ASSOCIATION OF HOME APPLIANCE MANUFACTURERS

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Co-Chair Heintzeman and Co-Chair Fischer, and members of the Committee, thank you for the opportunity to share the viewpoints of the home appliance manufacturing industry regarding HF 4257 which would extend PFAS reporting and clarify the use of PFAS in certain products as currently unavoidable uses. AHAM supports HF 4257 to provide manufacturers with adequate time to collect necessary information from its supply base for reporting and aligns Minnesota with the statutory Currently Unavoidable Use (CUU) exemptions provided in other states.

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's members produce hundreds of millions of products each year. They design and build products at the highest levels of quality and safety. As such, they have demonstrated their commitment to strong internal safety design, monitoring, and evaluation/failure analysis systems. AHAM supports the intent to protect consumers against all unreasonable risks, including those associated with the exposure to potentially harmful chemicals. AHAM also firmly supports the appropriate use of PFAS chemicals in appliances. Together with industry design practices, test requirements, and redundant safety mechanisms, PFAS chemicals play an important role in the safety of household appliances.

As the July reporting deadline is quickly approaching and as the first state to implement all-product PFAS reporting, the Minnesota Pollution Control Agency (MPCA) has many unresolved issues from the soft launch, including further explanations for component categories and finding and addressing errors, that need to be resolved in order to ensure PRISM is workable and feasible ahead of the July compliance deadline. We would support a further extension into 2027 on reporting as this has a cascading effect that delays the Currently Unavoidable Use (CUU) rulemaking.

We understand that the MPCA is currently accepting feedback on the CUU process. AHAM is finalizing comments highlighting several concerns, including the tight timeline between the finalization of this rule and the time needed for manufacturers to make planning decisions. With the CUU rule not targeted by MPCA for adoption until 2027, and potential CUU determinations for existing products between 2028-2030, manufacturers and their suppliers may not have the planning certainty they need. This is especially important since the ban focused on the date of sale/distribution of products in Minnesota which essentially means manufacturers may need to have products and components updated no later than early 2031. The rapidly approaching 2032 deadline is requiring manufacturers and their suppliers to start to make significant product planning decisions, given the lead-time needed from design to production of appliances, which can take several years.

This highlights the urgency and importance for this committee to take action to enumerate CUUs in this bill's amendments. Many of the products listed are exempted from PFAS prohibitions in other state laws - e.g., U.S. Environmental Protection Agency (EPA) Significant New Alternatives Policy Program (SNAP) substitutes, semiconductors, and products with fluoropolymers, which are all excluded from the prohibitions in New Mexico House Bill 212. These amendments align the PFAS prohibitions in Minnesota with those in other states, create more certainty for manufacturers, and alleviate the administrative headache for MPCA to review and make timely decisions on a very high number of CUU requests.

We strongly support this bill's CUU for EPA SNAP substitutes. Hydrofluoroolefins (HFOs), which are a blowing agent used in the insulation of refrigeration products, are unfortunately wrapped into the expansive definition of PFAS in Amara's Law, despite their environmental and safety benefits including ultra-low Global Warming Potential (GWP), high insulating performance and energy efficiency. HFO blowing agents are a key technology option used by some manufacturers to meet existing U.S. Department of Energy appliance energy conservation standards. Key regulations, including the AIM Act, restrict high-HFC use, with the Minnesota Pollution Control Agency mandating EPA-certified handling and tracking of high-GWP gases. Manufacturing conversion and product redesigns could take eight or more years because of requirements to upgrade manufacturing facilities with additional safety and flammability precautions, procure and install new equipment, establish new supply chains for blowing agents, and redesign products to be compatible with new blowing agents. Even more importantly, the bill treats the appliance as a system, not just a refrigerant. This is significant as units are repaired, resold, and recycled through established channels. Given this lead-time and that several other states, have recognized these unique instances and pushed prohibitions into 2040, we strongly urge the Committee to consider excluding substances that have received U.S. EPA SNAP-approval, such as HFOs, from the scope of the 2032 prohibition to align with existing exemptions found in New Mexico, Maine and Illinois.

