

**UNRAVELING THE COST: AN ANALYSIS OF ENVIRONMENTAL HARM AND  
REGULATORY SOLUTIONS IN THE FAST FASHION INDUSTRY**

**Shaylin McGuire<sup>1</sup>**

**I. INTRODUCTION**

Fashion is an expressive method of displaying one's personality, style, and ways of life.<sup>2</sup> The ever-changing fashion trends represent shifts in social and political cultures, allowing individuals to speak through their clothes.<sup>3</sup> While the fashion industry presents incredible possibilities, it also creates significant harm to the environment through the process of making, distributing, and disposing of clothes.<sup>4</sup> In general, the textile and fashion industry is responsible for approximately ten percent of global carbon emissions.<sup>5</sup> The industry also severely pollutes water sources in the dyeing and washing processes, releasing around 7 million microfibers per wash into the oceans.<sup>6</sup> Fast fashion products are also quickly discarded causing soil degradation.<sup>7</sup> Over 11 million tons of textile waste end up in landfills each year, which can poison soil and further contributes to air and water pollution.<sup>8</sup>

These harmful environmental effects continue to increase because fast fashion companies are barely regulated, and no federal United States laws are in place to directly address the environmental issues.<sup>9</sup> As the condition of the environment

---

<sup>1</sup> Candidate for J.D., May 2027, Thomas R. Kline School of Law of Duquesne University.

<sup>2</sup> Katrina Wilkinson, *A Legal Solution to a Fast Fashion Problem*, 11 ARIZ. J. ENVTL. L. & POL'Y 186, 187 (2021).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* at 188.

<sup>5</sup> Shalini Rukhaya et al., *Sustainable approach to counter the environmental impact of fast fashion*, 10 TPI JOURNAL 517, 518 (2021).

<sup>6</sup> *Id.* at 519.

<sup>7</sup> *Id.* at 518.

<sup>8</sup> Cu Fleshman, *A History of Fast Fashion: Ethical Issues, High Demand, and Outsized Influence on the US Clothing Market*, *THEREALREAL* (Oct. 14, 2024), <https://realstyle.therealreal.com/a-history-of-fast-fashion/>.

<sup>9</sup> Wilkinson, *supra* note 1, at 203.

worsens, states like California and New York have started to implement new laws to enforce legal responsibility upon fast fashion companies.<sup>10</sup> To create a positive change in the environment, more states and the federal government will need to promulgate more regulations directed at curbing environmental impacts of fast fashion.<sup>11</sup>

The term “fast fashion” is used to describe a business model focused on mass-production of trendy clothing at a cheap price.<sup>12</sup> This model employs rapid design, production, and distribution methods to market clothes that mirror the products of high-fashion designers.<sup>13</sup> The appeal of such a business model lies not only in the low-cost products but also in the ability to produce large quantities of items quickly, allowing everyday consumers to join the latest fashion trends.<sup>14</sup> Popular brands like Zara, H&M, Shein, Fashion Nova, and Asos use fast fashion to reach global communities, but in doing so have contributed to increased air and water pollution and soil degradation.<sup>15</sup>

The fashion industry is certainly not new, but the fast fashion business model has become increasingly popular over the last thirty years.<sup>16</sup> The newfound popularity of fast fashion has had adverse effects on the environment due to mass-production and the pressure brands feel to meet new fashion trends.<sup>17</sup> Production

---

<sup>10</sup> Harper Johnston, *Rewriting the Rules of Fashion*, EARTHDAY.ORG (Mar. 3, 2025), <https://www.earthday.org/rewriting-the-rules-of-fashion/>.

<sup>11</sup> *Id.*

<sup>12</sup> Rashmila Maiti, *The Environmental Impact of Fast Fashion, Explained*, EARTH.ORG (Jan. 20, 2025), <https://earth.org/fast-fashions-detrimental-effect-on-the-environment/>.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> Giada Nizzoli, *Brief History of Fast Fashion (& Changing Its Future Course)*, PROJECTCECE (Apr. 10, 2024), <https://www.projectcece.com/blog/637/brief-history-of-fast-fashion/>.

<sup>17</sup> *Id.*

methods used in fast fashion require using large amounts of natural resources throughout a product's entire lifecycle.<sup>18</sup>

Fast fashion businesses tend to use the same synthetic fibers, such as polyester and nylon, in most of their products.<sup>19</sup> Production of these fibers using fossil fuel consumes much more energy than producing clothes made of natural fibers.<sup>20</sup> By producing, manufacturing, and transporting millions of items of clothing, fast fashion businesses release greenhouse gases, with emissions projected to reach 2.8 billion tons by 2030 if current trends continue.<sup>21</sup> Additionally, the fast fashion industry uses high volumes of water throughout its entire process of creating clothes.<sup>22</sup> This is leading to water depletion in certain environments, which decreases water availability for other uses in those environments, and it could also lead to water pollution from the various chemicals used to process products.<sup>23</sup> Not only does the production process use vast amounts of water, but it also uses toxic chemicals and dyes when making clothes.<sup>24</sup> These chemicals and dyes are then released into local water systems, harming the water and posing risks to human health.<sup>25</sup> Similar effects on air quality have been linked to the fast fashion industry, as many harmful gases are emitted into the atmosphere during production.<sup>26</sup> The fast fashion industry further negatively impacts land and soil, as most textiles end up in landfills and

---

<sup>18</sup> Rukhaya et al., *supra* note 4, at 518.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> Jolin Li, *Fast Fashion and Emissions: What's the Link?* EARTH.ORG (Aug. 23, 2024), <https://earth.org/fast-fashion-and-emissions-whats-the-link/>.

<sup>22</sup> Rukhaya et al., *supra* note 17, at 519.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

contribute to land degradation from chemical pollution.<sup>27</sup> Importantly, the synthetic fibers used to produce most fast fashion clothes take hundreds of years to biodegrade, and they are difficult to recycle.<sup>28</sup> This has led to water, land, and air pollution, degrading the environment and posing risks to human health.<sup>29</sup>

Although the environmental impacts of fast fashion are overwhelmingly negative, there are few laws in place that specifically target those issues.<sup>30</sup> Current federal environmental laws do not curb the negative effects of fast fashion because they only apply to businesses that operate in the United States, and most of the fast fashion industry produces clothing in other countries.<sup>31</sup> A few states, such as California and New York, have promulgated legislation attempting to ameliorate the negative impact of fast fashion.<sup>32</sup> California's Responsible Textile Recovery Act of 2024 holds the clothing and textile industry responsible for ensuring their products are collected, repaired, reused, and recycled to reduce waste.<sup>33</sup> In addition, the New York Senate has proposed the New York Fashion Act, which would "require fashion sellers to be accountable to standardize environmental and social due diligence policies."<sup>34</sup> These state laws are a good start to help reduce environmental pollution and waste, and create a more sustainable fashion industry.<sup>35</sup> However, to foster a

---

<sup>27</sup> *Id.* at 518.

