

## Restrictions on PFAS Sale and Use in Maryland:

The George “Walter” Taylor Act, passed by the Maryland Legislature in 2021, set restrictions on the use of certain products containing intentionally-added PFAS chemicals in fire-fighting foam, fire-fighting equipment including turnout gear, rugs and carpets, and food packaging materials. “PFAS chemicals” means, when used in these products, a class of fluorinated organic chemicals that contain at least one fully fluorinated carbon atom, including perfluoralkyl and polyfluoralkyl substances. The restrictions and bans established by the law is summarized as follows – see the actual language of the bill for more information here ([Link to George Walker Taylor Act](#)):

Firefighting Foam: After January 1, 2024, a person may not use, manufacture, sell, or distribute Class B fire-fighting foam that contains PFAS except in a few special cases (i.e., at an airport, port, refinery, or chemical plant until September 30, 2024, and at an oil terminal until December 31, 2027). Whenever it is used, all foam and foam-containing runoff must be contained so that it is not released into the environment, and be disposed of in a way that it doesn’t escape into the environment. Any releases have to be reported to MDE within 5 days. MDE is tasked with arranging a take-back program for any unused foam concentrate that contains PFAS, and this program is being developed at this time. The foam concentrate cannot be landfilled or incinerated in Maryland.

Fire-fighting Protective Equipment: Effective October 1, 2023, any person selling personal protective equipment for firefighting in Maryland must provide the buyer with a statement detailing whether the product contains PFAS, and the reason that PFAS are being used in the product. The statement is required be retained by both the seller and the buyer for at least 3 years.

Rugs and Carpets: After January 1, 2024, a person may not manufacture, knowingly sell, or distribute a rug or carpet in Maryland to which PFAS have been intentionally added. Manufacturers selling rugs and carpets in Maryland are required to establish a certificate of compliance attesting that the products offered for sale in Maryland are in compliance, and produce it upon request by the Department.

Food Packaging: On or after January 1, 2024, a manufacturer or distributor may not manufacture or knowingly sell or distribute for sale in Maryland a food package or packaging component designed for direct food contact to which PFAS chemicals were intentionally added. Manufacturers selling these products in Maryland are required to establish a certificate of compliance attesting that the products offered for sale in Maryland are in compliance, and produce it upon request by the Department.

Enforcement: ALL of these restrictions are subject to compliance activities by MDE, and violations may be subject to fines and other penalties.