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## EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 30th June 1999, 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 (OJ No. L229, 30.8.80, p. 1) as amended by Directive [96/70/EC](#) of the European Parliament and of the Council (OJ No. L229, 23.11.96, p. 26).

These Regulations also implement Council Directive [80/778/EEC](#) (OJ 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 1985 (S.I. 1985/71) and the Drinking Waters in Containers Regulations 1994 (S.I. 1994/743), 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.I. 1985/71 in so far 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 force (regulation 18);
- n) apply provisions of the Food Safety Act 1990 (including the defence of due diligence) and the Food Labelling Regulations 1996 (regulation 19); and

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to *The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999*. 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](#)

o) amend and revoke other legislation (regulations 20 and 21 and Schedule 4).  
A Regulatory Impact Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Food Labelling and Standards Division of the Ministry of Agriculture, Fisheries and Food, Ergon House, 17, Smith Square, London SW1P 3JR.

### 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 Regulations 1999. 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 :

- Sch. 1 Pt. 1 para. 2(c) words inserted by S.S.I. 2003/139 reg. 15
- Sch. 1 Pt. 2 para. 2(c) words inserted by S.S.I. 2003/139 reg. 15
- Sch. 1 Pt. 0I para. 2(c) words inserted by S.I. 2003/666 reg. 15(1)
- Sch. 1 Pt. II para. 2(c) words inserted by S.I. 2003/666 reg. 15(1)
- Sch. 1 Pt. 0I para. 2(c) words inserted by S.I. 2003/3042 reg. 15(1)
- Sch. 1 Pt. II para. 2(c) words inserted by S.I. 2003/3042 reg. 15(1)
- Sch. 1 Pt. 1 para. 2(c) words inserted by S.I. 2004/1509 reg. 13(1)
- Sch. 1 Pt. 2 para. 2(c) words inserted by S.I. 2004/1509 reg. 13(2)
- Sch. 1 Pt. 1 para. 2(c) words omitted by S.I. 2004/1509 reg. 13(1)
- Sch. 1 Pt. 2 para. 2(c) words omitted by S.I. 2004/1509 reg. 13(2)
- Sch. 1 Pt. 1 para. 2(c) words substituted by S.S.I. 2004/132 reg. 13(1)
- Sch. 1 Pt. 2 para. 2(c) words substituted by S.S.I. 2004/132 reg. 13(2)
- Sch. 1 Pt. 2 para. 1 words substituted by S.I. 2000/656 Sch. 8 Pt. 5 para. 2(1)(2)
- Sch. 1 Pt. 2 para. 4 words substituted by S.I. 2000/656 Sch. 8 Pt. 5 para. 2(1)(2)
- Sch. 1 Pt. 2 para. 6 words substituted by S.I. 2000/656 Sch. 8 Pt. 5 para. 2(1)(2)
- Sch. 1 para. 2(c) words substituted by S.I. 2004/656 reg. 13(1)
- Sch. 1 para. 2(c) words substituted by S.I. 2004/656 reg. 13(2)
- Sch. 2 words substituted by S.S.I. 2003/139 reg. 16
- Sch. 2 words substituted by S.I. 2003/666 reg. 16
- Sch. 2 words substituted by S.I. 2003/3042 reg. 16
- Sch. 3 substituted by S.S.I. 2003/139 reg. 17Sch.
- Sch. 3 Pt. 0I para. 1(b) substituted by S.I. 2003/666 reg. 17(b)
- Sch. 3 Pt. II Table A substituted by S.I. 2003/666 reg. 18
- Sch. 3 Pt. II Table B substituted by S.I. 2003/666 reg. 19
- Sch. 3 Pt. II Table C substituted by S.I. 2003/666 reg. 20
- Sch. 3 Pt. II Table D substituted by S.I. 2003/666 reg. 21
- Sch. 3 Pt. 0I para. 1(b) substituted by S.I. 2003/3042 reg. 17(b)
- Sch. 3 Pt. II Table A substituted by S.I. 2003/3042 reg. 18
- Sch. 3 Pt. II Table B substituted by S.I. 2003/3042 reg. 19
- Sch. 3 Pt. II Table C substituted by S.I. 2003/3042 reg. 20
- Sch. 3 Pt. II Table D substituted by S.I. 2003/3042 reg. 21
- Sch. 3 Pt. 1 para. 1(c) word substituted by S.S.I. 2004/132 reg. 14
- Sch. 3 Pt. 0I para. 1(c) words deleted by S.I. 2003/666 reg. 17(c)
- Sch. 3 Pt. 0I para. 1(c) words deleted by S.I. 2003/3042 reg. 17(c)
- Regulations revoked by S.S.I. 2007/435 reg. 23(1)
- Regulations revoked by S.S.I. 2007/483 reg. 23(1)
- Regulations revoked by S.I. 2007/2785 reg. 23
- Regulations revoked by S.I. 2007/3165 reg. 23
- reg. 2(1) words inserted by S.S.I. 2000/62 Sch. 8 Pt. 4 para. 1
- reg. 2(1) words inserted by S.S.I. 2003/139 reg. 3(a)(ii)
- reg. 2(1) words inserted by S.S.I. 2004/132 reg. 3(a)
- reg. 2(1) words inserted by S.S.I. 2004/132 reg. 3(b)
- reg. 2(1) words inserted by S.I. 2000/656 Sch. 8 Pt. 5 para. 1(a)
- reg. 2(1) words inserted by S.I. 2003/666 reg. 3(a)(ii)
- reg. 2(1) words inserted by S.I. 2003/666 reg. 3(a)(iv)
- reg. 2(1) words inserted by S.I. 2004/656 reg. 3(1)
- reg. 2(1) words inserted by S.I. 2004/656 reg. 3(2)
- reg. 2(1) words inserted by S.I. 2003/3042 reg. 3(a)(ii)
- reg. 2(1) words inserted by S.I. 2003/3042 reg. 3(a)(iv)