<sup>28</sup> Maiti, *supra* note 11.

<sup>29</sup> Rukhaya et al., *supra* note 21, at 518-19.

<sup>30</sup> Wilkinson, *supra* note 8, at 203.

<sup>31</sup> *Id.*

<sup>32</sup> Johnston, *supra* note 9.

<sup>33</sup> CALRECYCLE, <https://calrecycle.ca.gov/epr/textiles/> (last visited Sept. 26, 2025).

<sup>34</sup> S. 4558A, 2025 Leg., Reg. Sess. (2025).

<sup>35</sup> Johnston, *supra* note 31.

significant change, more states and the federal government must also create laws to directly mitigate the industry's environmental impact.<sup>36</sup>

## II. HISTORY

Clothing has always been known as one of the necessities of life, and it remains an ever-changing industry.<sup>37</sup> Fashion allows individuals to express themselves in an artistic way and can often play a large role in a person's life.<sup>38</sup> The clothes one wears may represent their creativity, political or social views, economic status, or religion.<sup>39</sup> As the world continues to develop, so too does the fashion industry.<sup>40</sup>

While the term "fast fashion" is relatively new, the concept is one that has been prevalent for centuries.<sup>41</sup> In early America, clothing was handmade, quite expensive, and produced through a long and laborious process.<sup>42</sup> This process began to change when the Industrial Revolution took over America around the late eighteenth century.<sup>43</sup> The new wave of textile technology gave rise to faster production using factories and textile machines, which in turn lowered the cost of clothing.<sup>44</sup> It also gave more Americans steady and stable jobs, which led to an increase in income that could be used on wants rather than needs.<sup>45</sup> Clothing producers began making

---

<sup>36</sup> *Id.*

<sup>37</sup> Wilkinson, *supra* note 29, at 186.

<sup>38</sup> *Id.*

<sup>39</sup> *Id.* at 187.

<sup>40</sup> *Id.*

<sup>41</sup> Nizzoli, *supra* note 15.

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> Wilkinson, *supra* note 36, at 191.

products that were specifically geared toward changing fashion trends so individuals would buy new products when the old ones quickly went out of style.<sup>46</sup> This new fashion era was considered the beginning of mass production, although consumers were still limited.<sup>47</sup> Although there was now wide availability of textiles, they were only produced during the two cycles of fashion releases.<sup>48</sup>

The twentieth century brought about several changes to American society, economy, politics, and freedom, which all impacted the fashion industry.<sup>49</sup> More clothing stores began to emerge and become mainstream as “a new young generation could now afford to use their wages to treat themselves.”<sup>50</sup> The 1960s and 70s became a time of expression in the United States, where individuals would use fashion to embrace their identities and show resistance to the country’s turmoil.<sup>51</sup> Around this time was also when the modern concept of fast fashion made its breakthrough in the textile industry.<sup>52</sup> America and China began trade relations in the 1970s, which skyrocketed demand for expensive Chinese clothing.<sup>53</sup> Further, containerized shipping “allowed companies to ship massive quantities at low costs.”<sup>54</sup> This combination resulted in several retailers implementing a new business model that would import cheaply made clothes from other countries and sell them for a profit.<sup>55</sup>

---

<sup>46</sup> *Id.* at 192.

<sup>47</sup> Nizzoli, *supra* note 40.

<sup>48</sup> Fleshman, *supra* note 7.

<sup>49</sup> Nizzoli, *supra* note 46.

<sup>50</sup> *Id.*

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> Fleshman, *supra* note 47.

<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

Today, most garments are made outside of the United States and consumers no longer have to wait for the next fashion cycle to purchase a trending outfit.<sup>56</sup>

Finally, the term “fast fashion” was first coined in the 1990s when the New York Times described Zara’s quick method of clothing production, design, and sale.<sup>57</sup> Retailers were now fully using the fast fashion model to produce clothes faster and keep up with the latest trends.<sup>58</sup> This continued into the early 2000s, when e-commerce became the new norm, and into the present fashion industry, where online fashion companies now expedite the process further.<sup>59</sup> Companies like Shein, Asos, and Zara produce thousands of new items per week, and consumers are currently purchasing 60% more clothes than they did two decades ago.<sup>60</sup> This has also led to “throw-away culture” where consumers only own the clothes they purchase for a short amount of time before disposing of them.<sup>61</sup> Throw-away culture is prevalent in the fast fashion industry for two reasons.<sup>62</sup> First, the rapid production of new clothes allows consumers to buy products that are in line with the latest fashion trends and have a similar look to products of designer brands.<sup>63</sup> Second, the quality of fast fashion products is generally poor, so products do not stay in good condition and cannot be worn long, leading to most products ending in landfills.<sup>64</sup>

*a. Greenhouse Gas Emissions and Pollution*

---

<sup>56</sup> *Id.*

<sup>57</sup> Maiti, *supra* note 27.

<sup>58</sup> Nizzoli, *supra* note 48.

<sup>59</sup> *Id.*

<sup>60</sup> *Id.*

<sup>61</sup> Wilkinson, *supra* note 44, at 188.

<sup>62</sup> *Id.*

<sup>63</sup> *Id.*

<sup>64</sup> *Id.*

As fast fashion emerged and is continuing to grow at a rapid pace, significant amounts of greenhouse gases and carbon emissions are harming the environment at an ever increasing rate.<sup>65</sup> The fast fashion industry accounts for approximately ten percent of annual global emissions, which is more than the combination of emissions from aviation and shipping industries.<sup>66</sup> Data collected by the United Nations Environment Program (UNEP) found that if the fast fashion industry continues to increase at its current rate, greenhouse gas emissions will likely increase by over fifty percent across the industry by 2030.<sup>67</sup> While the fashion industry is surely not the only cause of carbon emissions, it is one of the largest contributors because the fast fashion business model requires clothes to be continuously and rapidly produced to keep up with modern trends.<sup>68</sup> Additionally, the business model also allows for consumers to discard garments after only a few wears, as new trends emerge and new clothes are manufactured quickly enough for consumers to recreate their closets.<sup>69</sup> Although this cycle is appealing to consumers, the rapid buying and discarding of clothing increases carbon and greenhouse gas emissions resulting in greater environmental concerns.<sup>70</sup>

Many assume that fast fashion is no more environmentally harmful than traditional fashion.<sup>71</sup> This common assumption is one reason consumers continue to

---

<sup>65</sup> Fleshman, *supra* note 52.

