Sea Grant
LAW CENTER

PFAS-related Law and Regulatory Provisions

Minnesota

Laws

- Minn. Stat. §§ 18B & 18C - *not included due to length*
    - *Note - Revised and created new sections in statutes 18B and 18C for pesticide products that contain intentionally-added PFAS, including a requirement for pesticide registrants to notify MDA if any pesticide products contain intentionally-added PFAS. The statutory language effectively created a prohibition on PFAS in pesticides as of January 1, 2026 (for cleaning products) or January 1, 2032 (all products except for those that have been determined to have a "currently unavoidable use" of PFAS).*
- Minn. Stat. § 116.943 - Products containing PFAS
- Minn. Stat. §§ 325F.071-.72 - Flame-retardant chemicals- prohibitions; Firefighting foam
- Minn. Stat. § 325F.075 - Food packaging; PFAS
- Minn. Stat. § 342.62 - Cannabis (includes language prohibiting packaging that contains or is coated in perfluoroalkyl substances.)

Regulations

- Minn R. 4717.7860 - Health Risk Limits Table - *not included due to length*
- Minn R. 7050.0221 - Specific Water Quality Standards for Class 1 Waters of the State; Domestic Consumption

M.S.A. § 116.943

116.943. Products containing pfas

Effective: July 1, 2023
Currentness

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have the meanings given.

(b) "Adult mattress" means a mattress other than a crib mattress or toddler mattress.

(c) "Air care product" means a chemically formulated consumer product labeled to indicate that the purpose of the product is to enhance or condition the indoor environment by eliminating odors or freshening the air.

(d) "Automotive maintenance product" means a chemically formulated consumer product labeled to indicate that the purpose of the product is to maintain the appearance of a motor vehicle, including products for washing, waxing, polishing, cleaning, or treating the exterior or interior surfaces of motor vehicles. Automotive maintenance product does not include automotive paint or paint repair products.

(e) "Carpet or rug" means a fabric marketed or intended for use as a floor covering.

(f) "Cleaning product" means a finished product used primarily for domestic, commercial, or institutional cleaning purposes, including but not limited to an air care product, an automotive maintenance product, a general cleaning product, or a polish or floor maintenance product.

(g) "Commissioner" means the commissioner of the Pollution Control Agency.

(h) "Cookware" means durable houseware items used to prepare, dispense, or store food, foodstuffs, or beverages. Cookware includes but is not limited to pots, pans, skillets, grills, baking sheets, baking molds, trays, bowls, and cooking utensils.

(i) "Cosmetic" means articles, excluding soap:

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(1) intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for the purpose of cleansing, beautifying, promoting attractiveness, or altering the appearance; and

(2) intended for use as a component of any such article.

(j) “Currently unavoidable use” means a use of PFAS that the commissioner has determined by rule under this section to be essential for health, safety, or the functioning of society and for which alternatives are not reasonably available.

(k) “Fabric treatment” means a substance applied to fabric to give the fabric one or more characteristics, including but not limited to stain resistance or water resistance.

(l) “Intentionally added” means 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.

(m) “Juvenile product” means a product designed or marketed for use by infants and children under 12 years of age:

(1) including but not limited to a baby or toddler foam pillow; bassinet; bedside sleeper; booster seat; changing pad; child restraint system for use in motor vehicles and aircraft; co-sleeper; crib mattress; highchair; highchair pad; infant bouncer; infant carrier; infant seat; infant sleep positioner; infant swing; infant travel bed; infant walker; nap cot; nursing pad; nursing pillow; play mat; playpen; play yard; polyurethane foam mat, pad, or pillow; portable foam nap mat; portable infant sleeper; portable hook-on chair; soft-sided portable crib; stroller; and toddler mattress; and

(2) not including a children's electronic product such as a personal computer, audio and video equipment, calculator, wireless phone, game console, handheld device incorporating a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit, or power cord; or an adult mattress.

(n) “Manufacturer” means the person that creates or produces a product or whose brand name is affixed to the product. In the case of a product imported into the United States, manufacturer includes the importer or first domestic distributor of the product if the person that manufactured or assembled the product or whose brand name is affixed to the product does not have a presence in the United States.

