



MINNESOTA PFAS PRODUCT REPORTING

URGENT FIRE-PROTECTION INDUSTRY DEADLINES & SCOPE

AUG. 16, 2026	SEPT. 15, 2026	DEC. 14, 2026	FEB. 1 EACH YEAR
Extension/waiver request postmark	Initial report due	Extended report due	Updates when required

THE MOST IMPORTANT POINT FOR FIRE-INDUSTRY MANUFACTURERS AND DISTRIBUTORS

Reporting is not limited to clean-agent chemicals such as FK-5-1-12, HFC-227ea, HFC-125, & HFC-236fa. A manufacturer must evaluate each product and each identifiable component for intentionally added PFAS, including internal and electronic components.

FIRE-PROTECTION PRODUCTS THAT SHOULD BE SCREENED (Not Limited to the below)

Suppression hardware

PTFE/Teflon tubing; fluoropolymer hose liners; O-rings, gaskets and valve seals; thread-seal materials; coated wiring; lubricants and specialty coatings.

Power & backup

Lithium-ion or other battery backup assemblies, battery separators/electrolyte-related components, power supplies and associated circuit boards — obtain supplier confirmation rather than assume.

Detection & control

Printed circuit boards; wire and cable insulation; conformal coatings; display films; switches, relays and connectors; flame-retardant polymer components.

Panels & packaging

Alarm Panels, additives, cylinders/containers, protective liners, labels or packaging integral to containing, protecting or dispensing the product.

EXTENSION: DO NOT WAIT FOR A DECISION TO START REPORTING

- **Request** must be postmarked by **August 16, 2026** and mailed with a \$300 fee per manufacturer. Approval is not automatic; an approved request moves the initial report deadline to **December 14, 2026**.
- **MPCA does not publish** a guaranteed decision turnaround time. Submit early and continue collecting/reporting data while the request is pending.
- **If denied**, the report is due within **30 days after notice of denial or by September 15, 2026**, whichever is later.

WHO MUST REPORT / WHAT IS COVERED

- **Manufacturers** of products sold, offered for sale, distributed, leased or sold online into Minnesota when the product or a component contains intentionally added PFAS.
- **“Manufacturer”** can include the producer, brand/label owner, distributor or importer/first domestic distributor when the producer or brand owner has no U.S. presence.
- **Products manufactured before July 1, 2023** are excluded. Previously used products are generally excluded; unused returns/resale inventory are not automatically excluded.
- **Internal/electronic components** remain reportable even though certain products containing PFAS only in internal/electronic components received relief from the 2025 sales prohibition.

Three Scenarios-

Scenario 1

Manufacturer → MN distributor → MN end user

Result: Both report (unless responsibility is assigned by agreement)

- The manufacturer distributed the product into Minnesota by selling to an in-state distributor.
- The distributor distributed the product within Minnesota by selling to the end user.
- Both parties meet the definition of “manufacturer” under Minnesota law (which includes producers, importers, and certain distributors/brand owners) and are therefore independently subject to reporting requirements.
- The parties may enter into a written agreement, establish appropriate reporting accounts, and designate one party to submit a report on behalf of the other.
- Such designation does not eliminate underlying legal responsibility unless explicitly provided by rule.

Scenario 2

Manufacturer → MN distributor → out-of-state end user

Result: Only manufacturer reports

- The manufacturer distributed the product into Minnesota by selling to the MN distributor.
- The distributor did not distribute the product in Minnesota, because the product was not sold, offered for sale, or used in Minnesota—it was routed out of state.
- Therefore, only the manufacturer has a reporting obligation tied to distribution into Minnesota..

Scenario 3

Manufacturer (out-of-state) → out-of-state distributor → MN end user

Result: Only distributor reports

- The manufacturer did not distribute the product into Minnesota (no sale or placement into Minnesota commerce).
- The distributor distributed the product into Minnesota by selling to the MN end user.
- The distributor is therefore required to report.
- The distributor must obtain PFAS information from the manufacturer (supplier) as necessary to complete the reporting, consistent with supply chain information-sharing expectations under Minn. Stat. § 116.943 and Minn. R. 7026

HOW TO FILE — PRACTICAL GUIDE FOR FIRE-PROTECTION COMPANIES

Minnesota PFAS Product Reporting Information System for Manufacturers (PRISM)

1 Assign responsibility and map Minnesota sales

Identify the legal manufacturer for every brand/product family entering Minnesota. Confirm in writing whether a supplier, importer, parent company or authorized representative will report on your behalf. Unless another entity confirms it has fulfilled reporting on your company's behalf, your company remains responsible. Even if another entity reports on your behalf, each manufacturer must pay the reporting fee.

2 Create the PRISM account/company profile

Prepare the account holder's name, title, phone and email; company name; NAICS or SIC code; mailing address; and physical address. PRISM permits authorized representatives and associations to request reporting relationships.

3 Build a component-level PFAS inventory

For each product/model or permitted product group, identify the lowest practical component level that explains where and why PFAS is used. Repeat the product identifiers for each PFAS-containing component.

4 Collect the required data

Obtain product description/model/code; component description; PFAS chemical or allowed "unknown" entry; chemical function; concentration range; manufacturer/contact information; and applicable trade-secret designation. Report each chemical/function combination on a separate line where required.

5 Upload, validate, certify and pay

Enter data in the browser or download the PRISM Excel template, enable macros, complete it offline and upload it. Validate errors, certify the report, and pay the one-time \$800 initial reporting fee per manufacturer.

