

Committee: Agriculture, Conservation and Forestry
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Majority Report
OTP-A
(Minority Report ONTP)

**COMMITTEE AMENDMENT TO LD 264, AN ACT TO PROHIBIT AERIAL
APPLICATION OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES**

Amend the bill by striking the title and replacing with the following:

Resolve, Directing the Board of Pesticides Control To Gather Information Relating to
Perfluoroalkyl and Polyfluoroalkyl Substances in the State

Amend the bill by striking out everything after the title and inserting in its place the following:

Sec. 1. Board of Pesticides Control to gather information relating to perfluoroalkyl and polyfluoroalkyl substances. Resolved: That the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control shall amend rules governing the registration of pesticides in the state to require manufacturers and distributors to provide affidavits stating whether the registered pesticide has ever been stored, distributed or packaged in a fluorinated high-density polyethylene container and manufacturers to provide an affidavit stating whether a perfluoroalkyl or polyfluoroalkyl substance is in the formulation of the registered pesticide. The board shall conduct a study to determine if fluorinated adjuvants are being used or sold in the state. The board shall explore what is needed to regulate fluorinated adjuvants in the state and shall explore what is necessary to impose a prohibition on the distribution or application of pesticides or adjuvants containing perfluoroalkyl or polyfluoroalkyl substances in the state. The board shall develop a feasible definition of perfluoroalkyl or polyfluoroalkyl adulteration in a pesticide. The board shall submit a report with findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2022. The joint standing committee may submit a bill to the 130th Legislature relating to the subject matter of the report.

SUMMARY

This amendment strikes and replaces the bill with a resolve. The amendment directs the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to amend rules governing the registration of pesticides in the state to require manufacturers and distributors to provide affidavits stating whether the registered pesticide has ever been stored, distributed or packaged in a fluorinated high-density polyethylene container and manufacturers to provide an

affidavit stating whether a perfluoroalkyl or polyfluoroalkyl substance is in the formulation of the registered pesticide. The amendment also directs the board to conduct a study to determine if fluorinated adjuvants are being used or sold in the state. The amendment directs the board to explore what is needed to regulate fluorinated adjuvants in the state and to explore what is necessary to impose a prohibition on the distribution or application of pesticides or adjuvants containing perfluoroalkyl or polyfluoroalkyl substances in the state. The amendment also directs the board to develop a feasible definition of perfluoroalkyl or polyfluoroalkyl adulteration in a pesticide. The amendment directs the board to submit a report, with findings and recommendations, to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2022 and gives the joint standing committee authority to submit a bill to the 130th Legislature relating to the subject matter of the report.