

1 S.274

2 Introduced by Senator White

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; water pollution control; discharge;  
6 flushable wipes

7 Statement of purpose of bill as introduced: This bill proposes to prohibit the  
8 sale or distribution of flushable wipes in the State beginning on January 1,  
9 2025.

10 An act relating to the sale of flushable wipes

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 10 V.S.A. chapter 47, subchapter 5 is amended to read:

13 Subchapter 5. Detergents ~~And~~, Household Cleansing Products,  
14 and Flushable Wipes

15 § 1381. DEFINITIONS

16 As used in this subchapter:

17 (1) "Commercial establishment" means any premises used for the  
18 purpose of carrying on or exercising any trade, business, profession, vocation,  
19 or commercial or charitable activity, including laundries, hospitals, and food or  
20 restaurant establishments.

1           (2) “Disposable wipe” means a premoistened sheet of plastic or cloth  
2 designed and marketed for diapering, personal hygiene, or household hard  
3 surface cleaning purposes that is intended to be disposed of when its use is  
4 complete.

5           (3) “Flushable wipe” means a disposable wipe contained in packaging  
6 labeled “flushable,” “sewer safe,” or “septic safe” or otherwise indicating that  
7 the product is appropriate for disposal in a toilet.

8           (4) “Household cleansing product” means any product, including soaps  
9 and detergents, used for domestic or commercial cleaning purposes, including  
10 the cleansing of fabric, dishes, food utensils, and household and commercial  
11 premises. Household cleansing product ~~shall~~ does not mean:

12           (A) ~~Food~~ food, drugs, and cosmetics, including personal care items  
13 such as toothpaste, shampoo, and hand soap; or

14           (B) ~~Products~~ products labeled, advertised, marketed, and distributed  
15 for use primarily as economic poisons as defined in 6 V.S.A. § 911(5).

16           ~~(3)~~(5) “Phosphorus” means elemental phosphorus.

17           ~~(4)~~(6) “Trace quantity” means an incidental amount of phosphorus that  
18 is not part of the household cleansing product formulation, is present only as a  
19 consequence of manufacturing, and does not exceed 0.5 percent of the content  
20 of the product by weight, expressed as elemental phosphorus.

1           ~~(5)~~(7) “Secretary” means the Secretary of Natural Resources or the  
2 Secretary’s duly authorized representative.

3           ~~(6)~~(8) “Person” means any individual; partnership; company;  
4 corporation; association; joint venture; trust; municipality; the State of  
5 Vermont or any agency, department, or subdivision of the State; any federal  
6 agency; or any other legal or commercial entity.

7   \* \* \*

8           § 1383a. PROHIBITION; SALE AND DISTRIBUTION OF FLUSHABLE

9                                       WIPES

10           No person shall sell, offer for sale, or distribute for sale in the State a  
11 flushable wipe.

12           § 1384. PENALTY

13           A person who violates a provision of this subchapter shall be fined not more  
14 than \$2,500.00 for a single violation. In the case of a continuing violation,  
15 each day’s continuance ~~after notification by a law enforcement officer~~ shall be  
16 considered an additional offense for which a person shall be fined not more  
17 than \$100.00 for each day’s offense, in addition to the penalty imposed for a  
18 single violation.

19           Sec. 2. EFFECTIVE DATE

20           This act shall take effect on January 1, 2025.