



Memorandum of Support: Elimination of Harmful PFAS in Everyday Products

S.5648C (Hoylman-Sigal) / A.3556C (Zebrowski)

This legislation prohibits the sale of a wide variety of consumer products that contain intentionally added per- and polyfluoroalkyl substances (PFAS), as well as, unintentionally added PFAS present at or above certain levels. This legislation covers product categories such as fabric treatments, cookware, dental floss, ski waxes, architectural paints, air fresheners, automotive waxes and cleaners, and general household cleaning products.

The Northeast Organic Farming Association of New York (NOFA-NY) urges New York State to restrict the sale and use of products containing PFAS. PFAS chemicals compromise public health, contaminate agricultural land and groundwater and put the livelihoods and health of farmers and the public at risk.

PFAS are a large class of man-made chemicals (including thousands of individual chemicals) used widely in industrial processes and consumer products including clothing, non-stick cookware and food packaging, carpets, and cosmetics for their water-resistant and grease-resistant properties. Unfortunately, PFAS do not break down, can spread quickly through the environment, and are associated with a long list of harmful health effects, including cancer, immune system suppression (including interference with vaccine response), and adverse developmental effects. Independent scientists and authoritative bodies, including California's Department of Toxic Substance Control, have concluded that PFAS, as a class, pose a serious environmental and public health threat.

Individuals can be exposed to PFAS throughout the life cycle of the product. For example, not only can product users be exposed to these chemicals, but so can the workers manufacturing the products, the communities near those factories, and the facilities where these products are eventually discarded. In addition, PFAS used in all these product sectors can contaminate drinking water and water sources through manufacturing air and water discharges and releases.

Individuals' exposure to PFAS through the covered product categories is wide and varied. For example, exposure to PFAS from cookware can occur when the non-stick surface is scratched, heated to high temperatures, or when the cookware is damaged and releases particles into the food. Another example is PFAS from ski wax can occur through inhalation of fumes, skin contact, and ingestion of contaminated water or snow. Some studies have found that professional ski wax technicians and competitive skiers may be at higher risk for PFAS exposure due to their more frequent and intense exposure to these chemicals.

When PFAS chemicals enter the waste stream through wastewater, they travel to treatment facilities that are unable to deal with the contamination adequately. The facilities are not required to test for the presence of PFAS in sludge before it is land-applied. Furthermore, technology for identifying and removing contamination from

sludge is prohibitively expensive and its effectiveness is unknown. Without effective remediation opportunities and with increased land application--as is detailed in the Department of Environmental Conservation's 10-year solid waste management plan--PFAS chemicals continue to bioaccumulate. Even in small amounts, continued exposure increases environmental and health risks.

On farms where sludge has been applied to the land, soils, groundwater, animal products, and even produce have tested positive for PFAS at high levels. While sewage sludge application is not allowed in organic production, legacy pollution of soil and groundwater from practices used before a farm became organic can still harm organic producers and consumers.

To mitigate risks to human and animal health, the livelihoods of NY's over 30,000 farms, and NY's 8 billion dollar agricultural industry, NOFA-NY urges swift action to curb upstream PFAS contamination by passing S.5648C/A.3556C.

Founded in 1983, the Northeast Organic Farming Association of New York (NOFA-NY) is dedicated to growing a strong, regenerative organic agriculture movement in New York State. NOFA-NY provides farmer-to-farmer education and assistance to organic and regenerative growers and is the largest USDA-accredited organic certifier in New York.
