



James B. Pollack

Partner

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James leads the firm's regulatory practice where he helps trusted national brands bring more sustainable products to market. He counsels consumer product manufacturers in the apparel, footwear, cookware, outdoor gear, and packaging industries who are working to understand the complicated and shifting regulatory and litigation environments they face.

James's focus includes chemicals management, compliance, and enforcement including emerging contaminants like PFAS; compliance with product stewardship and end-of-life regulations like extended producer responsibility (EPR) laws; regulatory compliance for consumer products; greenwashing, brand and advertising issues; manufacturing, distribution and supply agreements for consumer markets companies; regulatory enforcement and investigations; product safety, incident evaluation, and consumer product recalls; as well as state and federal Superfund and other environmental laws. He also works with industry associations to update membership on regulatory developments and advocate for their interests. He was recognized by the American Bar Association as a Top 40 Young Lawyer with the On The Rise Award for his work on product sustainability and compliance.

James also maintains a practice supporting clients under state and federal Superfund. That work includes counsel for cleanups of historical contamination, support for real estate due diligence involving PFAS and other contaminants, as well as litigating cost allocation and cleanup under those laws. He maintains an active pro bono litigation practice focused on representation of indigent defendants in Tulalip Tribal Court. Prior to joining Marten, James clerked for Chief Judge Brian M. Morris of

SERVICES & INDUSTRIES

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[PFAS & Emerging Contaminants](#)

[ESG & Sustainability](#)

[Agency Compliance and Enforcement](#)

[Audits, Risk, and Compliance Assessments](#)

[Investigations and Enforcement Defense](#)

[Manufacturing](#)

[Public Policy](#)

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

the United States District Court, District of Montana in Great Falls, MT.

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
- Board of Advisors, Harvard Law School Environmental & Energy Law Program
- 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)
- 2024 On The Rise Award, Top 40 Young Lawyer, American Bar Association
- Chambers USA, Washington - Environment, Up and Coming

Publications and Presentations

- Author, [PFAS Deskbook](#), 2023
- Article – [Federal Authority to Address Plastic Pollution](#) (10/2024)
- Webinar – Existing U.S. Federal Authorities to Address Plastic Pollution <https://www.eli.org/events/existing-us-federal-authorities-address-plastic-pollution> (07/2024)
- 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.
- Speaker, American Apparel and Footwear Association (AAFA), Product Safety & Compliance Seminar, "PFAS Regulations Moving P-FASt," February 2024
- Speaker, BIFMA, Webinar, "Insurance: Challenges, Claims, and Coverages Related to PFAS," March 2024
- Speaker, Outdoor Industry Association, Outdoor Retailer Summer Show, "How to Comply With Industry Standards," June 2024
- Speaker, BIFMA and the Association of Contract Textiles (ACT), Webinar, "A Deep Dive on the TSCA PFAS Reporting Rule," August 2024
- Speaker, American Sportfishing Association (ASA), "PFAS Reporting Requirements – Understanding Your Potential Obligations," August 2024
- Speaker, American Fly Fishing Trade Association (AFFTA), Confluence NOLA, "PFAS Discussion with

Manufacturers,” October 2024

- Speaker, American Fly Fishing Trade Association (AFFTA), Confluence NOLA, “Manufacturers Discussion around PFAS,” October 2024