
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 301

**Natural Mineral Water, Spring Water and Bottled
Drinking Water Regulations (Northern Ireland) 1999**

PART I

Introductory

Citation and commencement

1. These Regulations may be cited as the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations (Northern Ireland) 1999 and shall come into operation on 16th August 1999.

Interpretation

2.—(1) In these Regulations—

“bottle” means a closed container of any kind in which water is sold for human consumption or from which water sold for human consumption is derived;

“bottled drinking water” means drinking water which is bottled;

“Directive 80/777” means Council Directive [80/777/EEC](#) on the approximation of the laws of the member States relating to the exploitation and marketing of natural mineral waters⁽¹⁾ as amended by Directive [96/70/EC](#) of the European Parliament and of the Council⁽²⁾;

“Directive 80/778” means Council Directive [80/778/EEC](#) relating to the quality of water intended for human consumption⁽³⁾;

“drinking water” means water intended for sale for human consumption other than—

(a) natural mineral water; or

(b) water which is marked or labelled “spring water” in accordance with regulation 11;

“EEA Agreement” means the Agreement on the European Economic Area⁽⁴⁾ signed at Oporto on 2nd May 1992, as adjusted by the Protocol⁽⁵⁾ signed at Brussels on 17th March 1993;

“EEA State” means a State which is a Contracting Party to the EEA Agreement;

“effervescent natural mineral water” means natural mineral water which conforms with the supplementary qualifications in Section III of Annex I;

“the exploitation and bottling requirements” means—

(a) the requirements in the first and second unlettered sub-paragraphs of paragraph 2 of Annex II; and

(1) O.J. No. L229, 30.8.80, p. 1; as amended by Directive [96/70/EC](#) of the European Parliament and of the Council

(2) O.J. No. L229, 23.11.96, p. 26

(3) O.J. No. L229, 30.8.80, p. 11

(4) O.J. No. L1, 3.1.94, p. 1

(5) O.J. No. L1, 3.1.94, p. 571

- (b) the requirement in regulation 8(5);
- “natural mineral water” means water which—
- (a) is microbiologically wholesome;
 - (b) originates in an underground water table or deposit and emerges from a spring tapped at one or more natural or bore exits;
 - (c) can be clearly distinguished from ordinary drinking water by the characteristics referred to in paragraph 1 of Section 1 of Annex 1; and
 - (d) is for the time being recognised for the purposes of Article 1 pursuant to regulation 4;
- “the Order” means the Food Safety (Northern Ireland) Order 1991;
- “parameter” means a property, element, organism or substance listed in the second column of the Tables in Part II of Schedule 3;
- “prescribed concentration or value”, in relation to any parameter, means the concentration or value specified in relation to that parameter in the Tables in Part II of Schedule 3 as measured by reference to the unit of measurement so specified;
- “recognised” means recognised in Northern Ireland;
- “sell” includes possess for sale and offer, expose or advertise for sale.

(2) Other expressions used both in these Regulations and in Council Directive 80/777 or 80/778 have the same meaning in these Regulations as they bear in that Directive.

(3) Any reference in these Regulations to a numbered Article or Annex is a reference to the Article or Annex so numbered in Directive 80/777.

(4) The Interpretation Act (Northern Ireland) 1954⁽⁶⁾ shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Exemptions

3. These Regulations do not apply to any water which—
- (a) has a product licence issued under the provisions of the Medicines Act 1968⁽⁷⁾ or a marketing authorisation to which the Marketing Authorisations for Veterinary Medicinal Products Regulations 1994⁽⁸⁾ apply, or a marketing authorisation within the meaning of the Medicines for Human Use (Marketing Authorisations Etc.) Regulations 1994⁽⁹⁾;
 - (b) is a natural mineral water which is used at source for curative purposes in thermal or hydromineral establishments;
 - (c) is not intended for sale for human consumption; or
 - (d) is a natural mineral water intended for export to a country other than an EEA State.

⁽⁶⁾ 1954 c. 33 (N.I.)

⁽⁷⁾ 1968 c. 67

⁽⁸⁾ S.I.1994/3142; to which there is an amendment not relevant to these Regulations

⁽⁹⁾ S.I. 1994/3144; to which there is an amendment not relevant to these Regulations