AUTO CARE ASSOCIATION | STATE PFAS COMPLIANCE SERIES

Maine PFAS Compliance

38 M.R.S. 1614 and Department of Environmental Protection rule Chapter 90.
Cleaning products, including automotive maintenance products, banned since January 1, 2026



WHAT IS PFAS?

Per- and polyfluoroalkyl substances (PFAS) are a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom. Maine regulates products with **intentionally added** PFAS: PFAS added to a product or component to give it a characteristic, appearance, or quality, or to perform a function, including degradation by-products. There is no exemption for any category of PFAS.

WHO MUST COMPLY

Manufacturers are responsible for the sales prohibitions. Manufacturer means the person that makes a product or whose brand name is on it; for imports, the importer or first domestic distributor if the maker or brand owner has no U.S. presence. A retailer violates a prohibition when it keeps selling a product after the manufacturer notifies it that the product is prohibited.

KEY DATES AND SALES BANS

Date	What happens
Jan 1, 2023	Banned: carpets or rugs, fabric treatments
Jan 1, 2026	Banned: cleaning products, cookware, cosmetics, dental floss, juvenile products, menstruation products, textile articles, ski wax, upholstered furniture
Jan 1, 2029	Banned: artificial turf; outdoor apparel for severe wet conditions unless labeled "Made with PFAS chemicals"
Jan 1, 2032	All other products with intentionally added PFAS banned unless approved as a currently unavoidable use (CUU)
Jan 1, 2040	Banned: heating, cooling, air conditioning, and refrigeration equipment; refrigerants, foams, and aerosol propellants. Parts and servicing, including SNAP-listed refrigerants sold to service that equipment, stay exempt

Each ban also covers PFAS-free products sold in a fluorinated container or a container that otherwise contains PFAS. Used products are excluded.

WHAT TO REPORT

Maine eliminated its general reporting requirement. Reporting applies only to products the Board of Environmental Protection approves as a CUU. Those manufacturers file a PFAS Notification Form in the Maine Environmental Licensing System (MELS) Hub and pay a fee:

- Product description and estimated annual units sold in Maine or nationally
- Purpose of the PFAS in the product and its components
- Amount of each PFAS by CAS number, as an exact quantity, total organic fluorine, or an approved range
- Manufacturer and contact information, and the applicable CUU determination

Manufacturers with 100 or fewer employees are exempt from notification. Update after a significant change or on request.

CURRENTLY UNAVOIDABLE USE

A CUU is a use essential for health, safety, or the functioning of society with no reasonably available alternative. Only the Board approves a CUU, by rule; the product stays prohibited until the rule takes effect. Proposals for the 2032 ban may be filed no earlier than 60 months and no later than 18 months before Jan 1, 2032.

AUTOMOTIVE AFTERMARKET PRODUCTS IN SCOPE

- **Automotive maintenance products:** products labeled to maintain a motor vehicle's appearance, including washing, waxing, polishing, or cleaning the interior or exterior, are cleaning products and have been banned since Jan 1, 2026. Automotive paint and paint repair products are excluded.
- **Fabric treatments:** banned since Jan 1, 2023. Aftermarket fabric and upholstery protectants may fall in this category.
- **Carpets and textiles:** textile articles that are part of a motor vehicle are excluded from the 2026 textile ban. Whether floor mats and seat covers sold separately fall under the carpet or textile bans depends on the definitions; confirm against the statute.
- **Jan 1, 2032:** all other aftermarket products with intentionally added PFAS, unless exempt or approved as a CUU.

EXEMPTIONS

Automotive-relevant exemptions (1614(4))

- (I) Motor vehicles and motor vehicle equipment regulated under a federal motor vehicle safety standard, and other motor vehicles, including off-highway vehicles, all-terrain vehicles, side-by-sides, and construction, forestry, and farm equipment. Textile articles and refrigerants in them are not exempt
- (C) Used products and used product components
- (A) Products where federal law governs PFAS in a way that preempts state authority
- (H) Products required to meet U.S. Department of Transportation, FAA, NASA, Defense, or Homeland Security standards, except textile articles and refrigerants in them
- (K) Semiconductors and equipment used to make them

What exemptions do and do not cover

- **Equipment, not chemicals:** exemption (I) covers vehicles and equipment regulated under a federal motor vehicle safety standard. It is not a general aftermarket exemption. Check whether a specific part is covered by a standard. Maintenance chemicals are banned as cleaning products.
- **Refrigerants, 2032:** refrigerants, foams, and aerosol propellants listed as acceptable under EPA's Significant New Alternatives Policy (SNAP) and sold for their listed use, and A/C and refrigeration equipment, parts, and servicing, are excluded from the 2032 ban.
- **Refrigerants, 2040:** the 2040 ban reaches that equipment and refrigerants, but parts and servicing stay exempt, including refrigerants used to service the equipment, if SNAP-listed and sold for the listed use. SNAP-excluded refrigerants have no notification requirement.
- **Certificate of compliance:** if the Department believes a product violates a ban, it may direct the manufacturer to certify within 30 days that the product has no intentionally added PFAS, or to notify sellers that the product is prohibited.

HOW TO COMPLY

Manufacturers and importers

- Confirm which products or components contain intentionally added PFAS
- Remove banned products from Maine, including appearance and cleaning chemicals
- Check product containers for fluorination
- Check whether exemption (I) applies part by part
- File a CUU proposal in the window if PFAS is essential
- Notify sellers when a product is prohibited

Retailers

- Stop selling a product once the manufacturer notifies you it is prohibited
- Ask suppliers to confirm the PFAS status of cleaning, appearance, and protectant products
- From Jan 1, 2032, do not sell products whose manufacturer failed to file a required notice, once notified

RESOURCES

38 M.R.S. 1614 (statute) | DEP PFAS in Products program, Chapter 90 rule, FAQ, and CUU forms
Agency questions: PFASproducts@Maine.gov | Association questions: govaffairs@autocare.org

Current as of November 13, 2026. For awareness only, not legal advice. Confirm obligations with the Maine Department of Environmental Protection or your counsel.