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Webinar

US Product Compliance 2025: Key Federal & State Changes to Watch

30 July, 2025



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Meet the Team



Kelly Bugiera,
Senior Regulatory
Compliance Specialist
& Team Leader



Luisa Toro Correa,
Regulatory
Compliance Specialist



Patricia Weathers,
Regulatory
Compliance Specialist



Samantha Anguiano
Regulatory
Compliance Specialist

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Agenda

- 01. Federal Overview & State Emphasis**
- 02. PFAS in Products: Restrictions & Reporting**
- 03. EPR: Packaging & Other Products**
- 04. Right to Repair: Expanding Obligations**
- 05. Questions**



US Federal Regulatory Landscape in Flux

US Federal - Executive Orders and Deregulation Efforts

- Executive Orders (170 EOs issued)- Constitution gives President legal foundation to issue these, primarily to direct Executive Branch officials
 - Executive Orders do not have the force of law
- No formal limitations on EOs, must be grounded in Constitution or existing statute (that was passed by Congress, then signed into law)
- EOs can be checked by other branches - in courts or by passing a statute in Congress (about 1/3 of Pres. Trump's EOs challenged in courts)



EO 14192, Unleashing Prosperity Through Deregulation (Jan. 31, 2025)

- For each new regulation issued, at least 10 prior regulations be identified for elimination
- Incremental costs w/new regs to be offset by eliminating existing costs of at least 10 prior regs
- "Eliminating" regs, cannot be done through EO - only through specific agency procedures or statute

US Federal Regulatory Landscape in Flux

US Federal Deregulation Efforts

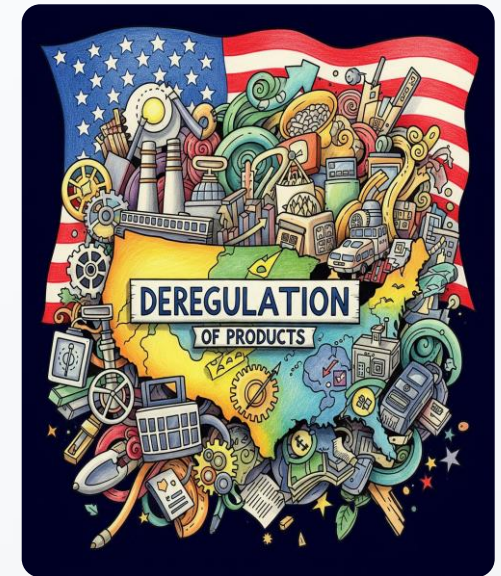
- 4 Energy Conservation Standards nullified by Congressional Joint Resolutions (signed by President) **(May 9, 2025)**
 - Department of Energy (DOE) had previously issued:
 - Consumer Gas-fired Instantaneous Water Heaters
 - Walk-In Coolers and Walk-In Freezers
 - Certain Consumer Products and Commercial Equipment
 - Commercial Refrigerators, Freezers, and Refrigerator-Freezers
- Per Congressional Review Act (CRA), Congress can review agency rules
 - If Joint Resolution of Disapproval is approved by both houses and signed in specified timeframe (or veto overridden), agency rule has no effect
- After disapproval, agency rule may not be reissued in *substantially the same* form
 - If "*substantially the same*" would need to be enacted into law
 - "Substantially the same" is not defined in CRA, nor does it say who should make that determination



US Federal Regulatory Landscape in Flux

US Federal Deregulation Efforts

- DOE : **May 12, 2025** announced proposal to eliminate/reduce 47 regulations
 - Including proposed elimination/modification to dozens of consumer appliance standards and regulations limiting building/energy production
- Published Proposed Rules in May in Federal Register related to rescinding consumer product-related regulations - examples include:
 - To rescind Energy Conservation Standards for microwaves
 - To rescind Water Use Standards for dishwashers
 - To rescind Test Procedures for Commercial Furnaces
 - To rescind Efficiency Standards for Battery Chargers, etc.
- Deadline for Comments by **July 15, 2025**



US Federal Regulatory Landscape in Flux

US Federal Deregulation Efforts

- Consumer Product Safety Commission (CPSC) - Protects consumers from unreasonable risks of injury/death associated w/ use of consumer products
 - Uses a number of tools to achieve their mission (inc. promulgation of regulations; publication of guidance documents and interpretations)
 - Published Notice of Request for Information on June 12, 2025
 - Inviting public to comment on ways CPSC may reduce regulatory costs and burdens while not increasing consumers' risks
 - Deadline for Comments: August 11, 2025



US States Step In

- States differ in approach to product regulation
 - Some State governors/legislatures support federal de-regulation efforts, others do not
- Enforcement of federal laws can occur at state level, such as state Attorneys General enforcing CPSA
- Responding to lack of federal action, states active in PFAS, EPR, R2R



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Federal and US State Level PFAS Developments



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What are PFAS?

