
HOUSE BILL 1213

State of Washington

68th Legislature

2023 Regular Session

By Representatives Ybarra, Fitzgibbon, Ramel, Doglio, and Macri

Read first time 01/10/23. Referred to Committee on Environment & Energy.

1 AN ACT Relating to compliance with labeling requirements for
2 wipes; amending RCW 70A.525.901 and 70A.525.020; and declaring an
3 emergency.

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

5 **Sec. 1.** RCW 70A.525.901 and 2020 c 121 s 9 are each amended to
6 read as follows:

7 ~~((For))~~ (1) If a covered product required to be registered by the
8 United States environmental protection agency under the federal
9 insecticide, fungicide, and rodenticide act (7 U.S.C. Sec. 136 et
10 seq. (1996)) ((, chapter 121, Laws of 2020 applies beginning July 1,
11 2023)) or the department of agriculture under RCW 15.58.050, the
12 covered entity for the covered product must, to the extent permitted
13 under the federal insecticide, fungicide, and rodenticide act, submit
14 a label compliant with the labeling requirements of RCW 70A.525.020
15 by July 1, 2023, to the United States environmental protection
16 agency. Upon approval of the label by the United States environmental
17 protection agency, the covered entity must submit a label to the
18 department of agriculture for approval consistent with the
19 requirements of chapter 15.58 RCW. Except as provided in subsections
20 (2) and (3) of this section, covered products manufactured by a

1 covered entity must comply with the requirements of RCW 70A.525.020,
2 beginning with whichever covered products are manufactured later:

3 (a) Covered products manufactured on or after a date 24 months
4 after a covered entity receives label approval from the United States
5 environmental protection agency; or

6 (b) Covered products manufactured on or after July 1, 2026.

7 (2) If the United States environmental protection agency or the
8 department of agriculture do not approve a product label that
9 otherwise complies with the labeling requirements of RCW 70A.525.020,
10 the covered entity must use a label that meets as many of the
11 requirements of RCW 70A.525.020 as the department and the United
12 States environmental protection agency have approved.

13 (3) (a) A covered entity may include on a covered product words or
14 phrases in addition to those required under this chapter if the words
15 or phrases are necessary for a label to obtain approval from the
16 United States environmental protection agency or the department of
17 agriculture.

18 (b) A covered entity that has not yet received approval of a
19 label for a covered product from the department of agriculture 24
20 months after approval of the label by the United States environmental
21 protection agency is in compliance with the requirements of this
22 chapter if the covered entity, upon request, provides evidence of the
23 timely submission of the label to the department of agriculture under
24 subsection (1) of this section.

25 **Sec. 2.** RCW 70A.525.020 and 2020 c 121 s 3 are each amended to
26 read as follows:

27 (1) A covered entity must clearly and conspicuously label a
28 package containing a covered product as "do not flush" as follows:

29 ~~((1))~~ (a) Use the "do not flush" symbol, or a gender equivalent
30 thereof, described in the INDA/EDANA code of practice 2 (COP2, as
31 published in "Guidelines for Assessing the Flushability of Disposable
32 Nonwoven Products," Edition 4, May 2018, by INDA/EDANA);

33 ~~((2))~~ (b) Place the symbol on the principal display panel in a
34 prominent and reasonably visible location on the package which, in
35 the case of packaging intended to dispense individual wipes, is
36 permanently affixed in a location that is visible to a person each
37 time a wipe is dispensed from the package;

1 ~~((3))~~ (c) Size the symbol to cover at least two percent of the
2 surface area of the principal display panel on which the symbol is
3 presented;

4 ~~((4))~~ (d) Ensure the symbol is not obscured by packaging seams,
5 folds, or other package design elements;

6 ~~((5))~~ (e) Ensure the symbol has sufficiently high contrast with
7 the immediate background of the packaging to render it likely to be
8 read by the ordinary individual under customary conditions of
9 purchase and use. In the case of a printed symbol, "high contrast" is
10 defined as follows:

11 ~~((a))~~ (i) Provided with either a light symbol on a dark
12 background or a dark symbol on a light background; and

13 ~~((b))~~ (ii) A minimum level or percentage of contrast between
14 the symbol artwork and the background of at least ~~((seventy))~~ 70
15 percent. Contrast in percent is determined by:

16 ~~((i))~~ (A) Contrast = $(B1 - B2) \times 100 / B1$; and

17 ~~((ii))~~ (B) Where B1 = light reflectance value of the lighter
18 area and B2 = light reflectance value of the darker area; and

19 ~~((6))~~ (2) Beginning January 1, 2023, no package ~~((or box))~~
20 containing a covered product manufactured on or before July 1, 2022,
21 may be offered for distribution or sale in the state unless the
22 covered product is labeled consistent with the requirements of
23 subsection (1) of this section.

24 NEW SECTION. **Sec. 3.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons or circumstances is not affected.

28 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
29 preservation of the public peace, health, or safety, or support of
30 the state government and its existing public institutions, and takes
31 effect immediately.

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