THE NATURAL MINERAL WATER, SPRING WATER AND BOTTLED DRINKING WATER (ENGLAND) REGULATIONS 2006

GUIDANCE NOTES
Important Note

These notes have been produced with the aim of providing informal, non-statutory guidance on the production and labelling requirements, for natural mineral water, spring water and bottled drinking water and should be read in conjunction with the relevant legislation and other Guidance Notes where appropriate (see "Scope of Legislation" section). The text should not be taken as an authoritative statement or interpretation of the law, as only the Courts have this power. This Guidance is to facilitate uniform application and enforcement of legislation relating to natural mineral water, spring water and bottled drinking water with specific reference to those provisions which ensure that the correct processes for exploitation and consumers are presented with meaningful and accurately labelled products which meet the production requirements. However, it is the responsibility of individual businesses to ensure their compliance with the law. The reader with specific queries is advised to seek further advice from their local enforcement agency, which in most cases will usually be their Local Authority Trading Standards or Environmental Health Department as appropriate.
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Interpretation of the Legislation

i. These Guidance Notes should not be taken as an authoritative statement or interpretation of the law, as only the Courts have this power. Ultimately, only the Courts can decide whether, in particular circumstances, an offence has been committed.

ii. Following the process of devolution, food legislation is now commonly made on a separate basis in England, Scotland, Wales and Northern Ireland. This is the case with the four separate sets of natural mineral water, spring water and bottled drinking water Regulations. Therefore the England Regulations only apply in England; the Scotland Regulations only apply in Scotland, and so on.

iii. However, the four sets of Regulations are similar in their terms this guidance note has been prepared in consultation with the responsible Authorities in Scotland, Wales and Northern Ireland.

Scope of Guidance

iv. This Guidance Note relates to the provisions of the following legislation:

| The Natural Mineral Water
| Spring Water and Bottled Drinking Water (England) Regulations 2006 |

v. These implement European Directives 80/777/EEC, 96/70/EC, 98/83/EC and 2003/40/EC.

vi. In addition all products covered by the Regulations must also comply with food law which is of general application, such as, for example:

- the Food Safety Act 1990\(^1\);
- Regulation (EC) No. 178/2002
- the Food Hygiene (England) Regulations 2006;
- the Food Labelling Regulations 1996 (as amended);

\(^1\) In Northern Ireland, the equivalent legislation is the Food Safety (Northern Ireland) Order 1991. and all other relevant legislation.

vii. The Agency has produced Guidance notes for a number of UK Regulations that provide further detail on some of the aforementioned legislation. These can be obtained via the Agency’s website [http://www.food.gov.uk/foodindustry/guidancenotes/] or via the Helpline [020 7276 8829 Email: helpline@foodstandards.gsi.gov.uk]
Introduction

The 2006 Regulations are arranged into five parts, with eight schedules supporting and expanding on the main provisions which they contain.

1. Part 1 (Introductory)
   (a) contains the title and commencement date of the regulations
   (b) all interpretations, and the general exemptions which apply.

2. Part 2 (Natural mineral water)
   (a) sets out the requirements for recognition as a natural mineral water
   (b) states the prohibition on sale of water which is not natural mineral water
   (c) sets out the exploitation requirements for natural mineral water springs
   (d) lists the permitted treatments and additions
   (e) sets out the rules governing colony count and organoleptic defects
   (f) gives a bottling offences provision for natural mineral water
   (g) describes the manner in which natural mineral water should be marked or labelled and advertised
   (h) prohibits sale of incorrectly bottled or labelled natural mineral water

3. Part 3 (Spring water)
   (a) bottling spring water
   (b) labelling and advertisement of spring water
   (c) sale of spring water

4. Part 4 (Bottled drinking water)
   (a) bottling of drinking water
   (b) labelling of bottled drinking water
   (c) sale of bottled drinking water

5. Part 5 (miscellaneous and supplemental provisions)
   (a) details of enforcement requirements
Principal provisions

6. The principal provisions of the Regulations:-

Natural mineral water

(a) prescribe the conditions for recognition of natural mineral water (regulation 4) and the processes for the withdrawal (self imposed or otherwise) of the recognition.

(b) prohibit the sale of water which is not natural mineral water, as a natural mineral water (regulation 5)

(c) prohibits the addition to or treatment of natural mineral water (other than those specified) and allows the use of ozone-enriched air treatment only as prescribed by the regulations (regulation 6)

(d) prohibits the bottling and sale of natural mineral water other than in a specified type of container and imposes maximum limits on various parameters in natural mineral waters (regulation 7)

(e) prohibits the use of certain descriptions or indications on labels which may mislead the consumer as to the nature of the product and imposes marking, labelling and advertising requirements for natural mineral waters (regulation 8).

(f) prohibit the sale of incorrectly bottled/labelled natural mineral water and imposes restrictions on the microbiological content of natural mineral water (regulation 9)

Spring water

(a) prohibits the bottling of spring water unless certain requirements for extraction, exploitation and bottling, and prescribed concentrations and values of parameters are met (regulation 10)

(b) prohibits the use of certain descriptions or indications on labels which may mislead the consumer as to the nature of the product and imposes
marking, labelling and advertising requirements for spring waters (regulation 11).

(c) Prohibits the sale of incorrectly bottled/labelled spring water (regulation 12)

**Bottled drinking water**

(a) prohibits the bottling of drinking water unless certain requirements for concentration and parameters are met (regulation 13)

(b) prohibits the use of descriptors associated with natural mineral water (regulation 14).

