



Guide

PFAS & Profits Playbook

How to Turn Risk Into
Opportunity With Proactive
PFAS Management



Introduction

Market disruptions can make or break your business. Your approach to per- and polyfluoroalkyl substances (PFAS) management could either put your bottom line at risk or give you a competitive market advantage.

Will you get slowed down by supply chain disruptions and data collection, or will you capitalize on the opportunity to become a market leader? It all depends on what you do next. This short guide will put you on the right foot to turn potential PFAS risks into business opportunities.

You'll learn:

- ▶ Why PFAS management is about more than just meeting report deadlines
- ▶ How a proactive approach can improve your bottom line and brand value
- ▶ Methods to capture a competitive advantage using your PFAS data



PFAS — Who Cares?

More People Than You Think

Regulators aren't the only ones responding to PFAS concerns. Although regulatory deadlines are important, there are many other stakeholders with requirements that could impact your profits and operations. Even your competitors are taking action to reduce their PFAS risk exposure and trying to capture market share — as of 2023, 49% of companies surveyed by ChemSec have already substituted PFAS with safer alternatives or never used PFAS in the first place.¹

To meet the rising demand for PFAS data and PFAS-free products, you'll need a proactive approach to engage your supply chain to identify where you're using PFAS in parts, products, and processes.

Here's how the players in your market are responding to PFAS and how their changing expectations affect your operations.

The Board

Companies that make claims around sustainability may be creating a legal liability if PFAS are found in their products. In response, board members are demanding data to back up those claims and show concrete actions to remove non-essential PFAS.

When 3M announced it would be pulling out of PFAS manufacturing, my phone was ringing off the hook. My executive team needed to know if we're still going to be able to source the parts we need to build and ship products.

— Joe Langton, Senior Manager, Chemical Compliance at Hologic
Assent Customer

¹ ChemSec. (2023, February 9). *How companies view PFAS and the EU's restriction proposal*. <https://chemsec.org/reports/how-companies-view-pfas-and-the-eus-great-restriction-proposal>



Insurance Providers

Insurance providers are increasingly wary of PFAS risks due to a surge in related lawsuits. Insurers are using exclusions and monitoring clients' PFAS exposure to avoid massive payouts. You will likely be asked to provide detailed disclosures about PFAS in your supply chain, and your coverage can be affected by the quality of your response.

According to a 2024 Verisk model, PFAS settlements in the U.S. have already reached \$18 billion, with forecasting showing over \$120 billion in total losses from litigation in the coming years.²

² Despotaki, V. et al. (2024, April 5). PFAS Litigation Could Generate Billions in Ground-Up Losses. Here's How. *Verisk*. <https://core.verisk.com/Insights/Emerging-Issues/Articles/2024/April/Week-1/PFAS-Litigation-Could-Generate-Billions-in-Ground-Up-Losses>

Employees

Worker safety is crucial to the success of your business. Manufacturing often uses PFAS in materials, processes, and maintenance activities, potentially exposing workers to toxic chemicals daily. While the long-term health effects are still being studied, there **are already lawsuits from firefighters over PFAS exposure**.³ A strong program can identify and minimize these risks by reducing worker exposure.

³ Turner, T. (2023, December 4). Firefighter Turnout Gear PFAS Lawsuits. *Consumer Notice*. <https://www.consumernotice.org/legal/firefighter-turnout-gear-pfas-lawsuits/>



Investors

Investors are pushing manufacturers to eliminate PFAS due to increasing regulations, the growing risk of litigation, and customer demands for PFAS-free products. They want to avoid risks like penalties, settlements, costly cleanups, and reputational damage. Prepare to have your investors carefully assess your PFAS use today and ask about your plans for reduction or even elimination in the future.



