
HOUSE BILL 2279

State of Washington

69th Legislature

2026 Regular Session

By Representatives Parshley, Reeves, Berry, Reed, Ramel, Duerr, Doglio, Gregerson, Jacobsen, and Fosse

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1 AN ACT Relating to evaluating the use of PFAS chemicals in
2 agriculture; amending RCW 43.23.110 and 15.54.436; adding a new
3 section to chapter 15.54 RCW; adding a new section to chapter 15.58
4 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that the federal
7 government approves pesticides known to contain perfluoroalkyl and
8 polyfluoroalkyl substances, also known as PFAS chemicals, as active
9 ingredients for use in certain agricultural applications. The
10 legislature further finds that these chemicals have been known to
11 remain in the environment for long periods of time and negatively
12 impact human health, and are thus sometimes referred to as "forever
13 chemicals." Recognizing that protecting the safety of Washington's
14 agricultural crops is critical to ensuring food security, the
15 legislature intends to direct the department of agriculture to
16 evaluate fertilizer and pesticide products that may be used in
17 agricultural production, and establish evaluation criteria for the
18 registration of products with PFAS chemicals as active ingredients.

19 **Sec. 2.** RCW 43.23.110 and 2009 c 549 s 5105 are each amended to
20 read as follows:

1 (1)(a) The director of agriculture shall exercise all powers and
2 perform all duties prescribed by law with respect to grains, grain
3 and hay products, grain and terminal warehouses, commercial feeds,
4 commercial fertilizers, and chemical pesticides.

5 (b) He or she shall enforce and supervise the administration of
6 all laws relating to grains, grain and hay products, grain and
7 terminal warehouses, commercial feeds, commercial fertilizers, and
8 chemical pesticides.

9 (2) The department shall establish a program to evaluate the use
10 of PFAS chemicals, as defined in RCW 70A.350.010, in fertilizers and
11 pesticides regulated by the department under chapters 15.54 and 15.58
12 RCW.

13 NEW SECTION. Sec. 3. A new section is added to chapter 15.54
14 RCW to read as follows:

15 (1) By December 31, 2026, the department shall establish criteria
16 for evaluating PFAS chemicals, as defined in RCW 70A.350.010, in
17 fertilizers regulated under this chapter. The criteria must include
18 conditions for the director to refuse or cancel the registration of a
19 fertilizer consistent with RCW 15.54.436.

20 (2) Beginning December 31, 2027, the department shall review all
21 fertilizer registrations in accordance with the criteria established
22 pursuant to subsection (1) of this section. The director may refuse
23 or cancel a registration, consistent with the process established in
24 RCW 15.54.436, for a product that contains PFAS chemicals.

25 **Sec. 4.** RCW 15.54.436 and 1998 c 36 s 10 are each amended to
26 read as follows:

27 The department may cancel the license to distribute commercial
28 fertilizer or registration of any commercial fertilizer product or
29 refuse to license a distributor or register any commercial fertilizer
30 product as provided in this chapter due to:

31 (1) An incomplete or insufficient license or registration
32 application;

33 (2) The misbranding or adulteration of a commercial fertilizer;
34 (~~or~~)

35 (3) The presence of PFAS chemicals that do not meet the criteria
36 established by the director in section 3 of this act;

37 (4) A violation of this chapter or rules adopted under this
38 chapter.

1 If the department cancels or refuses to renew an existing license
2 or registration due to the misbranding or adulteration of a
3 commercial fertilizer or due to a violation of this chapter or a rule
4 adopted hereunder, the licensee/registrant or applicant may request a
5 hearing as provided for in chapter 34.05 RCW.

6 NEW SECTION. **Sec. 5.** A new section is added to chapter 15.58
7 RCW to read as follows:

8 (1) By December 31, 2026, the department shall establish criteria
9 for evaluating PFAS chemicals, as defined in RCW 70A.350.010, in
10 pesticides regulated under this chapter. The criteria must include
11 conditions for the director to refuse or cancel the registration of a
12 pesticide consistent with RCW 15.58.110.

13 (2) Beginning December 31, 2027, the department shall review new
14 pesticide registrations in accordance with the criteria established
15 pursuant to subsection (1) of this section. The director may refuse
16 or cancel a registration, consistent with the process established in
17 RCW 15.58.110, for a pesticide product that contains PFAS chemicals.

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