

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS55250-LD-64C (03/10)

Short Title: Misrepresentation of Bottled NC Spring Water.

(Public)

Sponsors: Senator Apodaca.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE DECEPTIVE MISREPRESENTATION OF NORTH CAROLINA NATURAL SPRING WATER THAT IS OFFERED FOR SALE BY A BUSINESS IS AN UNFAIR TRADE PRACTICE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 of Chapter 75 of the General Statutes is amended by adding a new section to read:

"§ 75-43. Deceptive misrepresentation of North Carolina natural spring water by a business.

(a) A person who is engaged in the business of selling, or offering for sale, bottled water as a beverage shall not misrepresent the bottled water to be 'North Carolina natural spring water.' A person misrepresents the bottled water to be 'North Carolina natural spring water' if the water is not water that is both:

(1) 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.

(2) Collected at the natural orifice in the earth's surface (i) that is connected to the underground land formation and through which this water freely flows and (ii) that is on land located in North Carolina.

(b) A violation of this section is an unfair trade practice under G.S. 75-1.1."

SECTION 2. This act becomes effective October 1, 2009, and applies to beverages that are sold or offered for sale on or after that date.



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