



MAINE PFAS BULLETIN

**UPDATED: STATE OF MAINE DELAYS REQUIRED NOTIFICATION OF
PFAS IN ALL PRODUCTS TO JANUARY 1, 2025; PROHIBITION BY 2030**

Executive Summary

- **Per- and Polyfluoroalkyl Substances (PFAS)** are commonly found in the form of water and stain repellents on textiles, cosmetic and personal care additives, and grease repellents on food service paper goods.
- Brands with planned product sales in Maine (either direct or via a retailer) must inventory PFAS across product lines ahead of this deadline.
- The postponement aligns Maine's requirement deadline with those of other U.S. states including California, New York and others allowing more time to collect necessary information and begin phasing PFAS out of products.

Notable Changes & Recommendations ([See official amendment here](#))

Notification Changes:

- ✓ Number of units sold annually in the State or nationally must be reported.
- ✓ Measuring PFAS has been adjusted to allow total organic fluorine ("TOF") tests.
- ✓ Measurements can be provided by a supplier.

Exemptions:

- ✓ Manufacturers that employ 25 or fewer people.
- ✓ A package (clarified definition) for a product, except when the package is the product of the manufacturer.
- ✓ Used products or used product components.

Our Recommendations:

- ✓ Inventory all materials and ingredients in production and development that may contain PFAS.
- ✓ Contact suppliers to determine which materials may contain PFAS and collect PFAS amounts if possible.
- ✓ Determine appropriate product groupings for notification (products with same type/amount of PFAS).

Our Services

- We specialize in **advisory services** and can organize a **plan of action** for you.
- We provide **lab recommendations** and can help with **testing coordination**.
- To stay informed, we offer **legislation guidance** with **regular updates**.



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Background

An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution has recently been **amended** to allow more time to collect data and clarifies and provides additional technical specifications for reporting obligations. PFAS are considered an emerging contaminant by the EPA due to their persistence in the environment and threat to the ecosystem and human health. U.S. states of California, Colorado, and Minnesota, as well as the European Union, have set forth new PFAS requirements for brands and manufacturers.

The State of Maine has and will continue to implement the following prohibitions and requirements:

Affected Product Category	Requirements	Effective Date
<u>Carpet or Rug</u>	PFAS Prohibited	January 1, 2023
<u>Fabric Treatment</u>		
<u>All Products</u>	Notification Required; PFAS Prohibited	January 1, 2025; January 1, 2030

Definitions

(For more detailed information, please refer to the original text here.)

PFAS (Per- and Polyfluoroalkyl Substances)

Substances that include any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

Intentionally Added PFAS

PFAS added to a product or one of its product components to provide a specific characteristic, appearance or quality or to perform a specific function. Includes any degradation by-products of PFAS.

Currently Unavoidable Use

Use of PFAS that the department has determined by rule under this section to be essential for health, safety or the functioning of society and for which alternatives are not reasonably available.

Fabric Treatment

A substance applied to fabric to give the fabric one or more characteristics, including but not limited to stain resistance or water resistance.

Carpet or Rug

A fabric marketed or intended for use as a floor covering.

For more information on current and pending legislation regarding PFAS, please view our other bulletins found here:

[PFAS Bulletins](#)

