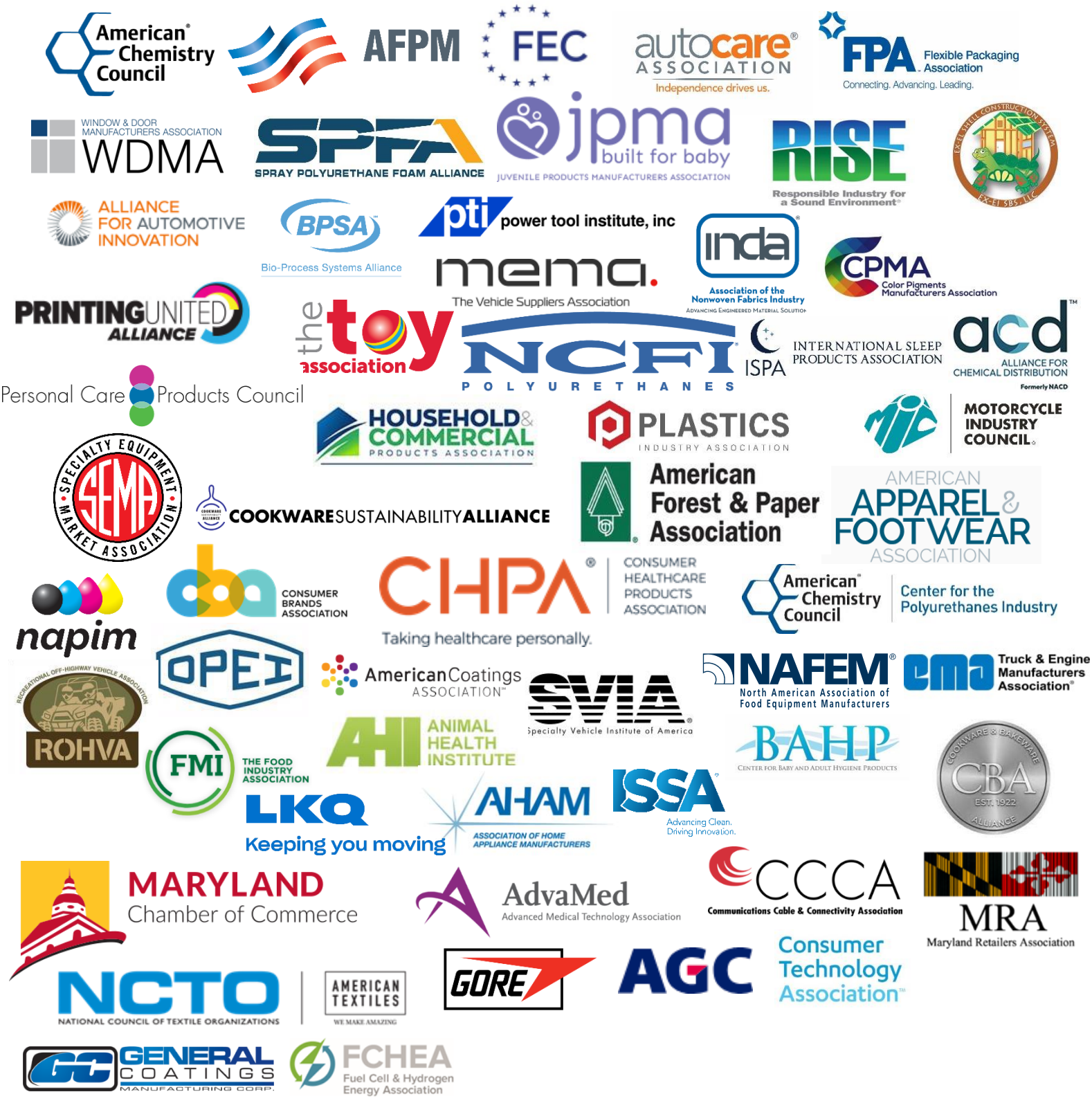
American Chemistry Council
AFPM
FEC
autocare ASSOCIATION
Independence drives us.
FPA Flexible Packaging Association
Connecting. Advancing. Leading.
WINDOW & DOOR MANUFACTURERS ASSOCIATION
WDMA
SPFA
SPRAY POLYURETHANE FOAM ALLIANCE
jpma
built for baby
JUVENILE PRODUCTS MANUFACTURERS ASSOCIATION
RISE
Responsible Industry for a Sound Environment
EXCEL SHELL CONSTRUCTION SYSTEM
EXCEL SBS, LLC
ALLIANCE FOR AUTOMOTIVE INNOVATION
BPSA
Bio-Process Systems Alliance
pti power tool institute, inc
inda
Association of the Nonwoven Fabrics Industry
ADVANCING ENGINEERED MATERIAL SOLUTION
CPMA
Color Pigments Manufacturers Association
mema.
The Vehicle Suppliers Association
PRINTINGUNITED ALLIANCE
the toy association
NCFI
POLYURETHANES
ISPA
INTERNATIONAL SLEEP PRODUCTS ASSOCIATION
acd
ALLIANCE FOR CHEMICAL DISTRIBUTION
Formerly NACD
Personal Care Products Council
HOUSEHOLD & COMMERCIAL PRODUCTS ASSOCIATION
PLASTICS
INDUSTRY ASSOCIATION
MIC
MOTORCYCLE INDUSTRY COUNCIL
SPECIALTY EQUIPMENT MARKET ASSOCIATION
SEMA
COOKWARE SUSTAINABILITY ALLIANCE
American Forest & Paper Association
