

Subject PFAS in Food Packaging Ban

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## Overview

This bill would ban the manufacture, distribution, and sale of food packaging that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS) beginning January 1, 2022. It would also require the commissioner of health to adopt a health risk limit (HRL) for perfluorooctane sulfonate (PFOS), a PFAS, which meets certain criteria.

PFAS are a family of manmade chemicals that have a number of uses, including nonstick cookware and coatings on some food packaging. PFAS do not breakdown in the environment and can accumulate over time. There is evidence that exposure to PFAS can lead to adverse human health effects.

## Summary

| Section | Description |
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| 1 | <b>Food packaging; PFAS.</b> |
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**Subd. 1. Definitions.** Defines terms for purposes of the ban, including food package, package, packaging component, and PFAS.

**Subd. 2. Prohibition.** Prohibits the manufacture, sale, or distribution of a food package that contains intentionally added PFAS.

**Subd. 3. Enforcement.** Allows the Pollution Control Agency (PCA) to enforce the ban using existing authorities and requires coordination with the commissioners of commerce and health.

**Effective date.** States the section is effective January 1, 2022.

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| 2 | <b>Health risk limit; perfluorooctane sulfonate.</b> |
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Requires the commissioner of health to adopt an HRL for PFOS that does not exceed 0.015 parts per billion by July 1, 2023. Requires the commissioner to comply with existing standards that require drinking water and air quality standards to be based

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on scientifically acceptable, peer-reviewed information and include a reasonable margin of safety to adequately protect the health of infants, children, and adults by considering certain health outcomes.

**3 Health risk limit; appropriation.**

Appropriates unspecified amounts in fiscal years 2022 and 2023 from the environmental fund to the commissioner of the Pollution Control Agency for transfer to the commissioner of health to adopt the health risk limit required under section 2.



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