



# BEYOND PESTICIDES

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## Statement in Support of HB 1190

Health and Government Operations Committee  
and  
Public Health and Minority Health Disparities Subcommittee  
House of Delegates  
Maryland

Jay Feldman, Executive Director, Beyond Pesticides  
March 7, 2024

Honorable Committee Chair Pena-Melnyk and Subcommittee Chair Bagnall. We appreciate the opportunity to submit this statement in support of HB 1190. Beyond Pesticides is a national, grassroots, membership organization that represents community-based organizations and a range of people seeking to improve protections from pesticides and promote alternative pest management strategies that reduce or eliminate a reliance on toxic pesticides. Our membership spans the 50 states, the District of Columbia, and groups around the world. We are providing this testimony on behalf of our members and supporters in Maryland.

As you consider the importance of this legislation, supported by scientific findings, we urge you to recognize the dire need to improve state of Maryland safeguards concerning the use of pesticide active ingredients composed of per- and polyfluorinated substances (PFAS), commonly referred to because of their persistence as “forever chemicals.” PFAS persistence is due to a fluorine–carbon atom bond being among the strongest ever created. PFAS contamination of drinking water, surface and groundwater, waterways, soils, and the food supply, among other resources, is a ubiquitous and concerning contaminant across the globe. HB 1190 prohibits by June 1, 2025 the sale and by December 31, 2025 the use of pesticides with PFAS as an active ingredient.

The National Biomonitoring Program of the U.S. Centers for Disease Control and Prevention (CDC) has found the following:

Since 1999, CDC scientists have measured at least 12 PFAS in blood serum (the clear portion of blood). Blood serum is obtained from participants, aged 12 years and older, who have taken part in the National Health and Nutrition Examination Survey (NHANES) (Fourth National Report on Human Exposure to Environmental Chemicals, Updated Tables).

Many PFAS, including perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA), are a concern because they:

- do not break down in the environment,
- can move through soils and contaminate drinking water sources,
- build up (bioaccumulate) in fish and wildlife.

PFAS are found in rivers and lakes and in many types of animals on land and in the water.<sup>1</sup>

With health risks<sup>2</sup> including developmental and endocrine system disruption, reproductive harm, cancer, damage to the liver, kidneys and respiratory system. Gestational (during pregnancy) and childhood exposure to PFAS increases cardiometabolic risk, or the risk of heart diseases and metabolic disorders, later in life, according to a Brown University study published in *Environment International*.<sup>3</sup> PFAS presents a chronic danger to Americans that demands immediate regulatory action.

The use and associated public and environmental exposure to PFAS as pesticide active ingredients in 1,000 products registered in Maryland represents a grave threat as a result of their use in homes, emergency rooms, health care facilities, schools, and lawncare. The contamination extends to our homes and gardens, food, water, and soil. PFAS compounds have been found to contaminate water and irrigation sources, and soils themselves — often through the use of fertilizers made from so-called “biosludge” (biosolids) from local waste treatment plants where PFAS active ingredients can end up. In addition, run-off from land treated with PFAS active ingredients, these treatment plants may discharge millions of gallons of wastewater into waterways, contaminating them; current waste and water treatment generally does not eliminate PFAS compounds from the treated effluent water.

In addition to remaining in the environment because of its persistence, according to research published in the *Journal of Hazardous Materials Letters*,<sup>4</sup> a significant portion is likely to be taken up by crops grown where these PFAS insecticides were applied. According to the researchers, “Future use of soils treated with PFAS contaminated pesticides for other crops or pesticide drift could lead to PFAS concentrations being found in crops used for human or animal consumption.”

