ANIMAL HEALTH INSTITUTE

Representing manufacturers of animal health products

Testimony of Amanda Hagan, Animal Health Institute

To the

Joint Committee on Environment and Natural Resources

In Support of

L.D. 1214, An Act to Clarify the Laws to Combat Perfluoroalkyl and Polyfluoroalkyl Substances Contamination

April 26, 2023

Senator Brenner, Representative Gramlich and Members of the Committee on Environment & Natural Resources:

I am Amanda Hagan, Director of State Government Affairs at the Animal Health Institute and I am here today in support of LD 1214, An Act to Clarify that Animal Health Products Are Exempt from the PFAS Reporting Law. The Animal Health Institute is the trade association for companies that make medicines, vaccines, flea and tick products and medical devices used to keep both food animals and companion animals healthy. Our products, by keeping animals healthy, help protect public health, promote the human-animal bond, allow pets to live longer, healthier lives and contribute to a safe food supply.

We have previously testified before this committee that the broad definition of PFAS contained in the Maine statute means many substances not defined as PFAS until quite recently are now included, including some that are used as the active ingredients in animal health products. These include many of the products used to control fleas and ticks in companion animals that enable us to enjoy close companionship with these animals.

These uses are unavoidable, as no suitable alternatives currently exist, and they are heavily regulated. Animal health products must be reviewed and approved by one of three federal agencies depending on the type of product: FDA for drugs, USDA for biologics like vaccines, and EPA for pesticide products like flea and tick collars. These regulatory frameworks are intense, data-driven processes focused on product safety. Importantly, they include consideration of the presence of PFAS in those products and an analysis of risk versus benefits to animal and human health.

We have previously testified in support of LD 242, which would exempt animal health products from the statute. That bill was introduced and heard prior to development of the bill before you today. LD 1214, by introducing a new definition of PFAS based on at least two sequential fluorinated carbon atoms, would also remove animal health products from being subject to the statute. Accordingly, we support enactment of this bill.

1325 G Street, NW ■ Suite 700 ■ Washington, D.C. 20005-3104
Telephone (202) 637-2440 ■ Fax (202) 393-1667
www.ahi.org

The current broad definition in the Maine statute is based purely on chemical structure and nomenclature, without any consideration of risk data. Simply being categorized as a PFAS substance does not equate to being harmful. In fact, the current Maine statutory definition of PFAS covers thousands of substances and only two of those substances -- Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS) – have been widely studied.

The health effects of the remaining thousands of substances varies widely or is unknown, and many of these substances may pose no harm to human health or the environment at all. The unintended impact of the statute, which would remove from the market now any products that contain intentionally added PFAS that have not been reported to the DEP, is dire. For some diseases or conditions, active molecules that contain a limited number of fluorine atoms deliver superior treatment efficacy or provide the only treatment option.

The safety and efficacy of both veterinary and human medicines have been extensively evaluated and reviewed prior to authorization under regulatory frameworks by federal agencies (e.g., FDA, USDA). Further, it is not just some important medicines that contain PFAS but also certain medical devices (including diagnostics) and flea and tick preventatives, which are governed by comprehensive federal regulatory frameworks and programs.

We believe the approach in LD 1214 is a commonsense and practical way for the state to more efficiently focus on addressing substances of concern.

Thank you for the opportunity to present these comments and for your consideration.

1325 G Street, NW ■ Suite 700 ■ Washington, D.C. 20005-3104
Telephone (202) 637-2440 ■ Fax (202) 393-1667
www.ahi.org