

MARYLAND RETAILERS ALLIANCE

The Voice of Retailing in Maryland



HB386 Pesticides - PFAS Chemicals - Prohibitions **House Health and Government Operations Committee** **February 12, 2025**

Position: Unfavorable

Summary: Requiring, by January 1, 2026, the Department of Agriculture to develop and maintain a list of certain registered pesticides that list PFAS chemicals as an active ingredient on the labeling accompanying the pesticide; prohibiting, beginning June 1, 2026, a person from using, for certain purposes, PFAS pesticides listed by the Department; prohibiting, beginning June 1, 2028, a person from using PFAS pesticides in the State; etc.

Written Comments: The PFAS and pesticide bill currently before the committee proposes a ban on the registration of pesticides that fall under the one-carbon definition of PFAS. This would affect approximately 66 active ingredients across 1,100 products sold nationwide. While the bill references “use” rather than a full ban on sales, the practical effect would be that our members would no longer be able to sell these products.

Our industry is concerned about the broad categorization of PFAS chemicals as a single group. Many of these chemicals are used in a wide range of products, which are currently registered under both state and federal laws and are proven to be safe for use. Bills like this, which have sweeping provisions, could lead to the removal of products that should not be banned, potentially eliminating safe, effective options from the marketplace.

Furthermore, pesticides are already regulated under existing frameworks, such as the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Maryland Department of Agriculture’s Pesticide Regulation. These chemicals are regularly reviewed to ensure safety. Adding another layer of regulation would create unnecessary complexity, making it exceedingly difficult for retailers to comply with a patchwork of rules.

Our industry is committed to ensuring the safety of our customers, but we believe this bill’s approach is too broad. We respectfully urge the committee to issue an unfavorable report on this bill. Thank you for your time and consideration.