

Roundup regulation revision? Biden EPA asks federal court to allow it to reassess glyphosate, weighing ‘ecological risks and benefits’

The Biden EPA has asked a federal court for a chance to review and possibly revise parts of the agency’s 2020 interim decision to re-register glyphosate (Roundup) while leaving the herbicide on the market.

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Under the Trump administration, EPA had issued an interim decision in January 2020 to re-register glyphosate, with some minor changes to labels and use restrictions.

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EPA wants to reconsider its analysis of glyphosate’s ecological risks and other costs of the herbicide and re-weigh them against the herbicide’s benefits. However, EPA was clear in the filing that the agency will not reconsider its analysis of glyphosate’s human health risks — the source of several successful lawsuits against glyphosate’s primary registrant, Bayer. The agency says it is standing by its conclusions that, as registered, glyphosate doesn’t pose major risks to human health.

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[I]n November, EPA released its ... assessment of glyphosate’s risk to endangered species, a draft biological evaluation that found that the herbicide is “likely to adversely affect” 1,676 listed species and 759 critical habitats, the vast majority of the species and habitats it considered.

If EPA’s request is granted by the court, it will not remove glyphosate from the market. The request is for “partial voluntary remand without vacatur,” which means the herbicide would remain legally registered while the agency reviews and perhaps revises parts of its registration decision.

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