



James B. Pollack

Senior Associate

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James leads the firm's consumer products regulatory practice. He helps consumer product manufacturers in the apparel, footwear, outdoor gear, and food products industries who are working to understand the complicated and shifting regulatory and litigation environments surrounding emerging contaminants. He has extensive knowledge on PFAS regulatory compliance at the federal and state level. James also counsels clients on how to make effective green marketing claims, chemicals management, Proposition 65, and other compliance issues. James's clients include textile and apparel manufacturers, footwear manufacturers, outdoor recreational product manufacturers, food product manufacturers, and retailers. He also works with industry associations to update membership on regulatory developments.

He also has experience with permitting and defending projects on public lands. He has worked on cases arising under the Clean Water Act, Clean Air Act, National Environmental Policy Act, Endangered Species Act, National Forest Management Act, Federal Land Policy & Management Act, and Comprehensive Environmental Response, Compensation, & Liability Act. James maintains a pro bono litigation practice focused on gun violence prevention as well as the representation of indigent defendants in Tulalip Tribal Court.

Prior to joining Marten Law, James clerked for Chief Judge Brian M. Morris of the United States District Court, District of Montana in Great Falls, MT. He graduated from Harvard Law School (*cum laude*) where he was Co-Editor-in-Chief of the Harvard Environmental Law Review, while also earning an MPP from the John F. Kennedy School of Government.

SERVICES & INDUSTRIES

[Consumer Products](#)

[PFAS & Emerging Contaminants](#)

[ESG & Sustainability](#)

EDUCATION

- J.D., cum laude, Harvard Law School (2020)
- M.P.P., Harvard Kennedy School (2020)
- B.A., cum laude, Harvard College (2014)
- Law Clerk to the Honorable Chief Judge Brian Morris, United States District Court for the District of Montana (2020-21)

BAR ADMISSIONS

- State Bar of Massachusetts
- State Bar of Washington
- U.S. District Court, District of Massachusetts

Representative Matters

- Represents apparel and footwear manufacturers with PFAS regulatory compliance, including supply chain management, application of regulations to product lines, and marketing representations best practices
- Advises several outdoor gear manufacturers with PFAS regulatory compliance, including communication with state agencies, application of regulations to product lines, and marketing representations
- Counsels consumer product manufacturers and retailers on reporting obligations, responses to state investigations, and confidential business information protection requests
- Provides regular updates to membership of multiple industry associations on sustainability issues, including emerging contaminant regulations, extended producer responsibility, greenhouse gas disclosure, and green marketing
- Counsel to energy company on greenhouse gas disclosure and reporting
- Counsel to technology company developing autonomous, all-electric delivery vehicles in compliance with CAA
- Counsel to Fortune 100 retailer defending state enforcement action
- Trial Counsel to New Mexico local governments for recovery of costs to remediate municipal water supplies contaminated by hazardous substances used by private companies and the U.S. military
- Appellate brief for industry associations seeking to intervene in ESA litigation (*Defenders of Wildlife et al. v. U.S. Fish & Wildlife Service*, Nos. 21-16382, 21-16383, 21-16384 (9th Cir.))
- Pro bono amicus brief on behalf of gun violence prevention organizations in public nuisance case against gun manufacturers (*Estados Unidos Mexicanos v. Smith & Wesson Brands, Inc., et al.*, No. 1:21-cv-11269 (D. Mass.))

Recognition and Activities

- Co-Chair, American Apparel and Footwear Association (AAFA)'s PFAS Working Group
- Legislative Adviser, Clean Chemistry and Materials Coalition, Outdoor Industry Association (OIA)
- Lecturer of Law, Brandeis University, Spring 2022, Fall 2022
- Co-Instructor, Boston College Law School, Spring 2021
- Lecturer of Law, Boston College, Spring 2020
- Teaching Fellow, Harvard College, Fall 2019 (Awarded Harvard Certificate for Distinction in Teaching)

Publications and Presentations

- Author, [PFAS Deskbook](#), 2023
- CLE Presenter: Strafford Webinars, EPA's Long-Awaited Final PFAS Reporting Rule: Wide-Ranging Impact, Extensive Reporting Obligations (Dec. 5, 2023)
- CLE Presenter: ABA Section of Environment, Energy, and Resources, *Previewing Consumer Products Litigation* (Nov. 16, 2023)
- Speaker, Business and Institutional Furniture Manufacturers Association (BIFMA), "Turning the Tables on PFAS: Navigating the Future of Policy, Compliance, and Phase-Out," August 11, 2023
- Speaker, Outdoor Industry Association, "Forever Chemicals: Evolving Approaches to Sustainability in the Outdoor Industry," June 20, 2023
- Speaker, American Apparel and Footwear Association, Environmental Committee Meeting, "PFAS Litigation - Understanding Risks & Liabilities," February 2023
- Panelist, American Apparel and Footwear Association, Product Safety & Compliance Seminar, "PFAS: State Regulation Updates," February 2023
- Speaker, Outdoor Industry Association, "PFAS: Navigating the Future of Policy, Compliance, and Phase-out," October 2022.
- Panelist, American Apparel and Footwear and Association, "PFAS - Where are We Now and Where are We Headed and How Do We Get There," July 2022
- Speaker, Outdoor Industry Association, "The Forever Chemicals Landscape: An Update on PFAS Regulations and Litigation," June 2022.