6 Preserve due-diligence records and update

Keep supplier requests, follow-ups, responses and nonresponses. Use best available information and allowed unknown values by the deadline; continue outreach afterward. Retain records at least five years after the product leaves the supply chain and update by February 1 when required.

FIRE-INDUSTRY REPORTING EXAMPLES

Product / family	Component entry	PFAS function / reporting approach
Clean-agent suppression system	PTFE-lined discharge tubing; fluoropolymer valve seals; extinguishing agent	Report components separately; identify chemical/function and concentration range. Do not report only the agent.
Fire alarm control panel	Printed circuit board; coated wiring; display film; backup battery assembly	Request detailed supplier disclosures. Use permitted unknown values when data remains unavailable after due diligence.
Smoke/heat detector	Circuit board; polymer housing/additives; wire coating; battery	Group only products/components meeting MPCA similarity criteria for PFAS chemistry, function and concentration.
Replacement valve/seal kit	PTFE gasket/O-ring; integral packaging	May be covered as a component of the main product if identical and already reported; otherwise report separately.

OFFICIAL LINKS & CONTACTS

- [MPCA reporting hub](https://www.pca.state.mn.us/air-water-land-climate/reporting-pfas-in-products) — <https://www.pca.state.mn.us/air-water-land-climate/reporting-pfas-in-products>
- [PRISM reporting system](https://prism.theic2.org) — <https://prism.theic2.org>
- [PRISM user guides](https://www.theic2.org/prism/prism-user-guides/) — <https://www.theic2.org/prism/prism-user-guides/>
- [Minnesota Rule 7026.0060 \(extensions\)](https://www.revisor.mn.gov/rules/7026.0060/) — <https://www.revisor.mn.gov/rules/7026.0060/>
- [Extension request form](https://www.pca.state.mn.us/sites/default/files/c-pfc1-29.docx) — <https://www.pca.state.mn.us/sites/default/files/c-pfc1-29.docx>

Reporting questions: pfasreporting.mPCA@state.mn.us | **PRISM technical support:** prism@theIC2.org | **Main Contact:** 800-657-3864

Technical Issues - Andria Kurbondski - 651-757-2525 - andria.kurbondski@state.mn.us

Rule Process and Schedule - Addison Otto - 651-757-2754 - addison.otto@state.mn.us

Supplemental reporting guide for the PFAS Reporting Information System for Manufacturers (PRISM)

This information is a resource for manufacturers and their representatives when using the PFAS Reporting Information System for Manufacturers (PRISM). To access PRISM, including the primary reporting guide, follow the links from <http://www.pca.state.mn.us/pfas-reporting>.

This supplement is applicable to the first version of PRISM, launched on January 30, 2026.

Is there a template I can download to work on outside of the PRISM system?

A spreadsheet template is provided in PRISM that allows manufacturers to prepare and organize their data outside of the PRISM system for later upload. See “Create a Report” in the [PRISM Reporting Guide](#) for instructions on how to download and upload the reporting template.

What product code type should I use?

Manufacturers should select the code type for the overall product/group of products being reported in the Product Model description. This code should be repeated throughout the report for each component reported for that product. Product ID does not need to be reported at the component level.

1	Brand Name	Product Model	Product Code Type	Other Code Type Name	Product Code	Component	PFA
2	Big Cook	Espresso Max	HTS		9902.16.63	tubing	CASRI
3	Big Cook	Espresso Max	HTS		9902.16.63	warming plate	CASRI
4	Big Cook	Espresso Max	HTS		9902.16.63	o-ring	CASRI
5							

How do I determine at what level a component is for reporting?

Please consider two definitions provided in the rule:

- "Component" means a distinct and identifiable element or constituent of a product.
- "Identifiable element" means an element that can be recognized, distinguished, or discerned, even when not visually evident, as in the case of a mixture or formulation.

Reporting should be done at the lowest practical component level that allows the PFAS use and function to be understood. Overly broad components may not provide sufficient clarity, while unnecessary subdivision is not required if it does not add meaningful information.

Example: A car radio. The radio could have a printed circuit board, a protective screen film, and wire coating that contain PFAS. Reporting “car radio” as a component would not provide clarity on where or why PFAS are being used within that component. However, if the reporter enters a component called “radio printed circuit board” “radio screen film” and “radio wire coatings” and then the respective PFAS information, that would provide enough detail to discern where and why the PFAS are used within a car radio.

At what level do I report the PFAS concentration range?

PFAS concentration is reported at the component level, unless the product itself is a homogenous material (e.g., film, raw material chemicals, fabrics, o-ring, etc.).

How do I report a product that has multiple PFAS containing components in it?

The Brand Name, Product Model, Product Code Type, Product Code, will repeat each time there is a component reported for that overarching product. Each component listed will then have its respective PFAS information reported.

1	Brand Name	Product Model	Product Code Type	Other Code Type Name	Product Code	Component	PFAS Identifier Type	Other PFAS Identifier Type Name	PFAS Name	PFAS Function	PFAS Range
2	USA Phones	FunPhone 14	SKU		123456	screen protector	TOF		TOF	UV stabilizer	100 ppm to <1,000 ppm (0.1 %)
3	USA Phones	FunPhone 14	SKU		123456	wire coating	CASRN		PTFE	Insulator	90 to 100 %
4	USA Phones	FunPhone 14	SKU		123456	battery	CASRN		PVDF	Binder	1,000 ppm to <10,000 ppm
5	USA Phones	FunPhone 14	SKU		123456	battery	CASRN		LITFSI	Ion exchange agent	1,000 ppm to <10,000 ppm
6	USA Phones	FunPhone 14	SKU		123456	battery	CASRN		PTFE	binder	150,000 ppm to <300,000 ppm

How do I report multiple PFAS functions for the same chemical?

