



**American
Forest & Paper
Association**

May 3, 2021

The Honorable Stacy Brenner, Chair
Committee on Environment & Natural
Resources
100 State House Station
Augusta, ME 0433

The Honorable Ralph Tucker, Chair
Committee on Environment & Natural
Resources
100 State House Station
Augusta, ME 0433

**RE: Opposition to LD 1503- An Act to Stop Perfluoroalkyl and Polyfluoroalkyl Substances
Pollution**

Dear Senator Brenner, Representative Tucker and Members of the Committee:

The American Forest & Paper Association (AF&PA) appreciates the opportunity to share our perspective on legislation under consideration by the Committee on Environment and Natural Resources on LD 1503. We respectfully urge the Committee to give this bill an unfavorable report on the basis that it creates additional, duplicative work for Maine producers and the Maine Department of Environmental Protection (DEP), without any clarity on the intended use of the information once collected.

AF&PA serves to advance a sustainable U.S. pulp, paper, packaging, tissue and wood products manufacturing industry through fact-based public policy and marketplace advocacy. AF&PA member companies make products essential for everyday life from renewable and recyclable resources and are committed to continuous improvement through the industry's sustainability initiative — Better Practices, Better Planet 2020. The forest products industry accounts for approximately four percent of the total U.S. manufacturing GDP, manufactures nearly \$300 billion in products annually and employs approximately 950,000 men and women. The industry meets a payroll of approximately \$55 billion annually and is among the top 10 manufacturing sector employers in 45 states.

In Maine, the forest products industry operates 35 manufacturing facilities and employs more than 13,000 individuals with an annual payroll of over \$845 million and produces over \$4 billion in product each year. The estimated state and local taxes paid by the Maine forest products industry totals \$91 million annually.

PFAS

AF&PA members are committed to ensuring the safety of their products, including the safety of chemicals used in their manufacturing processes. AF&PA believes that chemical and product-related legislation and regulations should be protective of health, cost-effective and based on the best available science, reflecting actual exposure to and risk from chemicals in specific products, not merely whether *de minimis* or trace levels of a chemical may be present.

States should avoid duplicative regulatory efforts. Chemicals in products should be regulated at the federal, not the state level. It is essential that products moving in interstate commerce be subject to uniform standards. PFAS chemicals in food packaging are already regulated by the U.S. Food and Drug Administration (FDA) under a comprehensive federal regulatory program that ensures the safety of chemical use for public health and the environment. We support continued research on the safety of PFAS in our products.

Required Reporting

LD 1503 would require manufacturers of products with intentionally added PFAS to report the presence of those substances in those products to the state Department of Environmental Protection (DEP), beginning in 2023. The requirement for the state agency to collect this additional information creates further demands of time and resources for an already busy agency and creates burdensome new requirements for any producers selling or manufacturing products in Maine, without any benefit to the public.

Additional Product Bans

The bill also creates a precedent for the DEP to review and ban any reported product categories containing intentionally added PFAS; these categories then may not be sold, offered for sale or distributed in the State. The legislature has spent a great deal of time appropriately reviewing risks for legislation governing specific product categories and considering stakeholder feedback. LD 1503 would end this as it makes no allowances for producer input nor does it set standards for risk-based assessments, putting Maine businesses in the position of requesting waivers to produce or sell products regardless of actual risk.

Most PFAS legislation in the U.S. has focused on food packaging. The FDA has listed PFAS chemistries as safe for food contact purposes, and Maine passed legislation to ban food packaging containing intentionally added PFAS when there is a safer alternative available. There is no scientific information to claim a risk from other packaging. The only relevant route of exposure for packaging is through the skin (dermal route); however, public health agencies such as the Centers for Disease Control have stated that dermal contact should not increase exposure to PFAS. Thus, there is little benefit to legislating bans of these products.

We thank the Committee for their consideration on this important matter. As always, we stand ready to assist you and offer our expertise as a resource as you shape policy on this important issue. For additional information, please contact Stewart Holm, Chief Scientist, at stewart_holm@afandpa.org or Abigail Sztejn, Director of Government Affairs, at abigail_sztejn@afandpa.org.

Sincerely,



Abigail Turner Sztejn
Director, Government Affairs