



Pesticide newsletter

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Regulatory news



United States: EPA bans chlorpyrifos, finally

After half a century of use, the U.S. Environmental Protection Agency (EPA) finally announced on August 18, 2021, to [end](#) the use of chlorpyrifos. On April 29, 2021, the 9th Circuit Court of Appeals had [ordered](#) the EPA to decide by August 20 whether to ban all food uses of chlorpyrifos or to retain only those uses it deems safe for children. It took [14 years](#) of legal battles and pressure from environmental and labor groups to finally ban this [dangerous insecticide](#), which is associated with neurodevelopmental problems and impaired brain function in children.

Under the new rule, all food uses of chlorpyrifos will be revoked six months after publication of the final rule in the Federal Register. In addition, non-food uses of the pesticide, such as mosquito control and nurseries, will be subject to review in 2022. Unusually, this ban will not be implemented through the traditional regulatory process where a proposed measure is subject to a public comment period, but [published directly](#), in response to the ruling that noted that scientific evidence of links between chlorpyrifos and brain damage was already established more than a decade ago and that EPA's egregious delay had exposed a generation of American children to dangerous levels of chlorpyrifos.

In doing so, the EPA is following [California](#), which had decided in October 2019 to ban chlorpyrifos starting December 31, 2020. The state had decided to reevaluate chlorpyrifos in light of three new independent studies and concluded that the pesticide posed significant risks, including to children and farm workers. The states of Hawaii, New York, Oregon and Maryland have also taken steps to eliminate chlorpyrifos. The insecticide is also banned in the European Union, which [voted](#) to not renew the authorization of chlorpyrifos on December 6, 2019. On the same day that sales of the pesticide ceased in California, the leading manufacturer of chlorpyrifos, Corteva Agrisciences, announced it was ceasing production.

The banning of this dangerous insecticide is great news, but could paradoxically prove to be an [obstacle](#) to winning a ban on other, equally dangerous pesticides. The Obama administration had been preparing to ban the use of chlorpyrifos on food based in part on studies showing that low levels of the pesticide can cause brain damage in humans. These studies were strongly attacked by one of the producers of chlorpyrifos, Dow Chemical, because they could not be repeated. The company then suggested setting limits for the pesticide based on another harm, the reduction of an enzyme needed for brain function, called cholinesterase. Although an EPA advisory panel reported in 2015 that the amount of pesticide that reduces cholinesterase activity by 10 percent - the measure considered by EPA - was not sufficiently protective of human health and that there was evidence that the pesticide caused other harm at doses below that threshold, the Biden administration [chose](#) to ban chlorpyrifos on this less sensitive cholinesterase criterion. This approach taken by the EPA may be used in future pesticide evaluations, allowing the continued use of toxic products.

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