<sup>66</sup> *Id.*

<sup>67</sup> Li, *supra* note 20.

<sup>68</sup> *Id.*

<sup>69</sup> *Id.*

<sup>70</sup> *Id.*

<sup>71</sup> *Id.*

purchase fast fashion products without regard to the environmental effects.<sup>72</sup> Fabric production is one of the main causes of greenhouse gas emissions because cheap synthetic materials are often used to produce fast fashion clothes.<sup>73</sup> Synthetic materials keep costs low but are generally made with non-renewable fossil fuels, which do not decompose for hundreds of years.<sup>74</sup> Synthetic materials also lead to increased greenhouse gas emissions.<sup>75</sup> Further, the cheap materials used, such as polyester, can create three times the amount of carbon emissions than those generated by other materials like cotton.<sup>76</sup> When synthetic fibers are then discarded and placed in landfills, it has the same effect as food waste.<sup>77</sup> When organic food waste is sent to landfills to decay under “anaerobic conditions,” it creates the powerful greenhouse gas methane.<sup>78</sup> The same process occurs when synthetic fibers are discarded to landfills, increasing the global emission of dangerous greenhouse gases.<sup>79</sup>

Along with the materials themselves, clothing production also increases global emissions.<sup>80</sup> Nearly all fast fashion companies produce their products in developing countries, such as China, Bangladesh, and India. These countries use coal-powered plants which cause much greater gas emissions.<sup>81</sup> Because most clothing products are

---

<sup>72</sup> *Id.*

<sup>73</sup> *Id.*

<sup>74</sup> *Id.*

<sup>75</sup> *Id.*

<sup>76</sup> *Id.*

<sup>77</sup> Rukhaya et al., *supra* note 28, at 518.

<sup>78</sup> Caroline Cole, *Lettuce Not Waste: New EPA Research Highlights Food Waste Contributions to Climate Change*, UNITED STATES ENV'T PROT. AGENCY (Dec. 19, 2023), <https://www.epa.gov/sciencematters/lettuce-not-waste-new-epa-research-highlights-food-waste-contributions-climate>.

<sup>79</sup> Rukhaya et al., *supra* note 76, at 518.

<sup>80</sup> Li, *supra* note 66.

<sup>81</sup> *Id.*

manufactured in a small number of Asian countries, global distribution of these products creates another significant source of carbon emissions.<sup>82</sup> Companies must first transport materials to the manufacturing countries and then distribute the clothing products globally when completed.<sup>83</sup> Several studies have been conducted regarding transportation in the fashion industry. Those studies found that about 91% of fast fashion's carbon footprint comes from producing jeans and transporting them across the world.<sup>84</sup> While the carbon footprint of an individual clothing product varies based on its materials and production methods, fast fashion collectively contributes substantially to global carbon emissions.<sup>85</sup> Other sources of air pollution from the fast fashion industry include "resin finishing and drying operations, printing, dyeing, fabric preparation, and wastewater treatment plants."<sup>86</sup> These processes not only use a lot of energy, but they can also emit volatile compounds like formaldehyde, acids, solvents, and carriers into the air.<sup>87</sup>

*b. Water Waste and Pollution*

In addition to increasing global emissions and releasing harmful pollutants into the air, the fast fashion industry depletes water sources and contaminates bodies of water.<sup>88</sup> The industry uses significant amounts of water throughout the entire production process, from washing fibers, bleaching, dyeing, and washing completed

---

<sup>82</sup> *Id.*

<sup>83</sup> *Id.*

<sup>84</sup> *Id.*

<sup>85</sup> Rukhaya et al., *supra* note 75, at 518.

<sup>86</sup> *Id.* at 519.

<sup>87</sup> *Id.*

<sup>88</sup> Maiti, *supra* note 56.

products.<sup>89</sup> While polyester is the most commonly used material in the fast fashion industry, cotton is also frequently involved in the production of clothing.<sup>90</sup> Because cotton requires a lot of water to grow, over 5,000 gallons of water may be needed to produce just two pounds of cotton.<sup>91</sup> In fact, producing one cotton shirt requires approximately 700 gallons of water, while producing one pair of jeans requires about 2,000 gallons of water.<sup>92</sup> Studies have shown that producing fiber has a significant effect on freshwater withdrawal, which is “water diverted or withdrawn from a surface water or groundwater source.”<sup>93</sup> When fast fashion companies use large amounts of water just to grow cotton, they create tremendous pressure on the already scarce natural resource.<sup>94</sup> It also produces ecological consequences because using excessive amounts of water to produce cotton has led to the desertification of the Aral Sea.<sup>95</sup>

One of the largest environmental concerns of fast fashion stems from the dyeing and printing process involved in clothing production.<sup>96</sup> Dyeing and printing use large amounts of water and toxic chemicals that are subsequently released into the air and water sources.<sup>97</sup> When untreated fabric dye and waste water are dumped into local water systems, heavy metals and toxic substances are released with them, which not only harms the water but also poses risks to human health.<sup>98</sup> Further,

---

<sup>89</sup> Rukhaya et al., *supra* note 81, at 519.

<sup>90</sup> *Id.*

<sup>91</sup> *Id.*

<sup>92</sup> Maiti, *supra* note 84.

<sup>93</sup> *Id.*

<sup>94</sup> Rukhaya et al., *supra* note 88, at 519.

<sup>95</sup> *Id.*

<sup>96</sup> Rukhaya et al., *supra* note 85, at 519.

