

HOUSE BILL REPORT

SHB 2747

As Passed Legislature

Title: An act relating to bottled water.

Brief Description: Regulating bottled water.

Sponsor(s): By House Committee on Agriculture & Rural Development (originally sponsored by Representatives Fraser, McLean, Valle, Miller, Rayburn, Edmondson, Winsley, Scott, Basich and Jacobsen).

Brief History:

Reported by House Committee on:
Agriculture & Rural Development, February 6, 1992, DPS;
Appropriations, February 9, 1992, DPS(AG);
Passed House, February 17, 1992, 94-0;
Amended by Senate;
Passed Legislature.

**HOUSE COMMITTEE ON
AGRICULTURE & RURAL DEVELOPMENT**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 10 members: Representatives Rayburn, Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Minority Report: *Without recommendation.* Signed by 1 member: Representative Kremen, Vice Chair.

Staff: Kenneth Hirst (786-7105).

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: *The substitute bill by Committee on Agriculture & Rural Development be substituted therefor and the substitute bill do pass.* Signed by 25 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Carlson; Dorn; Ebersole; Hine; Lisk; May;

Mielke; Nealey; Peery; Pruitt; Rust; D. Sommers; H. Sommers; Valle; Vance; and Wang.

Staff: Maureen Morris (786-7152).

Background: The Department of Agriculture regulates intrastate commerce in food products under the state's food processing act and food, drug, and cosmetics act. The department regulates certain specific food products, such as dairy, meat, and poultry products under other state laws as well.

Summary of Bill: Standards are established for the following forms of bottled water: artesian or natural artesian water, distilled water, mineral water, spring or natural spring water, naturally carbonated or naturally sparkling water, purified water, and well water. Supplemental information or graphics must not imply properties which are not factual. Soft drinks, soda, and seltzer products commonly recognized as soft drinks and identified with a name other than these names for bottled water are exempted from these requirements. Standards and labeling requirements are also established for bottled drinking water and for bottled water to which carbon dioxide has been added.

Bottled water is expressly added to the foods which are regulated by the Department of Agriculture under the state's food processing act and food, drug, and cosmetics act. In addition, the Board of Health is directed to set by rule quality standards for the source or supply of water for bottled water plants.

If a water dealer or operator of a bottled water plant knows or has reason to believe that a contaminant is present in the dealer's or plants's water source and its presence would create a potential health hazard to consumers, the dealer or operator must report the occurrence to the Department of Health.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: (Agriculture & Rural Development): (1) In some instances, the label on bottled water does not properly identify the contents of the bottle. This is a consumer protection bill which would prevent such practices. (2) The Department of Agriculture currently regulates bottled water as a food for safety purposes. It does not regulate the labels on such bottles.

(Appropriations): None.

Testimony Against: (Agriculture & Rural Development): (1) If a city's water system gets all of its water from a spring, it is spring water just like water from a private spring, but could not be labeled as such under this bill. (2) A retailer should not be responsible for the labels put on bottled water by other entities.

(Appropriations): None.

Witnesses: (Agriculture & Rural Development): Representative Fraser (in favor); Dave Monthie, Department of Health (in favor); Jeff Cox, Washington Retail Dealers Association and Jim Boldt, Washington Food Dealers (opposed to retailer liability provisions); William Bechtel and Allen Bechtel, Pure Water Corporation (opposed to certain labeling restrictions for bottled spring water); and Mike Schwisow and Vern Hedland, Department of Agriculture.

(Appropriations): Representative Karen Fraser (in favor).