

**Testimony: Anastasia Swearingen, Senior Director, Chemical Products & Technology, American Chemistry Council**

**RE: MD SB 932, Pesticide and Pest Control - State-Owned Property - Pesticide Use Restrictions and Pollinator Habitat**

**Position: Informational, Potential Amendments**

The American Chemistry Council appreciates the opportunity to provide testimony on Senate Bill 932, which restricts the application of pesticides on State-owned property. The American Chemistry Council Center for Biocide Chemistries (CBC) represents registrants and formulators of antimicrobial pesticides. These products are registered by the State of Maryland as pesticides and serve important roles in addressing public health, preserving products, and helping to ensure the safety and sustainability of industrial processes. Antimicrobials include disinfectants, sanitizers, wood preservative chemistries, antifouling paints, and household product preservatives.

ACC CBC seeks clarification as to whether antimicrobial pesticides are intended to be within the scope of this legislation. The application of antimicrobials, such as disinfectants and sanitizers, are critical to helping control disease-causing microbes and helping prevent the spread of sickness. For example, this could prevent the use of disinfectants in state-owned bathrooms.

As written, the bill defines a pesticide in a manner that would include antimicrobial pesticides. Pesticide is defined as products that used to "prevent, destroy, or mitigate any pest." The bill includes a separate definition of a registered pesticide, which includes "a pesticide registered by the U.S. Environmental Protection Agency (EPA) and labeled for use in lawn, garden, or ornamental sites or areas in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act" (FIFRA). Antimicrobial pesticides are registered by the U.S. EPA and labeled for uses in areas in accordance with FIFRA. Finally, the bill includes a definition of "listed pesticide" which requires the active ingredients in listed pesticides be recommended by the National Organic Standards Board or designated as a "minimum risk pesticide."

The bill states that a person may apply a pesticide on state-owned property only if the person is applying either a listed pesticide (which would not include most antimicrobials), or a registered pesticide for certain conditions (that do not include antimicrobial uses). It also requires that the applicator notify the Department of the pesticide application and the reason for use within 30 days. ACC notes that there is no provision expressly written in the bill that clearly allows the application of antimicrobial pesticides registered by EPA without notification to the Department.

ACC appreciates clarification from the sponsor as to the intent and scope of the pesticides covered under the bill. We are not aware of any pollinator concerns from antimicrobial pesticide application and use on state property.

**ACC suggests that the sponsor amend the bill to explicitly address these concerns or offer further clarification and assurance to stakeholders that antimicrobial pesticides are not included within the scope of the bill.**