

February 27, 2025

SUBJECT: AAFA comments on H. 5019 – AN ACT RELATING TO HEALTH AND SAFETY -- CONSUMER PFAS BAN ACT OF 2024

Honorable Members of the Rhode Island House Committee on Environment and Natural Resources:

On behalf of the American Apparel & Footwear Association (AAFA), I am providing comments on H. 5019 – AN ACT RELATING TO HEALTH AND SAFETY -- CONSUMER PFAS BAN ACT OF 2024 as we are against the legislation as written but hope to find a path forward.

AAFA is the national trade association representing apparel, footwear and other sewn products companies and their suppliers, and is the trusted public policy and political voice of the apparel and footwear industry, its management and shareholders, its more than 3.5 million U.S. workers, and its contribution of \$509 billion in annual U.S. retail sales, and represent more than 1,100 world famous name brands. AAFA approaches all its work through the lens of purpose-driven leadership in a manner that supports each member's ability to build and sustain inclusive and diverse cultures, meet and advance ESG goals, and draw upon the latest technology.

With our members engaged in the production and sale of clothing and footwear, we are on the front lines of product safety. It is our members who design and execute the quality and compliance programs that stitch product safety into every garment and shoe we make. In fact, our members are actively phasing out the avoidable use of intentionally added PFAS and our open-industry [Restricted Substances List](#) has included PFAS as a class of chemicals for more than two years.

AAFA and our members are proud advocates for regulatory requirements that can effectively protect human health and the environment. Regulation plays a critical role in furthering our industry's efforts, but only if regulations are designed properly, serve their purpose, and are properly enforced. That is why we recently launched the [THREADS Sustainability and Social Responsibility Protocol](#). We believe that the *THREADS Protocol* will speed up the development of policies that are effective and catalyze meaningful progress. *THREADS* calls for policies that are:

- **Transparently Developed and Enforced**
- **Harmonized Across Jurisdictions and Industries**
- **Realistic in Terms of Timelines**
- **Enforceable**
- **Adjustable**
- **Designed for Success**
- **Science-Based**

Although many of our members routinely exceed regulatory requirements and are already in the process of phasing out the use of avoidable, intentionally added PFAS in their products, we respectfully request the committee consider amendments to H 5019.

We want to stress the importance of maintaining an exemption for all personal protective equipment (PPE), including that worn by firefighting personnel. PPE is often subject to federal standards, such as Occupational Health and Safety Administration (OSHA) or Food and Drug Administration (FDA), that at present still require the use of PFAS – making its use unavoidable.

At the state level, the Washington State Department of Ecology recently [declined](#) to propose restrictions on PFAS in PPE because they were unable to identify safer alternatives. Similarly, California and other jurisdictions that have or are seeking to prohibit the use of intentionally added PFAS in products have created flat exemptions for PPE. In fact, when California was considering a PFAS ban for firefighting gear with a 2026 deadline, CalFire [told](#) the California Legislature that, “There is not currently a PFAS-free product that could replace its structural turnout gear.”

Through these processes, PPE has been clearly exempted in California and other jurisdictions that have or are seeking to prohibit the use of intentionally added PFAS in products. Maintaining that exemption creates harmonization and consistency for manufacturers and PPE buyers. To ensure harmonization across states, support industry efforts in working to remove PFAS, and without an alternative PFAS-free product available or adequate time to transition manufacturing to the usage of such an alternative, we ask Rhode Island consider worker safety when seeking to regulate PFAS. We recommend the removal of language banning the sale or distribution of firefighting or any other PPE containing intentionally added PFAS by any deadline.

We look forward to continuing to work with you on the regulation of substances in consumer products for the benefit of consumer product safety and public health. In the meantime, our members continue to design and execute the quality and compliance programs that emphasize product safety for every individual who steps into our apparel and footwear products.

Thank you for your consideration of these requests.

Andrew Pappas
Director, State & Local Government Affairs
American Apparel & Footwear Association