



# 2025 PFAS prohibitions for retailers and manufacturers

# Presentation Agenda



- Understanding of Amara's Law
- 2025 Prohibition Product Categories
- Compliance and Enforcement
- Resources and Guides
- Additional Q&A time

- This webinar will be recorded and posted later to the 2025 PFAS Prohibition webpage
- Please utilize the Q&A function to ask questions during the webinar

# Welcome

- Introductions
- Welcome from MPCA Assistant Commissioner Kirk Koudelka



This presentation is informational and should not be relied on in place of Minnesota statutes and rules.

A stack of several manila-colored file folders is shown in the upper left corner, slightly overlapping each other. The background is a solid blue color. A large, dark blue circle is positioned on the right side of the image, containing the text 'Amara's Law' in white.

# Amara's Law

# Amara's Law

- New law enacted in June of 2023 to reduce PFAS pollution in Minnesota
  - Protects public and environmental health
  - Reduces costly cleanup costs
- Implemented in phases between 2025 and 2032

## Cost to buy PFAS

to make consumer products

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**\$50 - \$1000**

per pound

## Cost to remove and destroy PFAS

from municipal wastewater

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**\$2.7 million -**

**\$18 million**

per pound

# Amara's Law timeline

January 1, 2025	January 1, 2026	January 1, 2032
<b>Prohibition: PFAS in 11 product categories</b>	PFAS in products reporting due	PFAS prohibited in all products unless determined to be a “currently unavoidable use”



- In 2025 product prohibitions start for 11 different product categories
- A person may not sell, offer for sale, or distribute for sale in this state the products if the product contains intentionally added PFAS



2025 PFAS in products prohibitions

# Definitions

## **PFAS:**

A class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

## **Fully fluorinated carbon atom:**

A carbon atom on which all the hydrogen substituents have been replaced by fluorine.



Are we considering  
changing the PFAS  
definition?

No






## **Intentionally added PFAS:**

PFAS deliberately added during the manufacture of a product where the continued presence of PFAS is desired in the final product or one of the product's components to perform a specific function.





# 2025 PFAS in product prohibitions



Carpets or Rugs



Cleaning Products



Cookware



Cosmetics



Dental Floss



Fabric Treatments



Juvenile Products



Menstruation Products



Textile Furnishings



Ski Wax

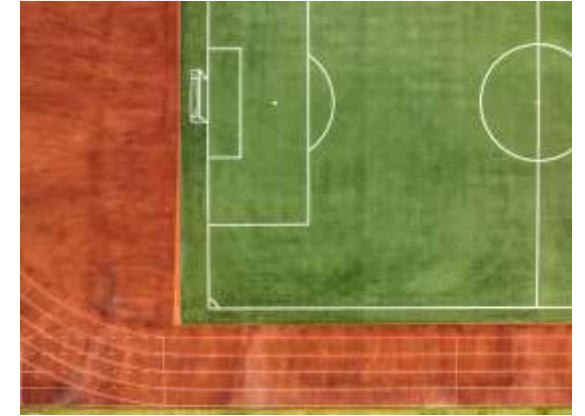


Upholstered Furniture

# 2025 PFAS Prohibition Product Categories



# Carpets or Rugs



"Carpet or rug" means a fabric marketed or intended for use as a floor covering. This category also includes car floor mats, recreational vehicle carpeting, outdoor rugs, and synthetic turf.

# Cleaning Products



- “Cleaning product” means a finished product used primarily for domestic, commercial, or institutional cleaning purposes, including but not limited to an air care product, an automotive maintenance product, a general cleaning product, or a polish or floor maintenance product.
- The definition of cleaning products includes “a polish or floor maintenance product.” Therefore, floor waxes and other floor finishes containing intentionally added PFAS are considered cleaning products.
- While the definition of cleaning products includes automotive maintenance products, the law does not apply to engine oil. An automotive maintenance product is included only when the purpose of the product is to clean or maintain the appearance of a motor vehicle.

# Cookware



"Cookware" means durable houseware items used to prepare, dispense, or store food, foodstuffs, or beverages. Cookware includes but is not limited to pots, pans, skillets, grills, baking sheets, baking molds, trays, bowls, and cooking utensils.

The MPCA considers cookware to mean the specifically listed items, or different forms of the listed items (see above), which include a component that has a nonstick coating containing intentionally added PFAS. Examples of different forms of the listed items are a wok (pot or pan) or a muffin pan (baking mold).

# Cookware



Different forms also include electric versions of the listed items, such as an electric wok (pot or pan) or a waffle maker (baking mold) with a nonstick PFAS containing coating. Air fryers are also considered cookware if they include a component which is a form of pan, baking sheet, tray, or grill that has a nonstick coating containing intentionally added PFAS. However, an electric coffee machine is not included because it does not match well with any of the listed items.

# FAQs on 2025 Product Prohibitions



Are PFAS used for internal components of cookware prohibited in 2025?