Per- and Polyfluoroalkyl Substances (PFAS)

- PFAS are a large class of synthetic chemicals used since the 1940s for their resistance to heat, water, and oil
- They are found in nonstick cookware, water-repellent fabrics, food packaging, and firefighting foams.
- Linked to health effects
- Bioaccumulative and widespread in wildlife & humans
- Increasingly regulated
- Priority in drinking water standards, product restrictions, and remediation efforts





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Federal Level PFAS Developments in 2025



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US Federal: PFAS Reporting & Recordkeeping

UPDATE: Interim Final Rule, [90 FR 20236](#) - Effective May 13, 2025

(comments accepted until June 12, 2025)

- Amends data submission period for Toxic Substances Control Act (TSCA) PFAS reporting rule from October 2023
- No other changes to the October 2023 final rule
- **Reporting Deadlines: April 13, 2026 - October 13, 2026** (alternate end date for small manufacturers reporting as article importers of **April 13, 2027**)

October 2023 Rule ([40 CFR 705](#)) - one-time reporting and recordkeeping requirement for manufacturers (inc. importers)

- Data collected on PFAS manufactured between 2011-2022, inc. information on production volumes, uses, byproducts, disposal, worker exposures, environmental and health effects
- Includes articles - no minimum reporting threshold for PFAS
- **Reporting Deadlines:** The primary data submission period for most reporters is from **April 13, 2026, to October 13, 2026**. Small manufacturers solely importing PFAS in articles have an extended deadline until **April 13, 2027**.



US Federal: PFAS

UPDATE: Final Rule, [90 FR 573](#) - Effective March 21, 2025

- EPA Adds **Nine PFAS** to Toxic Chemical Release Reporting List
- The EPA is updating toxic chemical release reporting regulations under EPCRA and PPA to include nine specific PFAS chemicals. This move, mandated by the FY2020 NDAA, aims to boost transparency on PFAS releases.
- Facilities must review their operations and 40 CFR part 372, subpart B to ensure compliance with these new reporting requirements.





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State Level PFAS Developments in 2025



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US State PFAS in Products

Enacted

Colorado: Prohibiting Certain Products with Intentionally PFAS, Senate Bill 24-081 Enacted, 2024 (EIF May 1, 2024)

California: PFAS Testing and Enforcement for Juvenile Products, Food Packaging and Textile Articles, Assembly Bill 347 Enacted, 2024 (EIF Jan 1, 2025)

New Mexico: Per- and Polyfluoroalkyl (PFAS) Substances Protection Act, House Bill 212 Enacted, 2025 (EIF June 20, 2025)

Minnesota: Products Containing PFAS, House File 2310 Enacted, 2023 (EIF July 1, 2023)

Maine: Products Containing PFAS Legislative Document 1503 Enacted, 2021 (EIF July 15, 2021) (Amended by LD 1537)

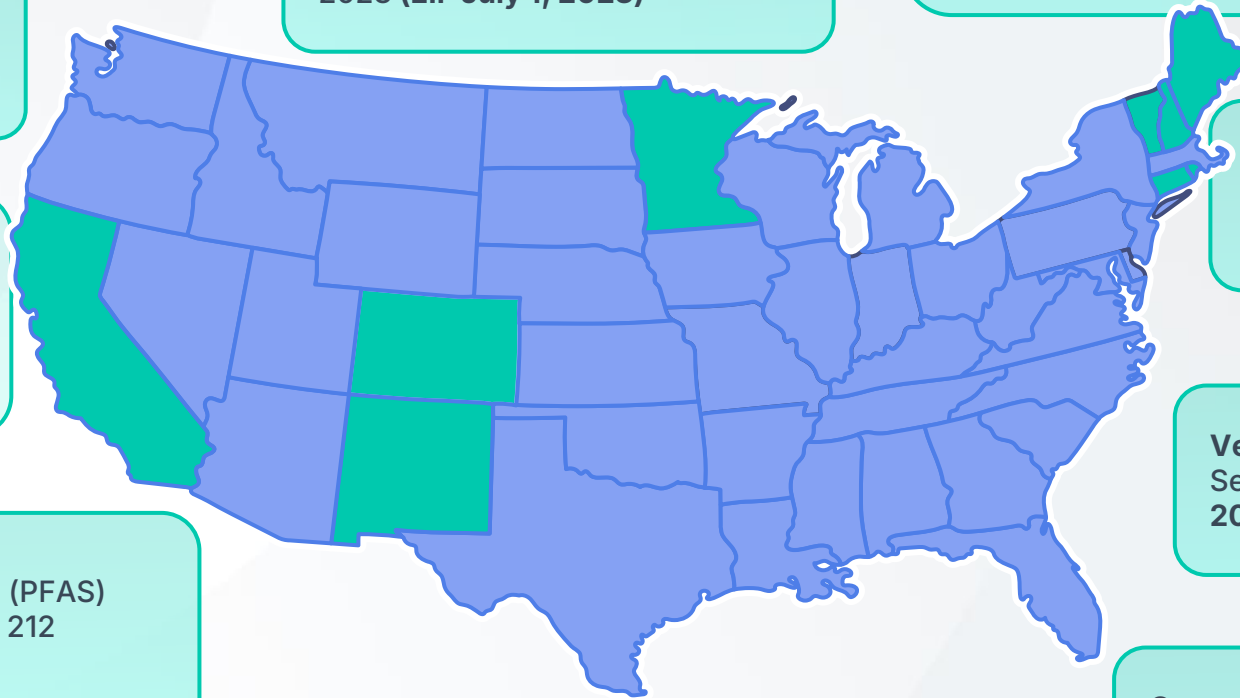
Maine: Reporting Requirements and Prohibitions: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS), Rule, Chapter 90, April 2025 (EIF May 6, 2025)

