

## SCHEDULE 3

Regulations 9(1)(a)(iv) and 15(a)(iv)

### Ozone-enriched air treatment

1. No person may carry out an ozone-enriched air treatment on natural mineral water or water intended to be bottled and labelled as “spring water”, “dŵr ffynnon”, or its equivalent in any other language, unless—

- (a) it is for the purpose of separating compounds of iron, manganese, sulphur and arsenic from water in which they occur naturally at source;
- (b) prior to treatment the requirements of paragraphs [F16, 7 and 8] of Schedule 4 are satisfied; and
- (c) the treatment does not have a disinfectant action.

#### Textual Amendments

**F1** Words in Sch. 3 para. 1(b) substituted (27.10.2017) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) (Amendment) Regulations 2017 (S.I. 2017/935), regs. 1(3), 12(a)

2. An ozone-enriched air treatment must not—

- (a) modify the physico-chemical composition of the water in terms of its characteristic constituents; or
- (b) leave residues in the water which could pose a risk to public health, or, in the case of the substances listed below, above the levels specified.

<i>Treatment residue</i>	<i>Maximum limit ug/l</i>
Dissolved ozone	50
Bromate	3
Bromoform	1

3. A person seeking authorisation to carry out an ozone-enriched air treatment must—

- (a) make an application in writing to the food authority in whose area the water is extracted;
- (b) permit representatives of that authority to examine the proposed method of treatment and place of treatment and take samples for analysis; and
- (c) provide such information in support of the application as is requested by the food authority.

4. The food authority must assess the application and any supporting information and must authorise the ozone-enriched air treatment if it is satisfied that—

- (a) the treatment process is justified by the composition of the water at source in terms of compounds of iron, manganese, sulphur and arsenic;
- (b) the person carrying out the treatment is taking all necessary measures to ensure that the treatment is effective and safe; and
- (c) the treatment otherwise complies with paragraphs 1 and 2.

5. Where the food authority decides to authorise an ozone-enriched air treatment pursuant to paragraph 4, it must inform the applicant in writing and state the date from which the authorisation for use of the treatment has effect.

6. Where the food authority refuses to authorise an ozone-enriched air treatment pursuant to paragraph 4, it must inform the applicant in writing, stating its reasons.

**Changes to legislation:** There are currently no known outstanding effects for the *The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015, SCHEDULE 3. (See end of Document for details)*

**7.** Where an ozone-enriched air treatment has been authorised pursuant to paragraph 4, the person carrying out the treatment must, for the purpose of enabling the food authority to assess whether the conditions in paragraph 4(a) and (b) continue to be satisfied—

- (a) permit representatives of the authority to examine the method of treatment and place of treatment and take samples for analysis; and
- (b) provide such information related to the treatment as is requested by the food authority.

**8.** The food authority may withdraw authorisation of an ozone-enriched air treatment if it is satisfied that the conditions specified in paragraph 4 are no longer fulfilled, by giving the person operating the treatment a written notice stating the grounds for withdrawal.

**9.** Where the food authority notifies a person seeking authorisation of an ozone-enriched air treatment of the authority's refusal to authorise a treatment under paragraph 4, or notifies the person operating a treatment of its decision to withdraw authorisation under paragraph 8, that person may, within 6 months of being notified of the decision, apply to the Agency for a review.

**10.** The Agency, upon receiving an application under paragraph 9, must within 3 months from the date of that application—

- (a) make such inquiries into the matter as the Agency considers appropriate;
- (b) consider the results of those inquiries and any other relevant facts; and
- (c) either—
  - (i) confirm the decision; or
  - (ii) direct the food authority to grant or restore authorisation of the ozone-enriched air treatment as appropriate.

**11.** The food authority must immediately comply with a direction of the Agency under paragraph 10(c)(ii).

**Changes to legislation:**

There are currently no known outstanding effects for the The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015, SCHEDULE 3.