If the component of a product has a PFAS chemical that provides multiple functions to the component, each will have to be listed out in a separate line.

1	Brand Name	Product Model	Product Code Type	Other Code Type Name	Product Code	Component	PFAS Identifier Type	Other PFAS Identifier Type Name	PFAS Name	PFAS Function	PFAS Range
2	Xtreme Outdoors	ShredPants	HTS		6203.43.11	Fabric	CASRN		PFOA	Barrier (Sealant)	1,000 ppm to <10,000 ppm (1 %)
3	Xtreme Outdoors	ShredPants	HTS		6203.43.11	Fabric	CASRN		PFOA	Waterproofing agent	1,000 ppm to <10,000 ppm (1 %)
4	Xtreme Outdoors	ShredPants	HTS		6203.43.11	Fabric	CASRN		PFOA	Anti-Stain agent	1,000 ppm to <10,000 ppm (1 %)

What if I don't see my chemical name or chemical function in a dropdown list?

Users can request a new entry be added to the chemical name or chemical function, dropdown lists by emailing your request to prism@theic2.org AND pfasreporting.mPCA@state.mn.us. Once the admin adds the entry, they will inform you and you will be able to redownload the reporting template and see the new entry. Alternatively, the admin may recommend a synonym on the existing list to use if it makes sense to do so.

How can I group similar products and/or product components?

There are three ways manufacturers can group similar products or product components when reporting.

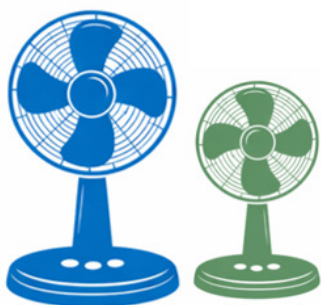
1. Product grouping: When a manufacturer produces similar products that only differ in superficial qualities such as color or size but have a similar form and function, the products can be grouped if the same PFAS chemicals are used in the product and the PFAS chemicals are providing the same function.

Example: Paints R Us has a line of interior household paint. The premium version of this paint is available in three different gloss finishes. The same PFAS chemical is used in this premium line of paints and is present in the same chemical concentration ranges. The PFAS chemical in this line of paint serves the same function(s). These paints could be grouped under one product reported.

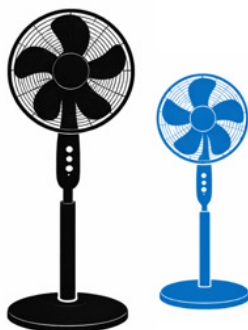


1	Brand Name	Product Model	Product Code Type	Other Code Type Name	Product Code	Component
2	Paints R Us	Interior Household Paint Premium, all finishes	HTS		3208.20.00	paint
3	Paints R Us	Interior Household Paint Standard, all finishes	HTS		3208.20.00	paint
4	Paints R Us	Interior Household Paint Primer	HTS		3208.20.00	paint
5	Paints R Us	Exterior Roll on Texture Paint	HTS		3208.20.00	paint

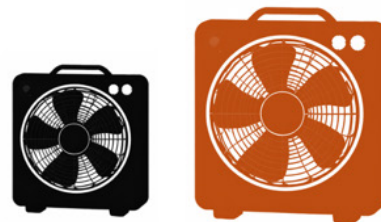
Example: A manufacturer makes a variety of household fans that come in a variety of colors, sizes, and shapes. The manufacturer may choose to group the different fans into what the manufacturer calls product families or series. Under each of those product families they can list out the components containing PFAS.



Icy Top Tabletop Fan Series



Cool Fan Series



Cold Box Fan Series

1	Brand Name	Product Model	Product Code Type	Other Code Type Name	Product Code	Component
2	RadioShed	Cool Fan Series	UPC		123412341234	wire coating
3	RadioShed	Cool Fan Series	UPC		123412341234	o-ring
4	RadioShed	Cool Fan Series	UPC		123412341234	lubricant
5	RadioShed	Icytop Tabletop Fan Series	UPC		123412341235	wire coating
6	RadioShed	Icytop Tabletop Fan Series	UPC		123412341235	o-ring
7	RadioShed	Icytop Tabletop Fan Series	UPC		123412341235	lubricant
8	RadioShed	Icytop Tabletop Fan Series	UPC		123412341235	paint

2. Component grouping: Within a product when there are multiple PFAS containing components, similar PFAS containing components can be grouped if they only differ in superficial qualities.

Example: A lawnmower manufacturer has a lawnmower that contains multiple components with PFAS. One of these components are gaskets. There are many gaskets throughout the mower made of PTFE. The component “gaskets” only need to be reported once as a component if they only differ superficial qualities, the PFAS in the gaskets provide the same function(s), and concentration of PTFE in each is within the same range (i.e., 90-100%).

3. Combining each grouping option: When reporting a product that contains many PFAS containing components, manufacturers should group products into product models or product families whenever applicable. Once those overarching products have been grouped, a manufacturer should then group all similar PFAS containing components where applicable.

Our company creates highly customizable products for our customers, what's the best way to report these products?

There are a few options to consider when reporting products that can be highly customizable.

Remember that only components of these products that contain PFAS need to be reported. If a customizable component does not contain PFAS, it does not need to be included in this report.

