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Chairs Tepler and Doudera, and members of the Committee on Environment and Natural Resources, the Association of Home Appliance Manufacturers (AHAM) strongly urges the committee to move forward on LD 827 which would exempt polymer-coated cookware that the United States Food Administration authorizes for food contact from the statutory PFAS requirements applicable to consumer products.

AHAM 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. Together with industry design practices, test requirements, and redundant safety mechanisms PFAS chemicals play an important role in the safety profile of household appliances in their great resistance to high temperatures.

### **FDA Approval of Fluoropolymers**

The term PFAS encompasses in some instances as many as 12,000+ substances. However, the physical and chemical properties of the individual chemicals within this large group of compounds vary widely. One on which, that is used in the home appliance industry and is included in the current PFAS law applicable to cookware is fluoropolymers. Fluoropolymers are used nearly everywhere, in almost every major manufacturing sector (e.g., medical & aerospace) due to their inert and thermally stable properties. Polytetrafluoroethylene (PTFE) is a fluoropolymer that is used in certain appliances and may be included in material that contacts food. Manufacturers use coatings that include a small amount of PTFE for water, scratch resistance, heat resistance, with good flexibility in manufacturing stage, as well as a long-life durability in use. PTFE pipes for transferring hot water are used because of their unique combined resistance to high pressure, high temperature and high durability under these conditions. In fact, the Food and Drug Administration has authorized fluoropolymers for use in food contact applications.<sup>1</sup> Just 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.<sup>2</sup> The Environmental

<sup>1</sup> <https://www.fda.gov/food/process-contaminants-food/authorized-uses-pfas-food-contact-applications>

<sup>2</sup> <https://www.fda.gov/food/process-contaminants-food/questions-and-answers-pfas-food>

Working Group has publicly stated that non-stick cookware is not a major source of exposure: "But even though it's always been the poster child for PFAS exposure, is not anticipated to be a major source of exposure."<sup>3</sup> AHAM follows closely any recommendations from the FDA regarding safe food contact surfaces. AHAM wants to make certain that products that are safe, FDA-approved products are still made available for Maine consumers. Similar legislation is being deliberated in Connecticut and Rhode Island.

### **Cookware Ban Should Exclude Internal Components and Non-Cooking Surfaces**

With the enactment of LD 1537 which establishes sales prohibitions on cookware products that contain intentionally added PFAS in 2026, AHAM has been engaged with the Department of Environmental Protection and appreciates the ongoing conversations addressing compliance challenges caused by the law's provisions impacting cookware. However, the language around cookware raises significant concerns that could potentially threaten appliance product safety and product availability for Maine residents.<sup>4</sup> The unclear product and part scope raises serious questions about what products would be incorporated into this prohibition. Contrary to the law's intent, this overly broad language could even include several major appliances, including refrigerators, microwaves, and stoves, including all their internal components. **LD 827 seeks to maintain the legislative intent of the law while ensuring no unintended consequences, including threats to product safety and availability.**

Appliances are complex products with wirings, circuit boards, and numerous internal components. Other products included in the 2026 prohibition are not complex but homogenous products, such as cosmetics, dental floss & ski wax. The potential inclusion of internal component raises significant concerns for manufacturers, primarily because there may not necessarily be safe, tested, and validated alternatives to PFAS use in internal components and electronics. Further aggravating the problem is that compliance is based on a short January 2026 timeline. Because of the inclusion of internal components, manufacturers may not have time to identify substitutes that have a similar level of safety protection and performance. AHAM appreciates the law's exemption for semiconductors, but this does not go far enough. This proposal would make clear that all internal components for cookware products are not included in the 2026 prohibition. While several states have enacted PFAS prohibitions, Maine would be the first and only state to include internal components for cookware.

Minnesota enacted the nation's first prohibition on PFAS used in cookware products. In subsequent guidance documents, the Minnesota Pollution Control Agency (MPCA), specified that

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<sup>3</sup>[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](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)

<sup>4</sup> "Cookware product" means a durable houseware product intended to be used to prepare, dispense or store food, foodstuffs or beverages, including, but not limited to, a pot, pan, skillet, grill, baking sheet, baking mold, tray, bowl and cooking utensil.

surfaces that do not come into contact with food are excluded<sup>5</sup> which is similar to Vermont which enacted a similar cookware ban that focus on cookware products “intended for direct food contact”.<sup>6</sup> MPCA also clarified that the prohibition on PFAS cookware was for the specific products identified in the law and excluded coffee makers.<sup>7</sup> LD 827 would seek to harmonize with other states and not make Maine an outlier on cookware.

Ultimately, manufacturers and suppliers want to consistently comply with the law and a clear product scope is essential which means including the clear list of products as listed in the law (pots, pans, skillets, baking molds). This ultimately ensures increased compliance across all cookware product manufacturers and prevents any negative impacts from inconsistent interpretations of a potentially limitless scope. We believe LD 827 maintains the original intent of the law but seeks to avoid any unintended consequences and we would encourage this bill to move forward.

Thank you for the opportunity to present this written statement to the hearing record. AHAM strongly wants to work with the Committee to ensure this proposal moves forward. For future reference, my contact information is 202.872.5955 x328 or via electronic mail at [jkeane@aham.org](mailto:jkeane@aham.org).

Respectfully submitted,



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*AHAM represents more than 150 member companies that manufacture 90% of the major, portable and floor care appliances shipped for sale in the U.S. Home appliances are the heart of the home, and AHAM members provide safe, innovative, sustainable and efficient products that enhance consumers' lives. In Maine, the home appliance industry is a significant and critical segment of the economy. The total economic impact of the home appliance industry to Maine is \$437 million, more than 3,000 direct and indirect jobs, \$66 million in state tax revenue, and more than \$138 million in wages. The home appliance industry, through its products and innovation, is essential to consumer lifestyle, health, safety and convenience. Home appliances also are a success story in terms of energy efficiency and environmental protection.*

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<sup>5</sup> <https://www.pca.state.mn.us/sites/default/files/c-pfas-rule1-00a.pdf>

<sup>6</sup> <https://legislature.vermont.gov/Documents/2024/Docs/ACTS/ACT131/ACT131%20As%20Enacted.pdf>

<sup>7</sup> <https://www.pca.state.mn.us/sites/default/files/20240725-presentation-pfas-prohibitions.pdf>