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# A BILL FOR AN ACT

RELATING TO LABELING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 342D, Hawaii Revised Statutes, is  
2 amended by adding a new part to be appropriately designated and  
3 to read as follows:

4                   **"PART . LABELING OF NON-FLUSHABLE PRODUCTS**

5           **§342D- Definitions.** As used in this part:

6           "Covered product" means:

7           (1) A premoistened nonwoven disposable wipe marketed as a  
8 baby or diapering wipe; or

9           (2) A premoistened nonwoven disposable wipe that is:

10                   (A) Composed entirely or in part of

11                           petrochemical-derived fibers; and

12                   (B) Is likely to be used in a bathroom and has

13                           significant potential to be flushed, including:

14                                   (i) Bathroom cleaning wipes;

15                                   (ii) Toilet cleaning wipes;

16                                   (iii) Hard surface cleaning wipes;

17                                   (iv) Disinfecting wipes;



- 1 (v) Hand sanitizing wipes;
- 2 (vi) Antibacterial wipes;
- 3 (vii) Facial and makeup removal wipes;
- 4 (viii) General purpose cleaning wipes;
- 5 (ix) Personal care wipes for use on the body;
- 6 (x) Feminine hygiene wipes;
- 7 (xi) Adult incontinence wipes;
- 8 (xii) Adult hygiene wipes; and
- 9 (xiii) Body cleansing wipes.

10 "Label notice" means the phrase "DO NOT FLUSH" in a size  
11 equal to no less than two per cent of the surface area of the  
12 principal display panel.

13 "Principal display panel" means the side of a product  
14 package that is most likely to be displayed, presented, or shown  
15 under customary display conditions for retail sales. A  
16 principal display panel shall include the following:

- 17 (1) In the case of a cylindrical or nearly cylindrical  
18 package, the surface area of the principal display  
19 panel contributes forty per cent of the product  
20 package, as measured by multiplying the height of the  
21 container by the circumference; and



1           (2) In the case of a flexible film package, in which a  
2           rectangular prism or nearly rectangular prism stack of  
3           wipes is housed within the film, the surface area of  
4           the principal display panel constitutes the length  
5           multiplied by the width of the side of the package  
6           when the flexible packaging film is pressed flat  
7           against the stack of wipes on all sides of the stack.

8           "Symbol" means the "DO NOT FLUSH" symbol as depicted in the  
9           INDA/EDANA Code of Practice Second Edition and published in the  
10          "Guidelines for Assessing the Flushability of Disposable  
11          Nonwoven Products, Edition 4, May 2018".

12          **§342D- Labeling requirement.** (a) Except as otherwise  
13          provided in paragraph (4), a covered product sold, offered for  
14          sale, or distributed for sale in this State shall include the  
15          following labels prominently displayed in a conspicuous location  
16          that is reasonably viewable each time a covered product is  
17          dispensed:

18           (1) If the package is cylindrical or near cylindrical:  
19           (A) The symbol and label notice shall be placed on  
20           the principal display panel; or



- 1           (B) The symbol shall be placed on the principal  
2           display panel, and the symbol or label notice, or  
3           both, shall be placed on the flip lid, covering  
4           no less than eight per cent of the surface of the  
5           flip lid, and may be embossed;
- 6           (2) If the package is a flexible film package, the symbol  
7           shall be placed on the principal display panel and the  
8           dispensing side panel. The label notice shall be  
9           placed on the principal display panel, the dispensing  
10          side panel, or both;
- 11          (3) If the package is a refillable tub or other rigid  
12          packaging intended to be reused, the symbol and label  
13          notice shall be placed on the principal display panel;  
14          and
- 15          (4) If the packaging is not subject to the requirements  
16          described in paragraphs (1), (2), or (3), the symbol  
17          and label notice shall be placed on the principal  
18          display panel.
- 19          (b) The labels described in subsection (a), paragraphs (1)  
20          and (3), shall comply with the following:



