

# Union Calendar No. 120

119TH CONGRESS  
1ST SESSION

# H. R. 2269

[Report No. 119–154]

To require certain products to be labeled with “Do Not Flush” labeling,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2025

Mrs. McCLAIN (for herself, Mr. MULLIN, Mr. KEAN, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

JUNE 12, 2025

Additional sponsors: Ms. PINGREE, Mr. CALVERT, Ms. JAYAPAL, and Mr. CORREA

JUNE 12, 2025

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

To require certain products to be labeled with “Do Not Flush” labeling, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Wastewater Infrastruc-  
5       ture Pollution Prevention and Environmental Safety Act”  
6       or the “WIPPES Act”.

7       **SEC. 2. “DO NOT FLUSH” LABELING.**

8       (a) IN GENERAL.—A covered entity shall label a cov-  
9       ered product clearly and conspicuously with the label no-  
10      tice and symbol, in accordance with subsections (b) and  
11      (c).

12      (b) REQUIREMENTS.—

13           (1) CYLINDRICAL PACKAGING.—In the case of a  
14      covered product sold in cylindrical or near-cylindrical  
15      packaging, and intended to dispense individual  
16      wipes—

17           (A) the symbol and label notice shall be  
18      displayed on the principal display panel in a  
19      clear and conspicuous location reasonably visi-  
20      ble to the user each time a wipe is dispensed;  
21      or

22           (B) the symbol shall be displayed on the  
23      principal display panel and the label notice, or  
24      a combination of the label notice and symbol,  
25      shall be displayed on a flip lid in a manner that

1 covers at least 8 percent of the surface area of  
2 the flip lid.

3 (2) FLEXIBLE FILM PACKAGING.—In the case  
4 of a covered product sold in flexible film packaging,  
5 and intended to dispense individual wipes—

6 (A) the symbol shall be displayed on the  
7 principal display panel and, if the principal display  
8 panel is not on the dispensing side of the  
9 packaging, on the dispensing side panel; and

10 (B) the label notice shall be displayed on  
11 either the principal display panel or the dispensing  
12 side panel, in a clear and conspicuous  
13 location reasonably visible to the user each time  
14 a wipe is dispensed.

15 (3) RIGID PACKAGING.—In the case of a covered  
16 product sold in a refillable tub or other rigid  
17 packaging that may be reused by a customer, and  
18 that is intended to dispense individual wipes, the  
19 symbol and label notice shall be displayed on the  
20 principal display panel in a clear and conspicuous location  
21 reasonably visible to the user each time a  
22 wipe is dispensed.

23 (4) PACKAGING NOT INTENDED TO DISPENSE  
24 INDIVIDUAL WIPES.—In the case of a covered product  
25 sold in packaging that is not intended to dis-

1       pense individual wipes, the symbol and label notice  
2       shall be displayed on the principal display panel in  
3       a clear and conspicuous location reasonably visible to  
4       the user of the covered product.

5           (5) BULK PACKAGING.—

6           (A) IN GENERAL.—In the case of a covered  
7       product sold in bulk at retail, the symbol and  
8       label notice shall be displayed on both the outer  
9       packaging visible at retail and the individual  
10      packaging contained within the outer pack-  
11      aging.

12          (B) EXEMPTION.—The following shall be  
13      exempt from the requirements of subparagraph  
14      (A):

15           (i) Individually packaged covered  
16      products that are contained within outer  
17      packaging, are not intended to dispense in-  
18      dividual wipes, and have no retail labeling.

19           (ii) Outer packaging that does not ob-  
20      scure the symbol and label notice on indi-  
21      vidually packaged covered products con-  
22      tained within.

23          (6) PACKAGING OF COMBINED PRODUCTS.—

24          (A) OUTER PACKAGING.—The outer pack-  
25      aging of combined products shall be exempt

1 from the symbol and label notice requirements  
2 of subsection (a).

