



March 15, 2023

RE: VT S 25 – PFAS Ban in Cosmetic, Menstrual Products, Textiles and Athletic Turfs

Dear Chair Lyons, Vice Chair Hardy and members of the Senate Health and Welfare Committee,

We are writing to respectfully oppose **VT S.25**, related to the ban of PFAS and other chemistries in Cosmetics, Menstrual Products, Textiles and Athletic Turfs, as introduced. Although this bill does not impact all of our industries and products, we are writing to express common concerns, principals, and recommendations that we would have for any bill regulating chemicals in products.

Certain sections of this legislation are overly broad, lack sufficient scientific basis, and could have unintended consequences that could eventually ban important products from sale and transport in Vermont. The bill as currently written would prohibit the use of PFAS, Ortho-phthalates, Bisphenol, Formaldehyde, Arsenic and Arsenic compounds, Methylene glycol, Mercury and Mercury compounds, Styrene, 1, 4-dioxane, Cadmium and Cadmium compounds, octamethylcyclotetrasiloxane, Toluene, Isopropylparaben, Phenylparaben Propylparaben, Butylparaben, Pentylparaben, Lead and lead compounds in cosmetics and feminine hygiene products, going beyond what impacted industries are already working to achieve.

With regard to the provisions related to PFAS throughout the bill, it should be recognized that today's PFAS have been essential in enabling important technology and other products. PFAS are a diverse universe of chemistries that enable a huge range of products and sectors, providing products with strength, durability, stability, and resilience. **These properties have been critical to the reliability and safe function of a broad range of products that are important for industry and consumers.** They play a vital role in everything from designing automobiles with low emissions and improved safety, reliability, and fuel efficiency; manufacturing semiconductors, and high-performance electronics; alternative energy (solar, wind), healthcare, building and construction, electronics, chemicals and pharmaceuticals, oil and gas, and outdoor apparel and equipment, among other industries.

As industries move to find alternatives to PFAS, it is important to recognize that finding alternatives that are both safe and effective, developing ways to incorporate those alternatives into products and manufacturing processes, and transitioning markets are steps that take time and intensive efforts. Not all products and industries are the same and able to move at the same pace or have the same options. Federal and state laws and regulations should recognize these facts and accommodate timelines and goals that are both achievable and consistent with safety, quality, and effectiveness that consumers need.

It is also important that state-specific product bans for items produced and sold nationwide do not create an unworkable regulatory framework for manufacturers and retailers with inconsistent or contradictory requirements.

We strongly recommend that the Committee take into consideration the concerns and recommendations of those industries directly impacted by this bill, and adopt changes to S.25 to provide for reasonable, achievable, and consistent timelines, scope, and other key elements. We encourage the Committee to take this approach not only with this bill but also with any future legislation impacting other industries and products.

We thank you for your consideration.

Sincerely,

American Chemistry Council

American Coatings Association

American Fuel and Petrochemical Manufacturers (AFPM)

AGC Chemicals Americas, INC

Association of Equipment Manufacturers (AEM)

Association of Home Appliance Manufacturers (AHAM)

Carlisle Spray Foam Insulation

The Chemours Company

Creative Polymer Solutions

Crop Life America

Communications Cable & Connectivity Association (CCCA)

Daikin America, Inc.

Flexible Packaging Association
Fluid Sealing Association (FSA)
General Coatings Manufacturing Corp
Gujrat Fluorochemicals
Honeywell
Household & Commercial Products Association (HCPA)
Hydraulic Institute
ICP Group
IDI Distributors
ITI
Juvenile Products Manufacturers Association (JMPA)
Motorcycle Industry Council (MIC)
National Association of Chemical Distributors (NACD)
National Council of Textile Organizations (NCTO)
National Electrical Manufacturers Association (NEMA)
National Marine Manufacturers Association (NMMA)
Natural Polymers, LLC
NCFI Polyurethanes
Outdoor Power Equipment Institute (OPEI)
Pine Chemicals Association International (PCA)
Plastics Industry Association
Printing United Alliance
Recreational Off-Highway Vehicle Association (ROHVA)
Responsible Industry for a Sound Environment (RISE)
Rhino Linings
Specialty Vehicle Institute of America (SVIA)
Solvay
SWD Urethane
3M

