STATE OF NEW YORK

7639

IN SENATE

January 5, 2022

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to prohibiting the certification of any new water bottling facilities not previously certified to operate as such

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 225 of the public health law is amended by adding a new subdivision 5-d to read as follows:

5-d. (a) No certification permitting the operation of a water bottling facility shall be issued to a water bottling facility that has not previously been issued such a certification before the effective date of this subdivision. This subdivision shall not prevent the issuance of a new certification or a recertification permitting the operation of a water bottling facility to a water bottling facility that has previously been issued such a certification before the effective date of this subdivision.

(b) Before any new certification or recertification permitting the operation of a water bottling facility is issued to a water bottling facility, the department shall complete a full environmental impact statement reviewing such water bottling facility and its operations, subject to the provisions of the state environmental quality review act under article eight of the environmental conservation law and its implementing regulations. Such environmental impact statement shall include, but not be limited to, a review of such water bottling facility's impact on New York's supply of fresh water, the health of watersheds surrounding such water bottling facility, and the water needs of communities surrounding such water bottling facility.

(c) For the purposes of this subdivision:

(i) "Water bottling facility" shall mean a facility operating to produce bottled water.

(ii) "Bottled water" shall mean any product, including natural spring or well water taken from municipal or private utility systems or other water, distilled water, deionized water, or any of the foregoing to

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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which chemicals may be added, which are put into sealed bottles, packages or other containers, to be sold for domestic consumption or culinary use, involving a likelihood of such water being ingested by human beings.

§ 2. This act shall take effect immediately.