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February 25, 2020

The Honorable Deb Haaland Chairman, Subcommittee on National Parks, Forests, and Public Lands House Natural Resources Committee 1324 Longworth House Office Building Washington, DC 20515 The Honorable Don Young Ranking Member, Subcommittee on National Parks, Forests, and Public Lands House Natural Resources Committee 1329 Longworth House Office Building Washington, DC 20515

Dear Chairman Haaland and Ranking Member Young:

The International Bottled Water Association (IBWA) appreciates the opportunity to provide a statement for the record of your February 27, 2020 hearing on pending legislation, including H.R. 4236, the Reducing Waste in National Parks Act.

Founded in 1958, IBWA represents U.S. and international bottlers, distributors, and suppliers of spring, mineral, artesian, sparkling, and purified bottled water in both small-pack retail bottles and 5-gallon water cooler containers found in homes and offices. While IBWA represents companies of all sizes, the vast majority of our members are small, locally owned companies, with 60 percent reporting less than \$2.6 million in annual gross sales and 90 percent reporting less than \$10 million in annual gross sales. These are local family entrepreneurs with deep roots and strong ties within their communities.

While IBWA and its members support recycling and waste reduction programs, as well as potable water stations in national parks and the use of refillable containers, we oppose policies and programs seeking to restrict or ban the sale of bottled water in national parks and other venues. H.R. 4236 mirrors a failed National Park Service (NPS) policy that was issued in December 2011 and rescinded in August 2017. Despite the policy's inconsistency with the NPS priority to offer healthy beverage options at national parks, the NPS moved forward, focusing on a single type of beverage product packaged in plastic – bottled water – for admittedly symbolic reasons, rather than addressing all packaged beverage containers as part of a broader waste management initiative.

Bottled water is the healthiest package beverage consumers can choose, has the smallest environmental footprint of any package beverage, and is a convenient beverage product that consumers drink at home, at the office, or on the go. Bottled water containers made from polyethylene terephthalate (PET), on average, use 59 percent less plastic than other PET packaged beverages (9.89 grams vs. 23.9 grams for 16.9-ounce containers), which include soda, juices and other beverages.

Under the flawed policy that this legislation seeks to resurrect, the NPS banned bottled water sales in 23 park units, without any meaningful analysis of the various factors that were required to be considered in order to impose a ban, and without the substantive monitoring and evaluation mandated by the policy. Contrary to NPS's efforts to encourage visitors to make healthy food and beverage choices and to stay properly hydrated, banning or restricting access to bottled water directly impacts the ability of individuals to choose the healthiest beverage available, particularly where other sources of drinking water may be limited or unavailable.

At the same time, such policies would continue to allow sugar-sweetened beverages packaged in much heavier plastic containers to be purchased in all national parks in America. Given the critical importance of proper hydration, and the increase in obesity and diabetes rates in the United States, any efforts to discourage or prevent park visitors from drinking bottled water are not in the public interest.

Such policies also fail to fully appreciate the consequences of implementing a bottled water sales ban, such as an offsetting increase in the sale of plastic-packaged beverages other than water (e.g., sodas, juices, tea, energy drinks, and flavored and enhanced water), that are less healthy for visitors and can actually increase plastic waste. According to a recent Harris Poll survey of over 2,000 Americans, more than 9 in 10 (91 percent) say bottled water should be available wherever other drinks are sold. If bottled water is not available, 74 percent of people said they would choose another packaged drink – not water from a drinking fountain, filtered tap water, or tap water.

To this point, several health, nutrition and consumer watchdog groups expressed serious concerns about the 2011 bottled water sales ban policy, citing it as being counterproductive, not making sense, and ludicrous as it would promote drinking less healthy beverage choices when visiting national parks. Also, as previously mentioned, these other packaged drinks often include more plastic, thus forcing consumers to purchase and potentially discard packaging that could be detrimental to the environment if not recycled.

In addition, anecdotal reports from units of the National Park System where NPS had banned bottled water sales under the 2011 policy suggested that other visitors responded by purchasing bottled water outside of the parks but still disposed of the bottles within the parks. The consequence of this is that the NPS and concessioners bear the costs of recycling and disposal, but they are deprived of the franchise fee collections and revenues that could help offset such costs.