New Hampshire: Consumer Protection; PFAS Use Restrictions, House Bill 1649 Enacted, 2024 (EIF August 2, 2024)

Vermont: PFAS in Consumer Products, Senate Bill 25 Enacted, 2024 (EIF July 1, 2024) (Amended by HB 238)

Connecticut: Use of PFAS in Certain Products, Senate Bill 292 Enacted, 2024 (EIF Oct 1, 2024)

Rhode Island: Prohibiting Certain Products with Intentionally PFAS, House Bill 7356A Enacted, 2024 (EIF June 26, 2024)



Maine: Products Containing PFAS

Legislative Document 1503 - *In Force: July 15, 2021*

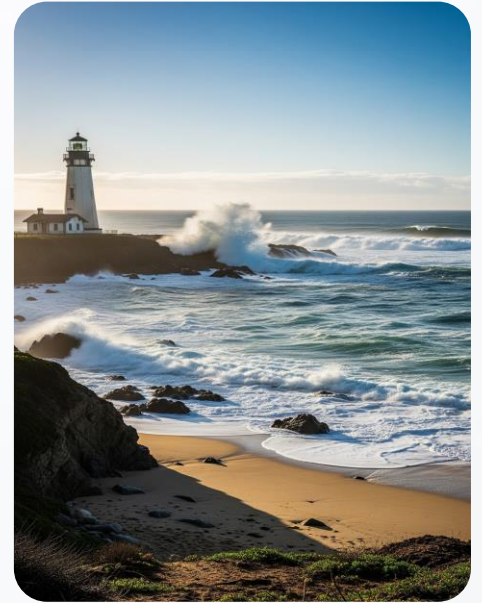
Sales prohibitions for products with intentionally added PFAS:

- New legislation (Amended in 2024 - **Legislative Document 1537**) significantly broadens Maine's prohibition on products containing intentionally added PFAS, amending the original 2021 law
- Phased Ban (2026–2040): Gradual prohibition on PFAS in consumer products like cookware, cosmetics, textiles, artificial turf, and HVAC equipment

Rule, Chapter 90 - *In Force: May 6, 2025*

Reporting & Sales Prohibition Rule: Sales Prohibitions Begin Jan 1, 2026

- Ban on selling products with intentionally added PFAS, including cosmetics, cookware, cleaning products, ski wax, and upholstered furniture—unless exempted or approved as a Currently Unavoidable Use (CUU)
- Manufacturers must submit CUU proposals between 60 and 18 months before a sales ban takes effect (by June 1, 2025, for 2026 bans); proposals outside this window may be considered for future rulemaking



Minnesota: PFAS Use Restrictions: [House Rule 2310](#) - *In Force: July 1, 2023*

- **PFAS Product Ban**

- Sale of specific products with intentionally added PFAS (e.g., rugs, cookware, cosmetics) is banned starting **Jan 1, 2025**; full ban **by Jan 1, 2032** unless PFAS use is ruled "currently unavoidable"

- **PFAS Reporting Requirements**

- By **Jan 1, 2026**, manufacturers must report detailed PFAS data for each product sold or distributed in the state.
- If authorities believe product being sold contains intentionally added PFAS, manufacturer may be required to provide testing results within 30 days



Colorado: PFAS Ban Expands: [Senate Bill 24-081](#) - *In Force: May 1, 2024*

- Phases out the sale, use, and installation of products with intentionally added PFAS—including cookware, dental floss, menstruation products, ski wax, artificial turf, and outdoor apparel—with key compliance deadlines in **2025, 2026, and 2028**

Vermont: PFAS in Consumer Products

Senate Bill 25 - In Force: July 1, 2024 → Amended by House Bill 238
Enacted on June 11, 2025

- Prohibits manufacture, sale, and distribution of cosmetics, menstrual products, textiles, and athletic turf containing PFAS or other toxic chemicals.
- Defines "intentionally added" PFAS; bans extend to ski wax, textiles, and turf fields, with violations enforceable under the Consumer Protection Act
- Staggered effective dates from January 2026 to July 2028;
- Mandates manufacturer compliance certificates, enforcement by Attorney General, and implementation plans from health and environmental agencies

House Bill 238 - Enacted: June 11, 2025 Amending Senate Bill 25 of 2024

- Phases out PFAS in consumer products starting January 1, 2026, with additional bans through 2032
- Manufacturers must certify compliance; exemptions include FDA-regulated and federally governed products
- Consumers may pursue legal action for harm caused by PFAS-containing products under consumer protection statutes



Rhode Island: PFAS Ban Act: **House Rule 7356A - In Force: June 26, 2024**

- Sale of products with intentionally added PFAS prohibited starting Jan 1, 2027; full ban by 2029 unless use is unavoidable
- Targeted phase-out of high-risk key products