<sup>97</sup> *Id.*

<sup>98</sup> *Id.*

many dyes used to color clothes do not “stick” to the fabric, so the dye is washed off immediately and creates another source of water pollution.<sup>99</sup> The uncontrolled use of synthetic fibers can also runoff into water, contaminating the water and creating dead zones in river mouths.<sup>100</sup> Furthermore, because the synthetic fibers used to make fast fashion clothing take hundreds of years to biodegrade they leave microfibers around the planet.<sup>101</sup> Microfibers around the planet can cause respiratory issues for humans through direct exposure, especially those who work in clothing production factories.<sup>102</sup> Harm to bodies of water does not end with the production of clothes, though.<sup>103</sup> Since the fast fashion industry uses such a wide range of chemicals throughout each stage of production, the chemicals continue to be released into water systems when consumers wash their products.<sup>104</sup> It is estimated that approximately 7 million individual microfibers are shed during each wash and are subsequently released into the oceans.<sup>105</sup> One study found that just one individual could release 300 million microfibers per year to the environment by washing their clothes and over 900 million microfibers into the air by wearing their clothes.<sup>106</sup> The microfibers then make their way into the oceans where aquatic organisms ingest them, thus introducing plastic into the food chain.<sup>107</sup>

*c. Landfills and Soil Degradation*

---

<sup>99</sup> *Id.*

<sup>100</sup> Wilkinson, *supra* note 60, at 190.

<sup>101</sup> Maiti, *supra* note 88.

<sup>102</sup> Jianli Liu et al., *Microfiber Pollution in the Earth System*, 260 REVIEWS ENV. CONTAMINATION AND TOXICOLOGY 12-13 (2022).

<sup>103</sup> Rukhaya et al., *supra* note 90, at 519.

<sup>104</sup> *Id.*

<sup>105</sup> *Id.*

<sup>106</sup> *Id.*

<sup>107</sup> *Id.*

Yet another major negative environmental effect of the fast fashion industry is the impact on soil and landfills.<sup>108</sup> Most of the clothing products end up in landfills as a result of the rise in fast fashion production which shortens the lifecycle of each garment.<sup>109</sup> In 2018 alone, “more than 11 million tons of textile waste ended up in landfills.”<sup>110</sup> Prior to the popularity of the fast fashion model, several countries exported old garments to developing countries as a solution to textile waste.<sup>111</sup> However, as waste began to exponentially increase at a rapid rate, countries have since stopped this practice and many have even banned the import of textile waste.<sup>112</sup> Developing countries could not sustain the high volumes of waste, so banning imports of textile waste protected their domestic textile production and resulted in less second-hand clothing replacing local production.<sup>113</sup> As a result, textile waste is building up in landfills across the world and the recycling rates remain low.<sup>114</sup>

The discarding of textiles to landfills leads to soil and groundwater degradation from chemical pollution.<sup>115</sup> It can also result in pollution from the overuse of herbicides, insecticides, and fertilizers in cultivating fibers for clothing production.<sup>116</sup> The herbicides, insecticides, and fertilizers that are used during cultivation follow the clothing products to landfills and degrade soil health.<sup>117</sup> These textiles are generally

---

<sup>108</sup> *Id.* at 518.

<sup>109</sup> *Id.*

<sup>110</sup> Fleshman, *supra* note 64.

<sup>111</sup> Rukhaya et al., *supra* note 97, at 519.

<sup>112</sup> *Id.*

<sup>113</sup> *Id.*

<sup>114</sup> *Id.*

<sup>115</sup> *Id.* at 518.

<sup>116</sup> *Id.*

<sup>117</sup> *Id.*

larger in size and take up more space than normal household waste.<sup>118</sup> This also leads to the release of even more greenhouse gases from the sheer number of textiles that end up in landfills because the portions of them that are biodegradable emit gases into the air.<sup>119</sup> Another important part of the production process involves packaging the garments for shipment and visual appeal.<sup>120</sup> Packaging materials are generally opened immediately once the consumer has possession but are then quickly discarded to end up in a landfill.<sup>121</sup> Because visual appeal is one goal of fast fashion companies, they often use extra packaging materials to make the products look good, which uses more unnecessary resources.<sup>122</sup> This aspect of fast fashion is incredibly harmful to the environment, as healthy soil is fundamental to the ecosystem but is shrinking due to human pollution.<sup>123</sup>

*d. Laws Regulating the Industry's Environmental Impacts*

Although the fashion industry is one of the largest in the world, there are few laws that regulate its negative environmental impact.<sup>124</sup> The industry is responsible for about 92 million tons of landfill waste, which pollutes air, water, and soil.<sup>125</sup> Despite the environmental impact, the fashion industry largely makes its own decisions regarding sustainability and transparency.<sup>126</sup> The industry's need to keep up with trends and consumer demand makes for a competitive, yet largely

---

<sup>118</sup> *Id.*

<sup>119</sup> *Id.*

<sup>120</sup> *Id.* at 519.

<sup>121</sup> *Id.*

<sup>122</sup> *Id.*

<sup>123</sup> *Id.* at 518.

<sup>124</sup> Johnston, *supra* note 34.

<sup>125</sup> *Id.*

<sup>126</sup> *Id.*

unregulated, market.<sup>127</sup> Thus, without government intervention companies will likely continue on this path of industry expansion with no regard of the environmental impact.<sup>128</sup>

There are currently no federal United States laws that directly regulate the environmental impact of the fast fashion industry.<sup>129</sup> Existing laws are broadly defined and are not adequate to mitigate the various issues involved throughout the entire fast fashion business model.<sup>130</sup> The existing laws also only apply to manufacturers that operated within the United States.<sup>131</sup> They do not address the environmental problems because most fast fashion companies outsource production to other countries.<sup>132</sup> As a result, federal laws geared toward regulating environmental concerns, such as the Resource Conservation and Recovery Act (RCRA), the Clean Air Act (CAA), and the Clean Water Act (CWA), have no effect on how fast fashion companies use and dispose of their products.<sup>133</sup> While these laws do regulate producers in the United States, they only address what companies should do with materials after production.<sup>134</sup> The current laws and regulations do not address reducing the use of toxic materials during the production process.<sup>135</sup>

For example, the goal of the CAA is to reduce the emissions of harmful pollutants from factories and businesses in the United States, and the CWA prohibits

---

<sup>127</sup> Li, *supra* note 79.

<sup>128</sup> Johnston, *supra* note 123.

<sup>129</sup> Wilkinson, *supra* note 95, at 203.

<sup>130</sup> *Id.*

<sup>131</sup> *Id.*

<sup>132</sup> *Id.*

<sup>133</sup> *Id.*

<sup>134</sup> *Id.* at 203-4.