IBWA supports the expansion and improvement of recycling programs in our national parks and in our communities across the nation. However, eliminating the ability of park visitors to purchase bottled water - which will lead many visitors to either purchase beverages that are less healthy or bring in bottled water from outside the parks - is not good public policy. Rather than eliminating the ability of consumers to purchase bottled water - the healthiest packaged beverage on the shelf - NPS should be looking for more ways to increase the availability of clean, safe drinking water in national parks. This can include the placement of bottle refilling stations and water fountains throughout the parks, but it also should permit visitors to decide how best to keep themselves and their families hydrated. We urge Congress and the NPS to instead focus on programs that support recycling for all packaged food and beverage products, whether purchased inside the parks or brought into the parks by visitors, so that America's treasured national parks are preserved for generations to come.

Below is our full statement for the record. We appreciate the opportunity to provide the members of the Subcommittee with our views. If you would like more information or have further questions, please do not hesitate to contact us.

Sincerely,

Joseph K. Doss President and CEO

CC: Chairman Raul Grijalva

Ranking Member Rob Bishop

Members of the House Natural Resources Subcommittee on National Parks, Forests and Public Lands

Testimony of Joe Doss President and CEO International Bottled Water Association Before the

Subcommittee on National Parks, Forests, and Public Lands of the Natural Resources Committee United States House of Representatives Hearing on HR 4236 February 27, 2020

Bottled Water Industry Profile

Founded in 1958, the International Bottled Water Association (IBWA) represents U.S. and international bottlers, distributors, and suppliers of spring, mineral, artesian, sparkling, and purified bottled water in both small-pack retail bottles and 5-gallon water cooler containers found in homes and offices.

While IBWA represents companies of all sizes, the vast majority of our members are small, locally owned companies, with 60 percent reporting less than \$2.6 million in annual gross sales and 90 percent reporting less than \$10 million in annual gross sales. These are local family entrepreneurs with deep roots and strong ties within their communities.

Generally speaking, the bottled water industry can be divided into two primary business models. The retail sale of bottled water to consumers accounts for about 88 percent of the bottled water market and is the largest and fastest growing segment of the U.S. bottled water industry. Consumers generally purchase bottled water in convenient 2 ½ gallon, 1 gallon, and smaller size containers—including the familiar 16.9-ounce (half-liter) bottles—through grocery, club, and convenience stores; supermarkets; and vending machines.

The home and office delivery (HOD) portion of the bottled water industry accounts for about 12 percent of the bottled water market. These services involve delivery of 3, 4, and 5-gallon re-usable bottles used with water coolers. This segment of the bottled water market has been providing consumers with safe, quality products for over 100 years in the United States.

Water Is the Best Choice for Healthy Hydration

American's growing preference for bottled water has helped people live a healthier lifestyle. Today, people are drinking more bottled water than soft drinks, and consumption of both tap water and bottled water are increasing. In 2016, bottled water outsold carbonated soft drinks by volume for the first time and it has not looked back since. In 2019, Beverage Marketing Corporation (BMC) data shows Americans consumed 14.3 billion gallons of bottled water, up 3.6 percent from 2018, and per capita consumption rose 2.7 percent to 43 gallons.

¹ Beverage Marketing Corporation: Bottled Water Becomes Number-One Beverage in the U.S. March 10, 2017. Available at: https://www.beveragemarketing.com/news-detail.asp?id=438

² Beverage Marketing Corporation: Bottled Water, The Largest Beverage in the U.S., Continues to Grow. May 29, 2019. Available at: https://www.beveragemarketing.com/news-detail.asp?id=558

Americans are increasingly choosing healthy bottled water instead of packaged sugary drinks, saving approximately 470 billion calories and 73 million pounds of recyclable PET plastic in 2018.³ Currently, bottled water is the #1 packaged drink in America for the fourth year in a row (by volume), and new figures from BMC show 69 percent of the growth in bottled water consumption has come from people shifting away from carbonated soft drinks and fruit drinks.⁴

According to the Institute of Medicine and the American Journal of Preventive Medicine, one-third of American adults are overweight, and another one-third are obese. Over the last 30 years, children's obesity rates have climbed from 5 percent to 17 percent.⁵ Drinking zero-calorie beverages, such as water, instead of sugary drinks is regularly cited as a key component of a more healthful lifestyle. Promoting greater consumption of water from all sources, including bottled water, will support the efforts of communities striving for a healthier lifestyle.