New Hampshire: PFAS Restrictions: **House Bill 1649 - In Force: August 2, 2024**

- Bans sale of PFAS-added products starting January 1, 2027
 - *Cosmetics, carpets/rugs, textiles treatments & furnishings, food packaging/containers, juvenile products, upholstered furniture, feminine hygiene goods*
- Certificate of compliance may be requested
 - Provided to the Department of Environmental Services within 30 days

Connecticut: Use of PFAS in Certain Products: **Senate Bill 292 - In Force: October 1, 2024**

- Starting July 1, 2026, sale of PFAS-containing consumer products is restricted;
 - Full ban takes effect January 1 2028
- Starting July 1, 2026, manufacturers must report PFAS use and label affected products, including outdoor apparel marked "**Made with PFAS chemicals**"
 - *Apparel, carpet/rug, cleaning products, cookware, cosmetic products, dental floss, fabric treatment, children's product, menstruation product, textile furnishing, ski wax, upholstered furniture*



California: PFAS Testing and Enforcement: **Assembly Bill 347 - In Force: January 1, 2025**

- Starting **July 1, 2029**, a manufacturer of a *covered product* must register with Department of Toxic Substances Control and provide the following information:
 - *name and a description of each covered product it manufactures*
 - *applicable registration fee*
 - *statement certifying covered products comply with relevant PFAS restriction*
- State will publish approved testing methods and lab standards by January 2029
- Strict Enforcement:
 - Fines start at \$10,000 per violation; legal action and daily penalties apply for noncompliance

New Mexico: PFAS Protection Act: **House Bill 212 - In Force: June 20, 2025**

- Phased bans begin in January 1, 2027 for products such as cookware and food packaging; expanded to textiles, cosmetics, and more by January 1, 2028
- Companies must report PFAS use and product details to the state or face sales restrictions
- **Full Ban by January 1, 2032**
 - All PFAS in products banned unless deemed a “currently unavoidable use” by regulator



US State PFAS in Products: Proposed in 2025

Activity → As of May 2025, 39 States, 350 PFAS-related bills

Key Topics:

- **Quickly-evolving set of state proposals:**

- States are continuing to lead on legislation for PFAS in products - includes proposed requirements for retailers, importers, manufacturers
- Focus areas include product bans, labeling requirements, reporting obligations, and environmental testing.

- **Emerging Themes:**

- States are increasingly targeting intentionally added PFAS in consumer products especially textiles, cosmetics, firefighting foam, and food packaging by proposing bans, phase-out timelines, and enforcement mechanisms.

- **Industry should take a proactive approach to:**

- Companies should monitor PFAS inputs and outputs, understand their supply chains, track evolving state proposals, and assess compliance capabilities particularly regarding product bans, testing, reporting, and how states define key terms like "intentionally added" or "currently unavoidable use."





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State Level EPR for Packaging & Other Products



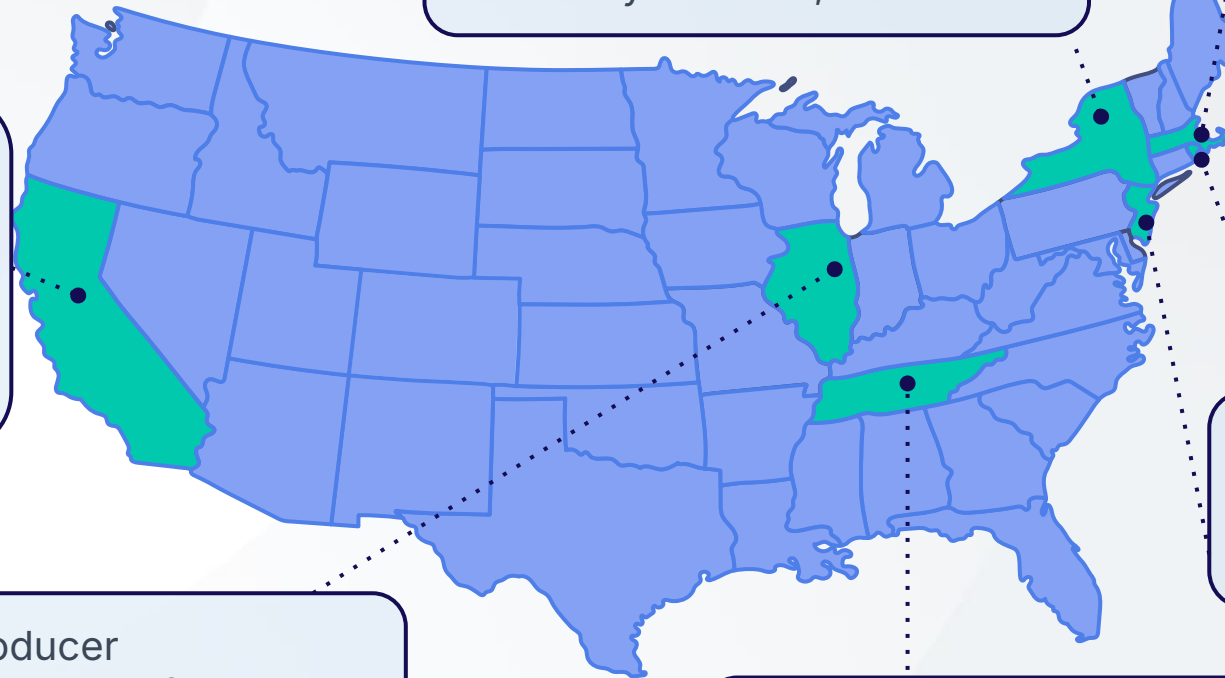
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Extended Producer Responsibility at the State Level

- EPR no longer a niche environmental policy but is now a mainstream governmental strategy.
- Increasing number of states adopting or considering EPR for various product categories.
- Over 140 EPR laws for more than 20 product categories are now in place across the country.
- The first half of 2025 has seen notable legislative successes, such as Maryland and Washington signing packaging EPR laws which adds to 5 states that have already enacted similar legislation.



