

Washington Department of Ecology (Ecology)'s Safer Products for Washington program is contacting manufacturers for information about their products. The law we're implementing requires us to use an "Order" to get this information. We want to stress that this Order, unlike others from Ecology, does not mean you are out of compliance. See more details below.

Overview

In 2019, the Washington State Legislature passed The Pollution Prevention for Healthy People and Puget Sound Act (Chapter [70A.350](#) RCW¹). This law aims to reduce toxic chemicals in consumer products. Ecology implements this law through a program called [Safer Products for Washington](#).²

The law authorizes us to regulate classes of chemicals in consumer products sold in Washington state. Under the law, we have the authority to require manufacturers to provide data on ingredients in priority consumer products. Manufacturers can apply for Confidential Business Information (CBI) eligibly. See below.

Why we need this information

The statute allows us to consider consumer products in our 2021 [PFAS Chemical Action Plan](#)³ as priority products. We are currently working on apparel and gear containing Perfluoroalkyl and polyfluoroalkyl substances (PFAS) as a priority product. PFAS means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

In our 2021 Chemical Action Plan, we found that PFAS in textiles contribute to indoor air and dust concentrations and people who wear waterproof clothing can have higher concentrations of PFAS in their blood. When PFAS containing textiles are washed, PFAS can be released into the wastewater. We estimated that 2,066 metric tons of PFAS from textiles end up in Washington landfills annually. In some cases, PFAS could leach from landfills and end up in the environment.

We are now working on determining regulatory actions. To do this, we need to identify where PFAS is used and where safer alternatives are feasible and available. Understanding the use of PFAS and their alternatives in products on the market today will inform our decision-making as we determine regulatory actions.

More details on this Order

We can use the information manufacturers submit to determine whether manufacturers are intentionally adding PFAS to apparel and gear products and what if any, alternative chemicals are used.

Where do I submit my information?

Please email SaferProductsWA@ecy.wa.gov or mail documents to:

Hazardous Waste and Toxics Reduction
Program
P.O. Box 47600
Olympia, WA 98504-7600

Where do I get help?

For questions or assistance completing the template, please contact Camille Bennett.

Camille.Bennett@ecy.wa.gov
360-688-4312

¹ <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.350>

² <https://bit.ly/SaferProductsWA>

³ <https://apps.ecology.wa.gov/publications/documents/2104048.pdf>

Guidance: Completing the PFAS in Apparel and Gear Manufacturer Order Safer Products for Washington

The law requires us to request this information using an Order. Ecology generally uses Orders in cases of non-compliance. **We want to emphasize that this Order to submit information does not mean you are out of compliance.**

Further, this Order focuses on PFAS that manufacturers intentionally add to products. “Intentionally add” means a chemical added that serves an intended function in the final product or in the manufacturing of the product or part of the product. This does not include PFAS that could occur inadvertently in manufacturing (for example from using recycled materials or other inputs to the production process).

Required information

This order requires information from you. Required information as described in the Order includes:

1. Intentional use of PFA.
2. Alternatives used for water or stain resistance.
3. An estimation of the volume in units or dollars of apparel and gear products that contain intentionally added PFAS sold in Washington.

We recommend using our [Excel template](#)⁴ to submit the required information. Completing the required portions of the template can help organize your company’s response to this Order. We are here to help you complete the template if needed—see [contact information](#) above.

Confidential Business Information (CBI)

Under RCW 70A.350.060(1), “A manufacturer that submits information or records to the department under this chapter may request that the information or records be made available only for the confidential use of the department, the director, or the appropriate division of the department.” Please review our [CBI instructions](#)⁵ if you believe any of the information you submit may be eligible for confidential handling. It is important to apply for CBI protection before you send us any data.

ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-407-6700 or email at saferproductswa@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit [Ecology’s website](#)⁶ for more information.

⁴https://www.ezview.wa.gov/Portals/_1962/Documents/saferproducts/ExcelTemplate_PFAS_ApparelGear_Order.xlsx

⁵ https://www.ezview.wa.gov/Portals/_1962/Documents/saferproducts/CBI_Process_SaferProductsWA_2023.pdf

⁶ <https://ecology.wa.gov/About-us/Accessibility-equity/Accessibility>