

Dear readers,

This newsletter presents the worldwide pesticide litigation news for the month of November. It's been a dark month for the Earth. Among other things, there was the European Commission's decision to renew the authorization of glyphosate, a probable carcinogen, for a further 10 years, and the European Parliament's rejection of the proposed regulation on the sustainable use of pesticides. Shortly afterwards, we learned of the death of Michèle Rivasi, EELV MEP and member of the Board of Justice Pesticides. Our thoughts go out to her, her loved ones and the environmental health battles she led throughout her life.

The Justice Pesticides team

Paris, December 1, 2023.



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**Justice Pesticides** aims to facilitate access to information on the law and pesticides. To this end, we maintain an open-access litigation database on pesticides. It is available on our website, translated into French and English. **We are currently facing major financial difficulties. So, if you like our work, you can support us:**

- By sending us information about pesticide-related court rulings: [contact@justicepesticides.org](mailto:contact@justicepesticides.org)
- By relaying this newsletter (available in [french](#) and in english)
- **By making a [donation](#).**

Thank you!

## European case law news

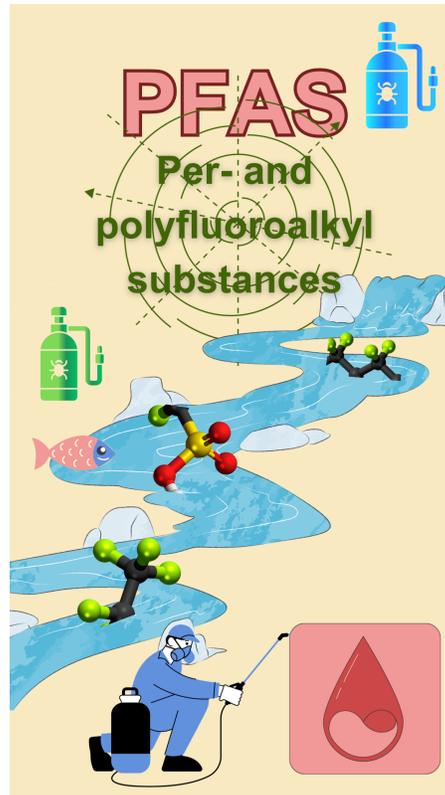


**Glyphosate: Several NGOs are challenging the re-authorization of the herbicide: let's support them!**

On November 17 and 21, the coalition of NGOs Secrets Toxiques and the Pesticide Action Network Europe respectively announced their intention to file actions for annulment of the European Commission's decision to renew the authorization of glyphosate for a further 10 years, deeming it in violation of European law.

**PFAS: Legal victory for HFPO-DA & investigation into pesticides belonging to this "forever chemicals" family**

On November 9, the Court of Justice of the European Union confirmed the validity of the inclusion of HFPO-DA, used in water-repellent or non-stick coatings, in Annex XIV of REACH, which lists substances classified as extremely hazardous to human health or the environment. [To find out more about this case, click here.](#) This decision echoes the [new report by PAN Europe and Générations futures](#) on PFAS pesticides. 37 active substances used in pesticides in the European Union actually belong to the PFAS chemical family.



**Civil case law news**

**USA: Monsanto condemned once again!**

On November 17, a jury in Cole County Circuit Court, Missouri, found Monsanto liable for design defect, failure to warn and negligence. The court ordered Monsanto to pay \$1.5 billion to J. Draeger, V. Gunther and D. Anderson, who all developed non-Hodgkin's lymphoma after using the glyphosate-based product Roundup for several years. [To find out more, click here.](#)



**Criminal case law news**



**France: Transport company fined 50,000 euros for polluting the Seine River with a pesticide**

On November 21, the Court of Rouen condemned the Normandy transport company PTS Dufour for polluting the Seine with a pesticide composed of thiamethoxam, metalaxyl-M and fludioxonil, following an incident when loading the truck. The company was fined 1,000 euros for a minor offence and 50,000 euros for a major offence. [To find out more, click here.](#)

## Administrative case law news



### USA: Chlorpyrifos ban overturned

On November 2, the 8th Circuit Court of Appeals, Missouri, overturned the Environmental Protection Agency's (EPA) decision to revoke all tolerances for chlorpyrifos, a neurotoxic organophosphate insecticide. This decision to ban chlorpyrifos, made following an April 29, 2021 ruling by the 9th Circuit Court of Appeals, is returned to the EPA. [To find out more, click here.](#)

### Argentina: Two new restrictions on pesticide spraying near homes

On November 3, the Parana Labor Court adopted a provisional measure to immediately suspend all aerial and ground pesticide spraying activities within 1,100 meters of the Tierra Alta neighborhood in the municipality of Colonia Ensayo. [To find out more, click here.](#) On Nov. 6, the Supreme Court of Justice of Santa Fe upheld the injunction issued to the municipality of Sastre to ban pesticide spraying within one kilometer of urban areas. [To find out more, click here.](#)



### Canada: Two-year transition period following chlorpyrifos ban judged reasonable

On November 6, the Federal Court of Canada dismissed a number of NGOs' applications for partial annulment of government decisions authorizing the use of chlorpyrifos-based products until December 10, 2023. According to the Court, the decision was sufficiently

reasonable, transparent and intelligible. [To find out more, click here.](#)

### **USA: In California, warnings about the carcinogenic effects of glyphosate on plant protection products are ruled illegal**

On November 7, the 9th Circuit Court of Appeals upheld the California Attorney General's prohibition on requiring companies marketing glyphosate-based products to warn users of the substance's carcinogenic effects on labeling. According to the Court, this infringement of the companies' freedom of expression was unfounded. [To find out more, click here.](#)



## **Labour case law news**



### **France: Two companies sentenced for occupational illnesses suffered by their employees**

On November 15, the Rennes Court of Appeal recognized Vegam's inexcusable fault in the occupational illness of Jean-Claude Chevrel, a former employee of the company who developed Parkinson's disease after coming into contact with pesticides. [To find out more, click here.](#)

On the same day, the Court also recognized the inexcusable fault of the Breton company Triskalia-Nutr a (now Eureden) for the intoxication of Claude Le Guyader. Exposed to highly toxic pesticides and grain dust, he developed "hypersensitivity pneumonia", resulting in a permanent work disability of 25%. [To find out more, click here.](#)

## **Constitutional case law news**

**Brazil: The state of Rio Grande had no right to restrict the use of federally authorized neonicotinoids**

On October 17, the Superior Court of Justice rejected Rio Grande's appeal to overturn a lower court ruling that restrictions imposed by the state government on the use of certain neonicotinoid plant protection products based on federally registered substances (imidacloprid, thiamethoxam, clothianidin) were unconstitutional. [To find out more, click here.](#)



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