A letter circulated by firms representing \$8 trillion USD in investments called for a phase-out of PFAS chemicals in products and an end to PFAS production, because "in addition to the financial risks associated with litigation, producers of persistent chemicals face the risk of increased costs associated with reformulating products and modifying processes, which can have significant implications for company performance."⁴

4 Krook, P. (2022, November 29). Investors with \$8 trillion call for phase-out of dangerous "forever chemicals." ChemSec. <https://chemsec.org/investors-with-8-trillion-call-for-phase-out-of-dangerous-forever-chemicals>

Customers

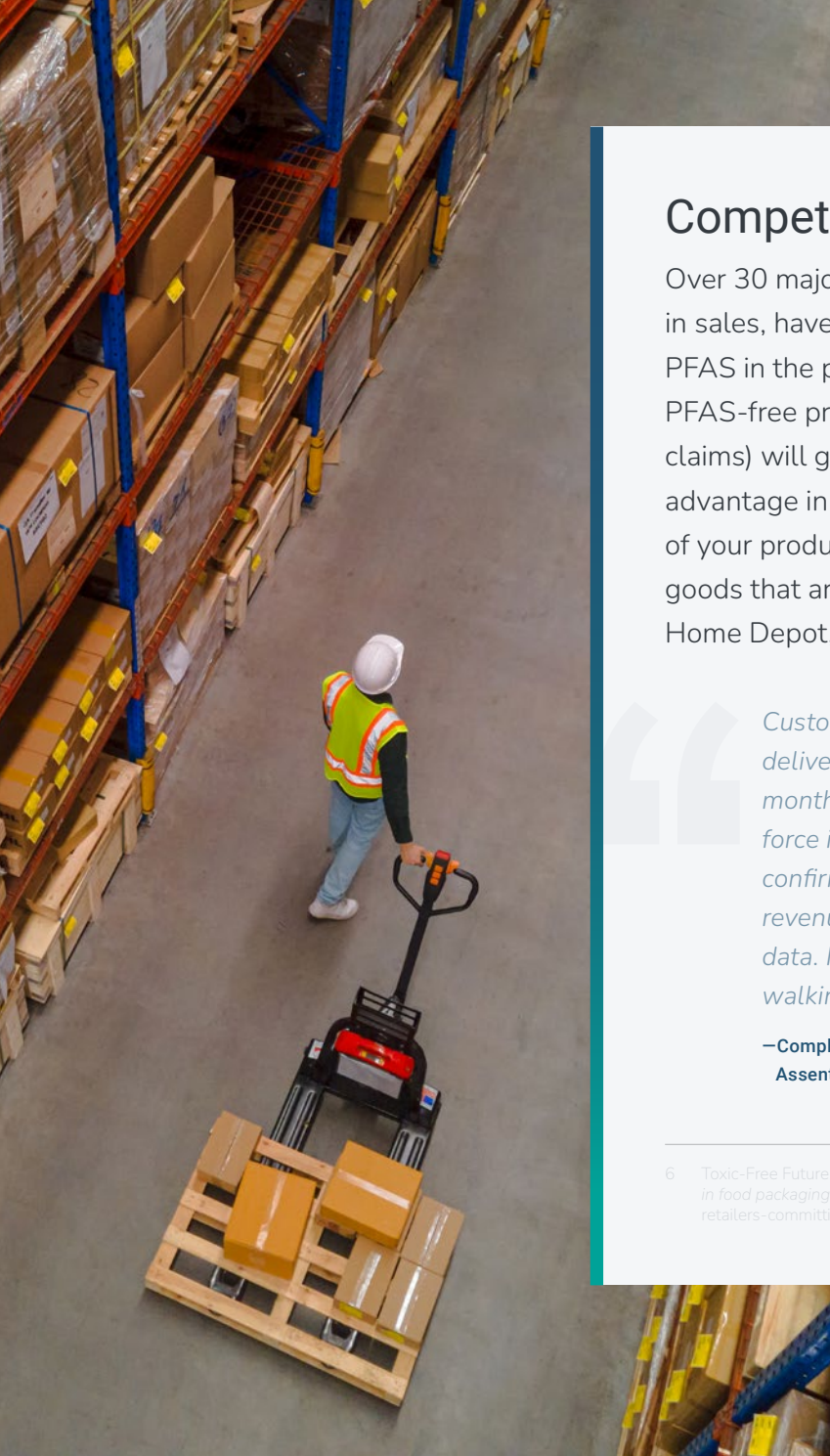
Customers want PFAS-free products and corporate clients want to avoid regulatory hassles. A proactive program that includes the management of toxic substances like PFAS shows your commitment to a healthier and more responsible future.



