



1700 Diagonal Road, Suite 650
Alexandria, VA 22314
703-647-4609
jculora@bottledwater.org
www.bottledwater.org

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Johnny Pujol, CEO
Jessica Goddard, Chief Science Officer
SimpleLab
1860 Le Roy Ave
Berkeley, CA 94720

press@gosimplelab.com
hello@gosimplelab.com

Dear Mr. Pujol and Ms. Goddard:

SimpleLab's website, mytapscore.com, claims to "fiercely" follow the facts and "fight misinformation with science." However, the website makes several patently false, misleading, and disparaging statements about bottled water. The International Bottled Water Association (IBWA) strongly objects to these statements and requests that you immediately remove these inaccurate claims from your website.

Water is always the best and healthiest choice for hydration, whether from a bottle, a filter, or the tap, and people should not be discouraged from choosing to drink water from any of these sources.

Mytapscore.com website claims to provide impartial information that maintains neutrality with no hidden agenda, yet your company's business is selling water testing products and services to the public. Your website motivates prospective buyers to purchase such products and services by casting doubt on the safety and quality of bottled water. Mytapscore.com's words and actions clearly do not match.

Listed below, in the order that they appear on your webpages, are specific details of false and inaccurate claims that require addressing:

- On the "Bottled Water & Regulation" page (https://mytapscore.com/blogs/tips-for-taps/how-is-bottled-water-regulated?_pos=4&_sid=8bf8d535c&_ss=r)
 - **False claim:** "Bottled water is regulated less stringently than tap water."
Fact: By federal law, U.S. Food and Drug Administration (FDA) regulations governing the safety and quality of bottled water must be as protective of the public health as the Environmental Protection Agency (EPA) standards for tap water. (See 21 U.S.

Code §349.) FDA must review every new EPA maximum contaminant level (MCL) and monitoring requirement for public drinking water to determine if it should apply to bottled water. FDA has 180 days after the date of each EPA final rule to make that decision. If FDA takes no action, the new EPA standard for tap water will, by operation of law, become applicable to bottled water.

- **False claim:** “A significant fraction of bottled water sold is effectively tap water taken from municipal sources, sometimes with additional treatment, but not always.”

Fact: Bottled water companies use different source waters to produce bottled water (spring, artesian, mineral, and purified). Many bottled water companies use public water sources for their purified bottled water products. However, it is important to note that this is not "just tap water in a bottle." Once the tap water enters the bottled water plant, several processes are employed to ensure that it meets the standard for purified water in the U.S. Pharmacopeia, 23rd Revision. These treatments may include one or more of the following: reverse osmosis, distillation, micro-filtration, carbon filtration, ozonation, and ultraviolet (UV) light. The finished water product is then placed in a bottle under sanitary conditions and sold to the consumer. The chemical and physical quality of this water is not the same as water that comes out of the tap. If the finished water does not meet strict FDA regulations, then it is deemed adulterated and subject to recall.

It is extremely unlikely that any company sells bottled water products made from untreated municipal water. No one at IBWA has ever seen or heard of untreated municipal water being bottled (and one of our staff members has been in the bottled water industry for 30+ years).

- **Misleading claim:** “Various studies have shown bottled water to contain a wide range of contaminants, including bacteria, heavy metals including lead and antimony, volatile and semi-volatile organic contaminants, disinfection by-products, radiological elements, and various PFAS compounds.”

Fact: Most references cited in this blog post are very old and obscure studies that have been thoroughly rebutted and do not reflect the reality of bottle water’s solid safety track record. The fact is the incidence of bottled water contamination is so rare that bottled water is considered by FDA to be low risk for food safety.

Bottled water is among the safest food products on the market. 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. Many of the steps in a multi-barrier system are effective in safeguarding bottled water from

microbiological and other contamination. 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 UV light. FDA sets contamination limits that are lower than the level at which harm would likely occur, which the bottled water industry fully supports. Read more: [Bottled Water Standards of Identity and Quality: 21 CFR § 165.110 \(a\) and \(b\)](#).