If the product has customization options report all the customizable options under that base product, even if the product doesn't always have all of those options when sold.

Example: An auto manufacturer is selling its "2026 Car model XYZ". Along with the PFAS containing components that come standard with the car, there are also customizable options that buyers can add to their car. All of those options that have a component that contains PFAS should be added to your report under the "2026 Car Model XYZ" product.

Example: A fishing boat manufacturer offers customizable boats for their customers. It is not often that the manufacturer sells the exact same boat due to the wide variety of configurations and features they offer. The manufacturer should list all PFAS-containing customizable options under the base boat product. The manufacturer should group the customizable options wherever applicable.

Do I have to report spare/replacement parts separately?

Possibly, depending on three scenarios:

1. If spare or replacement parts made by the same manufacturer are reported as a component under the overarching product, they do not need to be reported separately as an individual product.

Example: A PFAS-containing gasket sold as a replacement for a machine part, already included in the original machine report do not report separately.

Example: A new PFAS-containing filter sold separately, not previously reported as component of a product report as a separate product.

2. Aftermarket parts produced by the same manufacturer may be required to be reported if the PFAS-containing components do not fall into the product grouping allowed in rule (different PFAS composition, concentration range, function, or form).

Example: A PFAS-coated filter sold separately as an aftermarket replacement for a machine report as a separate product if its PFAS composition or function differs from the original assembly.

Example: A replacement PFAS-coated gasket that is identical in composition, concentration, and function to the one already reported in the main assembly does not need separate reporting.

3. Aftermarket parts by third-party manufacturers must be reported by those manufacturers.

Example: A third-party company makes PFAS-coated replacement filters for a hydraulic hose assembly. The original hose manufacturer does not report these filters. The third-party filter manufacturer must report them as separate products because they are PFAS-containing components entering Minnesota commerce.

Do I need to report containers or packaging for my product?

Packaging or containers which are integral to contain, protect, or dispense a product are considered product components and must be reported if they contain intentionally added PFAS.

Manufacturers of containers or packaging as a standalone product must report their products if they contain intentionally added PFAS.

How do I report packaging for spare/replacement parts that are also sold separately?

If the spare/replacement part has already been reported as a component of a product, add an additional component line and name it in a way that indicates that it is packaging for the respective spare/replacement part.

How do I report foam blowing agents used in my product?

Report a component as “foam” or “foam insulation” and select the “Propellants, non-motive (blowing agents)” function.

I’m a consultant who will be reporting on behalf of a company. How do I make this request in PRISM?

Consultants should create an account using their consulting company information when they register. Once the consultant’s account is registered, the consultant can search for and request to report for its client companies following the instructions in the “Associations” section of the [PRISM Reporting Guide](#).

My trade association wants to report on behalf of a group of manufacturers. How do I make this request in PRISM?

An association should create an account using its association information when registering. Once the association’s account is registered, account holder can search for and request to report for any member companies following the instructions in the “Associations” section of the [PRISM Reporting Guide](#).

I’m a manufacturer reporting on behalf of multiple retailers that sell my product. What’s the easiest way for me to report for all of them?

Ensure you have requested authorization for each company you wish to report on behalf of in the PRISM system (see “Associations” in the [PRISM Reporting Guide](#)). Create a report on behalf of first retailers you are reporting for. You can then create a copy of the report either after it is submitted or while still in draft (see “Submitted Reports” in the [PRISM Reporting Guide](#)) and assign the next company to the copy of the report. From there you can edit the report as needed.

What if my information from my supply chain is incomplete?

Report the information you have obtained by the reporting deadline using options allowed in the reporting system. Continue to request information and make updates as required by Minn. R. 7026.0080 and Minn R. 7026.0040, subp. 1. A. (2) to your report as new information becomes available by Feb. 1 of the following year. Maintain documentation of these continued efforts to obtain all relevant PFAS information from your supply chain. MPCA staff may review this documentation to evaluate compliance with this rule and ensure due diligence has been met.

My supplier has informed me that a product or component we buy from them has PFAS but does not the specific chemical name, how should I report this?

Select the “PFAS Present but unknown at this time” option in the PFAS chemical list. Continue to request information and make updates as required by Minn. R. 7026.0080 and Minn R. 7026.0040, subp. 1. A. (2) to your report as new information becomes available by Feb. 1 of the following year. Maintain documentation of these continued efforts to obtain all relevant PFAS information from your supply chain. The MPCA staff may review this documentation to evaluate compliance with this rule and ensure due diligence has been met.

What if the function of the PFAS chemical is unknown in the product or component I am reporting?

Select the “Function unknown at this time” option in the function list. Continue to request information and make updates as required by Minn. R. 7026.0080 and Minn R. 7026.0040, subp. 1. A. (2) to your report as new information becomes available by Feb. 1 of the following year. Maintain documentation of these continued

efforts to obtain all relevant PFAS information from your supply chain. The MPCA staff may review this documentation to evaluate compliance with this rule and ensure due diligence has been met.

My supplier has informed me that a product or product component we buy from them has PFAS but not the concentration, how should I report this?

If this is due to trade secret concerns from your supplier, you could request they report that component on behalf of your company so you would not need to report it.

If the PFAS concentration is not known from the supplier but you know the PFAS chemical, you can select the “Unknown” option in the PFAS Range dropdown.

Testing the product or component for PFAS is an option if the two scenarios above do not work.

