

Sour grapes

Corinne Lepage is angry that a French NGO is facing a legal challenge to its work having uncovered unacceptable levels of pesticides in European wines

A small French non-government organisation that promotes healthy agriculture and specialises in the use of pesticides has been taken to court by the national federation of grape growers (FNPR).

The case is significant because it is an attempt at intimidation of whistle blowers. In North America, such cases have come to be known as Slapps – strategic lawsuits against public participation. Europe cannot allow such lawsuits to be successful.

Should the grape federation win this challenge, it would threaten the very existence of an environmental NGO that plays an important role in protecting human health and the environment, including through helping to ensure the proper implementation of EU pesticides policy in France..

In November 2008, members were annoyed by the publication of a report by French NGO, the movement for the rights and respect of future generations (MDRGF) which highlighted the existence of pesticides in grapes.

As part of a study conducted by groups in several different European countries, MDRGF gathered samples of grapes being sold in different supermarkets in France. The grapes from five countries were then tested for pesticide residues with the help of a laboratory in Germany. The findings showed that 99 per cent of grapes from France, Germany, Italy, Holland and Hungary contained pesticides.

The contamination of grapes was highest in France. All the French samples contained some pesticide residues and 44 per cent of samples had 10 or more different pesticides. Some of the residues were from banned pesticides and some grapes contained residues at levels above the maximum legal limits.

The full report was made available on the MDRGF website and reported widely in the French media. The challenge from the FNPR came in February 2009 when it accused the NGO of defamation. They sued MDRGF for €500, 000 in damages due to loss of sales. This amount represents five times MDRGF's annual budget.

In a bizarre statement, the federation lawyer told the high court tribunal at the beginning of January 2010 that, due to the internet, NGOs and associations are able to communicate in the same way as the media and should therefore give both sides of the argument when reporting studies. He said that MDRGF

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was an association with an enormous capacity to mobilise people for “propaganda” and that what the website should be saying was that pesticide residues in grapes in France are below the French and European norms.

Here, he misses the point – and the problem – entirely. What citizens need to know is that the grapes they buy and eat contain pesticide residues, which carry risks for their health, especially when legal limits are exceeded.

The previous European parliament voted on a pesticides package to tighten regulation specifically because it recognised that public health and the environment needed better protection. Under this legislation, some harmful pesticides were banned and a reduction in the use of pesticides was recommended. The challenge now is to ensure its implementation at the national level.

In France, HEAL, the Health and Environment Alliance, works closely with MDRGF on EU pesticide legislation implementation, and for the European NGO, the attack on MDRGF represents a potential threat to successful national implementation.

They are right and it has to be stopped. Whistle-blowing organisations, scientists and individuals in Europe must be protected because such cases are about intimidation of anyone that dares to report findings of public, rather than industry, interests. ★



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