

TRANSPOSITION NOTE

The Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) Amendment Regulations 2017 amend relevant provisions of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No. 2) Regulations 2007 to make fresh and supplementary provision to transpose and implement, for Scotland, Commission Directive (EU) 2015/1787 amending Annexes II and III to Council Directive 98/83/EC on the quality of water intended for human consumption⁽¹⁾.

Annex II of Council Directive 98/83/EC *de facto* no longer applies to water put into bottles or containers intended for sale. This is because Table 2 in Annex II has become obsolete, as those products are covered by Regulation (EC) No 178/2002 of the European Parliament and of the Council⁽²⁾. Those products are also covered by the principle of 'hazard analysis and critical control point' laid down in Regulation (EC) No 852/2004 of the European Parliament and of the Council⁽³⁾ and the principles of official controls as laid down in Regulation (EC) No 882/2004⁽⁴⁾.

The relevant requirements of Council Directive 98/83/EC are transposed as follows:

Article	Subject	Provision
Article 1 (1)	Replacement of Annex II (Monitoring) of Council Directive 98/83/EC	Regulation 2

⁽¹⁾ OJ L 330, 5.12.1998, p. 32, as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1), Regulation (EC) No 596/2009 of the European Parliament and of the Council (OJ L 188, 18.7.2009, p. 14) and Commission Directive (EU) 2015/1787 (OJ L 260, 7.10.2015, p. 6).

⁽²⁾ OJ L 31, 1.2.2002, p.1, as last amended by Regulation (EU) 652/2014 of the European Parliament and of the Council (OJ L 189, 27.6.2014, p.1).

⁽³⁾ OJ L 139 20.4.2004, p.1 as last amended by Commission Regulation (EC) No 219/2009 of the European Parliament and of the Council (OJ L 87 31.3.2009 p.109).

⁽⁴⁾ OJ L 165,30.04.2004 ,p.1 as last amended by Commission Regulation (EU) No 2017/212 (OJ L 33, 8.2.2017, p. 27).