

February 20, 2026

The Honorable Brian Feldman
Chair, Senate Education, Energy,
and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

The Honorable Cheryl Kagan
Vice-Chair, Senate Education, Energy
and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Chair Feldman, Vice-Chair Kagan and members of the Senate Education, Energy, and the Environment Committee, thank you for the opportunity to share our perspective regarding SB 686 and its proposed restrictions on intentionally added PFAS in cookware, cleaning products, and personal care products beginning January 1, 2028. AHAM strongly supports the goal of protecting consumers from unreasonable risks, including risks associated with chemical exposure. However, as currently written, SB 686 creates significant unintended consequences due to its broad product scope, ambiguous definitions, and expansive registration requirements that could unintentionally disrupt the availability and affordability of essential household products. For these reasons, we respectfully are unfavorable to SB 686 in its current form. At a time when Marylanders are closely watching their household budgets, we believe it is critical to ensure this legislation is precisely targeted.

Cookware

The term PFAS encompasses in some instances as many as 14,000+ substances. However, the physical and chemical properties of the individual chemicals within this large group of compounds vary widely and are regrettably included in the current bill. The use of fluoropolymers is ubiquitous in most major manufacturing sectors (e.g., medical & aerospace) due to their inert and thermally stable properties.

Under the proposed bill, cookware “means a durable houseware item used to prepare, dispense, or store food, foodstuffs, or beverages. Cookware includes a pot, pan, skillets, skillet grill, baking sheet, baking mold, tray, bowl, or cooking utensils.” The “includes” language raises concerns about what products would be incorporated into this ban and could potentially include any product in the kitchen including coffee makers and several major appliances, such as your microwave, stove, and refrigerator because they “prepare, dispense, or store food.” There are risks of inconsistent interpreting and enforcement of which products would be included in the 2028 cookware product prohibitions with limited time for clarity in preparation for the compliance date. It is important to note that for many of these products, the prohibition date is “date of sale” starting January 1, 2028, which means products must be on shelves by mid-2027 to comply. We would encourage modification of language to “date of manufacture” as products can remain in inventory until December 31, 2027, and manufacturers can control all products being distributed from January 1 and on. Several states have enacted prohibitions of PFAS in cookware, but make clear that it is for food contact surfaces:

Vermont- “Cookware” means durable houseware items used to prepare, dispense, or store food, foodstuffs, or beverages and **that are intended for direct food contact**, including pots, pans, skillets, grills, baking sheets, baking molds, trays, bowls, and cooking utensils.¹

New Mexico- "cookware" means durable houseware items **intended for direct food contact** and used to prepare, dispense or store food, foodstuffs or beverages.²

Appliances are complex products with wirings, circuit boards, and numerous internal components. Other products included in the 2028 prohibition are not complex but homogenous products, such as cosmetics and shampoo. We therefore ask that similar language limiting the PFAS prohibition to surfaces with “direct food contact” be brought into this proposal before moving forward and replacing “includes” with “and means” to ensure the product list is clear.

Fluoropolymer Exclusion

The Food and Drug Administration (FDA) has authorized fluoropolymers for use in food contact applications. In January 2025, the FDA confirmed that fluoropolymers intended for use in the manufacture of coated cookware and food contact seals are approved and do not pose a safety risk, as they are made of polymerized molecules.³ The Environmental Working Group acknowledges this and has publicly stated that non-stick cookware is not a major source of exposure: “But even though it’s [PTFE] always been the poster child for PFAS exposure, [PTFE] is not anticipated to be a major source of exposure.”⁴ Home appliance manufacturers follow FDA recommendation with respect to safe food contact surfaces and that safe, FDA-approved products remain available to Maryland consumers.

