

AB 818 (Bloom)

Proper Labeling for Wet Wipes

Fact Sheet

PROBLEM

Single-use wet wipes have been gaining popularity over the last decade nationwide, and their impacts to wastewater infrastructure have been further amplified by the COVID-19 pandemic. Single-use wet wipes are used for a variety of daily purposes, and some are advertised as “flushable,” while others have no disposal information on the packaging at all.

Consumers frequently use the wastewater system as a means of disposal, flushing wet wipes like diaper wipes, cosmetic wipes, and surface cleaning and disinfectant wipes, even when they are not intended to be flushed. The sale of both flushable and non-flushable wipes and inconsistency in labeling leads to consumer confusion about proper disposal. While consumer behavior cannot be legislated, legislation can require clear labeling to improve consumer understanding of what is flushable and what is not.

Following Governor Newsom’s Stay-At-Home order, [Executive Order N-33-20](#), enacted on March 19, 2020, consumer panic buying and subsequent shortages of toilet paper resulted in the increased flushing of alternatives like baby wipes and other non-flushable debris. As a result, local officials reported a large spike in non-flushable debris in sewer systems last Spring, resulting in significant and costly operational impacts. Wastewater operators in Redding, San Clemente, Orange County, Lakeport, Victorville, Beale Air Force Base, Napa, Cupertino, Tiburon, Marin, and San Diego reported wipes clogging sewage systems. Clogs like these can also result in environmental damage when sewers overflow and because wipes shed plastic microfibers, distributing microplastic particles in wastewater influent.

For over a decade, wipes have been one of the leading causes of residential and public sewer systems backups and equipment problems, costing California wastewater operators at least \$50 million a year to manage.

SOLUTION

Wipes that are not intended by the manufacturer to be flushable, which are mostly made with plastic materials, should be clearly and conspicuously labeled as “DO NOT FLUSH.” AB 818 would define these non-flushable wipes as “covered products,” and require them to be clearly labeled with “DO NOT FLUSH” labeling and a universal moniker in accordance with widely accepted voluntary guidelines established by the Association of the Nonwoven Fabrics Industry’s code of practice. The bill would also require the manufacturers of “covered products” to conduct a comprehensive statewide consumer education and outreach campaign to inform the public about the meaning of the label requirements and to instruct consumers not to flush products covered by the label requirement

EXISTING LAW

There are currently no state or federal statutory requirements that govern how non-woven single-use wipes products are labeled or require information about intended disposal methods.

The State and Regional Water Resources Control Boards (Water Boards) authorize local public agencies to discharge wastewater in compliance with U.S. Clean Water Act and Porter-Cologne Water Quality Control Act. The State Water Board has a zero-tolerance policy for any unauthorized discharge of sewage for any reason, including accidental overflows. Violations of this policy can result in fines and penalties for the responsible agency. The Water Board also requires all sewer overflows to be reported to the

Board in a specified time period and requires the report to include information about the main cause of the overflow. Data about spills caused by wipes debris is maintained by the Water Board and can be accessed by the public.

BACKGROUND

On March 17, 2020, the California Water Boards sent out [a notice](#) advising Californians that wet wipes and paper towels can clog sewer systems and shouldn't be flushed. In the public notification, the Board mentions that wastewater treatment facilities around the state were reporting issues with their sewer management collection systems due to wipes being flushed. In order to prevent sewer spills they are urged Californians to not flush disinfectant wipes or paper towels down the toilet. U.S. EPA followed suit, issuing a similar public notification just weeks later.

SUPPORT

California Association of Sanitation Agencies
(Co-Sponsor)
National Stewardship Action Council (Co-Sponsor)
INDA – Association of the Nonwoven Fabric
Industry (Co-Sponsor)
Consumer Healthcare Products Association
East Bay Municipal Utilities District
Consumer Brands Association
Kimberly-Clark Corporation
Eastern Municipal Water District
City of West Hollywood
City of Thousand Oaks
Camarillo Sanitary District
Los Angeles County Sanitation Districts