3 (B) PACKAGES LESS THAN 3 BY 3  
4 INCHES.—In the case of a covered product in  
5 packaging smaller than 3 inches by 3 inches  
6 (such as an individually packaged wipe in tear-  
7 top packaging) and sold as part of a combined  
8 product, if a symbol and label notice are placed  
9 in a prominent location reasonably visible to the  
10 user of the covered product, such covered prod-  
11 uct shall be considered to be labeled clearly and  
12 conspicuously.

13 (c) REASONABLE VISIBILITY OF SYMBOL AND LABEL  
14 NOTICE.—

15 (1) IN GENERAL.—A covered entity shall ensure  
16 that—

17 (A) packaging seams or folds or other  
18 packaging design elements do not obscure the  
19 symbol or label notice;

20 (B) the symbol and label notice are each  
21 equal in size to at least 2 percent of the surface  
22 area of the principal display panel; and

23 (C) the symbol and label notice have high  
24 contrast with the immediate background of the  
25 packaging so that such symbol and label notice

1           may be seen and read by an ordinary individual  
2           under customary conditions of purchase and  
3           use.

4           (2) PROXIMITY OF SYMBOL AND LABEL NO-  
5           TICE.—A covered entity may display a symbol and  
6           label notice either adjacent to or on separate areas  
7           of the principal display panel.

8           (3) EXCEPTION.—Paragraph (1)(C) does not  
9           apply to an embossed symbol or label notice on the  
10          flip lid of a covered product sold in cylindrical or  
11          near-cylindrical packaging.

12          (d) REPRESENTATIONS OF FLUSHABILITY.—With re-  
13          spect to a covered product, a covered entity may not make  
14          any express or implied representation that such covered  
15          product can or should be flushed.

16          (e) ENFORCEMENT BY FEDERAL TRADE COMMIS-  
17          SION.—

18               (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-  
19               TICES.—A violation of this section or any regulation  
20               promulgated under this section shall be treated as a  
21               violation of a regulation under section 18(a)(1)(B)  
22               of the Federal Trade Commission Act (15 U.S.C.  
23               57a(a)(1)(B)) regarding unfair or deceptive acts or  
24               practices.

1           (2) POWERS OF COMMISSION.—The Commis-  
2       sion shall enforce this section and any regulations  
3       promulgated under this section by the same means,  
4       and with the same jurisdiction, powers, and duties,  
5       as though all applicable terms and provisions of the  
6       Federal Trade Commission Act (15 U.S.C. 41 et  
7       seq.) were incorporated into and made a part of this  
8       section, and any person who violates this section or  
9       any regulation promulgated under this section shall  
10      be subject to the penalties and entitled to the privi-  
11      leges and immunities provided in the Federal Trade  
12      Commission Act.

13          (3) REGULATIONS.—The Commission may pro-  
14      mulgate regulations under section 553 of title 5,  
15      United States Code, to implement this section. In  
16      developing the regulations, the Commission may con-  
17      sult with the Administrator of the Environmental  
18      Protection Agency, the Commissioner of Food and  
19      Drugs, the Consumer Product Safety Commission,  
20      or any other agency as appropriate.

21          (4) AUTHORITY PRESERVED.—Nothing in this  
22      section may be construed to limit the authority of  
23      the Commission under any other provision of law.

24          (f) PREEMPTION OF STATE LAWS.—No State or po-  
25      litical subdivision of a State may directly or indirectly es-



1 tablish or continue in effect, under any authority, require-  
2 ments with respect to the “Do Not Flush” labeling of cov-  
3 ered products that are not identical to the requirements  
4 of this section and the regulations promulgated under this  
5 section.

6 (g) DEFINITIONS.—In this section:

7 (1) COMBINED PRODUCT.—The term “com-  
8 bined product” means two or more products sold in  
9 shared retail packaging, of which—

10 (A) at least one of the products is a cov-  
11 ered product; and

12 (B) at least one of the products is another  
13 consumer product intended to be used in com-  
14 bination with such covered product.

