
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations implement Council Directive 80/777/EEC on the approximation of the laws of the member States relating to the exploitation and marketing of natural mineral waters (O.J. No. L229, 30.8.80, p. 1) as amended by Directive 96/70/EC of the European Parliament and of the Council (O.J. No. L229, 23.11.96, p. 26).

These Regulations also implement Council Directive 80/778/EEC (O.J. No. L229, 30.8.80, p.11) relating to the quality of water intended for human consumption, in relation to other drinking water which is bottled or sold in a bottle (as defined in regulation 2).

These Regulations revoke the Natural Mineral Waters Regulations (Northern Ireland) 1985 (S.R. 1985 No. 120) and the Drinking Waters in Containers Regulations (Northern Ireland) 1994 (S.R. 1994 No. 185), which previously implemented Directives 80/777/EEC and 80/778/EEC. These Regulations also cover production of spring waters, which was not covered by S.R. 1985 No. 120 insofar as they were not classifiable as natural mineral waters.

These Regulations—

- (a) provide specified exemptions (regulation 3);
- (b) prescribe the conditions for recognition of natural mineral water (regulation 4);
- (c) prohibit the sale, as natural mineral water, of water which is not natural mineral water (regulation 5);
- (d) prescribe the conditions for the exploitation of natural mineral water springs and the bottling of water therefrom and prohibit the sale of water extracted from them but not exploited or bottled in accordance with those conditions (regulation 6);
- (e) prohibit the subjecting of natural mineral water to any treatment or addition other than those specified and prohibit the sale of natural mineral water which has been subjected to any treatment or addition other than one so specified (regulation 7);
- (f) prohibit the bottling, and sale, of natural mineral water which does not comply with specified requirements as to colony counts or which contains any organoleptic defect (regulation 8);
- (g) prohibit the bottling, and sale, of natural mineral water in other than a specified type of container (regulation 9);
- (h) impose labelling requirements on natural mineral water and prohibit the sale thereof unless those requirements are met (regulation 10);
- (i) prohibit the labelling of water as spring water, or the sale of water so labelled, unless specified requirements are met (regulation 11);
- (j) prohibit the bottling or sale of bottled drinking water which does not satisfy specified requirements and the use of specified labelling (regulation 12 and Schedule 2);
- (k) make provision for enforcement and analysis (regulations 13 to 16);
- (l) provide for offences and prescribe penalties (regulation 17);
- (m) provide specific defences in relation to exports, imports and water placed on the market or labelled before the Regulations come into operation (regulation 18);

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- (n) apply provisions of the Food Safety (Northern Ireland) Order 1991 (including the defence of due diligence) and the Food Labelling Regulations (Northern Ireland) 1996 (regulation 19); and
- (o) amend and revoke other legislation (regulations 20 and 21 and Schedule 4).