EPR for Packaging: State Level - Proposed



California:

Implementation of Plastic Pollution Prevention and Packaging Producer Responsibility Act (SB 54), Draft Regulation, 2023

New York: Environmentally Sound Packaging Act, Assembly Bill 1924, 2025

Massachusetts: Producer Responsibility for Packaging and Paper Products, Senate Bill 571, 2025

Rhode Island: Extended Producer Responsibility for Packaging and Paper, Senate Bill 939, 2025

New Jersey: Packaging and Paper Products Stewardship Act, Assembly Bill 5009, 2024

Illinois: Extended Producer Responsibility & Recycling Refund Act, House Bill 4064, 2025

Tennessee: Waste to Jobs Act, Senate Bill 269/House Bill 600, 2025. Deferred to 2026 legislative session

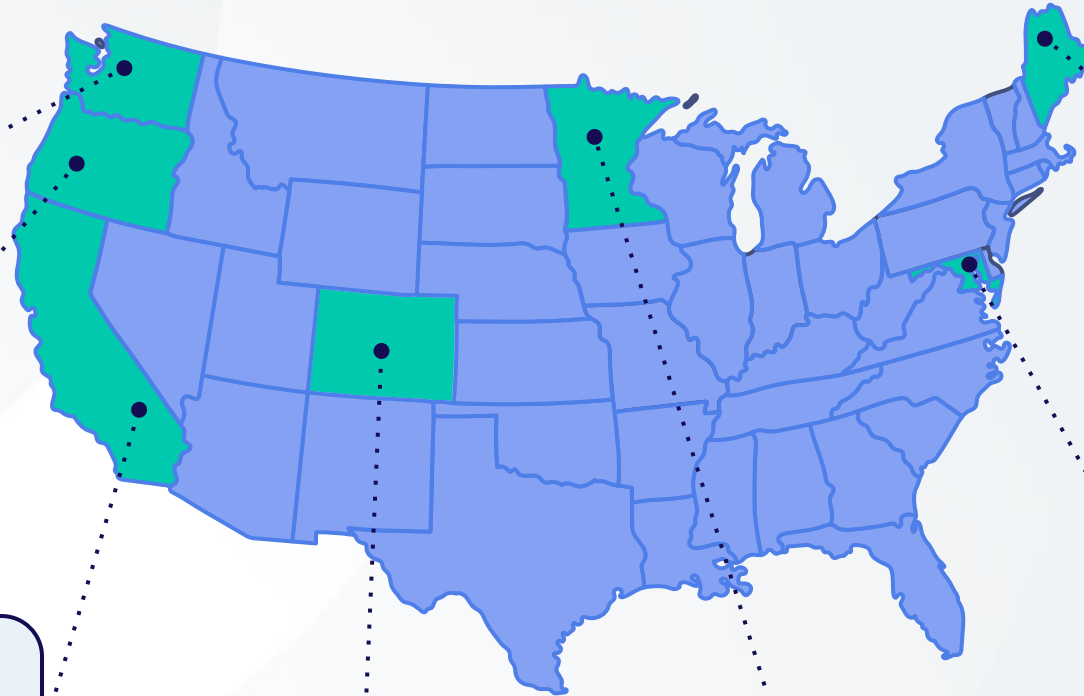


EPR for Packaging: State Level - Enacted

Washington: Producer Responsibility for Packaging and Paper Products, Senate Bill 5284
EIF - 17 May 2025

Oregon: Packaging Producer Responsibility for Recycling, Final Rule
EIF - 24 November 2024

California: Plastic Pollution Producer Responsibility Act, Senate Bill 54
EIF - 1 Jan 2023



Maine: Implementing the Stewardship Program for Packaging Rule.
EIF: 25 December 2024

Maryland: Packaging and Paper Products Producer Responsibility, Senate Bill 901 - Note: strengthens EPR of 2023
EIF - 1 June 2025

Colorado: Producer Responsibility for Statewide Recycling, House Bill 22-1355
EIF - 10 Aug 2022

Minnesota: Packaging Waste Reduction Act, House Bill 3911
EIF - 1 Aug 2024

EPR: State Level - Needs Assessments



Hawaii: Extended Producer Responsibility for Paper and Packaging Products, House Bill 750
EIF - 1 July 2025



Connecticut: Establishing a State Needs Assessment for Consumer Packaging EPR, House Bill 6917, 2025

Rhode Island: Statewide Recycling Needs Assessment for a Packaging EPR Program, House Bill 6207A - Enacted 2025
EIF - 30 June 2025

EPR: State Level - After Packaging, Then What?

