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Date: March 11, 2024  
To: Members of the House Committee on Health and Government Operations  
From: Grayson Middleton, Government Affairs Manager  
Re: HB 1190 – Pesticides – PFAS Chemicals – Prohibitions - **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 1190 and urges an unfavorable committee report.

HB 1190 would prohibit the use of any pesticide that contains an active ingredient which meets the bill's definition of a PFAS chemical, beginning December 31, 2025.

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.”

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, and Ajax to commercial grade disinfectants, could potentially no longer be used. 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.

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

This legislation defines PFAS chemicals as “a class of fluorinated chemicals that contain at least one fully fluorinated carbon atom, including perfluoroalkyl and polyfluoroalkyl substances.” This would encompass around 66 active ingredients. This definition goes above and beyond the EPA definition and runs counter to the recommendations of the study commissioned by this committee, which recommended that our policies on PFAS be aligned with the EPA.

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 1190.



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

Sincerely,

Grayson Middleton