(c) prohibits the sale of incorrectly bottled/labelled drinking water (regulation 15)

**Miscellaneous and supplemental**

(a) make provision for enforcement, sampling arrangements and analysis (regulations 16 to 19)

(b) provide for offences and prescribe penalties (regulation 20)

(c) provide specific defences in relation to imports from EEA countries and water placed on the market or labelled before the Regulations come into force (regulation 21)

(d) apply provisions of the Food Safety Act 1990 (including the defence of due diligence) and the Food Labelling Regulations 1996 (regulation 22) in the operation of these Regulations

(e) revoke The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999 (as amended) (regulation 23)

7. The 2006 Regulations came into force on 1st October 2006

**Definition and meaning of terms (interpretation)**

<table>
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<th>What is natural mineral water?</th>
<th>Regulation 2</th>
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<td>8.1</td>
<td>Natural mineral water is water originating in an underground water table or deposit, which emerges from a spring tapped at one or more natural or bore exits. It must come from an officially recognised spring, be microbiologically wholesome and be naturally free from pollution and parasitic, pathogenic and other harmful microorganisms.</td>
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<td>8.2</td>
<td>Water must be bottled at source, i.e. must not be transported in containers other than those authorised for distribution to the ultimate consumer (not tankered – unless certain exemptions apply as detailed in Schedule 2; see also Section 18 of this Guide).</td>
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8.3. Natural mineral water is characterised by its chemical and microbiological composition, which distinguishes it from drinking water, and may not be treated in any way that alters these properties. The composition, temperature and other essential characteristics must remain stable (further detail on this can be found in Annex 1). Natural mineral water cannot be polluted in any way (chemical or microbiological) and it must meet the parameters found in Schedule 5.

9. What is spring water? Regulation 10

9.1. A water can only be labelled with the description "spring water" if it originates in an underground water source, is bottled at source (see 1.2 above, and Section 36) and satisfies most of the exploitation conditions, microbiological criteria and some of the labelling requirements that apply to natural mineral water. Spring water must also comply with limits laid down in Schedule 8 for physical, chemical and microbiological parameters. Unlike natural mineral water spring water does not need to demonstrate a stable composition.

10. What is bottled drinking water? Regulation 2

10.1. Bottled drinking water means drinking water which is bottled, and is neither spring water or natural mineral water. It can come from a variety of sources, including municipal supplies.

11. What does the word “spring” mean? 

11.1. For natural mineral water and spring water, a spring is the access to (or point of discharge from) an aquifer or water deposit. Ponds, wells and adits (i.e. horizontal collecting galleries used to increase well yield) are not covered by the term ‘spring’.

12. How do spring and source differ?

12.1. The term source is often applied in reference to natural mineral water. ‘Source’ is not defined within these regulations but can be considered as being synonymous with ‘spring’

13. What is a borehole/bore exit?

13.1. A borehole is an artificially produced exit for water emerging from a source originating in an underground water table or deposit.
Exemptions

14. Do these Regulations apply to all bottled waters? Regulation 3

14.1. The Regulations do not apply to waters which
- Are products that have a licence or authorisation for medicinal use, or veterinary use;
- Are used for curative purposes in thermal or hydro-thermal establishments;
- Are not intended for sale for human consumption;
- Are natural mineral waters exported to a country other than an EEA State, and
- Packaged ice portions intended for cooling foods.

PART 2: NATURAL MINERAL WATER

Recognition of NMW

15. What is the procedure for achieving natural mineral water recognition for water extracted from an underground source? Regulation 4

15.1. Natural mineral waters from sources in England

15.1.1. Before water can be officially recognised as natural mineral water, certain information about the source and the water itself must be supplied to the relevant authority. This includes a hydrogeological description of the source, the physical and chemical characteristics of the water, microbiological analyses and analyses for toxic substances. Additionally it must be demonstrated that the water is free from pollution and that the composition, temperature and other essential characteristics of the water remain stable. To establish stability, it is necessary to collect data over a sufficiently long period to demonstrate the extent to which the composition varies. The conditions that are attached to the exploitation of natural mineral waters are designed to ensure that the physical and chemical characteristics, safety and microbiological purity of the water at source maintain unchanged during exploitation. Routine quality control is the responsibility of the exploiter, but periodic checks should be made by the recognition authority.
15.1.2. Schedule 1 Part 3 of the Regulations and Annex 1 of these Guidance Notes set out in more details what information is required, including suggested sampling frequencies and period of collection.

15.1.3. In the case of waters originating in England, the relevant authority responsible for granting official recognition is the District Council or London borough council.

15.1.4. The relevant authority is responsible for publishing an announcement of recognition in the London Gazette, the Edinburgh Gazette or the Belfast Gazette as appropriate. Such an announcement should include, inter alia, the trade name, name of the spring and the place of exploitation to allow these details to be reported in the Official Journal of the European Communities. Copies of such announcements should be sent to the Food Standards Agency (FSA), Aviation House, who will arrange publication of the recognition in the Official Journal of the European Communities. The FSA has a register of all natural mineral waters recognised in the UK, which is available on the FSA website.

15.2. Natural Mineral Waters from other EU Member States

15.2.1. Water originating in any other Member State of the European Union may only be sold as a natural mineral water in the UK if it has been officially recognised by the responsible authority of that Member State. The publication in the Official Journal of the European Communities of the name of any waters recognised as natural mineral water shall be conclusive proof that the water has been recognised.

15.3. Natural mineral waters from outside the EU.

15.3.1. Waters originating in a third country (outside the European Union) must be recognised by one of the Member States of the European Union before being sold as a natural mineral water in that, or any other Member State. In the United Kingdom, the recognition authority is the Food Standards Agency.

15.3.2. The recognition procedure is described in Part 2 of Schedule 1 of the Regulations. To apply for recognition, all of the information required by paragraphs 1-5 of Part 1 of Schedule 1 and paragraphs 1-6 of Part 2 of Schedule 1 must be provided. The information is best set out in the same order as it appears in the Schedule and placed under the same headings. In addition, under paragraph 4 of Part 2 of Schedule 1 of the Regulations, certification for the responsible authority (normally a government department, local authority or district council) in the importing country must be provided stating that:

- it is satisfied with the matters set out in Part 2 of Schedule 1
- regular checks are made on the matters set out in Part 2 of Schedule 1

15.3.3. Certification that water meets national requirements of the country of origin is not sufficient.

15.3.4. Recognition of third country natural mineral water will lapse after a period of 5 years unless the responsible authority in the country of origin has produced a certificate stating that it is satisfied that the water continues to meet the requirements of the Regulations.
15.3.5. Applications for the recognition of third country natural mineral waters should be sent to the Food Standards Agency.

15.3.6. The costs involved in obtaining recognition of a natural mineral water are to be borne by the exploiter of the water.