For the purposes of the 2025 PFAS prohibitions, the MPCA interprets cookware to include only items that have a food contact surface that has a nonstick PFAS coating. If an item does not have a nonstick PFAS coating on a food contact surface, it is not included in the cookware category. If an item is not included in the cookware category, the additional components are not required to be PFAS free to meet the 1/1/25 regulation, but will be required to be PFAS free to meet the 1/1/32 regulation.





# Cosmetics



"Cosmetic" means articles, excluding soap:

(1) intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for the purpose of cleansing, beautifying, promoting attractiveness, or altering the appearance; and

(2) intended for use as a component of any such article.



# Dental Floss

The MPCA considers dental floss to be a product designed to clean between teeth in places that are not accessible with a toothbrush or an interdental brush. The product can be packaged with pre-cut or continuous length of strong thread or fine tape and is specifically designed to be drawn between the teeth to remove food particles and prevent dental plaque, such as dental floss and dental tape.



# Fabric Treatments



- Fabric treatments mean the substances that are applied to fabrics, not fabrics that have already been treated.
- However, pre-treated fabrics that are a product or a component of any product prohibited in 2025 are included in the prohibition, such as pre-treated fabrics in carpets and rugs, juvenile products, textile furnishings, and upholstered furniture.

# Juvenile Products

Any products containing intentionally added PFAS that are designed or marketed for use by infants and children under 12 years of age.

Not including a children's electronic product such as a personal computer, audio and video equipment, calculator, wireless phone, game console, handheld device incorporating a video screen, or any associated items such as a mouse, keyboard, power supply unit, or power cord.



# Juvenile Products

Including but not limited to a baby or toddler foam pillow; bassinet; bedside or co-sleeper; booster seat; changing pad; child restraint system for motor vehicles and aircraft; crib or toddler mattress; highchair and pads; infant bouncer or swing; infant carriers or seats; infant sleep positioner; infant travel bed; infant walker; nap cot; nursing pad and pillows; play mats, pens, and yards; polyurethane foam mat, pad, or pillow; portable foam nap mat or sleeper; portable hook-on chair; soft-sided portable crib; and stroller.





# Menstruation Products

Products used to catch menstrual flow, such as disposable and reusable pads, tampons, period underwear, and menstrual cups.



# Textile Furnishings

"Textile furnishings" means textile goods of a type customarily used in households and businesses, including but not limited to draperies, floor coverings, furnishings, bedding, towels, and tablecloths.



# Ski Wax



"Ski wax" means a lubricant applied to the bottom of snow runners, including but not limited to skis and snowboards, to improve their grip or glide properties. Ski wax includes related tuning products.

# Upholstered Furniture

"Upholstered furniture" means an article of furniture that is designed to be used for sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling material.



# FAQs on 2025 Product Prohibitions



Are PFAS used for internal components of upholstered furniture prohibited in 2025?

At this time, the prohibition on intentionally added PFAS applies to all components of the furniture. The prohibition as applied to electronic or other internal components of upholstered furniture will not be enforced until July 1, 2025. The MPCA is currently working on a report to state legislatures due January 2025 to determine if further extensions should be allowed.





# Notes on Packaging for 2025 Prohibitions

Only the product packaging which is integral to contain, protect, or dispense the product is considered a product component and is included in the 2025 prohibition. The product packaging and/or shipping container used to display, market, handle, store, or deliver the product is not considered a product component.

- Ex: a manufacturer is selling lip balm, the lip balm and the tube used to contain the lip balm are considered a cosmetic product and are subject to the 2025 prohibition. The plastic mold adhered to the cardboard used to handle and display the lip balm would not be considered a product component.

Empty packaging containing intentionally added PFAS that is sold before it contains a prohibited product is considered a product but is not considered a product component and is not included in the 2025 prohibition.

- Ex: a manufacturer sells empty tubes which could be used to contain lip balm, the empty tubes are not considered cosmetics and are not subject to the 2025 prohibition.



Q&A break

A stack of several manila-colored file folders is positioned in the upper left corner of the image. The folders are slightly offset, showing their edges. The background is a solid, medium-blue color. On the right side, there is a large, dark blue circle. Inside this circle, the words "Compliance and enforcement" are written in a white, sans-serif font, arranged in three lines.

# Compliance and enforcement

# Compliance and enforcement



- Beginning January 1, 2025, a person may not sell, offer for sale, or distribute for sale in this state any of the 11 previously outlined product categories that contain intentionally added PFAS.
- MPCA has the authority to direct the manufacturers to test their products and provide results of the PFAS content.
- First step in compliance is education. MPCA will be utilizing websites, webinars and direct Q&A.
- MPCA will be screening products in the 11 categories for PFAS and has the authority to issue enforcement for violations of the prohibition.
- MPCA will look at the specifics of each case to determine entities' role and liability when moving forward with enforcement.





# FAQs on 2025 product prohibitions



Are there are sell through provisions of the products included in the 2025 prohibitions?

There are no additional sell through provisions past Jan 1, 2025.

