



## LEGISLATIVE PRIMER: “DO-NOT-FLUSH” LABELING FOR DISPOSABLE WIPE PACKAGING

### THE ISSUE

Over the past several years, consumer demand has significantly increased for disposable wipe products, including baby wipes, surface cleaning wipes, and personal hygiene wipes. Studies show that the use of wipes has increased by 138% since the start of the COVID-19 pandemic, which has contributed to a 50% increase in sewer backups because most wipes do not break down in a wastewater system. Millions of wipes that were never designed to be flushed down a toilet end up clogging pipes and mechanical equipment, creating a host of public health issues, putting workers at risk, and causing costly problems for public utilities, individual homeowners, and businesses including:



- **Clogging of private drain lines and flooding of homes and businesses.**
- **Sewer blockage and overflow, with potential release to waterways.**
- **Clogging, damage, and breakdown of public wastewater infrastructure.**
- **Release of plastic materials into waterways.**

Although everyone agrees that certain wipes are not designed to be flushed, there is often no label to inform consumers or guide their behavior. People simply do not know whether a wipe should be flushed or not. Clear labeling is a critical step in helping consumers practice responsible flushing habits, which in turn leads to healthier homes and communities for all of us. Many Colorado organizations have launched educational campaigns to raise awareness of non-flushable wipes, but legislative action is needed to create a clear standard.

**We are gathering support for legislation requiring clear “Do Not Flush” labels on wipes that should not be flushed down the toilet.**



### A SOLUTION

This legislation would require that “covered products” for sale in the state of Colorado be clearly and conspicuously labeled with the phrase “Do Not Flush” and a related symbol (see example above) by a product’s manufacturer or a wholesaler, supplier, or retailer that is responsible for its labeling or packaging. “Covered products” are wipes that are not designed to be flushed and would include:

*“Baby wipes, diapering wipes, and any premoistened nonwoven disposable wipe that is composed partly or entirely of petrochemical-derived fibers and likely to be used near a bathroom with a significant potential to be flushed, including baby wipes, bathroom cleaning wipes, toilet cleaning wipes, hard surface cleaning wipes, disinfecting wipes, hand sanitizing and other sanitizing wipes, antibacterial wipes, facial and makeup removal wipes, general purpose cleaning wipes, personal care wipes for use on the body, feminine hygiene wipes, adult incontinence wipes, adult hygiene wipes and body cleansing wipes.”*

This bill would avoid the contentious issue of setting flushability standards and focus solely on the vital “Do Not Flush” labeling that provides consumers with a clear message that these types of wipes should not be flushed. The bill would also not create restrictions or burdens on retail businesses; rather, it reinforces health and safety standards on manufactured products sold in Colorado.

Similar laws have been enacted in [California](#), [Oregon](#), [Illinois](#) and [Washington](#) and are currently proposed in seven other states. These laws have received bipartisan support from lawmakers, wastewater utilities, and the wipes industry. Federally, the [Wastewater Infrastructure Pollution Prevention and Environmental Safety Act \(WIPPES Act\)](#) has been introduced in the U.S. House and Senate. Unfortunately, these bills have stalled in their respective committees. By enacting state legislation, Colorado will take steps to protect its wastewater infrastructure, reduce financial risk related to damage of public and private property, and benefit the health and safety of consumers and wastewater operators, while helping move towards a national standard and nationwide solution.

## **ACTION**

**Show your support for “Do-Not-Flush” labeling legislation in Colorado!** We are gathering support for similar labeling legislation to be passed in Colorado to protect homeowners, businesses, wastewater infrastructure, and Colorado’s waterways. Given the ground already broken in other states, including [industry support](#) for the California legislation, the Colorado General Assembly could expect passage of such a measure to be relatively straightforward and could largely rely on those prior bills as a template. Senator-elect Dylan Roberts (D-Senate District 8) has agreed to be the lead sponsor of the legislation and a preliminary bill is in the process of being drafted by the Office of Legislative Legal Services.

**Show your support for “Do-Not-Flush” labeling legislation in Colorado by sending a statement or letter of support by Jan. 6. 2023.**

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*This document was created and distributed by The Eagle River Water & Sanitation District, a special district responsible for the regional public water and wastewater treatment systems that serve the towns of Vail and Avon, plus other communities in eastern Eagle County, Colorado. Our mission is to provide efficient, effective, and reliable water and wastewater utility services in a manner that respects the natural environment.*