

New State Regs On PFAS In Products Complicate Compliance

By **Matthew Thurlow, Stephanie Feingold and Felipe Rigaudeau-Lopez** (February 4, 2026, 4:56 PM EST)

Beginning Jan. 1, new prohibitions and reporting requirements for per- and polyfluoroalkyl substances took effect in Colorado, Connecticut, Maine, Minnesota, Vermont and Washington. These requirements target a wide range of consumer products and industries, with meaningful implications for companies across the product supply chain.

As public attention regarding PFAS in consumer products continues to grow and prompts further legislative and regulatory action, companies that manufacture, distribute, or sell products and components that include PFAS must continue to navigate an ever-growing patchwork of prohibitions and requirements as they implement strategies to comply with state laws.

While many of the new laws continue to target certain consumer product categories, including cosmetics, textiles, apparel, cookware, household cleaning products and products for children, an increasing number of states are regulating broader categories of products.

National retailers, distributors and consumer product manufacturers will need to continue to monitor state PFAS regulations to ensure compliance.

Colorado

Colorado's laws regarding PFAS are codified in Colorado Revised Statutes Sections 25-15-601 to 25-15-605. Disclosure requirements and bans on intentionally added PFAS in consumer products were implemented in 2024 and 2025 under the state's Perfluoroalkyl and Polyfluoroalkyl Consumer Protection Act.[1]

Additional consumer product prohibitions on PFAS became effective in Colorado in the new year. As of Jan. 1, no person may sell or distribute the following products with intentionally added PFAS:[2]

- Cleaning products;
- Cookware;
- Dental floss;
- Menstruation products; and
- Ski wax.



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The installation of artificial turf containing intentionally added PFAS is also prohibited. Additional PFAS prohibitions for other products, including outdoor upholstered furniture, textile articles and food equipment, become effective Jan. 1, 2027, and Jan. 1, 2028.

These prohibitions add to Colorado's existing PFAS regulations affecting carpets or rugs, fabric treatments, food packaging, juvenile products, oil and gas products, cookware, cosmetics, indoor textile furnishings, indoor upholstered furniture, and outdoor apparel for severe wet conditions.

Connecticut

Connecticut's laws on PFAS are codified in Connecticut General Statutes Section 22a-903c.

As of Jan. 1, no person may distribute, sell or offer for sale outdoor apparel for severe wet conditions that contains PFAS unless there is a disclosure statement on the product. Similarly, a person selling firefighting turnout gear containing intentionally added PFAS must provide written notice to the purchaser that the product contains PFAS and its purpose in the product.

Beginning July 1, no person shall distribute, sell or offer for sale the following products with intentionally added PFAS:[3]

- Apparel;
- Carpets or rugs;
- Cleaning products;
- Cookware;
- Cosmetic products:[4]
- Dental floss;
- Fabric treatments;
- Children's products;
- Menstruation products;
- Textile furnishings;
- Ski wax; and
- Upholstered furniture.

Such products may continue to be sold or distributed only if the Connecticut Department of Energy and Environmental Protection receives prior notification in writing. These regulations supplement Connecticut's existing prohibition on intentionally added PFAS in food packaging and firefighting foam.[5]

Additional PFAS prohibitions for other products, including turnout gear and outdoor apparel for severe wet conditions, become effective Jan. 1, 2028.

Maine

Maine's PFAS restrictions are codified in Title 38 of the Maine Statutes, Section 1614.

As of Jan. 1, the following products containing intentionally added PFAS cannot be sold in the state:

- Cleaning products;
- Cookware;

- Cosmetics;
- Dental floss;
- Juvenile products;
- Menstruation products;
- Textile articles;
- Ski wax; and
- Upholstered furniture.

These regulations join Maine's existing prohibition on intentionally added PFAS in food packaging, provided there is a safer alternative to the use of PFAS available, as well as Maine's prohibition on PFAS in firefighting foam.[6]

In 2024, Maine amended prior legislation requiring PFAS notifications to the state across all consumer products. Maine currently only requires reporting for certain product categories that receive a Currently Unavoidable Use determination from the state. Proposals for newly prohibited product categories were due to the state on June 1, 2025.

Minnesota

Minnesota's PFAS restrictions are codified in Section 116.943 of the Minnesota Statutes, Subdivision 2.[7]

PFAS prohibitions in consumer products became effective last year.[8] Manufacturers face several new product reporting requirements in 2026. These requirements are under Minnesota's Amara's law, which implements a broad range of PFAS restrictions and reporting requirements between 2025 and 2032.[9]

After a delay from the initial Jan. 1 deadline, manufacturers of any product sold, offered for sale or distributed in Minnesota that contains intentionally added PFAS must submit a report to the Minnesota Pollution Control Agency by July 1.

The reporting rule requires product manufacturers to provide a description of the product, the PFAS used in the product, the concentrations of PFAS in the product, the function of the PFAS in the product and information regarding the manufacturer, including contact information.

The reporting includes substantial due diligence. Extensions to the reporting deadline may be granted under certain circumstances. Parties potentially subject to reporting in Minnesota should also investigate potential waivers, exemptions and submission procedures for protecting trade secrets.

Vermont

Vermont's laws regarding PFAS are codified in Title 9 of Vermont Statutes Annotated, Sections 2494e and 2494f.

As of Jan. 1, a manufacturer may not manufacture, sell or distribute the following products to which PFAS have been intentionally added in any amount:

- Aftermarket stain and water-resistant treatments;
- Artificial turf;
- Incontinency protection products;

- Juvenile products;
- Residential rugs and carpets; and
- Ski wax.

