Massachusetts Enacts Law Targeting PFAS in Firefighter Protective Gear

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On August 15, 2024, Massachusetts Governor, Maura Healy, signed legislation that will regulate and ultimately end the sale of protective gear for firefighters that contain per- and polyfluoroalkyl substances (PFAS). Massachusetts, along with Connecticut, became one of the first states to ban the use of PFAS in firefighters' turnout gear. They join a growing list of states seeking to regulate or ban the use of PFAS and products containing PFAS.

The recently signed Massachusetts law specifically targets the utilization of PFAS in protective gear for firefighters. PFAS are used in the manufacturing process for turnout gear because of its thermal stability and resistance to oil and water. PFAS, however, has been potentially linked to adverse health effects. That potential association has prompted state legislatures nationwide to regulate PFAS and its uses in a myriad of products.

Beginning in January 2025, Massachusetts will require manufacturers and sellers of firefighter protective gear to not only provide notice to purchasers that the product contains PFAS, but also inform purchasers of the reasons the gear contains PFAS. The law further calls for a complete ban on the sale of firefighting protective gear that contains PFAS by 2027. That is even though it is unclear whether protective gear that does not contain PFAS is as effective in protecting the lives of firefighters during fire emergencies.

This may only be the beginning of efforts by the Massachusetts Legislature to regulate PFAS. In fact, during the current formal session, the legislature has introduced bills that seek to ban PFAS in food packaging, children's products, personal care products, carpets, furniture textiles, clothing and cookware. As a result, companies should continue to monitor legislation, as it could have a profound impact on their business operations. MG+M will continue to provide updates on pending legislation.

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