluding the assessment of the endocrine disrupting properties | EFSA \(europa.eu\)](#)

SYN542489, SYN542490, SYN542491, SYN542492, SYN542607, SYN545026, SYN545027, SYN547969, represented by FOCUS scenarios (models) and confirmed by extensive targeted monitoring programme and public monitoring data for ESA and OXA metabolites.

3. High risk to earthworm-eating mammals.

These critical areas of concern had already been highlighted by EFSA to the European Commission in July 2022. One month earlier (June 2022), s-metolachlor had been classified as carcinogenic cat. 2 by European Chemicals Agency (ECHA)<sup>3</sup>. As carcinogenic potential could not be excluded for metabolites, these are considered as relevant for human health. This makes contamination of groundwater with metabolites of particular concern for European consumers. Already in 2021, 3.4 million French consumers drank non-compliant water due to the presence of ESA metabolites<sup>4</sup>. This resulted in a proposal of strict restriction of the use of s-metolachlor.

In this context, we therefore consider it was already the responsibility of the Commission to swiftly propose a non-renewal regulation in July 2022, ending thereby the continued presence of a hazardous substance on the market instead of prolonging it. **Hence, following EFSA's latest conclusion we call on the Commission to rectify this situation by proposing a non-renewal regulation for the approval of s-metolachlor to Member States during the next SCoPAFF meeting planned on 24 and 25 May, and to ensure it becomes effective before 15 November 2024.**

From beforehand, thank you for your consideration and your support in protecting human health, animal health and the environment. Our organisations remain available to discuss further about the content of this letter.

Sincerely yours,

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<sup>3</sup> [\[04.01-MI-014.03\] \(europa.eu\)](#)

<sup>4</sup> [2021\\_bilan\\_pesticides.pdf \(sante.gouv.fr\)](#)