

# “Forever Chemicals” Build Your 2024 Playbook

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Snowsports  
Industries  
America



**Snaplinc  
Consulting**

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PART 1:

# Background

# What are PFAS and where are they found?

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are a class of chemicals used to make fluoropolymer coatings and products that resist heat, oil, stains, grease, and water including DWR and ski wax.

## Snowsports and Outdoor

- DWR (Durable Water Repellent)
- Ski wax
- Some waterproof membranes
- Water/ stain repellent treatments
- Manufacturing lubricants

## Everywhere

- Home furnishings
- Carpets and rugs
- Non-stick cookware
- Food packaging
- Pizza boxes
- Cosmetics
- Shampoo
- Menstrual products
- Toilet paper
- Dental floss



# What are the issues with PFAS?

## Environmental Impacts

Called “forever chemicals” since many do not break down in the environment and have no end-of-life solution.

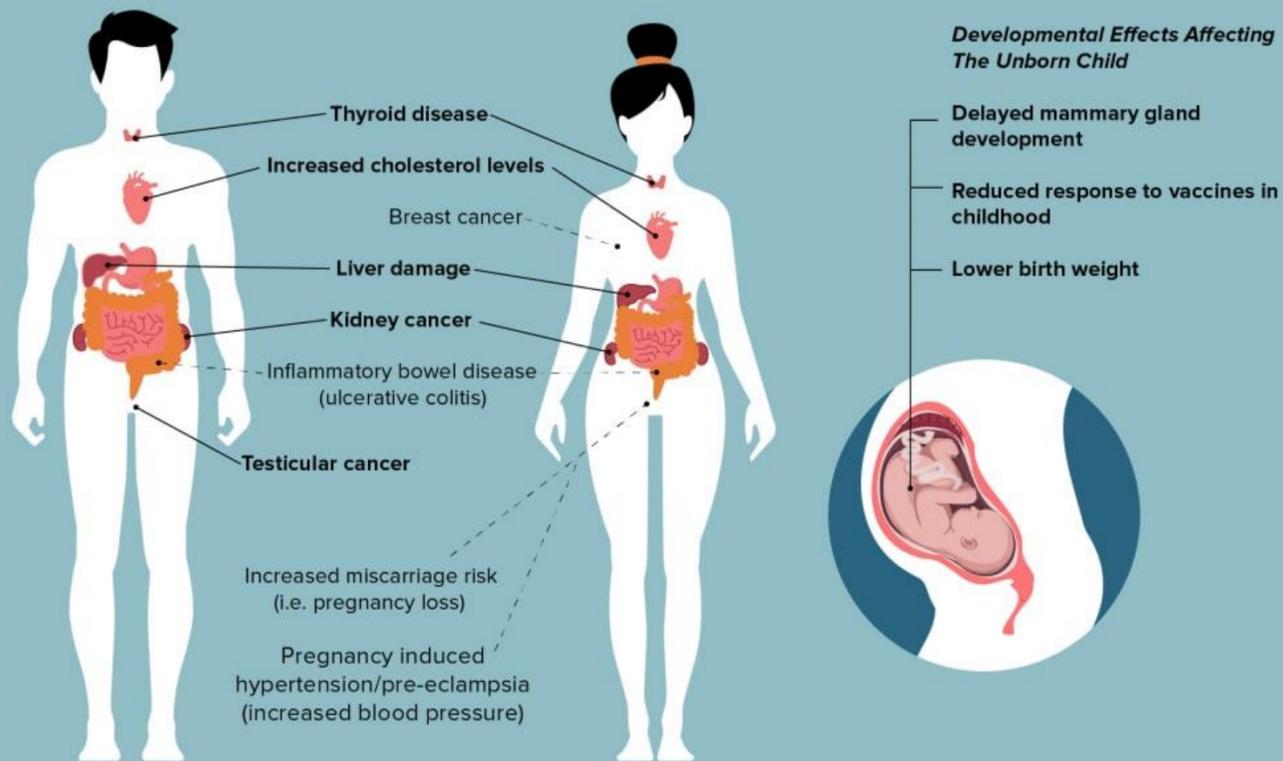
Can move through soil, air and water. Very difficult to remove and filter.

Bioaccumulate in people and animals. Found in almost every living creature on earth.

