
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Blakespear, Chair

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SUBJECT: Perfluoroalkyl and polyfluoroalkyl substances (PFAS): Department of Pesticide Regulation

DIGEST: This bill prohibits registration of new pesticides that contain PFAS pesticide ingredients beginning January 1, 2027, and designates a registered product for agricultural use as a restricted material with specified disclosure requirements.

ANALYSIS:

Existing federal law:

- 1) Provides for federal regulation of pesticide distribution, sale, and use under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); requires that all pesticides distributed or sold in the United States be registered (licensed) by the United States Environmental Protection Agency (U.S. EPA); and requires, before U.S. EPA registers a pesticide under FIFRA, the applicant to show that using the pesticide according to specifications will not generally cause unreasonable adverse effects on the environment. (7 United States Code (USC) §§ 136 et seq.)
- 2) Defines, under FIFRA, “unreasonable adverse effects on the environment” to mean the following:
 - a) Any unreasonable risk to man or the environment, taking into account the economic, social, and environmental costs and benefits of the use of any pesticide; or
 - b) A human dietary risk from residues that result from a use of a pesticide in or on any food, as defined. (7 USC § 136(bb))

Existing state law:

- 1) Authorizes the state’s pesticide regulatory program and mandates the Department of Pesticide Regulation (DPR) to provide for the proper, safe, and

efficient use of pesticides essential for the production of food and fiber, for the protection of public health and safety, for the protection of the environment from environmentally harmful pesticides, and to assure agricultural and pest control workers safe working conditions where pesticides are present by prohibiting, regulating, or otherwise ensuring proper stewardship of those pesticides. (Food and Agriculture Code (FAC) §§ 11401 et seq.)

- 2) Requires the Director of DPR to endeavor to eliminate from use in the state any pesticide that endangers the agricultural or nonagricultural environment, is not beneficial for the purposes for which it is sold or is misrepresented. (FAC § 12824)
- 3) Authorizes the Director of DPR, after a hearing, to cancel the registration of, or refuse to register, any pesticide that fulfills these, among other, criteria:
 - a. That has demonstrated serious uncontrollable adverse effects either within or outside the agricultural environment;
 - b. The use of which is of less public value or greater detriment to the environment than the benefit received by its use;
 - c. For which there is a reasonable, effective, and practicable alternate material or procedure that is demonstrably less destructive to the environment; or
 - d. That, when properly used, is detrimental to vegetation, except weeds, to domestic animals, or to the public health and safety. (FAC § 12825)
- 4) Requires a registrant to submit scientific evidence to DPR if during or after the registration of a pesticide the registrant has factual or scientific evidence of any adverse effect or risk of the pesticide to human health, livestock, crops, or the environment that has not been previously submitted. (FAC § 12825.5)
- 5) Requires the director to develop an orderly program for the continuous evaluation of all pesticides actually registered. (FAC § 12824)
- 6) Prohibits, except for specified health, safety, and agricultural activities, the use of the rodenticides brodifacoum, bromadiolone, difenacoum, diphacinone, and difethialone in the state until the director of DPR certifies that DPR has completed a reevaluation of those pesticides and has adopted restrictions to protect wildlife, as specified. (FAC § 12978.7)

- 7) Prohibits a person from using or possessing a pesticide designated as a restricted material for any agricultural use except under a written permit of the County Agricultural Commissioner (CAC). (FAC § 14006.5)
- 8) Authorizes the director of DPR to, at any time, evaluate a registered pesticide to carry out specified statutory requirements; requires the director to investigate all reported episodes and information received by the director that indicate a pesticide may have caused, or is likely to cause, a significant adverse impact, or that indicate there is an alternative that may significantly reduce an adverse environmental impact; and requires, if the director finds from the investigation that a significant adverse impact has occurred or is likely to occur or that such an alternative is available, the pesticide involved to be reevaluated. (3 California Code of Regulations (CCR) § 6220)
- 9) Prohibits the use, sale, and manufacturing of PFAS in many consumer and industrial products, including menstrual products, juvenile products, textiles, food packaging, cosmetics, and firefighting foam. (Health and Safety Code (HSC) §§ 25258 et seq.; HSC §§ 108945 et seq.; HSC §§ 108970 et seq.; HSC §§ 109000 et seq.; HSC §§ 108980 et seq.; and HSC §§ 13061, 13062)

This bill:

- 1) Prohibits DPR from registering a pesticide that contains PFAS pesticide ingredients that has not been previously registered by DPR, unless an application for registration was submitted to DPR before January 1, 2027.
- 2) Makes a pesticide containing PFAS pesticide ingredients that is registered for agricultural use a restricted material beginning January 1, 2028.
- 3) Permits the use of a PFAS-restricted material under specified conditions beginning January 1, 2028.
- 4) Requires a permit issued to a PFAS-restricted material and any public disclosure by DPR of the use of a PFAS-restricted material to state, “This product contains perfluoroalkyl and polyfluoroalkyl substances, or PFAS, and can contaminate produce, groundwater, drinking water, soil, and the environment,” beginning January 1, 2028.
- 5) Defines “agricultural use” to mean the use of any pesticide or method or device for the control of plant or animal pests, or the use of any pesticide for the regulation of plant growth or defoliation of plants, excluding specified intended uses and the use of any pesticide or method or device to treat pets, livestock,

and other animals to prevent, destroy, repel, or mitigate fleas, mites, ticks, heartworms, or other insects, parasites, or organisms.

