

Jurisdictional news



France: Referral to the French Constitutional Council against the return of neonicotinoids

Last October, members of the French parliament adopted the law “*on the conditions for placing certain plant protection products on the market in the event of a health hazard for sugar beet*”, which clears the return of the “*bee killers*” neonicotinoid insecticides. These pesticides, which are toxic in infinitesimal quantities and very persistent in the environment, have been banned in France since September 2018, according to the law for the recovery of biodiversity, nature and landscapes, promulgated on August 8, 2016. In 2020, beet growers, facing significant economic losses due to aphid vectors of the *Beet yellows virus*, requested exemptions from this ban and obtained authorisation to use neonicotinoids, as seed coatings, until 2023. Arguing on the principle of non-regression enshrined in the environmental code, [opposition MPs and senators took the matter to the Constitutional Council](#) in November, with a considerable list of recent scientific studies demonstrating the negative impacts of these products on biodiversity at all levels of ecosystems and for years, well beyond the sugar beet fields where they would be authorized, and even for very small quantities. Nevertheless, and despite proved negative impacts on biodiversity, pollinating insects and birds, water and soil quality and human health, the Constitutional Council ruled on December 10, 2020 that the provisions allowing for derogations from the ban on the use of neonicotinoid insecticides are in conformity with the Constitution as long as they apply exclusively until July 1, 2023 and only to beet crops. NGOs are studying the possibility of further legal action against the return of the bee killers.