Consumer Products

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PFAS Probe Expansion Signal: A Single Case May Trigger Industry-Wide Enforcement Effects

On April 13, 2026, Texas Attorney General Ken Paxton issued a civil investigative demand to a globally leading athletic apparel company, initiating an investigation into whether PFAS ("forever chemicals") may be present in its products and whether its marketing claims are truthful and compliant. The company reported revenue exceeding USD 11 billion in fiscal year 2025 and holds a significant position in the global athletic apparel and functional textiles market.

The investigation is driven by regulators' ongoing concerns over potential chemical exposure risks associated with fluorinated treatments used in functional textiles. At the same time, it questions whether corporate claims such as "healthy," "environmentally friendly," and "sustainable" are consistent with actual material usage, with a core focus on the alignment between marketing statements and consumer expectations.

According to the investigation scope, the Texas Attorney General's Office will examine the company's Restricted Substances List (RSL), supply chain chemical management system, testing and verification mechanisms, and whether PFAS-related substances are used or insufficiently substituted. The review will extend beyond the products themselves to the company's overall compliance system and the completeness of its supporting evidence chain.

The company responded that its products do not contain PFAS and stated that it had phased out such substances by fiscal year 2023. It also emphasized that its products comply with applicable global safety and regulatory requirements and confirmed that it will fully cooperate with the investigation by providing relevant data and documentation.

From an industry perspective, this case carries strong signaling effects. As PFAS regulations continue to tighten, enforcement actions targeting leading brands may set precedents and expand from single-company investigations to broader scrutiny across functional apparel, outdoor products, and potentially wider consumer goods sectors.

For manufacturers, the case highlights a clear compliance direction: ensure consistency between material control, supply chain verification, and external claims, and avoid a risk structure where "compliance is declared but not substantiated." Companies should also strengthen supply chain transparency and testing evidence systems to mitigate risks amid expanding regulatory enforcement.

Original Link:

https://www.texasattorneygeneral.gov/news/releases/attorney-general-ken-paxton-launches-investigation-lululemon-over-potential-presence-toxic-forever

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