- 23 states have enacted electronics EPR laws
- New EPR laws for batteries enacted in Nebraska and Colorado. Proposed in Massachusetts, Minnesota, Oregon

Other Products for proposed EPR:

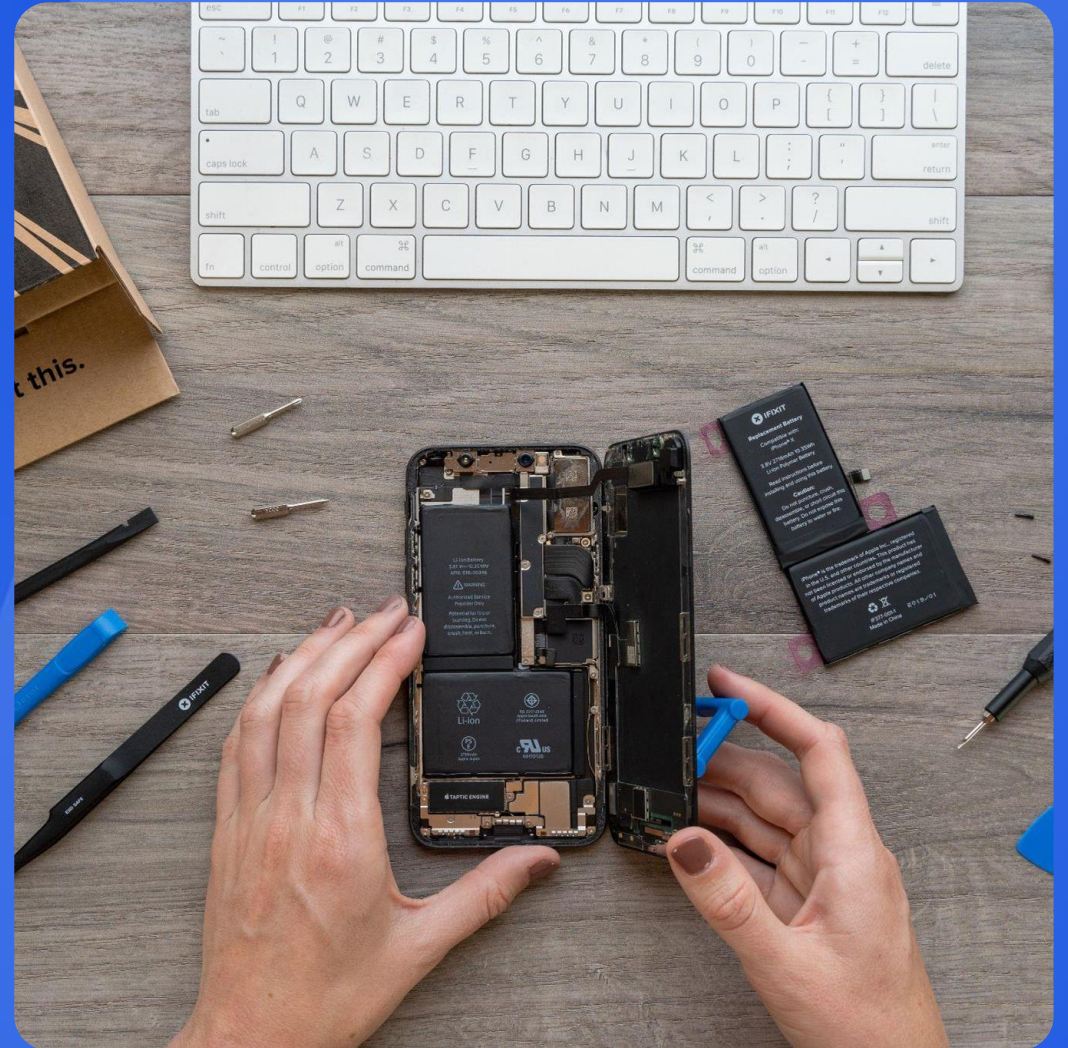
- **Oregon:** Extended Producer Responsibility for Batteries, House Bill 2062, 2025
- **New York:** Extended Producer Responsibility for Household Appliances and Refrigerants, Senate Bill 1459, 2025
- **Connecticut:** Extended Producer Responsibility for Solar Panels, House Bill 5136, January 2025





