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State Level PFAS Regulations Are Coming: Are You Ready?

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As the US Environmental Protection Agency (EPA) expands its regulation of per-and polyfluoroalkyl substances (PFAS), a number of states have also taken steps to regulate the use, production, and sale of products containing PFAS. PFAS are a group of synthetic chemicals with a broad range of commercial and industrial uses. Adopted and proposed state legislation may require entities that have PFAS in their products to report such contents, age-restrict the distribution of their products, or even, cease the sale of PFAS-containing products entirely.

It is critical to understanding how a state defines PFAS and whether (and how) any of the requirements apply to your product. It's complicated: Some states are legislating PFAS as a class using a very broad definition, while others are targeting specific PFAS chemicals. Commercial and industrial producers should be aware of any new obligations that may affect their business practices.

The chart below outlines adopted and proposed regulatory efforts as of early May:

STATE LABELING REQUIREMENTS.

State	Regulation
California	**Required**: Labeling for all products containing the PFAS c above set limits.
Michigan	**Proposed:** Legislation requiring labeling for any product c

STATE NOTIFICATION AND REPORTING REQUIREMENTS

State	Regulation
Washington	**Required**: Manufacturers must submit written notice and re containing products.
Maine	**Upcoming Requirement:** • As of **January 2022**, written notice and relevant pro products required for manufacturers that intentionall unavoidable use." • Provision in law that would waive reporting requirem
Minnesota	**Upcoming Requirement:** As of **January 2022**, written noti

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