

# INTERNATIONAL BOTTLED WATER ASSOCIATION GOVERNMENT RELATIONS COMMITTEE

Wednesday, February 7, 2018  
3:45 PM to 5:00 PM

## MINUTES

### I. Call to Order

The meeting was called to order by Co-Chairs Derieth Sutton, Niagara Bottling, and Viola Johnson-Jacobs, DS Services. Those present were:

#### **Committee Members:**

Derieth Sutton, Niagara Bottling  
Viola Johnson Jacobs, DS Services of America, Inc.  
Shayron Barnes Selby  
Philippe Caradec, Danone Waters of America  
Pete DePasquale, Nestle Waters North America, Inc.  
Michael Efron, Waterways, Inc.  
Brian Grant, Pure-Flo Water Company  
Henry Hidell, Hidell International  
Scott Hoover, Roaring Springs  
Douglas Hupe, Aqua Filter Fresh  
Tommy Morvant, Silver Spring  
Bob O'Donnell, Absopure Water Company  
Jeff Palmer, Dakota Splash  
Phyllis Rokus, The PAR Grop  
Bryan Shinn, WG American Company  
Denyce Sugarman, Eurofins Eaton Analytical, Inc.  
Mitch Turnipseed, Silgan Closures  
Lynn Wachtmann, Maumee Valley Bottlers, Inc.  
Jack West, Puro Filter Corporation

#### **IBWA Staff and Counsel:**

Joe Doss, IBWA  
Cory Martin, IBWA  
JP Toner, IBWA  
Nancy McNally, VanNess Feldman  
Veronica Colas, Hogan Lovells

- II. **Minutes** – The Committee heard a motion to approve the minutes of the meeting held November 8, 2017. It was **MOVED** and **SECONDED** and the **MOTION CARRIED**.

### III. Federal Legislative Issues

#### **A. The Supplemental Nutrition Assistance Program**

Staff gave an update on the federal food stamp program, or SNAP – the Supplemental Nutrition Assistance Program. Sugar sweetened beverages, candy, and snacks are prime targets for cuts, but bottled water has been a

target in the past. IBWA is working to ensure that bottled water does not become part of any cuts within the program.

#### **B. Increasing Truck Weight Limits**

The Committee also discussed transportation issues, including efforts to increase truck weight limits at the federal level. IBWA is a member of the Safer Hauling and Infrastructure Protection (SHIP) Coalition, and this group is working to gain support for a 10-state pilot program that would allow trucks up to 91,000 lbs. with 6 axles on all federal highways. It would also collect necessary data to give the Department of Transportation a clearer picture on the safety and efficacy of these trucks on the road versus trucks currently being used.

IBWA is also seeking to work with FEMA and other interested organizations to improve the response time required to temporarily increase truck weight limits during times of declared disasters.

#### **C. Amending the Fair Packaging and Labeling Act**

The Committee also briefly discussed efforts to reform the Fair Packing and Labeling Act (FPLA) to address attempts at the state and local level to create and enforce differing labeling regimes. This reform would seek to establish minimum federal standards and prevent possible conflict with non-federal level programs. IBWA continues to work with a broad coalition to determine how any outcome could impact the food and beverage industries.

#### **D. Trade Issues**

Staff shared information on IBWA's engagement on the trade front, discussing the need to renew the Generalized System of Preferences (or GSP) trade program. This program expired at the end of 2017, and allowed certain materials to be imported into the U.S. duty-free. IBWA is engaged in efforts to renew the program, and once it is renewed, all taxes paid on imports from the time the program expired to the time it is renewed will be refunded.

#### **E. National Park Service Ban on the Sale of Bottled Water**

The Committee discussed efforts to reinstate the National Park Service ban on bottled water sales. A bill that would reinstate the ban has been introduced and currently has 28 co-sponsors, but it is unlikely that it will move in this Congress. But if the makeup of Congress changes after the November elections, it could become an issue.

### **IV. Federal Regulatory Issues**

#### **A. 2020 Dietary Guidelines for Americans**

Late last November, IBWA participated in a USDA-led listening session regarding the forthcoming DGAs. In this session, IBWA stressed the need to include healthy hydration messages in the 2020 guidelines, as well as

include a water icon on the MyPlate nutritional graphic. IBWA also coordinated with the National Drinking Water Alliance to submit additional comments in favor of healthy hydration messages in the guidelines.

**B. Use of the Term “Healthy” on Bottled Water Labels**

The Committee heard an update on a request for the U.S. Food and Drug Administration (FDA) to use its enforcement discretion to allow the industry to use the term “healthy” on its products. Using enforcement discretion would avoid what could otherwise be a years-long regulatory process. IBWA counsel Joe Levitt recently communicated to FDA to ensure that its staff was aware of support from other organizations, including the Center for Science and Public Interest, to allow bottled water to use the term “healthy” on its label.

**V. Advocate, Communicate and Educate**

**A. 115<sup>th</sup> Congressional Fly-Ins**

Committee members were encouraged to participate in upcoming fly-ins for the remainder of the year. Dates remaining are:

- March 22
- June 6
- September 26

**B. IBWA Plant Tour Program**

The GR Committee discussed how to bring in more Members of Congress to visit bottling facilities across the country. The goal is to hold 15 plant visits in 2018, with a focus on holding these visits in the month of August during the Congressional recess.

**C. IBWA Political Action Committee**

The Committee was reminded that the PAC will be very active in 2018, but cannot communicate regarding events and other activities unless IBWA had an authorization to solicit from the company. Also, IBWA will soon release a public webpage that includes general information about the PAC. It will also include information on how member companies can become a PAC Program Sponsor. Look for more information on the webpage soon.

**VI. State Issues**

The Committee also discussed several state issues, including: California legislation on tethered caps, a new bill addressing a recycled content mandate for beverage containers and replacing the state’s current bottle deposit program with an EPR system, and the approaching deadline for plastic beverage container reporting to CalRecycle.

The Committee also discussed HB 1632, which is a bill in New Hampshire that would require bottled water labels to provide information on a long list of contaminants. IBWA is working with in-state counsel as well as other in-state allies to provide a unified message in opposition to the proposal.

**VII. Old Business**

No old business was brought before the Committee for their consideration.

**VIII. New Business**

No new business was brought before the Committee for their consideration.

**IX. Adjournment**

There being no further business to discuss, the meeting was adjourned.