



Dear Vendor and Mill Partners,

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](mailto: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.

Sincerely,  
The Global Materials Team