- reg. 2(1) words inserted by S.I. 2004/1509 reg. 3(1)
- reg. 2(1) words inserted by S.I. 2004/1509 reg. 3(2)
- reg. 2(1) words omitted by S.I. 2000/656 Sch. 8 Pt. 5 para. 1(b)
- reg. 2(1) words substituted by S.S.I. 2003/139 reg. 3(a)(i)
- reg. 2(1) words substituted by S.S.I. 2003/139 reg. 3(a)(iii)
- reg. 2(1) words substituted by S.I. 2003/666 reg. 3(a)(i)
- reg. 2(1) words substituted by S.I. 2003/666 reg. 3(a)(iii)
- reg. 2(1) words substituted by S.I. 2003/3042 reg. 3(a)(i)
- reg. 2(1) words substituted by S.I. 2003/3042 reg. 3(a)(iii)
- reg. 2(2) inserted by S.I. 2003/666 reg. 3(b)
- reg. 2(2) substituted by S.S.I. 2003/139 reg. 3(b)
- reg. 2(2) substituted by S.I. 2003/3042 reg. 3(b)
- reg. 3(c) words substituted by S.S.I. 2003/139 reg. 4
- reg. 3(c) words substituted by S.I. 2003/666 reg. 4
- reg. 3(c) words substituted by S.I. 2003/3042 reg. 4
- reg. 4(1) words substituted by S.I. 2000/656 Sch. 8 Pt. 5 para. 3
- reg. 4(1)(d)(i) words substituted by S.I. 2000/656 Sch. 8 Pt. 5 para. 2(1)(2)
- reg. 4(2)-(4) words substituted by S.I. 2000/656 Sch. 8 Pt. 5 para. 2(1)(2)
- reg. 4(2)(a) word deleted by S.I. 2003/666 reg. 5(a)(i)
- reg. 4(2)(a) word deleted by S.I. 2003/3042 reg. 5(a)(i)
- reg. 4(2)(b) word added by S.I. 2003/666 reg. 5(a)(ii)
- reg. 4(2)(b) word added by S.I. 2003/3042 reg. 5(a)(ii)
- reg. 4(5) substituted by S.S.I. 2003/139 reg. 5(b)
- reg. 4(5) substituted by S.I. 2003/666 reg. 5(b)
- reg. 4(5) substituted by S.I. 2003/3042 reg. 5(b)
- reg. 4(6) words substituted by S.I. 2000/656 Sch. 8 Pt. 5 para. 2(1)(2)
- reg. 5 words inserted by S.S.I. 2003/139 reg. 6
- reg. 5 words inserted by S.I. 2003/666 reg. 6
- reg. 5 words inserted by S.I. 2003/3042 reg. 6
- reg. 7(1)(a) substituted by S.S.I. 2004/132 reg. 4
- reg. 7(1)(a) substituted by S.I. 2004/656 reg. 4
- reg. 7(1)(a) substituted by S.I. 2004/1509 reg. 4
- reg. 10(1) words inserted by S.S.I. 2003/139 reg. 7(a)
- reg. 10(1) words inserted by S.I. 2003/666 reg. 7(a)
- reg. 10(1) words inserted by S.I. 2003/3042 reg. 7(a)
- reg. 10(3) substituted by S.S.I. 2004/132 reg. 7
- reg. 10(3) substituted by S.I. 2004/656 reg. 7
- reg. 10(3) substituted by S.I. 2004/1509 reg. 7
- reg. 10(3) words inserted by S.S.I. 2003/139 reg. 7(b)
- reg. 10(3) words inserted by S.I. 2003/666 reg. 7(b)
- reg. 10(3) words inserted by S.I. 2003/3042 reg. 7(b)
- reg. 10(5) substituted by S.S.I. 2003/139 reg. 7(c)
- reg. 10(5) substituted by S.I. 2003/666 reg. 7(c)
- reg. 10(5) substituted by S.I. 2003/3042 reg. 7(c)
- reg. 10(5)(b) words inserted by S.S.I. 2004/132 reg. 8(1)
- reg. 10(5)(b) words inserted by S.I. 2004/656 reg. 8(1)
- reg. 10(5)(b) words inserted by S.I. 2004/1509 reg. 8(1)
- reg. 10(5)(c) word omitted by S.S.I. 2004/132 reg. 8(2)
- reg. 10(5)(c) word omitted by S.I. 2004/656 reg. 8(2)
- reg. 10(5)(c) word omitted by S.I. 2004/1509 reg. 8(2)
- reg. 11 substituted by S.S.I. 2003/139 reg. 8
- reg. 11 substituted by S.I. 2003/666 reg. 8
- reg. 11 substituted by S.I. 2003/3042 reg. 8
- reg. 11(1)(d) word omitted by S.S.I. 2004/132 reg. 9
- reg. 11(1)(d) word omitted by S.I. 2004/656 reg. 9
- reg. 11(1)(d) word omitted by S.I. 2004/1509 reg. 9
- reg. 11(1)(f) and word inserted by S.S.I. 2004/132 reg. 9
- reg. 11(1)(f) and word inserted by S.I. 2004/656 reg. 9