(o) “Medical device” has the meaning given “device” under United States Code, title 21, section 321, subsection (h).

(p) “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS” means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

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(q) "Product" means an item manufactured, assembled, packaged, or otherwise prepared for sale to consumers, including but not limited to its product components, sold or distributed for personal, residential, commercial, or industrial use, including for use in making other products.

(r) "Product component" means an identifiable component of a product, regardless of whether the manufacturer of the product is the manufacturer of the component.

(s) "Ski wax" means a lubricant applied to the bottom of snow runners, including but not limited to skis and snowboards, to improve their grip or glide properties. Ski wax includes related tuning products.

(t) "Textile" means an item made in whole or part from a natural or synthetic fiber, yarn, or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, viscose, nylon, and polyester.

(u) "Textile furnishings" means textile goods of a type customarily used in households and businesses, including but not limited to draperies, floor coverings, furnishings, bedding, towels, and tablecloths.

(v) "Upholstered furniture" means an article of furniture that is designed to be used for sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling material.

Subd. 2. Information required. (a) On or before January 1, 2026, a manufacturer of a product sold, offered for sale, or distributed in the state that contains intentionally added PFAS must submit to the commissioner information that includes:

(1) a brief description of the product, including a universal product code (UPC), stock keeping unit (SKU), or other numeric code assigned to the product;

(2) the purpose for which PFAS are used in the product, including in any product components;

(3) the amount of each PFAS, identified by its chemical abstracts service registry number, in the product, reported as an exact quantity determined using commercially available analytical methods or as falling within a range approved for reporting purposes by the commissioner;

(4) the name and address of the manufacturer and the name, address, and phone number of a contact person for the manufacturer; and

(5) any additional information requested by the commissioner as necessary to implement the requirements of this section.

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(b) With the approval of the commissioner, a manufacturer may supply the information required in paragraph (a) for a category or type of product rather than for each individual product.

(c) A manufacturer must submit the information required under this subdivision whenever a new product that contains intentionally added PFAS is sold, offered for sale, or distributed in the state and update and revise the information whenever there is significant change in the information or when requested to do so by the commissioner.

(d) A person may not sell, offer for sale, or distribute for sale in the state a product containing intentionally added PFAS if the manufacturer has failed to provide the information required under this subdivision and the person has received notification under subdivision 4.

Subd. 3. Information requirement waivers; extensions. (a) The commissioner may waive all or part of the information requirement under subdivision 2 if the commissioner determines that substantially equivalent information is already publicly available. The commissioner may grant a waiver under this paragraph to a manufacturer or a group of manufacturers for multiple products or a product category.

(b) For a pesticide regulated under chapter 18B, a fertilizer, an agricultural liming material, a plant amendment, or a soil amendment regulated under chapter 18C, a manufacturer may satisfy the requirements of subdivision 2 by submitting the information required by that subdivision as part of its annual registration or approval process under chapter 18B or 18C. For information that is regulated under chapters 18B and 18C, the commissioner and the commissioner of agriculture must jointly determine whether to make the information publicly available based on applicable statutes.

(c) The commissioner may enter into an agreement with one or more other states or political subdivisions of a state to collect information and may accept information to a shared system as meeting the information requirement under subdivision 2.

(d) The commissioner may extend the deadline for submission by a manufacturer of the information required under subdivision 2 if the commissioner determines that more time is needed by the manufacturer to comply with the submission requirement.

Subd. 4. Testing required and certificate of compliance. (a) If the commissioner has reason to believe that a product contains intentionally added PFAS and the product is being offered for sale in the state, the commissioner may direct the manufacturer of the product to, within 30 days, provide the commissioner with testing results that demonstrate the amount of each of the PFAS, identified by its chemical abstracts service registry number, in the product, reported as an exact quantity determined using commercially available analytical methods or as falling within a range approved for reporting purposes by the commissioner.

(b) If testing demonstrates that the product does not contain intentionally added PFAS, the manufacturer must provide the commissioner a certificate attesting that the product does not contain intentionally added PFAS, including testing results and any other relevant information.

