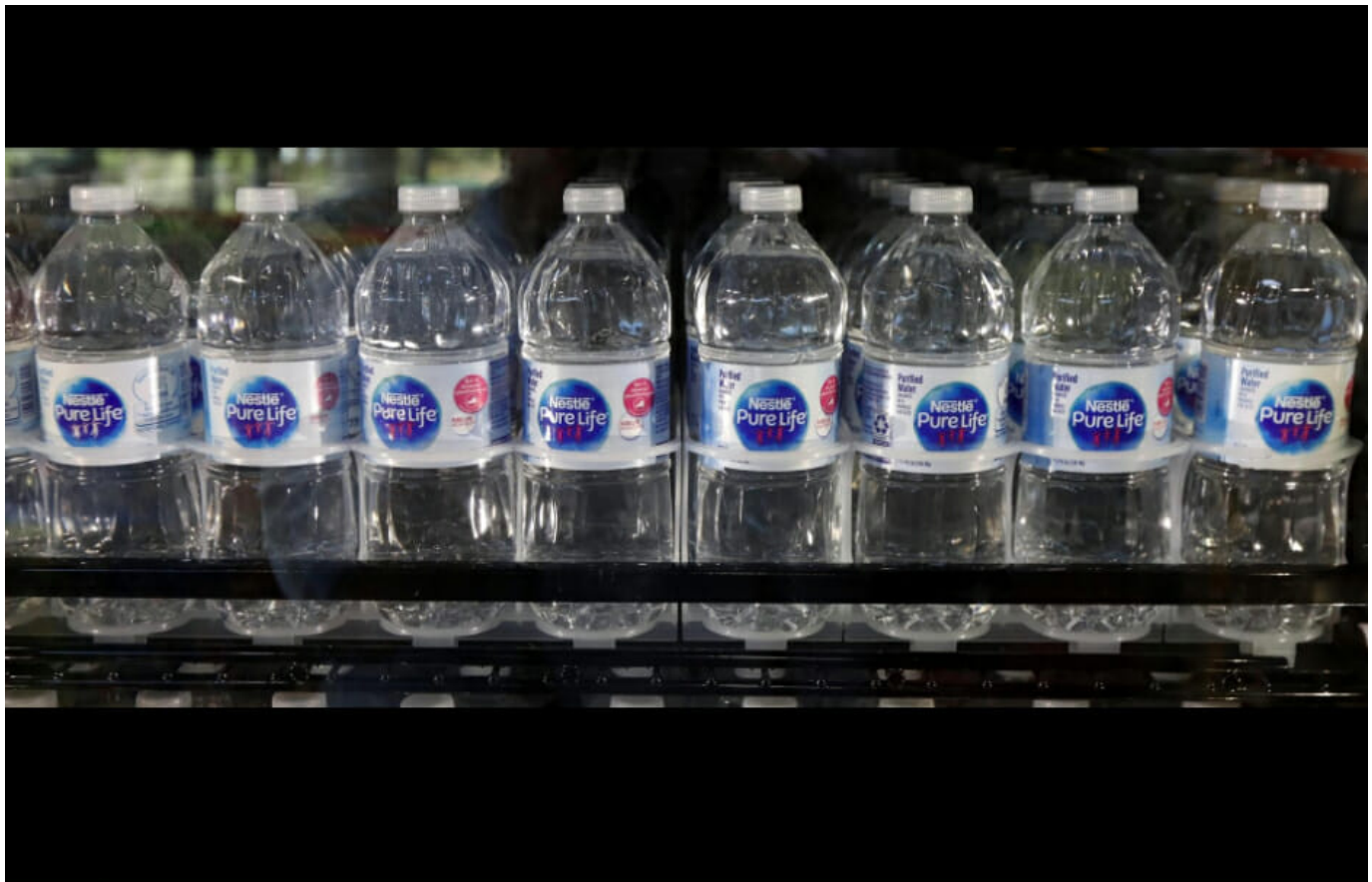


Merrillee Malwitz-Jipson and Jim Tatum: Nestlé can be beat on water withdrawals

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Water bottles manufactured by Nestle are sold at a convenience store. [AP Photo/Rogelio V. Solis, File]

Our thanks to Nathan Crabbe for running our op-ed, and for all the environmental issues the [Gainesville Sun](#) supports. See the original article [here in the Sun](#).

