

September 2, 2025

Submitted via electronic mail

Kerri Malinowski Farris
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

Re: Chapter 90: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances

Dear Ms. Malinowski Farris:

On behalf of the Association of Home Appliance Manufacturers (AHAM), I would like to provide the following comments with respect to the amended rule from the Maine Department of Environmental Protection (MDEP) relative to Chapter 90, to establish designations for currently unavoidable uses of intentionally added PFAS in products subject to sales prohibition beginning January 1, 2026. We strongly encourage DEP to recommend BEP approve the CUU proposals for the use of high-performance materials in coffee makers, as these applications meet the statutory definition of being essential for health, safety and the functioning of society.

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. 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.

Coffee Makers

Coffee and espresso makers play a central role in American homes and businesses. Coffee is consumed daily by millions of Americans and coffee makers provide households and workplaces a quick and easy way to brew coffee for multiple people. Often, owning a coffee maker can be more cost-effective than purchasing coffee from outside sources as consumers can choose the type of coffee, quantity, and minimize waste.

Several states have enacted prohibitions of intentionally added PFAS in cookware, **but Maine is the first state to include coffee makers and espresso makers**. Specifically, in 2023 the State of Minnesota enacted "Amara's Law" which included a 2025 ban on eleven product categories including cookware. The products listed in Minnesota law are the same under Maine's law: "Cookware" means durable houseware items used to prepare, dispense, or store food, foodstuffs, or beverages. Cookware includes but is not limited to pots, pans, skillets, grills, baking sheets,

baking molds, trays, bowls, and cooking utensils. However, in subsequent guidance, the Minnesota Pollution Control Agency made clear “an electric coffee machine is not included because it does not match well with any of the listed items.”¹ More recently, Connecticut enacted Public Act 24-59 which includes regulations around cookware and the Connecticut Department of Energy and Environmental Protection (DEEP) legal office has advised that coffee makers would not be included in the definition of cookware used in this law. In another state, Rhode Island just calls out “coffee pots” in their guidance around their PFAS in Consumer Products Ban Act of 2024.²

As Maine is the first state to include coffee makers, this ban could cause a disruption to Maine’s supply of coffee and espresso makers as manufacturers are making real-time decisions on product changes & inventory management as January 2026 is quickly approaching. These manufacturers learned of the inclusion of food contact surfaces inside coffee and espresso makers in April/May 2025 via the adoption of Chapter 90-Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances. Subsequent meetings and guidance have increased concerns that many coffee makers will not be available to be sold by January 2026. The selection, testing, and validation of alternative materials used in these products will take years. This ban will likely lead to a significant disruption in the availability of coffee makers and could affect the daily functions of Maine consumers. This ultimately could jeopardize the health and safety of Maine residents who rely on our cookware products for their daily cooking needs.

Role of PFAS

Many European and international manufacturers use PTFE for components that handle high pressure and temperature. The PFAS that are used in a coffee maker’s components include tubing, gaskets, solenoid valves and vibrating pumps and are essential because of their exceptional properties such as chemical stability, resistance to high pressure, durability and maintenance through higher temperatures, & long-lasting non-stick and self-lubricating properties.

- PTFE in piping/tubing is often used in coffee machines to transfer hot water, steam, and coffee due to their resistance to high pressure, high temperature, and chemical stability.
- PTFE coating on components like pumps and valves used for long-lasting non-stick and self-lubricating properties.
- FEP and PVDF in piping and connectors used for resistance to high pressure, high temperature, and chemical stability.
- FKM in gaskets and O-rings are used in the coffee bean grinder shaft for chemical stability, long durability, resistance to high pressure & high temperature.

¹<https://www.pca.state.mn.us/sites/default/files/20240725-presentation-pfas-prohibitions.pdf>

²<https://dem.ri.gov/pfas-products>

The Food and Drug Administration (FDA) regulates substances that come into contact with food, including food packaging and processing materials. This includes tubing used in espresso machines, coffee makers, and other food-related equipment. Food contact parts and materials of coffee machines shall comply with: FDA - CFR21 ♦ Code of Federal Regulations, Title 21, Food & Drug, Vol.3, Chapter I, Parts 170-199 as well as applicable raw materials restrictions and registration managed by FDA (e.g. Gras, FCN - Food Contact Notice, FCS - Food Contact Substances). The Food and Drug Administration has authorized fluoropolymers for use in food contact applications. In January 2025, the FDA confirmed that fluoropolymers intended for use in the manufacture of coated cookware and food contact seals are approved and do not pose a safety risk, as they are made of polymerized molecules.³ According to the FDA, fluoropolymers, including PTFE, have a long history of safe use, with PTFE first applied in medical devices as early as the 1950s.⁴ Relative to safety standards, domestic coffee machines also comply with UL 1082 where components shall be resistant to thermal degradation at maximum temperature to which it is exposed during normal use of the appliance.

Alternative Assessment

Alternatives to these materials have not been adequately reviewed because Maine is the first state to enact a ban impacting coffee makers. The PFAS fluoropolymers mentioned may potentially be replaced by alternative materials such as reinforced silicon, non-PFAS polymers and ceramics which do not offer the same combination of properties such as resistance to high pressure and temperature and resistance to friction. For example, silicone tubing can lose elasticity and tends to dry out and become brittle over time, especially subjected to heat for prolonged periods. This could create potential leakage and would potentially require the coffee maker to be frequently replaced. Silicone is less resistant to wear, and abrasion compared to PTFE. Decreased product durability will lead to increased waste. On the other hand, PTFE has been studied to be safe as it would need to reach temperatures far exceeding those in a coffee machine to degrade. The selection, testing, and validation of alternative materials takes years, and this ban could lead to a significant disruption in the availability of coffee makers and could affect the daily functions of Maine consumers.

AHAM appreciates the opportunity to comment. We would be happy to discuss all these details further.

Respectfully submitted,



John Keane
Manager of Government Relations

³<https://www.fda.gov/food/process-contaminants-food/authorized-uses-pfas-food-contact-applications>
<https://www.fda.gov/food/process-contaminants-food/questions-and-answers-pfas-food>

⁴https://www.fda.gov/medical-devices/products-and-medical-procedures/pfas-medicaldevices?utm_medium=email&utm_source=govdelivery

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's membership includes over 150 companies throughout the world. In the U.S., AHAM members employ tens of thousands of people and produce more than 95% of the household appliances shipped for sale. The factory shipment value of these products is more than \$30 billion annually. The home appliance industry, through its products and innovation, is essential to U.S. consumer lifestyle, health, safety, and convenience. Through its technology, employees and productivity, the industry contributes significantly to U.S. jobs and economic security. Home appliances also are a success story in terms of energy efficiency and environmental protection. New appliances often represent the most effective choice a consumer can make to reduce home energy use and costs.