

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Agriculture, Food Resiliency, and Forestry to which was  
3 referred Senate Bill No. 323 entitled “An act relating to miscellaneous  
4 agricultural subjects” respectfully reports that it has considered the same and  
5 recommends that the House propose to the Senate that the bill be amended by  
6 adding a reader assistance heading and one new section to be Sec. XX to read  
7 as follows:

8 \* \* \* Fluorine Treated Containers for Pesticides \* \* \*

9 Sec. XX. 9 V.S.A. § 2494g is amended to read:

10 § 2494g. FLUORINE TREATED CONTAINERS

11 (a) A manufacturer shall not sell, offer for sale, distribute for sale, or  
12 distribute for use in the State a product listed under subdivisions 2494f(a)(1)–  
13 (9) of this title that does not contain intentionally added PFAS but that is sold,  
14 offered for sale, distributed for sale, or distributed for use in the State in a  
15 fluorine treated container.

16 (b) The prohibition under subsection (a) of this section shall not apply to  
17 the sale, offer for sale, distribution for sale, or distribution for use of a product  
18 that has been previously used by a consumer for the intended purpose of the  
19 product.

20 (c) Beginning on January 1, 2032, a manufacturer shall not manufacture,  
21 sell, offer for sale, distribute for sale, or distribute for use in the State a fluorine

1 treated container or any consumer product or pesticide in a fluorine treated  
2 container. For purposes of this section, “pesticide” has the same meaning as  
3 “economic poison” in 6 V.S.A. § 911(5).

4 (d)(1) The Attorney General may, by rule, allow the sale, offer for sale,  
5 distribution for sale, or distribution for use in the State of a pesticide in a  
6 fluorine treated container prohibited under subsection (c) of this section upon a  
7 determination that the use of PFAS in the container is a currently unavoidable  
8 use.

9 (2) As used in this subsection, “currently unavoidable use” means that  
10 the use of PFAS is essential for health, safety, or the functioning of society and  
11 for which an alternative is not reasonably available.

12

13

14

15 (Committee vote: \_\_\_\_\_)

16

\_\_\_\_\_

17

Representative \_\_\_\_\_

18

FOR THE COMMITTEE