

WASTEWATER INFRASTRUCTURE POLLUTION  
PREVENTION AND ENVIRONMENTAL SAFETY ACT

JUNE 12, 2025.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

Mr. GUTHRIE, from the Committee on Energy and Commerce,  
submitted the following

R E P O R T

[To accompany H.R. 2269]

The Committee on Energy and Commerce, to whom was referred  
the bill (H.R. 2269) to require certain products to be labeled with  
“Do Not Flush” labeling, and for other purposes, having considered  
the same, reports favorably thereon without amendment and rec-  
ommends that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 2269, the “Wastewater Infrastructure Pollution Prevention  
and Environmental Safety Act”, or the “WIPPES Act”, was intro-  
duced by Representative McClain on March 21, 2025, and was re-  
ferred to the Committee on Energy and Commerce. H.R. 2269 re-

quires covered entities to label covered products clearly and conspicuously with “Do Not Flush” labels and symbols.

#### BACKGROUND AND NEED FOR LEGISLATION

Wastewater treatment systems have been increasingly impacted by clogs and fatbergs resulting from the flushing of non-flushable wipes. In a 2019 study, the National Association of Clean Water Agencies (NACWA) estimated that wipes result in approximately \$441 million in additional yearly operating costs at U.S. clean water utilities.<sup>1</sup> According to NACWA, just in the state of California, flushed wipes have cost utilities \$47 million in additional annual operating costs.<sup>2</sup> Similar trends can be seen across the United States, prompting some state legislators to offer legislation to address the clogged drains and expensive repairs associated with the improper disposal of non-flushable wipe.<sup>3</sup>

Organizations have used a combination of outreach and surveys to probe and increase consumer’s understanding of appropriate wipe-flushing practices. For example, in April 2023, the Responsible Flushing Alliance (RFA) released survey data of California consumers measuring their general awareness of the “Do Not Flush” symbol. Surprisingly, though most respondents believed that they were somewhat knowledgeable about what can be flushed, a notable portion of respondents falsely believed that some non-flushable products are flushable.<sup>4</sup> In an attempt to address this consumer uncertainty, some wastewater treatment companies have issued notices to residents to educate them on what products can and cannot be flushed down the toilet.<sup>5</sup>

Based on the available data, there is an apparent disconnect between consumers’ understanding of whether certain wipes products are flushable, and the information directed towards wipes consumers. To address the ongoing infrastructure and environmental issues caused by the misinformed flushing of non-flushable wipes, consumers must be clearly notified when a wipe is non-flushable. The requirements posed by H.R. 2269 would ensure that wipe manufacturers, and other covered entities, clearly and conspicuously label and notice non-flushable wipes accordingly. By enacting a uniform, national policy to ensure wipe manufacturers, or other covered entities, appropriately label the packaging of their wipe products with “Do Not Flush” notices and symbols, consumers will be better equipped to help prevent the damaging consequences that lead to costly breakdowns and backups in American wastewater systems associated with flushing non-flushable wipes.

<sup>1</sup>Nat’l Assoc of Clean Water Agencies, *The Cost of Wipes on America’s Clean Water Utilities*, (Sept. 2020) [https://www.nacwa.org/docs/default-source/resources---public/govaff-3-cost\\_of\\_wipes-1.pdf](https://www.nacwa.org/docs/default-source/resources---public/govaff-3-cost_of_wipes-1.pdf).

<sup>2</sup>*Id.*

<sup>3</sup>Sophie Nieto-Munoz, *Senator waters down plan to ban non-flushable wipes*, *New Jersey Monitor* (May 12, 2023), <https://newjerseymonitor.com/briefs/senators-plan-to-ban-non-flushable-wipes-to-be-watered-down/>.

<sup>4</sup>*New Survey Finds Consumers Still Disposing Non-Flushable Items Down the Toilet, Sparking Increase in Consumer Education Efforts*, *PR Newswire* (April 5, 2023), <https://finance.yahoo.com/news/survey-finds-consumers-still-disposing-100000634.html>.

<sup>5</sup>*Non-flushable items cause problems at wastewater treatment plants*, *JC Post* (December 29, 2023), <https://jcpost.com/posts/4dee80fd-f852-4891-9419-8d2a7f24bb5b>.

## COMMITTEE ACTION

On September 27, 2023, the Subcommittee on Innovation, Data, and Commerce held a hearing on the WIPPES Act. The title of the hearing was “Proposals to Enhance Product Safety and Transparency for Americans.” The Subcommittee received testimony from:

- Kathleen Callahan, Owner, Xpertech Auto Repair;
- Scott Benavidez, Chairman, Automotive Service Association;
- Steven Michael Gentine, Counsel, Arnold & Porter, LLP;
- John Breyault, Vice President of Public Policy, Telecommunications and Fraud, National Consumers League; and
- David Touhey, Principal, Connett Consulting, appearing on behalf of International Association of Venue Managers.

On April 8, 2025, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 2269, without amendment, favorably reported to the House by a voice vote.

## COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto. There were no record votes taken in connection with ordering H.R. 2269 reported.

## OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII, the Committee held a hearing and made findings that are reflected in this report.

## NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 2269 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

## CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII, at the time this report was filed, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available.

## FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

## STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to require labeling on certain products to designate they are not safe to be flushed down the toilet.

#### DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 2269 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

#### RELATED COMMITTEE AND SUBCOMMITTEE HEARINGS

Pursuant to clause 3(c)(6) of rule XIII, the following related hearing was used to develop or consider H.R. 2269:

- On September 27, 2023, the Subcommittee on Innovation, Data, and Commerce held a hearing on the WIPPES Act. The title of the hearing was “Proposals to Enhance Product Safety and Transparency for Americans.” The Subcommittee received testimony from:
  - Kathleen Callahan, Owner, Xpertech Auto Repair;
  - Scott Benavidez, Chairman, Automotive Service Association;
  - Steven Michael Gentine, Counsel, Arnold & Porter, LLP;
  - John Breyault, Vice President of Public Policy, Telecommunications and Fraud, National Consumers League; and
  - David Touhey, Principal, Connett Consulting, appearing on behalf of International Association of Venue Managers.

#### COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

#### EARMARK, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 2269 contains no earmarks, limited tax benefits, or limited tariff benefits.

#### ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

#### APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

#### SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

##### *Section 1. Short title*

Section 1 provides that the Act may be cited as the “Wastewater Infrastructure Pollution Prevention and Environmental Safety Act” or the “WIPPES Act.”

*Section 2. “Do Not Flush” labeling*

Section 2 requires covered entities to label covered products with a “Do Not Flush” label and symbol. These labels and symbols must meet the standards required in this Act and be clearly and conspicuously displayed. This section grants the Federal Trade Commission (FTC) rulemaking authority to promulgate regulations regarding requirements for “Do Not Flush” labels and symbols and allows for consultation with any agency it deems appropriate when developing such rules. Furthermore, this section provides definitions relevant to the Act.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

This legislation does not amend any existing Federal statute.

