

Maryland Children's Environmental Health Coalition

Education, Energy, and the Environment Committee
Senator Brian J. Feldman, Chair
Senator Cheryl C. Kagan, Vice-Chair
2 West Miller
Senate Office Building
Annapolis, Maryland 21401
phone: 410-841-3661

Hearing February 18, 2025 at 1:00 p.m.

SB 345

Pesticides -
PFAS Chemicals - Prohibitions

Support

INTRODUCTION

Maryland Children's Environmental Health Coalition (MD CEHC) is a group of children's advocates working collaboratively toward improving the lives of children in Maryland. Our coalition works to support and advocate for laws that address children's environmental health and well-being. MD CEHC recognizes the urgent need to address the growing issues surrounding the environment where our children live, play, and attend school. We are specifically concerned about protecting children from known hazards, and preventing new hazards, thus allowing our children to reach their full potential as contributing members of society.

Our Coalition strongly **SUPPORTS SB 345 Pesticides - PFAS Chemicals - Prohibitions**. This bill would require the Department of Agriculture [MDA] to develop and maintain a list of certain registered pesticides that list PFAS chemicals as an active ingredient on the EPA Product Label; prohibit the use in Maryland of certain PFAS pesticides; and ultimately prohibit the MDA from registering certain PFAS pesticides for sale in the State.

This bill would ensure that pesticides registered for use in Maryland do not contain PFAS chemicals as an active ingredient. **SB 345** is consistent with our mission and goals as it addresses in law Maryland's effort to:

- **Eliminate known environmental pollutants and prevent new hazards.**
- **Protect children from health risks by limiting exposure to highly toxic chemicals (i.e. PFAS pesticides) and addressing remedies.**
- **"Stop the flow" of PFAS chemicals from a known source for which safer alternatives exist.**

Strong action must be taken by the Maryland General Assembly to ensure that all residents, especially children and their environment are protected from preventable exposures to PFAS – in this case pesticides that are known to contain PFAS. **SB 345** would provide expanded comprehensive protection to our children and our natural resources (i.e. air, water, soil) from exposure to a known toxin, specifically PFAS chemicals – recognized hazardous chemical found in pesticides registered by the Maryland Department of Agriculture (MDA) and used throughout Maryland. **Safer alternatives are already registered and utilized - these should be prioritized.**

PESTICIDES and CHILDREN:

Pesticide exposure in our communities, schools and homes is a growing concern. There have been efforts made on many levels to protect children and their environment from exposure to known hazards. The evidence continues to mount and the data-gaps are now closing regarding the impacts of certain pesticides on children. Sadly, federal, state, and local governments have been slow to enact protections even in light of the ever-growing research supporting the need for better protections from pesticide exposures. While more data is needed on the impacts of PFAS pesticides, there is sufficient preliminary evidence to warrant concern. **Eliminating pesticides that contain PFAS is one step in protecting children from chemicals known to cause injury and harm to them as well as compromise to their groundwater/drinking water.**

PFAS and CHILDREN:

It is well documented that growing children are particularly vulnerable to the effects of exposure to per- and polyfluoroalkyl substances (PFAS), a group of endocrine disrupting chemicals which are persistent in the environment. MD CEHC understands that early childhood exposure to PFASs is associated with poor health outcomes in children. These "*forever chemicals*" have been found at dangerously toxic levels in several pesticides registered for sale by the Maryland's State Chemist.

To date, there is no research on the effects of combining these “*forever chemicals*” with pesticides, which are already known to have adverse health impacts. Additionally, PFAS have been shown to impact the effectiveness of vaccines used for COVID-19 as noted by Harvard expert Dr. Phillipe Grandjean, putting our children at greater risk of compromise during the COVID-19 outbreaks.

US EPA on PFAS, CHILDREN and Drinking Water:

The United States Environmental Protection Agency (US EPA) states that “*because children are still developing, they may be more sensitive to the harmful effects of chemicals such as PFAS. They can also be exposed more than adults because: Children drink more water, eat more food, and breathe more air per pound of body weight than adults, which can increase their exposure to PFAS.*”¹ The EPA also states, “*Current research has shown that people can be exposed to PFAS by...Drinking water contaminated with PFAS.*”²

There is growing concern for PFAS in water. Ensuring that it is not intentionally applied during a pesticide application is one way of “turning off the faucet”. In Aug 2024 Maryland Department of Environment [MDE] conducted PFAS water tests at Howard County public schools serviced by wells. As documented in our **HiAP [Health in All Policies] Case Study (2018-2024)** – the two schools closest to TruGreen, Inc.'s 102 days of applications (*which included PFAS pesticides applied to 10 acres within the radius of the schools' aquifer*) now have to go on bottled water because of the level of PFAS found in MDE Testing³.

