



John J. HARRIS
Chairman & CEO

EINGEGANGEN AM 13. JULI 2009

Mr Thilo BODE
FOODWATCH
Brunnenstrasse 181
D 10119 BERLIN

July 7, 2009

Dear Mr. Bode and Mr. Wolfschmidt,

Thank you for your reply to my letter dated June 10, 2009. The tone of your response leads me to believe that you felt let down by its contents. This was never my intention. Please allow me to clarify my response.

As I mentioned in my previous letter, the health and safety of our consumers is our number one priority. Following the publication of the EFSA Scientific Opinion, we immediately asked our experts in the Quality & Safety Department at the Nestle Research Centre in Lausanne (Switzerland) to review the study and provide us with an updated safety evaluation on Uranium in bottled water. This is a standard procedure that we apply every time we receive any new data or reports on food or water safety. The conclusions from our experts are fully aligned with those of EFSA:

- The World Health Organisation (WHO) has established a tolerable daily intake (TDI) for Uranium (please see Appendix A attached).
- In its latest opinion (March 2009), EFSA considered that no new toxicological data exists that would change the current TDI (please see Appendix B attached).
- Based on this TDI and available exposure data, the WHO has set a limit of 15 µg/L for drinking water (WHO Guidelines for Drinking Water Quality, please see Appendix A attached).
- EFSA confirmed that estimates on the dietary exposure to Uranium for the general population and high consumers across Europe are below this TDI (please see Appendix B attached).
- S. Pellegrino and Perrier fall well within this value; even though the European Union (EU) does not set a limit for Uranium in natural mineral water.

We acknowledge that in general health-based guidance values, such as TDI, do not apply to infants below the age of 12 weeks. In the specific case of Uranium, for infants fed with infant formula reconstituted with water containing Uranium at the mean and the 95% percentile concentration levels, the exposure may be up to three times higher than the uranium exposure of adults on a body weight basis. This is why our *"Policy on Communication Related to the Use of Bottled Water for the Reconstitution of Foods for Infants"* was updated within one week of the publication of the opinion, with the maximum limit for Uranium being brought to 2µg/L. This has always been the limit in Germany, and has now been extended to all our products throughout the world. We do not consider this to be an application of the Precautionary Principle (which is the role of international and national authorities, such as the BfR in Germany), but the duty of a responsible company that takes care of consumer health & safety.

We have been a long-standing member of the Verband Deutscher Mineralbrunnen (VDM), the German industry association. We remain a fully committed member and contribute to and have faith in their positions and recommendations. These are based on, and are fully in line with, local and international safety authorities and regulations on natural mineral water.

In this respect, we do not believe warning labels should be used as general practice on products, as they quickly lose their effectiveness and therefore fail in their purpose. Apart from legal requirements (which we always follow), we tightly restrict the use of warning labels to cases where no alternatives exist. This is not the case for natural mineral waters; therefore, we will continue to recommend those of our products that are suitable for consumption by infants through the use of a specific symbol as the best way to properly inform our consumers. As already stated above, the limit for Uranium in these products is set at 2µg/L and is therefore fully in line with your demand.

I understand that you may have additional questions on and interest in our commitment to the guarantee of our consumers' health and safety. I, therefore, invite you to continue this discussion at our Nestlé Waters Product Technology Centre (PTC) in Vittel, France. The PTC is the motor behind the important expertise we have in the fields of water quality, treatments and processes and source protection. Its constant work and progress allow us to guarantee the top quality and safety of our bottled water products worldwide, many of which have existed for over a hundred years and are considered to be references in terms of quality. I hope that you will be able to join us at the PTC, depending on your availabilities.

Yours sincerely,



John J. HARRIS

Cc: Mr P. BULCKE
Mr G. BERSSENBRÜGGE

Appendices:

Appendix A: "Uranium in Drinking Water: Background Document for Development of WHO Guidelines for Drinking Water Quality", World Health Organisation, 2004

Appendix B: "Uranium in Foodstuffs, in particular mineral water: Scientific Opinion of the Panel on Contaminants in the Food Chain", EFSA, March 2009