



May 1, 2025

Senator Virginia Lyons
Senate Committee on Health and Welfare
Room 17, Vermont State House
115 State Street
Montpelier, VT 05633-5301
(802) 828-2228

Re: H. 238, PFAS in Consumer Products

Dear Chair Lyons, Vice Chair Weeks and Members of the Committee:

The American Coatings Association (ACA)¹ appreciates the opportunity to briefly comment regarding H. 238, *PFAS in Consumer Products*, and the definition of *fluorine treated container* therein. The Association's membership represents 90% of the paint and coatings industry. Our membership includes companies that manufacture paint, coatings, sealants and adhesives.

Although ACA members do not typically distribute products in containers incorporating fluorine or "PFAS," we would like the committee to note that the definition of fluorine treated container is circular and vague, as noted below:

Fluorine treated container means a fluorinated treated plastic container.
(H. 238, Section 1(8), April 25, 2025 draft)

In contrast, the definition being proposed in Maine provides a more detailed description:

"Fluorinated container" means any container which has been treated with fluorine atoms to create a permanent barrier or coating.
(Maine Department of Environmental Protection, *Ch. 90 Products Containing PFAS*, draft rules)

¹ ACA is a voluntary, non-profit trade association working to advance the needs of the paint and coatings industry and the professionals who work in it. The organization represents paint and coatings manufacturers, raw materials suppliers, distributors, and technical professionals. ACA serves as an advocate and ally for members on legislative, regulatory and judicial issues. ACA's membership represents over 90 percent of the total domestic production of paints and coatings in the country.

The proposed definition in Maine better aligns with the intent of Vermont's H. 238 by identifying intentionally added PFAS that serves a functional purpose in the fluorine treated container.

ACA appreciates the opportunity to comment on this matter. Please feel free to contact me if you have any questions or if I can provide additional information.

Sincerely,

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