

New Mexico's PFAS Protection Act Regulation: What You Need to Know



Background

The New Mexico Environment Department (NMED) developed a groundbreaking, science-based rule to help protect New Mexicans from exposure to per- and polyfluoroalkyl substances (PFAS), also known as “forever chemicals,” in consumer products. The proposed rule implements the *New Mexico Per- and Poly Fluoroalkyl Substances (PFAS) Protection Act*, passed by the New Mexico Legislature and signed into law by Governor Michelle Lujan Grisham in 2025.



Risks of PFAS

PFAS are human-made chemicals that are linked to health effects and other environmental impacts. They are widely used in many types of products for qualities such as oil and water resistance. PFAS do not readily break down in the environment and can be ingested by people through contaminated air, water, and food. These chemicals are associated with negative human health effects such as thyroid disease, cancer, liver disease, birth defects, and increased risk of miscarriage. PFAS have been around for a long time, and nearly every American—and New Mexican—has detectable levels in their bloodstream.



Visit the New Mexico Environment Department's website for helpful tips on avoiding PFAS in products: <https://www.env.nm.gov/pfas/>.

The PFAS Protection Act Regulation

New Mexico is phasing out the sale of certain products made with intentionally added PFAS. Manufacturers will be required to label products if they are made with intentionally added PFAS and still allowed for sale. This label improves transparency and makes it easy to identify products that contain PFAS, empowering purchasers to select available PFAS-free alternatives with confidence.

The rule also includes product testing and reporting requirements, although there are exemptions for several product categories, including:

- Medical devices and medications
- Public health
- Environmental and water quality testing
- Fluoropolymers, a family of high-performance plastics used for non-stick cookware and many other purposes

These products still must be labeled to indicate the presence of PFAS to consumers.



Phase-Out of Products With Intentionally Added PFAS

January 1,
2027

Cookware
Food Packaging
Dental Floss
Juvenile Products
Firefighting Foam

At each phase-out date, remaining product categories that are still sold containing intentionally added PFAS must be labeled.

January 1,
2028

Carpets, Rugs
Cleaning Products
Cosmetics
Fabric Treatments
Feminine Hygiene Products
Textiles, Textile Furnishing
Ski Wax
Upholstered Furniture

January 1,
2032

Nearly all product categories with intentionally added PFAS are prohibited from sale in New Mexico. Exempted products and those designated as a currently unavoidable use must bear the label.

How to Participate in the Process

The New Mexico Environmental Improvement Board (EIB) is holding a public hearing February 23-27 and March 2-6, 2026. Members of the public are invited to provide comments each day from 1:00 p.m. to 2:00 p.m. MST, virtually or in person. Scan the QR code at right for additional details about the hearing.

