

## S.F. No. 834 – PFAS in Certain Products Prohibition

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### Section1 [Products Containing PFAS]

**Subd. 1 [Definitions]** defines numerous terms used in the bill.

**Subd. 2 [Notice Required]** beginning January 1, 2025, requires a manufacturer of a product for sale in this state that contains intentionally added PFAS to notify the commissioner of the function served by PFAS in the product, the amount of each PFAS in the product, and other relevant information. Requires that the information be periodically updated.

**Subd. 3 [Commissioner’s Authority]** authorizes the commissioner of the Pollution Control Agency (PCA) to waive notice requirements where the information is already publicly available or to extend a submission deadline where appropriate. Allows the commissioner to collaborate with other states on the acceptance of notices in a shared system.

**Subd. 4 [Failure to Provide Notice]** prohibits a person from selling, offering to sell, or distributing for sale a product containing intentionally added PFAS if the person has not provided the notice to the commissioner required by subdivision 2. The prohibition does not apply to retailers unless the retailer has been notified that the sale is prohibited under subdivision 5.

**Subd. 5 [Certificate of Compliance]** if the commissioner has reason to believe that a product has intentionally added PFAS but the manufacturer has not submitted the notice required under subdivision 2, this subdivision allows the commissioner to require the manufacturer to either certify that the product does not contain intentionally added PFAS or notify persons who sell the product that its sale is prohibited.

**Subd. 6 [Prohibitions]** beginning January 1, 2025, prohibits the sale, offering for sale, or distribution for sale of the following products if they contain intentionally added PFAS: carpets, rugs, cleaning products, cookware, cosmetics, fabric treatments, juvenile products, textile furnishings, ski wax, or upholstered furniture. The commissioner is authorized to add additional products to this list.

Beginning January 1, 2030, prohibits the sale, offering for sale, or distribution for sale of any product that contains intentionally added PFAS, unless the commissioner has determined that the use of PFAS in the product is unavoidable.

**Subd. 7 [Fees]** authorizes the commissioner to charge a manufacturer a fee when the manufacturer submits a notice required under subdivision 2 to cover the agency's costs.

**Subd. 8 [Enforcement]** authorizes the PCA to use its general enforcement powers to enforce the bill.

**Subd. 9 [Exemptions]** exempts used products, products whose presence of PFAS in the product is governed by preemptive federal law, and products subject to specific state statutory prohibitions from the bill.

**Subd. 10 [Rules]** allows the commissioner to adopt rules to implement the bill.