AMERICAN APPAREL & FOOTWEAR ASSOCIATION
napim
CBA
CONSUMER BRANDS ASSOCIATION
CHPA
CONSUMER HEALTHCARE PRODUCTS ASSOCIATION
Taking healthcare personally.
American Chemistry Council
Center for the Polyurethanes Industry
OPEI
American Coatings ASSOCIATION
SVIA
Specialty Vehicle Institute of America
NAFEM
North American Association of Food Equipment Manufacturers
cma Truck & Engine Manufacturers Association
RECREATIONAL OFF-HIGHWAY VEHICLE ASSOCIATION
ROHVA
FMI
THE FOOD INDUSTRY ASSOCIATION
AHI
ANIMAL HEALTH INSTITUTE
BAHP
CENTER FOR BABY AND ADULT HYGIENE PRODUCTS
COOKWARE & BAKEWARE ALLIANCE
CBA
EST. 1922
LKQ
Keeping you moving
AHAM
ASSOCIATION OF HOME APPLIANCE MANUFACTURERS
ISSA
Advancing Clean. Driving Innovation.
MARYLAND Chamber of Commerce
AdvaMed
Advanced Medical Technology Association
CCCA
Communications Cable & Connectivity Association
MRA
Maryland Retailers Association
NCTO
NATIONAL COUNCIL OF TEXTILE ORGANIZATIONS
AMERICAN TEXTILES
WE MAKE AMAZING
GORE
AGC
Consumer Technology Association
GENERAL COATINGS MANUFACTURING CORP.
FCHEA
Fuel Cell & Hydrogen Energy Association