Emissions created during manufacturing can create local hotspots.

## PFAS Impact On Human Health

— High certainty  
- - - Low certainty



Source: European Environment Agency

## Human Health Impacts (from EPA)

Reproductive effects such as decreased fertility or increased high blood pressure in pregnant women.

Developmental effects or delays in children, including low birth weight, accelerated puberty, bone variations, or behavioral changes.

Increased risk of some cancers, including prostate, kidney, and testicular cancers.

Reduced ability of the body's immune system to fight infections, including reduced vaccine response.

Interference with the body's natural hormones.

Increased cholesterol levels and/or risk of obesity.



PART 2:

# Regulations

# Regulatory Overview

## Current status

Leading regulation of most common PFAS are concentrated in US states including CA, NY and ME.

6-8 additional states are moving quickly to develop similar legislation.

EPA rule is first broad action at the federal level.

Certain PFAS are banned in EU. Most common ones have bans proposed.

## What do the regulations include?

They include bans, measurements, labeling and phase-outs.

Regulatory requirements most relevant to our industry begin Jan 1, 2025.

# Regulations

## US EPA TSCA

- Requires detailed reporting of all PFAS imported or manufactured since January 1, 2011.
- Any entities that have manufactured (including imported) PFAS in any year since 2011 will have 18 months following the effective date (11/13/23) of this rule to report PFAS data to EPA. Small entities have 24 months.
- Due either May 13, 2025 or November 13, 2025.

## California

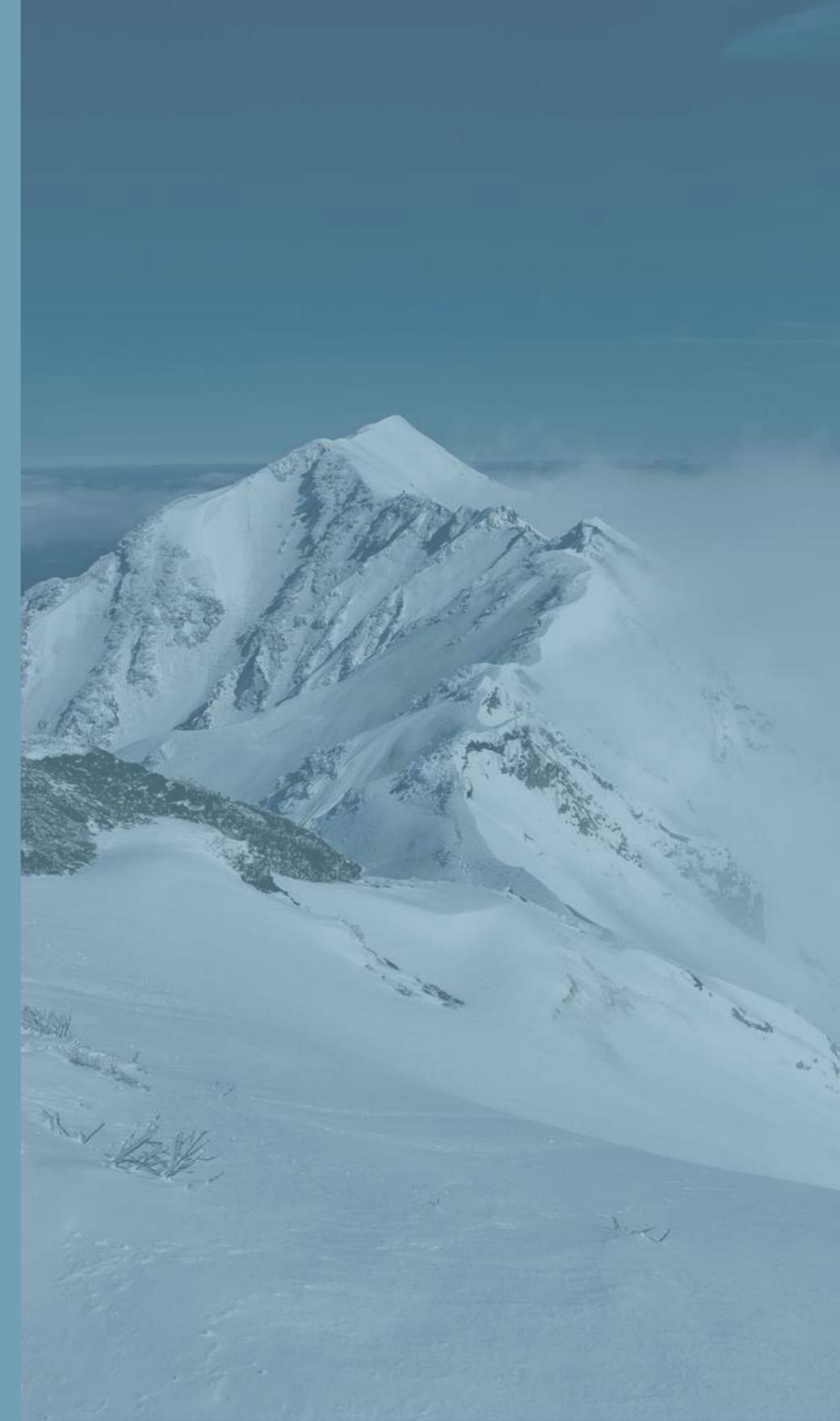
- AB-1817 - January 1, 2025 prohibits manufacture, distribution, selling or offering for sale textile articles with PFAS.
- AB-652 - January 1, 2023 prohibition on selling or distributing juvenile products with PFAS.
- Prop 65 - PFOA, PFOS, PFNA are included in Prop 65.