16. What can be done if recognition is not granted or is withdrawn by the local authority or the FSA? Regulation 4(2),(3),(4)

16.1. A review of the decision can be obtained. The Agency will undertake an inquiry and either confirm the decision or restore the recognition.

17. Who can apply for withdrawal of recognition? Regulation 4(5)

17.1. The exploiter can withdraw recognition by informing the local authority/district council or the Agency. The local authority or FSA can withdraw recognition on the grounds that the minimum requirements are not being met or some other factor required for recognition of the source as a natural mineral water is in breach of the regulations.

18. Can recognition be withdrawn or names be changed? Regulation 4

18.1. To withdraw recognition an advertisement needs to be placed in the London and Edinburgh Gazette or Belfast Gazette as appropriate and the FSA needs to be informed.

18.2. Recognition can be withdrawn because the producer no longer wants to produce natural mineral water, or because the water extracted no longer meets the microbiological or other specifications laid down in Schedule 1, Part 3.

18.3. The name of a natural mineral water can be changed. To do this the Local Authority needs to place an advertisement in the London and Edinburgh Gazette or Belfast Gazette as appropriate and inform the FSA of the name change. Water marketed under the old trade description should be removed from sale before the change in name is authorised.

19. What action is required if a change in recognition (e.g. a name change) occurs or recognition is withdrawn? Regulation 4

19.1. The FSA must be informed, and the change in notification must be published in the London and Edinburgh Gazette or Belfast Gazette as appropriate.
20. How can a natural mineral water be identified? Regulation 4(7)


20.2. Recently recognised natural mineral waters from the UK can be identified by the publication of their names in the London and Edinburgh Gazette or Belfast Gazette as appropriate.

20.3. The FSA holds a list of recognised waters which can be accessed through the FSA website, www.food.gov.uk.

Exploitation of natural mineral water springs

21. What can be called a natural mineral water? Regulation 5

21.1. Only water recognised as a natural mineral water can be called a natural mineral water.

22. When can a natural mineral water be exploited? Regulation 5

22.1. A natural mineral water can only be exploited after permission is granted and the requirements of Schedule 2 are met.

23. Which treatments are permitted for natural mineral waters? Regulation 6

23.1. Only specified treatments are permitted. Oxygenation to assist flocculation of unstable elements is permitted. The removal of unstable elements (such as iron, manganese and sulphur) by filtration/decanting is also permitted, thus preventing the precipitation of highly unsightly sediments in the bottle on storage. Ozone enriched air treatment to remove iron, manganese, sulphur compounds and arsenic is permitted, given certain provisions. The addition or removal of carbon dioxide is permitted so as to render a natural mineral water sparkling or still. Treatments that alter the microbiological compositions (e.g. membrane filtration and UV radiation) are not permitted. Further details on treatments of natural mineral waters can be found in Annex 1.

Bottling of natural mineral water
24. Are there any maximum limits for certain constituents of natural mineral water?  
Regulation 7, Schedule 5

24.1. Maximum levels of certain substances naturally present in the water must not be exceeded at time of bottling. If the levels are exceeded, sales of these products are not allowed. Although no specific methods of analysis are laid down in the Regulations, Schedule 6 does make provisions for the performance characteristics of the analytical methods used.

25. Is tankering of natural mineral water permitted?  
Regulation 7(3)

25.1. Natural mineral water cannot be tankered (unless it was tankered for the purpose of exploiting the source before 17th July 1980) and hence the transport of water from the source to the packaging line must be in a closed pipeline made of suitable material. The filling system must ensure that there is no microbiological contamination of the water before closure. The containers can be made of any food grade material, which minimises the alteration of the water.

**Labelling of natural mineral water**

26. What is meant by ‘designation’, ‘trade description’ and ‘sales description’?  
Regulation 8

26.1. A trade description is the description under which the natural mineral water is sold, and may include brand names, trade marks and other descriptors.

26.2. If the name of the source or the name of the place of exploitation is not the name of the product then either of these must appear on the label in letters one and a half times larger than any other text on the label. Once the producer has identified either the name of the source or the place of exploitation to use on the label, only this labelling format can be used i.e. cannot interchange the source name with the place of exploitation.

26.3. The term ‘sales description’ describes the name of a natural mineral water product.

27. What are the mandatory labelling requirements for natural mineral waters?  
Regulation 8(2)

27.1. A statement of the analytical composition which indicates the characteristic constituents of the water.

27.2. The name of the spring and the place of its exploitation on the label.
And where applicable:

27.3. Indication of partial/total elimination of free carbon dioxide 2(c)

27.4. Indication of the use of authorised ozone-enriched air oxidation techniques should be placed on the label in proximity to the analytical composition. Specific requirements for this text are given in Regulation 2(d).

27.5. Specific requirements for fluoride concentrations > 1.5 mg/l, including “not suitable for infants and children under 7 years of age” and the presentation of actual fluoride content. Specific requirements for this text are given in Regulation 8(e).

27.6. Bottled water from a natural mineral water source can only be marked with the following sales descriptions:

- natural mineral water (non-effervescent natural mineral waters only).
- naturally carbonated natural mineral water (i.e. water whose content of carbon dioxide from the spring after decanting, if any, and bottling is the same as at source, taking into account where appropriate the reintroduction of a quantity of carbon dioxide from the same water table or deposit equivalent to that released in the course of those operations and subject to the usual technical tolerances).
- natural mineral water fortified with gas from the spring (i.e. water whose content of carbon dioxide from the water table or deposit after decanting, if any, and bottling is greater than that established at source).
- carbonated natural mineral water (i.e. means water to which has been added carbon dioxide of an origin other than the water table or deposit from which the water comes).

28. Can a natural mineral water also be sold as a spring water or a drinking water? Regulation 10

28.1. A recognised natural mineral water can only be marketed within the European Union as a natural mineral water under the designated name. It cannot also be marketed as a spring water. The Regulations also contain a requirement stating that the wording of the trade description must not be misleading as to the nature of the water and the place of exploitation of the spring.

