



OFFICE OF THE GOVERNOR

LOLO L. M. MOLIGA  
GOVERNOR

*American Samoa*

LEMANU P. MAUGA  
LIEUTENANT GOVERNOR

March 26, 2014

EXECUTIVE ORDER NO. 002 – 2014

**AN ORDER AMENDING EXECUTIVE ORDER NO. 03-2012 TO MODIFY THE  
AMERICAN SAMOA CLIMATE CHANGE MITIGATION RULES PERTAINING  
TO THE PROHIBITION OF PHOSPHATES IN DETERGENTS.**

**Section 1: Authority**

This executive order is hereby issued in accordance with the powers and authority granted to the Governor by Article IV, Sections 6 and 7 of the Revised Constitution of American Samoa, and the American Samoa Code Annotated § 4.0111.

**Section 2: Purpose**

The existing American Samoa Climate Mitigation Rules regarding the prohibition of phosphates in detergent, as promulgated in Executive Order No. 03-2012, is unduly restrictive and must be modified to be consistent with practical and generally accepted technical standards.

While the prohibition of phosphates in detergents is necessary to maintain water quality in American Samoa, the zero percent ban of phosphates is not reasonable as almost all detergents contain trace amounts of phosphates. This modification allows for the continued protection of our precious water resources while taking into consideration the interests of the business community and the household consumer.

**Section 3: Order**

Section 4.01 of Executive Order No. 03-2012 is hereby amended to read as follows:


*4.01 Zero to 0.5 Percent Phosphates in Detergents*

It shall be prohibited to import soaps or detergents that are not considered “Phosphate Free.” Detergents that are considered “Phosphate Free” are those that contain between 0 to 0.5% phosphates. The importer shall bear the burden of proving that any detergent imported into the Territory meets the requirements of this section. Any detergent which cannot be shown to be compliant with this provision shall be subject to seizure, forfeiture or removal from the Territory at the importer’s expense.

**Section 4: Effective Date**

This order shall take effect immediately.

Dated: March 31, 2014

  
**LEMANU P. MAUGA**  
Acting Governor