



The Healthy Hydration Company™

March 29, 2011

Mr. Paul Ainslie, Chairman
& Members, Government Management Committee
The City of Toronto
Toronto City Hall
100 Queen Street West – Second Floor
Toronto Ontario
M5H 2N2

Dear Mr. Ainslie;

The purpose of my writing is to share Nestlé Waters Canada's views about *Report GM2.16 – Healthy Vending Criteria – Cold Drink Vending Request for Proposal* of March 29, 2011.

We are not supportive of this report for several reasons but largely because, after December 31, 2011, it does not permit the sale of bottled water -- easily the healthiest bottled beverage available to Torontonians.

While proposing to ban bottled water (0 calories) and energy drinks (110 – 310 calories), the City of Toronto's draft Healthy Vending Criteria will permit the sale of 2% flavoured (160 – 350 calories) and unflavoured (110 - 130 calories) milk; fortified soy beverages (90 – 130 calories); 100% juice (110 – 140 calories) or vegetable (50 – 110 calories) beverages and soft drinks (0 - 110 calories).

Further, while all non-alcoholic beverage products are considered food and, as such, are strictly regulated by Health Canada, the report recommends that the Medical Officer of Health determine which new beverages can be considered healthy. Given that all of these products are already regulated by the Federal Government and, further, that the report proposes to ban the healthiest beverage available to Torontonians, we believe it is unfair to the Medical Officer of Health to make such a request of him.

Public Health Units in Kingston, London, New Westminster and elsewhere have recommended against a ban on the sale of bottled water in those communities because, to quote Kingston Medical Officer of Health Ian Gemmill, "*a prohibition of the availability of bottled water in a venue is a step backwards from a health point of view, when high-caloric beverages are the only other option.*"

London Health Unit Environmental Health and Chronic Disease Prevention Services Director James Reffle said he has *"concerns about the unintended consequences of removing the sale of bottled water in facilities where other nutritionally-deficient bottled drinks can remain to be offered for sale. If bottled water is not available, and access to drinking water fountains is limited, then the public may opt for other drinks with high levels of sugar, no nutritive value and a high acid content. Both the sugar content and the acidity of these beverages can have negative health impacts on the person's health and levels of nutrition."*

Complemented by the work done by the Canadian Beverage Association on its Clear On Calories initiative, counsel on the health aspect of this matter should be sought from an independent dietitian.

As for the 355 ml. size restriction, such a policy will offer little or no benefit in terms of calorie reduction or improved recycling results.

In our position as one of Ontario's larger employers and Canada's largest manufacturer and distributor of bottled water, any possibility of a ban is troubling to our employees, customers and business partners who live and conduct commerce in Toronto.

We are fully supportive of the sole use of municipal tap water in pitchers during Committee, Council and internal staff meetings within your facilities. We are also supportive of the installation of water fountains, as long as they are maintained to local public health unit standards. Where potable water exists in an office setting, consumption of single-use bottled water is unnecessary. During our discussions with municipal leaders across Canada, we have advocated for this common sense approach.

Why? Bottled water doesn't compete with tap water. It competes with other bottled beverages. And, while we advocate that Torontonians consume municipal tap water at home or at the office and drink our bottled waters on the go (and 70% of them do just that), we also believe they have the right to choose whether or not to consume bottled water or tap water wherever they may be. The decision should not be made for them.

Given that 66% of plastic beverage containers, including bottled water, were diverted from landfill in 2009 across Canada, according to the provincial stewards responsible and, further, given that our industry is funding a minimum of half of municipal recycling costs nation-wide, we believe both consumers and the industry are being environmentally responsible.

Could more be done? Yes. The Canadian beverage industry is working hard to improve on these diversion rates, including investing heavily to establish public spaces recycling programs nationally, which includes continuous public education related to recycling and littering. Quebec is in the final year of a program that is diverting up to 97% of recyclable materials from the waste stream. The first permanent program in North America was established by the industry in Manitoba in April 2010. Successful pilots have taken place in Ontario (Sarnia and Niagara Region) and Nova Scotia (Halifax) -- and another is underway in Richmond, British Columbia. We would be interested in talking to you and your staff about the feasibility of deploying this methodology in your facilities.

It is important to note that bottled water makes up about 40 percent of all beverages sold in plastic containers in Canada. Waste audits conducted nationally indicate that bottled water containers account for less than one-fifth of 1 percent of the waste stream. If the bottled water industry was to disappear tomorrow, there would be no appreciable reduction in the amount of refuse going to landfill.

A 2010 City of Hamilton report put this entire matter in proper perspective: "*There is no evidence that a ban on bottled water will achieve the desired outcomes of reducing reliance on bottled water, namely reducing waste and litter, adversely affecting watersheds and encouraging people to choose municipal water. Other bottled beverages exist and we do not know if a ban will influence consumers to switch from single-use bottled water to municipal drinking water. Some consumers may switch to municipal drinking water, while others may purchase a less healthy beverage in a single-use container, which still creates waste and litter and may adversely affecting the water shed (e.g.: water may still be exported outside its watershed by use for beverage companies). Therefore a ban on bottled water may inadvertently have negative health and environmental consequences. Encouraging people to choose municipal water is best achieved through a social marketing campaign and increasing access to municipal tap water, and not by banning bottled water.*"

I have attached the following information electronically for review by you, your Committee members and staff in preparation for its discussions this morning:

- *It's Your Health: The Safety of Bottled Water* (Health Canada, April 2009);
- *Impact of Eliminating the Sale of Bottled Water at Board Sites* (Toronto District School Board, March 2009);
- *Bottled Water* (City of Hamilton, April 2010);
- Toronto Star investigation into water fountain cleanliness (August 2010);
- Vancouver Province's Maureen Bader column about bans (January 2011);
- *Trashing the Island* (Maclean's Magazine, January 2011); and
- *The Facts About Bottled Water* (Nestlé Waters Canada, March 2011).

In closing, we recommend that *Report GM2.16 – Healthy Vending Criteria – Cold Drink Vending Request for Proposal* be referred back to staff or received with no action taken and, that the ban on the sale of bottled water be rescinded, and, finally, that staff be directed to work with the Canadian beverage industry to develop meaningful environmental and health and wellness initiatives in all City of Toronto facilities.

Should you or they have any questions, comments or concerns, please do not hesitate to contact me at your earliest convenience by telephone at 1 888 565-1445, Ext. 6441, or via email at john.challinor@waters.nestle.com.

Sincerely,



John Challinor II APR
Director of Corporate Affairs