

SCHEDULE 3

Recognition of natural mineral waters

PART 1

Natural mineral waters extracted from the ground in Scotland

1. A person seeking to have water which is extracted from the ground in Scotland recognised as a natural mineral water for the purposes of Article 1 shall make application in writing to the food authority within whose area the water is extracted, giving the particulars set out in paragraph 2.

Commencement Information

I1 Sch. 3 Pt. 1 para. 1 in force at 30.10.2007, see [reg. 1\(1\)](#)

2. The particulars are—

- (a) the particulars in paragraph 1 of Part 3;
- (b) any other information showing that the matters specified in paragraphs 2 and 3 of Part 3 are established; and
- (c) such evidence as is satisfactory to show that the water contains no substance listed in Schedule 6 at a level which exceeds the maximum limit specified in relation to that substance in that Schedule.

Commencement Information

I2 Sch. 3 Pt. 1 para. 2 in force at 30.10.2007, see [reg. 1\(1\)](#)

3. In so far as particulars of any of the anions, cations, non-ionised compounds or trace elements specified in column 1 of Schedule 5 are required to be given pursuant to sub-paragraph (b) of paragraph 2, the concentration of each such anion, cation, non-ionised compound or trace element shall, in those particulars, be expressed in the unit of measurement specified opposite it in column 2 of that Schedule.

Commencement Information

I3 Sch. 3 Pt. 1 para. 3 in force at 30.10.2007, see [reg. 1\(1\)](#)

4. Where such particulars have been given, the food authority shall assess them and shall recognise the water to which those particulars relate as natural mineral water if it is satisfied that—

- (a) the water is natural mineral water which complies with paragraph 3 of Section I of Annex I; and
- (b) the characteristics of the water have been assessed in accordance with—
 - (i) the points numbered 1 to 4 set out in paragraph 2(a) of Section I of Annex I,
 - (ii) the requirements and criteria listed in Part 3 of this Schedule, and
 - (iii) recognised scientific methods.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No. 2) Regulations 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

I4 Sch. 3 Pt. 1 para. 4 in force at 30.10.2007, see [reg. 1\(1\)](#)

5. The food authority shall, on recognising a natural mineral water in accordance with paragraph 4, publish an announcement of such recognition and the grounds on which it has been granted, in the Edinburgh Gazette.

Commencement Information

I5 Sch. 3 Pt. 1 para. 5 in force at 30.10.2007, see [reg. 1\(1\)](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No. 2) Regulations 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations applied in part (with modifications) by [S.I. 2023/959 reg. 4\(b\)Sch. 2](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1A inserted by [S.S.I. 2010/89 reg. 8Sch. 1](#)
- Sch. 1A inserted by SSI 2010/89 Sch. 1 (as amended) by [S.S.I. 2010/127 reg. 3](#)
- Sch. 9- 11 inserted by [S.S.I. 2010/89 reg. 9Sch. 2](#)
- Sch. 9 inserted by SSI 2010/89 Sch. 2 (as amended) by [S.S.I. 2010/127 art. 4](#)
- Sch. 9 omitted by [S.S.I. 2017/287 reg. 2\(f\)](#)
- Sch. 10 omitted by [S.S.I. 2017/287 reg. 2\(f\)](#)
- Sch. 11 omitted by [S.S.I. 2017/287 reg. 2\(f\)](#)
- Sch. 12 inserted by [S.S.I. 2015/363 reg. 5](#)
- Sch. 13 inserted by [S.S.I. 2015/363 reg. 5](#)
- reg. 3A inserted by [S.S.I. 2011/94 reg. 2\(3\)](#)
- reg. 10(2A) inserted by [S.S.I. 2010/89 reg. 5](#)
- reg. 16(1)(b) substituted by [S.S.I. 2010/89 reg. 6\(b\)](#)
- reg. 16(2)(3) inserted by [S.S.I. 2010/89 reg. 6©](#)
- reg. 16(2)(a)(iii)(iv)(b)(c) omitted by [S.S.I. 2017/287 reg. 2\(b\)](#)
- reg. 16(2)(a)(ii) substituted by [S.S.I. 2017/287 reg. 2\(a\)](#)
- reg. 16(2)(c) word omitted by [S.S.I. 2015/363 reg. 4\(1\)](#)
- reg. 16(2)(d) words substituted by [S.S.I. 2017/287 reg. 2\(c\)](#)
- reg. 16(2)(e)-(h) inserted by [S.S.I. 2015/363 reg. 4\(2\)](#)
- reg. 16(3) words inserted by [S.S.I. 2017/287 reg. 2\(d\)\(ii\)](#)
- reg. 16(3) words omitted by [S.S.I. 2017/287 reg. 2\(d\)\(i\)](#)