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[Advanced search](#) | [Tips](#)

> [Homepage](#) > [Consultations](#) > [Consultations in England](#) > [2006](#) > **Natural Mineral Water, Spring Water And Bottled Drinking Water (England) Regulations 2006**

- [Home](#)
- [News Centre](#)
- [Nutrition](#)
- [Safety and Hygiene](#)
- [BSE](#)
- [Labelling](#)
- [GM and Novel Foods](#)
- [Consultations](#)
- [UK-wide consultations](#)
- [Consultations in England](#)
- [Consultations in Scotland](#)
- [Consultations in Wales](#)
- [Consultations in N. Ireland](#)
- [Industry](#)
- [Enforcement](#)
- [Science and Research](#)
- [About us](#)

- [Scotland](#)
- [Wales/Cymru](#)
- [Northern Ireland](#)

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Natural Mineral Water, Spring Water And Bottled Drinking Water (England) Regulations 2006

Wednesday 17 May 2006

We seek your views and comments on the draft Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2006 and the associated regulatory guidance.

All comments and views should be sent to:

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Room 115B, Aviation House
125 Kingsway
London
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E-mail: water@foodstandards.gsi.gov.uk

Responses are requested by: 11 August 2006

Consultation details

These regulations consolidate the existing regulations (as amended). We have also enclosed a Partial Regulatory Impact Assessment (RIA) on which your comments are welcome. Note that in addition, draft provisions for using infant feed claims on natural mineral water may also be incorporated into the attached draft regulations if time permits. They are not included in the text of this draft Statutory Instrument consulted on here as they have already been consulted on in 2005.

The key proposals are:

- To consolidate the requirements of the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999 as amended
- To clarify the detailed legislative requirements and so reduce burdens on bottled water producers and enforcement authorities

These regulations are intended to apply only in England. Parallel regulations will apply in Scotland, Wales and Northern Ireland.

The sale of bottled waters in the UK is controlled by the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999 (SI 1999 No 1540) as amended by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (England) Regulations 2003 (SI 2003 No. 666) and The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (England) Regulations 2004 (SI 2004 No 656).

These regulations implement in England the provisions of the parent European Directives 98/83/EC and 80/777/EEC (as amended by 96/70/EC and 2003/40/EC). The Agency has taken steps to consolidate the requirements of the regulations into a single Statutory Instrument, namely the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations (England) 2006.

The aim is to make the collective instructions more transparent and user friendly. By incorporating text from the parent directives it is anticipated that the need to cross-reference will be reduced. By virtue of this consolidation, enforcement bodies and stakeholders will be provided with a single SI against which compliance with the regulations can be measured. The language used within the new SI will be more accessible and the requirements more clearly defined, facilitating more uniform interpretation of the regulations.

Date of compliance

The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999 (as amended) will be revoked.

The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations (2006) will come into force on 1 October 2006 in line with the common commencement dates.

Your comments

We welcome your comments on the attached draft Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulation 2006, and in particular, on:

- The general structure of the regulations
- The clarity of the requirements laid down by the regulations
- The redrafting of the minimum hardness requirement for spring water and drinking water that has been softened or desalinated (Schedule 8, Part I: 1(d))
- The requirement for the recognition of a natural mineral water by the competent authority in England to be published in the Edinburgh Gazette and/or Belfast Gazette in addition to the London Gazette
- The guidance and its usefulness, in particular whether it covers the appropriate topics or if more detail is required. Please highlight specific sections in your response

We also welcome your comments on the Partial RIA, specifically on:

(a) Item 5 relating to Costs and Benefits; e.g. time saved on studying the regulations

(b) Item 6, which covers consultation with small business. Your views would be particularly welcome on:

(i) One-off and any on-going costs due to the consolidation of the legislation. It would be helpful if your assessment could be as accurate as possible by identifying monetary costs,

(ii) any additional administrative costs, including impact on staffing requirements. If applicable, what these are likely to be?

(iii) If you are a charity or voluntary organisation, will these regulations affect you?

Publication of personal data

As the publication of responses may include personal data, such as your full name and contact address details, please advise us of any objections to this by fully completing and returning the [Publication of Personal Data Form](#) together with your response to the consultation. Return of this form does not mean

that we will treat your response to the consultation as confidential, just that we will keep your personal contact details private.

You should note that all information contained within your response may be subject to publication or disclosure under freedom of information legislation. If you consider that some of the information provided in your response should not be disclosed, you should indicate the information concerned, request that it is not disclosed and explain what harm you consider would result from disclosure.

Any automatic confidentiality disclaimer generated by your IT system will not be considered as such a request unless you specifically include a request, with an explanation, in the main text of your response.

Publication of response summary

Within three months of a consultation ending we aim to publish a summary of responses received and provide a link to it from this page.

If, after three months, the summary is still not showing, please contact the person who was responsible for the original consultation. Alternatively, you can contact Chris Harvey, the FSA Consultation Co-ordinator, on 020 7276 8630. Email: chris.harvey@foodstandards.gsi.gov.uk

- [Natural Mineral Water, Spring Water And Bottled Drinking Water \(England\) Regulations 2006 draft guidance notes](#)
pdf file (151kb)
- [Natural Mineral Water, Spring Water And Bottled Drinking Water \(England\) Regulations 2006 list of interested parties](#)
pdf file (18kb)
- [Natural Mineral Water, Spring Water And Bottled Drinking Water \(England\) Regulations 2006 partial RIA](#)
pdf file (41kb)
- [Natural Mineral Water, Spring Water And Bottled Drinking Water \(England\) Regulations 2006 draft statutory instruments](#)
pdf file (122kb)

TOP ▲

Story Tools

-  [Email updates](#)
-  [Printer friendly](#)

-  [Text only](#)

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