



Newsletter about Pesticides

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Legislative and regulatory News



France: Prostate cancer linked to the use of chlordecone recognized as an occupational disease

After years of mobilization in the French West Indies, the [N° 2021-1704](#) decree published on December 22, 2021 in the Official Journal finally recognizes prostate cancer linked to occupational exposure to pesticides, and more particularly to chlordecone, as an occupational disease.

Chlordecone, an organochlorine insecticide, was used in the banana plantations of the French West Indies until 1993, even though it had been banned in mainland France and declared dangerous and probably carcinogenic by the World Health Organization (WHO) in 1979. In the United States, it was banned in 1976 because of its toxicity. Used from 1972 to 1993 in the West Indies to control the banana weevil, an insect that destroyed crops, chlordecone infiltrated and contaminated the soil and the food chain for hundreds of years. More than 90% of the adult population in Guadeloupe and Martinique is impregnated by chlordecone, according to [Santé Publique France](#). These populations now have some of the highest incidence rates of prostate cancer in the world.

The state allowed the use of this insecticide, the dangers of which it suspected since 1969, because of "intense lobbying by growers groups and industry, interventions by a few elected officials and explicit support from local departments of the Ministry of Agriculture in favor of a 'miracle molecule', deemed essential for the balance of the West Indian economy," according to the [report](#) of the parliamentary commission of inquiry dedicated to chlordecone in November 2019.

The recognition of cancers related to pesticide exposure should facilitate the compensation of victims. The decree inserts the [N° 61 table](#) of occupational disease in the agricultural regime, related to prostate cancer in connection with exposure to pesticides and will establish a presumption of occupational origin for prostate cancer.

To be recognized as an occupational disease, prostate cancer must have been diagnosed less than forty years after the end of exposure to the pesticide. The duration of exposure must be at least ten years. It is however possible to present a claim for compensation before a regional commission for the recognition of occupational diseases if one has been exposed for a shorter period of time.

This measure is only one of the needed actions to repair the scandal of chlordecone. According to the parliamentary commission of inquiry, it is also necessary to improve prevention and scientific research in order to determine more precisely the impacts of chlordecone on health and to find solutions to clean up the soil.

The demands for reparation have also entered the judicial field. In 2006, a first lawsuit was filed for chlordecone poisoning. But in January 2021, the investigating judges suggested to the civil parties that the procedure could end in a [dismissal](#) because of prescription. The *Association médicale de sauvegarde de l'environnement et de la santé* (Amses) and the *Association guadeloupéenne d'action contre le chlordécone* (AGAC) have also filed a complaint with the Court of Justice of the Republic (CJR), the only court empowered to judge the actions of members of the government in the exercise of their duties. They are suing five former ministers, for having extended the authorization for the use of chlordecone and signed decrees, notably in 2005, which authorized chlordecone residues in food with "tolerable thresholds" that were too high. The CJR refused to examine the merits of the case and dismissed the question of the responsibility of the ministers, ruling that the associations' request was [inadmissible](#) for lack of interest in the action, on February 8, 2022.

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