

# California Bans PFAS “Forever Chemicals” in Clothing, Textiles, and Cosmetics

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California joined the [growing list of states to ban](#) products containing per- and polyfluoroalkyl substances (“PFAS”) when, on September 29th, Governor Newsom signed into law legislation prohibiting the so-called “forever chemicals” in apparel, textiles, and cosmetics. The ban goes into effect beginning in 2025, and applies to the sale, manufacture and distribution of new cosmetics and textile articles (defined to include apparel, accessories, handbags, backpacks, draperies, shower curtains, furnishings, upholstery, beddings, towels, napkins, and tablecloths) that contain “intentionally added” PFAS.

For textiles, the law requires manufacturers to provide retailers and distributors with a certificate of compliance stating that the product does not contain any “regulated PFAS,” which are defined as PFAS “that have a functional or technical effect in the product.” Further, the ban applies to PFAS present in textile articles present above certain minimum thresholds, as measured by total organic fluorine content: 100 parts per million as of January 1, 2025, with a reduction to 50 parts per million in 2027.

The law also requires a manufacturer to use the “least toxic alternative” when replacing regulated PFAS in textile articles. The term “least toxic alternative” is not defined in the legislation but presumably envisions a process similar to the “Alternatives Analysis” required for manufacturers of products subject to the state’s [Safer Consumer Products \(SCP\) program](#).

Notably, the PFAS prohibition is delayed until 2028 for “outdoor apparel for severe wet conditions.” Such products, however, must be clearly labeled as “Containing PFAS chemicals” starting January 1, 2025. Full exemptions from the ban are provided for “personal protective equipment” (PPE) and “clothing items for exclusive use by the United States military.” Carpets and rugs are excluded from the ban as they are [currently regulated under the SCP program](#).

The cosmetics ban extends a previous California law prohibiting 13 specific PFAS chemicals to all of the thousands of different PFAS substances in existence. No minimum PFAS content threshold is provided in the law, which may present a challenge to companies seeking to demonstrate that PFAS have not been intentionally added to a cosmetics product and that any amount identified is from contamination in raw materials, water or other unknown sources.

While the California ban is among the most aggressive legal prohibitions related to PFAS in products, the scope of the ban does not go as far as recent legislation adopted in Maine, which applies to all products containing intentionally added PFAS (unless for “unavoidable uses” which have yet to be defined). The California prohibition, however, goes into effect much sooner (starting in 2025) than the 2030 ban in Maine. (Maine has banned PFAS in carpets and rugs as of 2023.)

Governor Newsom also declined to further extend California's PFAS regulations by vetoing legislation that would have required consumer product manufacturers to submit annual reports on intentionally added PFAS in all products and product components beginning in 2026. In 2021, Maine adopted a similar reporting requirement that goes into effect January 1, 2023.

With the final adoption of the California PFAS prohibitions, all eyes now turn to New York, where Governor Hochul is weighing signature of legislation passed earlier this year to ban intentionally added PFAS in apparel starting in 2024.

Find out more on PFAS on our [Kelley Green blog](#).

