

HOUSE BILL 1239

M3

7lr2682
CF SB 280

By: **Delegates Frush and Gutierrez**

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

A BILL ENTITLED

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.**

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

22 **(i) PRINT;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (II) BROADCAST; OR

2 (III) ELECTRONIC MEDIA.

3 (3) "FLUSHABLE" MEANS:

4 (I) A NONWOVEN PRODUCT THAT:

5 1. DISPERSES IN THE LOW-FORCE CONDITIONS OF A
6 SEWERAGE SYSTEM A SHORT PERIOD OF TIME AFTER FLUSHING;

7 2. IS NOT BUOYANT; AND

8 3. DOES NOT CONTAIN PLASTIC OR ANY OTHER
9 MATERIAL THAT DOES NOT READILY DEGRADE IN A RANGE OF NATURAL
10 ENVIRONMENTS; OR

11 (II) IF AN INTERNATIONAL DEFINITION FOR "FLUSHABLE" IS
12 ADOPTED AND THE DEPARTMENT ADOPTS THE INTERNATIONAL DEFINITION BY
13 REGULATION, THE DEFINITION ADOPTED BY THE DEPARTMENT.

14 (4) "LABEL" MEANS TO MAKE A REPRESENTATION BY STATEMENT,
15 WORD, PICTURE, DESIGN, OR EMBLEM ON THE PACKAGING OF A NONWOVEN
16 DISPOSABLE PRODUCT.

17 (5) (I) "NONWOVEN DISPOSABLE PRODUCT" MEANS A PRODUCT
18 MADE FROM LONG FIBERS BONDED TOGETHER BY CHEMICAL, MECHANICAL, HEAT,
19 OR SOLVENT TREATMENT THAT IS DESIGNED, MARKETED, OR COMMONLY USED FOR
20 PERSONAL HYGIENE PURPOSES.

21 (II) "NONWOVEN DISPOSABLE PRODUCT" INCLUDES:

22 1. MOIST TOILET TISSUE; AND

23 2. MOIST TOILET CLOTH.

24 (B) (1) BEGINNING JANUARY 1, 2018, A MANUFACTURER OF A
25 NONWOVEN DISPOSABLE PRODUCT FOR SALE IN THE STATE MAY NOT ADVERTISE OR
26 LABEL THE NONWOVEN DISPOSABLE PRODUCT AS SAFE TO FLUSH, SAFE FOR
27 DISPOSAL IN SEWERAGE SYSTEMS, OR SAFE FOR DISPOSAL IN ON-SITE SEWAGE
28 DISPOSAL SYSTEMS UNLESS THE NONWOVEN DISPOSABLE PRODUCT IS FLUSHABLE.

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

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