



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 242

S.P. 108

In Senate, January 20, 2023

**An Act to Clarify That Animal Health Products Are Exempt from
the Perfluoroalkyl and Polyfluoroalkyl Substances Reporting Law**

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §1614, sub-§4**, as enacted by PL 2021, c. 477, §1 and reallocated
3 by RR 2021, c. 1, Pt. A, §54, is amended to read:

4 **4. Exemptions.** The following are exempt from this section:

5 A. A product for which federal law governs the presence of PFAS in the product in a
6 manner that preempts state authority; ~~and~~

7 B. A product subject to Title 32, chapter 26-A or 26-B; and

8 C. A product intended for animals that is regulated as an animal drug, biologic or
9 parasiticide administered to animals or a medical device or diagnostic used to treat
10 animals under the Federal Food, Drug, and Cosmetic Act, as in effect on January 1,
11 2023; the federal Virus-Serum-Toxin Act, as in effect on January 1, 2023; or the
12 Federal Insecticide, Fungicide, and Rodenticide Act, as in effect on January 1, 2023.

13 **SUMMARY**

14 This bill provides that certain health products intended for animals that are regulated
15 under the Federal Food, Drug, and Cosmetic Act, the federal Virus-Serum-Toxin Act or
16 the Federal Insecticide, Fungicide, and Rodenticide Act are exempt from the notification
17 requirements that generally apply to products containing perfluoroalkyl and
18 polyfluoroalkyl substances.