

JAN 22 2010

A BILL FOR AN ACT

RELATING TO BOTTLED WATER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 328D-6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§328D-6[+] Labeling requirements. All bottled water
4 shall [~~e~~conform]:

5 (1) Be labeled with the date of bottling;

6 (2) Conform to applicable federal and state labeling laws
7 [~~and be~~]; and

8 (3) Be labeled in compliance with the following standards:

9 [~~(1)~~] (A) Mineral water may be labeled "mineral water".
10 Bottled water to which minerals are added shall
11 be labeled so as to disclose that minerals are
12 added, and may not be labeled "natural mineral
13 water".

14 [~~(2)~~] (B) Spring water may be labeled "spring water" or
15 "natural spring water".

16 [~~(3)~~] (C) Water containing carbon dioxide that emerges from
17 the source and is bottled directly with its



1 entrapped gas or from which the gas is
2 mechanically separated and later reintroduced at
3 a level not higher than naturally occurring in
4 the water may bear on its label the words
5 "naturally carbonated" or "naturally sparkling".
6 ~~[(4)]~~ (D) Bottled water which contains carbon dioxide other
7 than that naturally occurring in the source of
8 the product shall be labeled with the words
9 "carbonated", "carbonation added", or "sparkling"
10 when the carbonation is obtained from a natural
11 or manufactured source.
12 ~~[(5)]~~ (E) Well water may be labeled "well water" or
13 "natural well water".
14 ~~[(6)]~~ (F) Artesian water may be labeled "artesian water" or
15 "natural artesian water".
16 ~~[(7)]~~ (G) Purified water shall be labeled "purified water"
17 and the method of preparation shall be stated on
18 the label, except that purified water produced by
19 distillation may be labeled as "distilled water".
20 ~~[(8)]~~ (H) Drinking water may be labeled "drinking water".
21 ~~[(9)]~~ (I) Any bottler, distributor, or vendor of bottled
22 water whose corporate name, brand name, or



1 trademark contains the words "spring", "well",
2 "artesian", "mineral", or "natural", or any
3 derivative of those words shall label each bottle
4 with the type of bottled water in typeface at
5 least equal to the size of the typeface of the
6 corporate name, brand name, or trademark, if the
7 type of the bottled water is different from the
8 type stated or implied in the corporate name,
9 brand name, or trademark.

10 [~~(10)~~] (J) The use of the word "spring", or any derivative
11 thereof other than in a trademark, trade name, or
12 company name to describe water that is not spring
13 water as defined in section 328D-1 shall be
14 prohibited.

15 [~~(11)~~] (K) A product meeting more than one definition as
16 stated in section 328D-1 may be identified by any
17 of the applicable product types defined in
18 section 328D-1, except where otherwise
19 specifically prohibited.

20 [~~(12)~~] (L) Supplemental printed information and graphics
21 concerning recognized uses of the water may
22 appear on the label but shall not imply



1 properties of the product or preparation methods
2 which are not factual."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect one year from the
6 date of its approval.
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Report Title:

Bottled Water; Labeling; Date of Bottling

Description:

Requires all bottled water to be labeled with the date of bottling.

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