

Members of the House Human Services Committee,

As discussed in my [testimony](#) on S. 25 last week, our industry is focused on scaling textile-to-textile recycling, but we are running into issues with legacy PFAS remaining in products containing recycled textile inputs. We hope you will consider some solutions that provide the industry some space to continue to grow and scale textile recycling while continuing to work towards the removal of avoidable, intentionally added PFAS in our products. Otherwise, we are worried well-intentioned efforts to phase out chemicals will arrest recycling and circularity progress.

The cleanest and simplest way, we believe, to address this is to note in the definition of “intentionally added” that *“legacy PFAS contamination in products utilizing recycled materials or components, where PFAS has not been added or applied to the recycled material or component post-recycling, is not considered intentionally added.”* We’re very open to working on this issue going forward as we get more data, but it is a new and evolving space.

Other options specific to textiles would be to set different timelines and testing thresholds for items composed of virgin (new, never before used) materials and items with a mix of virgin and recycled components (at present there really aren’t textile products composed exclusively of recycled materials – even if the textile portion is recycled the buttons, threads, fasteners, etc. may be new or vice versa).

- A permanent, higher limit threshold for PFAS in recycled textiles, e.g., 100 ppm total organic fluorine, instead of the final 50 ppm limit on total organic fluorine included under CA AB 1817 and proposed under VT S.25. From the data we have so far, it appears a 100ppm threshold is likely to be sufficient to allow for recycled textiles to be compliant and commercially viable.
 - *You could amend the timelines to:*
 - *2025 – 100 ppm for textile articles*
 - *2028 – 50 ppm for textiles articles composed of exclusively virgin (new, never before used) materials*
- A longer transition period for recycled textiles to meet the same limits on total organic fluorine applied to virgin materials (textile recyclers are requesting a 12-year transition period under the REACH PFAS restriction proposal in Europe). I want to note that we’d certainly appreciate the extra time but at present we do not actually know if 12 years will be enough. That’s the hope, but it’s premised on possible scientific advances in the PFAS destruction space that may or may not materialize.
 - *You could also amend the timelines to:*
 - *2025 – 100 ppm for textile articles*
 - *2028 – 50 ppm for textiles articles composed of exclusively virgin (new, never before used) materials*
 - *2037 -- 50 ppm for textiles articles containing recycled materials or components*

Please let me know if you have any further questions. Thank you again for the consideration here.

Regards,

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