



# Environmental Health: Reducing Chemical Exposure and Supporting Food Safety



## Legislative Overview Series: 2024 Public Health Spotlight

### Introduction

Environmental health touches nearly every aspect of life, ensuring clean air to breathe, clean water to drink, and safe food to eat. [Supporting healthy environments](#) where people live, work, and play leads to better health outcomes for all people. State and territorial legislatures play a crucial role in promoting environmental health by adopting laws related to removing and remediating sources of lead exposure, limiting industrial pollutants, and reducing risks of foodborne illness.

### Legislative Trends

#### Reducing and Removing Exposure to Lead

Lead is found in many [products and locations](#) and can cause negative health effects for people exposed to it, especially children. Children who are [exposed to lead](#) can have slowed growth, damage to the nervous system, and learning and behavior problems. While the United States banned the use of [lead-based paint](#) in homes in 1978 and the use of [leaded pipes](#) in 1986, exposure from these sources remain: homes built before 1978 likely contain lead-based paint, and a [2023 EPA survey](#) estimates that 6 – 10 million lead service lines remain in the country.

While the federal government has moved to reduce [sources of lead exposure](#), states have also taken significant steps to decrease and prevent human exposure to lead. In 2023, Rhode Island enacted companion bills ([RI SB 2/RI HB 5007](#)) establishing a lead water supply replacement program for public and private service lines and requiring the disclosure of the presence of lead service lines to tenants and property buyers. Connecticut's [HB 6733](#) requires healthcare providers to notify parents or guardians of children under three within 24 hours if a child's blood lead level is equal to or greater than 3.5 micrograms per deciliter of blood. The bill also requires the local director of health to conduct on-site inspections to identify the source of lead if the child's blood lead level is between 5-10 micrograms per deciliter, as well as order remediation of the lead source. The bill also allows the commissioner of public health to implement policies and procedures on lead testing and abatement requirements while in the process of adopting regulations.

#### Regulating and Remediating Per- and Polyfluoroalkyl Substances

[Per- and polyfluoroalkyl substances](#) (PFAS) are synthetic chemicals used in products like nonstick cookware and firefighting foam, which can migrate to soil, water, and air during production and use. Most of these chemicals remain in the environment without breaking down, hence the nickname "forever chemicals." Exposure to PFAS can cause [harmful health effects](#) such as increased risk of kidney or testicular cancer, increased risk of high blood pressure or pre-eclampsia in pregnant people, and decreased vaccine responses in children. A 2022 study estimated the annual cost of the [disease burden](#) attributable to long-chain (i.e., six or more carbon) PFAS exposure to be at least \$5 billion.

In 2023, at least sixteen states enacted legislation prohibiting the use of PFAS in consumer products, requiring testing and reporting of PFAS, and establishing PFAS mitigation measures. Indiana enacted [HB 1341](#), prohibiting fire departments from purchasing gear unless it contains a permanent label indicating whether it does or does not contain PFAS. Virginia's [HB 2189](#) directs the state's water control board to adopt regulations requiring industrial users of publicly owned treatment works to test waste streams for PFAS before and after cleaning, repairing, refurbishing, or processing items the industrial user knows or reasonably should know uses PFAS chemicals. Michigan enacted [SB 303](#), which allows the financing of PFAS mitigation projects under the state's Property Assessed Clean Energy Act.





## Food Safety

Cottage foods are food products produced outside a commercial kitchen, often in someone's home kitchen, that are then sold to the public. States are responsible for overseeing cottage foods, and while the regulatory [requirements](#) are different for each state, they typically include the types of foods that may be sold; permitting, licensing, and registration requirements; the amount of allowable sales per year; and labeling requirements for products.

Enacted state legislation in 2023 related to cottage foods focused mainly on the types of foods allowable for sale and the maximum allowable amount of gross sales per year by producers. For example, Iowa's [SF 315](#) allows the sale of raw milk and raw milk products, Louisiana's [SB 161](#) allows the preparation and sale of wild catfish, New Jersey's [A 3991](#) allows the sale of raw honey, and Wyoming's [SF 102](#) allows the sale of eggs and dairy products. California's [AB 1325](#) raised the state's maximum allowable annual gross sales of cottage foods produced by a person or company to \$100,000, adjusted for inflation. Washington state's [HB 1500](#) increases its annual gross sales limit to \$50,000 and requires the Washington State Department of Health to review the limit every four years and adjust based on the Consumer Price Index for the Seattle area.

## Looking Ahead

During the upcoming legislative session, ASTHO expects states and territories to consider bills that:

- Direct state agencies to establish drinking water regulations, such as creating maximum contaminant levels for specific PFAS.
- Increase efforts to prevent groundwater contamination.
- Restrict products containing PFAS or require labeling that a product contains PFAS.
- Tie the annual gross sales limit of cottage foods to the Consumer Price Index.
- Allow microenterprise home kitchens, which can prepare and sell ready-to-eat meals to consumers.

Communities across the United States have filed lawsuits against manufacturers that produce PFAS, alleging that they contaminated groundwater and exposed residents to these harmful chemicals. In June 2023, manufacturer 3M agreed to pay at least [\\$10.3 billion](#) to settle a lawsuit with U.S. cities and chemical companies DuPont, Chemours, and Corteva reached a [\\$1.18 billion settlement](#) with local communities that have detected PFAS in their water supplies.

***Learn more at [www.astho.org](http://www.astho.org)***

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