

February 5, 2021

The Honorable Ken Helm, Chair
House Committee on Water
Oregon House of Representatives
900 Court Street, NE
Salem, Oregon 97301

Re: Support for HB 2344, upon adoption of dash 1 amendments, relating to labeling requirements for wipes; prescribing an effective date

Dear Chairman Helm:

On behalf of INDA, Association of the Nonwoven Fabrics Industry, I am writing to express support for HB 2344, which relates to labeling certain nonwoven disposable wipes, **provided that the dash 1 amendments are adopted.**

By way of background, INDA is a trade association whose member companies include almost all wipes fabric makers, wipes manufacturers, and some brand owners operating in North America. Our members are committed to the design and marketing of wipes products to meet the expectations of consumers, while minimizing post-consumer impacts on municipal wastewater infrastructure and the environment.

INDA and its members recognize that municipal wastewater treatment facilities in Oregon are having difficulties with consumers flushing certain wipes that were not designed nor labeled to be disposed of in the toilet and we are committed to being a part of the solution to that challenge. As detailed below, numerous studies show that the greatest contributor to clogs in sewer systems is the inappropriate flushing of hygiene products not labeled as flushable, including baby wipes, surface/sanitizing wipes, as well as non-wipes products like paper towels, and feminine hygiene products.

- In a 2016 New York City municipal collection study commissioned by the City's Department of Environmental Protection and Law Department, an independent engineering firm collected and identified categories of wipes and other items from the mechanical screens at one of the City's largest wastewater treatment plants. That study found the leading category of material collected and identified to be baby wipes (38 percent), non-flushable paper (34 percent), non-flushable household wipes (19 percent) and non-flushable feminine hygiene products (7 percent). You may access the report detailing the results of the New York City collection study here: [New York City collection study report](#).
- A 2017 study in the United Kingdom, the largest of its kind to date, conducted by the wastewater association, Water UK, local system operators, and wipes industry representatives showed similar compelling results. In this study, the participants collected and analyzed more than 50 clogs in pumps, sewer blockages, and wastewater treatment inlet samples over a period of more than two months. Upon completion, researchers found that clogs were related to the inappropriate flushing of products of non-flushable baby wipes, surface/sanitizing wipes, and feminine hygiene products. You may access the report detailing the Water UK collection study here: [Water UK collection study report](#).

- A March 2019 collaboration between the Jacksonville Electric Authority (JEA) wastewater system in Jacksonville, Florida, and INDA member Kimberly-Clark, demonstrated similar results. In the Jacksonville study, JEA wastewater staff and industry technical staff worked together to collect and analyze materials from three separate sets of bar screen samples over a two-day period (March 12-13, 2019). That investigation found that baby wipes represented some 37 percent of all material collected off of screens in Jacksonville, along with feminine hygiene products (19 percent), household cleaning wipes (15 percent), and non-flushable paper products (28 percent). You may access the report detailing the JEA-Kimberly-Clark collection study here: [JEA-Kimberly-Clark collection study report](#).

This legislation, therefore, will address a large portion of the problem in Oregon's sewer systems—the inappropriate flushing of wipes not meant to be flushed—by mandating and improving Do Not Flush labeling on these products to enhance consumer understanding of proper disposal habits.

It should be noted that industry already maintains a [Code of Practice](#) that has detailed specifications for such labeling including: 1) a language neutral approach that calls for the use of a widely recognized Do Not Flush symbol; 2) sizing requirements for the symbol corresponding to various packaging sizes; and 3) guidance on the contrast and prominent placement of the Do Not Flush symbol based on specific packaging formats (e.g., boxes, dispensing tubs, canisters or soft packs).

However, while most producers of baby wipes, hard surface cleaning/sanitizing wipes and other non-flushable wipes follow the INDA Code, some use disposal labeling that falls short of the mark. This legislation, thus, seeks to build on the INDA Code of Practice by going even further, increasing the size of the Do Not Flush symbol and enhancing its visibility, and includes requirements for printed disposal as well. It is consensus language that was developed with the direct input of the wastewater sector and has been endorsed by the League of Oregon Cities, the water districts and the Oregon Association of Clean Water Agencies as a common-sense solution to the problem.

As noted at the outset, **INDA will be supportive of this legislation if the dash 1 amendments are adopted.** The first part of the amendment makes a minor clarification to the sizing of the Do Not Flush symbol of wipes canisters and aligns with language included in similar legislation adopted in Washington state and pending in California. Similarly, the second part of the amendment corrects the implementation date for wipes products subject to regulation under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) products, aligning the timeline with the legislation pending in California. INDA worked with the proponents of the legislation in crafting the amendment language.

Thank you for the opportunity to provide input on this important legislation. If you or other members of the Committee have any questions about our position, please do not hesitate to call.

Sincerely,



Jessica Franken, INDA
Director of Government Affairs