Fluoropolymers

The term PFAS encompasses in some instances as many as 14,000+ substances. However, the physical and chemical properties of the individual chemicals within this large group of compounds vary widely and are regrettably included in the current bill. The use of fluoropolymers is ubiquitous in most major manufacturing sectors (e.g., medical & aerospace) due to their inert and thermally stable properties. The Food and Drug Administration (FDA) has authorized fluoropolymers for use in food contact applications. In January 2025, the FDA confirmed that fluoropolymers intended for use in the manufacture of coated cookware and food contact seals are approved and do not pose a safety risk, as they are made of polymerized molecules.[1] The Environmental Working Group acknowledges this and has publicly stated that non-stick cookware is not a major source of exposure: "But even though it's [PTFE] always been the poster child for PFAS exposure, [PTFE]

[1] https://www.fda.gov/food/process-contaminants-food/questions-and-answers-pfas-food

is not anticipated to be a major source of exposure."[2] Similar exemption has been adopted in New Mexico.

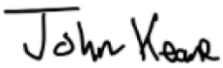
Internal Components

Following the enactment of Amara's Law in 2023 which implemented 2025 PFAS product bans including cookware, AHAM raised concern with the Minnesota Pollution Control Agency about the potential inclusion of internal components that do not have direct contact with the consumer would be implicated in the 2025 prohibition. During the 2025 Special Session, section 116.943, was amended to ensure that the prohibition did not apply to PFAS only in electronic components or internal components. "Internal components" means internal parts of a product, whether permanently affixed or removable, that are designed and intended to not be touched by a person during intended use or handling. As consumers are not intended to touch these parts of the product, these parts should be treated differently. For this reason, we would support an exemption for electronic components or internal components.

On the complex durable goods provision, the 100 component and 5-year useful life standard draws a clear line between short-life consumer goods and long-life equipment. Refrigerators and similar products are sealed systems with many internal components with any PFAS use is typically embedded inside solid parts unlike other high-turnover applications that move quickly into the waste stream.

These amendments will give more certainty and reduce the regulatory burden on manufacturers. They will also lessen the administrative burden on MPCA, as they continue to fix issues with their reporting system mere months before the reporting deadline, and to curtail the expected high volume of CUU exemption requests. By clearly defining these limited, essential uses in statute, HF 4257 provides manufacturers with the regulatory certainty necessary to maintain a stable supply of high-quality household products and avoid unnecessary cost increases that would ultimately be borne by Minnesota consumers. Ultimately, the restriction of chemicals would require a total re-design of models at significant cost and regrettably, failing to make necessary corrections could lead to manufacturers limiting or restricting essential household products that Minnesota residents rely on. We would ask the Legislature to enact these essential PFAS uses as exemptions in preparation for the prohibition. Thank you for considering our views and please contact me at jkeane@aham.org or 202-872-5955 if you would like to discuss in more detail.

Respectfully submitted,



John Keane

[2] https://www.ewg.org/news-insights/news/2024/02/forever-chemicals-top-3-ways-lower-your-exposure?utm_source=newsletter&utm_campaign=202501JanNews10&utm_medium=email&utm_content=default&emci=1e12d4d5-35db-ef11-88f8-0022482a9579&emdi=2412d4d5-35db-ef11-88f8-0022482a9579&ceid=1286056

Manager of Government Relations

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's members produce hundreds of millions of products each year. Appliance manufacturers employ a complex, global supply chain for thousands of models with hundreds of thousands of components, often involving multi-tiered suppliers located on multiple continents with thousands and thousands of components. In Minnesota, the home appliance industry is a significant and critical segment of the economy. The total economic impact of the home appliance industry to Minnesota is $3.6 billion, more than 20,000 direct and indirect jobs, $468.5 million in state tax revenue, and more than $1.2 billion in wages.