- reg. 11(1)(f) and word inserted by S.I. 2004/1509 reg. 9
- reg. 12 substituted by S.S.I. 2003/139 reg. 9
- reg. 12(1) substituted by S.I. 2003/666 reg. 9(a)
- reg. 12(1) substituted by S.I. 2003/3042 reg. 9(a)
- reg. 12(2) substituted by S.I. 2003/666 reg. 9(b)
- reg. 12(2) substituted by S.I. 2003/3042 reg. 9(b)
- reg. 13(1) substituted by S.S.I. 2003/139 reg. 10(a)
- reg. 13(1) substituted by S.I. 2003/666 reg. 10(a)
- reg. 13(1) substituted by S.I. 2003/3042 reg. 10(a)
- reg. 13(2)(a)(i) word substituted by S.S.I. 2003/139 reg. 10(b)
- reg. 13(2)(a)(i) words substituted by S.I. 2003/3042 reg. 10(b)
- reg. 13(3) omitted by S.S.I. 2003/139 reg. 10(c)
- reg. 13(3) words substituted by S.I. 2003/666 reg. 10(c)
- reg. 13(3) words substituted by S.I. 2003/3042 reg. 10(c)
- reg. 14(1)-(3) words substituted by S.S.I. 2000/62 Sch. 8 Pt. 4 para. 2
- reg. 16 substituted by S.S.I. 2003/139 reg. 11
- reg. 16 substituted by S.I. 2003/3042 reg. 11
- reg. 17 word inserted by S.S.I. 2004/132 reg. 11(b)
- reg. 17 word inserted by S.S.I. 2004/132 reg. 11(c)
- reg. 17 word inserted by S.I. 2004/656 reg. 11(b)
- reg. 17 word inserted by S.I. 2004/656 reg. 11(c)
- reg. 17 word inserted by S.I. 2004/1509 reg. 11(b)
- reg. 17 word inserted by S.I. 2004/1509 reg. 11(c)
- reg. 17 words inserted by S.S.I. 2004/132 reg. 11(a)
- reg. 17 words inserted by S.I. 2004/656 reg. 11(a)
- reg. 17 words inserted by S.I. 2004/1509 reg. 11(a)
- reg. 17 words substituted by S.S.I. 2003/139 reg. 12
- reg. 17 words substituted by S.I. 2003/666 reg. 12
- reg. 17 words substituted by S.I. 2003/3042 reg. 12
- reg. 18(1) revoked by S.S.I. 2005/616 Sch. 6
- reg. 18(1)(3) revoked by S.I. 2005/2626 Sch. 6 Pt. 1
- reg. 18(1)(3) revoked by S.I. 2005/3254 Sch. 6 Pt. 1
- reg. 18(1)(b) substituted by S.S.I. 2003/139 reg. 13(a)
- reg. 18(1)(b) substituted by S.I. 2003/666 reg. 13(a)
- reg. 18(1)(b) substituted by S.I. 2003/3042 reg. 13(a)
- reg. 18(2)(a) words inserted by S.S.I. 2003/139 reg. 13(b)
- reg. 18(2)(a) words inserted by S.I. 2003/666 reg. 13(b)
- reg. 18(2)(a) words inserted by S.I. 2003/3042 reg. 13(b)
- reg. 18(3) revoked by S.S.I. 2005/616 Sch. 6
- reg. 18(3) words inserted by S.S.I. 2003/139 reg. 13(c)
- reg. 18(3) words inserted by S.I. 2003/666 reg. 13(c)
- reg. 18(3) words inserted by S.I. 2003/3042 reg. 13(c)
- reg. 19(3) words substituted by S.S.I. 2003/139 reg. 14
- reg. 19(3) words substituted by S.I. 2003/666 reg. 14
- reg. 19(3) words substituted by S.I. 2003/3042 reg. 14

