

中国 WTO/TBT 国家通报咨询中心

China WTO/TBT National Notification & Enquiry Center

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TO: USA WTO/TBT Enquiry Point	Email: usatbtep@nist.gov
Date: Sep.2, 2025	Number of pages: 2+2
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From:	
China WTO/TBT National Notification & Enquiry Center.	Tel: 86-10-57954638 Fax: 86-10-57954689 E-mail: tbt@customs.gov.cn
Subject: Comments from P. R. China on Notification G/TBT/N/USA/1967/Rev.1 Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)	

Comments from P. R. China on Notification

G/TBT/N/USA/1967/Rev.1

Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)

Dear Sir or Madam,

We appreciate the opportunity to submit comments on the notified draft proposed by USA.

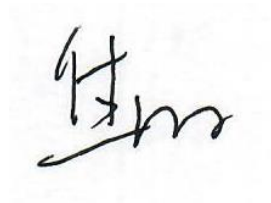
Enclosed please find comments in English and Chinese.

Please acknowledge receipt of the comments by e-mail to tbt@customs.gov.cn.

Thank you very much in advance for USA taking into account comments from P.R. China. Your formal reply will be appreciated.

Best regards,

Jiao Yang

A handwritten signature in black ink, appearing to be 'Jiao Yang', written over a light blue rectangular stamp.

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Comments from P. R. China on Notification

G/TBT/N/USA/1967/Rev.1

Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)

The People's Republic of China appreciates USA for fulfilling the transparency obligation under WTO, as well as for the opportunities for other WTO Members to make comments on the notification G/TBT/N/USA/1967/Rev.1. According to Article 2.9.4 of the WTO/TBT Agreement "without discrimination, allow reasonable time for other Members to make comments in writing, discuss these comments upon request, and take these written comments and the results of these discussions into account", China would like to put forward the following comments on the notified regulations and hope USA take these comments into consideration. The detail comments as follows:

1.Regarding regulation "Section 5.C.(7)", it is recommended to add an exemption clause "Section 5.C.(7)(c): Outdoor sports apparel with specific functional requirements (e.g., jackets, sports shoes, and other outdoor sports apparel products that require properties such as waterproof, oil-resistant, and stain-resistant.)". The following reasons:

PFAS, due to their excellent properties such as water resistance, oil resistance, and heat resistance, are widely used in areas including sports equipment, outdoor apparel, and sporting goods. In sports textiles, many products (e.g., sports shoes and apparel, protective gear, performance jackets, etc.) still highly rely on PFAS to achieve key functions such as "water/oil/stain repellency" and wear resistance; currently, there are no mature and reliable alternatives. Section 5.C.(7)(a) provides an exemption for "outdoor apparel for severe wet conditions," but it does not include outdoor sports apparel with specific functional requirements. Including such functional sports apparel within the scope of the sales prohibition would create unnecessary obstacles to trade; therefore, it is also necessary to exempt them.

2. Regulation "Section 5.C" stipulates that the sales prohibition for relevant products takes effect on January 1, 2026. If the aforementioned suggestion from China is not adopted, it is recommended to adjust the effective date of the sales prohibition to January 1, 2029.

Comments in Chinese are in below:

中国对 G/TBT/N/USA/1967/Rev.1 通报的评议意见

中国政府赞赏美国履行 WTO 透明度义务，给予其他 WTO 成员评议 G/TBT/N/USA/1967/Rev.1 通报的机会，根据 WTO/TBT 协定 2.9.4 条“无歧视地给予其他成员合理的时间以提出书面意见，并对这些书面意见和讨论的结果

予以考虑的规定”，请美国对中方的评议意见予以考虑并做出答复。中方具体意见如下：

1.关于法规“第 5.C.(7) 条”，建议新增豁免条款“第 5.C.(7) (c) 条：具备特定功能要求的体育运动户外服装（如需具备防水、防油和防污等性能的冲锋衣、运动鞋、防护服装产品）”。理由如下：

PFAS 因其卓越的防水、防油及耐热等性能，被广泛应用于运动装备、户外服装和运动器材等领域。在体育纺织品中，大量产品（如运动鞋服、防护装备和冲锋衣等）仍高度依赖 PFAS 以实现“三防”及耐磨等关键功能，目前尚无成熟可靠的替代方案。第 5.C.(7)(a)条对“恶劣潮湿条件下的户外服装(Outdoor apparel for severe wet conditions)”进行豁免，但其并不包含具备特定功能要求的体育运动户外服装。若将此类功能性运动服装纳入禁售范围，将对贸易造成不必要的障碍，因此也有必要对其予以豁免。

2.法规“第 5.C.条”规定，相关产品的禁售日期为 2026 年 1 月 1 日。若美方未采纳中方上述建议，建议美方将禁售日期调整至 2029 年 1 月 1 日。



1 August 2025

(25-4962)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

Revision

The following notification is being circulated in accordance with Article 10.6.