Additionally, a manufacturer may not manufacture, sell or distribute textiles or textile articles to which regulated PFAS have been intentionally added.

"Regulated PFAS" means the presence of PFAS in a product or product component at or above 100 parts per million as measured in total organic fluorine. This definition expires on July 1, 2027, after which the threshold level is reduced to 50 parts per million.

Additional regulations on PFAS in firefighting foam became effective Jan. 1.[10]

Washington

Washington's PFAS restrictions are codified in Washington Administrative Code Sections 173-337-025 and 173-337-110.

As of Jan. 1, a person manufacturing, selling or distributing the following products that contain intentionally added PFAS must provide notice to Washington's Department of Ecology:

- Leather and textile furniture and furnishings intended for outdoor use;
- Automotive waxes;
- Apparel intended for extreme and extended use;
- Footwear;
- Gear for recreation and travel;
- Cookware and kitchen supplies;
- Floor waxes and polishes;
- Firefighting personal protective equipment;
- Hard surface sealers; and
- Ski waxes.[11]

Under the new law, manufacturers must identify and track intentionally added PFAS, including total organic fluorine concentrations that exceed 50 ppm in those products. Companies may avoid reporting requirements if they can provide "credible evidence" that levels of total organic fluorine above 50 ppm were not intentionally added.

The first reports are due by Jan. 31, 2027. The only product prohibitions effective as of Jan. 1 of this year are for leather and textile furniture, and furnishings intended for indoor use.

Washington also recently amended its regulations to ban intentionally added PFAS in cleaning products, automotive washes, and apparel and accessories made from leather, natural textiles, synthetic textiles or technical textiles. Those prohibitions will become effective on Jan. 1, 2027.

Looking Ahead: Considerations for Businesses

As these state prohibitions are implemented and additional reporting requirements and bans are enacted, businesses should monitor the regulatory landscape to help ensure compliance and minimize potential enforcement and litigation risk.

Manufacturers should assess the potential for PFAS in affected products and their components in order to implement a compliance strategy that complies with applicable state laws where those products are sold. Distributors and retailers, in turn, need to work closely with manufacturers to ensure they identify applicable restrictions and prohibitions.

Businesses should pay particular attention to differing definitions of key terms in individual state-specific requirements.

For example, certain products — like "textile articles" and "apparel," or "juvenile products" and "children's products" — may seem synonymous, but attention should be given to whether the definition of a covered product also contains that product's internal components, or if it is limited to certain enumerated categories or a blanket restriction.

And while most statutes have similarly broad definitions for "PFAS" and "intentionally added," some states, like Vermont and California, also establish numerical thresholds based on total organic fluorine levels, while others contain exceptions for products with a "technically unavoidable use" of PFAS, or where the presence of PFAS is governed by federal law.

Finally, businesses should remain attentive to new legislation restricting PFAS in consumer products, including upcoming PFAS prohibitions taking effect in 2027 and beyond. For example:

- On Jan. 12, New Jersey enacted the Protecting Against Forever Chemicals Act, S.B. 1042, which prohibits intentionally added PFAS in carpets, cookware, cosmetics and food packaging beginning in January 2028.
- New Hampshire prohibits intentionally added PFAS in carpets and rugs, cosmetics, textile treatments, feminine hygiene products, food packaging, juvenile products, upholstered furniture, textile furnishings, and waxes starting on Jan. 1, 2027.[12]
- Illinois' PFAS Reduction Act prohibits intentionally added PFAS in cosmetics, dental floss, juvenile products, menstrual products and intimate apparel beginning Jan. 1, 2032.[13]

Attention to PFAS in consumer products continues to accelerate, with more states enacting similar prohibitions to the ones discussed above.

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[1] See Col. Rev. Stat. § 25-15-604.

[2] "Intentionally added PFAS" means PFAS that a manufacturer has intentionally added to a product, including the intentional breakdown products of another added chemical, and that have a functional or technical effect on the product. Col. Rev. Stat. § 25-15-603(12). This definition of intentionally added is

functionally equivalent to the one in Maine. See Me. Stat. tit. 38, § 1614(1)(D).

[3] "Intentionally added PFAS" 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. Conn. Gen. Stat. § 22a-903c(a)(14). This definition of intentionally added is functionally equivalent to the one in Minnesota, Vermont, and Washington. See Minn. Stat. § 116.943, subd. 1(b)(l); 9 V.S.A. § 2494e(10); Wash. Admin. Code § 173-337-025.

[4] Cosmetic products with an unavoidable trace quantity of PFAS may continue to be sold. Conn. Gen. Stat. § 22a-903c9(e).

[5] See Conn. Gen. Stat. § 22a-255i; Conn. Gen. Stat. § 22a-903a.

[6] Me. Stat. tit. 32, § 1733; Me. Stat. tit. 38, § 424-C.

[7] See also Minnesota Rules, part 7026.

[8] Products affected by the Minnesota law (known as Amara's Law) are carpets or rugs, cleaning products, cookware, cosmetics, dental floss, fabric treatments, juvenile products, menstruation products, textile furnishings, ski wax, and upholstered furniture. See Minn. Stat. § 116.943. These prohibitions join existing regulations on firefighting foam and food packaging. See Minn. Stat. § 325F.072.

[9] The first group of prohibitions of intentionally added PFAS in Minnesota became effective on January 1, 2025, and included (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; and (11) upholstered furniture.

[10] 9 V.S.A. § 2494t.

[11] For reporting requirements, see Wash. Admin. Code § 173-337-060.

[12] Codified in N.H. Rev. Stat. § 149-M:64.

[13] Codified in 2024 Ill. Comp. Stat. § 170/45.