



**SB195 Environment – PFAS Chemicals – Prohibitions and Requirements  
Education, Health, and Environmental Affairs Committee  
January 28, 2021**

**Position:** Unfavorable

**Background:** SB195 would prohibit the sale of certain materials and items, including rugs and food packaging, that contain intentionally added PFAS chemicals.

**Comments:** The Maryland Retailers Association has concerns about the far-reaching language of SB195. The term “PFAS chemicals” includes hundreds if not thousands of different chemical compounds which have a variety of uses and some of which are critical for the functionality of a multitude of products that we all use every day. If the proponents of the bill are seeking to ban specific chemical formulations due to potential risks, the bill language should refer to those specific chemicals rather than capturing every chemical compound found in the PFAS family.

In addition to the broad-sweeping aspect of the use of “PFAS chemicals”, the inconsistency of the language in SB195 also presents issues for the retail business community. SB195 prohibits an entity from “knowingly” selling, distributing, or otherwise offering fire-fighting foam that includes PFAS chemicals, but the bill as drafted omits “knowingly” where it prohibits the sale of other items that contain PFAS chemicals later in the proposal. Retailers are not typically in the practice of knowing or examining every single ingredient or material used in every single product they sell, particularly multi-department retailers that provide thousands of items to the public. As such, we would urge that “knowingly” be added to the language referring to the sale of rugs or food packaging products.

Thank you for your consideration, and we would urge an unfavorable report on SB195 as written.