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H.771

Introduced by Representatives Squirrell of Underhill, Brumsted of Shelburne,
Dolan of Waitsfield, Donovan of Burlington, Hill of Wolcott,
Lefebvre of Newark, McCullough of Williston, Ode of
Burlington, Pajala of Londonderry, and Townsend of South
Burlington

Referred to Committee on

Date:

Subject: Health; public health; perfluoroalkyl and polyfluoroalkyl substances;
rugs and carpets; chemicals of high concern to children

Statement of purpose of bill as introduced: This bill proposes to: (1) impose
restrictions on the manufacture, sale, and distribution of residential rugs and
carpets to which perfluoroalkyl and polyfluoroalkyl substances have been
added; and (2) include perfluoroalkyl and polyfluoroalkyl substances on the
list of chemicals of high concern to children.

An act relating to restrictions on perfluoroalkyl and polyfluoroalkyl
substances in certain consumer products

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 * * * PFAS in Rugs and Carpets * * *

3 Sec. 1. 18 V.S.A. chapter 33 is added to read:

4 CHAPTER 33. RUGS AND CARPETS

5 § 1661. DEFINITIONS

6 As used in this chapter:

7 (1) “Department” means the Department of Health.

8 (2) “Intentionally added” means the addition of a chemical in a product
9 that serves an intended function in the product component.

10 (3) “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS” means a
11 class of fluorinated organic chemicals containing at least one fully fluorinated
12 carbon atom.

13 (4) “Rug or carpet” means a thick fabric used to cover floors.

14 § 1662. RUGS AND CAPRETS

15 A person shall not manufacture, sell, offer for sale, distribute for sale, or
16 distribute for use in this State a residential rug or carpet to which PFAS have
17 been intentionally added in any amount.

18 § 1663. CERTIFICATE OF COMPLIANCE

19 A manufacturer subject to the prohibitions under this chapter shall develop
20 a certificate of compliance under this section. A certificate of compliance
21 attests that a manufacturer’s product or products meet the requirements of this

1 chapter. If the Department requests such a certificate, the manufacturer shall
2 provide the certificate within 30 calendar days after the request is made.

3 § 1664. RULEMAKING

4 Pursuant to 3 V.S.A. chapter 25, the Commissioner shall adopt any rules
5 necessary for the implementation, administration, and enforcement of this
6 chapter.

7 * * * Chemicals of High Concern to Children * * *

8 Sec. 2. 18 V.S.A. § 1773 is amended to read:

9 § 1773. CHEMICALS OF HIGH CONCERN TO CHILDREN

10 (a) List of chemicals of high concern to children. The following chemicals
11 or a member of a class of chemicals are designated as chemicals of high
12 concern to children for the purposes of the requirements of this chapter:

13 * * *

14 (67) Perfluoroalkyl and polyfluoroalkyl substances, the class for
15 fluorinated organic chemicals containing at least one fully fluorinated carbon
16 atom.

17 (68) Any other chemical designated by the Commissioner as a chemical
18 of high concern to children by rule under section 1776 of this title.

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* * * Effective Dates * * *

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Sec. 3. EFFECTIVE DATES

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This act shall take effect on July 1, 2020, except that Sec. 1 (rugs and

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carpets) shall take effect on July 1, 2022.