- 6) Defines “PFAS pesticide ingredients” to mean PFAS that are intentionally added to a pesticide as active, adjuvant, or inert ingredients.
- 7) Defines “PFAS-restricted material” to mean a pesticide registered for agricultural use containing PFAS pesticide ingredients, as described.
- 8) Makes related findings and declarations.

Background

- 1) *The problem with PFAS.* Per- and polyfluoroalkyl substances (PFAS) are a broad class of man-made chemicals consisting of chains with bonded carbon and fluorine atoms. Because of their physical and chemical nature, PFAS are very durable making them extremely useful in many industrial and commercial applications. As a consequence of their durability, they are persistent, meaning that they do not degrade easily in the environment and can bioaccumulate in living things.^{1,2,3} According to the U.S. Environmental Protection Agency (U.S. EPA), there are nearly 15,000 PFAS compounds.

PFAS compounds have been detected globally in soil, groundwater, and surface water. Plants can uptake PFAS and bioaccumulation can occur within their tissues and the animals that eat them. Primarily, human exposure occurs through consuming food and drinking water. Exposure to certain PFAS may lead to adverse health outcomes, including reproductive and developmental effects, increased risk of cancer, suppressed immune systems, and endocrine disruption.⁴ It has been estimated that the cost associated with the contribution of PFAS exposure to disease and disability in the United States is at least \$5.5 billion and upwards of \$62 billion.⁵

Because of its hazard and prevalence, the Legislature has previously taken action to ban PFAS as a class from products that were more likely to release PFAS into the environment, come into close physical contact with the human body, were considered unnecessary for the products’ function, and led to

¹ National Institute of Environmental Health Sciences. (2025). [Perfluoroalkyl and Polyfluoroalkyl Substances](#).

² Henry, B. J., et. al. (2018). [A critical review of the application of polymer of low concern](#).

³ Jacobs, S. A., et. al. (2024). [Assessment of Fluoropolymer Production and Use With Analysis of Alternative Replacement Materials](#).

⁴ U.S. Environmental Protection Agency. (2026). [Our Current Understanding of the Human Health and Environmental Risks of PFAS](#).

⁵ Obsekov, V. (2023). [Leveraging Systematic Reviews to Explore Disease Burden and Costs of Per- and Polyfluoroalkyl Substance Exposures in the United States](#).

higher potential exposures. The category of products ranged, including, but not limited to: a ban on PFAS in menstrual products (AB 2515, Papan, Chapter 1008, Statutes of 2024); textiles (AB 1817, Ting, Chapter 762, Statutes of 2022); cosmetic products (AB 2771, Friedman, Chapter 804, Statutes of 2022); food packaging (AB 1200, Ting, Chapter 503, Statutes of 2021); new juvenile products (AB 652, Friedman, Chapter 500, Statutes of 2021); and firefighting foam (SB 1044, Allen, Chapter 308, Statutes of 2020). PFAS is typically regulated as a class, because regulating a subset of PFAS tends to lead to their replacement with other chemistries within the class that have similar hazards, thus becoming regrettable substitutions.⁶

Originally, this bill would have similarly banned PFAS from pesticides used in agricultural settings. Recently, author amendments have removed these bans, and the proposed provisions continue to prohibit DPR from registering any new pesticides with PFAS ingredients that have not been previously registered by the state after January 1, 2027.

- 2) *PFAS in pesticides.* Pesticides are used to kill or suppress unwanted organisms in homes, on farmland, in the environment, and in other areas where people live and work. Although pesticides are often efficacious at exterminating or thwarting the growth of target organisms, they can also cause serious unintended harm to both humans and nontarget plants and animals. Over 1,000 types of pesticides are approved for use in California, and approximately 176 million pounds of pesticides were used in California in 2023 alone.

In pesticide products, there are active and “inert” ingredients and PFAS can be utilized for either purpose. Active ingredients are the primary ingredients that kill or suppress the targeted organism and are disclosed on a pesticide’s label. Inert ingredients are added to increase the efficacy of the active ingredient, and include emulsifiers, solvents, carriers, propellants, fragrances, and dyes.⁷

For active ingredients, the fluorination in PFAS is used to improve stability and increase residual activity in pesticides. Of the 471 unique conventional pesticide active ingredients that are registered in the United States, 23% contained at least one carbon-fluorine bond and 14% met the Organisation for Economic Cooperation and Development definition of PFAS.⁸ DPR indicates that there are 53 active ingredients with at least one fully fluorinated carbon

⁶ Balan, S.A., et. al. (2021). [Regulating PFAS as a Chemical Class under the California Safer Consumer Products Program.](#)

⁷ Bruce A. B., et. al. (2023). [Assessing the scientific support for U.S. EPA pesticide regulatory policy governing active and inert ingredients.](#)

⁸ Donley, N., et. al. (2024). [Forever Pesticides: A Growing Source of PFAS Contamination in the Environment.](#)

registered in California, and 1,153 products currently registered for use in California that contain at least one of those 53 pesticide active ingredients.

