



## Newsletter about Pesticides

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### Jurisdictional News



#### **USA: BASF ends manufacturing and marketing trifludimoxazin**

On February 23, 2022, in response to a [lawsuit](#) filed by the Center for Food Safety (CFS) and the Center for Biological Diversity (CBD) against the US environmental Protection Agency (EPA), chemical giant BASF agreed to stop the manufacture and sale of the active ingredient trifludimoxazin, found in the herbicide Tirexor.

In 2021, the EPA authorized trifludimoxazin for nationwide use on corn, soybeans and many other fruit, nut and vegetable crops. NGOs [challenged the approval](#) in the US Court of Appeals for the Ninth Circuit in December 2021.

They asked the cancellation of the registration of this dangerous pesticide, and its immediate withdrawal from the market.

The NGOs claim that the EPA failed to assess the risk posed by the herbicide to protected plants and animals, as required by the Endangered Species Act (ESA) and the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), because it did not consider the effects of spray drift and runoff on terrestrial and aquatic plants, fish, and threatened and endangered species.

In its [response](#) to public comments, the EPA admitted that it had ignored the clear requirements of the law. The agency [announced](#) that, as of January 11, 2022, it will evaluate the potential effects on listed species and their designated critical habitats and initiate ESA consultation with the Services, as appropriate, before registering any new conventional pesticide active ingredient (AI).

BASF preferred to stop pursuing the ongoing litigation and filed an application on February 14, 2022, to cancel the registration of trifludimoxazin. The Court agreed to hold the case in abeyance for 90 days, until the voluntary cancellation process is completed. On this term, assuming the registration is indeed canceled, EPA and BASF plan to file a motion for summary decision on futility grounds.

However, BASF stated its intention to [reapply for registration](#) of trifludimoxazin products. This registration will then have to incorporate the risk assessment mentioned in the announcement of January 11, 2022. Thus the fight against this active substance is not won yet, but it is progressing thanks to the remarkable work of the US groups.

*If you have made it this far, can you make one more small effort to allow us to continue this work of investigation and information to help the victims of pesticides?*

*Justice Pesticides needs you.*

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