

**Testimony of Scott Faber
Senior Vice President for Government Affairs
Environment Working Group**

on

HB 2238

before the

Environmental Resources and Energy Committee

of the

Pennsylvania House of Representatives

June 2, 2024

Thank you for the opportunity to testify on HB 2238.

My name is Scott Faber, and I am the Senior Vice President for Government Affairs for the Environment Working Group. EWG is a national environmental health organization that has sought to address the harms caused by PFAS for more than two decades.

None of us consented to be contaminated with toxic chemicals that are so persistent that they are known as “forever chemicals.” Nevertheless, [99 percent](#) of us, including [newborn babies](#), have PFAS in our blood, according to the Centers for Disease Control and Prevention.

The [harms](#) caused by exposure to PFAS are well understood, including increased risk of certain cancers, harm to the reproductive and immune systems, and increased risk of cardiovascular disease.

Many of us have [levels of PFAS](#) in our blood that place us at greater risk of these health harms.

According to the CDC, [9%](#) of us have more than 20 nanograms per milliliter of PFAS in our blood, or the level above which [experts](#) recommend tests for kidney and testicular cancer. Only [2%](#) of us have levels of PFAS in our blood so low that the usual standard of care is recommended.

While we can't completely eliminate exposure to PFAS, we can significantly reduce our exposures by eliminating needless uses of PFAS from everyday products.

Let me be clear: we're not proposing to ban all uses of PFAS, and HB 2238 would not do so. Public health groups like EWG are simply proposing to phase out needless uses of PFAS in the products we bring into homes, schools, businesses, and places of worship.

We don't need PFAS to make our cosmetics waterproof.

We don't need PFAS to make our dental floss glide.

We don't need PFAS to make our floors clean.

We don't need PFAS to make our carpets, couches, and car seats stain-resistant.

We don't need PFAS to make our clothes waterproof.

We don't need PFAS to make our cookware non-stick or make our food packaging greaseproof.

How do I know?

I know because [hundreds of companies](#) already make these products without PFAS.

Beautycounter, Sephora, and many other companies make their personal care products without PFAS.

Walmart and Amazon sell dental floss without PFAS.

[Hundreds of companies](#) make cleaning products that meet the Safer Choice standard, which prohibits PFAS in cleaning products bearing the Safer Choice seal.

Big retailers like Home Depot and Lowes, as well as big companies like Shaw and Tarkett, make carpets without PFAS.

Ikea and many other furniture companies make couches without PFAS.

Everyone from Levi-Strauss to Ralph Lauren makes clothes without PFAS.

Hundreds of companies have already stopped using these toxic chemicals, and thousands more are finding safer alternatives.

These changes can not come soon enough for residents of Pennsylvania, who are already overexposed to these toxic forever chemicals.

More than [180 communities](#) in Pennsylvania have so far detected PFAS in their tap water, including 121 communities with PFAS in their tap water above the national drinking water standard that was recently finalized.

Many Pennsylvania residents are drinking well water contaminated with unsafe levels of PFAS, including people living near military bases where PFAS was used in firefighting foam. PFAS has so far been detected in the groundwater of [18 military installations](#) in Pennsylvania.

Right now, [more than 1,300](#) Pennsylvania companies are likely using – and likely discharging – PFAS into the air and water. As you know, there are no limits on these industrial discharges, and we are only beginning to understand the scope of these releases.

The new national drinking water standard will significantly reduce PFAS exposures. [Thousands of lives](#) will be saved – by reducing the risk of cancer, by reducing infant deaths caused by low birth weights, and by reducing the risk of heart attacks caused by cardiovascular disease.

But, much more is needed if we want to reduce the number of Pennsylvania residents with too much PFAS in their blood.

In particular, we must do more to reduce the routine exposures caused by the products we bring into our homes. While we should all be grateful for a national drinking water standard for PFAS, consumers – and state legislators – should not wait for the federal government to address unnecessary uses of PFAS in our everyday products.

- The Food and Drug Administration has [understood](#) the risks posed by PFAS longer than any other federal agency – since the 1960s – but still defends some uses of PFAS in food packaging and food manufacturing.
- The Consumer Product Safety Commission has sought information on the uses of PFAS but is required, [by law](#), to defer to voluntary product safety standards that are typically drafted and developed by industry.
- While the EPA has taken action to address PFAS in drinking water, the EPA has [no plans](#) to restrict the use of PFAS in everyday products.

The [General Services Administration](#) and the [Defense Department](#) have changed some procurement policies to avoid some uses of PFAS to protect federal workers. But, the federal agencies with the power to protect consumers will not be taking action any time soon – if ever.

Once again, it will be up to states to protect us from PFAS.

Many [states](#) have already taken action – including California, Colorado, Connecticut, Hawaii, Illinois, Maine, Maryland, Minnesota, New Hampshire, New Jersey, New York, Oregon, Rhode Island, and Vermont – to ban PFAS from a wide variety of products, including apparel, carpets, cleaning products, cookware, dental floss, fabric treatments, food packaging, juvenile products, menstrual products, oil and gas products, personal care products, pesticides, ski wax, and textiles. Three states – Connecticut, Maine, and Minnesota – have passed legislation to phase out non-essential uses of PFAS.

To protect Pennsylvania’s consumers, I urge you to support HB 2238. Consumers cannot simply “shop around the problem” because the presence of PFAS is not disclosed on most of the products covered by HB 2238.

Before I joined EWG, I was the Vice President for Federal Affairs for the Grocery Manufacturers Association, now called the Consumer Brands Association. I know, from experience, that consumer product companies will quickly change their formulas and recipes to comply with HB 2238. Don’t believe the opponents who insist there are too many PFAS, or that some PFAS are better than others, or that all PFAS have been thoroughly reviewed, or that some PFAS are not actually PFAS, or seek to turn this into a referendum on all uses of PFAS, or insist that changing formulas and recipes will make basic goods unaffordable.

We all know that the everyday products we bring into our homes can be made without these toxic forever chemicals. We also know that companies will have little incentive to change their products unless states like Pennsylvania act to protect us.

Thank you for the opportunity to testify.