

U.S. Court Cancels EPA Approval of Bayer's Dicamba-Based Herbicide

The Ninth U.S. Court of Appeals in San Francisco ruled that the Environmental Protection Agency (EPA) broke the law when they approved Bayer's XtendiMax dicamba-based herbicide system and revoked the approval of that product. They also canceled registrations for the additional dicamba-based herbicides, like BASF's Engenia and Corteva Agriscience's FeXapan. Sales of the herbicide have been stopped, and farmers planning to use the system this year will now be unable to.

Dicamba has been the subject of several lawsuits, including a \$265 million verdict against Bayer earlier this year, due to the herbicide drifting onto and damaging other plants when it's applied. The decision by the federal court determined that the EPA underestimated the extent of dicamba's drift when they approved Bayer's (then Monsanto) XtendiMax.

We hold that the EPA substantially understated risks that it acknowledged and failed entirely to acknowledge other risks."

Judge William Fletcher

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The petition was brought to the Court of Appeals by the National Family Farm Coalition, Center for Food Safety, Center for Biological Diversity, and the Pesticide Action Network North America. The court's verdict is a big win for environmental groups and farmers with pending cases against Bayer.

This is a massive victory that will protect people and wildlife from uses of a highly toxic pesticide that never

should have been approved by the EPA. The fact that the Trump EPA approved these uses of dicamba despite its well-documented record of damaging millions of acres of farmland, tree groves and gardens highlights how tightly the pesticide industry controls EPA's pesticide-approval process."

Lori Ann Burd, Center for Biological Diversity

The decision also comes at a time that the current administration is strategically dismantling EPA policies designed to protect citizens and the environment from big business pollution.

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Sources:

- *U.S. court blocks sales of Bayer weed killer in United States – Reuters*
- *Court overturns EPA approval of popular herbicide made by Monsanto – The Guardian*