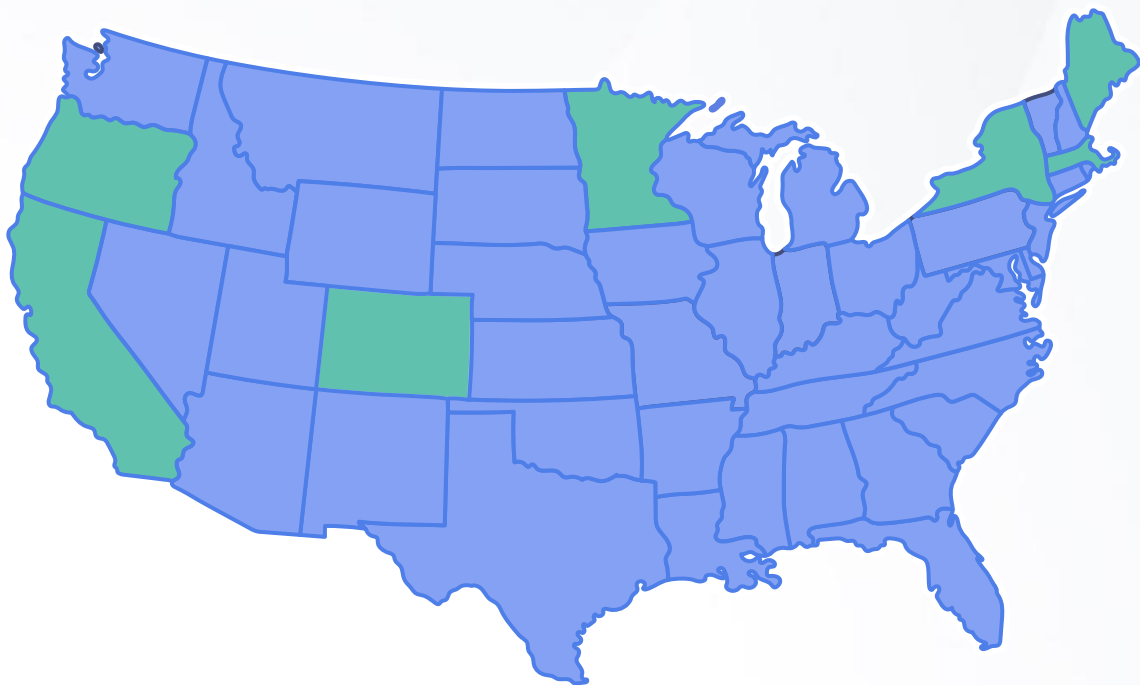
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Right to Repair US State and Federal Level



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Overview of US State Right to Repair Laws Before 2025



State	Name	Effective Date
Oregon	Right to Repair Consumer Electronic Equipment Act, Senate Bill 1596, 2024	1 Jan 2025
California	Right to Repair Act, Senate Bill 244, 2023	1 Jan 2024
Colorado	Consumer Right to Repair Digital Electronic Equipment, House Bill 1121, 2024	1 Jan 2026
Minnesota	Digital Fair Repair Act, Senate Bill 2744, 2023	1 July 2024
New York	Digital Fair Repair Act, Senate Bill 4104, 2022	28 Dec 2023
Massachusetts	Automotive Repair Act, House Bill 3757, 2013	26 November 2013
Maine	Automotive Right to Repair, Legislative Document 1677, Enacted, 2023	5 Jan 2024

New York: Digital Fair Repair Act

Senate Bill 4104 Enacted - In Force: December 28, 2023

- The first comprehensive law on consumer electronics repairs for devices sold, used or manufactured

Original Equipment Manufacturer (OEM) must make available to independent repair providers & consumers, the documentation, parts & tools needed to **diagnose, maintain, or repair digital electronics**

- Fair and **reasonable** terms
- **Digital Electronic Equipment:** Any hardware products dependent on digital electronics embedded in/attached to product sold after 1 July 2023
- Excluding products sold under business-to-government or B2B contracts not sold at retail



Colorado: Right to Repair DEE

House Bill 1121 - In Force: January 1, 2026

(amended June 3, 2025 to exempt quantum devices, components, systems)

- **Current law:** Repair of Agricultural Equipment and Powered Electric Wheelchairs
- **Expanded:** Digital Electronic Equipment (DEE) - hardware products that depend on digital electronics embedded in/attached to the product to function as intended

Bans manufacturer from use of **parts pairing** for DEE sold/used after **1 Jan 2026** to:

- Stop independent repair provider or owner installing a replacement part
- Reduce functionality or performance of DEE
- Cause DEE to display misleading alerts/warnings about unidentified parts



California: Right to Repair Act

Senate Bill 244 - In Force January 1, 2024



- **Manufacturers selling electronic/appliances to retailers/ others in CA** to provide to product owners, service & repair facilities & service dealers, **documentation, functional parts & tools to diagnose, maintain, or repair product:**
 - Products \$50 - \$99.99 (wholesale) - Min 3 years after last date of manufacture
 - Products \$100 or more (wholesale) - Min 7 yrs after last date of manufacture
- **B2B:** including products sold to schools, businesses, local government - or other means outside of retail sale
- **Includes Appliances:** refrigerators, freezers, microwaves for personal, family, household, or home office use, **or in private motor vehicles**



Minnesota: Digital Fair Repair Act

Senate File 2744 Enacted - In Force: 1 July 2024

Original Equipment Manufacturer (OEM) to make available to independent repair providers & consumers, documentation, parts & tools to diagnose, maintain, or repair **digital electronic equipment**

