

ACCD S.20 Statement

Submitted by:

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The Agency of Commerce and Community Development supports actions that reduce the exposure of Vermonters to harmful chemicals. Thank you for considering the measure to eliminate substances such as PFAS from the waste stream.

We do, however, share many of the concerns raised by the Vermont business community. Because Vermont is a small market for most goods, we must work with other states or establish a trigger mechanism so that our standard is not an outlier that results in more consumer choice restrictions. We want to avoid creating hurdles for compliance amongst smaller producers or retailers than they would face in our neighboring states. A multi-state approach or awaiting adoption from a larger state, say California, to adopt these mandates would lead to actual toxics reduction in the marketplace. A mechanism similar to the one used for online sales tax collection has worked in the past and may be practical and more impactful in this situation. We've included the specific language used in Act 45 below. Since Maine is currently going it alone on Phthalates, and their legislation does not take effect until next year, it is unclear what the impact will be. Vermont should consider establishing a mechanism that does not restrict consumer choice or make it difficult for retailers and small food producers to comply and works together with the broader region.

Act 45 (2011): (13) Sec. 36a (Internet affiliate sales tax) shall take effect on the date on which, through legislation, rule, agreement, or other binding means, 15 or more other states have adopted requirements that are the same, substantially similar, or significantly comparable to the requirements contained in Sec. 36a. The attorney general shall determine when this date has occurred.