



**Title 38, §1614**  
**Products containing PFAS**

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Office of the Commissioner

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
*Protecting Maine's Air, Land and Water*

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### Intentionally Added PFAS

Title 38, §1614:

"Intentionally added PFAS" means 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. "Intentionally added PFAS" also includes any degradation by-products of PFAS.

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### Prohibitions and Reporting

- Prohibited effective January 1, 2023
  - Carpets and rugs with intentionally added PFAS
  - Fabric treatments with intentionally added PFAS
- Prohibited effective January 1, 2030
  - Any product that contains intentionally added PFAS, unless currently unavoidable use
- Potential for other prohibitions prior to 2030
- Reporting requirement

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### Reporting Requirement

- Manufacturer, Importer, or Brand
- Purpose of PFAS in a product or any product components
- Amount of each PFAS, exact quantity determined using commercially available analytical methods, or within a range
- Identified by Chemical Abstracts Service registry number (CAS)

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### Reporting Challenges

- Who reports? Manufacturer, Importer, Brand Holder
- How to categorize products?
  - Global Product Classification (GPC) brick category and code
  - International Trade Commission's Harmonized Tariff System (HTS)
- All products, consumer, commercial, industrial
- Ranges for PFAS content?

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### Requests for Extension

- Complex supply chains
- Confidentiality
- Uncertainty over lab methods
- Lack of lab capacity
- Complex products with multiple components

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## Rulemaking Process

- June stakeholder session over 200 participants
- October session over 500 participants from around the world
- Public hearing on draft rule in April, public comments accepted until May
- Working with Interstate Chemicals Clearing House to develop on-line reporting database

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