AUTO CARE ASSOCIATION | STATE PFAS COMPLIANCE SERIES

New Jersey PFAS Compliance

Protecting Against Forever Chemicals Act, P.L. 2025, c.202 (N.J.S.A. 56:3-53 et seq.), as amended by P.L. 2026, c.76 (S.B. 1281). Carpet and fabric treatment bans begin January 12, 2028



WHAT IS PFAS?

Per- and polyfluoroalkyl substances (PFAS) are fluorinated organic chemicals containing at least one fully fluorinated carbon atom. New Jersey bans products with **intentionally added** PFAS: PFAS added to a product or used in its development to provide a characteristic or function, including degradation byproducts. Technically unavoidable trace amounts from impurities, manufacturing, storage, or packaging migration do not count.

WHO MUST COMPLY

No person may sell, offer for sale, or distribute for sale a covered product with intentionally added PFAS in New Jersey. That reaches manufacturers, distributors, and retailers. The law covers products sold for personal, residential, commercial, or industrial use. Manufacturer means the maker or brand owner; for imports, the importer or first domestic distributor if the maker has no U.S. presence.

KEY DATES AND SALES BANS

Date	What happens
Jan 12, 2026	Act signed and in effect
Jan 12, 2028	Banned: carpets, fabric treatments, cosmetics, plant-fiber food packaging. Cookware with intentionally added PFAS must be labeled "This product contains PFAS" in English and Spanish
Aug 27, 2028	Banned, including manufacture: apparel and diaper products. Manufacturers must certify their products are PFAS-free

WHAT TO REPORT

There is no reporting or registration for carpets or fabric treatments. Apparel and diaper manufacturers must certify to the Division of Consumer Affairs that products have no intentionally added PFAS, give buyers a copy, and recertify after a change in process or materials. Certifications last five years.

PENALTIES

Administrative penalties of $1,000 to $20,000 per violation, each day a separate offense; court penalties up to $25,000 per day. The Division may audit manufacturers at their cost, order stop sales, and publish notices of violations.

AUTOMOTIVE AFTERMARKET PRODUCTS IN SCOPE

- **Carpets, Jan 12, 2028:** a rug or fabric marketed or intended for use as a floor covering. There is no vehicle exclusion, so vehicle floor mats and carpeting may be covered.
- **Fabric treatments, Jan 12, 2028:** substances applied to fabric for stain or water resistance or other characteristics. Aftermarket fabric and upholstery protectants may fall in this category.
- **Apparel, Aug 27, 2028:** includes workwear and uniforms. Equipment and protective apparel for riding a motorcycle or off-highway vehicle is excluded.
- **Not covered:** cleaning products, appearance chemicals other than fabric treatments, and textiles such as seat covers.

PENDING LEGISLATION

S 4057 would exclude rugs and fabric intended solely for use inside vehicles from the carpet ban. It passed the Senate 40-0 on June 30, 2026, and is in the Assembly Consumer Affairs Committee. It would not change the fabric treatment ban. Until it is enacted, plan for the Jan 12, 2028 date.

EXEMPTIONS

- Sale or resale of used carpets and fabric treatments
- Technically unavoidable trace PFAS
- There is no motor vehicle exemption, no fluoropolymer exemption, and no process to approve essential uses

HOW TO COMPLY

Manufacturers and suppliers

- Confirm which floor mats, carpeting, and fabric protectants contain intentionally added PFAS
- Reformulate or plan to exit New Jersey for those products by Jan 12, 2028
- If you make apparel, prepare certifications before Aug 27, 2028

Distributors

- Stop distributing covered products with intentionally added PFAS on each ban date
- Ask suppliers to confirm PFAS status

Retailers

- Stop selling covered products with intentionally added PFAS on each ban date, in stores and online
- Ask suppliers to confirm PFAS status

RESOURCES

P.L. 2025, c.202 (statute) | P.L. 2026, c.76 (S.B. 1281) | NJDEP PFAS information
Enforcing agency: New Jersey Division of Consumer Affairs, 973-504-6200 | State PFAS information: NJDEP, (609) 777-3373, depwebinbox@dep.state.nj.us | Association questions: govaffairs@autocare.org

Current as of November 13, 2026. For awareness only, not legal advice. Confirm obligations with the Division of Consumer Affairs or your counsel.