

There is a New York State law going into effect on January 1, 2025, banning the use of intentionally added PFAS (**Perfluoroalkyl and polyfluoroalkyl substances**) in apparel.

New York State Law

Prohibition on intentionally added PFAS in apparel (Effective January 1, 2025)

*The ban of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in apparel applies specifically to apparel with **intentionally added PFAS**, as described in Section 37-0121 of the New York Environmental Conservation Law (ECL). In accordance with the statute:*

After January first, two thousand twenty-five, no person shall sell or offer for sale in this state any new, not previously used, apparel containing perfluoroalkyl and polyfluoroalkyl substances as intentionally added chemicals.

Kohl's is implementing steps to ensure all suppliers understand the necessary measures for everyone to comply with the forthcoming law. Apparel styles claiming waterproof, water repellent/resistant, or stain repellent/resistant will be tested by a third-party lab for total fluorine content.

- Failing test reports will put the fabric on hold at the mill or factory level for corrective action (i.e., full replacement of material).
- PFAS alternative finishes and/or chemistries are available in ZDHC Gateway & Chemsec Marketplace. Please reach out to the Chemical Sustainability team at PD-Chemical.Sustainability@kohls.com for more information

Right now the Global Materials team accepts internal (in-house) development test reports for performance based testing, not inclusive of safety, regulatory, or claims based properties. but if there is a performance claim (e.g., stain-resistant or water-resistant), then Kohl's will require a third-party test report to be furnished.

When a mill is using a new or alternative finish and/or chemistry to achieve a claim, such as water repellent/resistant or stain repellent/resistant, the mill should execute the following:

- Complete third-party developmental testing in order to confirm adherence to our testing requirements/protocols.

If the claim cannot be supported with an alternative finish, then **the claim cannot be present on the product or online.**

Please reach out to the Material team if you have any concerns about the process and the test.

Thanks,