Comments by OSFR historian Jim Tatum.

-A river is like a life: once taken, it cannot be brought back-

Merrillee Malwitz-Jipson and Jim Tatum: Nestlé can be beat on water withdrawals

By Merrillee Malwitz-Jipson / and Jim Tatum / Special to The Sun

Posted at 2:00 PM

The largest food company in the world is Nestlé, headquartered in Switzerland with 450 manufacturing plants and operating in 80 countries. As such it is often surrounded by controversy, which it is now bringing to High Springs as a permit is sought to supply water to its bottling plant there.

Such a huge company may give the impression that it is useless to resist, but that is not so. Here are some examples of Nestlé defeats, and two of them in Florida.

In 2003 in Maine, Nestlé was sued for false advertising regarding its bottled water. The company agreed to settle for \$10 million and stopped its advertising.

Also in 2003, Nestlé revealed plans to build the largest bottling plant in the nation near McCloud, California. Local environmental groups protested and claimed that Nestlé neglected to study the impact on the region's groundwater and had overstated the potential economic benefits of the proposed plant. Under pressure, Nestlé offered to reduce the plant size from 1 million square feet to 33,000, but protesters continued and the company finally abandoned the area.

In the year 2000 Perrier, whose parent company is Nestlé, attempted to pump water from springs on state-owned land in

Waushara County, Wisconsin, near the Mekan River. The company withdrew its plans to tap the springs after local residents and environmentalists raised concerns about potentially diminished flows to the Mekan River.

Nestlé's water bottling ran into problems in Michigan when Citizens for Water Conservation took the company to court in 2001. The residents won the case, and Nestlé had to stop pumping there temporarily. After the company appealed, a judge ruled in 2009 that they could take an average 218 gallons per minute instead of the 400 it was originally allowed.

This latest development is one of an escalating trend against allowing private corporations to bottle public water. Less than a month after the Michigan defeat, the city of Flagstaff, Arizona, denied Nestlé a contract to bottle water from local resources there.

The first of the Florida examples constitutes a year-long battle between Nestlé and citizens of Madison County. This conflict began when the bottling company revealed plans to pump 1.5 million gallons per day from along the Wacissa River and truck it to its Madison Blue bottling plant on the Suwannee River.

Citizens mounted a vigorous grassroots resistance with the support of then-Florida state Rep. Leonard Bembry. Nestlé claimed they pulled out on their own, but many thought they believed they would not win and cut their losses. Shortly afterward, the Jefferson County Commission enacted an aquifer protection ordinance as a safeguard from further bottling attempts.

Nestlé suffered a major defeat in 1999 at its Zephyrhills plant at Crystal Springs near Tampa. Under the name Crystal Springs Recreation Preserve, permit holder Robert Thomas, who sold water to Zephyrhills Water Company, sought to up his 301,000 gallons

per day withdrawal to 2.7 million gallons per day. The permit was requested to last from 1998 to 2008.

The permit was denied by Southwest Florida Water Management District in January 1999, which referred the request to administrative law Judge Lawrence Stevenson. The judge ruled against the petitioner for several reasons, including because he could not substantiate his growth projection and because he could not show that his withdrawals would not reduce the flow of the Hillsborough River. Thomas appealed this decision to the District Court of Appeal and lost.

What these examples tell us is that Nestlé can be driven out, but it takes a lot of people and a lot of work: Volunteers in Madison County stood by the entrance of Walmart and asked those entering to boycott Nestlé water, and told them why.

With this type of passion and resistance, we can win.

Merrillee Malwitz-Jipson and Jim Tatum are board members of Our Santa Fe River Inc. of Fort White.