

**SB 711**



**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
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**Testimony COMMENTING on S.B. 711**  
**RELATING TO PROCUREMENT**

SENATOR DONOVAN M. DELA CRUZ, CHAIR  
SENATOR MIKE GABBARD, CHAIR  
SENATE COMMITTEE ON GOVERNMENT OPERATIONS  
SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

Hearing Date: February 10, 2015 Room Number: 414  
Time: 1:20 pm

1 **Fiscal Implications:** None.

2 **Department Testimony:** The bill prohibits using state funds for the purchase of single-serving  
3 bottled water, except for certain circumstances.

4 The Department acknowledges that this measure has merit, as there is a need to reduce  
5 the use of disposable plastics within our state. We appreciate the inclusion of the  
6 Department's Office of Hazard Evaluation and Emergency Response; however, there are a  
7 number of other disaster/emergency response and preparedness organizations within the  
8 Department who are not appropriately addressed in this bill. This includes, but is not limited to  
9 the following: Disease Outbreak Control Division (Public Health Preparedness Branch and  
10 Hawaii Medical Reserve Corps); Environmental Health Services Division (Sanitation Branch and  
11 DOH Radiological Response Team); and the State Emergency Medical Services and Injury  
12 Prevention System Branch.

13 It is essential for these entities to have the ability to purchase and stockpile bottled water in  
14 advance of an emergency or disaster, in order to be adequately prepared prior to an  
15 occurrence.

16 **Offered Amendments:** We respectfully request inclusion of the aforementioned entities, and  
17 suggest the following amendment to Chapter 103D(b)(1): "Public health and safety  
18 preparedness, emergencies, investigations, and extended deployments or activations of the  
19 department of health or the department of defense"

20 Thank you for the opportunity to testify on this measure.



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
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**Date:** 02/10/2015

**Time:** 01:20 PM

**Location:** 414

**Committee:** Senate Energy and Environment

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** SB 0711 RELATING TO PROCUREMENT.

**Purpose of Bill:** Prohibits the expenditure of state funds by state agencies for the purchase of single-serving bottled water, except under certain circumstances.

**Department's Position:**

The Department of Education does not support SB 0711, prohibiting the purchase of single-serving bottled water with state funds. Students should have access to water sources throughout the school day.

Studies have shown, when people don't have access to bottled water, they don't necessarily drink tap water. If a school campus does not provide an option to purchase bottled water, students may opt for sugary drinks. To maintain a healthy lifestyle, and a means to keep hydrated, promoting consumption of water from all sources is vital.



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**State of Hawaii  
Senate Committee on Government Operations  
and  
Senate Committee on Energy and Environment  
Public Hearing on Senate Bill 711  
February 10, 2015**

**Testimony**

**James P. Toner, Jr.  
Director of Government Relations  
International Bottled Water Association**

Chairmen Dela Cruz and Gabbard, Vice Chairmen Nishihara and Green, and members of the Senate Committee on Government Operations and the Senate Committee on Energy and Environment, the International Bottled Water Association (IBWA) offers the following comments in opposition to Senate Bill 711 which would prohibit the use of state funds to purchase single-serve bottled water for state agencies.

IBWA is the trade association representing all segments of the bottled water industry, including spring, artesian, mineral, sparkling, well, groundwater and purified bottled waters. IBWA members include bottled water bottlers, distributors and suppliers throughout the United States, including several small, medium and large size companies doing business in Hawaii.

Senate Bill 711 is not in the public interest and IBWA would urge the committee not to support it. IBWA opposes this legislation because:

- efforts to restrict access to bottled water hinder individuals searching for a healthier beverage alternative
- bottled water has the lowest environmental footprint of any packaged beverage
- being strictly regulated by the U.S. Food and Drug Administration (FDA) as a food product makes bottled water a safe choice for consumers

**Bottled Water's Role in Healthy Hydration**

For those who want to eliminate or moderate calories, sugar, caffeine, artificial flavors or colors, and other ingredients from their diet or simply wish to opt for a convenient beverage with refreshing taste, reliable quality, and zero calories choosing water is the right choice – no matter what the delivery method. When choosing a packaged beverage, bottled water is a smart and health conscious choice when it comes to packaged beverage. Efforts to eliminate or reduce

access to bottled water such as this legislation only hinder attempts to encourage people to choose healthier drink options.

