

International Material Data System

September 5, 2024

PFAS Disclosure Requirements and Subsequent IMDS Actions

In April 2023, the “*Global PFAS Chemical Regulations and Required IMDS Actions*” bulletin was published on the IMDS website. The intention of the bulletin was to bring awareness on the critical uses of PFAS (per- and polyfluoroalkyl substances) in automotive applications and to inform the supply base on the aggressive legislative and regulatory global efforts targeting the broad class of PFAS.

For context, in North America, the U.S. and Canada have implemented PFAS disclosure obligations, and the U.S. States of Maine and Minnesota have implemented reporting requirements of PFAS-containing products. The U.S. Environmental Protection Agency (US EPA) requirement for manufacturers (including article importers) covers PFAS-containing products from 2011 – 2022. Conversely, in Canada, their recently published mandatory notice only requires reporting of certain PFAS substances in products for the calendar year of 2023. Reporting requirements in the States of Maine and Minnesota are set to begin in 2025 & 2026 respectively.

In this context, automotive industry associations are committed to partnering with key stakeholders on pragmatic and effective solutions to PFAS challenges. These include collaboration on deep and full identification on materials and parts containing PFAS. To fulfill this responsibility, the [Global Automotive Declarable Substance List \(GADSL\)](#) was extensively updated in August 2022 to incorporate thousands of unique PFAS substances at very low reporting thresholds.¹ Recurring, comprehensive reviews are executed to the GADSL to ensure all PFAS substances used in the automotive supply chain are identified as declarable. All automotive tiers must regularly reference the current GADSL version to ensure IMDS data accurately reflects PFAS declarable substances.

Automotive manufacturers and suppliers need to work closely together to comply with PFAS reporting obligations. Suppliers, if not already aware, should familiarize themselves with these PFAS-related laws, bills, regulatory proposals, and regulations. Therefore, it is critical that as an entire industry we anticipate and comply with the forthcoming regulatory restrictions.

In anticipation of the upcoming PFAS reporting obligations, the automotive industry must ensure that all PFAS used in their products are reflected accurately in IMDS, considering the extensive GADSL updates and low reporting thresholds. Furthermore, IMDS data needs to be revisited and updated. To meet the US EPA PFAS reporting and recordkeeping requirements, IMDS data needs to be updated by 1/1/2025.

¹ If any PFAS substances to be reported are not available in IMDS please request the PFAS substance to be added in the IMDS web application.

For a non-exhaustive list of non-exhaustive list of laws, bills, regulatory proposals, and regulations, please see Appendix A.

Appendix A – PFAS Laws, Bills, Regulatory Proposals, and Regulations

- United States

EPA (Environmental Protection Agency)

- a. Toxic Substances Control Act (TSCA) Section 8(a)(7) Reporting and Recordkeeping Requirements for Perfluoroalkyl and Polyfluoroalkyl Substances (<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-8a7-reporting-and-recordkeeping>)
- b. PFAS Strategic Roadmap: EPA's Commitments to Action 2021-2024 (https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap_final-508.pdf)

State-level Laws

- a. Minnesota – Amara’s Law (Minn. Stat § 166.943) ([Sec. 116.943 MN Statutes](#))
- b. Maine LD 1503 - An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution (<https://www.mainelegislature.org/legis/bills/getPDF.asp?paper=SP0610&item=3&snum=131>)

State-level Proposed Bills and Action Plans

- a. New Jersey AB 1421 – Establishes requirements, prohibitions, and programs for regulation of PFAS ([NJ Legislature \(state.nj.us\)](#))
- b. New Jersey SB 1042- Prohibits sale, distribution, and import of certain products containing intentionally added PFAS ([NJ Legislature \(state.nj.us\)](#))
- c. California AB 347 - Establishes requirements, prohibitions, and programs for regulation of PFAS ([Bill Text - AB-347 Household product safety: toxic substances: testing and enforcement. \(ca.gov\)](#))
- d. Michigan HB5657 – Establishes notification system for the regulation of PFAS and prohibits sale and distribution of certain products containing intentionally added PFAS ([House Bill 5657 of 2024 - Michigan Legislature](#))
- e. Pennsylvania HB 2238 - Prohibits sale, distribution, and import of certain products containing intentionally added PFAS ([Bill Information - House Bill 2238; Regular Session 2023-2024 - PA General Assembly \(state.pa.us\)](#))
- f. New Hampshire HB 465 - Prohibits sale, distribution, and import of certain products containing intentionally added PFAS ([Current Legislation Search \(state.nh.us\)](#))

- Canada

- a. Prohibition of Certain Toxic Substances Regulations, 2022 (<https://www.canadagazette.gc.ca/rp-pr/p1/2022/2022-05-14/html/reg2-eng.html>)

- European Union
 - a. Overview of Regulations
(<https://echa.europa.eu/hot-topics/perfluoroalkyl-chemicals-pfas>)
 - b. PFAS draft restriction
(<https://echa.europa.eu/restrictions-under-consideration/-/substance-rev/72301/term>)
- Stockholm Convention (<http://chm.pops.int>)