- 1 (1) No seams, fold, or other package design elements shall  
2 obscure the symbol or label notice;
- 3 (2) The symbol and label notice shall appear in sharp  
4 contrast to the background; and
- 5 (3) The symbol shall be sized no less than two per cent of  
6 the surface area of the principal display panel.
- 7 (c) If a covered product is sold, offered for sale, or  
8 distributed for sale in bulk packaging, the label on each  
9 individual package of covered products and the outer bulk  
10 packaging shall comply with the requirements in this section, as  
11 applicable; provided that nothing in this subsection shall apply  
12 to:
- 13 (1) An individual package of covered products contained  
14 within the outer bulk packaging that is not intended  
15 to dispense individual wipes and contains no retail  
16 labeling;
- 17 (2) Outer bulk packaging that does not obscure the symbol  
18 and label notice on the individual packages of covered  
19 products; and
- 20 (3) The outer packaging or outer bulk packaging of  
21 consumer products not covered by this section that are



1 sold, offered for sale, or distributed for sale in  
2 combination with a covered product; provided that the  
3 symbol and label notice shall be placed on the covered  
4 product in a conspicuous location that is reasonably  
5 viewable if the packaging of the combination product  
6 is smaller than three inches by three inches.

7 (d) No covered products sold, offered for sale, or  
8 distributed for sale in this State shall make any representation  
9 that a covered product is flushable, including through the use  
10 of a product name, endorsement, depiction, illustration,  
11 trademark, or trade name.

12 (e) The label requirements provided in this section shall  
13 apply to covered products that are regulated pursuant to, and to  
14 the extent any label requirements do not conflict with:

15 (1) The Hazardous Substances Act, 15 United States Code  
16 sections 1261 to 1278; and

17 (2) The Insecticide, Fungicide, and Rodenticide Act, 7  
18 United States Code sections 136 to 136y.

19 (f) Not later than January 1, 2026, the manufacturer of a  
20 covered product required to be registered with the agency or  
21 department pursuant to the Insecticide, Fungicide, and



1 Rodenticide Act, 7 United States Code sections 136 to 136y,  
2 shall submit a copy of a symbol and label notice pursuant to  
3 this section, to the agency or department. Upon approval of the  
4 symbol and label notice by the agency, the manufacturer of the  
5 covered product shall submit a copy of the approved symbol and  
6 label notice to the department and begin using the approved  
7 symbol and label notice or portion thereof. If the agency or  
8 department does not approve the symbol and label notice, the  
9 manufacturer of the covered product shall use the symbol and  
10 label notice that the agency previously approved until the  
11 agency approves a new symbol and label notice. A symbol and  
12 label notice approved or partially approved under this  
13 subsection shall be in use within six months after the agency  
14 approves the symbol and label notice.

15 As used in this subsection:

16 "Agency" means the United States Environmental Protection  
17 Agency.

18 "Department" means the department of agriculture.

19 **§342D- Penalties.** (a) Any person in violation of this  
20 section shall be subject to a civil fine as follows:



1 (1) For a first violation, a civil fine of not more than  
2 \$2,000;

3 (2) For a second violation, a civil fine of not more than  
4 \$5,000; and

5 (3) For a third or subsequent violation, a civil fine of  
6 not more than \$10,000.

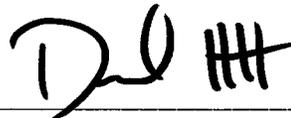
7 (b) A violation of this section may be prosecuted by the  
8 prosecuting attorney of the county in which the violation  
9 occurred or by the attorney general."

10 SECTION 2. This Act does not affect rights and duties that  
11 matured, penalties that were incurred, and proceedings that were  
12 begun before its effective date.

13 SECTION 3. This Act shall take effect on January 1, 2026.

14

INTRODUCED BY:



JAN 21 2025



# H.B. NO. 918

**Report Title:**

Labeling Requirement; Do Not Flush; Wipes; Consumer Protection;  
Wastewater Treatment; Waste; Environmental Protection; Sewage

**Description:**

Establishes labeling requirements for certain premoistened  
nonwoven disposable wipes. Establishes civil penalties.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

