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SENATE COMMITTEE SUBSTITUTE FOR

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STATE OF NEW JERSEY

222nd LEGISLATURE

ADOPTED MARCH 16, 2026

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SYNOPSIS

Prohibits sale, manufacture, and distribution of certain apparel and diaper products containing intentionally added perfluoroalkyl and polyfluoroalkyl substances.

CURRENT VERSION OF TEXT

As reported by the Assembly Budget Committee on June 28, 2026, with amendments.

(Sponsorship Updated As Of: 6/30/2026)

AN ACT concerning perfluoroalkyl and polyfluoroalkyl substances in apparel [1]and diaper products[1] and amending and supplementing P.L.2025, c.202.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. (New section) a. Beginning two years after the effective date of P.L. , c. (C.) (pending before the Legislature as this bill), no person shall sell, offer for sale, manufacture, or distribute for sale or use in the State [1]**[**any**]**[1] [2]any[2] apparel [1]or [2]**[**a**]**[2] diaper product[1] containing intentionally added PFAS.

b. [2](1) Beginning two years after the effective date of P.L. , c. (C.) (pending before the Legislature as this bill), a manufacturer of any apparel or diaper product shall certify, in a form and manner prescribed by the division, that each apparel or diaper product that it manufactures does not contain intentionally added PFAS.

(2) The certification required by paragraph (1) of this subsection shall be submitted to the division and be valid for a period of five years. Upon a modification to the manufacturing process or material components of an apparel or diaper product, the product's manufacturer shall submit a revised certification reflecting the modifications and that the product does not contain intentionally added PFAS.

(3) A manufacturer of any apparel or diaper product shall provide a copy of the certification required by paragraph (1) of this subsection to any person or entity that purchases any apparel or diaper product from the manufacturer.

c.[2] A violation of the provisions [2]**[**of subsection a.**]**[2] of this section shall constitute a violation of P.L.2025, c.202 (C.56:3-53 et al.), and the violator shall be subject to all remedies and penalties available pursuant to section 10 of P.L.2025, c.202 [1]**[**(C.56:3-63)**]** (C.56:3-62)[1].

[2]**[**c.**]** d.[2] Nothing in this section shall be construed to impose liability on any news media that accepts or publishes advertising for any product or activity that would otherwise be subject to the provisions of this section.

2. Section 3 of P.L.2025, c.202 (C.56:3-55) is amended to read as follows:

3. As used in sections 1 through 11 of **[**this act**]** P.L.2025, c.202 (C.56:3-53 through C.56:3-63) and section 1 of P.L. , c. (C.) (pending before the Legislature as this bill):

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
[1]Assembly ACO committee amendments adopted June 4, 2026.
[2] Assembly ABU committee amendments adopted June 28, 2026.

"Apparel" means: (1) clothing items intended for regular wear or formal occasions, including, but not limited to, undergarments, shirts, pants, skirts, dresses, overalls, bodysuits, costumes, vests, dancewear, suits, saris, scarves, tops, leggings, school uniforms, leisurewear, athletic wear, sports uniforms, everyday swimwear, formal wear, onesies, bibs, [1]**[**diapers,**]**[1] footwear, and everyday uniforms or work-wear; (2) outdoor apparel; and (3) outdoor apparel designed for severe wet conditions, which includes outdoor apparel designed for persons who engage in outdoor sports not marketed for general consumer use to provide health and safety protection against extended exposure to extreme rain conditions or against extended immersion in water or wet conditions, such as from snow. "Apparel" shall not include personal protective equipment, clothing items for exclusive use by the United States military, or equipment and protective apparel designed to be used for the safe operation of a motorcycle or off-highway vehicle.

"Carpet" means a rug or fabric marketed or intended for use as a floor covering.

"Cookware" means durable houseware items that are used to prepare, dispense, or store food, foodstuffs, or beverages, that are intended for direct food contact, and that are items to which heat is transferred or which come into direct contact with a heat source, including pots, pans, skillets, grills, baking sheets, baking molds, trays, bowls, and cooking utensils. "Cookware" does not include products that are intended for commercial use only.

"Cosmetic" means (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) articles intended for use as a component of any such articles; except that such term shall not include soap.

[1]"Diaper product" means an absorbent product, either disposable or reusable, manufactured to be worn to contain human waste. The term [2]**[**excludes**]** "diaper product" shall not include[2] a "menstrual product" as that term is defined in subsection a. of section 1 of P.L.2025, c.232 (C.56:3-52.1).[1]

"Division" means the Division of Consumer Affairs in the Department of Law and Public Safety.

"Fabric treatment" means a substance applied to fabric to give the fabric one or more characteristics, including, but not limited to, stain resistance or water resistance.

"Food packaging" means a nondurable package, packaging component, or food service ware that is intended to contain, serve, store, handle, protect, or market food, foodstuffs, or beverages, and is composed, in substantial part, of paper, paperboard, or other materials originally derived from plant fibers. "Food packaging" includes food or beverage containers, take-out food containers, unit

product boxes, liners, wrappers, serving vessels, eating utensils, straws, food boxes, and disposable plates, bowls, or trays.

"Intentionally added PFAS" means PFAS added to a product or intentionally used during the development of a product or one of its product components to provide a specific characteristic, appearance, or quality or to perform a specific function. "Intentionally added PFAS" also includes any degradation byproducts of PFAS. "Intentionally added PFAS" shall not include a technically unavoidable trace quantity of PFAS which stems from impurities of natural or synthetic ingredients or the manufacturing process, storage, or migration from packaging of the product or product component.

"Internal component" means an internal part of a product, whether permanently affixed or removable, that is designed and intended to not be touched by a person during the intended use or handling of the product. "Internal component" includes parts of a product used for holding batteries, regardless of whether the parts are touched when replacing batteries.

"Manufacturer" means the person that manufactures a product or whose brand name is affixed to the product. In the case of a product imported into the United States, "manufacturer" includes the importer or first domestic distributor of the product if the person that manufactured or assembled the product or whose brand name is affixed to the product does not have a presence in the United States.

"Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that include any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

"Product" means an item manufactured, assembled, packaged, or otherwise prepared for sale to consumers, including its product components, which is sold or distributed for personal, residential, commercial, or industrial use, including for use in making other products.

"Product component" means an identifiable component of a product, regardless of whether the manufacturer of the product is the manufacturer of the component.

"Product label" means a display of written, printed, or graphic material that appears on, or is affixed to, the exterior of a product, or its exterior container or wrapper that is visible to a consumer, if the product has an exterior container or wrapper.

(cf: P.L.2025, c.202, s.3)

3. Section 16 of P.L.2025, c.202 is amended to read as follows:

16. a. The Department of Environmental Protection may, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules or regulations necessary to implement the provisions of sections 12 through 14 of **[1][**this**]**[1] **[**act**]** P.L.2025, c.202 (C.13:1D-71 through C.13:1D-73).

b. The Division of Consumer Affairs in the Department of Law and Public Safety may, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules or regulations necessary to implement the provisions of sections 1 through 11 of **[**this act**]** P.L.2025, c.202 (C.56:3-53 through C.56:3-63) and section 1 of P.L. , c. (C.) (pending before the Legislature as this bill).

(cf: P.L.2025, c.202, s.16)

4. This act shall take effect immediately.