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

- Act by S.S.I. 2000/62 reg.10(5) Sch.8. Pt.V

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

- Sch. 3 Pt. 0I para. 1(a)(aa) substituted by S.I. 2003/3042 reg. 17(a)
- Sch. 3 Pt. 0I para. 1(a)(aA) substituted for Sch. 3 Pt. 1 para. 1(a) by S.I. 2003/666 reg. 17(a)
- Sch. 5-7 added by S.I. 2004/656 reg. 14Sch.
- Sch. 5 added by S.I. 2004/1509 reg. 14Sch.

- Sch. 5-7 inserted by S.S.I. 2004/132 reg. 15Sch.
- Sch. 6 added by S.I. 2004/1509 reg. 14Sch.
- Sch. 7 added by S.I. 2004/1509 reg. 14Sch.
- reg. 2(5) added by S.S.I. 2003/139 reg. 3(c)
- reg. 2(5)(6) added by S.I. 2003/666 reg. 3(c)
- reg. 2(5)(6) added by S.I. 2003/3042 reg. 3(c)
- reg. 4(a) word deleted by S.S.I. 2003/139 reg. 5(a)(i)
- reg. 4(b) word inserted by S.S.I. 2003/139 reg. 5(a)(ii)
- reg. 4(c) inserted by S.S.I. 2003/139 reg. 5(a)(iii)
- reg. 4(2)(c) inserted by S.I. 2003/666 reg. 5(a)(iii)
- reg. 4(2)(c) inserted by S.I. 2003/3042 reg. 5(a)(iii)
- reg. 4(7A) inserted by S.S.I. 2003/139 reg. 5(c)
- reg. 4(7A) inserted by S.I. 2003/666 reg. 5(c)
- reg. 4(7A) inserted by S.I. 2003/3042 reg. 5(c)
- reg. 7A inserted by S.S.I. 2004/132 reg. 5
- reg. 7A inserted by S.I. 2004/656 reg. 5
- reg. 7A inserted by S.I. 2004/1509 reg. 5
- reg. 9A inserted by S.S.I. 2004/132 reg. 6
- reg. 9A inserted by S.I. 2004/656 reg. 6
- reg. 9A inserted by S.I. 2004/1509 reg. 6
- reg. 10(5)(e) and word added by S.I. 2004/656 reg. 8(2)
- reg. 10(5)(e) and word added by S.I. 2004/1509 reg. 8(2)
- reg. 10(5)(e) and word inserted by S.S.I. 2004/132 reg. 8(2)
- reg. 11A inserted by S.S.I. 2004/132 reg. 10
- reg. 11A inserted by S.I. 2004/656 reg. 10
- reg. 11A inserted by S.I. 2004/1509 reg. 10
- reg. 12(3)(4) added by S.I. 2003/3042 reg. 9(c)
- reg. 12(3)(4) substituted by S.I. 2003/666 reg. 9(c)
- reg. 13(a)(i) words substituted by S.I. 2003/666 reg. 10(b)
- reg. 16(1)(2) substituted by S.I. 2003/666 reg. 11
- reg. 18(4) added by S.I. 2004/656 reg. 12(1)
- reg. 18(4) added by S.I. 2004/1509 reg. 12(1)
- reg. 18(4) inserted by S.S.I. 2004/132 reg. 12(1)
- reg. 18(5) added by S.I. 2004/656 reg. 12(2)
- reg. 18(5) added by S.I. 2004/1509 reg. 12(2)
- reg. 18(5) inserted by S.S.I. 2004/132 reg. 12(2)