1. Notifying Member: <u>UNITED STATES OF AMERICA</u> If applicable, name of local government involved (Articles 3.2 and 7.2): State of Maine
2. Agency responsible: Department of Environmental Protection (DEP), State of Maine
3. Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [X], 7.2 [X], Other:
4. Products covered (HS codes or national tariff lines. ICS numbers may be provided in addition, where applicable): Products containing perfluoroalkyl and polyfluoroalkyl substances; Environmental protection (ICS code(s): 13.020); Domestic safety (ICS code(s): 13.120); Packaging materials and accessories (ICS code(s): 55.040); Products of the textile industry (ICS code(s): 59.080); Materials and articles in contact with foodstuffs (ICS code(s): 67.250); Production in the chemical industry (ICS code(s): 71.020); Products of the chemical industry (ICS code(s): 71.100); Plastics (ICS code(s): 83.080); Furniture (ICS code(s): 97.140); Home textiles. Linen (ICS code(s): 97.160); Miscellaneous domestic and commercial equipment (ICS code(s): 97.180) "Product" means an item manufactured, assembled, packaged, or otherwise prepared for sale to consumers, including its product components, that is sold or distributed for personal, residential, commercial, or industrial use, including for use in making other products. Product includes packages, packaging components, and food packaging as defined in 32 M.R.S. § 1732 ("Food package" means a package that is designed for direct food contact. "Food package" includes, but is not limited to, a food or beverage product that is contained in a food package or to which a food package is applied, a packaging component of a food package and plastic disposable gloves used in commercial or institutional food service) when sold individually or in bulk and not used in marketing, handling, or protecting a product).
5. Details of notified document(s) (title, number of pages and languages, means of access): Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS); (22 page(s), in English) Link to notified document(s) and/or contact details for agency or authority which can provide copies upon request: https://members.wto.org/crnattachments/2025/TBT/USA/25_05125_00_e.pdf
6. Description of content: Proposed amendments - The Department is proposing to amend rule Chapter 90, to establish designations for currently unavoidable uses of intentionally

<p>added Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) in products subject to sales prohibition beginning 1 January 2026.</p> <p><i>Public hearing:</i></p> <p>21 August 2025, 9:00 AM Eastern Standard Time (EST)</p> <p>Augusta Civic Center, 76 Community Drive, Cumberland Room-1st Floor</p> <p>Augusta, Maine 04330</p> <p>Please contact the PFAS in Products program PFASproducts@Maine.gov with any questions.</p>
<p>7. Objective and rationale, including the nature of urgent problems where applicable: Consumer information, labelling; Prevention of deceptive practices and consumer protection; Protection of human health or safety; Protection of animal or plant life or health; Protection of the environment</p>
<p>8. Relevant documents:</p> <p>Chapter 90: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS): https://www.maine.gov/dep/rules/index.html#13238654</p> <p>Maine Department of Environmental Protection - PFAS in Products: https://www.maine.gov/dep/spills/topics/pfas/PFAS-products/index.html</p> <p>Maine enacted a Perfluoroalkyl and polyfluoroalkyl substances (PFAS) regulation: https://mainelegislature.org/legis/bills/getPDF.asp?paper=HP1113&item=5&snum=130</p>
<p>9. Proposed date of adoption: To be determined</p> <p>Proposed date of entry into force: To be determined</p>
<p>10. Provision of comments</p> <p>Final date for comments: 2 September 2025</p> <p>[] 60 days from notification</p> <p>WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point by or before 4pm Eastern Time on 2 September 2025. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the Maine Department of Environmental Protection (DEP).</p> <p>Contact details of agency or authority designated to handle comments regarding the notification:</p> <p>Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov</p>