29. Which indications are permitted on the label of natural mineral waters? Regulation 10, Schedule 7

29.1. The indications ‘may be diuretic’, ‘may be laxative’, ‘stimulates digestion’ and ‘may facilitate hepato-biliary functions’ are permitted if the natural mineral water has been assessed by physico-chemical analysis, and appropriate pharmacological, physiological or clinical examination, as possessing the property attributed by the indication. The indications listed in Schedule 7 are authorised provided they meet the relevant criteria listed in the Schedule.
30. Can natural mineral water be used as an ingredient in a soft drink, and does the name and place of exploitation need to be listed on the bottle?

30.1. Regulation 6(2) permits the use of natural mineral water in the manufacture of soft drinks. The labelling provisions of Regulation 8 confine the use of “natural mineral water” as the name of the product and hence are not intended to affect the use of those words in relation to ingredients. Therefore, if a beverage is being sold as a soft drink containing natural mineral water, there is no requirement to state the name of the natural mineral water source or place of exploitation on the soft drink label. However, it is permitted to state the name of the natural mineral water source.

31. Are there any other considerations that should be taken into account when labelling a natural mineral water?

31.1. It must not be suggested that the natural mineral water has any characteristic that is not accurate – this may include origin, analysis result, authorisation for exploitation whether in the text or by any other means of representation.

**Sale of natural mineral water**

32. What microbiological tests are required for natural mineral water to comply with the regulations?

32.1. Natural mineral waters must be free from parasites and pathogenic organisms, E. coli and other coliforms and faecal streptococci in any 250 ml sample examined, spourlated sulphite-reducing anaerobes in any 50 ml sample examined and Pseudomonas aeruginosa in a 250 ml sample.

32.2. Schedule 2: (Para 16, 17, 18) The revivable total colony count of the water at source shall confirm to the normal viable colony count of that water and must not show that the source of that water is contaminated. For the period of 12 hours following bottling, the total colony count must not exceed 100 per ml at 20 to 22 °C in 72 hours on agar-agar or an agar-gelatine mixture and 20 per ml at 37 °C in 24 hours on agar-agar and water shall be maintained at a temperature of 4 °C ± 1 °C.

33. What is an organoleptic defect?

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An organoleptic defect is a taste or odour which has been imparted to the water after its emergence from the source. It is not intended to include a particular taste or odour it had at source. Precautions against risks of pollution and contamination during exploitation should ensure that the natural mineral water or spring water does not suffer from such a defect.

Can natural mineral water from more than 1 borehole tapping into a single aquifer be sold under separate trade descriptions i.e. one brand name per borehole?

Under Regulation 9(4) it is forbidden to sell natural mineral water from one and the same spring under more than one trade description. The chemical composition of the natural mineral water defines its characteristics. These characteristics must be preserved intact and protected from all risk of pollution. Primarily, if the water from two boreholes has the same or similar chemical composition, then a single spring is being exploited. Therefore, the water from both boreholes must be sold under the same trade description. If the chemical composition of the water from each borehole is different, then different springs are being exploited. In this case, each spring would have to be recognised separately, with the water from each borehole being sold under a separate trade description. Assuming identical chemical composition of water from each borehole, if the water in each borehole also comes from the same rock strata and the boreholes are linked hydraulically (pumping from one borehole affects the pressure in the other) then a single spring is being exploited.

Water abstracted from two boreholes 4 km apart has a very similar chemical composition. However, there is no hydraulic link between the two boreholes and the catchment areas do not overlap. Therefore both boreholes are recognised as separate sources and the abstracted water sold under separate trade descriptions.

Waters abstracted from each of two holes bored very close together to different depths several meters apart and tapping into a fissured aquifer has a significantly different chemical composition. Since each borehole exploits a separate source, each must be recognised separately and sold under separate trade descriptions.

**PART 3: SPRING WATER**

**Bottling of spring water**

How is a spring water source defined?

A spring water source is not specifically defined in the Regulations. For water to be marked or labelled as a spring water it must meet stringent requirements. Spring water is not required to have essential characteristics of constant chemical composition.
36. Does spring water have to be bottled at source?  

36.1. Water labelled ‘spring water’ must be bottled at source, unless it was transported to the bottling plant on or before 23rd November 1996. See question 30 below.

37. What is meant by tankering derogation for spring water?  

37.1. If, in the exploitation of the spring, spring water was being transported to the bottling plant in tankers on or before 23 November 1996, then this practice may continue. The right to tanker is linked to the spring, not the bottler.

38. What microbiological tests are required for spring water and with what frequency?  

38.1. Spring water must comply with the requirements in Schedule 2 (colony count and organoleptic effects). For the period of 12 hours following bottling, the total colony count shall not exceed 100 per ml at 20 to 22 °C in 72 hours on agar-agar or an agar-gelatine mixture and 20 per ml at 37 °C in 24 hours on agar-agar and water shall be maintained at a temperature of 4 °C ± 1 °C.

38.2. The frequency of testing and periodic checking is a matter for enforcement authorities. The Regulations do however specify that spring waters should be periodically checked in accordance with the minimum sampling frequencies laid down in Annex II of Directive 98/83/EC for water put into bottles or containers intended for sale.

39. Is spring water required to have a stable composition and to be protected against all risk of pollution?  

39.1. The term ‘spring water’ is reserved for water which is extracted from a spring, bottled at source and meets the exploitation and bottling requirements of Schedule 2, as if it were a natural mineral water. For example, the spring or outlet must be protected against all the risks of pollution, the catchment, pipes and reservoirs must be of materials suitable to contain potable water and built to prevent any chemical, physico-chemical or microbiological alteration of the water. However, unlike natural mineral water, spring water does not have to be stable in composition.
40. Are there any maximum limits for certain constituents of spring water?

40.1. Schedule 8 lays down the requirements for spring water (and drinking water) including properties, elements, substances and organisms contained within it.

41. Is there a recognition process for spring waters?

41.1. There is no requirement for spring waters to be recognised.

42. Which treatments are permitted for spring waters?

42.1. Spring waters are subject to the same restriction to the treatments of chemical constituents as natural mineral waters (See Section 16). The UK has taken the view that disinfection treatments (excluding ozonation) are allowed for spring water without any prior authorisation. Such treatments include, for example ultraviolet light, microfiltration.

