

On May 1, the New York State Department of Health requested corrections to “inaccuracies” in WaterFront’s Apr. 26, 2024 post on new state guidelines for eating fish. WaterFront stands by the article. Here is the agency’s complete request, sent by email:

1. Comparing regulatory drinking water maximum contaminant levels to fish consumption guidelines is an apples-to-oranges comparison as the average intake of drinking water for an adult is close to 100 times more than that of fish - even at weekly fish consumption. Or to think of it another way, people drink quarts of water each day, whereas the Department recommend that people eat fish no more than once a week. This is one of the reasons why our PFAS fish advisory levels (50 ppb) are higher than our PFAS drinking water standards (10 ppt).
2. The New York State Department of Health uses an approach in evaluating PFAS data in fish that is consistent across the state and with our neighboring states in the Great Lakes Region.
3. The Department has reviewed the DEC PFAS data provided for the Finger Lakes and none of the fish required a more restrictive advisory than is currently in place. However, there are fish that have new, specific mercury advisories, in addition to the mercury-based statewide advice for “all other fish.”
4. In addition, in creating the advisories, the Department takes into consideration that eating fish provides many health benefits, including those which affect many of the same systems that PFAS affect – benefits that are not available from drinking water. The Department helps consumers select the best local fish for consumption when considering all contaminants for which we have data including PFAS, mercury and PCBs.
5. For PFOS, if levels in fish are greater than 50 parts per billion (50,000 ppt) we recommend the general populations eat no more than one meal a month and women and kids not eat any fish. For

levels greater than 200 parts per billion (200,000 ppt), we recommend that no one eat any fish.

6. The Department in conjunction with neighboring states is reviewing USEPA's April 2024 PFAS MCLs rulemaking with respect to new information on health effects and implications for fish consumption advisories.

Some additional direct/specific corrections:

7. "But the DOH hasn't budged from its long-standing advice that most people can eat four meals a month of a fish as long as its PFOS concentration is less than [50,000 ppt](#). It's "Do Not Eat" warning is not triggered until PFOS levels reach 200,000 ppt."

Correction:

- These guidelines were instituted in 2019 in response to water quality concerns associated with PFOS and its impact on fish in those waters. Since then, data are reviewed every year, and the guidelines used to assess these advisories are reviewed when new scientific information becomes available. The Department has been and will continue to assess information related to PFAS as it becomes available.
8. "Under the DOH's new health advisories, each of those contaminated yellow perch and lake trout from Seneca would qualify as "good choice" fish, suitable for the general public to eat four times a month. But the sensitive population — defined as women under 50 (who might become pregnant) and children under 15 — are advised to limit consumption of those fish to once a month."

Corrections:

- The new statewide advisories this year are due entirely to **implementing new, more restrictive mercury guidelines**. PFOS levels found in the Seneca Lake fish sampled by DEC do not meet the current PFOS guidelines to issue advisories.
- An added benefit of the statewide mercury approach is that it can also protect anglers from other potential contaminants, including PFOS.

- New York state continues to collect fish, monitor the literature, and will issue updated PFOS advice when levels exceed the guidelines, just like any other contaminant found in NYS fish.

On Background:

- The Duke-EWG analysis uses assumptions on PFOS residence time and disposition in the body that are outdated which leads to overestimates of the expected impact of fish ingestion on blood levels. Further, in spite of residual PFOS levels in certain foods and products, the blood levels of PFOS across the United States have showed a consistent decline since 1998.