



Notification Number: 2010/295/E

DRAFT ROYAL DECREE .../... ON THE PROCESS FOR PREPARING AND MARKETING BOTTLED DRINKING WATERS OTHER THAN NATURAL MINERAL WATERS AND SPRING WATERS

Date received : 13/05/2010

End of Standstill : 16/08/2010

Message

Message 002

Communication from the Commission - SG(2010) D/51207

Directive 98/34/EC

Translation of the message 001

Notification: 2010/0295/E

No abre el plazo - Nezaħajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késéset - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201001207.EN)

1. Structured Information Line

MSG 002 IND 2010 0295 E EN 13-05-2010 E NOTIF

2. Member State

E

3. Department Responsible

Subdirección General de Asuntos Industriales, Energéticos, de Transportes, Comunicaciones y Medio Ambiente.

Dirección General del Mercado Interior y otras Políticas Comunitarias.

Secretaría de Estado para la Unión Europea.

Ministerio de Asuntos Exteriores y de Cooperación.

C/ Serrano Galvache, 26, 4ª planta, Torre Sur (28071 Madrid)

Teléfonos: 91 379 84 64, 91 379 83 87 y 91 379 83 98

Fax: 91 479 84 01

Dirección correo electrónico: d83-189@ue.mae.es



3. Originating Department

Subdirección General de Gestión de Riesgos Alimentarios. Agencia Española de Seguridad Alimentaria y Nutrición.

4. Notification Number

2010/0295/E - C50A

5. Title

DRAFT ROYAL DECREE .../... ON THE PROCESS FOR PREPARING AND MARKETING BOTTLED DRINKING WATERS OTHER THAN NATURAL MINERAL WATERS AND SPRING WATERS

6. Products Concerned

Bottled drinking waters other than natural mineral waters and spring waters

7. Notification Under Another Act

- Directive 2000/13/EC relating to the labelling, presentation and advertising of foodstuffs
- Article 8 of the draft covers certain specifications on the labelling of these products that go beyond the provisions of Directive 2000/13/EC. As a result, it needs to be notified in accordance with Article 19 of the aforementioned directive.

8. Main Content

This draft is intended to define, for legal purposes, the meaning of bottled drinking waters other than natural mineral waters and spring waters and to set out the regulations for preparing and marketing them and, in general, the legal framework applicable to such products.

It separates bottled drinking waters other than natural mineral waters and spring waters from natural mineral waters and spring waters, which were previously covered by a single regulation (Royal Decree 1074/2002 of 18 October 2002 on the process for preparing, transporting and trading bottled drinking waters), which has now been repealed.

It sets out the provisions concerning prepared drinking waters and prepared waters supplied to the public, partially transposing the provisions of Directive 98/83/EC on the quality of water intended for human consumption concerning bottled drinking water.

Furthermore, in addition to the general criteria established in Regulation (EC) 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs, the provision sets out certain specific criteria for installations and equipment, premises, internal checks, containers, distribution and sale of these waters.

9. Brief Statement of Grounds

- Separating natural mineral waters and spring waters from all other bottled drinking waters, creating two separate standards, on account of the differences both in the procedure for recognising the former, given the absence of any such recognition for the latter, and the different requirements applicable to these two types of water.
- Accommodating the observations of the Commission on the basis of a notice served in December 2006 concerning an incorrect transposition of Directive 98/83/EC.
- Updating the regulations for application of new legislation on the hygiene of foodstuffs and materials coming



into contact with them.

- Clarifying certain aspects of the previous royal decree being repealed.

These regulations partially incorporate Directive 98/83/EC, which was already done in the existing Royal Decree 1074/2002. The criteria of this directive set out in this draft royal decree relate exclusively to the criteria applicable to the water itself, while the remainder of the draft also concerns its marketing, which is not covered by the directive being transposed.

10. Reference Documents - Basic Texts

There are no basic texts

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

-

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect:

No - The draft will have no noticeable effect on international trade.

SPS aspect:

No - The draft will have no noticeable effect on international trade.

Catherine Day
Secretario General
Comisión Europea

Punto de contacto Directiva 98/34
Fax: (32-2) 296 76 60
email: dir83-189-central@ec.europa.eu



sent to :

Työ- ja elinkeinoministeriö
Ms. Leila Vilhunen

Malta standards Authority
Sarah Jane Meli

Ministry of Economy and Commerce Division for Internal Market
Catalina Groza

CU N Lovseth Hanne Leen
.

European Free Trade Association
Mr. Robert Murphy

AGENCIA ESPAÑOLA DE SEGURIDAD ALIMENTARI Comisión Interministerial para la Ordena
M^a Luisa Aguilar Zambalamberri

NSAI
Mr Tony Losty

Undersecretariat of Foreign Trade General Directorate of Standardisation
Mr Mehmet COMERT

EFTA Surveillance Authority
Mr. Gunnar Thor PETURSSON

Représentation Permanente du Royaume-Uni
.

Department for Business, Innov. & Skills
Mr Philip Plumb

State Agency for Metrological and Technical Surveillance
Violetta Veleva

SL
.

Hungarian Notification Centre Ministry of National Development and Eco
Mr Zsolt Fazekas

Représentation Permanente de l'Irlande
Denis Colfer