Water is the healthiest beverage choice and removing bottled water limits healthy hydration options available to visitors enjoying our nation's national parks. The NPS Director who imposed the 2011 sales ban recognized the adverse consequences of banning the sale of bottled water, noting that

"banning the sale of water bottles in national parks has great symbolism but runs counter to our healthy food initiative as it eliminates the healthiest choice for bottled drinks, leaving sugary drinks as a primary alternative. A ban could pose challenges for diabetics and others with health issues who come to a park expecting bottled water to be readily available. For parks without access to running water, filling stations for reusable bottles are impractical. A ban could affect visitor safety; proper hydration is key to planning a safe two-hour hike or a multi-day backcountry excursion. Even reasonably priced reusable water bottles may be out of reach for some visitors, especially those with large families."

Health, nutrition and consumer watchdog groups also expressed serious concerns about the bottled water sales ban policy. Margo Wootan, DSc, the director of nutrition policy at the Center for Science in the Public Interest (CSPI), one of the country's leading consumer rights organizations that specializes in food, nutrition and public health issues, noted that she has

"worked tirelessly to ensure schools limit vending machine options to healthy beverages like bottled water, encouraged restaurants to serve healthy beverages like water as part of children's meals, and ensure access to water and other healthy beverages at hospitals, parks, and other public places. A policy that allows bottled sugar water (soda), not healthy bottled water, to be sold at our National Parks doesn't make sense."

Professor of Nutrition Rachel K. Johnson, PhD, MPH, RD, at the University of Vermont conducted research on the bottled water sales ban adopted by the University. The results showed that the ban resulted in a 33 percent increase in the number of unhealthy sugary drinks shipped to the campus. In

⁴ Ibid

³ Ibid.

⁵ Glickman, D., Parker L., Sim, L., Del Valle Cook, H., Miller, E.A. *Accelerating Progress in Obesity Prevention: Solving the Weight of the Nation.* May 2012. National Academies Press, Washington D.C. Available at: https://www.ncbi.nlm.nih.gov/books/NBK201141/

⁶ Op. Cit., National Park Service, Policy Memorandum 11-03, December 14, 2011

addition, the campus used more single-serve bottles after the bottled water sales ban was in effect, and less healthy beverages were being consumed out of those bottles. Professor Johnson concluded that

"our study shows that these sorts of policies, regardless of the motivation, may result in the consumption of more calories and more added sugars, a perpetuation of unhealthy dietary choices, and – ionically – an increase in plastic waste. Our study clearly suggests that the NPS bottled water sales ban has the potential to undermine efforts to encourage healthy food and beverage choices and may be environmentally counterproductive." ⁷

In addition, the executive Director of the California Center for Public Health Advocacy (CCPHA), Harold Goldstein, DrPH, questioned the health implications of the NPS policy, saying that

"in the end, if we want to protect both the environment and the health of park visitors, let's not set things up so that people who want bottled water are encouraged to buy the leading contributor to diabetes. From a public health perspective, a National Park Service policy giving unhealthy sugary drinks preferred treatment over water is nothing short of ludicrous."

With the United States facing high rates of obesity, diabetes, and heart disease, drinking water - bottled, filtered, or tap - is always a healthy decision. Convenient access to bottled water as a healthy alternative to sugary beverages helps consumers make better choices. For those who want to eliminate or moderate calories, sugar, caffeine, artificial flavors or colors, and other ingredients from their diet, choosing water is the right choice. Bottled water is the smart decision and a healthy choice when it comes to packaged beverage options.

The Bottled Water Industry Is a Very Good Environmental Steward

According to figures derived from Environmental Protection Agency (EPA) data, PET plastic bottled water containers account for less than 1/4 of 1 percent of the U.S. waste stream. Measured in tons of landfill space, PET plastic bottled water containers make up just 3.3 percent of all beverage containers that end up in landfills. Waste percentage numbers are much higher for the glass (66.7 percent), aluminum (7.9 percent), and plastic soft drink bottles (13.3 percent) that end up in landfills.

