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FIRST-IN-NATION "FOREVER CHEMICAL" POLICIES BECOME LAW IN MAINE

New laws ban sludge-spreading, phase out PFAS in pesticides, fund health monitoring and financial safety net for farmers devastated by contamination

MINNEAPOLIS—In Maine, a coalition of farmers and farm groups, including the Institute for Agriculture and Trade Policy, public health advocates and state legislators worked to enact groundbreaking legislation to stop toxic Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) contamination of farms, food and water. In addition to [banning sludge-spreading](#) and the sale or use of compost derived from sludge, new laws will [phase out PFAS in pesticides](#) and adjuvants by 2030 and in the near term, prohibit PFAS contamination from storage containers.

The state also established an [ongoing fund](#) with an initial \$60 million appropriation to provide farmers with health monitoring, income replacement for unsaleable contaminated farm products and if necessary, funding buyouts and relocation of irreparably contaminated farms.

“Maine has been on the front lines of PFAS policy, tackling consequences of a national policy that has allowed contaminated municipal sludge to be spread on farmland with minimal oversight,” said Sharon Treat, IATP senior attorney. “No other state has banned PFAS in pesticides or stopped land-spreading of sludge. The farmer assistance fund is both farsighted and necessary. PFAS contamination can have devastating financial consequences, and farm families and their neighbors face years of uncertainty and health risks that medical monitoring can help address.”

Pursuant to a 2021 law, Maine is systematically investigating PFAS levels at all 700 locations where sludge and septic waste may have been spread. To date, several hundred drinking water wells and a dozen Maine farms have been found contaminated. Maine Department of Environmental Protection [maps](#) show potentially contaminated sites blanketing the state.

“Based on Maine’s experience, it is highly likely that PFAS contamination will be found on farms in every state where wastewater sludge has been spread; most states simply haven’t been looking for it,” Treat stated. “It’s time for the federal government to step up and follow Maine’s lead.”

Federal law currently regulates only pathogens and a handful of heavy metals in sludge out of hundreds of toxic substances, including PFAS, found in these wastes. All 50 states have sludge-spreading programs; according to [state reports to the Environmental Protection Agency](#), since 2016, 19.1 billion pounds of sludge have been applied to farm fields. According to the Environmental Working Group, the states that produced the most sludge intended for use on farm fields include California, Florida and Illinois. Because PFAS are so persistent and their complex chemistry can cause them break down into even more harmful compounds over time, contamination of agricultural crops and livestock can be caused by sludge spread many decades in the past.

Maine’s 2022 PFAS legislation follow laws enacted last year phasing out PFAS in consumer products by 2030, setting tougher drinking water standards, and clarifying public and private rights to sue for damages and remediation.

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Based in Minneapolis with offices in Washington, D.C., and Berlin, Germany, the Institute for Agriculture and Trade Policy works locally and globally at the intersection of policy and practice to ensure fair and sustainable food, farm and trade systems. To learn more, visit: www.iatp.org.