



What's next for state-level chemicals policy in the US in 2026?

In part three of the Chemical Watch News & Insight 2026 Global Outlook series, North America deputy editor Bobby DeMuro outlines the landscape for US states, where PFAS will continue to dominate, but with a focus on regulation and enforcement

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State legislators and regulatory agencies have become increasingly active on chemicals amid US President Donald Trump's push for federal deregulation.

As in 2025, PFAS are expected to dominate state-level agendas in 2026, with reporting requirements, testing approaches, labelling mandates, currently unavoidable use (CUU) decisions and enforcement actions starting to take shape in Maine, Minnesota, New Mexico and elsewhere.

Extended producer responsibility (EPR) schemes are also likely to see increased attention as states and other jurisdictions look to address packaging waste.

However, for chemicals management, observers predict the focus this year will be less on crafting new legislation and more on regulatory agencies implementing and enforcing existing PFAS restrictions. In turn, companies will have to navigate a rapidly growing regulatory patchwork that can differ considerably between jurisdictions.

Ultimately, it all points to a hectic year ahead.

New PFAS restrictions and labelling

Several states will see PFAS prohibitions begin or expand in 2026, including Colorado, Maine, New Jersey and Vermont.

Maine's PFAS statute expanded on 1 January to ban the persistent chemical class in cleaning products, cookware, cosmetics, dental floss, juvenile and menstrual products, ski wax, upholstered furniture and certain textile articles.

The next phase of Colorado's PFAS law also took effect on 1

Key developments

- Federal pullback shifts regulatory reins to states
- PFAS prohibitions begin or expand in multiple states
- New reporting and labelling rules will add to compliance challenges
- NGOs again prepared to defend PFAS prohibitions
- Citizen enforcers expected to flag violations to under-staffed agencies

January, banning the sale of covered cookware, dental floss, menstrual products, ski wax and most cleaning products, and prohibiting the installation of PFAS-containing artificial turf in the state.

Prohibitions in Vermont took effect on 1 January, restricting PFAS in cosmetics, personal care products, clothing, cookware and food packaging.

New Jersey banned PFAS-containing firefighting foam from 8 January, with certain exemptions until 2028. Governor Phil Murphy also signed a new PFAS bill (S1042) into law on 12 January, banning the chemical class in cosmetics, carpet treatments, fabric treatments and food packaging from 2028. The law also requires PFAS-containing cookware to carry a label on the same timeline.

In New York, a new law banning PFAS and other substances in menstrual products is set to take effect in December.

Washington's recent amendments to its [cycle 1.5](#) of the Safer Products for Washington (SPW) scheme will ban intentionally added PFAS in apparel, automotive washes and cleaning products from 1 January 2027.

Meanwhile, states including Minnesota and Illinois will implement new PFAS reporting requirements this year for various products.

In Minnesota, manufacturers [must report](#) to the Minnesota Pollution Control Agency (MPCA) on their use of PFAS in products by 1 July.

Illinois' reporting scheme for firefighting equipment also took effect at the start of 2026, requiring manufacturers in the state [to report](#) on the use of PFAS in firefighting gear and personal protective equipment (PPE).

Elsewhere in the US, labelling requirements for products containing PFAS could play an outsized role.

In Connecticut, sellers of new PFAS-containing outdoor apparel for severe wet conditions must label the products beginning on 1 January, with labelling required for goods across [12 more categories](#) from 1 July.

New Mexico regulators are also considering a [potentially broad](#) labelling scheme as they implement [PFAS legislation](#) lawmakers approved last year.

'Transfer of regulatory power'

Stacy Tatman, a chemicals policy consultant at Tatman ChemComp, says that while state officials will "undoubtedly be interested" in following [the actions](#) of incoming US EPA chemicals chief [Douglas Troutman](#), she expects momentum to continue unabated around state-level chemical policy in 2026.

"This will be especially true for chemicals such as those found in the PFAS family, which will continue to challenge policymakers," she says.

According to David Quigley, a partner at Akin Gump, "when the federal government doesn't speak as loudly, states tend to pick up their own megaphones".

"We're watching in real time the transfer of regulatory power from the federal government to the state level," he says. "States are conceiving that there's a vacuum in regulations that they need to fill."

While the Trump administration's [push to reduce](#) the federal

regulatory burden - including plans to [cut back](#) TSCA PFAS reporting requirements - may hold "some attractiveness" for industry, Quigley says its downstream effects are significant.

The result is an array of state-level regulatory frameworks that are "much more diffused and harder to navigate", he says.

"The number of states addressing this will continue to grow, the variation among those states will continue to grow, and companies will be spread thinner with how they have to comply with these things," Quigley adds.

Judah Prero, a lawyer at Arnold & Porter, expects states to learn from each other rather than follow the federal lead. "States will be looking at the experience of other states both in the legislative process and in the implementation and regulatory process for hiccups and other complicating factors to be avoided," he says.

NGOs in defence mode

Meanwhile, the Trump administration's focus on deregulation has many environmental NGOs worried about the potential for [federal preemption](#) of state actions.

Debra Erenberg, co-executive director of Weaving Voices For Health & Justice (Weave), says "the looming threat of federal preemption" is her biggest concern in 2026.

Avonna Starck, the Minnesota state director for Clean Water Action, says her focus is on [protecting](#) states' rights to [regulate chemicals](#).

As she did [last year](#), Starck expects to spend 2026 "playing defence" to protect Amara's Law in Minnesota.

The statute prohibited the use of PFAS in 11 product categories, including cookware, from the start of 2025.