Total organic fluoride (TOF) testing is allowed in lieu of unknown PFAS chemicals used in the product or if a commercially available analytical method is not available for the specific PFAS chemical.

How do I report TOF results?

When using TOF results to report PFAS information, select the “TOF” option in the “PFAS Identifier Type” column and select “TOF” in the PFAS Name column. Report the TOF results in the “PFAS Range” in the concentration option ranges provided.

F	G	H	I	J	K
Component	PFAS Identifier Type	Other PFAS Identifier Type Name	PFAS Name	PFAS Function	PFAS Range
plate coating	TOF		TOF	Waterproofing agent	300,000 ppm to <600,000 p

How do I request trade secret status on my chemical name and chemical identification number?

On the entry line for which you wish to request trade secret status, select “Yes” in the “Trade Secret” column. If “Yes” is selected, you will need to provide a subclass for the chemical that will appear on public searches instead of the chemical name and chemical identification number. Your report will not validate if a subclass is not selected when the Trade Secret column is marked “Yes”.

I	J	K	L	M	O
PFAS Name	PFAS Function	PFAS Range	Trade Secret	Trade Secret Chemical Sub-Class	
Perfluorooctanoic acid (PFOA)	Anti-Stain Agent	1,000 ppm to <10,000 ppm	Yes		
				Perfluoroalkyl substances	
				Polyfluoroalkyl substances	
				Fluoropolymers	
				Polymeric perfluoropolyethers	
				Side-chain fluorinated polymers	
				Functional group(s) other than alkyls present	

How are PFAS subclasses broken down within PRISM?

PFAS subclasses are broken down as follows:

- Non-polymers:
 - Subclass: Perfluoroalkyl substances
 - Includes: Perfluoroalkyl acids (PFAAs), Perfluoroalkyl carboxylic acids/ Perfluoroalkyl carboxylates (PFCAs), Perfluoroalkane sulfonic acids/ Perfluoroalkyl sulfonates (PFSAs), Perfluoroalkane sulfonamides (FASAs)
 - Subclass: Polyfluoroalkyl substances
 - Includes: Fluorotelomer-based substances, Perfluoroalkane sulfonamido substances, Polyfluoroalkyl ether carboxylic acids
- Polymers:
 - Subclass: Fluoropolymers
 - Subclass: Polymeric perfluoropolyethers (PFPE)
 - Subclass: Side-chain fluorinated polymers
- Other: Functional groups other than alkyls present

My company has a new product to sell in Minnesota after the initial reporting due date, when am I required to report this new product?

New products containing intentionally added PFAS being sold in Minnesota after the initial reporting deadline should be reported at the next required reporting date as required in Minn R. 7026.0040, subp. 1.

Can I start with last year's report when I make my annual update report?

Yes. Use the copy report function (see "Submitted Reports" in the PRISM Reporting Guide) to start with last year's data and make edits as necessary.

Who do I contact with questions?

If you experience technical issues within the PRISM system, please email prism@theic2.org for assistance.

If you have questions on how to report specific scenarios not covered in this supplemental guide, please email pfasreporting.mpca@state.mn.us.

CHAPTER 7026
MINNESOTA POLLUTION CONTROL AGENCY
PRODUCTS CONTAINING PERFLUOROALKYL AND POLYFLUOROALKYL
SUBSTANCES; REPORTING

7026.0010	DEFINITIONS.
7026.0020	PARTIES RESPONSIBLE FOR REPORTING.
7026.0030	REPORT; REQUIRED INFORMATION.
7026.0040	REPORTING UPDATES.
7026.0050	WAIVERS.
7026.0060	EXTENSIONS.
7026.0070	TRADE SECRET DATA REQUEST.
7026.0080	DUE DILIGENCE.
7026.0090	REPORTING EXEMPTIONS.
7026.0100	FEES.

7026.0010 DEFINITIONS.

Subpart 1. **Applicability.** Terms used in this chapter have the meanings given in this part and, unless otherwise provided in this part, Minnesota Statutes, section 116.943.

Subp. 2. **Authorized representative.** "Authorized representative" means a person designated by a manufacturer to report on behalf of the manufacturer.

Subp. 3. **Brand name.** "Brand name" means a name, symbol, word, or mark that identifies a product and attributes the product to the owner of the brand.

Subp. 4. **Brief description of the product.** "Brief description of the product" means a character-limited description and numeric code assigned to a product or grouping of similar products with similar components that includes, whenever applicable, brand name, product model, and other characteristics that distinguish the product or grouping of products from similar products made or sold by other manufacturers.

Subp. 5. **Chemical identifying number.** "Chemical identifying number" means a Chemical Abstracts Service Registry number (CASRN), European Community (EC) number, United States Environmental Protection Agency Toxic Substances Control Act accession number, or another unique alphanumeric or numeric identifier used in commerce, in research, and by governments to cross-reference all information available on a particular chemical. A particular chemical may have more than one chemical identifying number.

Subp. 6. **Chemical name.** "Chemical name" means a systematic nomenclature that follows the internationally recognized conventions established by the International Union of Pure and Applied Chemistry (IUPAC).

Subp. 7. **Component.** "Component" means a distinct and identifiable element or constituent of a product. Component includes packaging only when the packaging is inseparable or integral to the final product's containment, dispensing, or preservation.

Subp. 8. **Consumer.** "Consumer" means a person who acquires a product from a manufacturer for personal, residential, commercial, or industrial purposes.

Subp. 9. **Distribute for sale.** "Distribute for sale" means to ship or otherwise transport a product with the intent or understanding that the product will be sold or offered for sale by a receiving party after the product is delivered.