In contrast, PFAS ingredients that are inert can expedite the dispersal of sprayed pesticides and facilitate the penetration of the pesticide into the target pest.⁸ A 2022 public records request to the U.S. EPA revealed that there were 24 registered inert ingredients that were identified as PFAS or suspected to be PFAS.⁸

Pesticides are composed of a small fraction of the active ingredients, as those ingredients can be considered the most toxic, while inert ingredients make up the majority of a product.⁷ Inert ingredients can influence the toxicity or alter the bioavailability of the active ingredient. Inert ingredients can also increase mobility and persistence in the environment.⁷ These ingredients are not required to be disclosed on the label and minimal testing is conducted.⁸

A 2025 analysis found that California agricultural fields are treated with an average of 2.5 million pounds of PFAS pesticides every year, and that between 2018 and 2023, nearly 15 million pounds of PFAS pesticides were applied to California farmland.⁹ The analysis further revealed that 85% of PFAS pesticides used in the state were used for crop production. The remaining 15% were used for various structural practices, such as insecticide for termite control, herbicide for landscape maintenance, and rodenticide.⁹

- 3) *PFAS pollution through pesticides.* PFAS contamination is ubiquitous in the environment, with various sources contributing to pollution of the air, water, and soils. The vast majority of pesticides containing PFAS have three fluorine molecules. It is possible that these pesticide ingredients could degrade into trifluoroacetic acid (TFA), which are part of a subclass of PFAS known as ultrashort-chain perfluoroalkyl acids (PFAAs).¹⁰ TFAs are extremely persistent and mobile substances that can be found in the environment at concentrations that are orders of magnitude higher than that of other PFAS.¹¹ TFA has been found to be ubiquitous in drinking water sources and bioaccumulates most readily in plants. While some studies have concluded that the risk of TFA to humans and the environment is negligible, other studies have indicated that TFA could be toxic to the liver and reproductive systems in humans. It has been classified in the EU as harmful to aquatic life with long lasting effects.¹¹

⁹ Environmental Working Group. (2025). 2.5 million pounds of PFAS pesticides spread on California farmland annually.

¹⁰ Joerss, H., et. al. (2024). Pesticides can be a substantial source of TFA to water resources.

¹¹ Arp, H. P. H., et. al. (2024). The Global Threat from the Irreversible Accumulation of Trifluoroacetic Acid.

The toxicity of TFA is still being understood and it is possible that there are other unknown environmental health impacts uncovered by the current science.

Since PFAS and its degradants, such as TFA, are released and detected in the environment, it is important to understand the potential exposure pathways and associated hazards. The following sections describe identified environmental impacts of PFAS that originate from pesticides and their implications:

- a) *PFAS pollution in waters.* PFAS compounds have been detected globally in groundwater and surface water. In California, PFAS ingredients from pesticides were detected in nearly half of all surface water samples and approximately half of all sediment samples collected by DPR and indicated by a 2026 analysis conducted by EWG.¹² Monitoring data from DPR is limited in size and scope, as not all PFAS ingredients have been sampled for, thus there is uncertainty around the extent of contamination from pesticide PFAS ingredients.

The most frequently detected PFAS ingredient, bifenthrin, was detected in almost half of all surface water samples between 2020 and 2023. DPR's surface water database (SURF) indicates that samples of bifenthrin within that time range in certain areas of the state reached concentrations of over 1 ppb, which is 100 to 1000 times the regulatory thresholds established for different types of PFAS in the Safe Drinking Water Act (SDWA).

Generally, water contamination from PFAS pesticide ingredients can be very concerning, as the surface and ground water that may be contaminated can serve as sources for drinking water. Humans are primarily exposed to PFAS through both eating and drinking water.¹³ California has multiple water systems that contain at least double the federal reporting concentration levels for certain types of PFAS.¹³

It should be noted that PFAS pesticide ingredients are not the same compounds that currently have federally established regulatory thresholds for drinking water, but they are within the broader class of PFAS. It is unclear to staff at this time whether *all* PFAS pesticide ingredients, active or inert, break down into the PFAS regulated under the SDWA or how PFAS ingredients may contribute to drinking water contamination across the state. The six PFASs that are federally regulated have at least 9 fluorine molecules in their structures, whereas most PFAS pesticide active

¹² Environmental Working Group. (2026). California's surface water and sediment are often contaminated with PFAS pesticides.

