



**House
Legislative
Analysis
Section**

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LABEL BOTTLED WATER

House Bill 4278

Sponsor: Rep. Gary L. Randall

**Committee: Agriculture, Forestry and
Minerals**

Complete to 3-12-91

A SUMMARY OF HOUSE BILL 4278 AS INTRODUCED 2-15-91

The bill would amend the Michigan Food Law of 1968, adding a new section (15a) to require that certain kinds of bottled and "vended" water be labeled with the source of the water and certain kinds of treatment (if any) that the water had undergone.

Definitions. The bill would define "bottled water" to mean water for human consumption which was in sealed containers from a water-bottling plant and which had undergone purification or treatment beyond that provided by a public water system. "Vended water" would refer to water for human consumption which was not placed in a sealed container by a bottler and which was dispensed by a water-vending machine (defined in the bill), retail water facility (also defined in the bill) or was from a private water source. "Vended water" would not include unprocessed public drinking water.

In addition to the definitions of bottled and vended water, the bill also would define different kinds of water by distinguishing between water from naturally occurring sources (and that could have naturally occurring carbon dioxide, fluoride, or other minerals) and that which had been treated (fluoridated, carbonated, or mineralized by the bottler). Basically, water from naturally occurring sources would include "artesian well water," "mineral water" or "natural mineral water," "natural water," "spring water," and "well water." "Natural water" would include spring water, artesian well water, or well water "unmodified by mineral addition or deletion." Specific water treatments could include carbonation; purification by distillation, deionization, or reverse osmosis (or other methods meeting federal definitions of purified water); fluoridation; and addition of minerals. "Distilled water," "mineralized water," and "purified water" all would be considered as other than natural water.

Labeling. Basically the bill would require that people bottling or selling any bottled or vended water defined under the bill would have to identify the source and any treatment of the water. Bottlers would have to label each container of bottled water. Owners or operators of water vending machines or retail water facilities would have to either label their containers or to post ("in a location readily visible to the customer") a sign with the required information.

If a corporate name or trademark contained the words "spring" or "springs," "well," "artesian well," or "natural," and if the source of the water was different from that stated in the corporate name or trademark, each bottle or vending machine would have to contain

the source of the water in typeface at least equal to the size of the corporate name or trademark.

Restrictions and requirements for "natural water". In the bill, "natural water" would refer to water which was from a spring, an artesian well, or a well and which had not had any minerals added or taken out (Note: The bill would define "mineral water" as water with more than 500 milligrams of total dissolved solids per liter which originated entirely from a well, artesian well, or a spring.)

The bill would allow natural water to be filtered, and would require it to be disinfected and treated to reduce the concentration of any substance which exceeded safety standards established by the Department of Public Health. (Note: the section regarding artesian well water allows filtering and disinfection, but does not require disinfection; the section on mineral water would require it to be treated to reduce the concentration of any "naturally" occurring substance which exceeded bottled water safety standards established by the department.) The bill would prohibit adding water from other sources (that is, nonartesian well water to artesian well water, nonmineral water to mineral water, nonspring water to spring water, nonwell water to well water) and also would prohibit the addition or deletion of minerals.

Mineral and spring water could be obtained either from a natural opening or from a bore hole next to the natural opening. Spring water that was obtained by external force from a natural opening and mineral or spring water from a bore hole would have to be from the same underground stratum and of the same quality and composition as water obtained from the natural opening without external force. Mineral water and spring water could be collected and transported by pipes, tunnels, trucks, or "similar devices."