



October 16, 2024

Department of Ecology - HWTR
300 Desmond Dr. SE
Lacey, WA 98503

Re: Safer Products for Washington- Informal Comment Period (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

The draft rule for PFAS in product identifies "cookware and kitchen supplies" which includes "frying pans, cooking pots, rice cookers, waffle makers, griddles, bakeware, and reusable baking

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.>

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, at the federal level, the Environmental Protection Agency has instituted reporting obligations under the Toxic Substances Control Act that could overlap these potential state reporting requirements.⁴ In order to avoid duplication, we would ask to harmonize as much as possible with federal requirements to avoid reporting very similar information. The January 31, 2027, deadline is feasible as many manufacturers will have already completed EPA reporting on a wider swath of products.

Secondly, we appreciate that this does not include internal components but with the “includes” language in this draft rule, it opens the door to unclear product scope. Presently it could be interpreted as any food contact surface, regardless of whether one actually cooks or prepares food with it. 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. In preparation for the ban in Minnesota, the Minnesota Pollution Control Agency provided specificity⁵ of their ban:

The MPCA considers cookware to mean the specifically listed items, or different forms of the listed items, which include a component that has a nonstick coating containing intentionally added PFAS. Items listed in the definition of cookware include pots, pans, skillets, grills, baking sheets, baking molds, trays, bowls, and cooking utensils.

Ultimately, we would request reporting harmonization and clear product scope to ensure clear compliance. 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

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

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

⁴ <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-8a7-reporting-and-recordkeeping>

⁵ <https://www.pca.state.mn.us/air-water-land-climate/2025-pfas-prohibitions#cookware>

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