¹³ Kibuye, F. (2023). Understanding PFAS – What they are, their impact, and what we can do.

ingredients registered in California only have 3 fluorine molecules. So, while it is unlikely that the PFAS pesticide active ingredients contribute to the regulatory pressures that water systems face, it is an open question whether inert ingredients or other types of PFAS may degrade (into substances like TFA) and contribute to water contamination generally. DPR does evaluate the hazard, risk and the most sensitive toxic endpoints of pesticide ingredients before registration, however it is unclear whether the evaluations take potential exposure through drinking water, specifically from PFAS and its degradants like TFA, into account.

Part of the burden in addressing PFAS contamination can fall on municipal drinking water systems, especially if the source of contamination is unknown. In 2019, 74 community water systems serving 7.5 million Californians with drinking water were found to have PFAS levels that exceeded levels considered safe by independent research, with at least 40% of systems far exceeding the federally established maximum contaminant levels (MCLs) under the SDWA.¹⁴

The U.S. EPA requires these public water systems to test and monitor their drinking water or wastewater effluents and take action if the contamination exceeds the MCLs. The six federally regulated PFAS have drinking water MCLs that water systems are required to comply with by 2029. In order to comply, many water systems will need to undergo expensive treatment infrastructure upgrades, which could cost on the order of tens of millions of dollars per water system. Without financial support, the cost of these upgrades will fall on the public through water rates, impacting affordability for the ratepayer.

Although it is unlikely that the PFAS in pesticides are responsible for exceedances of the six established MCLs, PFAS in pesticides could be responsible for future established MCLs with scientific advancement that may uncover additional health risks and an evolving global regulatory landscape. Outside of federally regulated PFAS, it is unclear the extent that PFAS from pesticides may pose a health risk through drinking water contamination. Given that the PFAS pesticide ingredients were detected in waters across the state at concentrations that are hundreds to thousands of times larger than the established MCLs for certain types of PFAS, further scrutiny is certainly warranted and attribution studies may be critical.

¹⁴ Environmental Working Group. (2019). [Toxic 'Forever Chemicals' Detected in Drinking Water Supplies Across California.](#)

- b) *PFAS pollution on (and in) produce.* Pesticides may cling to crops during agricultural spraying, leading to residual contamination on produce. A 2026 analysis of data collected by DPR found that 37% of non-organic, or conventionally grown California produce samples on 40 different types of produce, including peaches, plums, strawberries, and grapes contained traces of 17 different pesticides containing PFAS.¹⁵

DPR argues that it conducts one of the nation’s most comprehensive produce residue monitoring programs by collecting and testing thousands of domestic and imported fruits and vegetables each year. The produce is tested for hundreds of pesticides to see if any are detected, and if there is a detection, determine whether it exceeds a tolerance level established by the U.S. EPA. Produce that has residue exceeding the tolerance level is pulled from the market.

The residue monitoring program has demonstrated that there are consistently very low levels of pesticide residues and DPR indicates that a detection alone does not indicate health concerns.¹⁶ In 2023, of the 1,059 produce samples labeled as “grown in California,” 99% had residues below the U.S. EPA tolerance levels.¹⁷ The majority (83%) of residues that exceeded the regulatory threshold were detected on imported produce.

Aside from surface residue, there are concerns about the persistence of PFAS and its ability to bioaccumulate through plants. Plants can absorb PFAS, and in particular TFA, through their root systems and the chemicals are then transferred to animals that eat them, presenting a potential dietary exposure pathway for PFAS pesticide ingredients.¹⁸

- 4) *The regulation of pesticides in California.* The mission of DPR is to “protect human health and the environment by fostering sustainable pest management and regulating pesticides.” DPR oversees pesticides by registering products, performing evaluations and re-evaluations, regulating pest control businesses, conducting environmental monitoring, and testing for residue on fresh produce.

Prior to registration under DPR, pesticides must be registered and licensed for sale and use with the U.S. EPA. DPR will then conduct a comprehensive scientific evaluation of the product under California-specific standards that

¹⁵ Environmental Working Group. (2026). [‘Forever Chemicals’ contaminate nearly 40% of non-organic California-grown produce.](#)

¹⁶ Department of Pesticide Regulation. (2026). [What You Need to Know About PFAS and Pesticides in California.](#)

¹⁷ Department of Pesticide Regulation. (2023). [California Pesticide Residue Monitoring Annual Report.](#)

¹⁸ Jiao, X., et. al. (2020). [Uptake, accumulation and metabolism of PFASs in plants and health perspectives: A critical review.](#)

protect public health and the environment before registering them. The evaluation covers both the active ingredients and full product formulations. DPR evaluates each chemical in a pesticide individually, including PFAS ingredients, and at its most sensitive endpoint to understand its impact on human health and the environment.

DPR may propose registered pesticides for designation as restricted materials. Restricted materials are pesticides that are deemed by the State of California to have a higher potential to cause harm to public health, farm workers, domestic animals, honeybees, the environment, wildlife, or crops compared to other pesticides. The designation of restricted materials allow for greater local control to prevent harm.

