

113TH CONGRESS
2D SESSION

H. R. 4978

To amend the Federal Food, Drug, and Cosmetic Act to require bottled water manufacturers and distributors to disclose bottled water quality information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2014

Mrs. ELLMERS (for herself, Mr. MATHESON, and Mr. NUGENT) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to require bottled water manufacturers and distributors to disclose bottled water quality information, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bottled Water Quality
5 Information Act”.

1 **SEC. 2. BOTTLED WATER QUALITY REPORTS AND LABEL-**
2 **ING.**

3 (a) IN GENERAL.—Section 410 of the Federal Food,
4 Drug, and Cosmetic Act (21 U.S.C. 349) is amended by
5 adding at the end the following:

6 “(c) BOTTLED WATER QUALITY REPORTS.—

7 “(1) IN GENERAL.—The Secretary shall, by
8 regulation, require bottled water quality reports in
9 accordance with paragraph (3).

10 “(2) REGULATIONS.—In carrying out para-
11 graph (1), the Secretary shall—

12 “(A) issue proposed regulations not later
13 than 18 months after the date of enactment of
14 this subsection; and

15 “(B) issue final regulations not later than
16 18 months after the period for public comment
17 on such proposed regulations has ended.

18 “(3) REQUIREMENTS.—The regulations promul-
19 gated under paragraph (1) shall require that each
20 bottled water manufacturer or distributor annually
21 prepare, and make available upon request, a bottled
22 water quality report for each bottled water product
23 that includes—

24 “(A) the name and contact information of
25 the bottled water manufacturer or distributor;

1 “(B) the type of water source (such as a
2 spring, an artesian well, or a public water sys-
3 tem);

4 “(C) a brief and plainly worded definition
5 of the terms ‘Standard of Identity (SOI)’ as de-
6 scribed in section 165.110(a) of the Code of
7 Federal Regulations, title 21 (or any successor
8 regulations) and ‘Standard of Quality (SOQ)’
9 as defined in section 165.110(b) of the Code of
10 Federal Regulations, title 21 (or any successor
11 regulations) and as applied to bottled water
12 under this Act and applicable regulations;

13 “(D) a brief description of the primary
14 processing (treatment) methods used by the
15 bottled water manufacturer (such as reverse os-
16 mosis, ozonation, ultraviolet light, and micron
17 filtration); and

18 “(E) test results for the microbiological,
19 physical, chemical, and radiological quality of
20 bottled water, as prescribed by section
21 165.110(b) of the Code of Federal Regulations,
22 title 21 (or any successor regulation).

23 “(d) BOTTLED WATER LABELING.—

24 “(1) IN GENERAL.—The Secretary shall, by
25 regulation, require each bottled water label to in-

1 clude the information prescribed under paragraph
2 (3).

3 “(2) REGULATIONS.—In carrying out para-
4 graph (1), the Secretary shall—

5 “(A) issue proposed regulations not later
6 than 18 months after the date of enactment of
7 this subsection; and

8 “(B) issue final regulations not later than
9 18 months after the period for public comment
10 on such proposed regulations has ended.

11 “(3) REQUIREMENTS.—The regulations promul-
12 gated under paragraph (1) shall require that each
13 bottled water label include—

14 “(A) the name and contact information of
15 the bottled water manufacturer or distributor;

16 “(B) a statement on how consumers may
17 obtain, upon request, a bottled water quality re-
18 port as described in subsection (c)(3); and

19 “(C) the type of water source (such as a
20 spring, artesian well, or public water system).

21 “(4) MULTISERVICE CONTAINERS.—For refill-
22 able and reusable multiservice containers, the re-
23 quirements in paragraph (3) may be satisfied by in-
24 cluding the required information on one or more of
25 the following:

1 “(A) The container label.

2 “(B) The cap label.

3 “(C) An electronic or manual billing state-
4 ment provided to the consumer.

5 “(e) NATIONAL UNIFORM LABELING.—No State or
6 political subdivision of a State may directly or indirectly
7 establish or continue in effect any requirement with re-
8 spect to a bottled water quality report of the type required
9 under subsection (c), or with respect to bottled water la-
10 beling of the type required under subsection (d), that is
11 not identical to the requirements of subsection (c) or (d),
12 respectively.”.

13 (b) PROHIBITED ACT.—Section 301 of the Federal
14 Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amend-
15 ed by adding at the end the following:

16 “(ddd) The failure by a bottled water manufacturer
17 or distributor to maintain an annual bottled water quality
18 report in accordance with section 410(c).”.

19 (c) MISBRANDING.—Section 403 of the Federal
20 Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amend-
21 ed by adding at the end the following:

22 “(z) If it is bottled water and its label fails to include
23 the information required by section 410(d).”.

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