

## Recommended Amendments to S.295 Draft 1.1

### Senate Committee on Health and Welfare

#### William Driscoll, Vice President

March 12, 2020

Following up on my testimony this morning on S.295, below are brief recaps and related suggested edits to S.295 Draft 1.1 reflecting three of the recommendations I made. As noted, AIV will continue to consider additional recommendations should the bill proceed, including additional allowable uses of firefighting foam and the definition of covered packaging.

**Recommendation:** Refocus the provisions on firefighting foam on allowed and disallowed uses and eliminate restrictions on manufacturing and sale, given that the bill does allow certain uses and to simultaneously ban manufacturing and sale could be both contradictory and confusing.

*Page 2 line 15: Delete §1663, include the three approved uses addressed in that section in §1662.*

*Page 4 line 7: Delete §1665.*

**Recommendation:** Include bisphenols and phthalates in the revised Department of Health review process already proposed for PFAS in food contact packaging, and allow use of PFAS, bisphenols, and phthalates that are actually authorized by the FDA for food packaging uses.

*Page 6 line 18: Throughout §1672(a), include bisphenols and phthalates wherever PFAS is addressed.*

*Page 7 line 18: In §1672(b), strike the existing language and replace with "Any prohibition in accordance with §1672(a) shall not apply to any uses of PFAS, bisphenols, or phthalates authorized by the US Food and Drug Administration."*

**Recommendation:** Delete the legislative addition of PFAS as a class to the list of Chemicals of High Concern to Children and allow the Department of Health to recommend any PFAS chemicals to the list under its existing authority and procedures as warranted.

*Page 9 line 17: Delete Section 4.*