



Maine Organic Farmers and Gardeners Association

Common Ground Country Fair

May 3, 2021

Good afternoon Senator Brenner, Representative Tucker and members of the Joint Standing Committee on Environment and Natural Resources. My name is Heather Spalding and I'm deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA).

MOFGA supports LD 1503 - *An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution* and LD 1505 - *An Act To Restrict the Use of Perfluoroalkyl and Polyfluoroalkyl Substances in Firefighting Foam*.

A senior official at the Centers for Disease Control said that PFAS presents "one of the most seminal public health challenges for the next decades." PFAS health risks include problems with neurological development, lowered fertility in men and women, liver disorders, endocrine system disruption, birth defects, testicular and prostate cancer. More recently, and understandably, there has been increasing concern about the impact that PFAS chemicals have on the efficacy of vaccinations.

PFAS contamination in Maine certainly has established itself as a seminal public health challenge with hundreds of wells contaminated and some farms so contaminated that they go out of business. We appreciate the ongoing discussions about PFAS in various joint standing committees in this Legislature. Earlier in this legislative session, MOFGA has provided testimony in support of strengthening PFAS contamination levels in drinking water, research on crops that could help with mitigation of PFAS soil contamination, changing the statute of limitations from the point of PFAS application to the point of discovery of contamination, reporting of PFAS intentionally added to consumer products, reporting contamination of waterways from PFAS firefighting foam, and banning aerial spraying of pesticides until Maine's Board of Pesticides Control can ensure us that PFAS is not present in the chemicals being sprayed.

Discussions relating to the aerial spray ban are particularly disconcerting in that they show how PFAS is revealing itself in unexpected places as it leaches into products from plastic containers with flourinated linings. These containers are used not just for toxic products like pesticides, they're used for basic necessities of life – food and personal care products. All of the bills are urgent and the two bills before you today are no less so as they lay out an aggressive rulemaking timeline for turning off the gushing PFAS tap, prioritizing major sources of contamination, and generating reporting fees to help fund administrative work, technical assistance and education efforts.

LD 1503 would require manufacturers of products with intentionally added PFAS, to report PFAS contents to the Department of Environmental Protection (DEP) beginning in 2023. It also would prohibit the sale of residential carpets or rugs, and fabric treatments containing PFAS beginning in 2023. This bill would empower the DEP to prohibit the sale of other categories of consumer products containing PFAS. It would establish a sunset for PFAS-containing products phasing out the sale by 2030 unless the DEP were to determine that the product's inclusion of PFAS was unavoidable. LD 1503 would direct DEP to establish a PFAS source reduction program to elevate awareness about the problems associated with PFAS in consumer and industrial products to help Maine eliminate the presence of PFAS in our bodies and the environment. In light of the recent information about product contamination from flourinated containers, we urge you to require reporting on potential PFAS contamination from packaging.

LD 1505 addresses one of the major sources of PFAS contamination in Maine – firefighting foam. Beginning January 1, 2022, LD 1505 would curtail the discharge of firefighting foam with PFAS by prohibiting its use in

training exercises unless it can be cleaned up. It also prohibits the manufacture, sale and distribution of the foam unless federal law requires inclusion of PFAS in the foam. Any spill in coastal or inland waters would have to be reported within 24 hours to the DEP. The bill lays out important notification, recall and reimbursement requirements that will apply to manufacturers of the PFAS-containing firefighting foam. DEP would coordinate efforts with the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency and other interested parties to ensure safe collection, storage and, if possible, disposal.

MOFGA has members thousands of homes across the state – in rural, suburban and urban areas. Healthy soil, water and air are top priorities for our members. All of them are vulnerable to the impact of PFAS, and we’re growing more concerned about the specific threat of PFAS-contaminated drinking water and groundwater. PFAS threatens the health of Maine people as well as Maine’s rural economy.

MOFGA’s staff members are fielding calls from concerned members (farmers, gardeners and consumers) who worry that they may become victims of the PFAS legacy – whether by proximity to land treated long ago with contaminated sludge, well water contamination, or day to day exposure through consumer products including food. We’re working hard to provide helpful information but it’s a huge challenge. [We have created a resource page on our website geared toward farmers but useful for everyone.](#) There is a lot of fear and uncertainty in the farming community, and MOFGA is hoping to provide additional social, emotional and technical support to farmers who may be facing the issues of PFAS contamination.

We hope that these bills will pass with unanimous support so Maine can move aggressively toward safer consumer and industrial products, and have the opportunity to clean up the damage already done. Thank you very much for your consideration.

The Maine Organic Farmers and Gardeners Association (MOFGA) started in 1971 and is the oldest and largest state organic organization in the country. We’re a broad-based community that educates about and advocates for organic agriculture, illuminating its interdependence with a healthy environment, local food production, and thriving communities. We’re a statewide organization that has experienced significant growth over the past couple of decades. We have 11,000 members, we certify 562 organic farms and processing facilities representing \$90 million in sales, and we are working hard to provide training and create opportunities for Maine’s next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.