A BILL FOR AN ACT

RELATING TO BOTTLED WATER.

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

SECTION 1. The legislature finds that Americans send more than thirty-eight billion water bottles to landfills every year, while only thirty per cent of water bottles are placed in a recycling bin. Aluminum cans, however, are recycled twice as often as plastic, glass, and cartons. Unlike single-use plastic bottles, one hundred per cent of the aluminum can is recyclable, meaning the material from one aluminum can or bottle can be used to make another aluminum can without any new material. This closed loop cycle can take as little as sixty days.

The legislature further finds that many carbonated soft drink companies on the mainland also produce canned noncarbonated water with the same equipment used to make their other products. However, existing state law expressly prohibits carbonated soft drink, juice, and beer operations from using the same equipment to can noncarbonated bottled water. This restriction unfairly and unnecessarily limits local beverage filling companies that manufacture other products from providing
noncarbonated water in aluminum cans to consumers as an
alternative to single-use plastic water bottles.

The legislature notes that the soft drink companies on the
mainland use antimicrobial agents such as ozone during the can
water production process. The ozonated water passing throughout
the entire filling operation at these companies effectively
eliminates microbiological contamination of the finished
product.

The purpose of this Act is to repeal the requirement that
noncarbonated bottled water be bottled in or through lines or
equipment through which only water is passed.

SECTION 2. Section 328D-3, Hawaii Revised Statutes, is
amended by amending subsection (b) to read as follows:
"(b) Bottled water production, including transporting,
processing, packaging, and storage, shall be conducted under
such conditions and controls as are necessary to minimize the
potential for microbiological contamination of the finished
product. These conditions and controls shall include the
following:
(1) Bottled water shall be subject to effective germicidal
treatment by ozonation or carbonation at a minimum of
three volumes of carbon dioxide or other equivalent
disinfection approved by the department or government
agency or agencies having jurisdiction; and
(2) Bottled water shall not be transported or stored in
bulk tanks or processed or bottled through equipment
or lines used for any nonfood product[; and
(3) For optimum consumer protection, in order to minimize
the potential for microbiological contamination of the
finished product, noncarbonated bottled water shall
not be transported, stored, processed, or bottled in
or through lines or equipment through which any food
product other than water is passed]."

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

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

[Signature]
Report Title:
Noncarbonated Bottled Water; Aluminum Cans; Manufacturing

Description:
Repeals the requirement that noncarbonated bottled water be transported, stored, processed, or bottled through lines or equipment through which only water is passed.

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