Fifty-three percent of U.S. adults say they are at least "somewhat concerned" about the effects of PFAS" and 34% reported they would be "more likely to shop" at a company banning PFAS from its products, according to a report by Civic Science.⁵

5 Commisso, D. (2023, August 1). Consumer Concern Over PFAS 'Forever Chemicals' Continues to Grow. Civic Science. <https://civicscience.com/consumer-concern-over-pfas-forever-chemicals-continues-to-grow>





Competitors

Over 30 major retailers, representing more than \$654 billion in sales, have already committed to eliminating or reducing PFAS in the products they carry.⁶ Being first to market with PFAS-free products (and having the data to back up those claims) will give you and your suppliers a strong competitive advantage in the coming years. This is especially true if any of your products are carried by retailers (or end up in finished goods that are) that promise to be PFAS-free, such as Target, Home Depot, and Staples.

Customers used to buy a product and ask for us to deliver compliance data sometime in the next few months, but now having that data up front is a driving force in sales. They won't buy anything without confirming its compliance status. At least 60% of our revenue hinges on having rapid access to compliance data. If you can't get buyers that data on demand, they're walking away and finding someone else who can.

**—Compliance/EH&S Specialist at Prestolite Electric Incorporated
Assent Customer**

⁶ Toxic-Free Future. (n.d.). Retailers committing to phase out PFAS as a class in food packaging and products. <https://toxicfreefuture.org/mind-the-store/retailers-committing-to-phase-out-pfas-as-a-class-in-food-packaging-and-products>



Communities & Non-Governmental Organizations

PFAS contamination often affects communities near industrial sites. This is why clean, safe manufacturing and the careful disposal of waste containing PFAS are so important. If you use or manufacture PFAS, you may be on the hook for remediation costs under regulations like the Drinking Water Regulation and CERCLA.

Companies that did not manufacture PFAS, but merely utilized PFAS in their manufacturing processes, are therefore becoming targets of costly enforcement actions at rates that continue to multiply year over year. Lawsuits are also filed monthly by citizens or municipalities against companies that are increasingly not PFAS chemical manufacturers.

—John Gardella, Shareholder, CMBG3 Law

From PFAS Risk to Business Opportunity

PFAS risks are inevitable, whether you're ready for them or not. Chemical manufacturers, including 3M, are cutting off the supply of PFAS, and U.S. states are enacting PFAS bans and restrictions. Your organization must choose between treating these pressures as opportunities or setbacks.

A proactive approach to PFAS management puts the focus on having deep visibility into PFAS in your supply chain, not just the products you manufacture, and making the most of your data beyond reporting requirements. It's the key to transforming potential risks into a competitive advantage.



Risk	Reactive	Proactive
Parts Obsolescence Manufacturers stopping PFAS production due to liability risks and lawsuits	Low visibility into PFAS in your products, as well as those used in processes or by equipment (for example, gaskets), leaves you vulnerable to production delays and even unplanned product redesigns.	Deep transparency into PFAS use across your supply chain (including how suppliers use PFAS) enables you to identify potential disruptors and re-source, redesign, or make last-time buys in advance to reduce any impact on product or sales.
Increased Supply Costs	As supply of PFAS dwindles and competitors scramble to secure PFAS-free parts, costs will increase. The longer you wait to identify your PFAS use and find alternatives, the more you'll spend just to stay operational.	With more time on your side to secure parts before demand reaches a fever pitch, the more you'll save on parts. Securing contracts in advance can help protect you from part scarcity and supply chain disruptions.
Insurance & Liability Risks	PFAS use puts you at risk for lawsuits and remediation costs. Many insurers are excluding PFAS claims from their coverage and are asking their customers for detailed PFAS reports. In some rare cases, insurers have even sued their own clients over PFAS-related claims. ⁷ Without good PFAS data, you can expect challenges from your insurers and even dropped coverage.	Being able to demonstrate if and where you're using PFAS will help give confidence to your insurers. In addition, identifying and removing PFAS from your operations reduces your overall liability. Since 2005, there have been over 6,400 PFAS-related lawsuits and that number keeps growing. ⁸
Brand Risks	Public awareness and concern over PFAS in products is at an all-time high. Class-action lawsuits are now commonplace against popular consumer brands claiming to be "green" or "natural" while using PFAS, including Kraft Heinz, Colgate-Palmolive, Bolthouse Farms, and Coca-Cola. ⁹	Alternatively, having data to back up PFAS-free claims or audit trails to demonstrate you're tackling the PFAS issue can be a major competitive advantage in the market. Whether you're selling to the public or other manufacturers, defensible data is fundamental to avoiding liability and becoming a preferred supplier.

