

Submitted electronically via regulations.gov

December 29, 2025

Ms. Megan Nelson
Chemical Information, Prioritization, and Toxics Release Inventory Division (7406M)
Office of Pollution Prevention and Toxics
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460-0001

Re: Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Data Reporting and Recordkeeping Under the Toxic Substances Control Act (TSCA); Revision to Regulation (November 13, 2025); Docket No. EPA-HQ-OPPT-2020-0549

To Whom it May Concern:

The undersigned members of the Food & Beverage Issue Alliance (FBIA) appreciate the opportunity to comment on the Environmental Protection Agency's (EPA) proposed amendments to the Toxic Substances Control Act (TSCA) regulation for reporting and recordkeeping requirements for perfluoroalkyl and polyfluoroalkyl substances (PFAS).¹

FBIA is a coalition of 49 food and beverage trade associations representing the entire food supply chain. The food and agricultural sector is proud to be an essential part of the U.S. economy, responsible for feeding the nation and consumers worldwide. Together, our food industry member companies, and their employees, are responsible for roughly one-fifth of the country's economic impact, directly provide nearly 21.5 million jobs, totaling more than 14% of U.S. employment. The food industry has been and remains eager to deliver a safe and ample food supply, as proven during times of crisis and during more ordinary times.

We welcome EPA's desire to ensure TSCA reporting rules, collectively, benefit from similar types of reporting exemptions or thresholds, such as for chemical substances in imported articles, R&D chemicals, impurities, and certain byproducts. The existing [TSCA section 8\(a\)\(7\) PFAS reporting rule](#) requires any person who had manufactured (including imported) a PFAS (including as a mixture or an article containing a PFAS) to report the required information for each year from 2011 to 2022 (to the extent such information is known to or reasonably ascertainable by the manufacturer). We agree with EPA that *importing* articles that may contain PFAS between 2011-2022 is an activity about which product manufacturers are unlikely to have known or reasonably ascertainable information.^{1/} We support EPA's proposal to exempt (i) those products that may have *de minimis* levels of PFAS and (ii) importing articles in an effort to apply reporting obligations, to the extent feasible, to those persons likely to have information (TSCA section 8(a)(5)(C)).

The undersigned FBIA signatories respectfully submit the above comments. Thank you for your consideration of this request.

Sincerely,

1. *American Bakers Association*
2. *American Beverage Association*
3. *American Spice and Trade Association*
4. *International Dairy Foods Association*
5. *North American Millers' Association*