The application of restricted materials can only occur by or under the direct supervision of a certified applicator and under a permit issued by the CAC, with certain exceptions. CACs are required to evaluate each proposed application before it occurs and determine whether the application poses an unacceptable risk or ensure that the permit includes mitigation measures through environmental review.¹⁹ Pesticides designated as restricted materials may have regulatory use requirements in addition to permit conditions. This may include pesticide application limitations, methods, and location restrictions.²⁰ The application of restricted materials is also subject to additional levels of oversight by the CACs, including reviews of the notices of intent and pre-application inspections. The application of a restricted material will be made public through the SprayDays program, increasing the transparency of its use.

This bill designates a pesticide that is registered for agricultural use and contains PFAS pesticide ingredients as a restricted material. Further, the permit that is issued to the restricted pesticide containing PFAS and any public disclosure of its use would be required to indicate that the product contains PFAS and has the potential to contaminate the environment, as described.

Comments

- 1) *Purpose of Bill.* According to the author, “PFAS pesticides are being spread in large quantities across our most valuable agricultural land and on our most popular crops. These chemicals are highly persistent, take a very long time to break down, and can contaminate soil and ground water for years to come. In

¹⁹ Department of Pesticide Regulation. [California’s Restricted Materials Permitting Program.](#)

²⁰ Department of Pesticide Regulation. [Restricted Use Pesticides and Restricted Materials.](#)

addition, PFAS are associated with a range of serious health harms. Very low doses of PFAS in drinking water have been linked to the suppression of the immune system and are associated with an elevated risk of cancer, increased cholesterol, and reproductive and developmental harms, among other serious health concerns. For most people, food and drinking water are the primary routes of exposure to PFAS. That makes the use of these chemicals in agriculture especially concerning; PFAS do not belong on our food or dinner tables. We should not eat them. We need to end the use of these very problematic pesticides now.”

- 2) *Finding the right restrictions.* There have been various bans and restrictions on PFAS and other harmful chemicals in consumer products to promote source reduction, but it is important to note that pesticides for agricultural use are not like consumer products— different regulatory frameworks apply. Consumer products can be largely unregulated or minimally regulated when it comes to environmental health and safety. Pesticides are not treated like the typical consumer product because they are intentionally harmful to pests, thus posing a higher risk to the health and safety of the public and environment. To minimize this risk, pesticides are integrated into a regulatory framework designed with various requirements, restrictions, and guardrails. Fitting well into that framework will be integral to addressing the problems posed by these particular products.

This bill prohibits the registration of any new pesticides containing PFAS ingredients and makes any currently registered pesticides with PFAS a restricted material. The aim of the bill is to reduce the release of PFAS pesticide ingredients into the environment, track the locations and extent to which it is used, and create transparency around its use. With new PFAS pesticides prohibited and registered PFAS pesticides designated as restricted materials, the use of these products and their associated pollution will decrease, but at what cost?

With the bill’s proposed 2027 ban on new pesticides containing PFAS ingredients, the benefits of prohibiting the registration of new harmful pesticides could also be offset by the risks that accompany new substitutions.²¹ It is unclear whether the alternatives available for pesticides that contain PFAS ingredients are sufficient to address the challenges growers face, or if alternatives exist at all in certain circumstances. Often when newer alternatives are not available, growers tend to turn to older chemistries that may require

²¹ Hart, J., et. al. (2025). Pesticide Restrictions and Registration Delays: Implications of California’s Sustainable Pest Management for the Lettuce Industry.

higher application rates, possess different environmental or public health risks, or serve as less effective tools.

For PFAS pesticides that are already registered, restrictions on existing registered pesticides can limit the tools available to manage and prevent costly outbreaks. Limiting access to existing registered products has the potential to increase costs for growers, decrease yield, increase risk and production uncertainty, and decrease crop protection.²¹ For each restricted material, the workload associated increases for the CACs. Every use would require the submission of a permit application, environmental review, an alternatives analysis, physical site inspections, and other associated administrative tasks. This bill would designate nearly 1,200 products as restricted materials. Although the use of these products may decrease with the restricted materials designation, this bill would still lead to a significant increase of the workload associated with restricted materials policies without the relative compensation to conduct the work.

Typically, restricted materials designations are tied to identified risks and are used judiciously as a mitigation measure to reduce those risks. It is unclear how many of these PFAS pesticides pose such risks considered under this framework. The toxicity and persistence of the 53 PFAS pesticide ingredients vary widely, and it is not clear if the restricted materials designation is appropriate for all 53 pesticides. However, out of an abundance of caution and in light of potential hazards, the author and sponsors believe the regulation of PFAS should be approached as a class, thus all 53 pesticides should be subject to the same regulation.