This contamination could have been avoided as the EPA Product Label warned of water contamination and cautioned use around wells. Lack of enforcement/compliance of the EPA Product Label (i.e. “the law”) is a BIG issue in Maryland. This Legislation would address part of the problem – by eliminating a known source of PFAS contamination – making such products unavailable to Maryland applicators. Safer alternatives exist and are already in use.

Approximately 1000 of the 14,000 pesticides approved for use by the MDA State Chemist specifically document in the EPA Product Label that the ingredients include PFAS chemicals and that the product will contaminate wells, shallow aquifers, ground water and other waters, yet applicators continue to use them regardless of this EPA product label instructions. There is a lack of compliance with the mandate to fully enforce the EPA Product Label – **HB 386 /SB 345** would remove from use in Maryland one of the known sources of PFAS contamination to our waters.

Additionally, “*PFAS can be present in our water, soil, air, and food...*”⁴ EPA has also stated that “*Due to their widespread production and use, as well as their ability to move and persist in the environment, surveys conducted by the Centers for Disease Control and Prevention (CDC) show that most people in the United States have been exposed to some PFAS. Most known exposures are relatively low, but some can be high, particularly when people are exposed to a concentrated source*”⁵...” in this case from the application of PFAS pesticides approved for used in Maryland.

PROTECTING OUR CHILDREN:

As pesticide use exists where children live, “*work*” (i.e. schools and day care centers) and play (our communities), it is prudent to ensure that the Legislature take steps to protect children from well documented harm – in this case from exposure to PFAS chemicals found in certain pesticides. The Legislature has an obligation to prioritize the protection children and their environmental health. We believe **SB 345** is yet another tool in protecting public health and our environment from known toxins (PFAS) and ensure better protection of children from pesticides allowed for use in the State of Maryland.

Maryland parents are also concerned about the health of the watershed including ground water accessed by wells for drinking water in homes and schools where PFAS is known and documented to migrate. Concern is not only because these are sources of drinking water, but also because these are the waterways where their

children live, learn and play. The health effects of such exposures as detailed in the Report by the MDE and Maryland Department of Health (MDH) entitled Maryland Children and the Environment⁶ are noted in the forward;

"It is well-recognized that the health of children is directly related to the environment generally and to specific environmental factors...Perhaps no single factor is more important to these efforts than reliable, accurate information that enhances the public understanding and supports the development of effective prevention efforts".

MARYLAND'S COMMITMENT TO CHILDREN

SB 345 is about meeting the health and environmental protection needs of all Maryland children. The General Assembly has taken action to define in statute (Health Article §13–1501 thru §13–1506)⁷ that it recognizes that children in the State face an array of preventable exposures to environmental hazards in their schools, homes, and communities. In certain cases – documented in Maryland statute - children are at greater risk than adults for exposure to and possible illness from environmental hazards because children;

- i. Have a decreased ability to detoxify certain substances;
- ii. Have a greater sensitivity to environmental hazards during the stages of development and growth as a result of their immature body organs and tissues and immature immune systems;
- iii. Have different exposure behavior patterns, such as hand-to-mouth behavior, spending a greater amount of time outdoors near hazards, and spending more time on the floor and on the ground where contaminants can concentrate; and
- iv. Take in a greater amount of contaminants due to their eating proportionately more food, breathing proportionately more air, and drinking proportionately more fluids than adults.

CONCLUSION

Knowledge is power – here the power to protect children, their environment and their drinking water. **SB 345** would reduce the introduction of PFAS into our environment essentially by eliminating a known source - the uses of pesticides that contain PFAS chemicals. The proposed actions within **SB 345** on PFAS pesticides are well within the regulatory bodies equipped to address the issues related to PFAS pesticide use in Maryland. They have a duty to protect.

We support all efforts to protect the most vulnerable, infants and children, from known hazards, which is consistent with Maryland Statute.

We hope that the Committee acts swiftly and favorably on **SB 345**.

¹ United States Environmental Protection Agency (US EPA) document accessed February 10, 2025

"Our Current Understanding of the Human Health and Environmental Risks of PFAS"

<https://www.epa.gov/pfas/our-current-understanding-human-health-and-environmental-risks-pfas>

² ibid

³ <https://ieq.hcpss.org/pfas>

⁴ United States Environmental Protection Agency (US EPA) document accessed February 10, 2025

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⁵ ibid

⁶ Maryland Children and the Environment; State of Maryland (MDH & MDE);

url: <https://health.maryland.gov/phpa/OEHFP/EH/Shared%20Documents/CEHPAC/Report-2008-FINAL.pdf> accessed 2/10/2025

⁷ Children's Environmental Health and Protection in Maryland Statute accessed February 10, 2025 at urls:

<https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg§ion=13-1501&enactments=false>

<https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg§ion=13-1502&enactments=false&archived=false>

<https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg§ion=13-1503&enactments=false&archived=false>

<https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg§ion=13-1504&enactments=false&archived=false>

<https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg§ion=13-1505&enactments=false&archived=false>

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