



**February 20, 2026**

Members of the Senate Education, Energy, and the Environment Committee  
 Maryland General Assembly  
 Annapolis, Maryland

**RE: Oppose SB 686 – Comprehensive PFAS Ban**

Dear Chair and Members of the Committee:



The undersigned organizations are writing in opposition to SB 686, legislation that would phase out products containing intentionally added per- and polyfluoroalkyl substances (PFAS) in Maryland. As written, SB 686 represents one of the broadest PFAS product bans in the nation and would have sweeping and unintended consequences across nearly every sector of Maryland's economy.

SB 686 would prohibit the sale of numerous consumer and commercial products containing intentionally added PFAS, defined broadly to include any deliberate use of a chemical where its continued presence provides a specific characteristic. The bill also adopts an expansive "one fully fluorinated carbon atom" definition for PFAS.

Products covered under SB 686 include:

**Effective January 1, 2028**

- Cleaning products
- Cookware
- Cosmetics
- Personal care products
- Feminine hygiene products
- Pet food packaging (direct food contact)
- Juvenile products (children under 12)
- Intimacy products

**Effective January 1, 2029**

- Fabric treatments
- Ski wax
- Textiles (including clothing and bedding)
- Textile furnishings (including mattresses)
- Upholstered products
- Paint

This legislation is overly broad, lacks a scientific risk-based framework, and would ban thousands of products from sale and distribution in Maryland. It treats all PFAS chemistries as a single substance, despite the well-established diversity in physical, chemical, environmental, and toxicological properties across the PFAS family.

SB 686 goes further by requiring that **all products** containing intentionally added PFAS sold, offered for sale, distributed, or distributed for sale in the state register the product and pay a fee to do so. The bill's reporting provisions would place an onerous and unnecessary regulatory burden on many industries of

economic importance to the state, including life sciences, information technology, aerospace, defense, renewable energy, and agriculture, to name a few. It would also impose civil penalties of up to \$25,000 per day per violation, which are disproportionate and exceed what is typical for many environmental reporting programs.

The bill makes no attempt to prioritize the types of PFAS that are most important for the state to address. As noted previously, PFAS are a diverse set of chemistries with different properties that determine their uses and hazard profiles. For example, some PFAS are water soluble and have been shown to bioaccumulate. Others, like fluoropolymers and high molecular weight perfluoropolyethers, are polymers of low concern for human health and the environment.<sup>1,2,3</sup>

Collectively, we support the responsible production, use, and management of fluorinated substances. This includes regulatory requirements that are protective of human health and the environment, taking into consideration the diversity of physical and chemical properties and the corresponding environmental and health profiles of these compounds, the critical and essential uses of products in which these substances are present, and the technical and economic feasibility of alternatives.

### **Implementation and Regulatory Concerns**

Experience in other states demonstrates that PFAS in product laws are extraordinarily difficult to implement. In Maine, after enacting a similar law, the Department of Environmental Protection issued more than 2,400 reporting extensions due to complex supply chains, lack of testing capacity, database limitations, and insufficient protection for confidential business information. The Maine Legislature subsequently reformed the law to address these practical challenges and exempt critical industries from the scope of the law.

In Minnesota, the Pollution Control Agency (PCA) has delayed its reporting deadline because it has been unable to create a workable reporting system. As such, manufacturers acting in good faith will face significant compliance challenges. In addition, Minnesota's approach will require manufacturers to generate information they do not typically receive through their supply chains, creating a need for novel analytical testing and a perpetual state of compliance limbo. There are also serious concerns about the state's ability to protect confidential information and trade secrets.

### **Maryland has Already Taken Aggressive Action**

---

<sup>1</sup> Henry, B.J. et al. 2018. A critical review of the application of polymer of low concern and regulatory criteria to fluoropolymers. *Integr Environ Assess Manag*, 14: 316-334, <https://doi.org/10.1002/ieam.4035>.

<sup>2</sup> Korzeniowski, S.H. et al. 2022. A critical review of the application of polymer of low concern regulatory criteria to fluoropolymers II: Fluoroplastics and fluoroelastomers. *Integr Environ Assess Manag*, <https://doi.org/10.1002/ieam.4646>.

<sup>3</sup> Javed, H. et al. 2025. A critical review of the application of polymer of low concern and regulatory criteria to perfluoropolyethers. *J Flu Chem*, <https://doi.org/10.1016/j.jfluchem.2025.110459>.

Maryland has already enacted significant PFAS-related legislation in recent years addressing firefighting foam, discharge into waterways, and specific product categories. SB 686 would go far beyond those targeted approaches and risks replicating the implementation failures seen elsewhere.

- **In 2022, Maryland passed the “George Walter Taylor Act”** ([HB 275](#) and [SB 273](#)). The law bans Class B firefighting foam with PFAS and requires sellers of personal protective equipment to notify purchasers that the equipment contains PFAS chemicals. It also bans the disposal of firefighting foam with intentionally added PFAS using incineration or the disposal of such foam in a landfill and requires the state to take back the foam if requested by a fire department rather than requiring the state to purchase unused foam. It also bans PFAS in carpets, rugs, food packaging, and disposable plastics gloves.
- **In 2024, Maryland passed “Protecting State Waters From PFAS Pollution Act”** ([SB 956](#)) that regulates and limits the discharge of PFAS chemicals from industrial sources into state waterways and requires the Maryland Department of Environment to develop a PFAS Action Plan.
- **In 2024, Maryland also passed [HB 1147](#), which bans PFAS in playground materials.**

We respectfully urge the Committee to oppose SB 686 as drafted and instead work collaboratively with impacted industries and stakeholders to develop a balanced, science-based framework. The bill’s approach would perpetuate the patchwork of state-specific product bans, imposing unworkable compliance burdens on manufacturers and retailers operating in national markets.

Thank you for your consideration, and we look forward to constructively engaging throughout the legislative session.

Sincerely,

Adhesive and Sealant Council

Alliance for Automotive Innovation

Alliance for Chemical Distribution (ACD)

American Apparel & Footwear Association

American Chemistry Council

American Coatings Association

American Composites Manufacturers Association

American Petroleum Institute

Animal Health Institute

Association of Home Appliance Manufacturers

Center for the Polyurethanes Industry (CPI)



Color Pigments Manufacturers Association  
Communication Cable and Connectivity Association  
Consumer Brands Association  
Consumer Healthcare Products Association  
Cookware Sustainability Alliance  
Fluid Sealing Association  
Global Electronics Association  
Household & Commercial Products Association  
LKQ corporation  
Maryland Association of Chain Drug Stores  
Maryland Chamber of Commerce  
Maryland Food Industry Council  
Maryland Retailers Alliance  
Motorcycle Industry Council  
National Council of Textile Organizations (NCTO)  
National Electrical Manufacturers Association  
North American Association of Food Equipment Manufacturers (NAFEM)  
Outdoor Power Equipment Institute  
Personal Care Products Council  
Plastics Industry Association  
Power Tool Institute  
PRINTING United Alliance  
Recreational Off-Highway Vehicle Association  
Solstice  
Specialty Vehicle Institute of America  
Spray Polyurethane Foam Alliance  
Truck and Engine Manufacturers Association (EMA)

Valve Manufacturers Association

W.L. Gore

Window and Door Manufacturers Association (WDMA)