**Labelling of spring water**

43. For spring waters, what does ‘consumption in its natural state’ mean?

43.1. Regulation 11 states that water can only be marked and labelled as ‘spring water’ if, when bottled at source, it is intended for consumption without treatment, other than authorised treatments.

44. What are the labelling requirements for spring waters?

44.1. Spring waters are required to state the name of the spring and the place of its exploitation on the label.

44.2. The name of the source or the place of exploitation must be in letters one and a half times larger than the height and width of any other text.

44.3. The Regulations also contain a requirement stating that the wording of the trade description must not be misleading as the nature of the water and the place of exploitation of the spring.
45. If the water has been treated – should I declare this on the label?  Regulation 11(3c)

45.1. Where the water has undergone authorised ozone-enriched air oxidation, specific text is provided in the Regulations.

Sale of spring water

46. Can spring water be bottled and sold under more than one trade description?  Regulation 11

46.1. Essentially, the requirement is that water from the spring must not be sold under more than one trade description.

46.2. If the name of the source or the name of the place of exploitation is not the trade description then either of these must appear on the label in letters one and a half times larger than any other text on the label. Once the producer has chosen either the name of the source or the place of exploitation to use on the label, only this labelling format can be used i.e. cannot interchange the source name with the place of exploitation.

PART 4: BOTTLED DRINKING WATER

Bottling of bottled drinking water

47. Are there any restrictions on treatments of bottled drinking water?  Regulation 13

47.1. There are no restrictions on treatments of bottled drinking water provided that they do not make the water unsafe. However, bottled drinking water must satisfy the requirements of Schedule 8 (prescribed concentrations or parameter values) of the Regulations, which implement the provisions of Directive 98/83/EC relating to the quality of water intended for human consumption.

Labelling of bottled drinking water

48. Can bottled drinking water (e.g. table water) be sold under more than one trade description?  Regulation 14
48.1. There are no restrictions on the selling of bottled drinking water under more than one trade description. However, these descriptions should not mislead the consumer to believe that the product is a spring or natural mineral water. The labels must also comply with The Food Labelling Regulations 1996.

49. Can the term ‘natural’ be used to label bottled drinking water

49.1. The FSA has issued Food Advisory Committee Guidelines on the use of the word ‘natural’ in food labelling. Although these guidelines do not have statutory force they do suggest circumstances under which it is reasonable to use the term ‘natural’. It is an offence under the Food Safety Act 1990 for any food to be falsely labelled or labelled in such a way which is likely to mislead the consumer as to the foods’ nature, substance or quality.

**Flavoured waters**

50. Are flavoured waters subject to the National Mineral Water, Spring Water and Bottled Drinking Water Regulations?

50.1. Flavoured waters are not covered by these Regulations, as these beverages are considered to be soft drinks.

51. Does flavoured spring water need to be bottled at source?

51.1. Once spring water is mixed with other ingredients it ceases to be spring water and is classified as a soft drink.

52. Can ‘spring water’ be used as an ingredient in a soft drink, having different trade descriptions?

52.1. The use of the words ‘spring water’ is confined to the name of the product and hence are not intended to apply to a soft drink. However, if the trade description of a spring water is used in the ingredients list, another trade description of the water cannot be used in the ingredients list of a different product.

53. Can a company produce natural mineral water, spring water and bottled drinking water from the same source and label each water type using different trade descriptions?

Regulation 10
53.1. This regulation allows only natural mineral water to be marked with the sales description ‘natural mineral water’, ‘naturally carbonated natural mineral water’, ‘natural mineral water carbonated with gas from a spring’ and ‘carbonated natural mineral water’. Therefore, the labelling of natural mineral water from the same source as spring water and bottled drinking water using different trade descriptions is not permitted.

53.2. Labelling regulations for spring waters state that spring water from a single source can only be sold under a single trade description.

53.3. There are no regulations that prevent the sale of one type of bottled water under two or more separate trade descriptions.

53.4. It is permitted to sell water extracted from a spring and sold as spring water under a different trade description as bottled water, provided that this is not misleading to the consumer. Great care must be taken however to clearly distinguish the bottled drinking water from the spring water, as there is a significant risk of the Courts considering two such products on sale misleading.

54. If I remove all hardness from a spring or bottled water can I add in calcium to meet the minimum hardness requirement?  
Regulation 8

54.1. The requirement is intended to ensure that if softening or desalinating water (essentially any scenario where you remove the hardness from water) there is a limit on how much you can reduce the hardness level by. Hardness consists of a complex mix of polyvalent minerals, the main component of which is calcium. The calcium concentration is there as an indicator of the hardness level present in the water. The reason for this requirement is the large body of epidemiological evidence that hardness in water has a benefit to cardiac heart health, but it is not known exactly what it is in the water hardness that causes the benefit.

**Enforcement**

55. What is the monitoring frequency for natural mineral waters, spring waters and bottled drinking waters?

55.1. Natural Mineral Water. The relevant Local Authority has a responsibility to carry out periodic checks to ensure the water still meets requirements for recognition of natural mineral water. Local Authorities are empowered to enter premises for this purpose. The frequency of the checks is, at the discretion of the local authorised officer, however it is recommended that this be least once every year. Recognition may be withdrawn if the water fails, at any time, to meet these requirements.

55.2. If the water is being exploited, the exploiter should arrange for a quality control laboratory to carry out daily microbiological, chemical and physical analysis of the water. The exploiter should also notify the Local Authority when the bottling of the water for sale as natural mineral water begins.
55.3. Spring waters and bottled drinking waters. For spring water and bottled drinking water originating from a private water supply, it is the responsibility of the relevant Local Authority to determine when water samples are to be taken from the supply for official analysis. The sampling frequency and parameters for analysis are specified in Annex II of Directive 98/83/EC. The number of required samples taken for analysis may increase or decrease depending on the stability of these parameters and also whether each water sample meets certain pH criteria. The exploiter of the source would be expected to exercise due diligence by also checking samples of spring water by analysis.

**Defences**

56. Is there a transitional period?  Regulation 21

56.1. If the product was bottled, marked or labelled before these Regulations came into force; and no offence would have been committed under pre-existing legislation.

56.2. If the water was bottled or sold in an EEA State, other than the UK; and the water complied with the law in that EEA State when it was bottled or sold.

