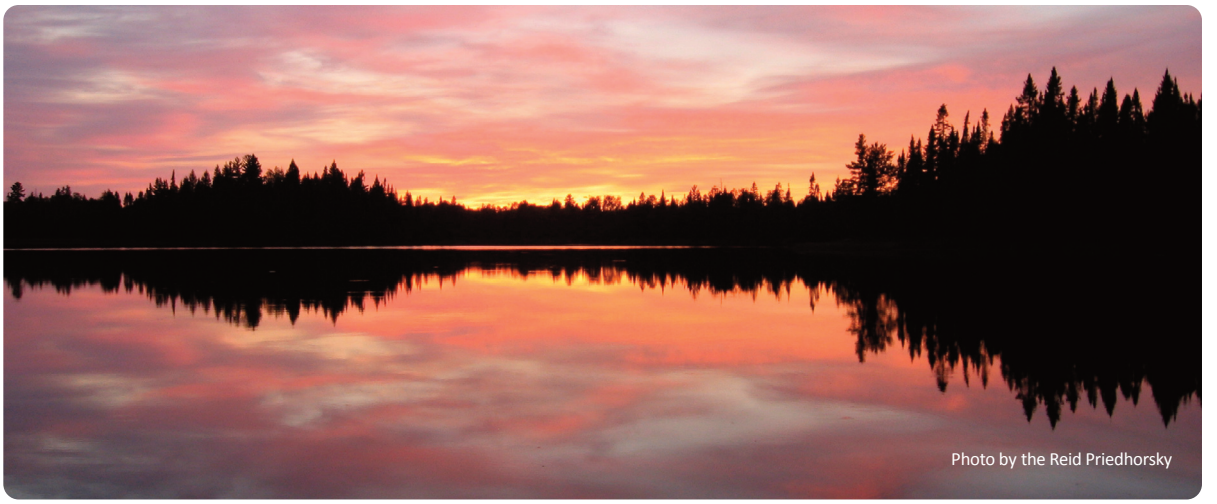
Sea Grant
LAW CENTER

Amara's Law: Preventing New PFAS Contamination in Minnesota



Introduction

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are synthetic chemicals used for their resistance to heat, water, and oil. The PFAS family of compounds contains over 600 unique substances that have been used for decades in a wide variety of products and applications, both commercial and industrial. These uses range from applying non-stick or anti-grease coatings on cookware to industrial firefighting.

Despite their benefits, PFAS persist in the environment and have been linked to serious health concerns–such as liver, testicular and kidney cancers, as well as issues with the cardiovascular, reproductive, and endocrine systems–in laboratory animals and humans with long-term and acute exposure.

This case study examines Amara's Law (Sec. 116943), a Minnesota bill that seeks to eliminate the non-essential use of PFAS, improve transparency in consumer products, and reduce environmental contamination. The case study also highlights the efforts of Amara Strande, a Minnesota resident whose battle with a rare form of liver cancer brought attention to PFAS contamination. The case study also discusses recent efforts to amend the law and challenge its legality in court.

Background

PFAS contamination has been a long-standing issue in Minnesota, particularly due to pollution from industrial waste. The 3M company, headquartered in the state, has been a major source of PFAS contamination. The company began dumping PFAS waste in 1947, with disposal continuing through the 1970s. One of the primary disposal sites was the 3M Chemolite Facility in Cottage Grove, where the company legally notified the Minnesota Pollution Control Agency (MPCA) of its PFAS disposal in 2002. However, by 2003, groundwater in the area was found to be contaminated with PFAS, and by 2004, drinking water supplies across parts of Minnesota were also affected. Further investigations by the MPCA found an area of more than 150 square miles had contaminated drinking water, impacting over 140,000 Minnesotans' drinking water supplies.

The contamination affected several cities in a 21-mile radius, including Oakdale, Cottage Grove, and Woodbury. Oakdale, where Amara Strande lived, was particularly impacted. The impact of PFAS contamination in Oakdale became especially concerning when multiple young people were diagnosed with cancer, raising public health concerns and leading to calls for stronger regulations.