15 (2) COMMISSION.—The term “Commission”  
16 means the Federal Trade Commission.

17 (3) COVERED ENTITY.—The term “covered en-  
18 tity” means a manufacturer, wholesaler, supplier, in-  
19 dividual or group of individuals, or retailer that is  
20 responsible for the labeling or retail packaging of a  
21 covered product that is sold or offered for retail sale  
22 in the United States.

23 (4) COVERED PRODUCT.—

1 (A) IN GENERAL.—The term “covered  
2 product” means a premoistened, nonwoven dis-  
3 posable wipe sold or offered for retail sale—

4 (i) that is marketed as a baby wipe or  
5 diapering wipe; or

6 (ii) that is a household or personal  
7 care wipe (including a wipe described in  
8 subparagraph (B)) that—

9 (I) is composed entirely, or in  
10 part, of petrochemical-derived fibers;  
11 and

12 (II) has significant potential to  
13 be flushed.

14 (B) INCLUSIONS.—The wipes described in  
15 this subparagraph are—

16 (i) antibacterial wipes and disinfecting  
17 wipes;

18 (ii) wipes intended for general purpose  
19 cleaning or bathroom cleaning, including  
20 toilet cleaning and hard surface cleaning;  
21 and

22 (iii) wipes intended for personal care  
23 use on the body, including hand sanitizing,  
24 makeup removal, feminine hygiene, adult

1 hygiene (including incontinence hygiene),  
2 and body cleansing.

3 (5) HIGH CONTRAST.—The term “high con-  
4 trast” means, with respect to the symbol or label no-  
5 tice, that such symbol or label notice—

6 (A) is either light on a solid dark back-  
7 ground or dark on a solid light background; and

8 (B) has a contrast percentage of at least  
9 70 percent between such symbol or label notice  
10 and the background, using the formula  $(B1 -$   
11  $B2) / B1 * 100 = \text{contrast percentage}$ , where  
12 B1 is the light reflectance value of the lighter  
13 area and B2 is the light reflectance value of the  
14 darker area.

15 (6) LABEL NOTICE.—The term “label notice”  
16 means the written phrase “Do Not Flush”.

17 (7) PRINCIPAL DISPLAY PANEL.—The term  
18 “principal display panel” means the side of a prod-  
19 uct package that is most likely to be displayed, pre-  
20 sented, or shown under customary conditions of dis-  
21 play for retail sale, and—

22 (A) in the case of a cylindrical or near-cy-  
23 lindrical package, the surface area of which  
24 constitutes at least 40 percent of the product

1 package, as measured by multiplying the height  
2 by the circumference of the package; or

3 (B) in the case of a flexible film package  
4 in which a rectangular prism or near-rectan-  
5 gular prism stack of wipes is housed within the  
6 film, the surface area of which is measured by  
7 multiplying the length by the width of the side  
8 of the package when the flexible packaging film  
9 is pressed flat against the stack of wipes on all  
10 sides of the stack.

11 (8) STATE.—The term “State” means each  
12 State of the United States, the District of Columbia,  
13 and each commonwealth, territory, or possession of  
14 the United States.

15 (9) SYMBOL.—The term “symbol” means the  
16 “Do Not Flush” symbol, as depicted in the most re-  
17 cent edition of the Guidelines for Assessing the  
18 Flushability of Disposable Nonwoven Products pub-  
19 lished by the Association of the Nonwoven Fabrics  
20 Industry (INDA) and the European Disposables  
21 And Nonwovens Association (EDANA), or an other-  
22 wise equivalent symbol adopted by the Commission  
23 through rulemaking under this section.

1       (h) EFFECTIVE DATE.—This section shall apply to  
2 a covered entity beginning on the date that is 1 year after  
3 the date of the enactment of this Act.

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1<sup>ST</sup> Session

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