

Photo by Wendi Hope King.

Delivering to a Thirsty Public

Protecting consumers and water resources with bottled water legislation

From coast to coast, legislators and regulators continue to consider numerous bottled water issues. From source labeling to water quality reporting to recycling and groundwater/resource management, some state lawmakers have sought to regulate bottled water beyond the existing comprehensive federal laws that vigorously protect and inform consumers. In some cases, state legislators have completely ignored the existence of the U.S. Food and Drug Administration's (FDA) bottled water regulations and standards. If successful, these misguided efforts would create a patchwork of state-by-state bottled water laws that contradict FDA regulations and impede interstate commerce.

A prime example of a misguided effort is a California bill (AB 83) that would shift bottled water regulation and oversight from the state's Food and Drug Branch to the California Department of Environmental Protection. If enacted, bottled water would be regulated as a public drinking water system and California consumers would lose the protections afforded them through its regulation as a packaged food. One has to ask, in the midst of California's economic and political meltdown, why has the bill's sponsor chosen to play an expensive and ill-founded game of political football with one of the state's and nation's regulatory success stories?

On the other hand, a number of Statehouse initiatives do, indeed, work to protect consumers and the water resources valued and utilized by industry and citizens alike. States including Arizona, Georgia, Michigan, New Hampshire, Washington and West Virginia have begun to seriously address water resource management and,

in some cases, formed groundwater study commissions to analyze and document groundwater quantity, quality, recharge and usage to understand the science needed to craft and implement water usage policy. Additionally, to harmonize their bottled water law with FDA regulations, some states including Arizona, Massachusetts and New Hampshire are undertaking a legislative process that will stem the tide of patchwork and contradictory bottled water laws.

With these initiatives, come the opportunists who seek to denigrate the bottled water industry and our products while building fear and confusion among the public. One key tactic is to drum up controversy by trying to pit bottled water against tap water. They claim that bottled water companies saturate the consumer's consciousness with advertisements that build fear about tap water. They fan the flames of media looking for a good story with a strong villain to cast. Yes, bottled water advertising has

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About the Author
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become more commonplace today, but these ads focus on the healthful attributes of water consumption or the factors that differentiate brands. What these ads don't do is question the safety of community tap water systems or communicate about anything other than the features

of the brand; just like most other food advertising.

All the while, as lawmakers and self-proclaimed public and environmental advocates seek to diminish bottled water's safety and quality record, consumers continue to make bottled water their drink of choice, driving bottled water sales and consumption

ever higher with each passing year. It is well-recognized among the industry, analysts and trend watchers that bottled water is the fastest growing sector of the beverage category, and they predict that bottled water will be the second most consumed beverage in the United States behind carbonated soft drinks (CSDs) by 2004. Some prognosticators have even set their sights higher, stating that within 20 years, bottled water could overtake CSDs to become the most consumed beverage in the United States. We still have a long way to go, as per capita CSD consumption today more than doubles that of bottled water at 54.2 gallons per capita for CSDs compared bottled water's 21.2 gallons per capita.

This continued rise in bottled water demand translates to opportunities for companies that provide water quality products and services. Safety and quality are of paramount importance to the bottled water industry and bottlers are not content to simply sit back and rest on their laurels. Producers constantly are embracing new technologies and processes to enhance efficiency and bring safe, high-quality, good-tasting and convenient bottled water products to a thirsty public.

WQP

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