

PFAS Update

by Chris Grigsby, MCS Director

As we highlighted in the spring 2022 edition of The Organic Sprout newsletter, PFAS chemicals have had major impacts on the agricultural landscape in Maine. We're providing this update to keep the MOFGA certified organic producer community informed of where things stand at the time of this publication.

In late 2021, evidence was beginning to emerge of widespread PFAS contamination through the application of sewage sludge and industrial waste to farmland. Billed as a "free" fertility option, land applications began in the 1980s and continued until the Maine legislature banned the practice in 2022. The resulting contamination of "forever chemicals" on farmland caused a wave of outrage and response, and MOFGA became a lead advocate for affected farms. In early 2022, MOFGA developed fact sheets and support programs for affected producers (regardless of organic status), including a [roadmap](#) for navigating questions around PFAS and the [PFAS Emergency Relief Fund](#), which covers testing costs, mental health and wellness services, income replacement and infrastructure grants. MOFGA also advocated strongly at the Maine Legislature for bills that would "turn off the PFAS tap" and stop the continued contamination of land. These efforts were very successful and provided relief to farms as the state moved to develop longer term programs, with help from a \$60 million funding bill that passed the Legislature during the spring session. You can learn more about MOFGA's policy action, at both the state and federal level, at mofga.org/advocacy/take-action-on-pfas.

As part of the "first in the nation" statutes passed by the Maine Legislature, Maine's Department of Environmental Protection (DEP) was tasked with testing all known sites where sewage sludge and septage was spread, stacked or stored to

determine contamination levels. A map was developed using permit data for approved spreading and includes any test results. To date the state is reporting that all Tier 1 communities (sites where significant spreading was known to occur) have been tested, though there are some locations where landowners have refused access. Test results that show elevated screening levels are referred to Maine's Department of Agriculture, Conservation and Forestry (DACF) to enroll in the established programs and to determine if remediation can occur or if the farm is barred from selling products. Maine DEP is reporting that most testing is coming back below thresholds, though there have been a small number of farms that have tested above limits.

Along with the measures by the Maine DEP and DACF, Centers for Disease Control and Prevention (CDC) have also been working to set screening thresholds for some agricultural products, using toxicology data and human health impacts. There are currently screening thresholds for soil, hay, beef and milk, and it is reported that more thresholds are on the way, including for yogurt, eggs and leafy greens.

MOFGA continues to work hard to address this crisis, advocating for further efforts at the state level, as well as the federal level where there are no screening or action levels for PFAS. The federal Environmental Protection Agency (EPA) is currently developing rulemaking to label certain PFAS compounds as hazardous substances, which would designate them as CERCLA (commonly known as Superfund) and activate federal laws and funding to address the issue. The hope is that once EPA has developed rules, then FDA will follow suit and place national thresholds on food items, so that all states are playing by the same rules. In addition, Maine's congressional delegation has recently introduced bills in Congress to allocate funding to states to address the issue.

Best Practices for Making Changes to Your Product Profiles

As a certified organic processor/handler, you need to submit recipes for every processed product you wish to sell as organic. We refer to these as "product profiles" and they contain details about each ingredient used in the product, including the percentage of each ingredient in relation to the whole (excluding water and salt), the supplier of every ingredient, and the certifier for all the suppliers.

Given that recipes and suppliers frequently change, it's important to notify MOFGA Certification Services (MCS) of any changes that have occurred to any recipe. It is best to use the online portal for updating your recipes, but there are other options, detailed below.

For the sake of our workflow at MCS, it is best to submit any recipe changes through the online portal when you update your organic system plan every year. This streamlines our data collection and means that you have more control over the content of your recipes, as displayed on your product profiles.

If you need to notify MCS of recipe changes outside of when you are updating your organic system plan, the next best option is to request access to the online portal so that you can enter the data yourself. This is the exact same process as when you update your organic system plan, it just requires a one-time password to access the portal, which is why you should send an email to your specialist or certification@mofga.org requesting access.

If neither option above is possible, you can explain the changes to your inspector during the annual inspection. The information will then be captured through the inspection report and can be entered by the specialist during review.

If none of the above are available options, you can send an email to your specialist detailing the recipe changes.

