

March 13, 2025

Representative John Lively
Chair
House Committee on Climate, Energy, and Environment
900 Court St. NE
Salem, Oregon 97301

Chair Lively and Vice-Chairs Gamba and Levy, and members of the Committee, thank you for the opportunity to share the viewpoints of the home appliance manufacturing industry regarding HB 3512. **As currently written, AHAM is opposed to HB 3512 for several product scope and compliance concerns.**

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's members produce hundreds of millions of products each year. In Oregon, the home appliance industry is a significant and critical segment of the economy. The total economic impact of the home appliance industry to Oregon is \$1.5 billion, more than 10,000 direct and indirect jobs, \$160 million in state tax revenue, and more than \$514 million in wages. 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. Together with industry design practices, test requirements, and redundant safety mechanisms, PFAS chemicals play an important role in the safety of household appliances.

Under the proposed bill, several covered products that contain intentionally added perfluoroalkyl or polyfluoroalkyl substances would be banned effective January 1, 2027. "Covered products" of particular concern to AHAM and discussed further below are refrigerators, cookware, cleaning products and packaging. AHAM believes the unclear product/part scope of these prohibitions could threaten product safety and availability. With enforcement through the Attorney's General Office and the lack of rulemaking, this proposal could set up a compliance nightmare for the State of Oregon.

Refrigerators

We are unclear on the target around refrigerators, or the bill's intended scope without a definition. Under this prohibition, environmentally friendly, and low global warming potential (GWP) foam blowing agents (HFOs) that are used in refrigeration and environmentally friendly refrigerants used in air conditioning could be included. Several states have acted to ban hydrofluorocarbon (HFC) use as well as the U.S. Environmental Protection Agency (EPA) encouraged and effectively drove a transition to HFOs and other GWP foam blowing agents through ozone depletion and climate focused phaseouts of CFC's, HCFC's, and HFC compounds. These specialized gases are an integral part of various cooling systems, including refrigerators, air conditioners, and heat pumps. Prohibition or restriction of these chemicals would require a total re-design of models and

retooling of entire appliance manufacture facilities at significant cost. The State of Maine, who have made modifications to their PFAS prohibitions law, have extended cooling, heating, ventilation, air conditioning or refrigeration equipment into 2040.¹ Outside of the foam blowing agents, there are PFAS in refrigerator circuit boards, wirings, and possible display screens, inaccessible to human contact so we raise apprehension on the potential implications of the inclusion of refrigerators.

Cookware

Under the proposed bill, cookware is defined as “durable items used to prepare, store or serve food or beverages, including but not limited to pots, pans, skillets, grills, baking sheets, baking molds, trays, bowls, food storage containers and cooking utensils. The “including but not limited” language raises concerns about what products would be incorporated into this ban and could potentially include any product in the kitchen including several major appliances, such as your microwave or stove. There are risks of inconsistent interpreting and enforcement of which products would be included in the 2027 cookware product prohibitions.

The term “cookware” typically refers to products designed to be used primarily on a stovetop or inside an oven and not the cooking appliance itself. The proposed language is unjustifiably expansive to include any product that touches food and could even include internal components. While several states have enacted PFAS prohibitions, no state has included internal components for cookware. Minnesota enacted the first prohibition of cookware with intentionally-added PFAS and the Minnesota Pollution Control Agency delayed their internal components ban by stating, “if the product has PFAS in internal components it will be subject to the 2032 prohibition.”² Last year, Vermont enacted a similar law (S. 25) and it states, “Cookware” means durable houseware items used to prepare, dispense, or store food, foodstuffs, or beverages **and that are intended for direct food contact**, including pots, pans, skillets, grills, baking sheets, baking molds, trays, bowls, and cooking utensils.”³

The potential inclusion of non-direct food contact and internal components raises significant concerns for manufacturers, primarily because there may not necessarily be safe, tested, and validated alternatives to PFAS use in internal components and electronics. Appliances are complex products with wirings, circuit boards, and numerous internal components. Other products included in the 2027 prohibition are not complex but homogenous products, such as cosmetics, dental floss & ski wax. Additional time would be needed for appliance manufacturers to identify substitutes, and even if a substitute is found, manufacturers need time to test, design, retool, and restock global supply. Because of the inclusion of internal components, manufacturers may not have time to identify substitutes that have a similar level of safety protection and performance. Rushing substitutes can lead to regrettable substitutes for products that manage water, gas, electricity, and high-speed motors which could ultimately threaten the health and safety of Oregon consumers.

¹ <https://www.maine.gov/dep/spills/topics/pfas/PFAS-products/>

² <https://www.pca.state.mn.us/sites/default/files/c-pfas-rule1-00a.pdf>

³ <https://legislature.vermont.gov/Documents/2024/Docs/ACTS/ACT131/ACT131%20As%20Enacted.pdf>

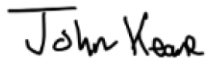
Cleaning Products & Packaging

Thirdly, under the proposed bill, ‘Cleaning product’ means an air care product, automotive maintenance product, general cleaning product or a polish or floor maintenance product.’ This would include “air care product” which is a consumer product sold for the purpose of eliminating unpleasant odors from the air.’ This raises additional product and compliance concerns as many home appliances use filters to remove odors from air. With many of these appliances having internal components as well.

Finally, we want to call out “packaging” which includes “an individually assembled component of a package or container, such as any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures or inks.” Depending on how “individually assembled components of a package or container” is interpreted could include several coatings and safety labels.

AHAM members are committed to compliance, but this proposed bill would raise significant unintended consequences that threaten product safety and availability, and we would encourage the committee to consider the potential implications before moving forward. We would be happy to discuss these details further.

Respectfully submitted,

A handwritten signature in black ink that reads "John Keane". The signature is written in a cursive, slightly slanted style.

John Keane
Manager of Government Relations