



1700 Diagonal Road, Suite 650
Alexandria, VA 22314
Ph: 703-647-4609
www.bottledwater.org

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Riviera Maya News

Calle Mahahual #612 Playa Azul
Playa del Carmen, Solidaridad
Quintana Roo, Mexico 77724

Marlo Heresco – Editor-in-chief

info@riviera-maya-news.com
news@riviera-maya-news.com

Dear Ms. Heresco,

I read with interest your news article ["FDA finds most bottled water is tap water"](#) on the Riviera Maya News website. I am writing to make you aware of several factual errors in the statements you make about bottled water. It is unfortunate that you didn't reach out to the International Bottled Water Association (IBWA), as it would have helped provide a more accurate article about bottled water.

RMN: *"FDA Finds most bottled water is tap water"*

IBWA: This statement is completely false and is not substantiated in the RMN news story. The RMN's third paragraph state that the U.S. Food and Drug Administration's (FDA) says one-quarter is "actually bottled tap water." Clearly, one-quarter is not "most." Moreover, purified bottled water, typically produced using municipal source water, is not the same as "tap water." Once the municipal water enters the bottled water plant, several processes are employed to ensure that it meets the FDA purified water standard. These treatments may include one or more of the following: reverse osmosis, distillation, micro-filtration, carbon filtration, ozonation, and ultraviolet (UV) light. The finished water product is then placed in a bottle under sanitary conditions and sold to the consumer.

RMN: *"Bottled water marketing is often misleading using such terms as 'spring water'....."*

IBWA: The FDA strictly enforces federal labeling laws to ensure that packaged food labels do not mislead consumers. Consumers are choosing bottled water based on the merits of its consistent safety, quality, convenience, and good taste. Bottled water marketing and advertising does not undermine consumer confidence in tap water. Rather, it focuses on the benefits of choosing water for hydration and the attributes of a specific brand.

RMN: *"Between 60 and 70 percent of American bottled water is exempt from complying with FDA rules because the FDA does not govern "water packaged or sold within the same state".*

IBWA: This statement is completely false and misleading. 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. 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. Congress has recognized this fact by enacting a law that expressly presumes that all food and beverage products are sold in interstate commerce. (21 U.S.C. § 379 (a)).

RMN: *"The FDA does not also regulate seltzer or carbonated water."*

IBWA: The FDA does not classify these drinks as "bottled water". It does however regulate these beverages as a packaged food product like other packaged drinks such as soft drinks.

RMN: *"Nearly 40 states admit they do not regulate such waters, which means more than half of U.S. bottled water is not required to meet the bottled water standards that are in place."*

IBWA: This statement is completely false and misleading. Bottled water is comprehensively regulated by the FDA (and its state agencies) as a packaged food product. In addition, all 50 states have delegation agreements with FDA, meaning that when they inspect a bottled water plant (or ANY food processing facility) they act with the full authority of the FDA.

RMN: *"City tap water... has far stricter regulations in place"*

IBWA: This statement is false and misleading. Bottled water is comprehensively regulated by the FDA and by federal law, the FDA regulations governing the safety and quality of bottled water must be at least as stringent as the U.S. Environmental Protection Agency (EPA) standards for tap water. And, in some very important cases like lead, coliform bacteria, and *E. coli*, bottled water regulations are substantially more stringent.

RMN: *"Repeated offenses of high levels of bacteria in tap water can be cause for a city violation. This rule does not apply to bottled water companies."*

IBWA: Both municipal tap water and bottled water must meet strict regulatory standards for health and safety. However, municipal water quality tests are permitted to be averaged over an entire year and still meet standards set out by the EPA. Bottled water manufacturers must ensure that every single bottle meets health and safety standards set by the FDA. When bottles do not meet these quality standards, they are either not shipped from the plant or if already shipped, they are recalled from store shelves.

RMN: *"Most U.S cities are required to test for water pathogens known to cause intestinal problems such as diarrhea. Bottled water companies are not required to comply."*

IBWA: Bottled water's safety record [speaks for itself](#) and consumers who choose to drink bottled water can rely on its consistent record of safety and quality. A 2009 survey of bottled water regulatory authorities in all 50 states and the District of Columbia and conducted by the Government Accountability Office (GAO), found there were zero outbreaks of foodborne illness from bottled water over a 5-year period. Moreover, in testimony before the U.S. Congress in 2009, the FDA stated that the

agency was aware of no major outbreaks of illness or serious safety concerns associated with bottled water in the past decade.

In contrast, EPA researchers estimate that 16.4 million cases of acute gastrointestinal illness (vomiting and diarrhea) per year are caused by tap water year (Messner M., et al., Journal of Water and Health, 2006; 4(Suppl 2):201-40).

RMN: *"Natural Resources Defense Council (NRDC) recently tested..."*

IBWA: There is nothing recent about the 1999 report except that recently (18 months ago) the NRDC updated that report to reflect the truth about the safety of bottled water. Read more about the NRDC's update here: <http://www.nrdc.org/water/drinking/bw/bwinx.asp>

We believe that it is not in the best interest of your readers to discourage the consumption of this safe, healthy, convenient product.

I respectfully request the article on your website either be updated to reflect the facts mentioned above or removed, as the article as it currently appears, seriously misinforms consumers about the safety and quality of bottled water.

Sincerely,

Chris Hogan
Vice President of Communications
International Bottled Water Association
703-647-4609
chogan@bottledwater.org