



Maryland Prohibits PFAS in Food Packaging, Rugs, Carpets and Fire Fighting Foam

The Governor of the State of Maryland has signed HB 275 (SB 273) - Environment – PFAS Chemicals – Prohibitions and Requirements (George “Walter” Taylor Act) into law, which prohibits:

- The manufacturing, selling, or distributing of rugs or carpets to which PFAS chemicals have been intentionally added for certain purposes in the State on or after January 1, 2024.
- A manufacturer or distributor from manufacturing, selling, or distributing certain food packaging intended for direct food contact to which PFAS chemicals have been intentionally added, in the State on or after January 1, 2024.
- The use, manufacture, or knowing sale or distribution of Class B fire-fighting foam that contains intentionally added PFAS chemicals in the State on or after January 1, 2024.

The law also requires that sellers of personal protective equipment (PPE) for firefighters which contain PFAS must provide a written notice to purchasers at the point of sale, indicating that the PPE contains PFAS and the reason why the PPE contains PFAS chemicals. Both the seller and the purchaser of the PPE that contains PFAS must retain the notice for at least three years after the date of sale.

Definitions per the law:

Food package: “a package that is designed and intended for direct food contact and is composed, in substantial part, of paper, paperboard, or other materials originally derived from plant fibers, including: (1) A food or beverage product that is contained in a food package or to which a food package is applied; (2) A packaging component of a food package; and (3) Plastic disposable gloves used in commercial or institutional food service.”

Intentionally added: “the act of deliberately using a chemical in the formation of a product where the chemical’s continued presence is desired in the product to provide a specific characteristic.”

PFAS chemicals: “when used in fire-fighting agents, fire-fighting equipment, food packaging, and rugs and carpets, a class of fluorinated organic chemicals that: (1) Contain at least one fully fluorinated carbon atom, including perfluoroalkyl and polyfluoroalkyl substances; and (2) Are designed to be fully functional in Class B fire-fighting foam formulations.

Rug or Carpet: “a thick fabric used to cover a floor, including: (1) commercial or residential broadloom carpet; and (2) a pad or an underlayment used in conjunction with a carpet.”

Additional Information:

<https://mgaleg.maryland.gov/2022RS/bills/hb/hb0275e.pdf>

How Does this Impact You? Contact Us to Discuss

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