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Testimony on behalf of the Cookware Sustainability Alliance

In Support For

L.D. 827 – An Act to Allow the Sale of Polymer-Coated Cookware Authorized for Food Contact by the United States Food and Drug Administration

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Senator Tepler, Representative Doudera, and distinguished members of the Environment and Natural Resources Committee, thank you for the opportunity to testify today. My name is Kevin Osantowski, and I am here on behalf of the Cookware Sustainability Alliance to voice strong support for L.D. 827, An Act to Allow the Sale of Polymer-Coated Cookware Authorized for Food Contact by the U.S. Food and Drug Administration.

This bill is important for businesses and families across Maine. The pending prohibition—set to take effect on January 1, 2026—on polymer-coated cookware containing polytetrafluoroethylene (PTFE), fluorinated ethylene propylene (FEP), or perfluoroalkoxy alkane (PFA), despite these products being deemed safe by the U.S. FDA, will carry with it significant unintended socio-economic impacts for Maine residents and businesses.

First, prohibiting the sale of these products in Maine would negatively affect local businesses. Small- and medium-sized specialty cookware retailers depend significantly on sales of popular non-stick cookware. If this prohibition takes effect, customers may increasingly turn to out-of-state retailers, and Maine-based businesses could also lose their ability to compete effectively for online retail sales to out-of-state customers, further depriving local stores of revenue and the State and local municipalities of applicable sales tax and ultimately harming Maine's economy.

Second, the prohibition would likely increase costs for Maine consumers, hitting lower-income families the hardest. Many available alternatives, such as ceramic, stainless steel, or cast iron cookware, often come at significantly higher upfront prices, and most of these alternatives can be expected to have a shorter useful lifespan compared to polymer-coated non-stick cookware. Additionally, the prohibition and higher upfront prices of alternatives would likely place added economic strain on Maine's roughly 3,324 restaurants, which already are forced to operate under tight margins. These cost concerns are further compounded by current economic uncertainty and the potential impact of pending steel tariffs.

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Third, this prohibition unnecessarily restricts consumer choice. Maine families would be denied the opportunity to purchase cookware that federal regulatory authorities, specifically the U.S. Food and Drug Administration, have thoroughly evaluated and determined to be safe. Such a restriction undermines consumer confidence in science-based safety standards and could lead to confusion among consumers regarding product safety.

Fourth, alternative cookware options may inadvertently introduce food safety and health concerns. Many non-polymer alternatives do not perform equivalently in preventing food from sticking, potentially leading consumers to rely more heavily on cooking oils and fats. Thus, removing affordable non-stick options could lead to increased consumption of less healthy alternatives—an outcome that is counterproductive to promoting healthier eating habits. Additionally, ceramic non-stick cookware entered the market relatively recently, in the early 2000s; due to its limited history, minimal research exists on potential adverse health impacts associated with its long-term usage, and because ceramic's "non-stick" qualities can last as short as a single year, they are known to be discarded far more frequently bringing associated negative environmental impacts.

Fifth, adopting this ban directly contradicts federal regulatory findings, causing regulatory confusion and compliance uncertainty. Businesses operating in Maine would bear the additional burden and complexity of navigating conflicting state and federal standards, further placing our state at an economic disadvantage.

Finally, implementing and enforcing a cookware-specific ban would place a needless drain on the state's already limited resources, diverting attention and funding from other critical environmental and public health priorities. Rather than burdening the DEP with overseeing cookware restrictions deemed unnecessary by the FDA, these resources could be better allocated elsewhere.

In conclusion, passage of L.D. 827 is a sensible solution. It aligns Maine with federally established safety standards and backed by sound science, supports local businesses and families, and prevents unnecessary regulatory burdens from taking effect. I urge you to vote in favor of this important legislation.

Thank you for your consideration and your continued dedication to the people and businesses of Maine.