Although there is no FDA standard of quality (SOQ) for PFAS in bottled water, IBWA requires its members to test for PFAS in all the products they sell. In addition, IBWA has established the following SOQs for PFAS in member company bottled water products:

- 5 parts per trillion (ppt) for one PFAS
- 10 ppt for more than one PFA

IBWA's SOQs for PFAS are substantially below the EPA's health advisory level of 70 ppt.

Testing for PFAS provides consumers, local and state governments, and disaster relief personnel further assurance that bottled water is a safe and convenient product for everyday use and in times of need when tap water is compromised.

We would also note that when testing determines that tap water exceeds the legal limits for contaminants set by the EPA, the water supply continues to be distributed to consumers, with applicable public notifications (e.g., health alerts, boil water alerts). In stark contrast, the water in every single bottled water container must meet strict standards set by FDA. If any bottled water product is found to exceed the FDA standards of quality, it is subject to immediate recall from the marketplace and the company that makes the product faces significant criminal and civil penalties.

- **Misleading claim:** "The FDA's regulations do not require bottled water to retain a disinfectant residual, a practice that is required by the EPA to ensure that microbial contamination is not introduced after water leaves the treatment plant."

Fact: Bottled water is disinfected and sealed at the time of bottling for safety, therefore it does not require a residual disinfectant. Whereas EPA requires residual disinfectant because the tap water has to travel to people's homes via pipes that are in some cases very old and could alter the quality of the water after it leaves the treatment plant.

- **False claim:** "Another suggested shortcoming of bottled water regulation is the lack of a minimum fluoride requirement (which is in tap water)."

Fact: Fluorinated bottled water is available and complies with FDA standards. There are many sources of fluoride, and the amount of fluoride exposure varies greatly by community and individual. Fluoride is present in many foods and beverages and almost all toothpaste contains fluoride. Too much exposure to fluoride can lead to a condition called fluorosis, which results in stains to the teeth. Consumers should, therefore, look at how much fluoride they are receiving as part of an overall diet and should contact their health-care or dental-care provider for their recommendation.

- **False claim:** “The FDA is not required to analyze bottled water samples at certified laboratories, as is required by the EPA for municipal water analysis.”

Fact: As mentioned above, bottled water is considered a low safety risk. Under Section 414 of the Food Safety Modernization Act (FSMA), all bottled water facilities are required to meet regular testing requirements and maintain records of their manufacturing process for 2 years, and to make those records available to FDA for inspection under designated circumstances (21 CFR § 1.326 – 1.368).

- **Misleading claim:** “Bottled water manufacturers are not required to disclose water quality information on the bottle.”

Fact: All packaged foods and beverage products, including bottled water, have extensive labeling requirements, including a statement of the type of water that is in the container, compliance with the applicable definitions in the U.S. Food and Drug Administration (FDA) Standards of Identity, ingredient labeling, name and place of business of the manufacturer, packer or distributor, net weight, and, if required, nutrition labeling.

In addition, almost all bottled water products also have a phone number and/or website address on the label. This contact information allows consumers to get any additional information that they may want that might not already be on the label. This might include the source, treatment, and quality information.

Consumers have multiple choices in brands of bottled water. That is not the case with their public water system. Consumers cannot make a choice of which municipal water is piped into their homes. If a bottled water company does not satisfy a consumer’s request for more information, that consumer can, and should, choose another brand.

Consumers can be confident that bottled water products, like all food and beverages, are strictly and comprehensively regulated by FDA and, thus, are safe for consumption. The bottled water industry is committed to providing consumers with the safest and highest quality products.

- On the “Bottled Water: When Is It Worth It?” page (<https://mytapscore.com/blogs/tips-for-taps/bottled-water-when-is-it-worth-it>)
 - **Misleading claim:** “Of the top ten bottled water brands, only Nestlé provide information geographic source and treatment methods of their water.”

