

Pesticides: Campaigners call for voice in legal challenge to chlorpyrifos ban

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A green group has asked the European Court of Justice for permission to intervene in a legal challenge to the EU's decision not to renew the licence for a pesticide linked to brain damage.

The Health and Environment Alliance (HEAL) announced on Wednesday that it had contacted the EU's highest court with the request, which, if granted, would allow it to present evidence defending the move, which was approved by member states in December.

Two agrochemical companies, Ascenza Agro from Portugal and Afrasa from Spain, filed a complaint against the European Commission in February, alleging that the non-renewal of active substance chlorpyrifos-methyl was unlawful. No date has yet been set for hearings to begin.

The companies put forward nine arguments to support their case, alleging that the commission had incorrectly applied the precautionary principle and was wrong to apply a "read-across" of the genotoxicity, neurotoxicity and reproductive toxicity of related substances, including chlorpyrifos and chlorpyrifos-ethyl, to chlorpyrifos-methyl.

A further argument rests on a technicality that the UK decision not to attend [the member state meeting that approved](#) the commission's non-renewal proposal, instead giving Finland a proxy vote, rendered the decision invalid.

"That Finland – and by extension the defendant – took into account the Brexit-motivated policy [for the UK not to attend EU meetings] means that an irrelevant factor was taken into account in the adoption of the contested act," they claimed.

However, Natacha Cingotti, senior health and chemicals policy officer at HEAL, said there was "enough well-founded scientific concerns" about the effects of chlorpyrifos-methyl "to take protective action".

Cingotti added: "The European Commission's and member states' decision took a health-first approach by not granting renewal for both chlorpyrifos and

chlorpyrifos-methyl. It is the only way to prevent regrettable substitution and truly protect future generations from unwanted harm.”

Green groups had [long campaigned](#) to ban chlorpyrifos, with the European Food Safety Agency saying in October that it “does not meet the criteria” for re-approval after identifying “concerns about possible genotoxic effects as well as neurological effects during development, supported by epidemiological data indicating effects in children”.

In June last year, HEAL and Pesticides Action Network Europe [showed](#) that chlorpyrifos and related substances are among the most frequently found pesticides in unprocessed food produced and consumed in Europe, especially in citrus fruits.

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Follow-up: ECJ [action](#)