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Testimony of Karen Reardon, Vice President of Public Affairs, RISE (Responsible Industry for a Sound Environment)

RE: Maryland House Bill 1190, Pesticides – PFAS Chemicals -- Prohibitions

Chair Pena-Melnyk, Vice Chair Cullison, and Distinguished Members of the House Health and Government Operations Committee

Thank you for the opportunity to provide testimony about HB 1190, which would prohibit pesticide products regulated by the Maryland Department of Agriculture (MDA) and by the Environmental Protection Agency (EPA) that contain fluorinated chemistry. Our position on this bill is unfavorable.

Regulators have broad authority to regulate pesticides. MDA and EPA have broad authority to change the availability and use status of any pesticide product at any time for a range of safety and scientific reasons. These regulatory processes and options should not be superseded by the pesticide ban proposed in HB 1190.

HB 1190 is unnecessary due to the existing rigorous state and federal regulatory framework for pesticides. Pesticides are unique, with more scientific data available about them than for any other products available in commerce today. Prior to applying for and receiving state registration in Maryland, all pesticides, regardless of their chemical structure, must be registered by EPA. Before pesticides even enter commerce in Maryland, they must already be deemed safe by EPA. To approve a new pesticide product, EPA must determine based on data that the pesticide will not, when used in accordance with the label, and with widespread and commonly recognized practice, cause unreasonable adverse effects on the environment¹ and provides reasonable certainty of no harm to human health. EPA subjects all new pesticide products to rigorous human health and environmental review and testing requirements to satisfy these standards for registration. These testing requirements include, depending on the type of pesticide, the following:

- Product chemistry
- Physical and chemical properties
- Acute, sub-chronic and chronic toxicity
- Efficacy testing (for public health uses)
- Ecological effects
- Environmental fate
- Applicator exposure
- Residue chemistry (for food use pesticides)

These tests take months and years to complete and represent an investment of hundreds millions of dollars by pesticide companies in the science that supports all products available to Maryland

¹ 7 U.S.C. §136a(c)(5).

residents, professional applicators, and growers. EPA expends significant resources to review and approve the testing data during a rigorous process. It can take more than 11 years before a new product is registered for sale due to the rigorous registration process. Further, EPA must periodically review each registered pesticide active ingredient to ensure it continues to meet this robust safety standard.

HB 1190 will disadvantage Maryland residents and growers because they will likely lose access to critical pest protection products. Pesticides provide critical protection against harmful, invasive species that can be detrimental to human health and our environment. Consumers rely on household pesticides to control pests and protect their families and their personal property. Insects, rodents, and weeds can threaten the health and well-being of communities across the state. Pesticides protect us from diseases carried by insects such as West Nile virus and Lyme disease, illnesses caused by contact with rodent and cockroach droppings, urine, or dander, or caused by poison ivy or oak and ragweed.

Maryland residents and growers will have no protections from pests, invasive species, and non-native pest species. HB 1190 will seriously disadvantage Maryland residents, growers, and the state itself from lost access to critical pesticides used to protect people and animals from mosquito-borne diseases through the activities of Maryland's public health officials as well as use of topical mosquito repellent sprays and lotions. Because they are public health tools, mosquito control pesticides are supported by additional scientific study requirements as part of the federal registration process. It would be impossible to manage mosquito populations in the state without pesticides.

Essential products for protecting against termites, bedbugs, cockroaches, mice, and rats at home, in schools, in restaurants, in commercial buildings, and in public places would be prohibited. Natural resource, utility, and transportation managers would no longer have the pesticide tools necessary for keeping rights of way clear, creating fire breaks in forests, and managing invasive insect and aquatic species that impact Maryland's environment and economy. Agricultural producers would not have access to products available to competitors in neighboring states or have the ability to manage unique pest pressures and pest resistance in their crops. Access to veterinary health products would also be impacted, putting family pets, companion animals, livestock, and poultry at risk from disease and nuisance pests.

For these reasons, we must take an unfavorable position on this legislation as it is not necessary due to existing federal Thank you for the opportunity to provide our perspective on HB 1190.

RISE (Responsible Industry for a Sound Environment) is the national trade association representing manufacturers, formulators, distributors and other industry leaders engaged with specialty pesticides and fertilizers used by professionals and consumers. Learn more at www.pestfacts.org.