**Application of other provisions**

57. Do the Regulations apply to water supplied in bottles or other containers as a temporary alternative to mains water supplies?  Regulation 22

57.1. Emergency water supplies are not covered by the Regulations.

**General**

58. When do the Regulations come into force?

ANNEX I

RECOGNITION AND EXPLOITATION OF NATURAL MINERAL WATERS

INTRODUCTION

The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations (England) (SI 2006/####) control the exploitation and marketing of natural mineral waters throughout England. These Regulations consolidate the requirements of SI 1999/1540, 2003/666 and 2004/656 that implement provisions for natural mineral waters as laid down in the parent Directives (80/777/EEC, as amended by 96/70/EC and 2003/40/EC). There are separate but similar Regulations in Northern Ireland, Scotland and Wales.

All natural mineral waters in England must be officially recognised (i.e. approved) by the relevant authority before they are marketed.

It is important to consider what distinguishes a natural mineral water from other bottled waters. First, detailed information about the natural mineral water source and the water itself must be supplied to the responsible authority. Second, natural mineral water must meet certain microbiological purity criteria both before recognition and during exploitation. Third, it must be demonstrated that a natural mineral water is free from pollution, and fourth, the composition of the water must be stable.

The conditions surrounding a catchment area can change over time, and so therefore can the composition of the water. The recognition authority should monitor the factors affecting recognition.

GEOLOGICAL AND HYDROGEOLOGICAL DESCRIPTION

Location of source

(f) The map should be sufficiently detailed to locate accurately the exact site of the catchment and source and to distinguish it from other nearby buildings and geographical features.

The geological description

(g) Should include the origin and nature of the terrain and the stratigraphy of the hydrological layer.
The hydrogeological description

(h) The flow paths of groundwater feeding the source should be given and there should be an assessment of the contribution of surface and near-surface flow to the total flow of the source (e.g. as a flow-net).

(i) The surface water and groundwater catchments should be defined, the existing and likely future land use assessed, and the mechanisms by which groundwater is replenished should be described. The inorganic chemistry of the source water should be related to the rock strata and the provenance and age of the water demonstrated.

Description of the Equipment for Water Abstraction

(j) It is not necessary for bottling or packaging equipment to be in place, but the abstraction equipment itself and its housing must be installed before recognition is granted, and this equipment must be described in the application. Pipes, valves, filters, tanks, and, where appropriate, pumps should be included. If the source is a borehole, then its exact nature should be described, i.e. depth, inclination of the bore, lining material, and the hydrostatic head. A scale diagram of the source site and a flow diagram of the water abstraction equipment should accompany this description.

Description of the Source

(k) Information necessary for the assessment of the protection of the source against microbiological and chemical pollution should be supplied. The physical construction housing the abstraction or collection equipment should be described. There should be an indication of how the area surrounding the source has been demarcated, i.e. fences, walls or other barriers, and other steps taken which have been taken to protect the source against vandalism and contamination from agricultural, industrial, animal or other sources, including measures to prevent ingress of dust or surface water and to reduce or eliminate ingress of water arriving by short term groundwater flow. An appropriate map or plan indicating those features should be supplied.

PHYSICAL AND CHEMICAL CHARACTERISTICS

viii. This section is concerned with the chemical constituents and physical properties, which characterise the water from the source. The Regulations do not prescribe particular methods of analysis.

ix. Detailed information on methods of analysis can be found in scientific publications, e.g.:

• Methods for the Examination of Waters and Associated Materials Series (published as Blue Books), Standing Committee of Analysts
• Official Methods of Analysis of AOAC International, 18th Edition
Rate of Flow

(l) If the water emerges from the source under its own pressure, the flow rate of the water must be measured. The variation of the flow from the ground water body should also be given. There may be seasonal variations in the flow rate and therefore the minimum period of measurement should be over two years, with measurements taken at least every month. When the water is pumped from a borehole the normal and maximum volume to be pumped should also be specified.

The Temperature of the Water at Source

(m) If the water does not emerge at constant temperature, the variation in temperature of the water should be measured at least every month for two years, and given to the nearest 0.1 °C.

Nature of the Terrain and Inorganic Constituents of the Water

(n) A general description of how the chemical composition of the water is related to the hydrogeology of the source should be given. It should indicate any geographical or geological features which influence the composition of the water. If it is intended to emphasise a particular constituent or feature of the water in its marketing (e.g. a low mineral content), an explanation of the origin of this feature should be given, if known.

Dry Residues at 180 and 260°C

(o) The results for the two temperatures should be expressed in mg/litre of water.

Electrical Conductivity and Hydrogen Ion Concentration

(p) The conductivity should be quoted in suitable units (normally ΩS/cm or mS/cm), and the temperature at which the determination was made must be added. The pH value should be given to the nearest 0.1.

Concentration of Anions and Cations

(q) The table below lists details of particular anions and cations that should be determined as part of the recognition process.

<table>
<thead>
<tr>
<th>Ion</th>
<th>Unit of measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Anions</strong></td>
<td></td>
</tr>
<tr>
<td>Borate</td>
<td>$\text{BO}_3^-$</td>
</tr>
<tr>
<td>Carbonate</td>
<td>$\text{CO}_3^{2-}$</td>
</tr>
<tr>
<td>Chloride</td>
<td>$\text{Cl}^-$</td>
</tr>
<tr>
<td>Fluoride</td>
<td>$\text{F}^-$</td>
</tr>
</tbody>
</table>
### Hydrogen Carbonate

<table>
<thead>
<tr>
<th>Hydrogen Carbonate</th>
<th>HCO₃⁻</th>
<th>mg/l</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Nitrate</th>
<th>NO₃⁻</th>
<th>mg/l</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nitrite</td>
<td>NO₂⁻</td>
<td>mg/l</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phosphate</th>
<th>PO₄³⁻</th>
<th>mg/l</th>
</tr>
</thead>
<tbody>
<tr>
<td>Silicate</td>
<td>SiO₂⁻</td>
<td>mg/l</td>
</tr>
<tr>
<td>Sulphate</td>
<td>SO₄²⁻</td>
<td>mg/l</td>
</tr>
<tr>
<td>Sulphide</td>
<td>S²⁻</td>
<td>mg/l</td>
</tr>
</tbody>
</table>

