

France Bans PFAS in Consumer Products

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On Thursday, February 20, 2025, the French Parliament approved a landmark ban on per- and polyfluoroalkyl substances (PFAS) in many commonly used consumer products, becoming the second European country to do so. PFAS are a group of thousands of chemicals used in a myriad of products due to their ability to repel grease, water, oil and heat. Those same properties that make PFAS attractive for use in products can also result in their persistence in the environment and the human body. Certain PFAS have been linked to various health and environmental concerns, leading to increased scrutiny and regulatory attention.

The French bill, which passed by a vote of 231-51, still must be signed into law by President Emmanuel Macron. If signed, it will ban the manufacture, import, export and marketing of cosmetics, footwear, consumer textiles, and ski wax containing PFAS by January 2026, and all PFAS-containing textiles by 2030. France takes this action while the European Union (EU) debates a much broader universal PFAS ban that would cover both consumer and industrial applications, with some derogations for essential uses.

Although the bill has been called one of the most ambitious in Europe, it has exceptions for industrial PFAS use and in applications essential for national security. Similar exceptions have been adopted in America, including Minnesota's "Amara's Law," which bans the sale of PFAS in 11 consumer product categories beginning this year but exempts the use of PFAS in items considered essential to health and safety, and for which no alternatives currently exist. These include automotive and aircraft parts, as well as medicines and biomedical devices. Similarly, Maine has recently amended its PFAS ban to create some specific exemptions and has established a new reporting program for those product categories that receive a Currently Unavoidable Use (CUU) determination from the Maine Department of Environmental Protection. These states have learned that complete PFAS bans result in a number of unintended consequences that make the laws difficult to enforce, including but not limited to, the lack of viable alternatives to PFAS, and the negative ramifications of these bans on the states' economies.

While environmental groups clamor for PFAS bans, these US states have demonstrated that policymakers must recognize the practical limitations of finding substitutes for PFAS in certain necessary applications and have a balanced approach that considers health and environmental concerns, as well as the economic implications of a complete ban of these chemicals. That is particularly true where there is no toxicological data for the vast majority of PFAS chemicals.