

HOUSE BILL REPORT

HB 2263

As Amended by the Senate

Title: An act relating to the phosphorus content in dishwashing detergent.

Brief Description: Regarding the phosphorus content in dishwashing detergent.

Sponsors: By Representatives Blake, Moeller, Orcutt and Newhouse.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/26/07 [DP].

Floor Activity:

Passed House: 3/8/07, 88-8.

Floor Activity:

Passed House: 2/19/08, 95-0.

Senate Amended.

Passed Senate: 3/7/08, 49-0.

House Refused to Concur.

Senate Amended.

Passed Senate: 3/12/08, 47-2.

Brief Summary of Bill

- Focuses the location of where a person may sell or distribute for sale dishwashing detergent with 0.5 percent or more phosphorus by weight to counties east of the crest of the Cascade Mountains where the population is less than 600,000 but greater than 390,000.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 15 members: Representatives B. Sullivan, Chair; Blake, Vice Chair; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson, Eickmeyer, Grant, Hailey, Kagi, Lantz, McCoy, Newhouse, Orcutt, Strow and VanDeWege.

Staff: Jaclyn Ford (786-7339).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

Phosphorous is a naturally occurring element that stimulates plant growth. When introduced into freshwater, phosphorous promotes growth of weeds and algae and can degrade water quality.

The sale of laundry detergent that contains 0.5 percent or more phosphorous by weight, and the sale of dishwashing detergent that contains more than 8.7 percent phosphorous by weight is prohibited.

The sale of dishwashing detergent that contains 0.5 percent or more phosphorous by weight is prohibited after July 1, 2008, in counties with populations greater than 180,000 and less than 220,000 and in counties with populations greater than 390,000 and less than 650,000.

Beginning July 1, 2010, the restriction on the sale of dishwashing detergent that contains more than 0.5 percent or more phosphorous by weight is effective statewide.

The sale and distribution of detergents for commercial and industrial uses are exempt from the phosphorus limitation.

Summary of Bill:

Beginning July 1, 2008, dishwashing detergent may not be sold if it contains 0.5 percent or more phosphorus by weight in counties located east of the crest of the Cascade Mountains where the population is less than 600,000 but greater than 390,000.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment prohibits the sale of dishwashing detergents that contain .5% or more phosphorus by weight beginning July 1, 2008, in counties east of the crest of the Cascade Mountains with populations greater than 400,000. Beginning July 1, 2008 to June 30, 2010, in counties located west of the crest of the Cascade Mountains with populations greater than 180,000 but less than 200,000 the sale of dishwashing detergent that contains .5% or more phosphorus by weight is prohibited, except in single use packages, which may not contain more than 2 grams of phosphorus.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) Phosphorus is seeping into the aquifer in Spokane. The industry is trying to bring a new product to the market, but would like a 2010 implementation date. Finding a substitute

for phosphate has been difficult; testing has so far been unsuccessful. The industry needs to research and develop a product that meets the needs of the consumer. Keeping the current implementation date of 2008 would affect grocery stores and distribution.

(With concerns) The three counties affected by current law have acute water quality problems. There are successful alternatives on the market, and those alternatives have been rated as highly effective.

(Opposed) Phosphorus has a significant effect on our water supply. Delaying the implementation would hinder the clean-up of Washington's aquifers.

Persons Testifying: (In support) Representative Blake, prime sponsor; Dave Ducharme and Jan Wengler, Reckett Benckiser; and Tony McKinley, Northwest Grocery Association.

(With concerns) Craig Engelking, Sierra Club.

(Opposed) Melodie Selby, Washington State Department of Ecology.

Persons Signed In To Testify But Not Testifying: None.