March 6, 2026

The Honorable Heather Bagnall, Chair
The Honorable Marc Korman, Chair
The Honorable Bonnie Cullison, Vice Chair
The Honorable Michele Guyton, Vice-Chair
Committee on Health
Committee on Environment & Transportation
Maryland House of Delegates
Annapolis, MD 21401

Subject: House Bill 1022, PFAS Chemicals – Product Phase Outs and Registration Requirements-Unfavorable Report

Chair Bagnall, Chair Korman, Vice-Chair Cullison, Vice-Chair Guyton & Members of the Health Committee & Environment & Transportation Committee,

I write on behalf of the Animal Health Institute (AHI) in strong opposition to HB 1022 and respectfully urge an unfavorable report. (I also write as a lifelong resident of Maryland, who currently lives in District 9A.) While some PFAS chemistries are known to be harmful, the active ingredients in animal health products are just the opposite: they have gone through federally required, rigorous safety testing before reaching the market, including evaluating the safety effects on the animal, humans, and the environment.

AHI members develop, manufacture, and distribute a range of animal health products, including pharmaceuticals, biologics (including vaccines), flea and tick preventatives, and medical devices (including diagnostics), to veterinarians, pet owners, and food animal livestock owners. PFAS, defined as a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom, can include the active ingredient in oral flea and tick medications, federally regulated packaging components of biologics and medical devices, as well as the active ingredients in topical flea and tick products and collars.

No current alternatives to PFAS are available for these products, making the use of PFAS unavoidable and, in fact, vitally important for public health. For example, some active ingredients approved by the U.S. Food and Drug Administration (FDA) and U.S. Environmental Protection Agency (EPA) are fluorinated molecules that are administered in animals, either orally or topically. Other veterinary products contain fluorinated molecules as essential, functional parts of their administering components (e.g., vaccine syringes) that are federally evaluated and approved with the underlying health product.

While biologics (including vaccines) and medical devices do not contain active PFAS ingredients, their packaging can include PFAS chemistries in stoppers for injectables, bottles, and syringe barrels and caps. PFAS helps prevent adulteration of biologics and medical devices. A PFAS coating provides an effective barrier against organic and inorganic extractables and minimizes interaction between the biological and the primary packaging component.

Unlike human drugs and medical devices (including diagnostics), which are all regulated by FDA, AHI members' animal health products are overseen and regulated by three distinct federal agencies:

• **Small molecule pharmaceuticals and medical devices (including diagnostics) at FDA under the Federal Food, Drug, and Cosmetic Act (FFDCA) (21 U.S.C. §§ 301 et seq.).** Evaluating that an animal drug product is safe is paramount to and required for FDA approval. All PFAS regulated as animal drugs go through this rigorous process. FDA review involves

evaluation of safety to the animal and of the food products made from the treated animal if the drug is for use in food producing animals. FDA's required review process also evaluates the drug's impact on the environment and the safety of the people who will give the drug to the animal or who may come in contact with the drug. Additionally, the FFDCA provides FDA regulatory oversight of medical devices (including diagnostics) intended for animal use. Animal device manufacturers must ensure that devices are safe, effective, and properly labeled.

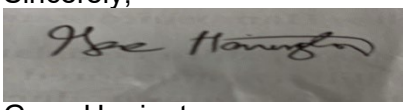
• **Biologics (including vaccines and certain diagnostic kits) at the Animal and Plant Health Inspection Service (APHIS) within the U.S. Department of Agriculture (USDA) under the Virus Serum-Toxin Act (VSTA) (21 U.S.C. §§ 151-159).** The VSTA authorizes USDA to review and license animal biologics manufacturers and their products; ensures animal biologics are pure, safe, potent, and effective; and requires every biologic to obtain a license and undergo a strict approval process.

• **Flea and tick preventatives administered topically (including via collars) at EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. §§ 136 et seq.).** Through a robust federal regulatory framework, EPA focuses on the sale, distribution, storage, and use of such products, including the regulation of product labeling and disposal. Further, manufacturers of certain flea and tick preventatives must register their products with EPA (and the states) before such products may be sold or distributed in the United States. While regulatory responsibility is divided among the above three agencies, animal health products are all subject to intense federal oversight and regulatory frameworks focusing on product safety and impact on the animal, humans, and the environment.

For these reasons, PFAS consumer product laws in Colorado, Maine, New Jersey, and New Mexico expressly exempt pet care/veterinary health products. Other state PFAS laws' limited scope exempt animal health products from regulation and phaseout. I am happy to provide language from the aforementioned state laws upon request.

In short, HB 1022 is overreaching, unreasonable, and unworkable, unlike some of the other state PFAS consumer product laws. As such, AHI respectfully requests an unfavorable report on HB 1022. I appreciate your time and attention and encourage you to contact me at gharrington@ahi.org or (202) 549-5934 if you have any questions.

Sincerely,



Gene Harrington
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