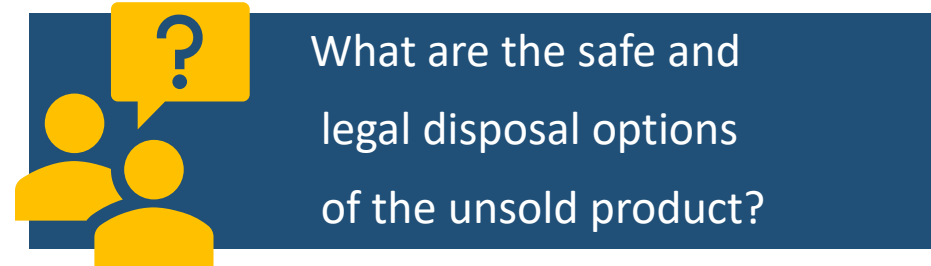


# Best practices

- ✓ Start working on your plan to remove PFAS-containing products from sale in Minnesota by 2025.
- ✓ Start working with your suppliers to ensure any products in the 2025 prohibitions are PFAS free.
- ✓ If you are manufacturing any of these products, ensure your suppliers provide certification that materials are PFAS free.
- ✓ If you have sold any of these products with PFAS, notify the retailers that the product is prohibited starting January 1, 2025, in Minnesota.
- ✓ Manufacturers of products can apply for 3<sup>rd</sup> party certifications.
- ✓ KEEP DOCUMENTATION of any of the above-mentioned communications and/or results.

A stack of several manila-colored file folders is shown in the upper left corner of the image. The folders are slightly offset, revealing the edges of the ones underneath. The top folder has a light blue tab. The background is a solid, medium-blue surface.

# Resources and guides



- Disposal guidance for the products included in the 2025 PFAS prohibitions are now available on the MPCA's website
- Information includes what products can go in normal solid waste vs hazardous waste for businesses and consumers
- <https://www.pca.state.mn.us/air-water-land-climate/disposing-of-pfas-products>
- If you have unsold products, contact your suppliers as well to see if they can be returned



# Sign up for updates



How can I receive updates on  
PFAS regulations in Minnesota?



## Stay connected

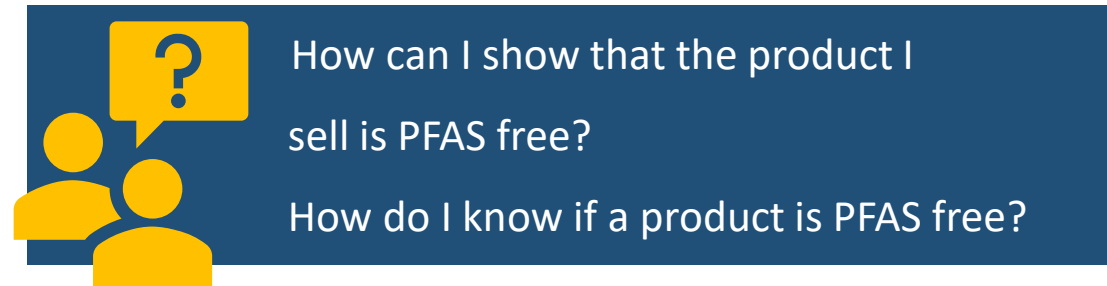
Sign up for updates about PFAS rulemaking process and opportunities for public input.

jane.doe@example.com

**Subscribe**

<https://www.pca.state.mn.us/get-engaged/pfas-in-products>

# PFAS free certifications



- There are more and more resources becoming available for consumers, retailers, and manufacturers to help guide them through complicated material supply chains.
- We will provide you with a couple examples today in this webinar and provide additional resources when we post this webinar recording and slides to our PFAS in Products webpage.

# Third-party certifiers

- These have ruled out PFAS in some way – *PFAS definitions may vary; PFAS may not be addressed in all category standards*
- These often include products for both households and businesses
  - EPA Safer Choice/Safer Chemical Ingredients
  - Cradle-to-Cradle
  - Green Seal
  - GreenScreen Certified
  - MADE SAFE
  - OEKO-TEX

# Components: Third-party certifiers

For makers of formulated products, EPA Safer Chemical Ingredients List:

<https://www.epa.gov/saferchoice/safer-ingredients#scil>

- Antimicrobial Actives
- Chelating Agents
- Colorants
- Defoamers
- Emollients
- Enzymes and Enzyme Stabilizers
- Fragrances
- Oxidants and Oxidant Stabilizers
- Polymers
- Preservatives and Antioxidants
- Processing Aids and Additives
- Skin Conditioning Agents
- Solvents
- Specialized Industrial Chemicals
- Surfactants
- Uncategorized



# Company Labels or Claims



EWG Skin Deep <https://www.ewg.org/skindeep/>

- Examines ingredient lists and rates products
  - Face & body, hair, makeup, babies, oral care, fragrance, nails, sun care, mattresses

PFAS Central <https://pfascentral.org/pfas-free-products/>



- Examines company claims and policies
  - Rain gear, apparel, shoes, cosmetics/personal care, baby products, stroller, car seats, furniture & home textiles, bedding, food ware & appliances, carpets & rugs, textiles & textile technologies, durable water repellents, home maintenance, other

**Have a specific question?**



**Email us at: [pfasinfo.pca@state.mn.us](mailto:pfasinfo.pca@state.mn.us)**



# Q&A Break



# Thank you!