



Written Testimony on S.20

House Committee on Human Services

Chris Carrigan, Vice President

April 7, 2021

Chair Pugh and members of the Committee,

Regarding S.20, a bill regarding restrictions on the use, manufacture, sale, and distribution of PFAS substances and other chemicals in consumer products, as well as expansion of the list of chemicals of high concern, the Vermont Chamber is concerned with the legislation's potential impact on Vermont's manufacturers.

While the Vermont Chamber's Aerospace and Aviation Division supports the federal exemption regarding the use of firefighting foams containing PFAS compounds for aircraft rescue, the Vermont Chamber of Commerce has several concerns with the bill as currently written. These include:

- The **definition** of food packaging is too broad. (3) "Food packaging" means a package that is designed for direct food contact, **including a food or beverage product that is contained in a food package or to which a food package is applied**, a packaging component of a food package, and plastic disposable gloves used in commercial or institutional food service.
 - **Recommendation:** Strike "**including a food or beverage product that is contained in a food package or to which a food package is applied**," as the definition of food packaging should pertain to the packaging itself.
 - The Vermont Chamber expects that other stakeholders will offer additional recommendations to further refine the definition of food packaging;
- A state ban on an entire class of chemicals when specific members of that class have been approved for use by the U.S. Food and Drug Administration.
 - **Recommendation:** FDA approved chemicals in food packaging should not be included in such a state ban;
- Having a ban on such a wide array of products, agents and equipment will expose our manufacturers to further supply chain disruption, uncertainty, and additional

regulations and costs during a pandemic, and, subsequently, will place them at a competitive disadvantage; and

- Any addition of a PFAS chemical or a member of a class of chemicals to the list of Chemicals of High Concern should be done based on the weight of credible, scientific evidence and reviewed by the Department of Health.

The Vermont Chamber supports a scientific approach, including definitions to aid chemical hazard understanding and how a chemical is used and tested. Having such an approach will provide uniformity, clarity and certainty for our manufacturers that operate in compliance with existing state and federal laws and with international standards of quality assurance. The Vermont Chamber also supports a federal solution and harmonization of regulatory standards and the recent reforms of the Toxic Substances Control Act (TSCA) at the federal level and the evaluation of chemicals based on the health risks they pose.

In closing, the Vermont Chamber of Commerce asks that S.20 be amended and to acknowledge that the vast majority of manufacturers operate responsibly, with great care given to environmental considerations and in compliance with existing state and federal laws, while providing Vermonters with high paying employment and a high standard of living.