Amara Strande's Story

Amara Strande, who attended Tartan High School student, was diagnosed with a rare form of liver cancer at the age of 15. Growing up in Oakdale, she was exposed to PFAS-contaminated drinking water, a result of decades of chemical pollution from 3M. Despite undergoing numerous treatments and surgeries, Amara continued to fight—not just for her health but also for stricter PFAS regulations in Minnesota.

She became a vocal advocate, sharing her experience publicly to raise awareness about the dangers of PFAS and the need for legislative action. She testified before the Minnesota legislature, urging lawmakers to strengthen PFAS restrictions and protect future generations from similar harm. Amara passed away in April 2023 at the age of 20, just weeks before Minnesota passed Amara's Law, which bans non-essential uses of PFAS in consumer products.

Cancer Clusters: Tartan High School

The health concerns in Oakdale extended beyond Amara's case. An investigation conducted by *Sydney Morning Herald* in 2018 found that several other students from Tartan High School were also diagnosed with cancer in the years leading up to the passage of Amara's Law. Key findings included:

- In 2007, Tartan High School student Katie Jureck passed away from an aggressive form of bone cancer. She was one of several students from the area diagnosed with cancer who did not survive.
- Over a seven-year span, four additional teenagers from Tartan High School lost their lives to cancer.
- A *Fairfax Media* report identified 16 cancer survivors who had attended Tartan High School since 2002, all diagnosed with cancer during their school years or within 10 years of graduation.
- By 2018, at least six current or former Tartan students had been diagnosed with cancer before turning 18. These students included Amara Strande, Katelyn O'Connell, Derek Lowen, Petra Jacobsen, Eli Knight, and Ben Rule.

Despite these alarming cases, parents who contacted the Minnesota Department of Health (MDH) to ask whether Tartan High School was experiencing a cancer cluster were told that the numbers did not meet the official criteria for such a classification. One parent expressed frustration, stating, *"Even though all of the cancers were different types, we were still interested in if the Department of Health was concerned."* However, MDH responded that the cases did not qualify as a cluster under their standards.

Amara's Law

Amara's Law, Minn. Stat. § 116.943, prohibits the sale, offer for sale, or distribution for sale of products containing intentionally added PFAS in 11 product categories starting on January 1, 2025. The law also bans all other products containing intentionally added PFAS (except for those deemed to have a "currently unavoidable use" of PFAS) starting January 1, 2032. The law defines "intentionally added" as "PFAS deliberately added during the manufacture of a product where the continued presence of PFAS is desired in the final product or one of the product's components to perform a specific function."

The eleven categories of products banned on January 1, 2025 include carpets and rugs, cleaning products, cookware, cosmetics, dental floss, fabric treatments, products meant for children under 12 years old, menstruation products, ski wax, textile furnishing, and upholstered furniture. Products not banned by the January 1, 2025 prohibition still face reporting requirements. The law initially required for this reporting to begin on January 1, 2026; however, this has been adjusted to July 1, 2026.

Under the reporting requirements, manufacturers must report to the MPCA and provide the agency with a description of the product, the purpose of the PFAS in the product, the amount of PFAS, and contact information for the manufacturer, among other things. The MPCA can waive the information requirement if the information is already publicly available. The manufacturers of pesticides, fertilizers, and agricultural liming material can satisfy the requirements under other reporting statutes (18B or 18C). If the MPCA reasonably suspects that a product contains PFAS, the MPCA can direct the manufacturer within 30 days to test for PFAS and report on the exact quantity of PFAS in their products. If there is PFAS in the products, then the manufacturer must notify those who sell their products. This law is not applicable to the resale of these products.

Amara's Law granted the MPCA the authority to adopt rules necessary to implement the Law, which has led to two active rulemakings.

Legislative Challenges

Amara's Law represents a significant step in addressing PFAS pollution by proactively banning non-essential uses and enforcing transparency in consumer products. However, challenges remain in enforcing the law and ensuring compliance from manufacturers. In fact, in this year's legislative session, there have been attempts to amend some of Amara's Law's requirements. Ultimately, many of the proposed changes were made to Amara's Law via the 2025 environment and natural resources omnibus. Minn. Stat. 116.943 permits (for now) the manufacturing or sale of products with internal or electronic components containing PFAS, even if PFAS is otherwise prohibited in that product category under Amara's Law. Under current law, the entirety of these products will be subject to the 2032 PFAS prohibition. Changes to Amara's Law also clarify the definition of "juvenile products" used in the 2025 PFAS prohibitions to exclude ATVs, motorcycles, snowmobiles, e-bikes, and replacement parts for these products designed for children.