If these PFAS pesticides were regulated as a class in this manner, a restricted materials designation would call for greater oversight and control of these pesticides, which could mitigate potential contamination into state waters. The use of pesticides that are designated as restricted material would need to undergo a permitting process with the CAC and would require a functional equivalent of an environmental impact report. A CAC would also need to consider feasible alternatives before issuing a permit for each site- and time-specific use. These guardrails could both drive down the use of these pesticides and mitigate any potential impacts. Additionally, use of these pesticides as restricted materials would be tracked at a higher granularity and public transparency of the use would increase. There are indeed aspects of the restricted materials designation that could support a transition away from the use of these pesticides and raise general awareness of their use.

Eliminating or restricting the use of PFAS is of monumental importance, but the typical policy frameworks used to regulate PFAS in other types of products do not involve the intricacies of pest management or crop production which come with additional trade-offs that have broader impacts. A policy approach to reduce PFAS in these products will need to be measured and consider the trade-offs of broadly eliminating new or restricting currently registered pesticides against the efficacy of source reduction in this approach. An understanding of the available alternative products and practices will be integral to a transition away from PFAS pesticides.

Imposing the full restricted materials framework to a broad range of pesticides may not be appropriate at this time given the current trade-offs and broader impacts, however DPR can still play a role in increasing awareness around the use of PFAS in pesticides and shedding light on its use patterns. In alignment with the author and sponsor's goal of increasing transparency, ***the author and committee may wish to consider requiring DPR to flag pesticides that contain PFAS in the Pesticide Use Reporting database, list all registered pesticides that contain PFAS, submit this list to the CACs, and publicly post this list on their website.***

Further dissemination of this information to growers and the public can be discussed in the next policy committee, the Senate Committee on Agriculture. In recognizing the additional trade-offs and broader impact that designating PFAS pesticides as restricted materials would have on the regulatory agencies and agricultural community, ***the author and committee may wish to consider striking the provisions that designate PFAS pesticides as restricted materials and all associated activities.***

- 3) *Understanding continued use.* If the Legislature should choose to continue the use of these pesticides, designated as restricted materials or not, it will be important to develop a comprehensive understanding of their use, contributions to exposures, and the associated exposure pathways. The primary PFAS exposure pathways for humans are through drinking water and food. The following sections highlight areas in need of further study and targeted interventions for each exposure pathways:
 - a) *Addressing drinking water contamination.* Drinking water is a major source of PFAS exposure, and many water systems do not currently have the capability to treat PFAS contaminated waters. Although the PFAS in pesticides or their degradants are not the same as the PFAS that is federally regulated, all PFAS may still be difficult or incapable of being removed with the current treatment infrastructure of many water systems. Though it

is suspected that pesticides contribute to water contamination that water systems are unable to treat, attribution studies have not been conducted. Attribution studies that link PFAS pesticide ingredients to drinking water contamination could support more targeted interventions. Understanding these correlations across the state and impacts to specific water systems may also create an opportunity to fund the infrastructure improvements needed, as described in *comment 4* below.

In order to develop targeted interventions, further study would be needed. DPR and the State Water Board already coordinate in pesticides monitoring efforts and both agencies collect data on pesticide use and waste discharge from irrigated lands. The agencies could continue to collaborate, but with statutory direction to understand the impacts of PFAS pesticides on California's drinking water.

- b) *Addressing contamination in produce.* Although the vast majority of produce residue DPR tests falls under the federal thresholds, it is unclear whether those thresholds consider the toxic endpoints associated with PFAS or are stringent enough to determine whether exposure is harmful. In many cases, state standards have been established to be more stringent and health-protective compared to federal standards. Committee staff is currently unaware of any state standards for produce residue. These questions warrant further investigation, which could also lead to a more targeted approach for interventions or the development of state-specific thresholds for certain constituents like PFAS.
- 4) *Polluters pay: PFAS pesticide edition.* The bill in print would still allow the use of pesticides with PFAS ingredients, even though they may be designated as restricted materials. Even as restricted materials, the use of these pesticides would likely be guaranteed. Both approaches would still potentially lead to the contamination of water sourced for drinking with PFAS and its degradants like TFA, without mechanisms that limit the exposure pathway. Even though it is unlikely that the cost pressures water systems face are directly related to the pesticides containing PFAS, water systems are still tasked with treating water that may expose humans and the environment to TFA potentially originating from pesticides. Further, with evolving science, it is possible that degradants from pesticides containing PFAS could become regulated under the SDWA. Water systems and ratepayers would still be subjected to higher costs in reaching regulatory compliance while pesticide companies would continue to benefit from sales.

Creating a tax or fee on pesticides that contain PFAS or their chemical suppliers could disincentive the purchase of products while generating a source of funds that could support water systems reach compliance with the six PFAS MCLs and eliminate all PFAS contamination from drinking water. This could create a market shift towards alternatives and drive innovation, while ensuring that growers have access to essential tools when necessary.

It should be noted that the funding needed for water systems is not indefinite. Aside from ongoing operation and maintenance costs, there is a fixed capital investment for each water system to upgrade their systems with technologies, such as reverse osmosis or ion exchange resins, to treat PFAS contaminated waters. Such a tax or fee can be designed to effectively phase out PFAS in pesticides, encourage the development of alternatives, and supplement funds for the necessary treatment infrastructure for water systems.

