

SENATE BILL 280

M3

7lr1998
CF HB 1239

By: **Senators Guzzone and Middleton**

Introduced and read first time: January 20, 2017

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 8, 2017

CHAPTER _____

1 AN ACT concerning

2 **Environment – Nonwoven Disposable Products – Advertising and Labeling**

3 FOR the purpose of prohibiting the manufacturer of a nonwoven disposable product from,
4 beginning on a certain date, advertising or labeling the nonwoven disposable product
5 in a certain manner unless the nonwoven disposable product is flushable; requiring
6 the manufacturer of a nonwoven disposable product to label a nonwoven disposable
7 product in a certain manner beginning on a certain date; defining certain terms; and
8 generally relating to nonwoven disposable products.

9 BY adding to

10 Article – Environment

11 Section 9–258

12 Annotated Code of Maryland

13 (2014 Replacement Volume and 2016 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Environment**

17 **9–258.**

18 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
19 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(2) “ADVERTISE” MEANS TO MAKE A REPRESENTATION BY**
2 **STATEMENT, WORD, DESIGN, DEVICE, OR SOUND IN:**

3 **(I) PRINT;**

4 **(II) BROADCAST; OR**

5 **(III) ELECTRONIC MEDIA.**

6 **(3) “FLUSHABLE” MEANS:**

7 **(I) A NONWOVEN PRODUCT THAT:**

8 **1. DISPERSES IN THE LOW-FORCE CONDITIONS OF A**
9 **SEWERAGE SYSTEM A SHORT PERIOD OF TIME AFTER FLUSHING;**

10 **2. IS NOT BUOYANT; AND**

11 **3. DOES NOT CONTAIN PLASTIC OR ANY OTHER**
12 **MATERIAL THAT DOES NOT READILY DEGRADE IN A RANGE OF NATURAL**
13 **ENVIRONMENTS; OR**

14 **(II) IF AN INTERNATIONAL DEFINITION FOR “FLUSHABLE” IS**
15 **ADOPTED AND THE DEPARTMENT ADOPTS THE INTERNATIONAL DEFINITION BY**
16 **REGULATION, THE DEFINITION ADOPTED BY THE DEPARTMENT.**

17 **(4) “LABEL” MEANS TO MAKE A REPRESENTATION BY STATEMENT,**
18 **WORD, PICTURE, DESIGN, OR EMBLEM ON THE PACKAGING OF A NONWOVEN**
19 **DISPOSABLE PRODUCT.**

20 **(5) (I) “NONWOVEN DISPOSABLE PRODUCT” MEANS A PRODUCT**
21 **MADE FROM LONG FIBERS BONDED TOGETHER BY CHEMICAL, MECHANICAL, HEAT,**
22 **OR SOLVENT TREATMENT THAT IS DESIGNED, MARKETED, OR COMMONLY USED FOR**
23 **PERSONAL HYGIENE PURPOSES.**

24 **(II) “NONWOVEN DISPOSABLE PRODUCT” INCLUDES:**

25 **1. MOIST TOILET TISSUE; AND**

26 **2. MOIST TOILET CLOTH.**

27 **(B) (1) BEGINNING JANUARY 1, 2018, A MANUFACTURER OF A**
28 **NONWOVEN DISPOSABLE PRODUCT FOR SALE IN THE STATE MAY NOT ADVERTISE OR**

1 LABEL THE NONWOVEN DISPOSABLE PRODUCT AS SAFE TO FLUSH, SAFE FOR
2 DISPOSAL IN SEWERAGE SYSTEMS, OR SAFE FOR DISPOSAL IN ON-SITE SEWAGE
3 DISPOSAL SYSTEMS UNLESS THE NONWOVEN DISPOSABLE PRODUCT IS FLUSHABLE.

4 (2) BEGINNING JANUARY 1, 2018, A MANUFACTURER OF A
5 NONWOVEN DISPOSABLE PRODUCT FOR SALE IN THE STATE SHALL CLEARLY AND
6 CONSPICUOUSLY LABEL A NONWOVEN DISPOSABLE PRODUCT THAT IS NOT
7 FLUSHABLE IN A MANNER THAT ALERTS THE PURCHASER THAT THE NONWOVEN
8 DISPOSABLE PRODUCT SHOULD NOT BE FLUSHED.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.