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March 3, 2025

The Honorable Luke H. Clippenger
Chair of the Maryland House of Delegates Judiciary Committee
House Office Building, Room 101
6 Bladen Street
Annapolis, MD 21401

Re: HB 1112

Position: Unfavorable -- Oppose

On behalf of W.L. Gore & Associates, Inc. ("Gore"), I write to oppose HB 1112.

Of particular concern to Gore is Section 6-1604.2 which states in section (B): ***"On or after July 1, 2026, a person may not manufacture, sell, offer for sale or distribute in the State a consumer product that contains PFAS chemicals."***

If enacted, HB 1112 will cause a significant number of Gore's operations in Maryland to become economically unviable as of July 1, 2026.

Gore is the largest private sector employer in Cecil County where we employ approximately 2,900 Associates working in 13 facilities. This work includes research and development, manufacturing, marketing, and selling products of high societal value to a number of diverse industries.

HB 1112 uses a very broad definition of PFAS chemicals: "a class of fluorinated organic chemicals that contain at least one fully fluorinated carbon atom, including perfluoroalkyl and polyfluoroalkyl substances." This definition covers thousands of different chemicals with very different properties including gases used in refrigeration equipment, various drugs regulated by the FDA, and high-performance fluoropolymers used in a wide variety of consumer and industrial products.

Of all the substances covered by the broad PFAS chemicals definition in HB 1112, Gore is most familiar with the fluoropolymer polytetrafluoroethylene ("PTFE"). PTFE is a non-toxic, extremely stable material that is resistant to chemical and physical degradation. Gore's first product, a high performing wire and cable, leveraged the unique attributes of PTFE to meet demanding customer performance requirements and durably perform in harsh environments, such as underwater installations and in



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space. Gore now develops, manufactures and sells thousands of products of high societal value serving a variety of industries, including performance fabrics, implantable medical devices, communications equipment, aerospace, alternative energy production, and automotive equipment.

More broadly, the bill's indiscriminate ban on the manufacture, sale, offer for sale or distribution of any consumer product containing a "PFAS chemical" would severely disrupt the Maryland economy by making it illegal to make and sell a wide variety of important products, such as automobiles, cellphones, computers, refrigerators, solar panels, and televisions. These products, and hundreds of other complex consumer products, contain one or more PFAS. Given the intricacies of supply chains and in some cases federal regulations, it is impossible to reengineer and produce these products without PFAS in less than 16 months even if there were available alternatives for the PFAS in the products.

Although Gore continues to expand its portfolio of advanced materials, PTFE and other fluoropolymers still serve vital roles in our current products, and we believe these materials will be needed long into the future to solve some of society's most complex technical challenges.

Gore recognizes the concerns posed by some PFAS and understands the responsibility of the legislature to address those concerns. With respect, however, HB 1112 is the wrong approach. It does not distinguish among PFAS based on the toxicological profiles of the specific PFAS, the likelihood that they will be mobile in the environment, their uses in consumer products, the likelihood that consumers using a product would be exposed to the PFAS, or the availability of suitable alternatives to the PFAS used to meet specific performance requirements.

Moreover, HB 1112 fails to define consumer product, creating an unacceptable level of uncertainty regarding the scope of products that are covered by the prohibition. For all these reasons, Gore respectfully requests an unfavorable report on HB 1112.

Sincerely,

A handwritten signature in blue ink that reads "Michael Ratchford". The signature is fluid and cursive, with a long, sweeping underline.

Michael Ratchford
Government Relations Associate