

Transfer of EU powers leads to silent erosion of UK pesticide regulation

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Field. Credit: Greta Hughson at the Centre for Alternative Technology.

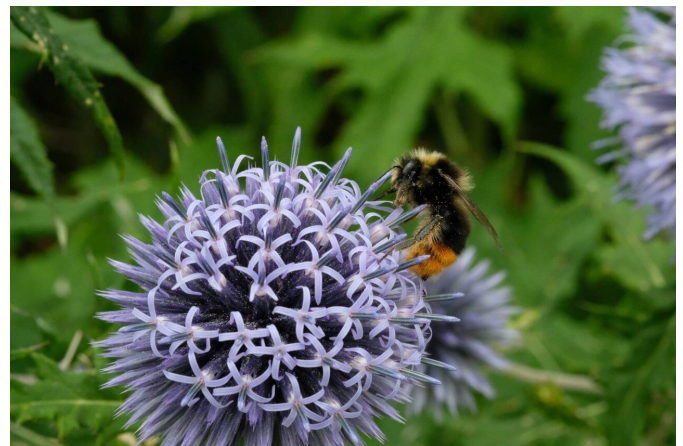
New analysis by the UK Trade Policy Observatory is warning that what should have been the technical formality of transferring EU powers into national law when the UK leaves the European Union, could instead open the gates for the widespread use of outlawed carcinogenic pesticides that have been shown to alter human reproductive, neurological, and immune systems.

The analysis, carried out by researchers at the University of Sussex and a Masters student at the Centre for Alternative Technology alongside Pesticide Action Network, has uncovered a significant weakening of enforcement arrangements covering the approval of pesticides as part of legislative changes carried out under the EU Withdrawal Act.

They include the removal of a blanket ban on Endocrine Disrupting Chemicals (EDCs), potentially allowing for their use on UK land despite considerable evidence the chemicals, which effect how the body responds to sex hormones such as oestrogen, raise the risk of some cancers, birth defects, and other developmental disorders.

Dr. Emily Lydgate, Senior Lecturer in Environmental Law at the University of Sussex and Fellow of the UK Trade Policy Observatory, said: "While the stated aims of the EU Withdrawal Act was to bring existing EU pesticide regulations into UK law without major changes to policy, our analysis reveals that there are significant departures from EU pesticides legislation. The new legislation consolidates powers to UK ministers to amend, revoke and make pesticide legislation, and weakens both enforcement arrangements and the requirement to obtain [scientific advice](#)."

The researchers warn that the EU system of significant checks and balances is being cast aside for a new regulatory process which places too much power into the hands of UK ministers and away from independent scientific advisors.



Bee. Credit: Chris Senior at the Centre for Alternative Technology.

EU requirements place independent scientific advice as integral to the approval process. The academics warn that the commitment to scientific evidence will be "significantly watered down" in the future with UK ministers only required to consider

scientific evidence at their discretion.

Chloe Anthony, a LLM student at the University of Sussex, said: "EU regulations on pesticides start from the overarching objectives and principles to protect human and animal health, and the environment. The legislation also puts the onus on industry to demonstrate, with a high level of certainty, pesticides don't have a harmful effect on humans, animals or the environment before they are placed on the market. These key guiding principles and objectives are not carried forward into the UK legislation, and it is unclear what the framework for future UK decision making will be."

EDCs are permitted for use in Canada and the US and both North American governments view the EU ban as an undue trade barrier. The analysis observes this barrier has now effectively been lifted in advance of UK-US and UK-Canada future trade negotiations.

The analysis also warns that the changes give ministers powers to open the door to more deregulation in the future.

Ffion Thomas, a Masters student from the Centre for Alternative Technology, said: "These changes to pesticide regulation in the UK can hardly be characterised as 'technical'; they will weaken the rigour of the process by which pesticides are approved and monitored in the UK. UK Statutory Instruments introduce the ability for ministers to produce guidance documents which provide an easy path to future reform. In a best-case scenario this could lead to future strengthening of pesticide regulation but in a worse-case scenario, concentrate authority to UK ministers for future weakening of pesticide legislation."

Provided by University of Sussex

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