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Date: February 17, 2023  
To: Members of the House Committee on Health and Government Operations  
From: Holly Porter, Executive Director  
Re: HB 0319 – Pesticide Registration – PFAS Testing - Requirements - **OPPOSE**

Delmarva Chicken Association (DCA) the 1,600-member trade association representing the meat-chicken growers, processing companies, and allied business members on the Eastern Shore of Maryland, the Eastern Shore of Virginia, and Delaware opposes HB 319 and urges an unfavorable committee report.

HB 319 would prohibit the Maryland Department of Agriculture from registering any pesticide for use for mosquitos by 2024 and for any other pesticide by 2026 unless the distributor of the pesticide submits independent testing of PFAS to the department. The distributor would also need to submit an affidavit attesting to the legitimacy of the results.

Currently the United States Environmental Protection Agency (EPA) is researching and discussing various testing strategies related to PFAS. This strategy was just released in June of 2022 and is stated by EPA that “most of the hundreds of PFAS currently in commerce have limited or no toxicity data, and if EPA attempts to research them one at a time, it will be impossible for EPA to expeditiously understand, let alone address, the risks these substances may pose to human health and the environment.” That’s why EPA is looking to first understand the data gaps and develop required testing.

Aside from the questionable reasoning for putting all PFAS under the same “toxic” umbrella, there are currently no approved methods for testing pesticides for PFAS. Different pesticides come in different forms, and thus would need an approved testing method for each different type. It is unreasonable to require a distributor to sign a legal document attesting to the legitimacy and accuracy of the results when the EPA cannot even validate a testing method themselves. Even if an approved testing method does become available, the lack of testing facilities across the state and country would cause major delays before a pesticide could be registered.

Given the lack of testing methods and facilities, this legislation could effectively ban all pesticides from being registered in Maryland and would have a detrimental impact on all aspects of agriculture, as pesticides are used in all production methods, including organic.

More concerning is the number of disinfectants that are also registered pesticides in the state of Maryland. Disinfectants are pesticides as they kill pests – viruses and germs. Everything from common household names like Clorox, Lysol, Arm & Hammer, Ajax to commercial grade disinfectants, could no longer be registered. These disinfectants are critical in protecting our food supply as they are used every day in our harvesting plants. There are very few alternatives for disinfectants that would meet USDA guidelines for food safety, and there are currently 56 pages of disinfectants registered with the pesticide database.



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Disinfectants are used for worker safety as well. Long before COVID, hand sanitizers and disinfectants were part of the every-day use of processing workers, and since 2020 have become even more paramount for worker protection.

We appreciate the importance of understanding and addressing concerns around PFAS. However, it must be done in a scientific manner that offers research, funding, and ways to address data gaps – most likely at the national level, not by the state.

We urge an **unfavorable** vote on HB 0319.

Should you have any additional questions, please feel free to contact me at [porter@dcachicken.com](mailto:porter@dcachicken.com) or 302-222-4069 or Grayson Middleton at [middleton@dcahicken.com](mailto:middleton@dcahicken.com) or 410-490-3329.

Sincerely,

A handwritten signature in black ink, appearing to read "Holly Porter".

Holly Porter  
Executive Director