
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 435

The Natural Mineral Water, Spring Water and
Bottled Drinking Water (Scotland) Regulations 2007

PART 5

Miscellaneous and supplemental

Defences

21.—(1) In any proceedings for an offence under these Regulations it shall be a defence for the accused to show that—

- (a) the water was bottled and marked or labelled before these Regulations came into force; and
- (b) no offence would have been committed under the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999⁽¹⁾ as they were in force immediately before the coming into force of these Regulations.

(2) In any proceedings for an offence under these Regulations where it is alleged that water does not meet the requirements in paragraph 1(d) of Part 1 of Schedule 2, it shall be a defence for the accused to show that—

- (a) the water in question was bottled or sold in an EEA State other than the UK; and
- (b) the water complied with the law in that EEA State when it was bottled or sold.