Trends to Know for Fashion Week: Prepare for Upcoming PFAS Bans

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The fashion industry is facing a major regulatory shift as states implement bans on per- and polyfluoroalkyl substances (PFAS) in textiles and apparel. PFAS, often called “forever chemicals,” persist in the environment, accumulate in human and animal blood, and are linked to adverse health effects. Widely used for its stain-resistant, water-repellent and durable properties, PFAS will soon be heavily restricted in states such as New York and California. Both states have enacted legislation taking effect in 2025, with phased implementations aimed at eliminating PFAS from a wide range of consumer goods. These laws highlight the growing emphasis on consumer safety and environmental protection but present significant challenges for manufacturers, sellers and retailers in the fashion industry.

Beginning January 1, 2025, New York will prohibit the sale of apparel with intentionally added PFAS. The scope includes most clothing items but exempts professional uniforms and certain outdoor apparel. By 2027, allowable PFAS levels will be established through state regulations, and by 2028, the exemption for outdoor apparel for severe wet conditions will be phased out. Sellers are permitted to rely on manufacturer certifications to avoid liability, but violations could lead to substantial civil penalties.

California's legislation takes a broader approach, banning PFAS in all textile articles, including household goods, such as bedding and draperies. Effective in 2025, the law imposes stricter thresholds for total organic fluorine content, and those thresholds will be further reduced by 2027. Notably, California law requires manufacturers to use the least toxic alternatives and mandates disclosure if PFAS are present in outdoor apparel. Additional enforcement provisions under recently passed legislation empower California's Department of Toxic Substances Control to assess penalties and oversee compliance.

These regulatory developments require immediate attention from the fashion industry. Manufacturers must evaluate their supply chains, identify PFAS-containing products and develop alternatives to meet new standards promulgated by these states (and likely others). Retailers and sellers should proactively secure compliance certifications from suppliers to mitigate risks. As additional states introduce PFAS bans, the industry must stay informed and adapt to a fragmented regulatory landscape. Early action is critical to avoid supply chain disruptions, ensure compliance and maintain consumer trust in this evolving regulatory environment.

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