

viernes, 11 agosto 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*

[



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

Escrito por **Carme Ribes Ortega**, [personal predoctoral](#) [ /sites/DretAdministratiu/es/equipo/ ] del Área y [miembro del equipo de trabajo del Proyecto](#) [ /sites/DretAdministratiu/es/proyectos/spent/Pol-Cuadros/ ] de Salud Pública en Transformación (SPENT).

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> ] (r anking) 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."<sup>1</sup>

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

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

¡Enhorabuena, Carme!