

This Statutory Instrument has been made in consequence of a defect in S.I. 2010/433 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2010 No. 896

FOOD, ENGLAND

The Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) (No.2) Regulations 2010

<i>Made</i>	- - - -	<i>22nd March 2010</i>
<i>Laid before Parliament</i>		<i>25th March 2010</i>
<i>Coming into force</i>	- -	<i>8th April 2010</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 16(1), 17, 31 and 48(1) of and paragraphs 1 and 4(b) of Schedule 1 to the Food Safety Act 1990(a) and now vested in him(b).

In accordance with section 48(4A) of that Act, he has taken into account relevant advice given by the Food Standards Agency.

Title and commencement

1. These Regulations may be cited as the Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) (No.2) Regulations 2010 and come into force on 8th April 2010.

Amendment of the Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations 2010

2. The Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations 2010(c) are amended in accordance with regulation 3.

(a) 1990 c. 16; section 1(1) and (2) (definition of “food”) was substituted by S.I. 2004/2990. Sections 17 and 48 were amended by paragraphs 12 and 21 respectively of Schedule 5 to the Food Standards Act 1999 (1999 c.28), “the 1999 Act”. Section 48 was also amended by S.I. 2004/2990. Section 26(3) was amended by Schedule 6 to the 1999 Act. Section 53(2) was amended by paragraph 19 of Schedule 16 to the Deregulation and Contracting out Act 1994 (1994 c. 40), Schedule 6 to the 1999 Act and S.I. 2004/2990.

(b) Functions formerly exercisable by “the Ministers” (being, in relation to England and Wales and acting jointly, the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with health in England and food and health in Wales and, in relation to Scotland, the Secretary of State) are now exercisable in relation to England by the Secretary of State pursuant to paragraph 8 of Schedule 5 to the 1999 Act. Functions of “the Ministers” so far as exercisable in relation to Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) as read with section 40(3) of the 1999 Act, and thereafter transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c.32). Those functions so far as exercisable in relation to Scotland were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (1998 c.46) as read with section 40(2) of the 1999 Act.

(c) S.I. 2010/433.

3. In Schedule 2 (Schedules added immediately after Schedule 8 to the Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007) in the inserted Schedule 9—

- (a) in the entry for Ammonium—
 - (i) in the column headed “Concentration or value”, for “200” there is substituted “0,50”, and
 - (ii) in the column headed “Unit”, for “µg/l” there is substituted “mg/l”; and
- (b) in Notes 2, 3 and 4, the word “parameter” is omitted in each place where it appears.

Signed by authority of the Secretary of State for Health

22nd March 2010

Gillian Merron
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations 2010 (S.I. 2010/433) in order to correct errors in new Schedule 9 that is to be added by those Regulations to the Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007 (S.I. 2007/2785) (*regulation 3*).

2. A full impact assessment has not been produced for this instrument as no impact on the public or voluntary sectors is foreseen.

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