

I Mina'trentai Siette Na Lihelaturan Guåhan
BILL STATUS

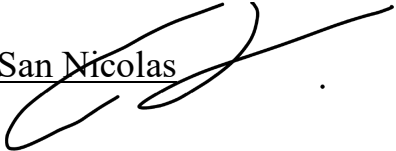
BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
283-37 (LS)	Dwayne T.D. San Nicolas	AN ACT TO ADD A NEW § 53107.1 TO CHAPTER 53, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE INSPECTION OF IMPORTED WATER BOTTLES.	4/25/24 8:00 a.m.						

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

Bill No. 283-37 (LS)

Introduced by:

Dwayne T.D. San Nicolas



**AN ACT TO ADD A NEW § 53107.1 TO CHAPTER 53, TITLE
10, GUAM CODE ANNOTATED, RELATIVE TO THE
INSPECTION OF IMPORTED WATER BOTTLES.**

BE IT ENACTED BY THE PEOPLE OF GUAM.

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that bottled water imported into Guam for drinking are not subjected to testing and inspection before its sale to the public, which can be dangerous because some bottled water products have been found with dangerous contaminants and have exposed a percentage of the population to them. Foreign bottled water imported into the island are dispersed and sold to our island residents without being carefully scrutinized for dangerous or hazardous contaminants that can endanger the public. This is dangerous to the health of our residents because “there have been periodic reports... of some bottled waters testing positive for heavy metals, PFAS, and other contaminants” (Consumer Reports, 2023). In the mainland United States, bottled water and water products that are imported from foreign countries are strictly scrutinized for safety by federal and state regulations before the products can be distributed. In fact, according to the International Bottled Water Association, “any imported bottled water brand sold in the United States must meet all of the same federal and state regulations that apply to domestically produced bottled water

1 brands.” It is crucial that this vulnerability be addressed as soon as possible, as “any
2 disruption to a drinking water... could have significant impacts to the community
3 [it] serves as well as to other critical infrastructure” (U.S Cybersecurity and
4 Infrastructure Security Agency).

5 *I Liheslaturan Guåhan* also finds that chemicals such as Perfluoroalkyl and
6 Polyfluoroalkyl Substances (PFAS) and microplastics, contaminants that are
7 severely detrimental to our health, have contaminated water products and are causing
8 health issues to those exposed. According to the U.S Environmental Protection
9 Agency (EPA), exposure to certain levels of PFAS can lead to several health issues
10 including decreased fertility or increased high blood pressure in pregnant women,
11 increased risk of prostate, kidney, and testicular cancers, reduced effectiveness of
12 the immune system, etc. The U.S EPA has noted the danger posed by these
13 chemicals, creating a new nationwide tap water standards that will reduce the
14 population’s exposure to PFAS. With this example in mind, it is vital that our island
15 has systems in place that will reduce our exposure to these chemicals from the waters
16 that enter our island and protect the health of our community.

17 It is the intent of *I Liheslaturan Guåhan* to create a legislation authorizing the
18 Guam Department of Health and Social Services (DPHSS) to create regulations to
19 ensure that imported water products are safe for the consumption of our residents.
20 This legislation aims to protect our residents from exposure to dangerous chemicals
21 and to address this critical vulnerability in our water import system.

22 **Section 2.** A new § 53107.1 *shall* be added to Chapter 53, Title 10, Guam
23 Code Annotated, to read as follows:

24 **“§ 53107.1. Imported Bottled Water.**

25 (a) No bottled water produced from outside the United States shall
26 be imported into Guam for sale unless a sample of the batch of the water to be
27 sold has been tested by a certified laboratory. The Guam Department of Health

1 and Social Services shall inspect and verify that shipments of bottled water
2 have been tested and certified in accordance with standards created under this
3 Act.

4 (b) The Guam Department of Health and Social Services shall, with
5 the advice of the Guam Environmental Protection Agency, create imported
6 bottled water standards and regulations within six (6) months of enactment of
7 this Act.

8 (c) The Director of the Guam Department of Health and Social
9 Services shall promulgate and enforce the imported bottled water standards
10 and regulations created under this Section.

11 (d) Prior to the creation and promulgation of rules and regulations
12 pursuant to this Act, importers of bottled water shall have imported bottled
13 water tested according to U.S EPA standards and the results submitted to the
14 Guam Department of Health and Social Services within three (3) months of
15 enactment of this Act.”

16 **Section 4. Effective Date.** This Act shall become effective upon enactment.

17 **Section 5. Severability.** *If* any of the provisions of this Act or the application
18 thereof to any person or circumstance is held invalid, such invalidity *shall not* affect
19 any other provision or application of this Act which can be given effect without the
20 invalid provision or application, and to this end the provisions of this Act are
21 severable.