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(c) If testing demonstrates that the product contains intentionally added PFAS, the manufacturer must provide the commissioner with the testing results and the information required under subdivision 2.

(d) A manufacturer must notify persons who sell or offer for sale a product prohibited under subdivision 2 or 5 that the sale of that product is prohibited in this state and provide the commissioner with a list of the names and addresses of those notified.

(e) The commissioner may notify persons who sell or offer for sale a product prohibited under subdivision 2 or 5 that the sale of that product is prohibited in this state.

Subd. 5. Prohibitions. (a) Beginning January 1, 2025, a person may not sell, offer for sale, or distribute for sale in this state the following products if the product contains intentionally added PFAS:

(1) carpets or rugs;

(2) cleaning products;

(3) cookware;

(4) cosmetics;

(5) dental floss;

(6) fabric treatments;

(7) juvenile products;

(8) menstruation products;

(9) textile furnishings;

(10) ski wax; or

(11) upholstered furniture.

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(b) The commissioner may by rule identify additional products by category or use that may not be sold, offered for sale, or distributed for sale in this state if they contain intentionally added PFAS and designate effective dates. A prohibition adopted under this paragraph must be effective no earlier than January 1, 2025, and no later than January 1, 2032. The commissioner must prioritize the prohibition of the sale of product categories that, in the commissioner's judgment, are most likely to contaminate or harm the state's environment and natural resources if they contain intentionally added PFAS.

(c) Beginning January 1, 2032, a person may not sell, offer for sale, or distribute for sale in this state any product that contains intentionally added PFAS, unless the commissioner has determined by rule that the use of PFAS in the product is a currently unavoidable use. The commissioner may specify specific products or product categories for which the commissioner has determined the use of PFAS is a currently unavoidable use. The commissioner may not determine that the use of PFAS in a product is a currently unavoidable use if the product is listed in paragraph (a).

(d) The commissioner may not take action under paragraph (b) or (c) with respect to a pesticide, as defined under chapter 18B, a fertilizer, an agricultural liming material, a plant amendment, or a soil amendment as defined under chapter 18C, unless the commissioner of agriculture approves the action.

Subd. 6. Fees. The commissioner may establish by rule a fee payable by a manufacturer to the commissioner upon submission of the information required under subdivision 2 to cover the agency's reasonable costs to implement this section. Fees collected under this subdivision must be deposited in an account in the environmental fund.

Subd. 7. Enforcement. (a) The commissioner may enforce this section under sections 115.071 and 116.072. The commissioner may coordinate with the commissioners of agriculture, commerce, and health in enforcing this section.

(b) When requested by the commissioner, a person must furnish to the commissioner any information that the person may have or may reasonably obtain that is relevant to show compliance with this section.

Subd. 8. Exemptions. (a) This section does not apply to:

(1) a product for which federal law governs the presence of PFAS in the product in a manner that preempts state authority;

(2) a product regulated under section 325F.072 or 325F.075; or

(3) the sale or resale of a used product.

(b) Subdivisions 4 and 5 do not apply to a prosthetic or orthotic device or to any product that is a medical device or drug or that is otherwise used in a medical setting or in medical applications regulated by the United States Food and Drug Administration.

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Subd. 9. Rules. The commissioner may adopt rules necessary to implement this section. Section 14.125 does not apply to the commissioner's rulemaking authority under this section.

Subd. 10. Short title. This section is “Amara's Law.”

Credits

Laws 2023, c. 60, art. 3, § 21, eff. July 1, 2023.

M. S. A. § 116.943, MN ST § 116.943
Current with all legislation from the 2024 Regular Session. The statutes are subject to change as determined by the Minnesota Revisor of Statutes. (These changes will be incorporated later this year.)

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Minnesota Statutes Annotated
Trade Regulations, Consumer Protection (Ch. 324-341)
Chapter 325F. Consumer Protection; Products and Sales
Flame-Retardant Chemicals

M.S.A. § 325F.071

325F.071. Flame-retardant chemicals; prohibition

Effective: July 1, 2022
Currentness

Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have the meanings given.

(b) "Child" means a person under 12 years of age.

