



Consumer products

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Maine Revises PFAS Notification and Banning Requirements

In April 2024, Maine issued regulations revising the notification and prohibition requirements for PFAS in 38 MRS §1614. This revision mainly focuses on three aspects: refining the description of the definition, modifying the notification and prohibition requirements for PFAS, and adding some exemptions. The content before and after the revision is as follows

Requirements /Exemptions	The original regulation:	The revised regulation
Notify intentional addition.	<p>By January 1, 2025, manufacturers of all products containing intentionally added PFAS should submit a written notification to the department containing:</p> <ol style="list-style-type: none"> 1. A brief description of the product, 2. The purpose of using PFAS in products (including any product components), 3. The content of each PFAS in the product, 4. Name and address of the production company, as well as the name, address, and phone number of the contact person of the production company, 5. Any additional information specified by the department 	<p>By January 1, 2032, manufacturers of products that the department determines have unavoidable current use of PFAS should submit a written notification to the department containing:</p> <ol style="list-style-type: none"> 1. A brief description of the product, 2. The purpose of using PFAS in products (including any product components), 3. The content of each PFAS in the product, 4. Name and address of the production company, as well as the name, address, and phone number of the contact person of the production company, 5. The use of PFAS in products is an inevitable label at present. 6. Any additional information specified by the department.
Prohibit the sale of products intentionally containing PFAS.	<ol style="list-style-type: none"> 1. January 1, 2023, carpet and fabric treatments, 2. On January 1, 2030, any product unless the department has adopted a rule to determine that the use of PFAS in the product is currently unavoidable. 	<p>The following products are prohibited from sale unless the department determines that PFAS are currently in unavoidable use:</p> <ol style="list-style-type: none"> 1. January 1, 2023, carpet and fabric treatments, 2. On January 1, 2026, cleaning products, cooking utensils, cosmetics, dental floss, children's products, menstrual products, textiles (excluding outdoor clothing used in severe wet conditions and





		<p>textiles for boats, aircraft or motor vehicles), ski wax, upholstered furniture,</p> <p>3. On January 1, 2029, artificial turf and outdoor clothing used in severely humid conditions (unless clearly marked "Made with PFAS chemicals"),</p> <p>4. From January 1, 2032, any product (excluding cooling, heating, ventilation, air conditioning and refrigeration equipment and refrigerants, foam or aerosol propellants),</p> <p>5. January 1, 2040, cooling, heating, ventilation, air conditioning, refrigeration equipment and refrigerants, foams, aerosol propellants.</p>
<p>Exemptions</p>	<p>1. A product for which federal law governs the presence of PFAS in the product in a manner that preempts state authority;</p> <p>2. package,</p> <p>3. A used product or used product component.</p>	<p>1.A product for which federal law governs the presence of PFAS in the product in a manner that preempts state authority; 2. Partial packaging; 3. A used product or used product component; 4. Firefighting foam or related products; 5. Medical devices, drugs, or biologics, veterinary products; 6. Public health, environmental, or water quality testing products; 7. Products required to meet the requirements of the Department of Transportation, Federal Aviation Administration, National Aeronautics and Space Administration, Department of Defense, Department of Homeland Security; 8. Motor vehicles, boats; 9. Semiconductors, non-consumer electronic products, and non-consumer laboratory equipment; 10. Equipment for the development and manufacture of products listed in items 5-9.</p>

Maine has made significant revisions to the reporting and prohibition requirements for products containing PFAS, while also introducing exemptions for certain items. These changes greatly enhance the enforceability of the regulations and remove obstacles to the comprehensive ban on PFAS. Such actions could lay a solid foundation for the nationwide prohibition of PFAS.