7 Schultz, D. (2023, March 8). Insurers Sue Their Own Clients to Dodge PFAS Claims Podcast. *Bloomberg Law*. <https://news.bloomberglaw.com/us-law-week/insurers-sue-their-own-clients-to-dodge-pfas-claims-podcast>

8 Wallender, A. (2022, May 23). Companies Face Billions in Damages as PFAS Lawsuits Flood Courts. *Bloomberg Law*. <https://news.bloomberglaw.com/pfas-project/companies-face-billions-in-damages-as-pfas-lawsuits-flood-courts>

9 Gardella, J. (2023, February 1). "PFAS Consumer Fraud Trend Continues. *The National Law Review*. <https://natlawreview.com/article/pfas-consumer-fraud-trend-continues>



Reactive Versus Proactive PFAS Management

To start capturing leadership opportunities, you'll need to know about reactive and proactive PFAS management. So, what's the difference? Aren't manufacturers only required to collect the PFAS data outlined in regulations like the Toxic Substances Control Act (TSCA) and format it for electronic reporting? Technically, yes, but that type of reactive, check-box program doesn't generate any business benefits beyond meeting compliance requirements.

Reactive Program	Proactive Program
Reactive and fragmented	Centralized and streamlined
Scrambling to meet deadlines	Staying ahead of regulatory changes
High operating costs	Reduced costs through efficiency
Siloed information and poor visibility	Clear visibility and shared data
Constantly justifying value	Demonstrating clear ROI and strategic value

By contrast, a proactive program focuses on how that same PFAS data can be used to improve your business across the board. That means collecting data as efficiently as possible, using the data to anticipate hidden risks (like parts becoming hard to source), and anticipating future regulatory requirements. A proactive compliance program is more cost effective, requires less of your time, and has a far greater ROI.



How Proactive PFAS Compliance Benefits Your Bottom Line

Your PFAS program can do more than just collect and prepare data for regulatory reporting. In fact, a proactive PFAS program can enhance your organization's financial performance:



Protect Your Bottom Line

- ▶ Safeguard your brand reputation
- ▶ Retain current contracts
- ▶ Protect market access
- ▶ Avoid disruptions and parts obsolescence



Reduce Costs

- ▶ Streamline data collection and reduce labor hours
- ▶ Automate manual supplier outreach
- ▶ Use data to make smarter purchases and product design decisions



Grow Revenue

- ▶ Grow your market share by winning new clients with better PFAS data and PFAS-free options
- ▶ Gain a competitive advantage
- ▶ Improve buyer confidence





Can You Afford to Wait?

The current regulatory and market climate around PFAS means that some businesses — the proactive ones — will gain an edge over their competitors. A proactive PFAS identification program will reduce your overall compliance costs while boosting your revenue opportunities and protecting your existing bottom line from supply chain disruptions. The earlier you begin, the better. Don't miss out on the benefits of being early to market with PFAS-free alternatives and having defensible data on hand for prospective buyers, investors, and insurers.

Assent can help you get started. Our PFAS Identification solution automates supplier engagement and data analysis, making it easy to spot potential risks in your supply chain and report on your current PFAS use. Plus, you get access to insights and support from our team of PFAS experts. Assent has already collected more than 2 million PFAS data submissions in our Assent Sustainability Network. You'll have the verified data you need to plan ahead to avoid unexpected parts obsolescence and demonstrate to your buyers that you're a leader in PFAS management.



Ready for the next step? Check out these other free PFAS resources:



Facing Change: Emerging PFAS Risks & Parts Obsolescence for Manufacturers

This guide provides a straightforward overview of PFAS, the current regulatory situation, and what these changes mean for you. Includes sections on 3M's decision to stop making PFAS and advice on identifying and replacing PFAS in your products.

[Download Now >](#)



Making the Case For Compliance

Learn how to calculate the ROI for a proactive compliance program with a step-by-step workbook. Build a compelling case for investing in your PFAS program that your boss can't ignore.

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Assent's PFAS Identification Solution

Check out Assent's supply chain sustainability platform to see how we automate supplier engagement, reporting, and risk management for PFAS.

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525 Coventry Road
Ottawa, ON K1K 2C5
Canada

1 866 964 6931
info@assent.com
assent.com

