NOFA-NY
NORTHEAST ORGANIC FARMING ASSOCIATION OF NEW YORK

Memorandum of Support: Elimination of Harmful PFAS in Everyday Products

S.5648C (Hoylman-Sigal)

This legislation prohibits the sale of a wide variety of consumer products that contain intentionally added per- and polyfluoroalkyl substances (PFAS), including, 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 synthetic chemicals (including thousands of individual chemicals) used widely in industrial processes and consumer products including clothing, non-stick cookware, 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,[1] including cancers, immune system suppression[2] (including interference with vaccine response), low birth weight, hormone disruption, infertility, liver dysfunction and adverse developmental effects. It is estimated that 98% of people living in the US have PFAS in their blood.[3] This is incredibly troubling given the robust scientific literature linking PFAS to myriad health effects.[4]

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

[1] Agency of Toxic Substances and Disease Registry, Toxicological Profile for Perfluoroalkyls
[2] Expert Blog, Dr Katie Pelch & Dr Anna Reade,The Public Health Risks of PFAS-related Immunotoxicity Are Real
[3] Polyfluoroalkyl Chemicals in the U.S. Population: Data from the National Health and Nutrition Examination Survey (NHANES) 2003–2004 and Comparisons with NHANES 1999–2000
[4] ATSDR, Toxicological Profile for Perfluoroalkyls, May 2021 Toxicological Profile for Perfluoroalkyls

Individuals' exposure to PFAS through the covered products 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.[5] 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.[6] This legislation is also critically important to help protect disadvantaged individuals who may not have the means to purchase more expensive non-toxic brands and alternatives currently on the market.

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.

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.

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[5] Simple Recipes, Is It Safe To Use Scratched Nonstick Pans? Here's What Experts Say
[6] Boston University, School of Public Health, Skiers and Snowboarders Face High Risk of Exposure to PFAS