



## **A PFAS First: New Mexico Exempts Fluoropolymers From Its PFAS Product Ban**

April 9, 2025

Reading Time : **1 min**

By: David H. Quigley, Samantha Z. Purdy, Shivani Swami (International Law Advisor)

Yesterday, New Mexico Governor Michelle Lujan Grisham signed the first state ban on products with intentionally added PFAS to exempt fluoropolymers. The Per- and Poly-Fluoroalkyl Substances (PFAS) Protection Act (HB 212) bans certain categories of products that contain intentionally added PFAS, including cookware and food packaging (beginning in 2027), cosmetics (2028) and all other products (2032). Importantly, the law exempts “fluoropolymers consisting of polymeric substances for which the backbone of the polymer is either a per- or polyfluorinated carbon-only backbone or a perfluorinated polyether backbone that is a solid at standard temperature and pressure.” In doing so, it protects critical uses of fluoropolymers for which there is no substitute, including electric vehicles and batteries, among many others. Note that the final version of the bill omitted an exemption for manufacturers with stewardship programs, a similarly first-in-kind provision that would have allowed sale of otherwise banned products where the manufacturer participated in a statewide take-back program.

### **Categories**

Policy & Regulation

Environment

Polyfluoroalkyl Substances (PFAS)

Fluoropolymer Focus

© 2025 Akin Gump Strauss Hauer & Feld LLP. All rights reserved. Attorney advertising. This document is distributed for informational use only; it does not constitute legal advice and should not be used as such. Prior results do not guarantee a similar outcome. Akin is the practicing name of Akin Gump LLP, a New York limited liability partnership authorized and regulated by the Solicitors Regulation Authority under number 267321. A list of the partners is available for inspection at Eighth Floor, Ten Bishops Square, London E1 6EG. For more information about Akin Gump LLP, Akin Gump Strauss Hauer & Feld LLP and other associated entities under which the Akin Gump network operates worldwide, please see our Legal Notices page.