

## SCHEDULE 1

### Recognition of natural mineral water

## PART 2

Natural mineral water 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 of Directive 2009/54 must apply in writing to the Agency, giving the following information—

- (a) the particulars in paragraph 1 of Part 3;
- (b) the information obtained as a result of the surveys and analyses required under paragraphs 2 and 3, as read with paragraph 4 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.

2. Where information on anions, cations, non-ionised compounds and trace elements is required to be given pursuant to paragraph 1(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 in the unit of measurement in the second column of the tables in Part 4.

3. 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 paragraphs 2 and 3 of Part 3 are established;
  - (ii) with the evidence given pursuant to paragraph 1(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 of Directive 2009/54;
    - (bb) the particulars and criteria listed in Part 3; and
    - (cc) recognised scientific methods; and
  - (iii) the provisions of Schedule 4 are being applied by the person exploiting the spring.

4. Recognition of such water lapses after a period of five years unless the responsible district council of the country in which the water is extracted has renewed the certification required by paragraph 3.

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