(c) "Children's product" means a product primarily designed or intended by a manufacturer to be used by or for a child, including any article used as a component of such a product, but excluding a food, beverage, dietary supplement, pharmaceutical product or biologic, children's toys that are subject to the most recent version of the American Society for Testing and Materials F963, Standard Consumer Safety Specification for Toy Safety, a medical device as defined in the Federal Food, Drug, and Cosmetic Act, United States Code, title 21, section 321(h), products listed under section 116.9405, clauses (10) and (11), and products listed under sections 325F.03 and 325F.04.

(d) "Upholstered residential furniture" means furniture with padding, coverings, and cushions intended and sold for use in the home.

(e) "Mattress" means a mattress as defined in Code of Federal Regulations, title 16, section 1632.1.

(f) "Organohalogenated chemical" means any chemical that contains one or more carbon elements and one or more halogen elements, including fluorine, chlorine, bromine, or iodine.

(g) "Residential textile" means a textile designed for use in the home as a covering on windows or walls.

Subd. 2. Flame-retardant chemicals; prohibition. (a) No manufacturer or wholesaler may manufacture, sell, offer for sale, distribute for sale, or distribute for use in this state a children's product, upholstered residential furniture, residential textile, or mattress containing, in amounts greater than 1,000 parts per million in any product component, any organohalogenated flame retardant chemical.

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(b) No retailer may sell or offer for sale or use in this state a children's product, upholstered residential furniture, residential textile, or mattress containing in amounts greater than 1,000 parts per million in any product component the flame retardant chemicals listed in paragraph (a).

(c) The sale or offer for sale of any previously owned product containing a chemical restricted under this section is exempt from the provisions of this section.

Subd. 2a. Exemptions. The following are exempt from the provisions of this section:

(1) the sale or offer for sale of any previously owned product containing a chemical restricted under this section;

(2) an electronic component of a children's product, mattress, upholstered residential furniture, or residential textile or any associated casing;

(3) a children's product, mattress, upholstered residential furniture, or residential textile for which there is a federal or national flammability standard;

(4) thread or fiber when used for stitching mattress components together; or

(5) components of an adult mattress other than foam. As used in this clause, “adult mattress” means a mattress other than toddler mattress, crib mattress, or other infant sleep product.

Subd. 2b. Exception. The prohibitions in subdivision 2 do not apply to a flame retardant that:

(1) is a polymeric material in accordance with the criteria in Code of Federal Regulations, title 40, section 723.250, or is chemically reacted to form a polymeric material with the materials it is intended to protect; or

(2) has a determination of safety under United States Code, title 15, section 2604, subsection (a), paragraph (3), subparagraph (C), or under United States Code, title 15, section 2605, subsection (b), paragraph (4).

Subd. 3. Flame-retardant chemicals; replacement chemicals. A manufacturer shall not replace a chemical whose use is prohibited under this section with a chemical identified on the basis of credible scientific evidence by a state, federal, or international agency as being known or suspected with a high degree of probability to:

(1) harm the normal development of a fetus or child or cause other developmental toxicity;

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(2) cause cancer, genetic damage, or reproductive harm;

(3) disrupt the endocrine or hormone system; or

(4) damage the nervous system, immune system, or organs, or cause other systemic toxicity.

Subd. 4. Enforcement. The commissioner of the Pollution Control Agency may enforce compliance with this section under sections 115.071 and 116.072. The commissioner must coordinate with the commissioners of commerce and health in enforcing this section.

Credits

Laws 2015, c. 62, § 1, eff. Aug. 1, 2015; Laws 2019, c. 47, § 1, eff. Aug. 1, 2019, July 1, 2021, and July 1, 2022.

M. S. A. § 325F.071, MN ST § 325F.071
Current with all legislation from the 2024 Regular Session. The statutes are subject to change as determined by the Minnesota Revisor of Statutes. (These changes will be incorporated later this year.)

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Minnesota Statutes Annotated
Trade Regulations, Consumer Protection (Ch. 324-341)
Chapter 325F. Consumer Protection; Products and Sales
Flame-Retardant Chemicals

M.S.A. § 325F.072

325F.072. Firefighting foam

Effective: January 1, 2024
Currentness

Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have the meanings given.