IBWA and our members support strong community recycling initiatives and recognize that a continued focus on increased recycling is important for all. Bottled water containers are 100 percent recyclable and make up approximately 55 percent of the PET plastic collected in curbside systems throughout the United States. ¹⁰ In comparison, soda bottles make up only 14.7 percent of the PET

⁷ R. Johnson, *Bottled water sales ban in America's national parks makes no sense*, The Hill (July 15, 2015). Available here: https://thehill.com/blogs/congress-blog/healthcare/247946-bottled-water-sales-ban-in-americas-national-parks-makes-no

⁸ H. Goldstein, *National Parks' Bottled Water Sales Ban Is Bad Policy, Damages Public Health.* The Huffington Post (Dec. 21, 2015). Available at: https://www.huffpost.com/entry/national-parks-bottled-water-sales-ban_b_8835916
⁹ Multiple sources, including the U.S. Department of Agriculture Food Surveys Research Group, Container Recycling Institute, PET Resin Association, Beverage Marketing Corporation, and others. Available at: https://www.bottledwater.org/public/Packaging%20infograph%20for%20online%20SM.jpg

¹⁰ National Association for PET Container Resources' 2018 Postconsumer PET Bottle Bale Composition Analysis

plastic collected in curbside programs.¹¹ In addition, many bottlers also produce products in high density polyethylene (HDPE) packaging, which is also 100 percent recyclable. The industry recognizes that there is room for improvement and is always looking for ways to strengthen existing recycling programs and to help expand recycling efforts.

The bottled water industry has made significant strides in reducing the amount of plastic used to make bottled water containers by light weighting its packaging. Between 2000 and 2014, the average weight of a 16.9-ounce PET (half-liter) plastic bottle declined 51 percent to 9.25 grams. This has resulted in a savings of 6.2 billion pounds of PET resin during this timeframe. As a result of these efforts, bottled water containers use almost one-third less PET than soda and other drink containers, which need to be thicker due to carbonation and manufacturing processes and weigh, on average, 23.9 grams.

Other innovative ways that our members have been working to reduce virgin plastic use includes expanding the use of recycled PET (rPET) and recycled HDPE (rHDPE). Many bottled water companies have embraced using recycled content in their packaging. BMC reports that, for those bottled water companies that use rPET, the average rPET content rose from 3.3 to 18.2 percent between 2008 and 2017–a 452 percent increase. But a sufficient amount of recycled content needs to be available for bottled water companies to use it. Consumer access to - and participation in - convenient recycling programs help determine the supply of recycled content. If more people recycle, then the availability of recycled plastics will increase as well.

In its efforts to increase recycling rates, IBWA is active in initiatives to help improve access to curbside recycling, including Keep America Beautiful and The Recycling Partnership – a national recycling nonprofit organization comprised of industries and municipalities, with a goal of making a measurable impact on recycling in the U.S. IBWA is also a member of three regional recycling groups, including the Florida Recycling Partnership, the Michigan Recycling Partnership, and the Northeast Recycling Council, and is always looking for more opportunities to engage in additional recycling efforts.

In addition, IBWA's #PutItInTheBin partner initiative produces social media campaigns that address recycling issues such as recycling contamination, which impacts the effectiveness of existing recycling programs. This initiative leverages the social media reach of partner organizations to vastly expand the audience for these educational campaigns. Ongoing consumer education is critical to improve recycling rates.

IBWA's recycling contamination campaign uses pro-recycling images and messages to inform consumers about common items mistakenly recycled that are not actually recyclable and have the unfortunate effect of contaminating the recycle stream. Some of those nonrecyclable items include greasy pizza boxes, plastic bags, plastic straws and silverware, and food-soiled cardboard take-out boxes and drink cups.

¹¹ Ibid.

