



MOFGA Testimony In Opposition To  
LD 242 – *An Act to Clarify That Animal Health Products Are Exempt from  
the Perfluoroalkyl and Polyfluoroalkyl Substances Reporting Law*

February 13, 2023

Good morning Senator Brenner, Representative Gramlich and members of the Joint Standing Committee on Environment and Natural Resources. My name is Heather Spalding and I am deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA). A broad-based community, MOFGA is creating a food system that is healthy and fair for all of us. Through education, training and advocacy, we are helping farmers thrive, making more local, organic food available and building sustainable communities.

I am speaking in opposition to LD 242 – *An Act to Clarify That Animal Health Products Are Exempt from the Perfluoroalkyl and Polyfluoroalkyl Substances Reporting Law*. This bill provides that certain health products intended for animals that are regulated under the Federal Food, Drug, and Cosmetic Act, the federal Virus-Serum-Toxin Act or the Federal Insecticide, Fungicide, and Rodenticide Act are exempt from the notification requirements that generally apply to products containing perfluoroalkyl and polyfluoroalkyl substances (PFAS).

MOFGA is grateful to the Legislature for taking bold action to address PFAS contamination in the state. We are especially appreciative of this committee's leadership in passing LD 1503 - *An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution* in 2021. This bill laid the groundwork for critically needed data about products with intentionally added PFAS. Reporting is under way now and we must keep the pressure on manufacturers and not let them carve out arbitrary exemptions for reporting. LD 1503 provides ample time for product manufacturers to report and create safer alternatives for their product formulations.

MOFGA has been deeply engaged in efforts to address PFAS contamination, especially as it relates to harm of Maine's farm families. At least 50 Maine farms are struggling with serious PFAS contamination, and six more await news of how badly their farms are contaminated. Hundreds more will be assessed in the coming year. Organic farms have not been immune to the problem of PFAS contamination. Several MOFGA-certified organic farms have gone through traumatic experiences as they learned of historic sludge spreading that polluted their soil and water long before they purchased their farms. Some have had to exit the market. MOFGA staff and board members worked with the Legislature, the Department of Agriculture, Conservation and Forestry, the Department of Environmental Protection, the Maine Centers for Disease Control and Prevention, the University of Maine, our members of



Congress, the Food and Drug Administration and many thousands of supporters who are concerned the impact of PFAS on our food and agriculture system.

We all understand that you can't manage what you don't measure.

We are hearing that manufacturers of packaging as well as manufacturers of pesticides are balking at Maine's PFAS data reporting requirements. Consumers have a right to know what they are being exposed to in their daily lives. There is no justification for an animal products exemption to Maine's PFAS product reporting law. Manufacturers are not being told that they have to pull their products from the market immediately. They have a long off-ramp until 2030 and are allowed to make the case for continued use of PFAS if they can show that there are not safer alternatives and that their products are absolutely necessary. The least that these manufacturers can do is be transparent about what their customers are being exposed to.

Thank you so much for your tireless efforts to address the PFAS crisis.

\*\*\*\*\*

*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 have 15,000 members, we certify more than 500 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.*