Eliminating PTFE from cookware and appliance components could also impose significant economic and environmental costs. PTFE’s unique combination of durability, thermal resistance, and chemical inertness enables the production of long-lasting, high-performance products. Replacing PTFE with less effective alternatives could lead to shorter product lifespans, increased material waste, and more frequent replacements; ultimately raising the environmental footprint of consumer goods. Additionally, the manufacturing sector would face substantial retooling costs and potential supply chain disruptions, particularly in industries where no viable substitutes exist. These unintended consequences could undermine sustainability goals and increase costs for both manufacturers and consumers, while offering negligible improvements given PTFE’s proven

¹ <https://legislature.vermont.gov/bill/status/2024/S.25>

² <https://www.nmlegis.gov/Legislation/Legislation?chamber=H&legtype=B&legno=212&year=25>

³ <https://www.fda.gov/food/process-contaminants-food/questions-and-answers-pfas-food>

⁴ https://www.ewg.org/news-insights/news/2024/02/forever-chemicals-top-3-ways-lower-your-exposure?utm_source=newsletter&utm_campaign=202501JanNews10&utm_medium=email&utm_content=default&emci=1e12d4d5-35db-ef11-88f8-0022482a9579&emdi=2412d4d5-35db-ef11-88f8-0022482a9579&ceid=1286056

stability and FDA-approved use in food contact applications. After reviewing the science and the evidence, other states have removed or delayed safe, affordable non-stick cookware. Last year, the California Governor vetoed a bill because it would ban non-stick cookware.⁵ The Illinois legislature removed cookware from the bill before it was enacted. New Mexico's new law excluded fluoropolymers. Last year, Vermont delayed its cookware ban for two and a half years.

Cleaning Products

Like cookware, cleaning products are set to be prohibited in 2028. Cleaning product “means a finished product used for general cleaning or polishing purposes. “Cleaning product” includes an air care product labeled for the intended use of enhancing the conditions of the indoor environment by eliminating unpleasant odors or freshening the air.” We are concerned that this definition is too broad and could unintentionally include complex, durable goods, including appliances like room air cleaners, dehumidifiers, and kitchen hoods which may be marked to remove odors. We would encourage clarity that ensures that this bill remains focused only on “chemically formulated” cleaning products and wipes, aligned with existing definitions and laws in Colorado and Maine⁶. This would ensure that electronic products are not in scope.

Personal Care Products

Finally, personal care products are set to be banned in 2028. Personal care product “means a substance, component of a substance, or product that is intended for cleaning, cleansing, or conditioning any part of the body, such as the skin, teeth, or hair...Personal care product” includes, whether intended for use on humans or pets: a toothbrush, toothpaste, dental floss, or mouth wash.” There is a concern that products that are intended to condition the hair could include hair straighteners and other styling appliances. Specific to toothbrushes which are called out, this would include electronic toothbrushes which include internal components not accessible to the consumer during normal use of the product. Toothbrushes have not been a target in other state PFAS prohibitions. It is noted for “intimacy products,” there is language in the bill that does not include any internal electronic component of a product. That same distinction should be made for toothbrushes so the focus is on human contact which would exclude internal electronic components.

Registration

SB 686 goes further by requiring that all products containing intentionally added PFAS sold, offered for sale, distributed, or distributed for sale in the state register the product and pay a fee to do so. The bill's reporting provisions would place an onerous and unnecessary regulatory burden on the appliance industry which has a strong \$1.2 billion in economic impact into Maryland. It would also impose civil penalties of up to \$25,000 per day per violation, which are disproportionate and exceed what is typical for many environmental reporting programs. This

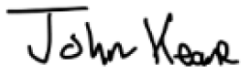
⁵ <https://www.gov.ca.gov/wp-content/uploads/2025/10/SB-682-Veto.pdf>

⁶ <https://www.maine.gov/dep/spills/topics/pfas/PFAS-products/>

could harm the affordability and availability of appliances for Marylanders. This goes beyond any existing state PFAS reporting law, without additional benefits.

Ultimately, this bill as currently written raises serious unintended consequences, including the potential prohibition of the selling of kitchen appliances and styling appliances into Maryland. Absent narrowing language, Maryland risks creating regulatory inconsistencies and unintended market withdrawals. AHAM appreciates the opportunity to comment and would consider the potential implications before moving forward. We would be happy to discuss these details further.

Respectfully submitted,

A handwritten signature in black ink that reads "John Keane". The signature is written in a cursive, slightly slanted style.

John Keane
Manager of Government Relations