

March 25, 2009

**S 926. MISBRANDING OF BOTTLED NC SPRING WATER.** Filed 3/25/09. *TO PROVIDE THAT WATER THAT IS REPRESENTED AS NORTH CAROLINA NATURAL SPRING WATER AND OFFERED FOR SALE AS A BEVERAGE IS MISBRANDED AND, AS SUCH, THE PERSONS WHO BOTTLE, SELL, OR DELIVER SUCH ITEM ARE SUBJECT TO CIVIL AND CRIMINAL PENALTIES AND INJUNCTIONS, UNLESS IT IS FROM A NORTH CAROLINA NATURAL SPRING, WHICH IS WATER THAT IS DERIVED FROM AN UNDERGROUND LAND FORMATION FROM WHICH THE WATER FREELY FLOWS WITHOUT THE USE OF A BOREHOLE AND WITHOUT THE AID OF MECHANICAL MEANS AND THAT IS COLLECTED AT THE SPRING'S NATURAL ORIFICE IN THE EARTH'S SURFACE.*

Amends GS 106-130 to specify that water is misbranded if it purports to be or is represented as North Carolina natural spring water and is offered for sale as a beverage, unless it is from a North Carolina natural spring. Defines North Carolina natural spring water as title indicates.

Amends GS 106-122(1) to include the bottling, sale, or delivery of any water that is adulterated or misbranded, as a prohibited act within North Carolina.

Amends GS 106-121(8) to include water that is bottled and offered for sale as a beverage in the definition of food.

Effective October 1, 2009, and applies to food items sold or offered for sale on or after that date.

**Intro. by Apodaca.**

GS 106