(b) "Class B firefighting foam" means foam designed to prevent or extinguish a fire in flammable liquids, combustible liquids, petroleum greases, tars, oils, oil-based paints, solvents, lacquers, alcohols, and flammable gases.

(c) "PFAS chemicals" or "perfluoroalkyl and polyfluoroalkyl substances" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

(d) "Political subdivision" means a county, city, town, or a metropolitan airports commission organized and existing under sections 473.601 to 473.679.

(e) "State agency" means an agency as defined in section 16B.01, subdivision 2.

(f) "Testing" means calibration testing, conformance testing, and fixed system testing.

Subd. 2. Notification. Beginning on July 1, 2020, any person, political subdivision, or state agency that discharges, uses, releases, or knows of a discharge, use, or release of class B firefighting foam that contains intentionally added PFAS chemicals must be reported to the Minnesota Fire Incident Reporting System within 24 hours of the discharge, use, or release. The notification must include:

(1) the time, date, location, and estimated amount of class B firefighting foam discharged, used, or released;

(2) the purpose or reason of the discharge, use, or release; and

(3) the containment, treatment, and disposal measures to be taken or used to prevent or minimize the discharge or release of the foam into the environment.

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Subd. 3. Prohibition. (a) No person, political subdivision, or state agency shall manufacture or knowingly sell, offer for sale, distribute for sale, or distribute for use in this state, and no person shall use in this state, class B firefighting foam containing PFAS chemicals.

(b) This subdivision does not apply to the manufacture, sale, distribution, or use of class B firefighting foam for which the inclusion of PFAS chemicals is required by federal law, including but not limited to Code of Federal Regulations, title 14, section 139.317. If a federal requirement to include PFAS chemicals in class B firefighting foam is revoked after January 1, 2024, class B firefighting foam subject to the revoked requirements is no longer exempt under this paragraph effective one year after the day of revocation.

(c) This subdivision does not apply to the manufacture, sale, distribution, or use of class B firefighting foam for purposes of use at an airport, as defined under section 360.013, subdivision 39, until the state fire marshal makes a determination that:

(1) the Federal Aviation Administration has provided policy guidance on the transition to fluorine-free firefighting foam;

(2) a fluorine-free firefighting foam product is included in the Federal Aviation Administration's Qualified Product Database; and

(3) a firefighting foam product included in the database under clause (2) is commercially available in quantities sufficient to reliably meet the requirements under Code of Federal Regulations, title 14, part 139.

(d) Until the state fire marshal makes a determination under paragraph (c), the operator of an airport using class B firefighting foam containing PFAS chemicals must, on or before December 31 each calendar year, submit a report to the state fire marshal regarding the status of the airport's conversion to class B firefighting foam products without intentionally added PFAS, the disposal of class B firefighting foam products with intentionally added PFAS, and an assessment of the factors listed in paragraph (c) as applied to the airport.

Subd. 3a. Discharge for testing and training. A person, political subdivision, or state agency exempted from the prohibitions under subdivision 3 may not discharge class B firefighting foam that contains intentionally added PFAS chemicals for:

(1) testing purposes, unless the testing facility has implemented appropriate containment, treatment, and disposal measures to prevent releases of foam to the environment; or

(2) training purposes, unless otherwise required by law, and with the condition that the training event has implemented appropriate containment, treatment, and disposal measures to prevent releases of foam to the environment.

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Subd. 4. Enforcement. The commissioner of the Pollution Control Agency may enforce compliance with this section under sections 115.071 and 116.072. The commissioner must coordinate with the commissioners of commerce and health in enforcing this section.

Credits

Laws 2019, c. 47, § 2, eff. Aug. 1, 2019; Laws 2023, c. 60, art. 3, § 25, eff. July 1, 2023; Laws 2023, c. 60, art. 3, §§ 26, 27, eff. Jan. 1, 2024.

M. S. A. § 325F.072, MN ST § 325F.072
Current with all legislation from the 2024 Regular Session. The statutes are subject to change as determined by the Minnesota Revisor of Statutes. (These changes will be incorporated later this year.)

