

Chemicals in Regulated Products in Minnesota, USA

On May 24, 2023, the Minnesota State Governor signed HF 2310 (*Omnibus Environment, Natural Resources, Climate and Energy Finance and Policy Bill*) into law, which contains the new requirements on PFAS, lead and cadmium.

For PFAS, the sale of PFAS-added products in Minnesota will be prohibited at various stages through a sales ban, submission of materials, and a blanket ban. The Act restricts the amount of lead and cadmium in certain consumer products. The lead content in the listed products should not exceed 90ppm, and the cadmium content should not exceed 75ppm. The lead and cadmium requirements do not apply to covered products containing lead or cadmium, or both, when regulation is preempted by federal law.

The following are the highlights:

Substance	Scope	Requirement	Effective date
PFAS	Carpets or rugs; Cleaning products; Cookware; Cosmetics; Dental floss; Fabric treatments; Juvenile products; Menstruation products; Textile furnishings; Ski wax; Upholstered furniture	Any products that are sold or distributed in Minnesota must not contain intentionally added PFAS.	January 1, 2025
PFAS	Products	The manufacturer shall provide a test report if the product is believed to contain intentionally added PFAS.	January 1, 2026
PFAS	Products	Any products that are sold or distributed in Minnesota must not contain intentionally added PFAS, unless the use of PFAS is unavoidable use.	January 1, 2032
Lead, Cadmium	Jewelry; Toys; Cosmetics and personal care products; Puzzles, board games, card games, and similar games; Play sets and play structures; Outdoor games; School supplies; Pots and pans; Cups, bowls, and other food containers; Craft supplies and jewelry-making supplies; Chalk, crayons, paints, and other art supplies; Fidget spinners; Costumes, costume accessories, and children's and seasonal party supplies; Keys, key chains, and key rings; Clothing, footwear, headwear, and accessories	Lead \leq 90ppm (0.009%); Cadmium \leq 75ppm (0.0075%); The lead and cadmium requirements do not apply to covered products containing lead or cadmium, or both, when regulation is preempted by federal law. The manufacturer should provide compliance information if relevant departments request it.	August 1, 2023

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