



May 15, 2023

Joint Committee on Agriculture
Massachusetts State House, Room 413-A
24 Beacon Street
Boston MA 02133

RE: H.101/S.39 An Act protecting our soil and farms from PFAS contamination

Dear Chairs Gobi and Schmid, and members of the Committee:

The Massachusetts Food System Collaborative is pleased to offer this written testimony regarding H.101/S.39 An Act protecting our soil and farms from PFAS contamination.

Massachusetts farmers contribute to the Commonwealth's food security, to our local economy, to our goals of protecting natural resources and mitigating the impacts of climate change, and to our culture. An emerging challenge to their ability to play these essential roles is the persistence of Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) in soil, water, and food, and we are learning more each day about the potential risks to farming and food production posed by this issue. More research and education is needed, and farmers need to be supported in understanding the risks and addressing them.

Massachusetts farmers have a strong history of adapting their management practices as science-informed education and regulations change in ways that protect the environment, public health, and sustainable production. While that doesn't make them immune to problems, it does mean that it's critical that they are given the information and resources they need to adjust to any regulatory changes that might be coming that would impact them. If changing regulations mean that farmers need to alter their management practices – change the products they use, for instance, or test soil, water, or food products – they need to be supported in doing so.

There is not yet a complete picture of the scale of the issue for farmers in Massachusetts, but regulatory changes are under discussion and any such changes must ensure that farmers are not at risk of losing their farms and livelihoods due to practices employed on their land that have been generally accepted management practices to this point. Any changes must not put our food security at risk. And we must ensure that farmers are part of the conversation when regulations are developed and resources are allocated to address PFAS.

This bill offers several solutions to address these concerns. The bill would:

- Protect farmers from lawsuits should anyone impacted by PFAS try to sue them for using generally accepted practices.

- Establish a fund to provide resources for education, technical assistance, testing, remediation, and other needs when they arise, so that farmers don't bear burdensome costs of changing management practices.
- Relieve some potential costs that farmers would face if land they farmed could no longer be used for food production due to new regulations.
- Require testing of soil amendments from Massachusetts waste treatment facilities, to gain a better understanding of a possible vector for contamination.
- Require testing and labeling of Massachusetts produced soil amendments that are sold at retail, testing that should be paid for through the fund established by this bill.

Particularly vital is a recognition that this is not an issue confined to our state borders – it is a national and global challenge. As such, it needs federal guidance that doesn't unfairly burden one state's farmers over another's, but that recognizes that farmers need to continue producing food for all of us, while adopting practices that ensure safety for all. This bill will help farmers remain sustainable through such changes, and we urge the committee to report it favorably.

The Collaborative is a network of Massachusetts food system organizations, working to promote, monitor, and facilitate implementation of the 2015 Massachusetts Local Food Action Plan. The Plan was developed for and accepted by the Massachusetts Food Policy Council, a 17-member entity comprising state agency, legislative, and industry representatives, established by the Legislature and Governor to develop recommendations, including legislative and regulatory changes, to promote sustainability, equity, and resilience in the Commonwealth's food system.

The Plan supports the above bill, as does the Collaborative's 2020 report *Massachusetts' Local Food System: Perspectives on Resilience and Recovery*, published during the COVID crisis and based on input from hundreds of organizations and farmers throughout the Commonwealth.

The Collaborative is available to provide additional information and connections to practitioners and advocates who can offer specific insights on this legislation, at the pleasure of the Committee.

Thank you very much for the opportunity to provide this testimony.

Sincerely,

A handwritten signature in black ink, appearing to be 'Winton Pitcoff', with a long horizontal line extending to the right.

Winton Pitcoff
Director