### Cations

<table>
<thead>
<tr>
<th>Cation</th>
<th>Unit of measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aluminium</td>
<td>Al mg/l</td>
</tr>
<tr>
<td>Ammonium</td>
<td>NH₄⁺ mg/l</td>
</tr>
<tr>
<td>Calcium</td>
<td>Ca mg/l</td>
</tr>
<tr>
<td>Magnesium</td>
<td>Mg mg/l</td>
</tr>
<tr>
<td>Potassium</td>
<td>K mg/l</td>
</tr>
<tr>
<td>Sodium</td>
<td>Na mg/l</td>
</tr>
</tbody>
</table>

### NB:
If the hydrogeological report indicates the presence of other ions, these also should be measured.

### Non-Ionised Compounds

<table>
<thead>
<tr>
<th>Non-ionised compound</th>
<th>Unit of measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total organic carbon</td>
<td>C mg/l</td>
</tr>
<tr>
<td>Free carbon dioxide</td>
<td>CO₂ mg/l</td>
</tr>
<tr>
<td>Silica</td>
<td>SiO₂ mg/l</td>
</tr>
</tbody>
</table>

### NB:
If the hydrogeological report indicates the presence of other non-ionised compounds, these also should be measured.

### Trace Elements

<table>
<thead>
<tr>
<th>Trace Element</th>
<th>Unit of measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barium</td>
<td>Ba µg/l</td>
</tr>
<tr>
<td>Bromine (total)</td>
<td>Br µg/l</td>
</tr>
<tr>
<td>Cobalt</td>
<td>Co µg/l</td>
</tr>
<tr>
<td>Copper</td>
<td>Cu µg/l</td>
</tr>
<tr>
<td>Iodine (total)</td>
<td>I µg/l</td>
</tr>
<tr>
<td>Iron</td>
<td>Fe µg/l</td>
</tr>
<tr>
<td>Lithium</td>
<td>Li µg/l</td>
</tr>
<tr>
<td>Manganese</td>
<td>Mn µg/l</td>
</tr>
<tr>
<td>Molybdenum</td>
<td>Mo µg/l</td>
</tr>
<tr>
<td>Strontium</td>
<td>Sr µg/l</td>
</tr>
<tr>
<td>Zinc</td>
<td>Zn µg/l</td>
</tr>
</tbody>
</table>
NB: If the hydrogeological report indicates the presence of other trace elements, these should also be reported.

Radioactivity

(r) The radioactivity of the water at source should be measured, specifying gross alpha and beta activity in becquerel per litre (Bq/l) or milli-
becquerel per litre (mBq/l).

Isotopes

(s) Measurements of appropriate isotopes are required where necessary e.g. if the water is intended to sell the water as having particular levels or ratios of isotopes. The isotopes referred to in the Regulations which are specifically related to water, i.e. O\(^{16}\), O\(^{18}\), H\(^{1}\)(protium) H\(^{2}\) (deuterium) H\(^{3}\) (tritium).

MICROBIOLOGICAL ANALYSES

These analyses must include:

- a demonstration of the absence of parasites and pathogenic organisms,
- quantitative determination of the indicators of faecal contamination, showing:
  - absence of Escherichia coli and other coliforms in 250 ml,
  - absence of faecal streptococci in 250 ml,
  - absence of sporulated sulphite-reducing anaerobes in 50 ml and
  - absence of Pseudomonas aeruginosa in 250 ml.
- determination of total viable colony count per millilitre of water-
  - at 20-22 °C in 72 hours on agar-agar or agar-gelatine mixture; and
  - at 37 °C in 24 hours on agar-agar.

It may be necessary to carry out analysis of parasites (Giardia, Cryptosporidium, parasitic helminths, amoebae) and pathogens (Salmonella spp., Shigella spp., Aeromonas hydrophila spp. and Vibrio spp.) in specified volumes of water at not less than six monthly intervals over two years. Quantitative determination of the indicators of faecal contamination (E. coli and other coliforms) should be carried out at least every month for two years. The total viable count should be measured every month for two years and should be no higher than normally observed (i.e. there should be no evidence of occasional contamination).

MAXIMUM LIMITS FOR CERTAIN CONSTITUENTS

The Regulations require that analyses must be carried out for certain constituents of natural mineral water that are naturally present, but above these levels may be hazardous to human health. If the water contains any of these substances at a concentration above
that indicated, then it cannot be recognised. Result of these analyses should be expressed in at least the same number of units as expressed in maximum level.

<table>
<thead>
<tr>
<th>Constituent</th>
<th>Expressed as</th>
<th>Units of measurement</th>
<th>Max limit (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antimony</td>
<td>Sb</td>
<td>mg/l</td>
<td>0.0050</td>
</tr>
<tr>
<td>Arsenic</td>
<td>As</td>
<td>mg/l</td>
<td>0.010 (as total)</td>
</tr>
<tr>
<td>Barium</td>
<td>Ba</td>
<td>mg/l</td>
<td>1.0</td>
</tr>
<tr>
<td>Cadmium</td>
<td>Cd</td>
<td>mg/l</td>
<td>0.003</td>
</tr>
<tr>
<td>Chromium</td>
<td>Cr</td>
<td>mg/l</td>
<td>0.050</td>
</tr>
<tr>
<td>Copper</td>
<td>Cu</td>
<td>mg/l</td>
<td>1.0</td>
</tr>
<tr>
<td>Cyanide</td>
<td>CN</td>
<td>mg/l</td>
<td>0.070</td>
</tr>
<tr>
<td>Fluoride</td>
<td>F</td>
<td>mg/l</td>
<td>5.0</td>
</tr>
<tr>
<td>Lead</td>
<td>Pb</td>
<td>mg/l</td>
<td>0.010</td>
</tr>
<tr>
<td>Manganese</td>
<td>Mn</td>
<td>mg/l</td>
<td>0.50</td>
</tr>
<tr>
<td>Mercury</td>
<td>Hg</td>
<td>mg/l</td>
<td>0.0010</td>
</tr>
<tr>
<td>Nickel</td>
<td>Ni</td>
<td>mg/l</td>
<td>0.020</td>
</tr>
<tr>
<td>Nitrate</td>
<td></td>
<td>mg/l</td>
<td>50</td>
</tr>
<tr>
<td>Nitrite</td>
<td></td>
<td>mg/l</td>
<td>0.1</td>
</tr>
<tr>
<td>Selenium</td>
<td>Se</td>
<td>mg/l</td>
<td>0.010</td>
</tr>
</tbody>
</table>

The methods of analysis to be used for these toxic substances are not prescribed by the Regulations. However, performance characteristics for analysing the toxic substances are given (including the definition of the detection limit).

