Court overturns critical EPA protections from deadly methylene chloride

Fifth Circuit vacates 2024 rule protecting consumers and workers from a cancer-causing chemical that can cause serious illness and death

WASHINGTON, DC, UNITED STATES, September 17, 2026 / EINPresswire.com/ -- On September 15, 2026, the U.S. Court of Appeals for the Fifth Circuit struck down the U.S. Environmental Protection Agency's (EPA) 2024 rule restricting most uses of methylene chloride, a highly toxic chemical that can cause cancer, neurological and liver harm, and death. The ruling in East Fork Enterprises, Inc, et al v. U.S. EPA sends the matter back to EPA for further proceedings.

> This ruling sides with the chemical industry at the expense of public health and will put more people at risk of serious harm."
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> *Liz Hitchcock, director of federal policy at Toxic-Free Future*

EPA finalized the rule in 2024 to prohibit all consumer and most commercial and industrial uses of methylene chloride under the Toxic Substances Control Act (TSCA)—including uses in products such as spot removers, degreasers, adhesives, and sealants. The final rule came nearly eight years after EPA prioritized the chemical as one of the "first 10 chemicals" to review under the reformed chemical law. This recent decision does not affect EPA's 2019 rule banning consumer use of methylene chloride in paint and coating removal products, which remains in place.

"We have known for decades that methylene chloride exposures can cause cancer, neurological and liver effects, and can be deadly for consumers and workers," said Liz Hitchcock, director of federal policy at Toxic-Free Future. "Congress updated TSCA in 2016 so that EPA could finally take action to get dangerous chemicals like methylene chloride out of our homes and workplaces. Mothers whose sons lost their lives due to this chemical fought hard for a ban on this notoriously deadly substance."

“This ruling sides with the chemical industry at the expense of public health and will put more people at risk of serious harm, including death from acute exposure, cancer, and kidney and liver toxicity from long-term exposures. EPA should protect people’s health, not bring back dangerous chemicals,” said Hitchcock.

Link to press statement: https://toxicfreefuture.org/press-room/court-overturns-critical-epa-protections-from-deadly-methylene-chloride/

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