Subp. 10. **Fully fluorinated carbon atom.** "Fully fluorinated carbon atom" means a carbon atom on which all the hydrogen substituents have been replaced by fluorine.

Subp. 11. **Function.** "Function" means the explicit purpose or role served by PFAS when intentionally incorporated at any stage in the process of preparing a product or its constituent components for sale, offer for sale, or distribution for sale.

Subp. 12. **Homogenous material.** "Homogenous material" means one material of uniform composition throughout or a material, consisting of a combination of materials, that cannot be disjointed or separated into different materials by mechanical actions.

Subp. 13. **Identifiable element.** "Identifiable element" means an element that can be recognized, distinguished, or discerned, even when not visually evident, as in the case of a mixture or formulation.

Subp. 14. **Numeric product code.** "Numeric product code" means a numeric code that a manufacturer assigns to a product being reported and that is recognizable to purchasers on labels, listings, invoices, or receipts, including a universal product code (UPC), stock keeping unit (SKU), harmonized tariff schedule (HTS) code, or other numeric code assigned to the product.

Subp. 15. **Packaging.** "Packaging" has the meaning given under Minnesota Statutes, section 115A.03.

Subp. 16. **Publicly available.** "Publicly available" means lawfully available to the public from federal, state, or local government records or disclosures made to the public that are required by federal, state, or local law.

Subp. 17. **Significant change.** "Significant change" means a change in the composition of a product that results in the addition of a specific PFAS not previously reported in a product or component or a measurable change in the amount of a specific PFAS from the initial amount reported that would move the product into a different concentration range listed under part 7026.0030, subpart 1, item C.

Subp. 18. **Substantially equivalent information.** "Substantially equivalent information" means information that conveys the same information required under part 7026.0030 and Minnesota Statutes, section 116.943, subdivision 2. Substantially equivalent information includes an existing notification by a person who manufactures a product or component when the same product or component is offered for sale under multiple brands.

Subp. 19. **Used product.** "Used product" means a product that has been installed, operated, or utilized for its intended purpose by at least one owner or operator or that is otherwise not pristine. Used product does not include a product that has been returned to a retailer or that is otherwise offered for resale if the product was not installed, operated, or utilized before resale.

Statutory Authority: *MS s 116.943*

History: *50 SR 537*

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7026.0020 PARTIES RESPONSIBLE FOR REPORTING.

Subpart 1. **Scope.** A manufacturer or group of manufacturers of a product sold, offered for sale, or distributed in the state must submit a report that includes information about each product or component that contains intentionally added PFAS.

Subp. 2. **Reporting on behalf of other manufacturers.** All manufacturers must assume responsibility to report unless manufacturers in the same supply chain enter into an agreement to establish their respective reporting responsibilities. A manufacturer may submit the information required for reporting on behalf of another manufacturer in accordance with part 7026.0030 if the following requirements are met:

A. the reporting manufacturer must notify any other manufacturer that is a party to the agreement that the reporting manufacturer has fulfilled the reporting requirements;

B. all manufacturers must maintain documentation of a reporting responsibility agreement in accordance with part 7026.0080, subpart 3, and must provide the documentation to the commissioner upon request;

C. all manufacturers must verify, in a format specified by the commissioner, that the data submitted on their behalf is accurate and complete in accordance with parts 7026.0030 and 7026.0040; and

D. for the verification required under item C to be considered complete, all manufacturers must submit the fee required under part 7026.0100, subpart 2 or 3, as applicable.

Statutory Authority: *MS s 116.943*

History: *50 SR 537*

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7026.0030 REPORT; REQUIRED INFORMATION.

Subpart 1. **Report required.** A manufacturer or group of manufacturers of a product that is sold, offered for sale, or distributed in the state and that contains intentionally added PFAS must submit a report to the commissioner on or before January 1, 2026. A manufacturer or group of manufacturers of a new product with intentionally added PFAS after January 1, 2026, must submit a report by February 1 the following year. The report must include the following information in a format specified by the commissioner:

A. a product description that includes:

(1) a brief description of the product or a description of the category or type of product. Once established, the identical brief description of the product must be used during any reporting updates on the product.

(a) The manufacturer may group together similar products comprised of homogenous materials if the products meet the following criteria:

- i. the PFAS chemical composition in the products are the same;
- ii. the PFAS chemicals in the products fall into the same reporting concentration ranges;
- iii. the PFAS chemicals in the products provide the same function in each product; and
- iv. the products have the same basic form and function and only differ in size, color, or other superficial qualities that do not impact the composition of the intentionally added PFAS.

(b) If the product consists of multiple PFAS-containing components, the manufacturer must report each component under the product name provided in the brief description of the product. The manufacturer may group similar components listed within a product if the components meet the following criteria:

- i. the PFAS chemical composition in the components are the same;
- ii. the PFAS chemicals in the components fall into the same reporting concentration ranges;
- iii. the PFAS chemicals in the components provide the same function in each product component; and
- iv. the components have the same basic form and function in the final product and only differ in size, color, or other superficial qualities that do not impact the composition of the intentionally added PFAS; and

(2) the numeric product codes assigned to the product. The numeric product codes are listed in units (a) to (d) in a hierarchy of the most preferred to least preferred for reporting. The most preferred numeric product code available must be reported. The multiple numeric product codes listed in unit (a) are equal in preference and any may be reported:

(a) a code with root digits harmonized under the Global Product Classification system for consumer products, including brick or universal product codes or the harmonized tariff schedule code;