Its restriction on cookware will likely be a flashpoint for debate this year, after California's Governor Gavin Newsom last year [vetoed](#) PFAS legislation ([SB 682](#)) over concerns about its effects on the availability of cookware in California. That may embolden cookware manufacturers to take [another stab](#) at challenging Minnesota's PFAS prohibitions, Starck says.

But she adds that if Amara's Law stays intact through 2026, it could make future efforts to roll back the law more difficult. "If we go backwards on Amara's Law, nothing else we do really matters," Starck says. "But if we can defend it for another year of implementation, it makes it that much harder to go backwards."

Others say Newsom's legislative veto could lead state regulatory agencies to be more aggressive.

Andria Ventura, the legislative and policy director for Clean Water Action California, says the state will "continue to play a leadership role, though perhaps more in the regulatory arena" following SB 682's veto.

Ventura says that while California's large economy and role as a regulatory bellwether can mean its chemicals policies often draw significant industry pushback, tightening PFAS restrictions is "good environmental health policy and makes good economic sense".

While it is not yet clear whether California lawmakers will return in 2026 with an SB 682-style proposal, the state already has PFAS controls in place, including a ban on its presence in plant-based food packaging since 2023, and prohibitions on intentionally added PFAS in cosmetics, menstrual products and most new textile articles since 2025.

Separately, the California Department of Toxic Substances Control (DTSC) is moving ahead with its Safer Consumer Products (SCP) priority product listing for PFAS-containing carpets or rugs. Perfluorooctanoic acid (PFOA), perfluorononanoic acid (PFNA) and perfluorooctane sulfonic acid (PFOS) are also listed under the state's Proposition 65 right-to-know scheme.

New Mexico labelling: 'worse than Proposition 65'?

The most contentious PFAS battles may take place around labelling and reporting.

Legislators in New Mexico enacted a law last year that will see PFAS reporting begin this July, with restrictions on intentionally added PFAS in certain products to follow in 2027, ahead of a broader ban in 2032.

The New Mexico Environment Department (NMED) is currently drafting a rule to govern the process for manufacturers to report on the presence of PFAS in certain products.

The agency is also utilising new authority under the PFAS law to develop a potentially sweeping labelling scheme that would apply to any new product sold in the state that contains intentionally added PFAS beginning in 2027.

Prero says some manufacturers fear that the potential breadth of New Mexico's labelling mandate, if enacted as envisioned, could be "worse than [California's] Proposition 65", requiring widespread labelling of products across many sectors.

With labelling requirements also taking effect in Connecticut this July, Prero says the varying regulations could lead to "serious headaches" for manufacturers.

"State-specific labelling for PFAS is troublesome, and

inconsistencies in this area make labelling regimes a nightmare," he says.

Inconsistent requirements

Inconsistencies in reporting requirements and other differences across state jurisdictions are another challenge.

According to the Household & Commercial Products Association (HCPA), many state laws call for detailed information about PFAS in products, while "significant uncertainty remains about what states will treat as confidential business information (CBI)", a representative says.

"That lack of clarity raises concerns about data protection, competitive harm, and the potential for legal challenges as these programmes move from policy design to real-world application."

The HCPA also highlights differences around testing for PFAS in products as more states decide whether to rely on total organic fluorine (TOF) testing as the preferred method to detect PFAS or to use the more restrictive total fluorine (TF) screening method, as Washington state chose for cycle 1.5 of its SPW scheme.

Both methodologies create compliance risk because they screen broadly for fluorine rather than PFAS specifically, the HCPA representative says, "underscoring the need for science-based testing and clear regulatory guidance".

In addition, staggered and varying state-level PFAS restrictions remain difficult for companies to track, says Quigley. He points to diverging timelines around Minnesota's reporting requirements, Maine's progress on CUU determinations and New Mexico's broad ideas around labelling.

Other varying restrictions in California, Washington, New Hampshire, Illinois, Connecticut, Vermont, Colorado and elsewhere add to the puzzle.

Citizen enforcement 'almost guaranteed'

Regulated entities could face another challenge: private enforcement of PFAS laws from motivated citizens.

Emily Carey, president of Defend Our Health (DOH), says volunteers in Maine are ready to flag violations of the state's ban on PFAS in cookware, cleaning products, cosmetics, juvenile products and more.

These volunteers plan to review online listings of products known to contain PFAS and send that information to state regulators, according to Carey.

While Maine's PFAS ban does not have "an enormous amount of teeth" for enforcement, Carey says that if evidence shows companies are not complying, "there is going to be public, legislative and regulatory interest in taking action to add teeth to that enforcement". Additionally, Carey says that evidence will then be available to other states with PFAS laws, indicating which companies failed to comply with Maine's requirements.

In Minnesota, Starck says the MPCA is well-staffed and better positioned to handle enforcement, with private citizens also ready to flag violations.

"If we suspect that they're selling something in Minnesota that they shouldn't be selling, we can pass that on to MPCA, or to the attorney general," Starck says.

Citizen enforcement is "almost a guaranteed scenario" in 2026, according to Quigley.

"You might see NGOs literally going shelf to shelf in drug stores and pharmacies, pulling products off the shelves, testing them and then notifying state regulators," he says.

'The cost of compliance'

For regulated entities, the best way out of the quagmire may be through it.

Quigley says his clients are devoting "a lot of time and effort" to building relationships with state agencies to provide insight into the manufacturing process. Those meetings have "generally been good", with regulators keen to understand industry concerns, he adds.

"Frankly, the regulators are trying to navigate their own laws, because they deal with it much more than the state legislators do," Quigley continues. "They're more willing to try to work with companies within the confines of the law because they understand how much of an imposition the law can be.

"Maybe that's a good outcome of this whole exercise, that both sides of the equation can understand each other better," he says.

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