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STATUTORY INSTRUMENTS

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**2003 No. 666**

**The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (England) Regulations 2003**

**Amendments to the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999**

9. In regulation 12 (bottled drinking water)—
- (a) for paragraph (1), there shall be substituted the following paragraph—

“(1) Subject to paragraphs (3) and (4) below, no person shall cause any drinking water to be bottled, or sell any bottled drinking water, unless it satisfies the requirements of paragraph (2) below and Schedule 3.”;
  - (b) for paragraph (2), there shall be substituted the following paragraph—

“(2) No person shall cause any drinking water which does not satisfy the provisions of section 1 of Annex I to be bottled in a bottle marked or labelled with any designation, proprietary name, trade mark, brand name, illustration or other sign, whether emblematic or not, the use of which is forbidden by Article 9.1(b).”; and
  - (c) after paragraph (2), there shall be added the following paragraphs—

“(3) Before 25th December 2003, the references in paragraph (1) above and paragraph (4) below to “Schedule 3” shall have effect as if the amendments made to these Regulations by regulations 17 to 21 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (England) Regulations 2003 had not been made.

(4) For the purposes of paragraph (1) above, where the water concerned has been bottled in an EEA State other than the United Kingdom, but does not satisfy the requirements of Schedule 3, it shall be deemed to satisfy those requirements if, at the date of bottling—

    - (a) it satisfies the requirements prescribed in that State corresponding to those in Schedule 3: and
    - (b) those requirements are in accordance with—
      - (i) (where the bottling occurs before 25th December 2003) whichever of Directives 80/778 and 98/83 is applicable in that State, or
      - (ii) (where the bottling occurs on or after that date) Directive 98/83.”.