



March 1, 2022

Chair Stephenson & Members of the House Commerce Finance and Policy Committee:

Thank you for the opportunity to provide comments on Representative Kotyza-Witthuhn's HF 3571 (PFAS prohibited in juvenile products).

The Minnesota Retailers Association is made up of 1,200 retail stores across the state, including main street retailers, regional/mid-sized retailers, and retailers with a national presence. Today's retail market is competitive, and consumers are mobile with many options for purchasing products, including across the country and in some cases even the world.

Given how consumers buy and how the retail market works, we ask that as you look at regulating products you consider the following:

- **Products sold in Minnesota should not have a standard set only for Minnesota.** A Minnesota-only or outlying standard could result in the removal of products from our shelves if manufacturers are not inclined to make products just for Minnesota, or consumers may elect to purchase products outside the state.
- **Our state approach should be in concert with federal, industry, and other collaborative standards** as opposed to being out on our own.
- **Longer sell-through provisions** for retailers should be provided with a **deference to "manufactured-before" and "manufactured-after" dates.**
- Language should recognize that PFAS may exist in small amounts based on how a product is made. As an example, water used in manufacturing could contain trace amounts of PFAS that end up in a product. If prohibitions are passed, the **focus should be on "intentionally-added" PFAS and de-minimis levels should be allowed.**
- **PFAS definitions should be uniform and common.**

We know many retailers are taking steps and working with manufacturers and suppliers on goals to limit or phase out PFAS. Thank you for ensuring Minnesota is working collaboratively with others and recognizing we are a part of a larger marketplace.

Sincerely,

Bruce Nustad  
president