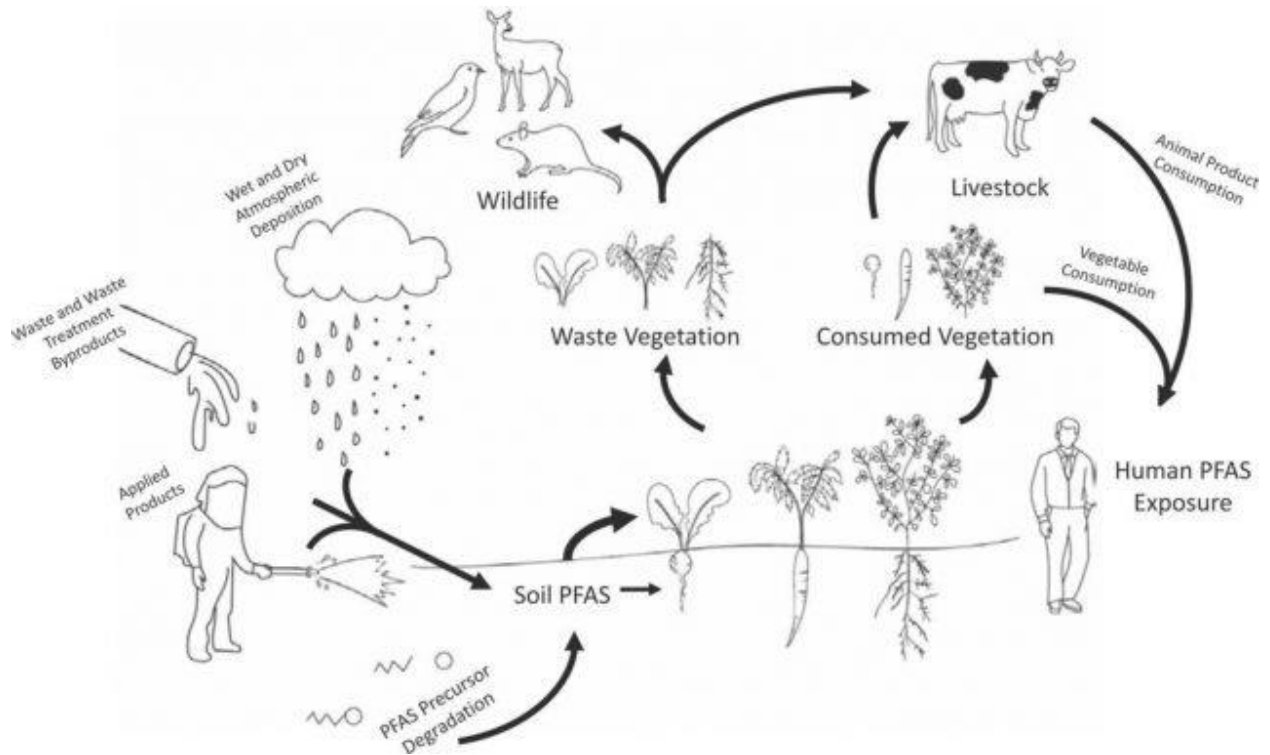
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<sup>1</sup> National Biomonitoring Program, U.S. Centers for Disease Control and Prevention, Per- and Polyfluorinated Substances (PFAS) Factsheet, accessed 03-06-2024, [https://www.cdc.gov/biomonitoring/PFAS\\_FactSheet.html](https://www.cdc.gov/biomonitoring/PFAS_FactSheet.html).

<sup>2</sup> Agency for Toxic Substances Disease Registry (ATSDR), Toxicological Profile for Perfluoroalkyls, May 2021, <https://www.atsdr.cdc.gov/toxprofiles/tp200.pdf>.

<sup>3</sup> Nan Li, Yun Liu, George D. Papandonatos, Antonia M. Calafat, Charles B. Eaton, Karl T. Kelsey, Kim M. Cecil, Heidi J. Kalkwarf, Kimberly Yolton, Bruce P. Lanphear, Aimin Chen, Joseph M. Braun, Gestational and childhood exposure to per- and polyfluoroalkyl substances and cardiometabolic risk at age 12 years, *Environment International*, Volume 147, 2021, 106344, ISSN 0160-4120, <https://doi.org/10.1016/j.envint.2020.106344>.

<sup>4</sup> Steven Lasee, Kaylin McDermott, Naveen Kumar, Jennifer Guelfo, Paxton Payton, Zhao Yang, Todd A. Anderson, Targeted analysis and Total Oxidizable Precursor assay of several insecticides for PFAS, *Journal of Hazardous Materials Letters*, Volume 3, 2022, 100067, ISSN 2666-9110, <https://doi.org/10.1016/j.hazl.2022.100067>.



The Agency for Toxic Substances Disease Registry (ATSDR) notes, “[B]ecause of their widespread use and their persistence in the environment, many PFAS are found in the blood of people and animals all over the world and are present at low levels in a variety of food products and in the environment. PFAS are found in water, air, fish, and soil at locations across the nation and the globe. Scientific studies have shown that exposure to some PFAS in the environment may be linked to harmful health effects in humans and animals.”<sup>5</sup> However, the federal regulatory agency, the U.S. Environmental Protection Agency (EPA), has not acted on the widespread exposure caused by pesticides with PFAS active ingredients.

PFAS are already in our drinking water—in the Chesapeake Bay and in our soil, food, and bodies. Maryland has issued fish advisories for PFAS in parts of the state. Every exposure adds to the impact on our bodies. It only makes sense to take this simple step to stop this unnecessary PFAS contamination source. Moreover, HB 1190 impacts less than 8% of pesticides sold in Maryland. The legislation will not cause hardship since plenty of natural alternative products and practices are available. In adopting HB 1190, Maryland would be joining with Maine and Minnesota, states that have already passed laws preventing pesticides containing these forever chemicals from being sold.

<sup>5</sup> ATSDR, What Are PFAS?, accessed 03-06-2024, <https://www.atsdr.cdc.gov/pfas/health-effects/overview.html#:~:text=Because%20of%20their%20widespread%20use,with%20repeated%20exposure%20over%20time.>

## **Alternatives to Pesticides with PFAS Active Ingredients**

Eliminating pesticides with PFAS active ingredients will not cause disruptions to the pest management or pest service industry. Pest problems in agriculture and landscaped areas can be prevented through practices that improve soil health, and promote biodiversity and habitat for pest predators. If pest problems do become an issue, a wide range of insecticidal soaps and essential oils, classified either as certified organic, or minimum risk, are available and represent a least-toxic option.

We respectfully urge passage of HB 1190 in the context of eliminating severely damaging pesticides that can be replaced by practices and materials compatible with the environment and public safety.

Thank you for the opportunity to comment.