

HOUSE BILL 1190

M4

4lr2923

By: **Delegate Ruth**

Introduced and read first time: February 8, 2024

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Pesticides – PFAS Chemicals – Prohibitions**

3 FOR the purpose of prohibiting, beginning on a certain date, a person from selling a
4 pesticide that has PFAS chemicals listed as an active ingredient on certain labeling
5 accompanying the pesticide; prohibiting, beginning on a certain date, a person from
6 using a pesticide that has PFAS chemicals listed as an active ingredient on certain
7 labeling; and generally relating to pesticides and PFAS chemicals.

8 BY repealing and reenacting, without amendments,

9 Article – Agriculture

10 Section 5–101(a) and (b) and 5–201(a), (g), and (l)

11 Annotated Code of Maryland

12 (2016 Replacement Volume and 2023 Supplement)

13 BY adding to

14 Article – Agriculture

15 Section 5–210.6

16 Annotated Code of Maryland

17 (2016 Replacement Volume and 2023 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Agriculture**

21 5–101.

22 (a) In this subtitle the following words have the meanings indicated.

23 (b) “Active ingredient” means:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) In the case of a pesticide other than a plant regulator, defoliant, or
2 desiccant, an ingredient which prevents, destroys, repels, or mitigates insects, nematodes,
3 fungi, rodents, weeds, bacteria, or other pests;

4 (2) In the case of a plant regulator, an ingredient which, through
5 physiological action, accelerates or retards the rate of growth or rate of maturation or
6 otherwise alters the behavior of ornamental or crop plants or their produce;

7 (3) In the case of a defoliant, an ingredient which causes the leaves or
8 foliage to drop from a plant; and

9 (4) In the case of a desiccant, an ingredient which artificially accelerates
10 the drying of plant tissue.

11 5–201.

12 (a) In this subtitle the following words have the meanings indicated.

13 (g) “Labeling” means all written, printed, or graphic matter:

14 (1) Accompanying the pesticide or device at any time; or

15 (2) To which reference is made on the label or in literature accompanying
16 the pesticide or device, except to current official publications of the:

17 (i) Environmental Protection Agency;

18 (ii) United States Departments of Agriculture, Interior, and Health
19 and Human Services;

20 (iii) State experiment stations;

21 (iv) State agricultural colleges; or

22 (v) Other similar federal or State institutions or agencies authorized
23 by law to conduct research in the field of pesticides.

24 (l) “Pesticide” means any substance or mixture of substances intended for:

25 (1) Preventing, destroying, repelling, or mitigating any pest;

26 (2) Use as a plant regulator, defoliant, or desiccant; or

27 (3) Use as a spray adjuvant such as a wetting agent or adhesive.

28 5–210.6.

1 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
2 **INDICATED.**

3 **(2) “ACTIVE INGREDIENT” HAS THE MEANING STATED IN § 5–101 OF**
4 **THIS TITLE.**

5 **(3) “PFAS CHEMICALS” MEANS A CLASS OF FLUORINATED**
6 **CHEMICALS THAT CONTAIN AT LEAST ONE FULLY FLUORINATED CARBON ATOM,**
7 **INCLUDING PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.**

8 **(B) BEGINNING JUNE 1, 2025, A PERSON MAY NOT SELL A PESTICIDE THAT**
9 **HAS PFAS CHEMICALS LISTED AS AN ACTIVE INGREDIENT ON THE LABELING.**

10 **(C) BEGINNING DECEMBER 31, 2025, A PERSON MAY NOT USE A PESTICIDE**
11 **THAT HAS PFAS CHEMICALS LISTED AS AN ACTIVE INGREDIENT ON THE LABELING.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2024.