Previous legislation has sought to create or highlight a pot of funding for the purpose of supporting infrastructure upgrades for water systems, but without a source of funds (SB 454, McNerney, 2025; SB 1313, McNerney, 2026). The recent findings that PFAS in pesticides may be a major contributor to drinking water contamination and may continue to be for the meantime, presents an opportunity to create a source of funding to address contamination and related affordability impacts. The author and sponsors are encouraged to consider such approaches in future legislation.

- 5) *Committee amendments. Staff recommends the committee adopt the bolded amendments contained in comment 2 above. Due to timing constraints, these changes must be amended into the bill as part of the actions taken by the next committee. Should the author commit to taking these amendments, the motion in this committee will be “do pass” with that understanding.*

DOUBLE REFERRAL:

If this measure is approved by the Senate Environmental Quality Committee, the do pass motion must include the action to re-refer the bill to the Senate Committee on Agriculture.

Related/Prior Legislation

Related pesticide regulation legislation:

AB 2552 (Friedman, Chapter 581, Statutes of 2024) prohibits, as specified, the use of the rodenticides chlorophacinone and warfarin until DPR has completed a reevaluation and developed and adopted further restrictions on their use.

AB 1322 (Friedman, Chapter 836, Statutes of 2023) prohibits, as specified, the use of the rodenticide diphacinone until DPR has completed a reevaluation and developed and adopted further restrictions on its use.

AB 2146 (Bauer-Kahan, 2022) would have prohibited, beginning January 1, 2024, a person from selling, possessing, or using a neonicotinoid pesticide, as defined, for application to outdoor ornamental plants, trees, or turf, except for use on, or for the protection of, an agricultural commodity. This bill was vetoed by Governor Gavin Newsom.

AB 567 (Bauer-Kahan, 2021) would have prohibited, on and after January 1, 2024, the use of a neonicotinoid on a seed. The bill was not heard in the Assembly Committee on Environmental Safety and Toxic Materials and the bill subsequently died on file.

AB 1788 (Bloom, Chapter 250, Statutes of 2020) prohibits, as specified, the use of the rodenticides brodifacoum, bromadiolone, difenacoum, and difethialone until DPR has completed a reevaluation of those pesticides and developed and adopted further restrictions on their use.

SB 458 (Durazo, 2019) would have prohibited the use of pesticides that contain chlorpyrifos in California until DPR adopts specified control measures for chlorpyrifos. This bill was held in the Senate Appropriations Committee.

SB 1282 (Leno, 2016) would have prohibited the noncommercial use of neonicotinoids and would have required labeling, as specified, of all commercially available seeds and plants treated with a neonicotinoid pesticide. This bill failed passage on the Senate floor, was granted reconsideration, but subsequently died on file.

Related PFAS regulation legislation:

SB 682 (Allen, 2025) would have prohibited a person from distributing, selling, or offering for sale five covered products that contain intentionally-added PFAS beginning January 1, 2028, and cookware containing intentionally-added PFAS beginning January 1, 2030. This bill was vetoed by Governor Gavin Newsom.

SB 903 (Skinner, 2024) would have prohibited the distribution, sale, or offering for sale products that contain intentionally added PFAS unless the use of PFAS is currently unavoidable and would have authorized DTSC to establish regulations to administer the prohibition. This bill was held on the Senate Appropriations Committee's suspense file.

AB 2515 (Papan, Chapter 1008, Statutes of 2024) prohibits, as specified, a person from manufacturing, distributing, selling, or offering for sale a menstrual product that contains regulated PFAS, as defined.

AB 1817 (Ting, Chapter 762, Statutes of 2022) prohibits, beginning January 1, 2024, a person from distributing, selling, or offering for sale in the state a textile article, as defined, that contains regulated PFAS, and requires a manufacturer to use the least toxic alternative when removing regulated PFAS in textile articles to comply with the provisions of the bill.

AB 2771 (Friedman, Chapter 804, Statutes of 2022) prohibits, commencing January 1, 2025, a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains intentionally added PFAS.

AB 1200 (Ting, Chapter 503, Statutes of 2021) prohibits, among other requirements, commencing January 1, 2023, the sale of food packaging that contains PFAS.

AB 652 (Freidman, Chapter 500, Statutes of 2021) prohibits, on or after July 1, 2023, a person from selling or distributing in commerce any new juvenile products that contain PFAS.

SB 1044 (Allen, Chapter 308, Statutes of 2020) prohibits the manufacture, sale, distribution, and use of firefighting foam containing PFAS chemicals by January 1, 2022, with some exceptions, and requires notification of the presence of PFAS in the protective equipment of firefighters.

AB 841 (Ting, Chapter 372, Statutes of 2019) would have required OEHHA to assess PFAS substances, especially as they might be found in drinking water, to determine which might pose a potential risk to human health. The contents of this bill were deleted in the Senate and amended with unrelated content.

