
STATUTORY INSTRUMENTS

2004 No. 656

The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (England) Regulations 2004

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

5. After regulation 7 there shall be inserted —

“7A.—(1) No person shall bottle any natural mineral water which, at the time of bottling, contains any substance listed in Schedule 6 at a level which exceeds the maximum limit specified in relation to that substance in that Schedule.

(2) No person shall sell any natural mineral water bottled in contravention of paragraph (1).

(3) The methods used for detection of the substances listed in Schedule 6 shall conform to the performance characteristics for analysis specified in Schedule 7.

(4) For the purposes of paragraphs (1) and (2) above, where —

- (a) (i) the water concerned exceeds the maximum limits specified in Schedule 6,
- (ii) the water concerned was bottled in another EEA State,
- (iii) the EEA State concerned had not, at the time of bottling, implemented Article 2(1) of Directive 2003/40, and
- (iv) the water was bottled prior to 1st January 2006 and at the date of bottling otherwise complied with Directives 80/777, 98/83 and the provisions of Directive 2003/40 which were in force in that EEA State; or
- (b) (i) the water concerned exceeds the maximum limits specified in Schedule 6 relating to nickel and fluoride,
- (ii) the water concerned was bottled in another EEA State,
- (iii) the EEA State concerned had not, at the time of bottling, implemented Article 2(1) of Directive 2003/40 insofar as it relates to maximum limits for nickel and fluoride, and
- (iv) the water was bottled prior to 1st January 2008 and at the date of bottling otherwise complied with Directives 80/777, 98/83 and the provisions of Directive 2003/40 which were in force in that EEA State,

that water shall be deemed not to exceed the maximum limits specified in Schedule 6.”