In fact, since 1998, approximately 73% of the growth in bottled water consumption has come from people switching from carbonated soft drinks, juices, and milk to bottled water. One of the simplest changes a person can make is to switch to drinking water instead of other beverages that are heavy with sugar and calories. According to the Institute of Medicine and the American Journal of Preventative Medicine, one-third of American adults are overweight and another one-third is obese. And, over the last 30 years, children's obesity rates have climbed from 5% to 17%. Drinking zero-calorie beverages, such as water, instead of sugar-sweetened beverages is regularly cited as a key component of a more healthful lifestyle, and promoting greater consumption of water from all sources, tap, filtered or bottled water, can only benefit those efforts.

In today's on-the-go society, most of what we drink comes in a package. Attacks on bottled water only help to promote less healthy options among other packaged beverages, like soft drinks and soda, which have *more packaging, more ingredients, and greater environmental impacts* than bottled water. Research shows that if bottled water isn't available, 63% of people will choose soda or another sugar-sweetened beverages – not tap water. If bottled water isn't available to Hawaii state agency employees and visitors, they are likely to turn to a less healthy option.

### **Bottled Water Industry as an Environmental Steward**

Just like the bottled water industry, Hawaii prides itself on being proactive when it comes to environmental stewardship and recycling. The state's mandatory bottle deposit program (Solid Waste Management; Deposit Beverage Container Law), in effect for the last 10 years, was specifically implemented to address the recycling of a wide array of beverage containers, including those for bottled water.

According to the U.S. Environmental Protection Agency (EPA), throughout the U.S. plastic water bottles make up less than 0.03% of all municipal solid waste. All bottled water containers are 100% recyclable. New data from the National Association for PET Container Resources (NAPCOR) and the Beverage Marketing Corporation (BMC) show the bottled water industry continuing strong efforts in reducing its environmental footprint through significant increases in recycling and the use of less plastic in single-serve polyethylene terephthalate (PET) bottled water containers.

According to NAPCOR's February 2014 study, now at 38.04%, the recycling rate for single-serve PET plastic bottled water containers more than doubled between 2003 and 2012. In addition, NAPCOR reports that PET plastic bottled water containers remain the most frequently recycled PET beverage container in curbside recycling programs.

Additionally, data released by BMC in January 2013 shows that between 2000 and 2011, the average weight of a 16.9-ounce (half-liter) PET plastic bottled water container has declined 47.8%. This has resulted in a savings of 3.3 billion pounds of PET resin since 2000. The ongoing

efforts to increase the recycling rate of PET plastic bottled water containers, coupled with the continuing decrease in container weight, underscores the consistent drive of the bottled water industry to improve recycling programs and reduce its overall environmental footprint. While this is encouraging news, it is also a reminder that more needs to be done to expand recycling efforts and collection methods across the country for all packaged goods, including bottled water.

Even with continuing growth and increased consumption, bottled water still has the smallest water and energy use footprint of any packaged beverage. The results of a 2014 IBWA benchmarking study show that the amount of water and energy used to produce bottled water products in North America is less than all other types of packaged beverages. On average, only 1.32 liters of water (including the liter of water consumed) and 0.24 mega joules of energy are used to produce one liter of finished bottled water.