## New York S1322

- January 1, 2025 prohibits manufacture, distribution, selling or offering for sale apparel with PFAS. Significant penalties.

## Maine H.P. 1113 - L.D. 1503 H.P. 138 - L.D. 217

- January 1, 2025. All products covered. Measurement and reporting required.
- Most challenging compliance.



# Regulations

## Colorado HB 22-1345

- January 1, 2024. Ban on “juvenile products” with PFAS. Ban on fabric treatments with PFAS.

## Vermont 18 V.S.A. § 1692

- July 1, 2023. Ban on sale of ski wax with PFAS. Does not address pre-waxed products. Penalties. Civil actions allowed but not specified.

## Minnesota H.F.No. 2310

- January 1, 2025. Ban on sale of ski wax, fabric treatments and juvenile products with PFAS. Does not address pre-waxed products
- January 1, 2026. Similar to Maine; all products covered. Measurement and reporting required. Total ban 2032.

## Europe

- Certain PFAS are banned. PFOA, PFOS, C8, C9-C14



PART 3:

# Build your playbook

# Actions for Brands

- Document your timeline
  - Depending on what you sell and where you sell it, different regulations apply.
- Determine where you still have PFAS in your collection for F/W 24/25.
  - Assess compliance for these styles by product category and selling region.
    - Carefully evaluate accessories.
  - Some allowance to keep selling some items in regulated regions.
- “Severe wet conditions”
  - Ensure product and web have correct labeling.
- Develop a testing program.
  - This is necessary for Maine compliance.
  - Consider surveillance program for assuring compliance with other regions.
- Assess reporting approaches for EPA TSCA requirements.
  - Determine which aspects and timeline applies to you.
  - Learn the requirements. Reporting is detailed.
  - Develop reporting structures.



# Actions for Brands

- Care and repair
  - Connect with aftercare brands to integrate their products and stories into product performance education.
- Inventory management
  - FIFO, clear marking.
  - Website restriction configuration post January 1, 2025.
- Drop-ship programs
  - Build compliance into these programs.
- Messaging
  - Sales teams/ Sales reps
  - Customer service teams
  - Web, other digital, print
- Certificates of compliance
  - Engage with your retailers who sell into CA and NY.
  - Discuss with your legal counsel.
  - Process is not clear.
  - Technically applies to every textile article.

# Actions for Retailers

- If you sell into CA or NY develop certificate of compliance protocols.
  - Assess what's needed where.
  - Develop document collection and evaluation program.
- Drop-ship programs
  - Work with your brand partners on compliance.
- Messaging
  - Store managers and shop floor
  - Customer service teams
  - Web, other digital, print
- Engage with logowear suppliers.
  - Multi-step supply chain.
- Segment inventory as needed.
- Care and repair
  - Connect with aftercare brands to integrate their products and stories into product performance education.





PART 4:

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Q&A

Thank you!

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