

Balance Water settles lawsuit with CA Attorney General

Last October the California Attorney General's office sued three water bottle companies for their false "biodegradable" claims. Earlier this month, they settled the case with one of the parties.

Effective immediately, Balance Water can no longer sell bottles in CA with a "biodegradable" label, and any bottles made with biodegradable additives cannot be labeled as "recyclable". "Compostable" claims must correspond with the ASTM standards mandated by CAW-sponsored state law.

"Biodegradable" is an inherently deceptive claim for plastic products and implies that a product will completely break down in a short time period. Everything breaks down given enough time. SB 567 and its predecessors provide for truthful, verifiable environmental marketing claims and prohibit the bogus biodegradable claim.

As part of the settlement, Balance also cannot imply any type of degradability claims on its website(s), and will supply the notice of judgment to other online retailers selling their products, such as Amazon.com.

The Balance website also has to post a short notice for a year stating:

"In connection with our settlement of the lawsuit brought by the State of California Attorney General's office, Balance no longer sells plastic bottles labeled 'biodegradable' in California. At this time, Balance is not able to substantiate its claims that the bottles it previously used are biodegradable."

The Attorney General will be paid a total of \$11,000 by Balance Water as part of the agreement.

There has been no settlement with the other two parties, Enso and Aquamantra, yet. According to the Orange County Superior Court website, a mandatory settlement hearing is scheduled for July 9, with a trial hearing on February 25 of next year.