

## SCHEDULE 1

### Recognition of natural mineral water

## PART 2

### Natural mineral water extracted from the ground in a [<sup>F1</sup>third country]

#### Textual Amendments

- F1** Words in Sch. 1 Pt. 2 heading substituted (31.12.2020) by The Food (Miscellaneous Amendments) (Wales) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1046), regs. 1(3), **8(11)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

5. A person seeking to have a water which is extracted from the ground in a [<sup>F2</sup>third country] recognised as a natural mineral water <sup>F3</sup>... must apply in writing to the Agency, giving the following information—

- (a) the particulars specified in paragraph 10(a) of Part 3;
- (b) the information obtained as a result of the surveys and analyses required under paragraph 10(b) and (c), as read with paragraph 11, of Part 3; and
- (c) evidence to show that the water contains no substance listed in Part 1 of Schedule 5 at a level which exceeds the maximum limit specified in relation to that substance in that Schedule.

#### Textual Amendments

- F2** Words in Sch. 1 para. 5 substituted (31.12.2020) by The Food (Miscellaneous Amendments) (Wales) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1046), regs. 1(3), **8(11)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Sch. 1 para. 5 omitted (31.12.2020) by virtue of The Food (Miscellaneous Amendments) (Wales) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1046), regs. 1(3), **8(11)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

6. Where information on the anions, cations, non-ionised compounds and trace elements is required to be given pursuant to paragraph 5(b), the concentration of each anion, cation, non-ionised compound and trace element specified in the first column of the tables in Part 4 of this Schedule must be expressed in the unit of measurement specified in the second column of the tables in Part 4.

7. The Agency must recognise such a water if 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 10(b) and (c) of Part 3 are established;
  - (ii) with the evidence given pursuant to paragraph 5(c); 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 to Directive 2009/54;
  - (ii) the characteristics of the water are assessed in accordance with—
    - (aa) points numbered 1 to 4 in paragraph 2(a) of Section I of Annex I to Directive 2009/54;

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015, PART 2. (See end of Document for details)

(bb) the particulars and criteria listed in Part 3 of this Schedule; and

(cc) recognised scientific methods; and

(iii) the provisions of Schedule 4 are being applied by the person exploiting the spring.

**8.** Recognition of such water lapses 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 7.

**9.** The Agency must, on recognising water in accordance with this Part, publish an announcement of such recognition in the London Gazette, the Edinburgh Gazette and the Belfast Gazette.

**Changes to legislation:**

There are currently no known outstanding effects for the The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015, PART 2.