¹² Beverage Marketing Corporation: Bottled Water, The Largest Beverage in the U.S., Continues to Grow. May 29, 2019. Available at: https://www.beveragemarketing.com/news-detail.asp?id=558

Even with continuing growth and increased consumption, bottled water still has the smallest water and energy use footprints of any packaged beverage. The results of a 2017 IBWA 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.¹³

A recent report from the American Chemistry Council (ACC), conducted by Franklin Associates, studied the overall impact of plastics on the environment, compared to other materials. ¹⁴ The ACC report concluded that, when comparing materials throughout the entire life cycle of a package, plastics leave a much smaller environmental footprint than alternatives. Perhaps most significant is the finding that not using plastics would almost double greenhouse gas emissions.

The bottled water industry is continuously working to reduce its impact on the environment. The industry has a strong record of conservation and environmental stewardship, including smart management of water sources, using less plastic in packaging, encouraging recycling, and reducing water use in production.

We support NPS efforts to educate the public on the importance of recycling and to expand recycling efforts, for all packaged food and beverage products, whether purchased inside the parks or brought into the parks by visitors, so that these treasured national parks will be preserved for generations to come.

Consumers Want Access to Bottled Water

According to a recent Harris Poll survey¹⁵ of over 2,000 Americans conducted for IBWA, more than 9 in 10 (91 percent) say bottled water should be available wherever other drinks are sold. If bottled water is not available, 74 percent of people said they would choose another packaged drink – not water from a drinking fountain, filtered tap water, or tap water. In addition, 86 percent of people polled say they drink bottled water while they travel, 83 percent of employed Americans say they drink it at work, and 76 percent of all people say they drink it at home.

Other survey results show that:

- Almost 7 in 10 Americans (67 percent) say bottled water (still and/or sparkling) is among their most preferred non-alcoholic beverages.
- Bottled water is the most preferred beverage, followed by coffee at 65 percent and soft drinks (regular and/or diet) at 57 percent.
- Bottled water drinkers find many factors important when choosing a beverage, but taste (97 percent), quality (97 percent), and safety (91 percent) are at the top of their list.

https://www.bottledwater.org/public/IBWA%20Report 14Nov2018%20%28002%29AL121318.pdf

¹³ Water and Energy Use Benchmarking Study. Antea Group, prepared for the International Bottled Water Association. November 14, 2018. Available at:

¹⁴ Life Cycle Impacts of Plastic Packaging Compared to Substitutes in the United States and Canada. American Chemistry Council. 2018. Found at: https://plastics.americanchemistry.com/Reports-and-Publications/LCA-of-Plastic-Packaging-Compared-to-Substitutes.pdf

¹⁵ International Bottled Water Association: Consumers Want Bottled Water to be Available Wherever Drinks Are Sold. January 10, 2020. Available at: https://www.bottledwater.org/consumers-want-bottled-water-be-available-wherever-drinks-are-sold-and-if-it%E2%80%99s-not-most-will-choose

- Bottled water drinkers also say that features like ready to enjoy (81 percent), convenient packaging when on the go (82 percent), and re-sealable containers (82 percent) are important to them when choosing a beverage.
- Sixty-five percent of bottled water drinkers say low calories are important when choosing a beverage, while 72 percent say the lack of artificial sweeteners is important.

The 2011 Sales Ban Policy Did Not Work

Proponents of the bottled water sales ban policy claim that it was working as intended, often pointing to a National Park Service report released in September 2017. But this report states that "though the reports original intent was to help NPS leaders understand and take action on the policy, the bureau lacked the data necessary to ensure the Report's findings."¹⁶

The policy was a failure in many regards. To review, in December 2011, former National Park Service (NPS) Director Jonathan Jarvis issued NPS Policy Memorandum 11-03, *Disposable Plastic Water Bottle Recycling and Reduction*, establishing a new policy on the reduction and recycling of disposable plastic water bottles that authorized park superintendents to eliminate bottled water sales on a park-by-park basis, with approval from their regional director. The Memorandum required that proposals for bans be based upon a "rigorous" written impact analysis, considering specified factors relating to health and safety, waste reduction, cost, and impacts on concessioners. These proposals also were required to provide for a system for annual evaluation, "including public response, visitor satisfaction, buying behavior, public safety, and plastic collection rates." The Memorandum further committed that the policy would be monitored and revisited periodically to determine whether a change in the policy was desirable or necessary.

