

2022 -- S 2049

LC003244

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO HEALTH AND SAFETY -- PROHIBITION OF PFAS IN FOOD
PACKAGING, CLOTHING AND CARPETING ACT

Introduced By: Senators Calkin, Mendes, Anderson, Mack, and Quezada

Date Introduced: January 25, 2022

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 25.6

4 PROHIBITION OF PFAS IN FOOD PACKAGING, CLOTHING AND CARPETING ACT

5 **23-25.6-1. Short title.**

6 This chapter shall be known and may be cited as the "Prohibition of PFAS in Food
7 Packaging, Clothing and Carpeting Act".

8 **23-25.6-2. Legislative findings.**

9 It is recognized and acknowledged by the general assembly that:

10 (1) PFAS are highly persistent chemicals that are transported long distances in the
11 environment.

12 (2) United States manufacturers have voluntarily worked to reduce releases of long-chain
13 PFAS due to their toxic effects on human health.

14 (3) The PFAS with fewer than eight (8) carbon-fluorine bonds currently being used as
15 alternatives to PFOA and PFOS are also highly persistent and subject to long-range transport. In
16 addition, the alternative PFAS have similar potential for harm as the long-chain PFAS.

17 (4) Over two hundred (200) scientists from all over the world have signed a statement
18 calling for governments to limit the use of PFAS while studies determine the safety of these

1 chemicals, given their persistence in the environment, potential for harm, and lack of adequate data
2 proving safety.

3 (5) Food packaging contains PFAS in order to resist grease and other fats from sticking to
4 the paper packaging.

5 (6) Alternatives are already in use in food packaging.

6 (7) PFAS are also present in carpets and clothing, as well as other products, and are
7 commonly known by their brand names, when utilized by some products as Teflon and Scotchgard.

8 **23-25.6-3. Definitions.**

9 As used in this chapter:

10 (1) "Carpet" or "carpeting" means a floor covering made of fabric.

11 (2) "Clothes" or "clothing" means any cloth, leather, or material designed and used for
12 covering the body.

13 (3) "Food package" means a package or packaging component that is intended for the
14 marketing, protection, or handling of a product intended for food contact or used to store food and
15 foodstuffs for sale.

16 (4) "Manufacturer" means a person, firm, association, partnership, government entity,
17 organization, joint venture, or corporation that applies a package to a product for distribution or
18 sale.

19 (5) "Package" means a container providing a means of marketing, protecting, or handling
20 a product and shall include a unit package, an intermediate package, and a shipping container.
21 "Package" also means and includes unsealed receptacles such as carrying cases, crates, cups, pails,
22 rigid foil and other trays, wrappers and wrapping films, bags, and tubs.

23 (6) "Packaging component" means an individual assembled part of a package such as, but
24 not limited to, any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior
25 strapping, coatings, closures, inks, and labels.

26 (7) "PFAS" means perfluoroalkyl and polyfluoroalkyl substances, a class of fluorinated
27 organic chemicals containing at least one fully fluorinated carbon atom.

28 **23-25.6-4. Prohibition of PFAS in food packaging.**

29 No person may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute
30 for use in this state food packaging to which PFAS have been intentionally added in any amount.

31 **23-25.6-5. Warning labels required.**

32 No person may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute
33 for use in this state any clothing or carpeting to which PFAS have been intentionally added in any
34 amount, including, but not limited to, any package or packaging component of the package without

1 including a warning label on the product or packaging of the product which indicates as follows:

2 "This product contains PFAS. PFAS are linked to serious health problems in adults and children."

3 **23-25.6-6. Penalties.**

4 Any person who violates any provisions of this chapter shall be subject to a fine of not
5 more than one thousand dollars (\$1,000) for each offense.

6 SECTION 2. This act shall take effect on January 1, 2023.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- PROHIBITION OF PFAS IN FOOD
PACKAGING, CLOTHING AND CARPETING ACT

1 This act would prohibit PFAS, a class of fluorinated organic chemicals, from being used
2 in food packaging and would also require that any carpeting or clothing containing PFAS
3 manufactured or sold in this state carry a warning label. Violations would be punishable by a fine
4 of one thousand dollars (\$1000) for each offense.

5 This act would take effect on January 1, 2023.

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