<sup>135</sup> *Id.* at 204.

companies from discharging pollutants into United States waters.<sup>136</sup> Additionally, the RCRA “seeks to control the disposal of hazardous wastes from facilities that produce, transport, or treat or store such hazardous wastes.”<sup>137</sup> The result of the RCRA only affects waste once it is already produced but does not address the volume of waste that is produced during the production phase of the textile industry.<sup>138</sup> While these laws and the Environmental Protection Agency (EPA) heavily regulate textile and clothing production, they only have force of law within the United States.<sup>139</sup> Since about 97% of clothing that is sold in the United States is produced in other countries, only a mere three percent of clothing sold is subject to these federal regulations.<sup>140</sup> Thus, the existing laws have little to no effect in regulating environmental issues caused by the fast fashion industry.<sup>141</sup>

Some state legislatures are slowly beginning to address the environmental impacts of fast fashion by promulgating new laws that could have a more substantial impact on environmental issues related to the fashion industry.<sup>142</sup> For example, California passed the Responsible Textile Recovery Act of 2024 (“Act”) which aims to hold the fashion industry responsible for the entire lifecycle of clothes in order to reduce hazardous waste, decrease greenhouse gas emissions, and emphasize environmental and public health impacts.<sup>143</sup> The Act stems from the California

---

<sup>136</sup> *Id.*

<sup>137</sup> *Id.*

<sup>138</sup> *Id.*

<sup>139</sup> *Id.*

<sup>140</sup> *Id.*

<sup>141</sup> *Id.*

<sup>142</sup> Johnston, *supra* note 114.

<sup>143</sup> Cal. Pub. Res. Code § 42984.7 (2024).

Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery and regulates the disposal, management, and recycling of waste.<sup>144</sup> The California Integrated Waste Management Act of 1989 also creates stewardship programs for various products, which is how the Responsible Textile Recovery Act of 2024 was established.<sup>145</sup>

Specifically, the Act requires fashion companies to directly address what will happen to clothing and textiles discarded by a consumer.<sup>146</sup> Instead of being dumped in landfills, discarded clothes and textiles are to be “reused, repaired, and recycled into secondary products or otherwise managed in a manner that is consistent with the state’s hierarchy for waste management practices.”<sup>147</sup> The Act further requires producers of clothing to form and join a producer responsibility organization (“PRO”) that will create a plan for the collection, sorting, repair, reuse, recycling, and management of clothing.<sup>148</sup> If producers are not in compliance with the Act by July 1 of each year, they will be given opportunities to comply.<sup>149</sup> If, after the opportunity to comply, a producer is still not in compliance with the Act, administrative civil penalties may be imposed.<sup>150</sup> Producers in violation of the Act will pay \$10,000 per day. If the violation is intentional or knowing, the penalty increases to \$50,000 per day.<sup>151</sup>

---

<sup>144</sup> S.B. 707, 2023–2024 Leg., Reg. Sess. (Cal. 2024).

<sup>145</sup> *Id.*

<sup>146</sup> *Id.*

<sup>147</sup> *Id.*

<sup>148</sup> *Id.*

<sup>149</sup> *Id.*

<sup>150</sup> *Id.*

<sup>151</sup> *Id.*

New York seems to be following in the footsteps of California with the proposal of the Fashion Environmental Accountability Act, also known as the New York Fashion Act.<sup>152</sup> If passed, this act will require fashion companies to map their supply chains and use due diligence to identify, prevent, mitigate, account for, and take remedial action to address adverse environmental and human rights impacts in their operations and supply chain.<sup>153</sup> The New York Fashion Act will apply to companies who operate and sell apparel, footwear, and bags in New York, provided that the companies exceed one hundred million dollars in annual gross sales.<sup>154</sup> It requires these companies to uphold environmental standards by implementing greenhouse gas reduction targets, enforcing the use of data to measure their emission and reduction targets, and publicly displaying annual due diligence reports.<sup>155</sup> If companies fail to comply with the New York Fashion Act, they will be publicly listed as “non-compliant” and could face civil fines.<sup>156</sup> As of now, the proposed bill is in the Consumer Protection Committee of the New York Senate.<sup>157</sup>

### III. ANALYSIS

There are several ways in which the negative environmental effects of the fast fashion industry could be addressed, but not all of them are feasible or likely to produce significant change. There is no doubt that consumer preferences largely contribute to the environmental issues stemming from fast fashion companies.<sup>158</sup>

---

<sup>152</sup> S. 4558A, 2025-2026 Leg., Reg. Sess. (N.Y. 2025).

<sup>153</sup> *Id.*

<sup>154</sup> *Id.*

<sup>155</sup> *Id.*

<sup>156</sup> *Id.*

<sup>157</sup> *Id.*

<sup>158</sup> Wilkinson, *supra* note 128, at 203.

Overconsumption patterns have paralleled the rise of the fast fashion industry.<sup>159</sup> Moreover, the companies distributing fast fashion clothing products often market and advertise the products as “sustainable” or “eco-friendly” without giving consumers the proper information to ensure correctness that those label reflect reality.<sup>160</sup> Consumers should absolutely look into the clothing products they buy, and it would help to purchase clothes from brands that are transparent and truly sustainable. However, consumer choice is not enough to curb the environmental issues because there is not a direct connection between the choice of buying clothes and the consequence of environmental damage. Therefore, individual consumers are not likely to feel the effects of their choices, and collective action is difficult. There must be another way to combat the environmental effects of the fast fashion industry that does not solely rely on consumer regulation. Government regulation is likely the best way to do this.

*a. California and New York Laws*

As previously mentioned, there are no federal laws directly governing the environmental concerns of the fast fashion industry.<sup>161</sup> California and New York are currently the only two states that have created acts to target fast fashion environmental concerns, but New York has not yet passed its act. The question then becomes whether other states should implement similar laws to the California and

---

<sup>159</sup> *Id.*

<sup>160</sup> *Id.*

<sup>161</sup> *Id.*

New York acts, or if states should choose a different route to regulate negative impacts of fast fashion on the environment.

Since the California Act was only recently passed and the New York Act has not yet been passed, it is difficult to know if they will reduce negative environmental effects. However, just by reading both Acts it is evident that the California Act is stricter in its regulation and really focuses on holding fast fashion companies accountable. California specifically requires fashion companies to join a PRO and set out a detailed plan regarding each separate step of the clothing cycle.<sup>162</sup> New York's Act seems to have a more general goal, evidenced by its requirement of "due diligence" and "taking remedial action."<sup>163</sup> Furthermore, there are general targets that each New York fashion company must meet to comply with the Act, but no requirement to specifically account for each step of the clothing cycle.<sup>164</sup> Because it lacks specific targets and does not have accountability for every step in the clothing cycle, the California Act is a better model for other states to follow.

