

divendres, 11 d'agost de 2023

The Law Is Elastic but Does Not Bend: A Literal Interpretation of European Union Chemical Legislation Could Leave Health and the Environment Unprotected

¡Se publica un artículo de Carme Ribes Ortega entre las 5 mejores revistas de Derecho del mundo!

The Law Is Elastic but Does Not Bend: A Literal Interpretation of European Union Chemical Legislation Could Leave Health and the Environment Unprotected

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<https://www.cambridge.org/core/journals/european-journal-of-risk-regulation/article/law-is-elastic-but-does-not-be>

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Artículo de la doctoranda, fruto de su estancia de investigación en la **Chair of Food Law** de la **Universidad de Bayreuth (Alemania)** y escrito en inglés. Este artículo ha sido publicado en la [European Journal of Risk Regulation](#) [<https://www.cambridge.org/core/journals/european-journal-of-risk-regulation>], revista internacional e interdisciplinar, revisada por pares desde 2009. Esta revista se encuentra entre las 5 mejores revistas de Derecho del mundo (Q1), según el [JCI de Clarivate](#) [<https://jcr.clarivate.com/jcr-jp/journal-profile?journal=EUR%20J%20RISK%20REGUL&year=2022&fromPage=%2>] (ránking) de 2022.

El *abstract* del artículo es como sigue:

"This piece addresses Case C-458/19 P before the Court of Justice of the European Union (CJEU) concerning a substance of long-term exposure, namely bis(2-ethylhexyl) phthalate (DEHP). The case concerned the interplay of two complex procedures of European chemical law, namely: the procedure for authorising the use of a substance listed in Annex XIV of Regulation (EC) No 1907/2006 (REACH Regulation); and the procedure for listing a substance in Annex XIV of the REACH Regulation on the basis of its intrinsic properties as a substance of very high concern for the risks it poses, or may pose, to human and environmental health. The significance of this judgment is that it provides a better understanding of how Article 60(4) of the REACH Regulation is interpreted in an analogous manner in relation to other provisions of the same Regulation. Whether DEHP is a question of reproductive toxicity (Article 57(c) of the REACH Regulation) or endocrine-disrupting properties (Article 57(f) of the REACH Regulation), this judgment offers insights into the limits of the CJEU's willingness and/or ability to use a teleological approach to interpret legislation in this area. Furthermore, this work supports the possibility of applying the principle of intergenerational equity to issues related to long-term exposure such as this one."¹

Acceso abierto al artículo completo, siguiendo el [enlace](#) [

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¡Enhorabuena, Carme!

the Environmental Protection Agency (EPA) and the European Union (EU) have both adopted legislation that could leave health and