

HOUSE BILL No. 5860

March 4, 2008, Introduced by Reps. Bauer, Valentine, Alma Smith, Meadows, Kathleen Law and Warren and referred to the Committee on Great Lakes and Environment.

A bill to amend 2000 PA 92, entitled
"Food law of 2000,"
by amending section 4115 (MCL 289.4115).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4115. (1) A water bottler or water dispensing machine
2 owner shall register with the department each brand of bottled
3 water with a unique declaration of identity before the sale or
4 offering for sale of the water. The application for registration
5 shall be made on a form prescribed by the department and shall
6 include both of the following:

7 (a) The proposed label or placard for the water.

8 (b) For each year or portion of a year, a registration fee of
9 \$25.00 for each brand of water with a unique declaration of
10 identity and \$25.00 for each water dispensing machine.

1 (2) The registration required by subsection (1) expires
2 annually on April 30 and shall be renewed 30 calendar days before
3 expiration of the current registration.

4 (3) The department shall assess a late fee of \$25.00 for
5 bottled water or water from a water dispensing machine that is sold
6 or offered for sale without registration. A registration is not
7 effective until the late fee is paid.

8 (4) A WATER BOTTLER IN THIS STATE SHALL ANNUALLY REPORT TO THE
9 DEPARTMENT IN A FORM AND MANNER REQUIRED BY THE DEPARTMENT, FOR
10 EACH WATER SOURCE THE WATER BOTTLER UTILIZES FOR PRODUCING BOTTLED
11 WATER, THE TOTAL AMOUNT OF WATER WITHDRAWN DURING THE PRECEDING
12 YEAR AND THE AMOUNT OF THAT WATER THAT IS BOTTLED. A WATER BOTTLER
13 WHO REPORTS THE AMOUNT OF WATER WITHDRAWN AND THE AMOUNT OF THAT
14 WATER THAT IS A CONSUMPTIVE USE TO THE DEPARTMENT OF ENVIRONMENTAL
15 QUALITY UNDER SECTION 32707 OF THE NATURAL RESOURCES AND
16 ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.32707, OR UNDER
17 THE SAFE DRINKING WATER ACT, 1976 PA 399, MCL 325.1001 TO 325.1023,
18 IS NOT REQUIRED TO REPORT UNDER THIS SECTION. HOWEVER, THE
19 DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL ANNUALLY FORWARD THIS
20 INFORMATION TO THE DEPARTMENT.

21 (5) THE DEPARTMENT SHALL CREATE AND MAINTAIN A DATABASE OF
22 INFORMATION RECEIVED UNDER SUBSECTION (4) RELATED TO BOTH OF THE
23 FOLLOWING:

24 (A) THE ANNUAL AMOUNT OF WATER THAT IS WITHDRAWN FROM EACH
25 WATER SOURCE FOR THE PRODUCTION OF BOTTLED WATER.

26 (B) THE AMOUNT OF WATER FROM EACH WATER SOURCE THAT IS BOTTLED
27 OR, IF APPLICABLE, IS A CONSUMPTIVE USE.

1 (6) AS USED IN THIS SECTION, "CONSUMPTIVE USE" MEANS THAT TERM
2 AS IT IS DEFINED IN SECTION 32701 OF THE NATURAL RESOURCES AND
3 ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.32701.