

SENATE BILL 345

M4, M3

5lr1347
CF HB 386

By: **Senator Brooks**

Introduced and read first time: January 16, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Pesticides – PFAS Chemicals – Prohibitions**

3 FOR the purpose of requiring the Department of Agriculture to develop and maintain a list
4 of certain registered pesticides that list PFAS chemicals as an active ingredient on
5 the labeling accompanying the pesticide; prohibiting a person from using, for certain
6 purposes and beginning on certain dates, certain PFAS pesticides; prohibiting,
7 beginning on a certain date, the Department from registering certain PFAS
8 pesticides for sale in the State; and generally relating to pesticides and PFAS
9 chemicals.

10 BY repealing and reenacting, without amendments,
11 Article – Agriculture
12 Section 5–101(a) and (b) and 5–201(a), (c), (g), and (l)
13 Annotated Code of Maryland
14 (2016 Replacement Volume and 2024 Supplement)

15 BY adding to
16 Article – Agriculture
17 Section 5–210.6
18 Annotated Code of Maryland
19 (2016 Replacement Volume and 2024 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Agriculture**

23 5–101.

24 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) “Active ingredient” means:

(1) In the case of a pesticide other than a plant regulator, defoliant, or desiccant, an ingredient which prevents, destroys, repels, or mitigates insects, nematodes, fungi, rodents, weeds, bacteria, or other pests;

(2) In the case of a plant regulator, an ingredient which, through physiological action, accelerates or retards the rate of growth or rate of maturation or otherwise alters the behavior of ornamental or crop plants or their produce;

(3) In the case of a defoliant, an ingredient which causes the leaves or foliage to drop from a plant; and

(4) In the case of a desiccant, an ingredient which artificially accelerates the drying of plant tissue.

5–201.

(a) In this subtitle the following words have the meanings indicated.

(c) “Certified applicator” means a person who is certified by the Secretary under this subtitle.

(g) “Labeling” means all written, printed, or graphic matter:

(1) Accompanying the pesticide or device at any time; or

(2) To which reference is made on the label or in literature accompanying the pesticide or device, except to current official publications of the:

(i) Environmental Protection Agency;

(ii) United States Departments of Agriculture, Interior, and Health and Human Services;

(iii) State experiment stations;

(iv) State agricultural colleges; or

(v) Other similar federal or State institutions or agencies authorized by law to conduct research in the field of pesticides.

(l) “Pesticide” means any substance or mixture of substances intended for:

(1) Preventing, destroying, repelling, or mitigating any pest;

(2) Use as a plant regulator, defoliant, or desiccant; or

(3) Use as a spray adjuvant such as a wetting agent or adhesive.

5-210.6.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ACTIVE INGREDIENT" HAS THE MEANING STATED IN § 5-101 OF THIS TITLE.

(3) "PFAS CHEMICALS" MEANS A CLASS OF FLUORINATED CHEMICALS THAT CONTAIN AT LEAST ONE FULLY FLUORINATED CARBON ATOM, INCLUDING PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

(4) "PFAS PESTICIDE" MEANS A PESTICIDE THAT HAS PFAS CHEMICALS LISTED AS AN ACTIVE INGREDIENT ON THE LABELING.

(B) (1) THE DEPARTMENT SHALL DEVELOP AND MAINTAIN A LIST OF EACH PFAS PESTICIDE THAT IS REGISTERED WITH THE SECRETARY IN ACCORDANCE WITH SUBTITLE 1 OF THIS TITLE.

(2) ON OR BEFORE JANUARY 1, 2026, THE DEPARTMENT SHALL:

(I) POST THE LIST DEVELOPED UNDER THIS SUBSECTION ON ITS WEBSITE; AND

(II) DISTRIBUTE THE LIST TO ALL CERTIFIED APPLICATORS.

(C) (1) BEGINNING JUNE 1, 2026, A PERSON MAY NOT USE A PFAS PESTICIDE LISTED BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS SECTION:

(I) AT A HEALTH CARE FACILITY;

(II) AT A SCHOOL;

(III) AT A DAY CARE OPERATION;

(IV) FOR RESIDENTIAL LAWN CARE; OR

(V) FOR COMMERCIAL MOSQUITO SPRAYING OPERATIONS.

(2) BEFORE JUNE 1, 2026, THE DEPARTMENT SHALL NOTIFY ALL CERTIFIED APPLICATORS OF THE PROHIBITION IN PARAGRAPH (1) OF THIS

1 SUBSECTION.

2 (D) BEGINNING JUNE 1, 2027, THE DEPARTMENT MAY NOT REGISTER A
3 PFAS PESTICIDE FOR SALE IN THE STATE.

4 (E) BEGINNING JUNE 1, 2028, A PERSON MAY NOT USE A PFAS PESTICIDE
5 IN THE STATE.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2025.