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MARYLAND LEGISLATURE PASSES PFAS TESTING BILL

WASHINGTON, Apr 13, 2023— The Maryland General Assembly passed a crucial bill to test for toxic chemicals in pesticides on Monday, April 10, 2023. The bill, known as the PFAS Testing - Study Bill (SB158/HB319), mandates the Maryland Department of Agriculture (MDA) conduct a six-month study to analyze the health and environmental impacts of per- and polyfluoroalkyl substances (PFAS), also known as “forever chemicals” due to their persistent nature, in pesticides used in the state. The MDA will collaborate with the state’s Department of Environment (MDE) and Department of Health (MDH) as well as the federal Environmental Protection Agency (EPA).

The bill was sponsored by Delegate Dana Stein in the House of Delegates and Senator Shelly Hettleman in the Senate and passed by a wide margin in both chambers. Should the bill be signed into law, the MDA will be required to report the findings of the study to Maryland Governor Wes Moore by November 1, 2023. In addition to analyzing the public health and environmental implications of using PFAS in pesticides, the study will include an explanation of testing methods, an update on the certification of PFAS testing methods at the federal level, and an update on the campaign to regulate or ban PFAS in pesticides at the federal level.

Senator Hettleman said, “I’m thrilled that a bipartisan majority of the Maryland General Assembly passed this bill that will help us learn more about just how pervasive PFAS are in pesticides so that we can better protect our state’s crops, soils, and waterways from these harmful chemicals.”

PFAS refers to a group of synthetic chemicals that have been used in consumer products for about 70 years. More than 9,000 PFAS compounds are known and about 600 are currently used in market products, many of which in pesticides. Unfortunately, these chemicals have been associated with reproductive problems, testicular, kidney, liver, and pancreatic cancer, low birth weight, and increased cholesterol. When PFAS chemicals are used in pesticides, those health problems disproportionately affect farmworkers who are exposed to high concentrations.

Smart on Pesticides Coalition coordinator, Bonnie Raindrop stated, “Pesticides are



a chilling, previously-unknown PFAS contamination source to our food, soil, water, and bodies – lasting forever. Low-income, overburdened communities and farmworkers are particularly impacted – Maryland must turn off the tap from this avoidable PFAS contamination source without delay.”

On March 14, 2023, the Biden Administration proposed the first-ever national drinking water standard for six PFAS substances. While this is a critical step in the right direction, it leaves out thousands of other PFAS chemicals and fails to account for direct exposure to PFAS chemicals via pesticides. The PFAS Testing-Study bill provides a model and ultimately will provide necessary insights that other states and the federal government may benefit from in the future.

The Rachel Carson Council (RCC) is a member of the Smart on Pesticides Coalition and has worked closely with the coalition and its parent organization, the Maryland Pesticide Education Network, in endorsing this important piece of legislation. The RCC will continue to advocate for the regulation of PFAS in pesticides and other products for all Marylanders and will capitalize on this momentum in Maryland by continuing to shed light on the urgent need to regulate PFAS at the federal level.

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The Rachel Carson Council is the national environmental organization envisioned by Rachel Carson and founded in 1965. The RCC educates, organizes, and advocates for climate justice, environmental health, and the promotion of Carson's environmental ethic of empathy for all living creatures.