Both Acts do hold fashion companies publicly accountable by posting non-compliance lists and imposing civil fines.<sup>165</sup> This is an incredibly vital aspect of each Act because every fast fashion company is concerned with public image and maintaining profits. Recent social media trends have created a "cancel culture" that is quick to boycott individuals, organizations, and companies for engaging in socially

---

<sup>162</sup> S.B. 707, 2023–2024 Leg., Reg. Sess. (Cal. 2024).

<sup>163</sup> S. 4558A, 2025-2026 Leg., Reg. Sess. (N.Y. 2025).

<sup>164</sup> *Id.*

<sup>165</sup> CALRECYCLE, *supra* note 160. *See also*, S. 4558A, *supra* note 161.

unacceptable beliefs or practices.<sup>166</sup> Thus, the threat of being perceived as environmentally unfriendly can be a great motivation for fashion companies to use more sustainable methods.

The possibility of paying fines is another motivating factor that both Acts have included. All businesses, including ones in the fashion industry, aim to maximize profits while keeping costs as low as possible. That is how the fast fashion industry became so successful in the first place. The creators of the California and New York Acts have clearly understood this, as fines for noncompliance can reach high amounts. Fashion companies are more likely to comply with the Acts and in turn consider environmental impacts of their products to avoid paying fines.

*b. Additional Mitigating Methods*

While it is helpful that states are beginning to implement laws and regulations that directly address negative environmental impacts of the fast fashion industry, those new laws can only do so much. State and federal laws only apply to fast fashion clothing distributors but cannot apply to producers in other countries.<sup>167</sup> The Acts that are in place now can help mitigate environmental concerns regarding what occurs after the clothing products have been sold, such as soil, air, and water quality from textiles being placed in landfills. However, so many of the harmful effects to the environment occur during the production stage.<sup>168</sup> The United States does not have the ability to create laws for other countries where fast fashion clothing products are

---

<sup>166</sup> Bethan Gwynne, *The Short Memory of Fashion: Why Cancel Culture Fades and Real Change Struggles to Stick*, VOGUE COLLEGE (Nov. 19, 2024), <https://www.voguecollege.com/articles/london/the-short-memory-of-fashion-why-cancel-culture-fades-and-real-change-struggles-to-stick/>.

<sup>167</sup> Wilkinson, *supra* note 156, at 203.

<sup>168</sup> Li, *supra* note 66.

being produced, but it could implement tariffs and subsidies that could incentivize domestic consumers to purchase more environmentally friendly clothing products.<sup>169</sup>

Tariffs and subsidies are “considered protectionist economic policies” that seek to encourage consumers to purchase domestic products by making imported goods more expensive than domestic goods.<sup>170</sup> They essentially do the opposite of each other.<sup>171</sup> Tariffs would place taxes on imported fast fashion clothing products to make them more expensive for United States consumers and possibly discourage overconsumption.<sup>172</sup> Subsidies, on the other hand, can lower the price of domestic clothing products to encourage consumers to buy those instead of imported fast fashion clothing products.<sup>173</sup> This usually occurs in either of two forms: direct subsidies or indirect subsidies.<sup>174</sup> Direct subsidies are typically cash grants that are given to consumers or industries to promote that industry, while indirect subsidies are typically “tax deductions, rebates, and low interest loans.”<sup>175</sup> Whichever form the subsidies take will have the goal of promoting United States clothing companies, which could in turn reduce some of the negative environmental effects that occur during the production stage of fast fashion clothing.<sup>176</sup>

---

<sup>169</sup> Wilkinson, *supra* note 163, at 204.

<sup>170</sup> *Id.*

<sup>171</sup> *Id.* at 205.

<sup>172</sup> *Id.*

<sup>173</sup> *Id.*

<sup>174</sup> *Id.*

<sup>175</sup> *Id.*

<sup>176</sup> *Id.* at 207.

Introducing tariffs and subsidies into the fashion industry has the potential to reduce some of the environmental effects of fast fashion production, but it is also important to consider other effects of these methods because both have other potential consequences.<sup>177</sup> Tariffs can help to correct the price of imported goods that are much lower than domestic goods, but this in turn can create a burden on the market and slow economies.<sup>178</sup> Tariffs also increase prices for domestic consumers, which is good in the sense that it will discourage them from buying environmentally unfriendly imported products.<sup>179</sup> However, if tariffs were to be placed on fast fashion products, it could result in negative consequences for domestic consumers who end up paying up to one billion additional dollars per year due to tariffs on imported clothing products.<sup>180</sup> Implementing tariffs alone could make clothing inaccessible to lower income consumers.<sup>181</sup>

Subsidies can also have negative consequences on the government and environment if left in place for too long.<sup>182</sup> These are known as “perverse subsidies,” which can be expensive for governments and actually encourage increased consumption in the subsidized industry.<sup>183</sup> Perverse subsidies can foster overuse of resources and create unintended consequences in the areas that were not targeted.<sup>184</sup> For example, subsidies intended to target fossil fuels can result in aggravated

---

<sup>177</sup> *Id.* at 205.

<sup>178</sup> *Id.*

<sup>179</sup> *Id.*

<sup>180</sup> *Id.*

<sup>181</sup> *Id.*

<sup>182</sup> *Id.*

<sup>183</sup> *Id.*

<sup>184</sup> Norman Myers, *Consumption and Sustainable Development: The Role of Perverse Subsidies*, HDR 1, 3 (1998).

pollution effects.<sup>185</sup> Implementing subsidies also allows companies to continue using cheaper existing methods that harm the environment rather than adopting new methods that require new technology, and thus require the company to spend more.<sup>186</sup> However, this threat can be overcome by implementing a subsidy for long enough to serve its purpose and then removing it before overconsumption occurs.<sup>187</sup> Using subsidies instead of tariffs seems to be a better option to reduce the negative environmental effects of fast fashion clothing production and ensure that the American economy is stable.<sup>188</sup> Rewarding domestic fashion companies for environmentally safe production would allow these companies to reduce their prices, making them more affordable to domestic consumers.<sup>189</sup> This could have a great impact on the environment because it would allow domestic consumers to purchase clothing brands that were previously not in their price range, while also ensuring that consumers are buying sustainably made goods.<sup>190</sup> Further, the rise of social media users holding companies accountable has led to more Americans wanting to purchase from brands that use sustainable methods.<sup>191</sup> Implementing subsidies would allow American consumers to promote that cause further by purchasing from responsible companies.