(b) a nonharmonized code such as stock keeping units;

(c) a numeric code that will be used on labels, listings, invoices, or receipts; or

(d) if no numeric code has been assigned, report "none";

B. PFAS chemicals used in the product or its components as identified by:

(1) the chemical name; and

(2) the Chemical Abstracts Service Registry number (CASRN) or, if no CASRN exists, another chemical identifying number;

C. the concentration of PFAS chemicals in a product or components of a product made up of homogenous material. A manufacturer must report the concentration of PFAS chemicals as identified in subitem (1) or (2):

(1) within the following ranges:

(a) practical detection limit to <100 parts per million (ppm);

(b) 100 ppm to <1,000 ppm (0.1 percent);

(c) 1,000 ppm to <10,000 ppm (one percent);

(d) 10,000 ppm to <150,000 ppm (15 percent);

(e) 150,000 ppm to <300,000 ppm (30 percent);

(f) 300,000 ppm to <600,000 ppm (60 percent);

(g) 600,000 ppm to <900,000 ppm (90 percent);

(h) 90 to 100 percent; or

(i) present but the amount or concentration range is unknown; or

(2) the total organic fluorine, determined using commercially available analytical methods, if the amount of each PFAS is not known within applicable due diligence standards under part 7026.0080;

D. the function that each PFAS chemical provides to the product or its components;

E. manufacturer information, including:

(1) name;

(2) address; and

(3) the North American Industry Classification System (NAICS) code, or if a NAICS code does not exist, the Standard Industrial Classification (SIC) code;

F. information for the authorized representative of the manufacturer who has the authority to execute or direct others to execute reporting to the state, including the representative's:

(1) name;

(2) address;

- (3) email address; and
- (4) phone number; and
- G. an alternative to the authorized representative under item F, including:
 - (1) name;
 - (2) address;
 - (3) email address; and
 - (4) phone number.

Subp. 2. **Fee required.** For submission of the report required under subpart 1 to be considered complete, a manufacturer or group of manufacturers must submit the fee required under part 7026.0100, subpart 2.

Subp. 3. **Failure to submit.** A manufacturer that fails to submit the initial report under this part or the applicable fee under part 7026.0100 is subject to penalties under Minnesota Statutes, section 116.072.

Statutory Authority: *MS s 116.943*

History: *50 SR 537*

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7026.0040 REPORTING UPDATES.

Subpart 1. Updates required.

A. By February 1 each year, a manufacturer or group of manufacturers must submit an update to the report submitted under part 7026.0030 if during the previous calendar year:

- (1) a significant change was made to a product;
- (2) new product information was provided to a manufacturer; or
- (3) a new product was sold, offered for sale, or distributed in or into the state.

B. The update must include the information required under part 7026.0030.

Subp. 2. **Failure to submit.** A manufacturer or group of manufacturers that fails to submit an annual update under this part is subject to penalties under Minnesota Statutes, section 116.072.

Statutory Authority: *MS s 116.943*

History: *50 SR 537*

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7026.0050 WAIVERS.

Subpart 1. **Waiver eligibility.** Upon request of a manufacturer or group of manufacturers, the commissioner must waive all or part of the information required under part 7026.0030 if the commissioner determines that substantially equivalent information is publicly available.

Subp. 2. **Waiver request.** A manufacturer or group of manufacturers requesting a waiver must submit the request annually in a format specified by the commissioner. The request must contain:

- A. the information required under part 7026.0030, subpart 1, items E to G;
- B. a description of the products or components for which a waiver is requested;
- C. a list of the requirements under part 7026.0030 for which the manufacturer seeks a waiver;
- D. a description of the publicly available records that contain substantially equivalent information to the information required under part 7026.0030;
- E. a statement that the publicly available information identified in item D is accurate and that the data is verified by the manufacturer or group of manufacturers. Verification may include certification from a third-party contractor with expertise in the relevant field to ensure accuracy and compliance; and
- F. a link to or copy of all publicly available and substantially equivalent information described by the manufacturer.

Subp. 3. **Reporting to Department of Agriculture.** A manufacturer or group of manufacturers that reports information to the Department of Agriculture under Minnesota Statutes, section 116.943, subdivision 3, paragraph (b), satisfies the requirements of Minnesota Statutes, section 116.943, subdivision 2.

Subp. 4. **Requirements not waived.** A manufacturer or group of manufacturers must still submit a report for any requirements under part 7026.0030 that are not waived.

Subp. 5. **Waiver request deadline.**

A. A manufacturer or group of manufacturers must submit the waiver request to the commissioner at least 30 days before the applicable reporting due date.

B. If the commissioner denies a waiver request, the manufacturer or group of manufacturers must submit their report according to part 7026.0030 or 7026.0040 within 30 days of the notice of denial or by the established reporting due date, whichever is later.

Subp. 6. **Fee required.** For submission of the waiver request under subpart 2 to be considered complete, a manufacturer or group of manufacturers must submit the fee required under part 7026.0100, subpart 4.

Statutory Authority: *MS s 116.943*

History: 50 SR 537

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7026.0060 EXTENSIONS.

Subpart 1. **Authority.** The commissioner must extend the deadline for submitting information under part 7026.0030 if the commissioner determines that more time is justified by the manufacturer or group of manufacturers to comply with the reporting requirements.

