Expertise, power and inequalities

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The European Commission took decisions on two important matters in June 2016. These related, on the one hand, to setting criteria for identifying endocrine disrupters and, on the other, deciding whether to ban glyphosate, a herbicide used widely in Europe and throughout the world.

Both matters raised a number of issues that frequently occur in the regulation of industrial risks: contradictory scientific opinion and sophisticated estimates of the hypothetical economic impact of such decisions. To this must be added the massive investment of the industrial groups affected in discreet but effective lobbying. The wealth of expert opinion creates an apparent depoliticisation of the final decision. There is rarely any clarity with regard to the values, social projects or political choices that underpin it.

As regards endocrine disrupters, the Commission acted unlawfully. It should have adopted identification criteria no later than December 2013. This situation has prevented the full application of specific regulations on biocides, pesticides and cosmetic products.

The criteria proposed by the Commission last June are largely in line with the expectations of the manufacturers, who are selling a multitude of products containing endocrine disrupters. Rather than adopt an approach consistent with the level of concern raised by these substances, which have multiple impacts on health and the environment, the Commission chose criteria that would be slow and difficult to implement, and which would permit no more than a small number of already identified endocrine disrupters to be regulated. According to these criteria, priority will need to be given to epidemiological studies that establish a link between damage to health and the actions of these substances. This means using human beings as guinea pigs once more. In fact, fairly long periods of time may pass between the marketing of a new substance and the clear identification of a negative health impact. Moreover, it will be necessary to demonstrate that this negative impact is itself caused by action on the hormonal system.

The unions, health and environmental organisations, along with most public health researchers working on these issues, think differently. They feel that a principle of precaution should be applied and that endocrine disrupters should be identified by adopting the same basic principles as those in place for substances that are carcinogenic, mutagenic or toxic to reproduction. This means that it would have been necessary to define criteria enabling endocrine disrupters to be classified into three groups: proven, assumed and suspected. The first category would cover substances for which there is already scientific knowledge demonstrating a negative impact on human health. The second, those for which there is knowledge based on animal experimentation. The third, substances for which there is partial data enabling such an effect to be suspected. In practice, the criteria established by the Commission will limit regulation to those that would have been included in the first category.

For glyphosate, the debate was all the more strained because of the totally contradictory expert opinions. The International Agency for Research on Cancer has identified glyphosate as a probable human carcinogen. The European Food Safety Authority (EFSA) has concluded, in contrast, that "glyphosate poses no carcinogenic hazard to humans". EFSA's expert opinion is based primarily on studies produced by the manufacturers themselves. It prioritises issues of food security and does not address the question of occupational health in relation to workers using the herbicide or exposed populations living near its areas of use. Basically, EFSA's report states that eating foods treated with glyphosate will not cause cancer. This may be the case but the regulation should have addressed the other risks run by workers and nearby residents.

The Commission has reached its decision. It proposes extending glyphosate's authorisation for an 18-month period and calling for further expert opinions before taking any possible decision to ban it, asking them what new factors they could bring to the table. You could be forgiven for thinking that this delay is above all intended to enable the adoption of a decision favourable to the pesticide producers once the media interest has died down.

Behind the mountains of reports, expert opinions and second opinions, arises a key political issue: an acceptance that the profits of some can be achieved through the sacrifice of others.