

S.295: FAQs

1. Is it dangerous to remove PFAS from products like rugs and firefighting foam?

It's a common misconception that PFAS are added to textiles to make them flame retardant or otherwise safer. PFAS are actually added to make these products stain and water resistant. Further, current top-quality fluorine-free firefighting foams can meet all standard performance certifications, and the restrictions on PFAS are supported by the Professional Fire Fighters of Vermont.

2. Vermont is such a small market; will producers have alternatives for our store shelves?

We feel confident that Vermonters won't see limited options of consumer products on our shelves, because (1) other states—Washington, California, and Maine—have adopted similar policies, which have built the market for alternatives, (2) there are cost-effective alternatives readily available, and (3) major retailers are already moving in this direction.

3. Is there precedent for banning toxic chemicals in products?

Yes! Vermont has passed similar laws in the past to restrict the use of toxic flame retardant chemicals, lead, mercury, phthalates, and BPA from consumer products.

4. Are there cost competitive, effective alternatives?

YES. For every product covered under this bill, PFAS-free alternatives are already in use.

- PFAS-free firefighting foam is already in use by fire departments. The Captain of the Seattle Fire Department said of PFAS-free foam, "it is a very effective product for firefighting and it's less costly". The Chief of the Royal Danish Air Force said, "there are...no differences compared to the old [foam] containing PFAS."
- In a study of more than 400 samples from 27 fast food chains throughout the country, 60% were found to be PFAS-free. The Center for Environmental Health released the report *Avoiding Hidden Hazards: A Purchaser's Guide to Safer Foodware*, which contains much of the most recent information on PFAS-free food packaging.
- Both Home Depot and Lowe's are already selling exclusively PFAS-free rugs and carpets. Because PFAS are only added to rugs and carpets to make them stain and water resistant, the textiles can be made easily without PFAS. Additionally, there is research being done, such as that by the Danish Government, on alternatives for PFAS in carpets and carpet treatments.

Though alternatives are almost always cost-competitive with their PFAS-containing counterparts, it is important to remember that PFAS-containing products are actually far more expensive than safer alternatives when you factor in the cost of cleaning up environmental and water contamination, and the cost to human health.

5. Why are we banning PFAS from just these products, and not all the other products that we encounter regularly?

We can and should push to ban PFAS from more products. The products chosen in this bill, however, are some of the biggest sources of exposure. Firefighting foam accounts for 1/3 of global PFAS contamination; food packaging is likely to be the largest source of PFAS exposure for a typical adult; the U.S. CDC named carpet as the number one PFAS exposure pathway to PFAS for infants and toddlers.

6. Will banning PFAS as a class restrict access to safer alternatives?

Industry argues that by banning a class of chemicals, we lose the ability to replace toxic chemicals with similar, but safer, alternatives. However, the evidence shows that this results in replacements that are similarly dangerous, but for which less data exists—making those chemicals harder to regulate. This bill takes a precautionary approach, rather than resulting in regrettable substitutions with closely-related chemicals. Such was the case with the substitution of BPA—banned by this body in 2010 from certain products—with other related chemicals that we've since studied and learned are comparably harmful, like BPS and BPF.

7. Why ban these products in Vermont when other states will still be using them?

While PFAS is a global problem, found in the blood of almost every person in the U.S., it is also a local problem that can be addressed with local solutions. The discovery of PFOA, a type of PFAS chemical, in private wells in Bennington County and elsewhere in Vermont served as a wake-up call in the state. In 2017, the state tested 570 private drinking water wells in Bennington; 276 had elevated levels of PFOA. A community health questionnaire distributed throughout affected communities around Bennington and two New York towns found that 272 of 443 respondents had experienced testicular cancer, kidney cancer, and/or thyroid disease. This legislation aims to keep Vermonters safe from PFAS contamination—and we can take an important step in turning off the tap of bringing more PFAS chemicals into the state by restricting the use of PFAS in certain consumer products.