

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carbon atom.** "Fully fluorinated carbon atom" means a carbon atom on which all the hydrogen substituents have been replaced by fluorine.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

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