Senator Dill, Representative O’Neill and honorable members of the Joint Standing Committee on Agriculture, Conservation and Forestry. My name is Sharon Treat and I live in Hallowell. I am Senior Attorney for the Institute for Agriculture and Trade Policy (IATP), on whose behalf I am testifying today in support of LD 264.

IATP is a 501(c)(3) nonprofit headquartered in Minneapolis, Minnesota with offices in Hallowell, Maine and other locations. IATP works closely with farmers and seeks to promote local, sustainable and environmentally beneficial agriculture and trade policies.¹ We have been following PFAS issues both across the country and in Maine, and attended the meetings of Governor Mills’ PFAS Task Force and submitted detailed comments on the draft and final Task Force reports and legislation before this and other committees.²

This committee has already heard testimony about the 59+ wells in Fairfield and neighboring communities that have been contaminated with PFAS, likely from sludge spread on fields. The Maine Department of Environmental Protection has found PFAS in fish caught in both rivers and lakes, from northern Maine to the Kennebec River. Some of these lakes are remote and not close to known PFAS sources such as industrial or sewage sludge, landfills, or firefighter training sites where AFFF foam has been used. Maine is already facing a man-made disaster with PFAS contaminating ground and surface water, soils, and farm products. Even Nordic skiing waxes have been found to introduce PFAS into the environment.³ While LD 264 won’t clean up the PFAS mess we already have in this state, it would at least stop the spread of PFAS contamination through aerial pesticide spraying.

We now know that PFAS are in at least one pesticide product that is stored in fluorinated plastic HDPE containers. On March 5, 2021, the federal Environmental Protection Agency released data on ANVIL 10+10 product samples, and guidance to discontinue use and return existing stock to the manufacturer. However, EPA’s research is ongoing. While PFAS were first found in a mosquito control pesticide, Maine would be wise to ensure that any pesticides used in the state are PFAS-free. Yes, aerial spraying of these

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¹ IATP also has offices in Washington, D.C. and Berlin, Germany (IATP Europe). For over 30 years, IATP has provided research, analysis and advocacy on a wide range of agriculture-related issues including farm to school; climate; agroecology; soil health and water quality and access; farmworker health and economic security; and trade and market policies. For more information, see www.iatp.org.

² IATP’s PFAS materials are posted here: https://www.iatp.org/and-polyfluoroalkyl-substances-pfas

pesticides should absolutely be banned. In addition, the Board of Pesticide Control should assure that pesticides applied in other ways, including on crops, are free of PFAS. LD 264 should be amended to ensure that Maine gets ahead of this emerging threat that could compound the PFAS contamination we already have – and have yet to figure out how to clean up and pay for.

As a reminder, PFAS exposure has been linked to health problems including kidney and testicular cancer, thyroid disease, infertility and compromised immune systems -- which means PFAS exposure can make people more susceptible to COVID-19 health consequences and may limit the effectiveness of vaccines. Indeed, recent research has found a strong association with PFAS exposure and COVID-19 severity, antibody response, and asthma.⁴

PFAS contamination is serious. We urge the committee to vote “ought to pass” on this bill. Thank you.

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⁴ In one study, Pentafluorobenzoic acid (PFBA) -- one of several thousand compounds in the PFAS class of chemicals -- detected in plasma showed strong association with the severity of COVID-19. In tissue samples from autopsies, PFBA accumulated in the lungs. COVID-19 affects the functioning of the lungs, and the positive association of PFBA concentration and COVID-19 severity suggests that PFBA could be heightening the damage to the lungs from COVID-19. Research is also suggestive that PFAS exposure reduces the antibody response for certain illnesses, raising concerns that PFAS may negatively affect the efficacy of the COVID-19 vaccines. For sources and additional information, please see the Appendix on COVID-19 and PFAS previously submitted with IATP testimony on LD 558.