

New Year, New You?

How “Forever Chemicals,” PFAs, Are Affecting Your Health and What NJ is Doing About It

by Andrea G. dePalma, Esq.

The start of a new year spurs resolutions, often manifesting in determinations to better improve our health and well-being. Whether it be a proclamation to kick a bad habit, clean up our diet, or an effort toward incorporating more physical exercise into our routines, many people embrace a “new year, new me” mentality coming out of the holiday season. However, recent studies and accompanying legal action has suggested that due to a class of chemicals known as PFAs, some parts of us may never change despite any New Years Resolutions for a “new you.”

PFAs are a group of chemicals used to make fluoropolymer coatings and products that resist heat, oil, stains, grease, and water. They can be found in a variety of common household products. For example, PFAs are used in cookware to make pots and pans nonstick; furniture, carpeting, and upholstery to make textiles stain resistant; food packaging to combat grease and oil absorption; shoes, clothing, and cosmetics for waterproofing; and even toilet paper and feminine hygiene products to make them stronger and more durable. This class of manmade compounds is commonly referred to as “forever chemicals” because they are nearly indestructible and do not break down or degrade naturally in the environ-

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the Advocate

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out of order



“I enjoy convalescence. It is the part that makes illness worthwhile.”

- George Bernard Shaw

“I observe the physician with the same diligence as the disease.”

- John Donne

“God heals, and the doctor takes the fee.”

- Benjamin Franklin

Forever Chemicals

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ment or within our bodies. Once exposed to these chemicals, they linger in our bodies forever and wreck havoc on our systems.

Both the CDC and EPA have cautioned that exposure to PFAs are toxic to our health. Recent studies show that these chemicals are linked to a wide range of health risks and adverse effects, including cancer, hormone disruption, liver and thyroid damage, reproductive harm, and birth/fetal development defects.



While we can make efforts to consciously avoid products with PFAs, the problem is two-fold: (1) the EPA does not test for or regulate most PFAs chemicals, and (2) currently, there are no laws requiring manufacturers to disclose to consumers the use of PFAs in their products. In addition, it's incredibly difficult to avoid PFAs completely when they have infiltrated our food sources and water supply without our knowledge.

These chemicals accumulate in the soil we use to grow our crops and feed our livestock. PFAs are also found in rivers and lakes, which are used as drinking water and as natural habitats. Not only are we exposing ourselves through the use of seemingly harmless household products, but by un-

knowingly consuming food and water with PFA buildup in the soil used to grow our crops, water we drink, and the meat, fish, and poultry we eat that also ingest PFAs.

Consumers have begun taking matters into their own hands. One class action lawsuit, filed in December 2022 in the District Court for the Southern District of New York against the Simply Orange Juice Company and parent company Coca-Cola, alleges that the brand lied about its all-natural ingredients and used false advertising to attract health-savvy consumers due to the high levels of PFAs found in Simply Orange products through third-party testing. The case, *Lurenz v. The Coca-Cola Company*, 7:22-cv-10941, (S.D.N.Y.), is still pending.

Pending Legislation

In response to the lack of regulation of these forever chemicals, state legislation throughout the country is being considered and implemented to shield consumers from the harmful effects caused by PFAs exposure.

Laws passed in California and New York have banned PFAs in paper-based food packaging. New Hampshire and New Jersey have established tap water standards for certain PFAs. Bill S3177, known as the "Protecting Against Forever Chemicals Act," was introduced to the New Jersey Senate in October 2022 and aims to establish requirements, prohibitions, and programs for regulation of PFAs. The Bill was referred to the Senate Environment and Energy Committee and is still pending.

While these efforts have helped shed light on the harmful effects of PFAs, much is still to be done to eradicate them from our daily lives. It is possible that as we learn more about these forever chemicals, more legislation and litigation will follow.