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January 22, 2024

Meredith Marshburn
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Re: Safer Products for Washington- PFAS Draft Regulatory Determinations Report (Cycle 1.5)

To whom it may concern:

On behalf of the Association of Home Appliance Manufacturers (AHAM), I would like to raise the following points concerning the proposed reporting recommendations for cookware and kitchen supplies.

AHAM's members produce hundreds of millions of products each year. They design and build products at the highest levels of quality and safety. As such, they have demonstrated their commitment to strong internal safety design, monitoring, and evaluation/failure analysis systems. AHAM supports the intent to protect consumers against all unreasonable risks, including those associated with the exposure to potentially harmful chemicals. AHAM also firmly supports the appropriate use of PFAS chemicals in appliances. PFAS is used in the internal components of electric and electronic products. For instance, PFAS is used as a flame retardant to reduce the risk of fire in certain cable coatings and circuit boards. It is used as a soldering agent for circuit boards. Together with industry design practices, test requirements, and redundant safety mechanisms, PFAS chemicals play an important role in the safety of household appliances, especially around cookware products.

Since the 1960s, the U.S. Food and Drug Administration (FDA) has authorized PFAS for use in food contact applications for cookware, food packaging, and food processing for their non-stick and grease, oil, and water-resistant properties. To ensure food contact substances are safe for their intended use, the FDA conducts a rigorous scientific review before they are authorized for the market. In cookware, PFAS molecules are applied at very high temperatures to bind them to surfaces. According to the FDA's website, studies show that nonstick coatings contain negligible amounts of PFAS that can contaminate foods.¹

¹<https://www.fda.gov/food/process-contaminants-food/questions-and-answers-pfas-food#:~:text=These%20coatings%20are%20made%20of,capable%20of%20migrating%20to%20food.>

The initial set of regulatory determinations for PFAS identifies “cookware and kitchen supplies” which includes “frying pans, cooking pots, rice cookers, waffle makers, griddles, bakeware, and reusable baking liners.” Several states have enacted laws around cookware products. California² and Colorado³ have instituted cookware labeling requirements which have gone into effect in 2024, while Minnesota has a 2025 prohibition of cookware with intentionally added PFAS. In addition, the Environmental Protection Agency has instituted reporting obligations under the Toxic Substances Control Act that could overlap these potential state reporting requirements. With the “includes” language in this proposed determination, it opens the door to unclear product scope. We would request clarity around a clear product scope to ensure compliance. In the deliberation around the California law, an amendment was adopted that removed “but is not limited to” language so that cookware is only the items listed in the bill. We would request if you were already complying with California reporting requirements that you would be in compliance with this law.

Washington should work with other states to clarify and harmonize the cookware definition to include only products that meet all the following criteria: Contain intentionally added PFAS; Intended for cooking because the product is “cookware”; and only surfaces that are in contact with food during the cooking process. Ultimately, extending any regulation on cookware beyond food contact surfaces brings significant compliance questions with respect to electronic components.

Thank you for considering our views and please contact me at jkeane@aham.org or 202-872-5955 if you would like to discuss this in more detail.

Respectfully submitted,



John Keane
Manager of Government Relations

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM’s membership includes over 150 companies throughout the world. In the U.S., AHAM members employ tens of thousands of people and produce more than 95% of the household appliances shipped for sale. In Washington, the home appliance industry is a significant and critical segment of the economy. The total economic impact of the home appliance industry to Washington is \$2.2 billion, nearly 13,000 direct and indirect jobs, \$381.8 million in state tax revenue and more than \$763 million in wages. The factory shipment value of these products is more than \$30 billion annually. The home appliance industry, through its products and innovation, is essential to U.S. consumer lifestyle, health, safety, and convenience. Through its technology, employees and productivity, the industry contributes significantly to U.S. jobs and economic security. Home appliances also are a success story in terms of energy efficiency and environmental

² https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1200

³ <https://leg.colorado.gov/bills/hb22-1345>

protection. New appliances often represent the most effective choice a consumer can make to reduce home energy use and costs.