

SCHEDULE 1

Regulation 8

SCHEDULE INSERTED AFTER SCHEDULE 1 TO THE
NATURAL MINERAL WATER, SPRING WATER AND BOTTLED
DRINKING WATER (SCOTLAND) (No. 2) REGULATIONS 2007

“SCHEDULE 1A

Regulations 2(1) and 16(1)(b)

CONDITIONS FOR TREATMENT OF NATURAL MINERAL WATER AND
SPRING WATER WITH ACTIVATED ALUMINA TO REMOVE FLUORIDE

1. A person seeking to have authorised a treatment of natural mineral water and spring water with activated alumina in order to remove fluoride shall—
 - (a) apply in writing to the [F1food authority] within 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 in accordance with regulation 17; and
 - (c) provide such information in support of the application as is requested by the [F1food authority].
2. The [F1food authority] shall assess the application and any information in its possession and shall authorise the treatment if it is satisfied that—
 - (a) Articles 1 to 3 of Regulation 115/2010 are complied with in relation to the treatment; and
 - (b) the treatment does not have a disinfectant action.
3. Where the [F1food authority] decides to authorise a treatment pursuant to paragraph 2, it shall inform the applicant in writing and state the date from which the authorisation for commercial use of the treatment has effect.
4. Where the [F1food authority] refuses to authorise a treatment pursuant to paragraph 2, it shall inform the applicant in writing, stating its reasons.
5. Where a treatment has been authorised pursuant to paragraph 2, the person carrying out the treatment must, for the purpose of enabling the [F1food authority] to assess whether the conditions in paragraph 2 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 in accordance with regulation 17; and
 - (b) provide such information related to the treatment as is requested by the authority.
6. If the [F1food authority] is satisfied that the conditions specified in paragraph 2 are no longer fulfilled, it may withdraw authorisation of a treatment by giving the person carrying out the treatment a written notice stating the grounds for withdrawal.
7. Where the [F1food authority] has informed an applicant under paragraph 4 of its refusal to authorise a treatment under paragraph 2 or withdraws authorisation of a treatment under paragraph 6, the person who wishes to carry out the treatment may apply to the Agency for a review of that decision.
8. Upon receiving the application for review, the Agency shall—
 - (a) make such enquiry into the matter as may seem to the Agency to be appropriate; and
 - (b) having considered the results of that enquiry and any relevant facts elicited by it, either confirm the decision or direct the [F1food authority] to grant or restore, as

Changes to legislation: There are currently no known outstanding effects for the The Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) Amendment Regulations 2010, SCHEDULE 1. (See end of Document for details)

appropriate, authorisation of the treatment in respect of which the application was made.

9. In the case of such a direction, the [F1food authority] shall comply with the direction.”

Textual Amendments

F1 Words in sch. 1 substituted (9.4.2010) by [The Natural Mineral Water, Spring Water and Bottled Drinking Water \(Scotland\) Amendment \(No. 2\) Regulations 2010 \(S.S.I. 2010/127\)](#), regs. 1, 3

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