

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 397

H.P. 263

House of Representatives, February 12, 2015

An Act Regarding the Packaging and Labeling of Disposable Cleaning and Personal Hygiene Products

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative COOPER of Yarmouth.
Cosponsored by Senator BREEN of Cumberland and
Representatives: CAMPBELL of Orrington, GRANT of Gardiner, SHAW of Standish,
WELSH of Rockport, Senator: GRATWICK of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §1611** is enacted to read:

3 **§1611. Disposable cleaning or personal hygiene products**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Disposable cleaning or personal hygiene product" means an item intended for
7 residential or commercial use as a disposable cleaning or disinfecting wipe, a baby
8 wipe or other disposable moist towelette or any other item designated by the
9 department by rule pursuant to subsection 4.

10 B. "Flushable" means, with regard to a product, that it is able to pass through toilets
11 and properly maintained drainable pipe systems under expected product usage
12 conditions; is compatible with wastewater conveyance, treatment, reuse and disposal
13 systems; and becomes unrecognizable in a wastewater conveyance, treatment, reuse
14 and disposal system in a reasonable period of time and is safe in the natural receiving
15 environment.

16 **2. Packaging and labeling.** A person may not package or label a disposable
17 cleaning or personal hygiene product for distribution or sale in the State in a package or
18 with a label that states the product is flushable and safe for sewer and septic systems
19 unless:

20 A. The package or label states in a highly visible manner that the product is flushable
21 and safe for sewer and septic systems;

22 B. The person makes available to the department and maintains written
23 documentation of testing substantiating that the product meets the acceptance criteria
24 for flushability as published in the Guidance Document for Assessing the Flushability
25 of Nonwoven Consumer Products, published by the Association of the Nonwoven
26 Fabrics Industry on June 1, 2013; and

27 C. The testing under paragraph B has been performed by a laboratory that is capable
28 of performing and qualified to perform the testing as determined by rule adopted by
29 the department pursuant to subsection 4.

30 A person may not package or label a disposable cleaning or personal hygiene product for
31 distribution or sale in the State that is not flushable or safe for sewer and septic systems
32 unless the package or label on the product states in a highly visible manner that the
33 product is not flushable or safe for sewer or septic systems.

34 **3. Exemptions.** This section does not apply to:

35 A. A wholesaler or retailer that distributes or sells but does not package or label
36 disposable cleaning or personal hygiene products; or

37 B. Liquid, gel or powder cleaning products or septic treatment products.

