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February 20, 2026

The Honorable Brian J. Feldman
Chair of the Maryland Senate Education, Energy, and the Environment Committee
Annapolis, MD 21401

Re: SB 686
Position: Unfavorable – Oppose

Senator Feldman,

On behalf of W. L. Gore & Associates, Inc. ("Gore"), I write in opposition to SB 686. This bill would ban numerous products containing intentionally added per- and polyfluoroalkyl substances (PFAS), sets reporting requirements with attendant fees for all products containing intentionally added PFAS sold in the State, and establishes the Maryland PFAS Chemicals Protection and Remediation Fund.

About W. L. Gore & Associates

Gore is a privately held material science company and a Maryland manufacturer since 1971. We are the largest employer in Cecil County, Maryland where we employ approximately 3,100 Associates. Gore's activities in Cecil County include research and development, design, manufacturing, sales, and support for a variety of high-performance products including GORE-TEX® Fabrics, implantable medical devices, products used in pharmaceutical manufacturing, fuel cell membranes, and filtration products. A recent economic impact study found that Gore annually generates \$1.3 billion in economic activity in Cecil County and the State of Maryland.

Gore's specific concerns about sections of the bill are as follows.

Definitions: Prohibition on Selling, Offering for Sale, or Distributing Products Containing Intentionally Added PFAS

The bill's definition treats all PFAS chemistries as a single substance, rather than distinguishing and prioritizing those compounds that pose the most significant risk. This broad approach lacks a scientific, risk-based framework and may divert attention away from the PFAS types most important for the State to regulate.

For example, New Mexico recently enacted a law that exempts fluoropolymers from its ban and reporting requirements. We encourage the State to exempt fluoropolymers. Fluoropolymers like PTFE are low hazard polymers based on the weight of scientific evidence. They are stable, non-toxic, not bioavailable, and do not chemically degrade into other PFAS in the environment.



Additionally, the bill defines certain categories of restricted products too broadly — of note, “textiles.” Under the current language, textiles are defined as “an item made in whole or in part from a natural or synthetic fiber, yarn, or fabric, including leather, cotton, silk, jute, hemp, wool, viscose, nylon or polyester. Textile includes: outerwear; and bedding.”

This definition would, presumably unintentionally, encompass a wide range of products not typically understood as textiles. Examples include:

- Filtration and separation media used in emissions control and industrial processes.
- Medical textiles and components of medical devices
- Wire and cable applications
- Architectural and construction materials
- Components in lab equipment and supplies
- Vehicle and aircraft parts
- Machinery components such as belts, wear surfaces, and release liners

This overly expansive definition would not only limit Marylanders’ access to numerous essential products used every day but also impede companies within Maryland from sourcing the materials and components necessary to manufacture goods both for in-state and out-of-state markets.

In 2022, following negotiations between lawmakers, industry and environmental groups, California enacted a ban on “textile articles” made with intentionally added PFAS. California’s law also carefully defined “apparel.” Several other states, such as Connecticut, Colorado, New York and Vermont later enacted laws that very closely track with California’s. If Maryland is interested in banning textile articles made with intentionally added PFAS, to prevent major disruptions to commerce in the State, complex supply chains, and numerous industries not commonly thought of as “textiles,” we urge the State to align with the California textile articles PFAS law.

Registration Requirements for Products Containing Intentionally Added PFAS

SB 686 requires all products containing intentionally added PFAS that are sold, offered for sale, distributed, or distributed for sale in Maryland to be registered and subject to a fee. This requirement would impose significant and unnecessary regulatory burdens across many of Maryland’s major economic sectors, including:

- Life sciences
- Information technology
- Aerospace and defense
- Renewable energy
- Agriculture
- And others



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Two states have already tried to enact broad reporting regimes. Maine was overwhelmed and later amended its law to significantly narrow the scope of products required to report and Minnesota extended the deadline for its reporting requirements. If Maryland wishes to enact reporting requirements, we urge the State to limit the products to those banned under refined, well-drafted definitions.

We urge the State to wait and see if Minnesota successfully implements its reporting requirements and if it does then allow manufacturers of products sold in both states to simply submit the same information. This would allow Maryland to better understand challenges other states have with similar efforts while also reducing the significant compliance burden for manufacturers.

Furthermore, the bill authorizes civil penalties of up to \$25,000 per day per violation, which are disproportionate and exceed typical penalties imposed for environmental reporting programs.

Testing and Certificate of Compliance Requirements

The bill requires both testing and a certificate of compliance. Frequently, state laws, like the California textile articles law, just require a certificate of compliance. Additionally, the current Maryland bill has no clear threshold for "intentionally added PFAS", nor does it establish a test method.

Different test methods may lead to different results. Furthermore, if a company receives a written notice to determine compliance from the Department, meeting the requirements within 30 days is quite challenging, even if a product is not using intentionally added PFAS. This is especially challenging for a company that manufactures components and might receive many customer requests regarding the potential requirements.

Without standardization, testing requirements risk becoming impractical and could create compliance uncertainty for both regulators and industry. Gore encourages Maryland to simply require a certificate of compliance. Maryland adopting the California "textile articles" definition would also significantly help address the effects of this problem.

Thank you for considering our views. We look forward to constructively engaging through the legislative session.

Sincerely,

A handwritten signature in blue ink that reads "Michael Ratchford".

Michael Ratchford
Government Relations Team Leader