Both the House and Senate expressed concern with the NPS policy while it was in effect. As part of the Consolidated Appropriations Act of 2016, Congress directed the NPS to provide a report detailing "the data the Service reviewed and the justification for making the determination to ban bottled water at each affected park unit." The FY 2017 Interior Appropriations bill passed by the House included language to defund the policy. The FY 2017 Senate Interior Appropriations bill included report language calling for an immediate reversal of the policy by the Administration.

Despite the policy having been in effect since late 2011, the NPS never was able to show whether, or to what extent, the policy and sales bans actually reduced waste (or, for that matter, had adverse impacts on public health and safety and visitor satisfaction). Although advocates of efforts to ban sales of bottled water in the national parks claimed that the bans led to dramatic reductions in the waste stream in the parks that implemented them, the parks and the NPS generally were either unable or unwilling to provide information to the public on the impacts of the bans. Asserted percentages of waste reduction did not reflect actual results, but rather represented the projections that were included by the individual parks as part of their assessments of "Potential Impacts/Effects" in their requests for approval to implement bans of the sale of bottled water.

Indeed, in response to a Freedom of Information Act (FOIA) request, the NPS acknowledged that the parks that discontinued the sale of plastic water bottles did not have the data available to conduct any post-ban analysis because they do not report separately on their recycling quantities

¹⁶ National Park Service, Park Facility Management Division, FOIA Document Context. Available at: https://www.nps.gov/aboutus/foia/upload/Disposable-Plastic-Water-Bottle-Evaluation-Report 5 11 17.pdf

based on the type of material. NPS appeared not to distinguish between water and other plastic bottles and lacked specific information on parks' waste streams that would be necessary to determine the percentage of waste in the parks represented by disposable water bottles. This was despite the fact that the policy required that parks that ban the sale of bottled water prepare an annual evaluation, "including public response, visitor satisfaction, buying behavior, public safety, and plastic collection rates," and that the agency monitor and periodically revisit the policy to determine whether a change in the policy is desirable or necessary.

The policy failed to consider the extent to which sales of bottled water were being replaced by sales of other, less healthy packaged beverages, like soda, sports drinks, and artificially sweetened drinks, which are all packaged in containers using much heavier plastic.

It also ignored the fact that, even in parks where the sale of bottled water was banned, visitors could and did bring in packaged beverages from outside of the parks and dispose of them inside of the parks. To the extent visitors responded to in-park bottled water sales bans by increasing out-of-park purchases, but they continued to consume and dispose of the bottles in the park, it was shown that such bans will not result in fewer plastic bottles entering the waste stream, and do nothing to educate park goers about the importance of recycling.

In August 2017, after reviewing the policy's aims and impacts, NPS rescinded the policy "to expand hydration options for recreationalists, hikers, and other visitors to national parks." The rescission recognized that "[t]he ban removed the healthiest beverage choice at a variety of parks while still allowing sales of sugar sweetened beverages" and explained that "ultimately it should be up to our visitors to decide how best to keep themselves and their families hydrated during a visit to a national park, particularly during hot summer visitation periods." We wholly agree. At the time of its rescission, 23 of the 417 NPS sites had implemented the policy.

Today, NPS continues to promote healthy hydration, waste reduction, and the recycling of beverages packaged in plastic. The rescission of the policy specifically does not prohibit parks or concessioners from installing and operating refill stations, and many parks have already worked with partners to provide free potable water in bottle filling stations located at visitor centers and near trailheads. The rescission also continues to allow for education of visitors on hydration options.

Conclusion

Consumers expect and want access to bottled water everywhere they go. Water is the healthiest beverage option and removing bottled water as a choice limits healthy hydration options available to visitors to help quench thirst while enjoying our nation's national parks. Banning the sale of bottled water will cause an increase in the sale of less healthy sugar-sweetened beverages (including soft drinks, juices, teas, and energy drinks), which will actually increase the amount of plastic waste in the parks due to their heavier packaging. The industry is a leader among manufacturers regarding producing products in packaging that is 100 percent recyclable and in using recycled content. Banning the sale of bottled water is flawed policy, and we strongly encourage the Committee to instead focus efforts on recycling education and supporting programs that encourage recycling of all packaged products.