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Environmental Groups Sue EPA Over Failure to Regulate Nanomaterials

US Agencies > EPA

Kale Williams, March 9, 2015

A group of environmental organizations is taking the Environmental Protection Agency to federal court after they say the agency failed to adequately respond to a petition calling for regulations of nanomaterials in consumer products.

The **complaint** (http://www.centerforfoodsafety.org/files/2014-12-16-dkt-1--pls--complaint_78869.pdf), brought by the Center for Food Safety, the Center for Environmental Health and the Institute for Agriculture and Trade Policy among others, alleges that the EPA did not take appropriate action after the plaintiffs filed a **2008 petition** (http://www.centerforfoodsafety.org/files/cta_nano-silver-petition_final_5_1_08.pdf) seeking regulations for nano-sized versions of silver found in consumer products.

The petition, according to its authors, provided a legal, policy and scientific blueprint for regulating the products. The EPA opened a comment period later that year, but took no further action.

The petition also included an index of products containing nano-sized silver, including food storage containers, food/produce cleaners, cutlery, cutting boards, and ingestible "health" drink supplements.

"If the EPA fails to regulate pesticide products that incorporate nanosilver farmers will soon be exposed to the unique health risks of nanomaterials, and will be uninformed about what they must do to protect themselves, and their families, neighbors, land, water and livestock from nano-pesticide drift," Steve Suppan of the Institute of Agriculture and Trade Policy said in a statement.

The lawsuit seeks injunctive and declaratory relief for the EPA's failure to act on the petition. [Source: **Lexology** ([http://www.lexology.com/library/detail.aspx?g=72b97848-a299-410e-8ccb-0af7c6c9cfd&utm_source=Lexology+Daily+Newsfeed&utm_medium=HTML+email+-+Body+-+Federal+section&utm_campaign=Lexology+subscriber+daily+feed&utm_content=Lexology+Daily+Newsfeed+2014-12-29&utm_term=\]](http://www.lexology.com/library/detail.aspx?g=72b97848-a299-410e-8ccb-0af7c6c9cfd&utm_source=Lexology+Daily+Newsfeed&utm_medium=HTML+email+-+Body+-+Federal+section&utm_campaign=Lexology+subscriber+daily+feed&utm_content=Lexology+Daily+Newsfeed+2014-12-29&utm_term=])]

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