Lawsuit

Amara's Law was also challenged in court. In January 2025, the Cookware Sustainability Alliance (CSA) filed a lawsuit in the United States District Court for the District of Minnesota. CSA's first argument against Amara's Law is that it violates the dormant Commerce Clause. The Commerce Clause of the gives to Congress the ability to regulate interstate commerce. The dormant Commerce Clause flows from this Congressional right. Pursuant to the dormant Commerce Clause, states cannot "enact laws that discriminate against or unduly burden interstate commerce." *S.D. Farm Bureau, Inc. v. Hazeltine*, 340 F.3d 583, 592 (8th Cir. 2003). The district court dismissed the CSA's claims related to the dormant Commerce Clause on August 11, 2025. *Cookware Sustainability All. v. Kessler*, D. Minn., No. 25-00041, 8/11/25.

In its dormant Commerce Clause case, the CSA first claimed that Amara's Law discriminates against out-of-state interests because cookware containing PFAS is only manufactured outside of Minnesota. Nordic Ware is the only cookware manufacturer located in Minnesota, and because of Amara's Law, the company decided to no longer make cookware with PFAS. Further, due to Amara's Law, the CSA claimed that retailers in Minnesota began cancelling orders with its members still making cookware containing PFAS before Amara's Law even went into effect. However, CSA did concede that Amara's Law was not meant to discriminate against interstate commerce and did not favor in-state interests, as the law's legislative history shows that the state's legislators passed the law despite its impacts on manufacturers located in Minnesota.

The district court found that Amara's Law does not discriminate against interstate commerce in favor of in-state commerce. The court stated a law's effects on out-of-state businesses is not the same as discriminating against interstate commerce and Amara's Law does nothing to benefit in-state businesses. If a CSA member decided to start manufacturing cookware containing PFAS in Minnesota, Amara's Law would apply to the company in the same way as it would if the manufacturing was happening outside of Minnesota because the law applies the same regardless of where the product in manufactured.

A law can also violate the dormant Commerce Clause if the law's burdens on interstate commerce are excessive in relation to the law's local benefits. The CSA claimed that Amara's Law's ban on PFAS in cookware manufacturing is a burden on the entire cookware industry because a company must comply with the law or no longer sell its products in Minnesota.

The court found that CSA did not allege a plausible substantial burden on interstate commerce, as the burden was on manufacturers to change their practices and not a burden on interstate commerce. Further, the court found that even if the CSA had alleged an adequate substantial burden, that burden does not clearly outweigh the benefits Amara's Law provides to the state.

Conclusion

Minnesota's approach could serve as a model for other states seeking stricter PFAS regulations. Minnesota's Amara's Law focuses heavily on consumer protection and public health. The law bans certain PFAS-containing products—such as cookware, carpets, and cosmetics—starting in 2025, with a broader ban on non-essential uses taking effect in 2032. Minnesota's law reflects a phased, product-based strategy to reduce exposure in everyday life. So far, the law has survived initial attempts to amend its main provisions, as well as a court challenge. However, future legislative attempts and legal challenges may continue to try to weaken the law's provisions.

Resources

Minnesota PFAS flyer (Version 1), Clean Water Action (June 8, 2024).

Brief Update on Cancer Occurrence in East Metro Communities, Minnesota Department of Health (2018).

PFAS in Products: Proposed Rules, Minnesota Pollution Control Agency.

East Metro 3M PFAS Contamination, Minnesota Pollution Control Agency.

Minnesota Statutes Section 116.943: PFAS in Products.

Cookware Sustainability All. v. Kessler, D. Minn., No. 25-00041, 8/11/25.

Chloe Johnson, *The Afterlife of Amara Strande*, Star Tribune (June 21, 2024).

Carrier Felner, *Toxic Secrets: The town that 3M built – where kids are dying of cancer*, Sydney Morning Herald (June 15, 2018).