



March 15th, 2023

Attn: Commerce and Consumer Protection Committee

Dear Chair Klein and Members of the Commerce and Consumer Protection Committee:

The Alliance for Telomer Chemistry Stewardship (ATCS) is a global organization that advocates on behalf of C6 fluorotelomer-based products. Our members are leading manufacturers of fluorotelomer based products. Our mission is to promote the responsible production, use, and management of fluorotelomer based products, while also advocating for a sound science- and risk-based approach to regulation. Fluorotelomer-based products are versatile chemistries with wetting and spreading features, as well as unique properties that repel water, oil and stains. These unique characteristics make fluorotelomers a critical component of first responder gear, medical garments, paints and coatings, upholstery, class B firefighting foam, among other uses that families and businesses across the world rely on.

On behalf of the members of ATCS, we respectfully oppose SF 450 and SF 834 as written.

About per- and polyfluoroalkyl substances (PFAS)

PFAS are a diverse universe of chemistries with a wide range of critical uses. For instance, fluorotelomers (one type of PFAS) are used in food packaging applications, but are also currently being used in medical garments, hospital gowns, drapes and divider curtains to create a barrier that provides life-saving protection against infections and transmission of diseases like COVID-19 in hospitals. Another type of PFAS, fluoropolymers, are integral to COVID-19 testing equipment and the medical technology that is saving lives across the globe. For example, fluoropolymers are used as coatings for the tubing in COVID-19 test kits because of their unmatched durability, low friction, and extreme heat resistance. They are also used in surgically implantable medical devices, increasing the lifetime of implants and reducing the likelihood of infection and invasive surgery.

The chemical industry supports a comprehensive approach to managing per- and polyfluoroalkyl substances that helps to ensure protection of human health and the environment. This includes appropriate, science-based policies and regulations.

As written, this definition of per- and polyfluoroalkyl substances is too broad and generic to accurately capture the chemistry of concern. Presently, the Maine Department of Environmental Protection (DEP) is undertaking the arduous task directed by their legislature for similar reporting structure. Despite having over a year to construct a rulemaking on reporting and disclosure, they have yet to formalize it while the first reporting requirement has already passed. To date, Maine DEP has received over 2,000 requests for reporting extensions and no formal submission process for those that did not receive the extension.

California did pass a similar reporting bill last session that was ultimately vetoed by Governor Newsom. The Governor cited a burdensome and steep fiscal obligation for the start-up costs in the millions along with on-going costs.

Further, the measures would make Minnesota out of alignment for state and federal definitions as well as timelines of specific applications. States like Washington, California and Colorado have enacted legislation in several of these areas like carpets, juvenile products, cookware and cosmetics that this measure does not fully take into consideration.

For these reasons, respectfully oppose SF 450 and SF 834 as written.

Thank you for your consideration and we look forward to working with the Committee and bill sponsors on this language.

Sincerely,

Shawn Swearingen
Director, Alliance for Telomer Chemistry Stewardship