SOURCE: Environmental Working Group

SUPPORT:

1000 Grandmothers for Future Generation
2100 Iff Strategies
350 Bay Area Action
Access to Thrive, INC
Acevedo Media LLC
Active San Gabriel Valley
Alliance of Nurses for Healthy Environments

American Nurses Association/california
Bay Area-system Change Not Climate Change
Benicia Good Neighbor Steering Committee
Berkeley Center for Green Chemistry
Beyond Pesticides
Breast Cancer Prevention Partners
California Coastkeeper Alliance
California Environmental Justice Coalition
California Environmental Voters
California Farmer Justice Collaborative
California Federation of Teachers
California Food and Farming Network
California Health Coalition Advocacy
California Nurses Association
California Nurses for Environmental Health & Justice
California Rural Legal Assistance Foundation (crla Foundation)
California Water Association
Californians for Pesticide Reform
Calpirg, California Public Interest Research Group
Campaign for Organic and Regenerative Agriculture
Campesinas Unidas Del Valle De San Joaquin
Center for Biological Diversity
Center for Environmental Health
Center for Farmworker Families
Center for Food Safety
Center for Public Environmental Oversight
Center on Race, Poverty & the Environment
Central California Asthma Collaborative (CCAC)
Central California Environmental Justice Network
Ceres Community Project
Cft
Children Now
City of Sacramento Department of Utilities
Clean Air Coalition of North Whittier and Avocado Heights
Clean Water Action
Cleaneearth4kids.org
Climate Action California
Climate Health Now Action Fund
Coalition Advocating for Pesticide Safety - Tulare
Coalition Advocating for Pesticide Safety 805
Communitiy Water Center
Consumer Attorneys of California

Cool Petaluma
Earthjustice
Encampment for Citizenship
Endangered Habitats League
Environmental Action Committee of West Marin
Environmental Protection Information Center (EPIC)
Environmental Working Group
Erin Brockovich, INC.
Facts: Families Advocating for Chemical & Toxics Safety
Farm2people
Feather River Action!
Foodwise
Fresh Approach
Fresnans Against Fracking
Friends Committee on Legislation of California
Friends of the Earth
Global Alliance for Incinerator Alternatives (GAIA)
Gmo Science
Go Green Initiative
Green Science Policy Institute
Greenaction for Health and Environmental Justice
Indivisible: LA Honda and Coastal Communities
Integrated Resource Management
Jacobs Farm
Klamath Forest Alliance
LA Waterkeeper
Leadership Counsel for Justice and Accountability
Lift Economy
Lymphoma Foundation of America
Maryland Pesticide Education Network
Mixteco/indigena Community Organizing Project (MICOP)
Monterey Bay Central Labor Council, Afl-cio
Mothers Out Front Silicon Valley
Natural Resources Defense Council (NRDC)
Non-toxic Neighborhoods
Northcoast Environmental Center
Parents Against Ssfl
Pesticide Action and Agroecology Network
Physicians for Social Responsibility - Los Angeles
Physicians for Social Responsibility/sacramento
Poison Free Malibu
Re:wild Your Campus

Recolte Energy
Resource Renewal Institute
Safe Ag Safe Schools
Safe Alternatives for Our Forest Environment
San Francisco Bay Physicians for Social Responsibility
San Francisco Baykeeper
Seiu 521
Sierra Club California
Sierra Harvest
Socal 350 Climate Action
Sonoma County Conservation Action
Sonoma County Youth Environmental Action Committee
South Yuba River Citizens League
Sunflower Alliance
Sustainable Agriculture Education (SAGE)
Teamsters Local 856
The 5 Gyres Institute
The Transformation Co.
Topanga Town Council
Toxic Free North Carolina
Ufcw Local 5
Union of Concerned Scientists
Unite Here Local 11
Unite Here, Local 19
Valley Improvement Projects (VIP)
Water Replenishment District
West Berkeley Alliance for Clean Air and Safe Jobs
Wholly H2o

OPPOSITION:

African American Farmers of California
Agricultural Council of California
Almond Alliance of California
American Chemistry Council
California Agricultural Aircraft Association
California Agricultural Commissioners & Sealers Association
California Association of Pest Control Advisers
California Association of Wheat Growers
California Bean Shippers Association
California Chamber of Commerce
California Cotton Ginners and Growers Association

California Farm Bureau Federation
California Fresh Fruit Association
California Grain & Feed Association
California League of Food Producers
California Manufacturers & Technology Association
California Pear Growers Association
California Seed Association
California Strawberry Commission
California Table Grape Commission
California Walnut Commission
California Warehouse Association
Chemical Industry Council of California
Croplife America
Golf Course Superintendents Association of America
Household and Commercial Products Association
Nisei Farmers League
Responsible Industry for a Sound Environment - Rise
United Ag
Western Growers Association
Western Plant Health Association
Western Tree Nut Association

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