

Story: The Real Cost of Bottled Water

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Link: <http://www.refinery29.com/plastic-water-bottle-bad-environmental-effects>

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I represent the bottled water industry and wanted to touch on a few important points raised in this article.

Most importantly, consumers should know that FDA's jurisdiction over bottled water products (and any other product regulated by FDA) extends not only to those products that move in interstate commerce but also to those products sold within a single state that are enclosed in packaging materials that have moved in interstate commerce.

Known as the component theory of FDA jurisdiction, courts have long held that if any component of a food product moves in interstate commerce, FDA has jurisdiction over the finished product, regardless of whether the finished product itself moves in interstate commerce. In the case of bottled water, if the plastic used in the bottles, the plastic used in the caps, the paper and ink used on the labels, any other outer packaging materials, and even the water itself comes from out of state, then FDA has jurisdiction over that product. And in today's commercial society, that will almost always be the case. Moreover, Congress has enacted a law that expressly presumes that all food and beverage products are sold in interstate commerce. (21 U.S.C. § 379 (a))

We completely agree that one of the simplest things a person can do when seeking to lead a healthier lifestyle is to drink water – whether from the tap, filtered, or in a bottle. And, when it comes to bottled water, let's be clear: we compete with other packaged beverages, not tap water. In fact, 73% of the growth in bottled water sales from 1998 to 2011 was from people switching from sugary drinks. Most people who drink bottled water also drink tap water.

Even with continuing growth and increased consumption, bottled water still has the smallest water and energy use footprint of any packaged beverage. On average, only 1.32 liters of water (including the liter of water consumed) are used to produce one liter of finished bottled water. When it comes to overall water use, bottled water uses only 0.01% of all water used in the U.S.

I do want to clarify that both spring and purified bottled waters are comprehensively regulated by the FDA. By federal law, the FDA regulations governing the safety and quality of bottled water must be at least as stringent as the EPA standards for tap water. And, in some very important cases, bottled water regulations are substantially more stringent. See: <http://bit.ly/1Kgpcfx>

On a gallon-for-gallon basis, bottled water is tested up to 30 times more frequently than tap water for nearly all of the same contaminants. With regard to daily testing, there are subtle differences between testing at a bottled water plant and a public water system (PWS) treatment plant. It should be noted that both bottled water and PWS plants test more frequently than the minimum number of samples required each month by respective FDA and EPA regulations, often on an hourly basis.

As you pointed out, purified bottled water, typically sourced from municipal water systems, is not just tap water in a bottle. Once this water enters the bottled water plant, several processes are employed to ensure that it meets the FDA's purified water standard. The finished water product is then placed in a bottle under sanitary conditions and sold to the consumer.

Lastly, the bottled water industry supports a strong public water system, which is important for providing citizens with clean and safe drinking water. In fact, many bottled water companies use public water sources for their purified bottled water products. To claim that the availability of bottled water in the marketplace somehow affects the infrastructure, funding, development, and maintenance of municipal water systems makes no sense and is completely unfounded.

In the end, drinking water is the smart, healthy option and bottled water is the best packaged beverage choice.