March 5, 2025

Chairman Delegate Luke Clippinger
Maryland House of Representatives
Judiciary Committee

Chairwoman Joseline Pena-Melnyk
Maryland House of Representatives
Health and Government Operations Committee

RE: HB 1112 – Oppose

Dear Chairman Clippinger and Chairwoman Pena-Melnyk:

The undersigned organizations are writing in opposition to HB 1112 related to the comprehensive perfluoroalkyl and polyfluoroalkyl substance (PFAS) ban. This far-reaching legislation **Bans All Consumer Products that Contain Any PFAS**. The measure further expands the time limit for bringing certain civil actions concerning exposure to PFAS.

- **This legislation is overly broad, lacks scientific basis, will have significant consequences and would ban thousands of products from manufacturing and sale in Maryland.**

- **The bill would be the broadest ban on products containing PFAS in the nation and have far reaching negative consequences on nearly every sector of the economy including aerospace, autos, alternative energy, healthcare, building and construction, electronics, pharmaceuticals, and agriculture.**

For example, one key type of PFAS in use today is fluoropolymers, a type of specialty material. Fluoropolymer uses include:

- **Automotive:** Gaskets, rings, valves, and hoses in the fuel system; wiring and circuit boards; interior and exterior sensors; pull cables; shock absorbers and bushings.

- **Aerospace (military and civilian):** High performance navigation and communication antennae; lubricants for wing flap mechanisms and landing gear; fuel-oxygen separation systems.

- **Clean Energy**: Electric vehicle batteries; hydrogen fuel cells; solar panels; wind turbines; and sheathing for power cables and coatings for electrical wire.

- **Electronics and Electric Appliances:** Computers and other electronic equipment and related components and accessories.

- **Industrial Processes:** Linings for pipes, valves, and tanks to prevent corrosion; gaskets in high temperature, high pressure production processes to contain reactive substances.

- **Medical:** Surgically implanted medical devices (e.g. stents); COVID testing equipment and respirator tubing; cardiac catheters and guide wires; transfer and storage bags for biological fluids; personal protective equipment.

- **Connections:** Seals, o-rings, gaskets, tapes, and connectors which provide multiple functions, such as flexibility, corrosion resistance, heat and cold resistance, fugitive emissions control, and tight seals for working with challenging substances and/or in challenging operating environments.

- **Semiconductors:** Ultra-low contamination semiconductor manufacturing; wafer etching; chemical piping and storage.

Collectively, we support the responsible production, use, and management of fluorinated substances. This includes regulatory requirements that are protective of human health and the environment, taking into consideration the diversity of physical and chemical properties and the corresponding environmental and health profiles of these compounds, the critical and essential uses of products in which these substances are present, and the technical and economic feasibility of alternatives.

PFAS are a diverse group of chemistries that provide strength, durability, stability, and resilience. These properties are critical to the reliable and safe function of a broad range of products that are important for industry and consumers. They impart a wide range of performance characteristics that are vital for the manufacture and performance of thousands of different goods and industrial equipment. As drafted, HB 1112 impacts products ranging from consumer smart phones to satellites.

HB 1112 is built on a foundation that incorrectly characterizes all PFAS as if they are a single substance, regardless of the clear diversity of properties and uses, environmental and health profiles, potential exposure pathways, and any potential risk within the PFAS family of chemistries. PFAS substances can be a solid (e.g., fluoropolymers), liquid (e.g., fluorotelomer alcohols) or a gas (e.g., hydrofluorocarbon refrigerants). The fundamental physical, chemical, and biological properties of solids, liquids, and gases are clearly different from one another. The very distinct physical and chemical properties of the three types demonstrate how varied they are and how imposing a "one-size fits all" approach as proposed would be inappropriate.

Maryland has Already Taken Aggressive Action

- **In 2022, Maryland passed the "George Walter Taylor Act"** (HB 275 and SB 273). The broad sweeping bills ban Class B firefighting foam with PFAS; requires sellers of personal protective equipment to notify purchasers that the equipment contains PFAS chemicals; bans the disposal of firefighting foam with intentionally added PFAS using incineration or the disposal of such foam in a landfill; and bans carpets, rugs, food packaging, disposable plastics gloves with PFAS. Also requires the state to take back the foam if requested by a fire department rather than requiring the state to purchase unused foam.

- **Last year, Maryland passed "Protecting State Waters From PFAS Pollution Act"** (SB 956) that regulates and limits the discharge of PFAS chemicals from industrial sources into state waterways and requires the Maryland Department of Environment to develop a PFAS Action Plan.

- **Last year, Maryland also passed HB 1147, which bans PFAS in playground materials.**

HB 1112 Proposes to Replicate an Unproven Policy

A similar California bill (SB 903) failed to pass in 2024 amid concerns raised by a diverse coalition that represented virtually every aspect of the state's economy including manufacturers, biotech, life sciences, car makers, grocers, clean energy producers, and agriculture.

