



IKEA RESPONSE TO CHAPTER 90 RULE

Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)

Re: *Chapter 90: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances providing additional guidance on the notification requirements and sales prohibitions for products and product components containing intentionally added PFAS pursuant to 38 M.R.S. 1614.*

IKEA is a global home furnishing brand that brings well-designed, functional, affordable, and sustainable products to the many people. We do not compromise on product safety and recognize the significant health and environmental concerns about the class of PFAS chemicals.

IKEA understands and supports the ban on unnecessary use of PFAS in general, but also acknowledges that these substances are difficult to phase out in some products at this time. For example, PFAS are used for several technical purposes in electronics and lack technically feasible replacements today.

Through our practical experience of testing and reporting on thousands of products, we offer the following comments to the Chapter 90 Rule:

In general IKEA asks the Department to simplify the notification process as much as possible. Providing extensive information through a complex process presents a significant administrative burden for companies. Therefore, a clearly defined, simple process for the reporting of information is necessary for the purpose of fulfilling the rule requirements and will enable large companies like IKEA to comply.

We ask for further clarification on:

- How to categorize products for notification and what concentration ranges will be approved?
- If a notifier can choose to identify a product either by GPC or by HTS? The use of the HTS identifier is IKEA's preferred method as the change to GPC would pose an additional burden.
- Is it necessary to state product type and intended use when products are defined by GPC or HTS?
- What should the notified PFAS concentration be based on (total weight of the final product, weight of surface coating, weight of component, etc)?

We urge the Department to finalize the notification tool before publishing the final rule. The publication of the rule triggers the start of the extended notification deadline of 6 months, leaving insufficient time to interpret and fulfill the reporting requirements if the tool is not available. A detailed guidance to support the notification process is also needed to further aid in compliance to the rule.

We suggest that notification based on amounts added should be allowed in all cases. As it is stated in the draft rule a notifier can only use calculations when there is a department-approved range found in the notification system. Since the notification system is not ready and there are no department-approved ranges set, it means all notified products must be tested. Such unclarity will result in a lot of redundant testing including the unnecessary use of PFAS during testing. Methods and procedures are under development and are sometimes highly uncertain. To quantify a specific PFAS reliably, an analytical reference standard for the specific PFAS must be available. Laboratories can currently quantify around 40 different PFAS. The commonly used polymeric PFAS cannot be quantified as the specific polymers (e.g. as x mg PTFE/kg sample) in the way non-polymeric PFAS can, as reference standards are missing and the available methods are unsuitable.

We are open to sharing further insights from our experiences in this area and welcome any further inquiries.

For further information, please contact:

Inter IKEA Group

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About IKEA

IKEA offers well-designed, functional, and affordable, high-quality home furnishing, produced with care for people and the environment. There are several companies with different owners, working under the IKEA Brand, all sharing the same vision: to create a better everyday life for the many people. IKEA was founded in Sweden in 1943.

About Inter IKEA Group

Inter IKEA Group includes Inter IKEA Systems B.V., IKEA of Sweden AB, IKEA Supply AG, IKEA Industry AB, and related businesses. Inter IKEA Holding B.V. is the holding company for the Inter IKEA Group.

About the IKEA franchise System

The IKEA retail business is operated through a franchise system with franchisees that are authorized to market and sell the IKEA product range within specified geographical territories. Inter IKEA Systems B.V. is the owner of the IKEA Concept and worldwide IKEA franchisor, who also assigns different IKEA companies to develop the range, supply products and deliver communication solutions. Today, 12 different groups of companies own and operate IKEA sales channels under franchise agreements with Inter IKEA Systems B.V.