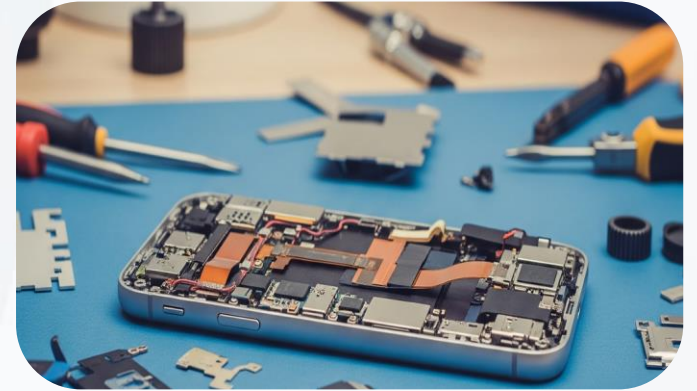
- **Digital Electronic Equipment:** hardware product dependent, in whole or in part, on digital electronics embedded in/attached to product in order to function
- **OEM** - individual or **business**, selling/leasing to any individual or **business**, new digital electronic equipment manufactured by, or on behalf of the OEM **(Includes B2B)**
- Necessary parts/tools/documentation shall be available w/in **60 days** after first sale in MN, including updates and software



Oregon: Right to Repair Consumer Electronic Equipment

Senate Bill 1596 - In Force: January 1, 2025

- **OEM** - make available to owner (consumer) or independent repair provider, documentation/tool/part or other device/implement the OEM makes available to authorized service provider for **diagnosis, maintenance, repair, updates**
- 1st US state to ban: **"parts pairing"** - software barriers/locks that prevent consumers/repairers from replacing parts not *"paired"* or specifically authorised by device manufacturer
- Prohibition on **parts pairing** - to encourage harvesting of spare parts from defunct devices to use in salvageable devices - *crucial aspect of repairability*



Trending Topics - New 2025 US State R2R Bills

Key Topics:

- **Medical Equipment/Electric Wheelchairs**
 - Examples include: New York SB 4500A, Massachusetts SD 732
- **Automotive Parts**
 - Examples include: Missouri HB 110 (motorcycles)
- **Digital Electronic Equipment - Repairability Scores**
 - Examples include: New Jersey SB 1723 and SB 8492, Pennsylvania HB 1512
- **Trend Towards More Regulation**
 - Bills targeting products that directly affect consumers' daily lives
 - Push for "repair" as a sustainable long-term solution

Updates: Key bills - No Longer Proposed

- **New York** - Senate Bill 4655 - Proposed on 10 February 2025 (proposed to amend SB 4104)
- **Maine** - Legislative Document 1394 – Proposed on 1 April 2025 (proposed to amend LD 1677)
- **Colorado** – Senate Bill 25-322 – Proposed on 2 May 2025 (proposed to amend HB 1121)



US State R2R - Recently Enacted

State	Name	Effective Date	Covered Topics
Washington State	Right to Repair Digital Electronic Equipment, House Bill 1483 Enacted, 2025	27 July 2025	Computers, cell phones, appliances, etc.
	Right to Repair for Mobility Equipment for Persons with Physical Disabilities, Senate Bill 5680 Enacted, 2025		Power wheelchairs, manual wheelchairs, mobility scooters, and power assist devices for manual wheelchairs.
Texas	Diagnosis, Maintenance, and Repair of Digital Electronic Equipment, House Bill 2963 Enacted, 2025	1 September 2026	Information technology equipment intended to be used in critical infrastructure, motor vehicles, medical devices, farm equipment, etc
Connecticut	Act Concerning Consumer Protection and Safety, Senate Bill 3, 2025	10 June 2025	Electronics/appliance products manufactured for first time, and first sold/used in CT, on/after 7/1/26
Oregon	Amendment to SB 1596, Senate Bill 550, 2025	1 January 2026	Expanding list of covered equipment to include: electric wheelchairs and complex rehabilitation technology

US State R2R - Recently Enacted

State	Name	Effective Date	Covered Topics
Nevada	Right to Repair Powered Wheelchairs, Assembly Bill 407 Enacted, 2025	30 May 2025	Power wheelchairs, manual wheelchairs, mobility scooters, and power assist devices for manual wheelchairs.
Rhode Island	Right to Consumer Access to Powered Wheelchair Repairs, Senate Bill 884 Enacted, 202	25 June 2025	Powered wheelchairs
Colorado	Amendment to HB 1121, House Bill 1330, 2025	1 January 2025	Computer Equipment (quantum equipment)
Maryland	Right to Repair Powered Wheelchairs, House Bill 31 Enacted, 2025	1 October 2025	Powered wheelchairs

US Federal Level: Proposed Bill

House Bill 1566 - Proposed on February 25, 2025

"Right to Equitable and Professional Auto Industry Repair Act" or "REPAIR Act"

- **Purpose:**
 - To ensure consumers have access to data relating to their motor vehicles, as well as critical repair information/tools for such vehicles
 - To provide consumers with choices for maintenance/service/repair of vehicles
- **Manufacturers would be required to:**
 - provide vehicle owners (or designees) access to vehicle-generated data, incl. through interface ports/wireless technology
 - make critical repair information/tools available to owners, aftermarket parts manufacturers, and motor vehicle repair facilities
- In 2023, similar Bill was introduced (HB 906) - this Bill did not advance



Questions?



Lets Talk



Kelly Bugiera,
Senior Regulatory
Compliance Specialist
& Team Leader



Luisa Toro Correa,
Regulatory
Compliance Specialist



Patricia Weathers,
Regulatory
Compliance Specialist



Samantha Anguiano
Regulatory
Compliance Specialist