

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 242

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S.P. 108

In Senate, January 20, 2023

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**An Act to Clarify That Animal Health Products Are Exempt from  
the Perfluoroalkyl and Polyfluoroalkyl Substances Reporting Law**

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Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §1614, sub-§4**, as enacted by PL 2021, c. 477, §1 and reallocated  
3 by RR 2021, c. 1, Pt. A, §54, is amended to read:

4 **4. Exemptions.** The following are exempt from this section:

5 A. A product for which federal law governs the presence of PFAS in the product in a  
6 manner that preempts state authority; ~~and~~

7 B. A product subject to Title 32, chapter 26-A or 26-B; and

8 C. A product intended for animals that is regulated as an animal drug, biologic or  
9 parasiticide administered to animals or a medical device or diagnostic used to treat  
10 animals under the Federal Food, Drug, and Cosmetic Act, as in effect on January 1,  
11 2023; the federal Virus-Serum-Toxin Act, as in effect on January 1, 2023; or the  
12 Federal Insecticide, Fungicide, and Rodenticide Act, as in effect on January 1, 2023.

13 **SUMMARY**

14 This bill provides that certain health products intended for animals that are regulated  
15 under the Federal Food, Drug, and Cosmetic Act, the federal Virus-Serum-Toxin Act or  
16 the Federal Insecticide, Fungicide, and Rodenticide Act are exempt from the notification  
17 requirements that generally apply to products containing perfluoroalkyl and  
18 polyfluoroalkyl substances.