CLIENT ALERTS & INSIGHTS

Connecticut's New PFAS Rules: What Businesses Need to Know About the Regulations and Covered Product Categories

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Featured Practices: Litigation, Product Liability & Mass Tort Litigation, Environmental Litigation

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Key Takeaways

- Effective July 1, 2026, Connecticut will enforce new labeling and reporting requirements for manufacturers, sellers, and distributors of certain products containing intentionally added PFAS.
- Twelve product categories are covered: apparel, carpets/rugs, cleaning products, cookware, cosmetic products, dental floss, fabric treatment, children's products, menstruation products, textile furnishings, ski wax, and upholstered furniture.
- Companies should identify covered products containing PFAS, prepare required DEEP notifications and labeling, and begin evaluating reformulation options ahead of Connecticut's January 1, 2028 ban on covered products with intentionally added PFAS.

A New Front in the Regulation of PFAS

Connecticut has joined the growing roster of states cracking down on per- and polyfluoroalkyl substances ("PFAS"), the so-called "forever chemicals" long prized for their water resistance, stain resistance, and non-stick performance. Under Conn. Gen. Stat. § 22a-903c ("Section 22a-903c"), manufacturers, distributors, and sellers of covered consumer products now face new labeling and notification duties, backed by the enforcement authority of the Connecticut Department of Energy and Environmental Protection ("DEEP").

How the Law Works

Beginning July 1, 2026, Section 22a-903c prohibits anyone from manufacturing, selling, or distributing a covered product containing intentionally added PFAS in Connecticut unless it bears a compliant warning label and is disclosed to the state regulator. The law imposes two core duties: (1) PFAS labeling, and (2) PFAS reporting to DEEP.

Twelve Covered Product Categories

Section 22a-903c covers the following products sold, distributed, or manufactured in Connecticut that contain intentionally included PFAS:

- Apparel
- Carpets/Rugs
- Cleaning Products
- Cookware
- Cosmetic Products
- Dental Floss
- Fabric Treatment
- Children's Products
- Menstruation Products
- Textile Furnishings
- Ski Wax
- Upholstered Furniture

Label It Visibly and Permanently

Beginning July 1, 2026, businesses may sell covered products containing intentionally included PFAS only if the label: (1) is clearly visible before sale; (2) informs purchasers, using DEEP-approved words or symbols, that the product contains PFAS; and (3) remains legible for the product's useful life. DEEP has published approved label language to help businesses comply.[1]

Reporting to DEEP Before Sale

Before selling, manufacturing, or distributing a covered product containing intentionally included PFAS, manufacturers must notify DEEP in writing using DEEP's PFAS Reporting Form. The notification must include, at minimum, a product description, PFAS product category, chemical abstract service registration numbers, and other details concerning the amount and purpose of PFAS use. Manufacturers are responsible for updating their reports whenever the underlying data changes or at DEEP's request. DEEP may also require a certificate of compliance upon written request. While manufacturers bear the responsibility of reporting to DEEP, sellers must verify that their manufacturers maintain compliance with Section 22a-903c to avoid potential exposure.

A Full Ban in 2028

Labeling and notification are only the first step: a full ban on manufacturing, selling, and distributing the covered products-including turnout gear and outdoor apparel for severe wet conditions-that contain intentionally added PFAS takes effect January 1, 2028, leaving companies with a limited window to evaluate their product lines and pursue reformulation.

What Companies Should Do Now

Companies that sell, distribute, or manufacture consumer products in Connecticut should:

- Audit product lines for intentionally added PFAS across the twelve covered categories;
- Submit newly required PFAS Reporting Forms;
- Roll out DEEP-compliant labeling on products, packaging, and online listings;
- Start planning reformulation ahead of the January 1, 2028 ban; and
- Monitor the evolving multi-state regulatory landscape for varying regimes.

Whether you are just getting started on PFAS compliance or looking to refine an existing strategy, Benesch is here to help. Our team supports clients with PFAS compliance assessments, DEEP filings, and labeling strategies. Laura Kogan and Roger Boyer are ready to answer questions and provide guidance on complying with PFAS rules.

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[1] DEEP-approved PFAS label language includes but is not limited to: “Contains PFAS,” “Made with PFAS,” “Made with PFAS chemicals,” “Made with intentionally added PFAS,” “This product contains PFAS chemicals,” and “Contains PFAS in Internal Components.” Additional language may be proposed by a manufacturer of PFAS products for approval from DEEP.