Additionally, the bottled water industry is a strong supporter of our environment and our natural resources. In fact, a life cycle assessment conducted by Quantis in 2010 shows bottled water's environmental footprint is the lowest of *any* packaged beverage. Key findings of this study show that water is the least environmentally impactful beverage option and that bottled water is the most environmentally responsible packaged drink choice. The study also found that:

- Sports drinks, enhanced waters and soda produce nearly 50% more carbon dioxide emissions per serving than bottled water
- Juice, beer and milk produce nearly three times as many carbon dioxide emissions per serving than bottled water
- Milk, coffee, beer, wine and juice together comprise 28% of a consumer's total beverage consumption but represent 58% of climate change impact

In 2009, IBWA commissioned a life cycle inventory (LCI) by Franklin Associates to determine the environmental footprint of the United States bottled water industry. The results indicate that bottled water has a very small environmental footprint. In fact, the PET small pack and Home Office Delivery (HOD) bottled water industries combined emit 6.8 million tons of CO<sub>2</sub> eq. a year, which is equivalent to 0.08 percent of total United States emissions. The production, packaging, and transportation of HOD and small pack bottled water consumed in the U.S. in 2007 required 107.4 trillion BTU. Thus, process and transportation energy use for the bottled water industry was 0.07% of total U.S. primary energy consumption. The LCI also states, at 1.08 million tons, bottled water packaging discards account for 0.64% of the 169 million tons of total U.S. municipal solid waste discards in 2007.

So when a consumer reaches for another packaged beverage other than bottled water, they are opting for a less healthy, less environmental friendly drink and one that uses considerably more water to produce the end product.

### **Bottled Water is a Safe Choice**

Bottled water companies produce a safe, healthy, and convenient packaged food product that is comprehensively and stringently regulated by the FDA under the Federal Food, Drug, and

Cosmetic Act (FFDCA), 21 U.S.C. § 301 et seq., and applicable sections of Title 21 of the Code of Federal Regulations (CFR). Bottled water must meet the FDA's general food regulations, as well as standards of identity, standards of quality, good manufacturing practices and labeling requirements specifically promulgated for bottled water. By federal law, the FDA regulations governing the safety and quality of bottled water must be as stringent as the EPA regulations governing tap water. And, in some very important cases like coliform bacteria and *E. coli*, bottled water regulations are substantially more stringent.

All bottled water products – whether from groundwater or public water sources – are produced utilizing a multi-barrier approach. From source to finished product, a multi-barrier approach helps prevent possible harmful contamination to the finished product as well as storage, production, and transportation equipment. Measures in a multi-barrier approach may include one or more of the following: source protection, source monitoring, reverse osmosis, distillation, micro-filtration, carbon filtration, ozonation, and ultraviolet (UV) light.

Claims regarding chemicals migrating from plastic water bottles are inaccurate, misleading and only serve to create unnecessary alarm among consumers. Bottled water containers, as with all food packaging materials, must be made from substances approved by the FDA for food contact. Plastic containers that are used for bottled water products (which are made from the same materials used in other food product containers) have undergone FDA scrutiny prior to being available for use in the market place. The FDA has determined that the containers used by the bottled water industry are safe for use and do not pose a health risk to consumers.

The bottled water industry supports a strong public water system, which is important for providing citizens with clean and safe drinking water. In fact, many bottled water companies use public water sources for their products. Once this water enters the bottled water plant, several processes are employed to ensure that it meets the FDA's purified water standard, including many of the methods described in the multi-barrier approach above. The finished water product is then placed in a bottle under sanitary conditions and sold to the consumer. Moreover, the water from public water systems is often compromised after emergency situations or natural disasters (e.g., hurricanes, floods, tornados, fires, or boil alerts). During these times, bottled water is a necessary and reliable alternative to deliver clean, safe drinking water.

IBWA appreciates the efforts to include in the language of the legislation exemptions for specific circumstances where bottled water may be necessary. However, in many of these cases, without bottled water being quickly accessible the issue of quick and efficient delivery of needed product becomes an issue. If manufacturers or distributors are unable to deliver bottled water due to disaster or hazardous conditions, those that are in need will not be able to receive this important commodity at the most vital time.

## **Conclusion**

IBWA hopes that this information has provided you with better insight into the bottled water industry and the importance of access to bottled water for the state agency employees of Hawaii. For these reasons, we would ask that the Committees oppose Senate Bill 711. We appreciate this

opportunity to offer these comments and are available at any time to discuss information on the industry and the important products we provide.