



HEADLINE – ADOPTION BY THE UN OF A RESOLUTION TOWARDS A GLOBAL PACT FOR THE ENVIRONMENT

On May 10, the United Nations General Assembly adopted by a large majority (144 in favor and 5 against, including the USA and Russia) the resolution opening the way for the negotiation of a Global Pact for the Environment. The project's initiative of a Global Pact for the Environment, inspired by a group of international jurists, was presented by Emmanuel Macron in September 2017 at the United Nations with the support of the Secretary General of the UN and UNEP. This resolution marks a decisive step forward in the mobilization of the international community for the protection of the environment.



POLLUTION – PROPOSAL FOR THE CREATION OF A COMPENSATION FUND FOR VICTIMS OF PESTICIDES

The French National Institute of Health and Medical Research (INSERM) has established a link between exposure to pesticides and the occurrence of diseases such as Parkinson's, prostate cancer and some hematopoietic cancers.

Faced with this risk, a phyto-pharmacovigilance system has been set up to monitor the undesirable effects of these products. The diseases (Parkinson's, homeopathy) caused by pesticides have been taken into account in the table of occupational diseases.

However, this compensation is only lump sum and limited to professional patients.

The proposed law for the creation of compensation funds allows for full compensation for damages related to exposure, the use of pesticides. Article 1 targets several victims who can benefit: professionals, anyone justifying that the disease is caused by direct exposure and the descendants of the victims.

To benefit the victim must justify a direct link between exposure to the pesticide and the disease. The existence of this link is examined by an autonomous medical commission specifically created for the fund.

The law passed by the Senate must be voted by the National Assembly.



RISKS – 145 NON-COMPLIANT CHEMICAL PRODUCTS



In order to protect consumers, the DGCCRF (Directorate General for Competition, Consumption and Fraud Control) often conducts a control plan. 4,200 chemical product references were examined in 2016 in about 1,200 establishments, and 145 products were declared non-compliant including 11 hazardous.

Compliance was examined under the Classification, Labeling and Packaging Regulation (CLP) and the Reach Regulation. Various non-compliances were found: cans of products for bubble machines without the mentions of the risk of ocular lesions and skin irritation, bringing to market home fragrances without labelling of danger, sale of glue without adequate indication of danger, restrictions on the sale of carcinogens, mutagens or re-protonic (CMR) products not respected, absence of child safety plugs on certain chemical packaging sold over the counter, etc. "The non-compliant and dangerous products have been the subject of voluntary measures of compliance of professionals, injunction procedures, criminal report or seizure," says the DGGCRF, which specifies that the control plan continued in 2017.



ENERGY – THE INSTALLATION OF SOLAR PANELS MANDATORY IN CALIFORNIA

The California Energy Commission voted on May 9, 2018 new measures for the climate. Thus, from 2020, the new State's housing will have to be equipped with solar panels to save energy. The adopted standards cover four areas: smart residential photovoltaic systems, updating thermal envelope standards, residential and non-residential ventilation requirements, and lighting requirements for non-residential buildings. With the new energy efficiency standards, residential mortgages (based on 30-year mortgages) are expected to increase by an average of \$40 a month, but can reduce heating, cooling and lighting costs by \$80 per month.

The main objective is to "reduce energy consumption by 50% in new housing," said the California Energy Commission.

Builders will have the choice to add solar panels to single-family homes or to build shared systems for a group of homes. Some houses, especially those in the shade, will be exempt from these new measures.

Council of State, April 11, 2018

« Confédération paysanne du Lot et autres », n°412773

Rejection of an emergency interim proceedings against a single authorization (single authorization that is possible since the ordinance of March 20, 2014 on the experimentation of an authorization for ICPE) of a biogas operation. A peasant confederation had appealed to the judge of the administrative court to suspend the execution of an order granting a single authorization to operate a biogas plant. By making an emergency interim proceedings, this peasant confederation therefore considered that the situation was urgent and that there was serious doubt as to the legality of the decision in accordance with Article L521-1 of the French Code of Administrative Justice.

The court was however rejected by the administrative judge, who found that the condition of urgency was not met. The peasant confederation took the case to the Council of State.

The Council of State considered that the single authorization, which also applies as a building permit for the buildings in question, was severable from the other elements of the order. As the construction is finished, the issuance of building permits is no longer a matter of urgency, and the other elements of the by-law, which are thus dissociated, should also have an element of urgency to be challenged in this way.



Exposure of pregnant women to fine particles would be harmful to the health of the fetus. In fact, researchers from Inserm (French National Institute of Health and Research) within the team of epidemiology of the allergic and respiratory patients studied the risks related to air pollution in France on the development and health of fetuses. Inserm recalls that in France, in 2012, "2.3% of children were born hypotrophic (a term birth with a birth weight of less than 2.5 kg)". "This hypotrophy then has many consequences for development with a significant retardation of intellectual development for some children," add researchers from the epidemiology team of allergic and respiratory diseases.

The study aims to alert and advocate the implementation of real policies to improve air quality for future generations.

According to these researchers, it is essential to "implement public health measures" to protect pregnant women. A recommendation to limit traffic during peak pollution is suggested.

The care of these new borns would amount to about 1.2 billion euros. A significant expense since it represents 1 in 4 children.

 **CONSUMPTION – FORESEEN OBSOLESCENCE OF TIGHTS ?**

The French "Stop Foreseen Obsolescence" association (HOP) published a report on May 15 on the planned obsolescence of tights.

Scheduled obsolescence is the deliberate reduction of the life of a product to increase its replacement rate.

Tights are pollutants that are not recyclable and take decades to decompose and release toxic products. They represent 7315 tonnes of waste per year in France. According to the report, the tights are discarded because they are out of use and not for aesthetic reasons, indeed 40% of the tights can be used up to 3 times. The level of resistance depends on the chemical additives, the manufacturer could thus reduce the duration of the product depending on the products used.

However, the association HOP can't denounce a foreseen obsolescence because of lack of information on the quantities and composition of the chemicals used.

The report educates users about recycling and encourages them to buy better quality products that are more expensive but durable over time, which would reduce waste.

 **POLLUTION – THE POSSIBLE CONDEMNATION OF FRANCE FOR AIR POLLUTION**

Air pollution is a fundamental problem, according to the World Health Organization: it kills about 48,000 people in France.

On May 17, the European Commission announced its decision to bring France before the Court of Justice of the European Union for non-compliance with air quality standards from the European Directive of 2008.

The European limit value for annual nitrogen dioxide concentrations is 40µg / m³, and according to 2016 reports, Paris reached 96 µg / m³. It is noted that 14 French zones exceed the thresholds.

After several reminders from the Commission, Mr Hulot presented roadmaps in 2018 but they were considered insufficient by the Commission.

Other measures must therefore be taken, among them mayor Hidalgo wants a diesel output in 2024.

Moreover, France exposes itself to financial sanctions, fine and strain in front of the CJEU, which can be important.