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M.S.A. § 325F.075

325F.075. Food packaging; PFAS

Effective: January 1, 2024
Currentness

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have the meanings given.

(b) "Food package" means a container applied to or providing a means to market, protect, handle, deliver, serve, contain, or store a food or beverage. Food package includes:

(1) a unit package, an intermediate package, and a shipping container;

(2) unsealed receptacles, such as carrying cases, crates, cups, plates, bowls, pails, rigid foil and other trays, wrappers and wrapping films, bags, and tubs; and

(3) an individual assembled part of a food package, such as any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures, inks, and labels.

(c) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

(d) "Intentionally added" means PFAS deliberately added during the manufacture of a product where the continued presence of PFAS is desired in the final package or packaging component to perform a specific function.

Subd. 2. Prohibition. No person shall manufacture or knowingly sell, offer for sale, distribute for sale, distribute, or offer for use in Minnesota a food package that contains intentionally added PFAS.

Subd. 3. Enforcement. (a) The commissioner of the Pollution Control Agency may enforce this section under sections 115.071 and 116.072. The commissioner may coordinate with the commissioners of commerce and health in enforcing this section.

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(b) When requested by the commissioner of the Pollution Control Agency, a person must furnish to the commissioner any information that the person may have or may reasonably obtain that is relevant to show compliance with this section.

Credits

Laws 2021, 1st Sp., c. 6, art. 2, § 105, eff. Jan. 1, 2024.

M. S. A. § 325F.075, MN ST § 325F.075

Current with all legislation from the 2024 Regular Session. The statutes are subject to change as determined by the Minnesota Revisor of Statutes. (These changes will be incorporated later this year.)

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M.S.A. § 342.62

342.62. Packaging

Effective: May 25, 2024
Currentness

Subdivision 1. General. All cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products sold to customers or patients must be packaged as required by this section and rules adopted under this chapter.

Subd. 1a. Appeal to individuals under 21 years of age. For the purposes of this section and section 342.64, "appeal to individuals under 21 years of age" means any of the following:

(1) the use of images depicting toys or robots;

(2) the use of any images depicting fruits or vegetables, except when used to accurately describe ingredients or flavors contained in a product;

(3) the use of any images bearing a likeness to characters or phrases that are popularly used to advertise to children; or

(4) the use of brand names or close imitations of brand names of candies, cereals, sweets, chips, or other food products typically marketed to children.

Subd. 2. Packaging requirements. (a) Except as provided in paragraph (b), all cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products sold to customers or patients must be:

(1) prepackaged in packaging or a container that is child-resistant, tamper-evident, and opaque; or

(2) placed in packaging or a container that is plain, child-resistant, tamper-evident, and opaque at the final point of sale to a customer.

(b) The requirement that packaging be child-resistant does not apply to a lower-potency hemp edible that is intended to be consumed as a beverage.

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(c) If a cannabis product, lower-potency hemp edible, or a hemp-derived consumer product is packaged in a manner that includes more than a single serving, each serving must be indicated by scoring, wrapping, or other indicators designating the individual serving size. If the item is a lower-potency hemp edible, serving indicators must meet the requirements of section 342.46, subdivision 6, paragraph (b).

(d) Edible cannabis products and lower-potency hemp edibles containing more than a single serving must be prepackaged or placed at the final point of sale in packaging or a container that is resealable.

Subd. 3. Packaging prohibitions. (a) Cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products sold to customers or patients must not be packaged in a manner that:

(1) bears a reasonable resemblance to any commercially available product that does not contain cannabinoids, whether the manufacturer of the product holds a registered trademark or has registered the trade dress; or

(2) is designed to appeal to individuals under 21 years of age.

(b) Packaging for cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products must not contain or be coated with any perfluoroalkyl substance.

(c) Edible cannabis products and lower-potency hemp edibles must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food.

Subd. 4. Prohibition of sale of certain empty packaging. No person shall sell, offer for sale, or facilitate the sale of empty packaging that, if used, would be a violation of any provision of this section. Enforcement of this subdivision is subject to section 8.31.

Credits
Laws 2023, c. 63, art. 1, § 63, eff. July 1, 2023; Laws 2024, c. 121, art. 2, §§ 125 to 127, eff. May 25, 2024.