---

<sup>185</sup> *Id.*

<sup>186</sup> *Id.* at 4.

<sup>187</sup> *Id.* at 206.

<sup>188</sup> *Id.*

<sup>189</sup> *Id.*

<sup>190</sup> *Id.* at 207.

<sup>191</sup> Gwynne, *supra* note 165.

*c. Levels of Government Regulation to Consider*

Another perspective on how to best mitigate the negative environmental impact of the fast fashion industry is to consider the government level on which issues would be most effectively handled. Regardless of what laws may be implemented, the government must consider whether to implement those laws at the local, state, or federal level. On one hand, federal laws can provide nationwide consistency and set a minimum standard for certain issues.<sup>192</sup> On the other hand, state laws offer flexibility in addressing specific local needs in areas that often differ between states.<sup>193</sup>

Having uniform federal laws can be a great way to create consistent legal framework across the country, which is crucial for issues that affect the nation as a whole.<sup>194</sup> In the fast fashion context, federal laws can aid in regulating unfair practices and monopolistic behavior so that businesses in the industry can compete on a level playing field.<sup>195</sup> However, implementing federal laws can also create disadvantages for some areas that may be better addressed at a state or local level.<sup>196</sup> For example, requiring everyone to abide by federal laws can create additional pressures for business because those laws often involve strict regulations.<sup>197</sup> Federal compliance can be especially tough on small businesses that do not have as many

---

<sup>192</sup> OpenStax, *Advantages and Disadvantages of Federalism*, AMERICAN GOVERNMENT, <https://courses.lumenlearning.com/atd-monroec-american-government/chapter/advantages-and-disadvantages-of-federalism/> (last visited Nov. 7 2025).

<sup>193</sup> *Id.*

<sup>194</sup> *Id.*

<sup>195</sup> COMPASS ADVOCACY, <https://www.compassadvocacy.com/government-relations/the-benefits-and-downsides-of-government-regulations-for-businesses/> (last visited Nov. 7, 2025).

<sup>196</sup> OpenStax, *supra* note 184.

<sup>197</sup> COMPASS ADVOCACY, *supra* note 187.

resources as large companies, such as the fast fashion clothing companies that are currently running the industry.<sup>198</sup>

Laws that are implemented on a state or local level have the ability to tailor regulations to the unique characteristics of each state.<sup>199</sup> State laws can better reflect the specific needs, values, and political, social, and economic cultures of their residents.<sup>200</sup> This can strengthen citizen participation by creating a closer relationship between state governments and its citizens.<sup>201</sup> When citizens are given the opportunity to actively participate in local decision-making processes, the decision-makers are then able to formulate policies to reflect citizens' needs.<sup>202</sup> State laws can also encourage policy innovation by giving local authorities more freedom to design socio-economic plans that will make a positive impact within the state.<sup>203</sup>

With that being said, implementing laws on a state or local level can have even more drawbacks than laws implemented on a federal level.<sup>204</sup> The main issue surrounding state laws is the economic disparities across states.<sup>205</sup> Differences in state laws can have a profound effect on the well-being of citizens, as incomes and funding can vary significantly.<sup>206</sup> Additionally, financial disparities between states can result in some states being unable to properly implement laws due to a lack of

---

<sup>198</sup> *Id.*

<sup>199</sup> OpenStax, *supra* note 188.

<sup>200</sup> Ion Ilasco, *Pros and Cons of Public Decentralization*, DEVELOPMENT AID (Jun. 24, 2021), <https://www.developmentaid.org/news-stream/post/95146/pros-and-cons-of-public-decentralization>.

<sup>201</sup> *Id.*

<sup>202</sup> *Id.*

<sup>203</sup> *Id.*

<sup>204</sup> OpenStax, *supra* note 191.

<sup>205</sup> *Id.*

<sup>206</sup> *Id.*

resources and funding.<sup>207</sup> Along with state economic disparities, implementing laws at a state or local level can make it difficult to enforce action on issues of national importance.<sup>208</sup> Another disadvantage of state-level laws is commonly referred to as “race-to-the-bottom” dynamics.<sup>209</sup> This stems from the idea that states may compete to attract businesses by lowering taxes and regulations, which can result in reduced protection for state citizens.<sup>210</sup> If the fast fashion industry were to be regulated at a state level, there is a high possibility of race-to-the-bottom tactics becoming prevalent, which would contradict the entire purpose of fashion laws. Instead of implementing stricter regulations about environmental safety in the fast fashion industry, states may be inclined to actually lower regulations to attract fashion companies. This could provide those fast fashion companies that use environmentally harmful practices with a way to bypass expensive and time-consuming regulations.

Regulations on the environmental effects of the fast fashion industry would likely be better enforced at the federal level. Federal laws would provide more uniformity and consistency between states to ensure that all fashion companies domiciled in the United States abide by the economic regulations. Federal regulation would also prevent fashion companies from finding new ways to continue using environmentally harmful practices by simply moving the business to a different state that may have less strict regulations. The primary disadvantage of federal regulation is the potential burden on small businesses. However, if the larger fashion business

---

<sup>207</sup> Ilasco, *supra* note 192.

<sup>208</sup> OpenStax, *supra* note 196.

<sup>209</sup> *Id.*

<sup>210</sup> *Id.*

were to be regulated on a federal level, the smaller businesses would be on more of an equal playing field because all companies would be required to introduce environmentally cautious practices.

If the environmental effects of fast fashion companies are to be regulated at a federal level, yet another question remains: should the federal government create completely new laws to directly address this issue, or should federal agencies add additional provisions to acts that are already in place? New federal laws begin as bills, but the process for a bill to become a law can be extremely time intensive.<sup>211</sup> When a bill is introduced, it is assigned to a committee.<sup>212</sup> The members of that committee will then research, discuss, and make changes to the bill if needed.<sup>213</sup> Next, the bill is put before the chamber to be voted on and, if the bill passes one body of Congress, it goes to the other body.<sup>214</sup> The other body of Congress will partake in a similar process of research, discussion, changes, and voting on the bill.<sup>215</sup> Finally, the president will consider the bill and either approve or veto it.<sup>216</sup> If the president chooses to approve the bill, it is then signed into law.<sup>217</sup> If the president chooses to veto the bill, Congress can vote to override that veto, resulting in the bill becoming a law.<sup>218</sup> However, if Congress chooses not to override the president's veto, the bill

---

<sup>211</sup> USA Gov, <https://www.usa.gov/how-laws-are-made> (Nov. 17, 2025).

