

Bloomberg Law News Jan 11, 2019

Syngenta, Bayer, Others Agree to Ban of 12 Bee-Harming Pesticides (1)

By Tiffany Stecker Dec 12, 2018

- Companies will ask EPA to cancel registrations for 12 products
- EPA must also study effects on endangered species

Twelve pesticides made with chemicals shown to harm bees and other pollinators are slated to be banned as part of a proposed settlement with the manufacturers, the EPA announced Dec. 12.

The pesticides, marketed by Syngenta AG., Bayer AG, and Valent USA Corp., contain either thiamethoxam or clothianidin, two chemicals in the neonicotinoid class that are linked to declining bee populations.

The companies are asking the Environmental Protection Agency to voluntarily cancel the registration of six Syngenta products, four Valent products, and two Bayer products containing the chemicals as part of a proposed settlement with the agency and environmental groups, the EPA said in a Dec. 12 Federal Register notice.

The EPA must also complete determinations of how the chemicals may harm threatened and endangered species by June 30, 2022. A federal court is expected to approve the agreement in early 2019.

“This is an crucial and hard-won victory for endangered species and the environment, and a vital step in addressing the urgent issue of bee-killing neonics,” George Kimbrell, legal director for the Center for Food Safety who argued on behalf of beekeepers in the litigation, told Bloomberg Environment in an email.

Companies Support Settlement

In a statement, Syngenta called the settlement a “positive outcome” for all parties.

“The terms clearly support America’s farmers while ensuring continued protection of the environment,” the company said in a statement to Bloomberg Environment. “Product safety was not in question. The settlement ends the litigation and allows EPA to refocus its time and resources to fulfilling its obligations under the Endangered Species Act.”

Bayer also supported the proposed settlement, saying the products set to be canceled have no commercial value.

“This settlement ensures that farmers can continue to use these critical pest management tools and it represents a big win for growers, sound science, and our regulatory system,” spokeswoman Susan Luke said.

Valent didn’t immediately respond to a request for comment.

Beekeepers and environmental groups accused the EPA in 2013 of illegally approving clothianidin and thiamethoxam, two neonicotinoid insecticides that kill bugs by attacking the nervous system, in part because the agency didn’t appropriately consider the effects of the pesticides on endangered species.

A federal judge ruled last year in *Ellis v. Bradbury* in favor of the environmentalists on two of the six claims against the EPA.

(Updates with comment from Syngenta and Bayer.)

To contact the reporter on this story: Tiffany Stecker in Washington at tstecker@bloombergenvironment.com

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