



7 August 2024

(24-5568)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

Addendum

The following communication, dated 7 August 2024, is being circulated at the request of the delegation of the United States of America.

Title: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)

Reason for Addendum:	
<input checked="" type="checkbox"/>	Comment period changed - date: 30 August 2024
<input type="checkbox"/>	Notified measure adopted - date:
<input type="checkbox"/>	Notified measure published - date:
<input type="checkbox"/>	Notified measure enters into force - date:
<input type="checkbox"/>	Text of final measure available from ¹ :
<input type="checkbox"/>	Notified measure withdrawn or revoked - date: Relevant symbol if measure re-notified:
<input type="checkbox"/>	Content or scope of notified measure changed and text available from ¹ : New deadline for comments (if applicable):
<input type="checkbox"/>	Interpretive guidance issued and text available from ¹ :
<input checked="" type="checkbox"/>	Other: The Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) in Products Program has developed new concept draft language to implement the recently amended Title 38, section 1614. The concept draft language is now available for an informal outreach process until 30 August 2024. Interested WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point by 4pm Eastern Time on 30 August 2024. https://members.wto.org/crnattachments/2024/TBT/USA/24_05041_00_e.pdf

Description: Maine's PFAS in Products Program's governing statute was recently amended by Public Law 2023, c. 630, an Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances (LD 1537, 131st Legislature, effective 9 August 2024).

The recent legislation eliminates the general notification requirement that was previously scheduled to take effect 1 January 2025. This legislation also created several new sales prohibitions for products with intentionally added PFAS with varying effective dates, created some specific exemptions to the prohibitions, and established a new reporting program for those product categories that receive a

¹ This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained.

Currently Unavoidable Use (CUU) determination from the Department. After this initial, informal outreach process (ending 30 August 2024), Maine's Department of Environmental Protection (DEP) plans to proceed with rulemaking this fall. There will be an opportunity for public comment on a proposed draft rule during the rulemaking process. To keep informed about the rulemaking process, [sign up for email notices](#) or visit the Department's rulemaking page at <https://www.maine.gov/dep/rules/>.

The Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) in Products Program has developed new [concept draft language](#) to implement the recently amended [Title 38, section 1614](#). The concept draft language is now available for an informal outreach process until 30 August 2024. Interested WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](#) by [4pm Eastern Time](#) on 30 August 2024.

Further information, including a chart listing "Sales Prohibitions on Products Containing Intentionally Added PFAS" and Product Categories Exempt from the Sales Prohibition, is accessible from DEP at <https://www.maine.gov/dep/spills/topics/pfas/PFAS-products/index.html>.
