



Government Relations Committee Meeting

Cecil County Chamber of Commerce
Elkton, Maryland

**LEGISLATIVE POSITION:
OPPOSE**

**Senate Bill 273
Environment-PFAS Chemicals-Prohibitions and Requirements
Senate Education, Health and Environmental Affairs Committee**

February 1, 2022

Dear Chairman Pinsky and Members of the Committee:

On behalf of the four hundred and fifty Cecil County Chamber members who represent over fifteen thousand employees we are writing to you to express our strong opposition to SB 273 which would prohibit the use, manufacturing, or knowing sale or distribution of products, including fire-fighting foam, carpet/rugs and food packaging, that contain intentionally added PFAS chemicals. The bill would require this prohibition to take effect on January 1, 2023, or what amounts to less than one year after its potential enactment.

Fluorinated chemicals, otherwise known as per-and polyfluoroalkyl substances (PFAS), are a large and diverse family of chemistry that make possible the use of products that are central to our everyday lives including, but certainly not limited to: electronics, aircraft, alternative energy, medical devices and building/construction materials.

However, not all PFAS are created equal. Each individual chemistry has its own unique properties and uses. Fluoropolymers, for example, are a distinct class within the broad PFAS group. High molecular weight fluoropolymers are highly stable, too large to be bioavailable, and do not have the potential to become widespread in the environment. Data shows that the properties of fluoropolymers present low health and environmental hazards, and the scientific community considers these materials to be inert.

Unfortunately, the definition of PFAS as drafted in Senate Bill 273 is extremely broad and amounts to an all-out ban, without considering the differences in chemical classes, some of which have been widely recognized as having low health and environmental risk. Product bans often result in a myriad of unintended consequences that should be further explored.

The legislation would take effect on January 1, 2023, less than one year after its potential enactment. It proposes to do this without an established regulatory process and timeline. As a result, it would be unrealistic to assume that manufacturers, distributors, and retailers will have the alternatives and tools required to comply with the law, particularly in such a short period of time. As well, in the absence of regulatory assessment on the performance of PFAS alternatives, there is no way to demonstrate that their replacement would represent an improvement over the current product.

W. L. Gore & Associates is the largest private sector employer in Cecil County with approximately 2,900 Associates working in Cecil County. Gore uses a type of PFAS, fluoropolymers such as polytetrafluoroethylene (PTFE), to make a variety of products of societal value including implantable medical devices, waterproof and breathable membranes, fuel cell components, filtration and venting products used in emission controls and products used in the pharmaceutical industry. Because the definition of PFAS contained in the legislation is extremely broad, there is the potential for unintended restriction of these useful fluoropolymers.

For these reasons, the Chamber respectfully requests an **unfavorable report** on Senate Bill 273.

Do not hesitate to contact us if we can be of further service to you on this critically important proposed legislation.

Thank you for your attention and consideration.

Members of Cecil County Chamber Government Relations Committee

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