<sup>212</sup> *Id.*

<sup>213</sup> *Id.*

<sup>214</sup> *Id.*

<sup>215</sup> *Id.*

<sup>216</sup> *Id.*

<sup>217</sup> *Id.*

<sup>218</sup> *Id.*

remains unsigned.<sup>219</sup> This process can take years, even without additional amendments made to the bill.<sup>220</sup>

Executive and independent agencies can also engage in a rulemaking process, provided that the process is conducted in accordance with the Administrative Procedure Act (APA).<sup>221</sup> An agency engaging in the rulemaking process must go through several steps before a rule can be enforced.<sup>222</sup> First, the agency must issue a Notice of Proposed Rulemaking that states its intention, purpose of the rule, and provides a summary of the agency action.<sup>223</sup> For “significant” rules that “are likely to have an effect on the economy of at least \$100 million, create inconsistency or interfere with another agency’s actions...or raise ‘novel legal or policy issues’” the Office of Information and Regulatory Affairs (OIRA) must review it pursuant to Executive Order 12866.<sup>224</sup>

Next, the agency must publish the Notice of Proposed Rulemaking in the Federal Register to provide the public an opportunity to comment.<sup>225</sup> This publication begins the rule’s public comment period, usually lasting from 30 to 90 days.<sup>226</sup> Once the notice and comment period has ended, the agency must then review all comments and consider public feedback.<sup>227</sup> Not all comments will be implemented into the final

---

<sup>219</sup> *Id.*

<sup>220</sup> *Id.*

<sup>221</sup> Harv. L. Sch., *A Step-by-Step Guide to Agency Rulemaking and Rule Rollbacks*, ENVIRONMENTAL & ENERGY LAW PROGRAM 1 (Jan. 2025), <https://eelp.law.harvard.edu/wp-content/uploads/2025/01/EELP-Regulatory-Process-Summary.pdf>.

<sup>222</sup> *Id.*

<sup>223</sup> *Id.* at 2.

<sup>224</sup> *Id.*

<sup>225</sup> *Id.*

<sup>226</sup> *Id.*

<sup>227</sup> *Id.* at 3.

rule, but agencies will consider including comments they deem to be significant.<sup>228</sup> An agency will then prepare the final rule following APA and court procedures.<sup>229</sup> The language of the final rule must be a “logical outgrowth” of the Notice of Proposed Rulemaking that was submitted for public notice and comment.<sup>230</sup> So long as the interested parties should have anticipated the final rule in light of the notice, the agency meets the notice and comment requirement.<sup>231</sup> Again, the OIRA will review “significant” rules a second time and circulate them to other agencies for review.<sup>232</sup>

After all changes have been made and reviewed, the final rule can be published in the Federal Register after a 30-day notice period.<sup>233</sup> The timing of each stage is subject to change based on what type of rule is being proposed.<sup>234</sup> Regardless of the time period, once the final rule is published in the Federal Register, Congress may review it within 60 days.<sup>235</sup> It should be noted that there are several exemptions to these rules depending on statutory regulations among other factors.<sup>236</sup> However, the above steps are generally how an agency creates a new rule.<sup>237</sup>

*d. Proposal to Implement New Laws Through the EPA*

When comparing the two rulemaking options, agency rulemaking stands out as the most effective choice for encouraging more environmentally friendly practices in the fashion industry. Regardless of whether the federal government creates a new

---

<sup>228</sup> *Id.*

<sup>229</sup> *Id.*

<sup>230</sup> *Id.*

<sup>231</sup> *Id.*

<sup>232</sup> *Id.*

<sup>233</sup> *Id.*

<sup>234</sup> *Id.*

<sup>235</sup> *Id.* at 4.

<sup>236</sup> *Id.*

<sup>237</sup> *Id.* at 1.

law from a bill or whether an agency engages in the rulemaking process, creating a new law will take a significant amount of time. However, the agency rulemaking process has an advantage over Congress's process: public notice and comment.

When agencies give the public the opportunity to view a rule and comment concerns before it is finalized, the rule will be much better suited to the public's needs, whether they be social, political, or economic. In a sense, the notice and comment requirement has a similar impact as state laws in that the agency can take feedback from individuals who will be directly affected by the rule. The notice and comment aspect of agency rulemaking would provide an opportunity for United States companies in the fashion industry to express their concerns with and potential struggles they might encounter if a new rule is proposed that would enforce environmentally safe procedures in the fashion industry. From there, an agency could take those concerns into consideration to promulgate a rule that would help to mitigate negative environmental impacts of domestic fast fashion companies, while also ensuring that the rule does not harm those domestic companies to the point where they can no longer operate. Thus, United States environmental regulation of the fast fashion industry should be directly addressed through agencies.

Out of the United States agencies already in place, the Environmental Protection Agency (EPA) would most likely create a rule to specifically address fast fashion environmental impacts. The EPA is the most obvious agency for this particular task because its general mission is to "protect human health and the

environment.”<sup>238</sup> This general mission encompasses practically all areas of environmental concern, including air, land, and water.<sup>239</sup> Therefore, the EPA could directly address each negative environmental impact that comes from domestic companies in the fast fashion industry.

#### IV. CONCLUSION

Ultimately, there is not one correct way to mitigate the negative environmental effects of the fast fashion industry. Complete consumer awareness would be difficult to achieve and would not make a significant impact because most environmental harm in the fashion industry stems from the producing countries. Despite this challenge, government regulation is more likely to reduce environmental harm through various ways. Tariffs and subsidies could provide short-term relief, but have additional consequences. State and local regulation offers flexibility, but this route does not account for economic disparities between states. Moreover, implementing fast fashion regulations on state and local levels could increase the use of harmful environmental practices due to race-to-the-bottom tactics.

Environmental effects of fast fashion should be regulated at the federal level. Congress could create laws to regulate this specific issue, but the process is lengthy and does not have the benefit of notice and comment. Therefore, agency regulation will likely have the most significant impact on reducing environmental harms of fast fashion companies. The agency process is also time-consuming, but it allows for public

---

<sup>238</sup> U.S. ENV'T PROT. AGENCY, <https://www.epa.gov/aboutepa/our-mission-and-what-we-do> (last visited Nov. 7, 2025).

<sup>239</sup> *Id.*

notice and comment, which provides feedback from individuals directly affected by agency rules. Moving forward, the EPA would be best suited to create rules that directly address environmental concerns of the fast fashion industry.