Subp. 2. **Extension request.** A manufacturer or group of manufacturers may request an extension to the deadline for submitting information under part 7026.0030. The request must contain:

- A. the information required under part 7026.0030, subpart 1, items E to G;
- B. the reason for the extension request, including a detailed explanation of the circumstances that prevent timely submission;
- C. supporting documentation, including any relevant documents that substantiate the need for an extension, such as communication records with other manufacturers, evidence of technical challenges, or third-party testing delays; and
- D. a plan for completion, including an outline of how the manufacturer will submit the remaining work by the new deadline.

Subp. 3. **Extension request deadline; approval or denial.**

A. A manufacturer or group of manufacturers must submit the request for an extension to the commissioner at least 30 days before the reporting due date established in part 7026.0030. The request must include documentation demonstrating that the extension is justified, based on the materials submitted under subpart 2, to allow the manufacturer or group of manufacturers to comply with the reporting requirements.

B. If the commissioner determines that the requestor has demonstrated that an extension is justified, based on the materials submitted under subpart 2, the commissioner must grant one 90-day extension of the established reporting due date.

C. If an extension request is denied by the commissioner, the manufacturer or group of manufacturers must submit a report according to part 7026.0030 within 30 days after the notice of denial or by the established reporting due date, whichever is later.

Subp. 4. **Fee required.** For submission of the extension request under subpart 2 to be considered complete, a manufacturer or group of manufacturers must submit the fee required under part 7026.0100, subpart 5.

Statutory Authority: MS s 116.943

History: 50 SR 537

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7026.0070 TRADE SECRET DATA REQUEST.

Subpart 1. **Procedure for trade secret data request.** A manufacturer or group of manufacturers may request that the commissioner maintain trade secret data as not public information according to part 7000.1300. Trade secret data that is eligible to be considered not public information includes:

- A. chemical name;
- B. chemical identifying number; and
- C. specific supply chain information identified in part 7026.0080, subpart 2.

Subp. 2. **Public data; alternative data requirement.**

A. If the required data under subpart 1 is trade secret information as defined in Minnesota Statutes, section 13.37, then in addition to the information required under part 7026.0030, subpart 1, item B, the manufacturer or group of manufacturers must submit a chemical subclass to designate as public data.

B. If the required data is not trade secret information as defined in Minnesota Statutes, section 13.37, the data must be designated as public data.

Statutory Authority: *MS s 116.943*

History: *50 SR 537*

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7026.0080 DUE DILIGENCE.

Subpart 1. **Reporting due diligence.** A manufacturer must assume responsibility for reporting products containing intentionally added PFAS unless notification from another manufacturer is received according to part 7026.0020, subpart 2, confirming that the reporting requirements under part 7026.0030 have been fulfilled.

Subp. 2. **Supply chain requests.** A manufacturer or group of manufacturers must request detailed disclosure of information required in part 7026.0030 from their supply chain until all required information is known.

Subp. 3. **Documentation and recordkeeping.**

A. A manufacturer or group of manufacturers must maintain documentation of all communication with other manufacturers, including emails, letters, and responses regarding PFAS reporting compliance and reporting responsibility agreements as provided in part 7026.0020, subpart 2.

B. A manufacturer or group of manufacturers must provide the documentation under item A to the commissioner upon request.

C. A manufacturer or group of manufacturers must maintain records according to this subpart for at least five years after products containing intentionally added PFAS are removed from the supply chain.

Statutory Authority: *MS s 116.943*

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7026.0090 REPORTING EXEMPTIONS.

The following are exempt from the reporting requirements under parts 7026.0020 to 7026.0080:

A. a product for which federal law governs the presence of PFAS in the product in a manner that preempts state authority;

B. a product regulated under Minnesota Statutes, section 325F.072 or 325F.075;

C. the sale or resale of a used product; and

D. information regarding PFAS-containing products or components that is provided to any federal government agency and that is classified information as defined in United States Code, title 18, section 798.

Statutory Authority: *MS s 116.943*

History: *50 SR 537*

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7026.0100 FEES.

Subpart 1. **Fees required.** A manufacturer of products or components that is required to submit a report under part 7026.0030 or that submits a request under part 7026.0050 or 7026.0060 must pay a fee for the submittal to be considered complete.

Subp. 2. **Initial report.** A manufacturer must pay an \$800 flat fee to submit the initial report under part 7026.0030, subpart 1. If a group of manufacturers is reporting or a manufacturer is reporting on behalf of multiple manufacturers as allowed under part 7026.0020, subpart 2, each individual manufacturer must pay the \$800 fee.

Subp. 3. **Waiver request.**

A. A manufacturer or group of manufacturers that submits a reporting waiver request under part 7026.0050 must still pay the fee required under subpart 2.

B. If the commissioner denies a waiver request, the manufacturer or group of manufacturers must submit a report according to part 7026.0030 but is not subject to duplicative fees under subpart 2.

C. If a manufacturer or group of manufacturers reports information to the Department of Agriculture under Minnesota Statutes, section 116.943, subdivision 3, paragraph (b), they are not required to pay a fee under this subpart.

Subp. 4. **Extension request.** A manufacturer that submits an extension request under part 7026.0060 must pay a \$300 fee as part of the extension request application. If a group of manufacturers requests an extension as allowed under part 7026.0060, subpart 4, each individual manufacturer must pay the \$300 fee.

Subp. 5. **Inflation.** Beginning July 1, 2027, and each odd-numbered year thereafter, the unadjusted fee in subparts 2 to 4 must be adjusted for inflation using the aggregated annual consumer price index and becomes the new unadjusted fee rounded to the nearest dollar.

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