

SCHEDULE 3

Recognition of natural mineral waters

PART 1

Natural mineral waters extracted from the ground in Scotland

1. A person seeking to have water which is extracted from the ground in Scotland recognised as a natural mineral water for the purposes of Article 1 shall make application in writing to the food authority within whose area the water is extracted, giving the particulars set out in paragraph 2.

2. The particulars are—

- (a) the particulars in paragraph 1 of Part 3;
- (b) any other information showing that the matters specified in paragraphs 2 and 3 of Part 3 are established; and
- (c) such evidence as is satisfactory to show that the water contains no substance listed in Schedule 6 at a level which exceeds the maximum limit specified in relation to that substance in that Schedule.

3. In so far as particulars of any of the anions, cations, non-ionised compounds or trace elements specified in column 1 of Schedule 5 are required to be given pursuant to sub-paragraph (b) of paragraph 2, the concentration of each such anion, cation, non-ionised compound or trace element shall, in those particulars, be expressed in the unit of measurement specified opposite it in column 2 of that Schedule.

4. Where such particulars have been given, the food authority shall assess them and shall recognise the water to which those particulars relate as natural mineral water if it is satisfied that—

- (a) the water is natural mineral water which complies with paragraph 3 of Section I of Annex I; and
- (b) the characteristics of the water have been assessed in accordance with—
 - (i) the points numbered 1 to 4 set out in paragraph 2(a) of Section I of Annex I,
 - (ii) the requirements and criteria listed in Part 3 of this Schedule, and
 - (iii) recognised scientific methods.

5. The food authority shall, on recognising a natural mineral water in accordance with paragraph 4, publish an announcement of such recognition and the grounds on which it has been granted, in the Edinburgh Gazette.