

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 607

AMENDMENT NO. A11
(to be filled in by
Principal Clerk)

S607-ANB-34 [v.2]

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Amends Title [NO]
Fourth Edition

Date _____, 2024

Representative Autry

1 moves to amend the bill on page 29, lines 16-17, by inserting the following between the lines:

2
3 **"BAN THE MANUFACTURE AND SALE OF COVERED PRODUCTS CONTAINING**
4 **INTENTIONALLY ADDED PFAS**

5 **SECTION 16.5.(a)** Article 21A of Chapter 143 of the General Statutes is amended
6 by adding a new Part to read:

7 "Part 8. Ban Manufacture and Sale of Covered Products Containing Intentionally Added PFAS.
8 "§ 143-215.104LL. Prohibition on manufacture and sale of covered products containing
9 intentionally added PFAS within the State.

10 (a) Definitions. – The following definitions apply in this Part:

11 (1) Compostable. – An item that reliably and entirely breaks down and becomes
12 part of usable compost no later than 180 days after proper disposal.
13 Compostable items may be made from organic materials such as bagasse,
14 sugarcane, bamboo, paper, hay, or certified compostable plastics that meet the
15 American Society for Testing and Materials (ASTM) standard specifications
16 for industrially compostable plastics D6400 and compostable plastic coatings
17 D6868. Permitted compostable plastics, often marketed as biodegradable,
18 must be clearly labeled with the applicable standard on the product.

19 (2) Covered product. – Any product subject to the requirements of this Part,
20 including food packaging.

21 (3) Food package or food packaging. – A package, compostable container, or
22 packaging component that is intended for direct food content.

23 (4) Intentionally added PFAS. – Any of the following:

24 a. PFAS added to a product or one of the product's components that have
25 a function or technical effect in the product, including the PFAS
26 components of products that constitute added chemicals or products
27 thereof.

28 b. PFAS used or produced during the manufacture or processing of a
29 product introduced into or onto the product, including any source of
30 PFAS that is reasonably known to be present, such as using processing
31 agents, mold release agents, or fluorination.



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- 1 (5) Manufacturer. – The person who manufactures a product or whose brand
2 name is affixed to the product. If the product is imported into the United
3 States, the term "manufacturer" includes the importer or first domestic
4 distributor of the product, if the person that manufactured or assembled the
5 product or whose brand name is affixed to the product does not have a
6 principal place of business in the United States.
7 (6) PFAS. – Perfluoroalkyl and polyfluoroalkyl substances, a class of fluorinated
8 organic chemicals containing at least one fully fluorinated carbon atom.
9 (7) Product. – An item manufactured, assembled, packaged, or otherwise
10 prepared for sale to consumers, including its product components, sold or
11 distributed for personal, residential, commercial, or industrial use, including
12 for use in making other products. This does not include used products offered
13 for sale or resale.
14 (8) Product component. – An identifiable component of a product, regardless of
15 whether the manufacturer of the product is the manufacturer of the
16 component.
17 (b) No person may knowingly manufacture, sell, or offer for sale any covered product
18 that contains intentionally added PFAS in this State. A manufacturer of a covered product shall
19 provide persons that offer the covered product for sale in this State with a certificate of
20 compliance stating, at a minimum, that the covered product is in compliance with the
21 requirements of this Part and does not contain any intentionally added PFAS. A certificate of
22 compliance provided under this subsection shall be signed by an authorized official or
23 representative of the manufacturer. The certificate of compliance may be provided to persons
24 through electronic means.
25 (c) This Part shall not apply to the sale or resale of used products."
26 **SECTION 16.5.(b)** This section becomes effective October 1, 2024."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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