



# GOVERNING BODY FOR COMPETITIVE SKIING MOVES TO BAN PFAS-CONTAINING SKI WAXES

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Thanksgiving is almost here, and for the U.S. sports scene that means a steady diet of NFL football, college and high school football rivalry games, and perhaps even a dose of college basketball holiday tournament action. At the same time, with the first snowfalls both here in the U.S. and in Europe, national ski teams, elite skiers, and skiing enthusiasts are gearing up for the beginning of the world cup ski circuits. As the new competitive season begins, there is big news concerning the governance of the sport. The International Ski Federation<sup>1</sup> has announced that it plans to ban the use of ski waxes containing per- and polyfluoroalkyl substances (PFAS) for the 2020/21 season.<sup>2</sup>

Ski waxes are used to improve the “glide” of alpine skis, cross country skis, and snowboards.<sup>3</sup> Many of the same properties that make PFAS compounds such as PFOA so effective as non-stick agents also make them very effective for enhancing glide. The selection of an effective ski wax is particularly important in Nordic events such as cross-country skiing and biathlon, and in fact can often mean the difference between winning and losing. Even casual observers who tuned into a cross country ski or biathlon event during the most recent Olympics may have heard the announcers talk about whether a national ski team’s ski and wax technicians “got the wax right.”

This move reflects a trend that the ski industry has been experiencing for at least a decade. Ski wax companies have been researching alternatives to fluorinated waxes for at least this long. In addition, there is documented evidence of impacts to the environment from fluorinated ski waxes that go back nearly a decade.<sup>4</sup> Since then, the use of fluorinated ski waxes has been banned by a number of competitive governing bodies, including the Norwegian Ski

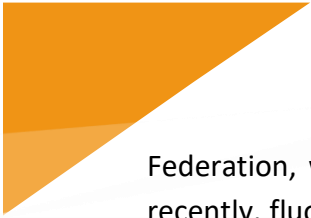
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<sup>1</sup> The International Ski Federation, known more commonly by the acronym for the French version of its name - the FIS - is the international governing body for most ski and snowboard disciplines except for biathlon.

<sup>2</sup> These waxes are commonly known in the ski industry simply as fluorinated waxes. The types of PFAS compounds that can be found in these waxes will vary depending on the manufacturer and the particular application, but generally include perfluorooctanoic acid (PFOA) and various types of fluorinated alkanes. See *The EPA and Regulating the Ski Wax Industry*, FasterSkier.com, July 9, 2019 - <https://fasterskier.com/fsarticle/the-epa-and-regulating-the-ski-wax-industry>.

<sup>3</sup> There is another type of ski wax, commonly known as “grip wax” or “kick wax” that is used to allow certain types of cross country skis to grip the snow. It is the FIS’s ban on fluorinated glide waxes that will have the biggest impact on competition.

<sup>4</sup> *Cross-Country Skiing’s Dirty Little Fluorinated Secret*, Bloomberg Businessweek, Aug. 28, 2019 (citing study conducted in 2010 at the course for Sweden’s Vasaloppet race) - <https://www.bloomberg.com/news/articles/2019-08-28/cross-country-skiers-are-addicted-to-banned-fluoro-wax>. PFASs From Ski Wax Bioaccumulate at Nordic Resort, ScienceDaily.com, Nov. 6, 2019 (summarizing story from American Chemical Society’s Environmental Science & Technology which reported on study conducted at a Nordic ski resort in Trondheim, Norway)



Federation, which has banned its use in competitions for youths aged 16 and under. More recently, fluorinated ski waxes have been the subject of scrutiny by regulators. A ban imposed by the European Chemicals Agency (ECHA) on the sale, manufacture, and import of products containing PFOAs will go into effect in July 2020, and there is speculation that similar bans may be extended to products containing shorter-chain PFAS compounds in 2022. In addition, apparently driven at least in part by passage of the Lautenberg Chemical Safety Act in 2016, USEPA has begun to focus its attention on distributors of fluorinated ski waxes in the U.S.<sup>5</sup>

Given the effectiveness of fluorinated ski waxes, and the stakes involved at the highest levels of international competition, there will likely be concerns about cheating once the ban goes into effect. FIS intends to consider measures necessary to ensure compliance with the ban.<sup>6</sup> Presumably, such measures will include disciplinary action for violations. In addition, since most high-level international competition takes place in Europe, ECHA's ban on products containing PFOAs means that would-be violators of the FIS's ban on fluorinated waxes may also find themselves on the wrong end of civil or criminal action. Only time will tell whether the threat of these sanctions will be enough to deter efforts to circumvent the upcoming ban.

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<sup>5</sup> Bloomberg Businessweek, Aug. 28, 2019.

<sup>6</sup> FIS Moves to Ban Fluorinated Ski Waxes for the 2020/2021 Season, FasterSkier.com, Nov. 23, 2019 (quoting FIS press release) - <https://fasterskier.com/fsarticle/fis-moves-to-ban-fluorinated-ski-waxes-for-the-2020-2021-season/>