<table>
<thead>
<tr>
<th>Substance</th>
<th>Accuracy of parametric value in %</th>
<th>Precision of parametric</th>
<th>Detection limit of parametric value in %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antimony</td>
<td>25</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Arsenic</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Barium</td>
<td>25</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Cadmium</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Chromium</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Copper</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Cyanides (total in all its forms)</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Fluorides</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Lead</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Manganese</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Mercury</td>
<td>20</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Nickel</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Nitrate</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Nitrite</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Selenium</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>
FREEDOM FROM POLLUTION

It is suggested that freedom from pollution be assessed from two respects. First, the hydrogeological description provided by the applicant should be submitted to a suitably qualified person who will consider whether the hydrogeological conditions are such that the source is likely to be free from microbiological and chemical pollution. The relevant factors are the nature of the formation from which the water is drawn, its depth, the nature and extent of the groundwater catchment and the land use within it, the nature of the groundwater recharge, and potential pollution factors. This assessment will be based both upon the hydrogeological description submitted by the applicant and other information held or available (e.g. historical use of catchment area, presence of pollutants).

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surfactants</td>
<td>not detectable</td>
</tr>
<tr>
<td>Phenols</td>
<td>not detectable</td>
</tr>
<tr>
<td>Pesticides</td>
<td>not detectable</td>
</tr>
<tr>
<td>Polychlorinated biphenyls</td>
<td>not detectable</td>
</tr>
<tr>
<td>Polynuclear aromatic hydrocarbons</td>
<td>not detectable</td>
</tr>
<tr>
<td>Chlorinated and brominated hydrocarbons</td>
<td>not detectable</td>
</tr>
</tbody>
</table>

The number of possible pesticide analysis is large, so it is recommended that the water be analysed for the pesticides known to be used in the catchment area. Where pesticide use is not known, a larger number of pesticide analyses will need to be carried out. It is recommended that the analyses be carried out at three monthly intervals over two years.

STABILITY

The composition of natural mineral waters should be inherently stable. It is recognised that some variation will inevitably occur in all waters, but the permissible degree of variation is not laid down in these Regulations. The hydrogeological assessment should give a reasonable idea of how stable the composition of a particular source will be. To establish stability, it is necessary to collect information over a sufficiently long period to demonstrate the extent to which the composition varies. These guidelines recommend an analytical regime for a number of parameters over a period of two years. It is recommended that the variation of results should be within the following limits.

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Frequency</th>
<th>Acceptable Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral content, determined as dry residue and electrical Conductivity</td>
<td>Monthly</td>
<td>±20 % (of mean)</td>
</tr>
</tbody>
</table>
Individual anions, cations, and non-ionised compounds

<table>
<thead>
<tr>
<th></th>
<th>Three monthly</th>
<th>± 20 % (of mean)</th>
</tr>
</thead>
</table>

In addition, the level of the total viable count should be no higher than that normally observed.

**TREATMENTS**

Only certain treatments are permitted for natural mineral waters.

The separation of unstable elements, such as iron and sulphur compounds, by filtration or decanting (provided they remove sediments which would separate in the bottle on storage). These processes may possibly be preceded by oxygenation (e.g. to assist flocculation). The treatment must not alter the composition of the water as regards the essential constituents which give it its properties.

The separation of boron, manganese and sulphur compounds and arsenic from certain natural mineral waters by treatment with ozone-enriched air: Must comply with the following:

- The physicochemical composition of the water in terms of its characteristics constituents are not altered
- The treatment does not have a disinfection action
- Do not leave residues in the water which would pose a risk to public health, or have levels above:

<table>
<thead>
<tr>
<th>Treatment residue</th>
<th>Maximum limit (µg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dissolved ozone</td>
<td>50</td>
</tr>
<tr>
<td>Bromate</td>
<td>3</td>
</tr>
<tr>
<td>Bromofoms</td>
<td>1</td>
</tr>
</tbody>
</table>

- The process must be authorised by the relevant authority within whose area the water is extracted.

**RECOGNITION PROCEDURE**

x. On granting recognition of a natural mineral water the local authority should arrange publication of the recognition, including the name and location of the source, the name under which the water will be sold, in the London Gazette and the Edinburgh Gazette. Copies of such announcements should be sent to the Food Law Policy Branch, Room 115b, Aviation House, 125 Kingsway, London WC2B 6NH, who will arrange publication of the recognition in the Official Journal of the European Communities. The FSA has compiled a register of the compositional
details of all natural mineral waters recognised in Great Britain, which is open to the public for inspection via the Agency website (food.gov.uk)

COSTS

xi. The costs involved in obtaining recognition and subsequent routine checking should be borne by the exploiter of the water.

EXPLOITATION

xii. The conditions attached to the exploitation of natural mineral waters are designed to ensure that the chemical and physical characteristics, safety and microbiological purity of the water at source are maintained unchanged during exploitation. The Regulations charge Local Authorities with the responsibility of making periodic checks at source to ascertain whether the water still meets the requirements of recognition. Local Authorities are empowered to enter premises for this purpose. If the water is being exploited a quality control laboratory should be carrying out daily microbiological, chemical and physical analyses of the water. The exploiter should also notify the Local Authority when the bottling of the water for sale as natural mineral water begins. The frequency of the checks is, at the discretion of the local authorised officer, but should be at least every year. Recognition may be withdrawn if the equipment for exploiting the water at any time fails to meet the requirements of Schedule 2. The exploiters are responsible for routine checks on the quality of the water as part of their due diligence.