
WELSH STATUTORY INSTRUMENTS

2007 No. 3165

The Natural Mineral Water, Spring Water and
Bottled Drinking Water (Wales) Regulations 2007

PART 5

Miscellaneous and supplemental

Application of other provisions

22.—(1) The following provisions of the Act apply for the purposes of these Regulations and, unless the context otherwise requires, any reference in those provisions to the Act or Part thereof is construed for the purposes of these Regulations as a reference to these Regulations —

- (a) section 2 (extended meaning of “sale” etc.);
- (b) section 3 (presumptions that food intended for human consumption);
- (c) section 20 (offences due to fault of another person);
- (d) section 21 (defence of due diligence) as it applies for the purposes of section 14 or 15;
- (e) section 22 (defence of publication in the course of business);
- (f) section 30(8) (which relates to documentary evidence);
- (g) section 33(1) (obstruction etc. of officers);
- (h) section 33(2), with the modification that the reference to “any such requirement as is mentioned in subsection 1(b) above” is deemed to be a reference to any such requirement as is mentioned in that subsection as applied by sub-paragraph (g)
- (i) section 35(1) (punishment of offences) in so far as it relates to offences under section 33(1) as applied by sub-paragraph (g);
- (j) section 35(2) and (3) insofar as they relate to offences under section 33(2) as applied by sub-paragraph (h)
- (k) section 36 (offences by bodies corporate); and
- (l) section 44 (protection of officers acting in good faith).

(2) Regulation 38 (intelligibility) of the Food Labelling Regulations 1996 applies to any name, description, indication, information or other wording with which water is required or permitted by these Regulations to be marked or labelled, as it applies to particulars required to be labelled under the Food Labelling Regulations 1996.

(3) No person may sell any water to which these Regulations apply if the bottle in which it is bottled is not marked or labelled in accordance with regulation 38 of the Food Labelling Regulations 1996 as applied by paragraph (2).