

SCHEDULE 1

Recognition of natural mineral waters

Part II

Natural mineral waters extracted from the ground in a country other than an EEA State

1. A person seeking to have a water which is extracted from the ground in a country other than an EEA State recognised as a natural mineral water for the purposes of Article 1 shall make application in writing to the Minister, giving the particulars set out in paragraph 2 below.

2. The particulars to be given are—

- (a) the particulars in paragraph 1.1 of Section II of Annex I;
- (b) any other information showing that the requirements in paragraph 1.2 and 1.3 of the said Section II are established in accordance with that Section; and
- (c) such evidence as is satisfactory to show that the water contains no substance named in column 2 (parameters) of Table B in Schedule 3 opposite any of item numbers 1 to 9 in column 1 of the said Table in an amount, expressed in the unit of measurement specified opposite that substance in column 3 of that Table, which exceeds the maximum concentration specified opposite that substance in column 4 of that Table.

3. In so far as particulars of any of the anions, cations, non-ionised compounds or trace elements specified in column 1 of Schedule 2 are required to be given pursuant to paragraph 2 above 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. The Minister shall not recognise such a water unless the responsible authority of the country in which the water is extracted has certified that—

- (a) it is satisfied—
 - (i) that the requirements in paragraph 1.2 and 1.3 of Section II of Annex I are established by analysis in accordance with that Section; and
 - (ii) with the evidence given pursuant to sub-paragraph (c) of paragraph 2 above; and
- (b) periodic checks are made to ascertain that—
 - (i) the water is natural mineral water which complies with paragraph 3 of Section I of Annex I;
 - (ii) the characteristics of the water are assessed in accordance with—
 - (aa) the points set out in paragraph (a) of the first unlettered sub-paragraph of paragraph 2 of Section I of Annex I;
 - (bb) the requirements and criteria listed in Section II of Annex I; and
 - (cc) recognised scientific methods; and
 - (iii) the provisions of paragraphs 2 and 3 of Annex II are being applied by the person exploiting the spring.

5. Recognition of such a water shall lapse after a period of five years unless the responsible authority of the country in which the water is extracted has renewed the certification required by paragraph 4 above.

Status: *This is the original version (as it was originally made).*

6. The Minister shall, on recognising a water in accordance with this Part of this Schedule, publish an announcement of such recognition in the London Gazette and the Edinburgh Gazette.