

March 21, 2024

Representative Bennett
Chairs, House Environment and Natural Resources Committee
82 Smith Street
Providence, RI 02903

Re: Consumer Technology Association Testimony on H 7396 – Oppose

Chair Bennett and Members of the House Environment and Natural Resources Committee,

On behalf of the Consumer Technology Association (CTA), I am writing to respectfully oppose H 7396 as drafted which creates a reporting system for all products which contain intentionally-added PFAS.

CTA is North America's largest technology trade association. Our members are the world's leading innovators – from startups to global brands – helping support more than 18 million American jobs. Our member companies have long been recognized for their commitment and leadership in innovation and sustainability, often taking measures to exceed regulatory requirements on environmental design and product stewardship.

PFAS includes a broad class of thousands of chemicals that are often essential to the manufacture and function of electronic products. Any PFAS disclosure system will have a significant impact on the electronics sector. Electronics are complex articles, and a single product can have thousands of components sourced from multiple suppliers across the globe. Manufacturers will have to facilitate information requests, create databases to generate necessary reports, conduct supplier training to understand the information requests, validate and clarify any information received, and then link all received information to components and products sold. In addition, all of these information requests will have to cascade through the supply chain multiple levels.

Maine and Minnesota are the only states currently with broad PFAS reporting requirements, and the reporting requirements outlined in H 7396 have elements that go beyond those. The reporting requirements are too broad and could make implementation unworkable for electronics manufacturers. For example, H 7396 requires reporting past sales data – an element which is not required in any other PFAS reporting system. Reporting sales data for all electronics and electronic components sold in the state will be unnecessarily burdensome.

H 7396 also mandates that reporting be done by universal product code, or UPC – this would result in tens of thousands of reports from the electronics sector alone. Other jurisdictions looking at disclosure systems are still examining how best to do so via broader product

categories. Requiring the level of detail at the UPC code or for individual components within a finished product would be incredibly difficult for the state to manage and for manufacturers to produce. It would be easier if disclosure could be done by product category and if the implementing department had flexibility in how they are allowed to receive reporting.

The Maine Department of Environmental Protection has run into significant hurdles with implementation of their reporting law and the state is already looking at amending its program. Minnesota is only just beginning their process. In addition, the EPA has its [own PFAS reporting rule](#) going into effect next year and the EU is working through the process of establishing its own PFAS regulations. We believe these other jurisdictions should be given time to work through the difficult details of their disclosure and reporting systems. They are engaging with stakeholders to work through the thorny issues around complex products like electronic devices.

We're concerned that copying these still-developing programs in other jurisdictions before they are resolved could generate a patchwork of conflicting requirements that'll make it difficult for the Department to implement and for manufacturers to comply with.

Given these concerns, we respectfully oppose H 7396. Thank you for the opportunity to provide our thoughts on this legislation, and if you have any questions please do not hesitate to contact me at dmoyer@cta.tech.

Sincerely,
Dan Moyer
Sr. Manager, Environmental Law & Policy
Consumer Technology Association