Where similar laws have been adopted, implementation has proven to be extremely challenging. For example, in the European Union, industries have submitted thousands of comments on the widespread consequences of a ban and the lack of suitable alternatives. As a result, EU authorities have had to delay implementation given the complexity of the issue, the number of industries and applications impacted, and the potential consequences for the EU's long-term sustainability, public health, and economic growth goals.

Since 2021, the Maine Department of Environmental Protection (DEP) has struggled to implement a similar mandate. The Maine DEP has issued more than 2400 extensions to companies for just its PFAS reporting requirement due to a variety of reasons including complicated supply chains for manufacturers to determine if PFAS is included, lack of an operational database for manufacturers to submit product information, limited lab capacity within the US to test products for PFAS and lack of protection for confidential business information.

As a result, Maine Governor Janet Mills (D) signed LD 1537 last year that substantially reformed the initial law. Changes included extending some compliance deadlines, streamlining reporting requirements, including protections for confidential business information and exempting several economically critical product categories.

Minnesota, which more recently enacted a comprehensive ban on PFAS, has already run into complications resulting from this law. Minnesota lawmakers worked last year to sign amendments into law that delay enforcement provisions. Now, Minnesota businesses are struggling with unsellable inventory due to the law's restrictions, and state lawmakers are actively discussing further possible revisions.

Reporting requirements of Minnesota law are also of concern among impacted parties. With less than 11 months before reporting must begin (January 1, 2026), stakeholders have still not received a draft of the proposed rule from the department. It is expected that millions of products and components of products will be required to report into the state and no framework for submission or system has been made available to those entities required to report under the law. A fee structure for reporting is also required under the law but currently is still up in the air as the department has now combined the rulemaking for reporting and fees associated.

Though we are opposed to the current bill, we are committed to working with you and other stakeholders on a PFAS policy that is grounded in strong scientific principles, protects human health and the environment, leverages existing regulatory requirements and resources, encourages innovation and economic development, and provides regulatory certainty to the business community.

Thank you for the opportunity to share these concerns, and we look forward to constructively engaging in this discussion during the legislative session.

Sincerely,

Josh Young
American Chemistry Council

Alliance for Automotive Innovation
Alliance for Chemical Distribution
AGC America, Inc.
American Apparel & Footwear Association
American Chemistry Council
American Coatings Association
American Forest & Paper Association
American Fuel & Petrochemical Manufacturers
Animal Health Institute
Association of the Nonwoven Fabrics Industry
Association of Home Appliance Manufacturers
Auto Care Association
Bio-Process Systems Alliance
Center for Polyurethanes Industry
Center for Baby and Adult Hygiene Products
Color Pigments Manufacturers Association
Communication Cable and Connectivity Association
Consumer Brands Association
Consumer Healthcare Products Association
Consumer Technology Association
Cookware Sustainability Alliance
European Federation of the Cookware, Cutlery and Houseware Industry
Flexible Packaging Association
Fuel Cell & Hydrogen Energy Association
General Coatings Manufacturing Corp.
Household and Commercial Products Association
International Sleep Products Association
Juvenile Product Manufacturers Association
LKQ Corporation
Maryland Chamber of Commerce
Maryland Retailers Alliance
Maryland Association of Chain Drug stores
Motorcycle Industry Council

National Association of Printing Ink Manufacturers
National Council of Textile Organizations
North American Association of Food Equipment Manufacturers
Outdoor Power Equipment Institute
Personal Care and Products Council
Plastics Industry Association
Power Tool Institute
PRINTING United Alliance
Recreational Off-Highway Vehicle Association
Responsible Industry for a Sound Environment
Specialty Equipment Market Association
Specialty Vehicle Institute of America
Spray Foam Roofing & Building Envelop Specialists
Spray Polyurethane Foam Alliance
The Cookware and Bakeware Alliance
The Maryland Food Industry Council
The Toy Association
The Vehicle Suppliers Association
Truck and Engine Manufacturers Association
Window and Door Manufacturers Association
Worldwide Cleaning Industry Association
W.L. Gore