
HOUSE BILL 1388

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Fraser, D. Sommers, Belcher, Winsley, Rust, Wynne, Paris, Pruitt, Brough, Tate, Forner and Brekke.

Read first time January 28, 1991. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to limits on phosphorus contents in certain
2 detergents; adding new sections to Title 70 RCW; and prescribing
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature hereby finds and declares
6 that:

7 (1) Phosphorus loading of surface waters can stimulate the growth
8 of weeds and algae, and that such growth can have adverse
9 environmental, health, and aesthetic effects;

10 (2) Household and commercial detergents contribute to phosphorus
11 loading, and that a limit on detergents containing phosphorus can
12 significantly reduce the discharge of phosphorus into the state's
13 surface and ground waters;

14 (3) Household and commercial detergents containing no or very low
15 phosphorus are readily available and that over thirty percent of the

1 United States population lives in areas with a ban on detergents
2 containing phosphorus; and

3 (4) Phosphorus limits on household and commercial detergents can
4 significantly reduce treatment costs at those sewage treatment
5 facilities that remove phosphorus from the waste stream.

6 It is therefore the intent of the legislature to impose a state-
7 wide limit on the phosphorus content of household and commercial
8 detergents.

9 NEW SECTION. **Sec. 2.** Unless the context clearly requires
10 otherwise, the definitions in this section apply throughout sections 1
11 through 4 of this act.

12 (1) "Department" means the department of ecology.

13 (2) "Dishwashing detergent" means a cleaning agent sold, used, or
14 manufactured for the purpose of cleaning dishes, whether by hand or by
15 household or commercial machine.

16 (3) "Laundry detergent" means a cleaning agent sold, used, or
17 manufactured for the purpose of cleaning laundry, whether by hand or by
18 household or commercial machine.

19 (4) "Person" means an individual, firm, association, copartnership,
20 political subdivision, government agency, municipality, industry,
21 public or private corporation, or any other entity whatsoever.

22 (5) "Phosphorus" means elemental phosphorus.

23 NEW SECTION. **Sec. 3.** (1) After July 1, 1991, a person may not
24 use, sell, or distribute a laundry detergent that contains 0.5 percent
25 or more phosphorus by weight.

26 (2) A person may not use, sell, or distribute a dishwashing
27 detergent that contains (a) after July 1, 1991, 8.7 percent or more
28 phosphorus by weight, (b) after July 1, 1993, 6 percent or more

1 phosphorus by weight, and (c) after July 1, 1995, 4 percent or more
2 phosphorus by weight.

3 NEW SECTION. **Sec. 4.** (1) A person who, after notice that he or
4 she is in violation, sells or distributes laundry or dishwashing
5 detergents in violation of section 3 of this act is guilty of a
6 misdemeanor and on conviction is subject to a fine not exceeding one
7 thousand dollars.

8 (2) The department is responsible for notifying major distributors
9 and wholesalers of the state-wide limit on phosphorus in detergents.

10 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act are each
11 added to Title 70 RCW.