



PARLIAMENT OF AUSTRALIA

**Senate Select Committee on PFAS  
(per and polyfluoroalkyl substances)**

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Wednesday, 5 November 2025

Ms Gina Cass-Gottlieb  
Chair, Australian Competition and Consumer Commission

Via email: [mlo@accc.gov.au](mailto:mlo@accc.gov.au); cc':

**Enforcing Australia's PFAS ban**

Dear Ms Cass-Gottlieb,

I write to you on behalf of the Senate Select Committee on PFAS (per and polyfluoroalkyl substances), which is inquiring into the extent, regulation and management of PFAS across Australia. The committee was reappointed in the 48<sup>th</sup> Parliament, on 28 July, to continue its work and report by **19 November 2025**.

The committee thanks the Australian Competition and Consumer Commission (ACCC) for its contributions to the inquiry so far, which include:

- [Australian Competition & Consumer Commission, response to written questions from Senator Thorpe \(received 21 July 2025\)](#)
- [Australian Competition and Consumer Commission, response to written questions from Senator Thorpe \(received 10 September 2025\)](#)

**Schedule 7 listing of PFOS, PFOA and PFHxS**

As you may be aware, three PFAS—PFOS, PFOA and PFHsX, and related substances—are now subject to an industrial ban in Australia, having been listed under Schedule 7 of the *Industrial Chemicals Environmental Management Standard* (IChEMS), with the listing taking effect from 1 July this year. The ban applies to the import, use and

manufacture of these three PFAS, and hundreds of related chemicals, by Australian entities.

These PFAS chemicals have been listed because they persist in—and are likely to cause serious or irreversible harm to—the environment, bioaccumulate in living organisms, and have been implicated as potentially causing a range of health problems. Other PFAS are also being actively considered for IChEMS listing in the near future.

### **Ban applies to 'articles'**

The committee understands many consumer products on the market may contain these banned PFAS and/or other PFAS, as these chemicals are commonly used by manufacturers in overseas jurisdictions, due to their water-repellent qualities.

According to the Department of Climate Change, Energy, the Environment and Water, the Schedule 7 listing can be used to prohibit the import of items or products (known as 'articles'), including consumer products containing these banned PFAS which have been manufactured overseas. To-date, all Schedule 7 listed chemicals have been subject to prohibitions applying to articles.<sup>1</sup> The committee expects this will also apply to articles containing banned PFAS.

### **Role of the ACCC**

The committee notes the ACCC's responses indicate it does not currently have a role in monitoring or enforcing this ban, does not test for PFAS in imported goods, and has not provided advice regarding unsafe levels of PFAS in consumer goods.

Your responses also indicate the ACCC 'would not have a role in enforcing an importation ban on consumer goods containing PFAS'. However, the committee understands the ACCC enforces a number of mandatory standards and product bans and can recommend the Minister make an information standard in relation to goods of a particular kind (i.e., can propose product labelling requirements).

The committee understands that the PFAS ban is new, and monitoring and enforcement mechanisms are still being designed. We encourage the ACCC to work with the Department of Climate Change, Energy, the Environment and Water to actively explore options for giving effect to this ban—including the option of mandatory product labelling—with the aim of stemming the flow of products containing PFAS into Australia's economy.

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<sup>1</sup> See: *Department of Climate Change, Energy, the Environment and Water, Additional information sought by the Committee Secretariat – IChEMS (received 21 July 2025).*

## **False or misleading claims**

The committee understands there are already thousands of products on the market in Australia which claim to be PFAS-free, including some cookware products, food packaging, mattresses, textiles, and personal care products. For many of these products, it is unclear whether they are free from *all* PFAS—or just one or two specific PFAS chemicals.

As Australia's consumer protection regulator, the ACCC has a role to play in establishing a standard definition of 'PFAS-free', monitoring claims made by retailers about the PFAS content of their products and ensuring the veracity of these claims.

## **Response**

Noting the committee is due to table its final report by **19 November 2025**, the committee would appreciate a response to this correspondence by **Friday, 14 November 2025**.

Please contact Committee Secretary, Patrick Hodder by email on [PFAS.sen@aph.gov.au](mailto:PFAS.sen@aph.gov.au) or by telephone 02 6277 3247, if you would like to discuss this correspondence.

Yours sincerely,

**Senator Lidia Thorpe**

**Chair**



**Our ref: Executive Office**

14 November 2025

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Dear Senator Thorpe

**Re: Enforcing Australia's PFAS Ban**

Thank you for your letter of 5 November 2025 to the ACCC on behalf of the Senate Select Committee on Polyfluoroalkyl Substances (PFAS) which is considering the regulation and management of PFAS in Australia.

The Australian Competition and Consumer Commission (ACCC) is an independent Commonwealth statutory authority that promotes competition fair trading and product safety for the benefit of consumers, businesses, and the Australian community. The ACCC's primary responsibilities include enforcing compliance with the competition, consumer protection, fair trading and product safety provisions of the Competition and Consumer Act 2010 (the Act), which includes the Australian Consumer Law (ACL). The ACL is also enforced by state and territory consumer protection agencies, under a 'one law, multiple regulator' model.

As an economy-wide regulator, each year the ACCC receives a significant number of complaints and reports about conduct that may contravene competition or consumer law.

The ACCC annually reviews our [Compliance and Enforcement Policy](#) and announces the priority areas of focus. The principles set out in the Compliance and Enforcement Policy inform decisions of which matters are escalated for further enforcement or compliance consideration.

We note your concerns that there may be some products on the market which are labelled as PFAS free. There is a potential for any PFAS free claims either made by retailers or manufacturers, or on products, to contravene the provisions under the ACL.

We understand that the Department of Climate Change, Energy, the Environment and Water (DCCEEW) and state and territory authorities are currently completing work to give effect to a ban on PFOS, PFOA and PFHxS under Schedule 7 of the *Industrial Chemicals Management Standard* (IChEMS).

The ACCC will consider PFAS-free claims and will engage further with DCCEEW to determine what steps are being taken to monitor market behaviour as well as educating consumers. We will also engage directly with DCCEEW on its program of work to discuss any ways the ACCC may be able to lend support.

Thank you for bringing this matter to our attention.

Yours sincerely

Gina Cass-Gottlieb  
Chair