M. S. A. § 342.62, MN ST § 342.62
Current with all legislation from the 2024 Regular Session. The statutes are subject to change as determined by the Minnesota Revisor of Statutes. (These changes will be incorporated later this year.)

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Minnesota Rules, part 7050.0221

7050.0221. SPECIFIC WATER QUALITY STANDARDS FOR CLASS 1 WATERS OF THE STATE; DOMESTIC CONSUMPTION.

Currentness

Subpart 1. **General.**

A. The numeric and narrative water quality standards in this part prescribe the qualities or properties of the waters of the state that are necessary for the domestic consumption designated public uses and benefits. If the standards in this part are exceeded in waters of the state that have the class 1 designation, it is considered indicative of a polluted condition which is actually or potentially deleterious, harmful, detrimental, or injurious with respect to the designated uses.

B. The class 1 standards in this part are the United States Environmental Protection Agency primary (maximum contaminant levels) and secondary drinking water standards, as contained in Code of Federal Regulations, title 40, parts 141 and 143, as amended. These Environmental Protection Agency drinking water standards are adopted and incorporated by reference with the exceptions in this item. The following standards are not applicable to class 1 groundwaters: the primary drinking water standards for acrylamide, epichlorohydrin, copper, and lead (treatment technique standards) and standards in the disinfectants and disinfection by-products categories. The following standards are not applicable to class 1 surface waters: the primary drinking water standards for acrylamide, epichlorohydrin, copper, lead, and turbidity (treatment technique standards) and the standards in the disinfectants and microbiological organisms categories.

Subp. 2. **Class 1A waters; domestic consumption.** The quality of class 1A waters of the state shall be such that without treatment of any kind the raw waters will meet in all respects both the primary (maximum contaminant levels) and secondary drinking water standards issued by the United States Environmental Protection Agency as referenced in subpart 1. The Environmental Protection Agency drinking water standards are adopted and incorporated by reference, except as noted in subpart 1. These standards will ordinarily be restricted to underground waters with a high degree of natural protection.

Subp. 3. **Class 1B waters.** The quality of class 1B waters of the state shall be such that with approved disinfection, such as simple chlorination or its equivalent, the treated water will meet both the primary (maximum contaminant levels) and secondary drinking water standards issued by the United States Environmental Protection Agency as referenced in subpart 1. The Environmental Protection Agency drinking water standards are adopted and incorporated by reference, except as noted in subpart 1.

These standards will ordinarily be restricted to surface and underground waters with a moderately high degree of natural protection and apply to these waters in the untreated state.

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Subp. 4. **Class 1C waters.** The quality of class 1C waters of the state shall be such that with treatment consisting of coagulation, sedimentation, filtration, storage, and chlorination, or other equivalent treatment processes, the treated water will meet both the primary (maximum contaminant levels) and secondary drinking water standards issued by the United States Environmental Protection Agency as referenced in subpart 1. The Environmental Protection Agency drinking water standards are adopted and incorporated by reference, except as noted in subpart 1.

These standards will ordinarily be restricted to surface waters, and groundwaters in aquifers not considered to afford adequate protection against contamination from surface or other sources of pollution. Such aquifers normally would include fractured and channeled limestone, unprotected impervious hard rock where water is obtained from mechanical fractures or joints with surface connections, and coarse gravels subjected to surface water infiltration. These standards shall also apply to these waters in the untreated state.

Subp. 5. [Repealed, 32 SR 1699]

Subp. 6. **Additional standards.** In addition to the standards in subparts 2 to 5, no sewage, industrial waste, or other wastes from point or nonpoint sources, treated or untreated, shall be discharged into or permitted by any person to gain access to any waters of the state classified for domestic consumption so as to cause any material undesirable increase in the taste, hardness, temperature, chronic toxicity, corrosiveness, or nutrient content, or in any other manner to impair the natural quality or value of the waters for use as a source of drinking water.

Credits
Statutory Authority: *MS s 115.03; 115.44*

History: *18 SR 2195; 24 SR 1105; 32 SR 1699; 39 SR 154*

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