Fact: The FDA does not require the source and treatment methods to be listed on the label. But, as mentioned in the previous response, bottled water companies will provide that information upon request.
 - **False claim:** “You are probably better off choosing tap water. . . tap water quality is held to a higher regulatory standard than bottled water—as it is regularly monitored and treated in compliance with federal laws.

Fact: By federal law, U.S. Food and Drug Administration (FDA) regulations governing the safety and quality of bottled water must be as protective of the public health as the Environmental Protection Agency (EPA) standards for tap water. (See 21 U.S. Code §349.) FDA must review every new EPA maximum contaminant level (MCL) and monitoring requirement for public drinking water to determine if it should apply to bottled water. FDA has 180 days after the date of each EPA final rule to make that decision. If FDA takes no action, the new EPA standard for tap water will, by operation of law, become applicable to bottled water.
 - **Misleading claim:** “A study conducted by the Environmental Working Group uncovered that 38 contaminants were found in aggregate among ten popular bottled water brands.”

Fact: Again, citing an outdated study that has been thoroughly debunked. Read more here: <https://bottledwater.org/nr/ibwa-response-to-january-2011-environmental-working-group-report-on-bottled-water/>
 - **False claims:** “Bottled water: Adverse Environmental Effects”

Facts: Bottled water packaging has the smallest environmental footprint of all packaged drinks. Here’s why: PET water bottles use less than half of the material weight of all other packaging types — including aluminum cans, paperboard cartons, glass, and even PET soda bottles. Lower material usage means less impact from material extraction, manufacturing, and ultimately results in less material entering landfills or needing to be recycled. In addition, products such as carbonated soft drinks, juices, and other sugary beverages require far more plastic packaging due to carbonation and manufacturing processes (using at least 142% more plastic) and have a greater environmental impact than bottled water. A [graphic](#) IBWA produced explains the life-cycle specifics quite well.

Research from the [American Chemistry Council](#) looked at the entire life cycle of plastic packaging versus the alternatives of aluminum cans, paperboard cartons,

and glass—and concluded that PET plastic containers have the least environmental impact compared to those other packaging materials. The report’s most significant finding was the nearly doubling of greenhouse gas emissions — a major contributor to global warming—that would occur using non-plastic containers (i.e., aluminum cans, cartons, and glass). In fact, the use of those alternative packaging materials produces about 60% *more* greenhouse gas emissions than plastic beverage containers.

And McKinsey & Company, a well-respected consulting firm, [issued a report](#) that supports the Trayak assessment’s findings. That report shows that “PET bottles have the lowest greenhouse gas (GHG) emissions because of their lightweight properties and the low amount of energy required to produce them. By contrast, aluminum cans have two times the emissions of PET bottles, and emissions from glass bottles are three times higher.” It is important to note that this report compares PET soda bottles, rather than PET water bottles, with other packaging types. If McKinsey & Associates had included PET water bottles in this report, it is highly likely that the report would have found an even greater disparity between GHG emissions when compared with aluminum cans and glass bottles.

Unlike a lot of other consumer packaging, bottled water containers are 100% recyclable. They are also the most recognized as being recyclable and also the most recycled drink packaging in curbside bins (49% compared to soda containers at 18%). And in addition, the amount of water and energy used to produce bottled water is less than any other packaged drink.

People are making greater efforts to choose healthier foods and beverages. Therefore, it is not in the public interest to discourage consumption of bottled water — a safe, healthy, and convenient product. Consumers who choose to drink bottled water can rely on its consistent record of safety and quality.

Base on the concerns raised in this letter, IBWA strongly urges SimpleLab to remove the many false, misleading, and disparaging statements about bottled water from its website pages.

We look forward to your prompt response.

I would be happy to speak with you or someone from your company directly to discuss this matter.

Sincerely,

Jill Culora
Vice President Communications
International Bottled Water Association