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FOOD STANDARDS AGENCY WALES CONSULTATION

**The Natural Mineral Water, Spring Water and Bottled Water (Wales) Regulations
2015**

Response from the Government Chemist

As Government Chemist, I am responsible under certain Acts of Parliament¹ for providing independent analytical measurement and expert opinion to help avoid or resolve the disputes over scientific data which arise from time to time between local authorities and the businesses that they regulate. My public remit also covers wider advice to UK government and other affected parties on the role of analytical measurement in effective policy, standards and regulations. My staff liaise with regulatory services involved in sampling, analysis and product testing linked to the investigation of alleged non-compliances. I am pleased to be able to respond to this consultation particularly as many of the aspects covered appear frequently as the subject of referee casework².

Question 1: Do you agree that as the 2013 Regulations already apply, there is no requirement to include more prescriptive requirements on sampling for bottled water?

We agree with this statement.

Question 2: Do you agree with the proposals for a more proportionate enforcement regime?

We agree with these proposals, and would note that where appropriate, the Government Chemist can provide expert help where any enforcement action is necessary.

Question 3: Are you in favour of removal of the minimum hardness provision?

We see no reason not to remove the minimum hardness provision.

Question 4: Are you aware of any businesses in Wales currently fortifying water in relation to the existing regulation?

¹ Boley, N. Government Chemist Legislation, Annual Statement of Statutory Scope, January 2015, available at <https://www.gov.uk/government/publications/government-chemist-annual-statement-of-statutory-scope-2015>

² Michael J Walker and Kirstin Gray, 2013, *Quis custodiet* – a Review of the Resolution of Disputed Chemical Results in the UK Official Feed and Food Control System 2010 – 2011, *J Assoc Public Analysts* (Online) 2013, 41, 1-27



We are not aware of any such businesses.

Question 5: Will you be affected by the change in policy with regard to UV treatment? If so, how?

We will not be affected by this change.

Question 6: Are you aware of any concerns in Wales with the issue of radon contamination in bottled water?

We are not aware of any high radon bottled waters in Wales.

Question 7: Do you consider that five years is an appropriate length of time to cover exemption of monitoring requirements for radiation parameters? If not, why not?

The Drinking Water Inspectorate (DWI) recommends five years as an appropriate length of time. However, if the activity is above the PCV then continuous monitoring would be advised.

Overall, we would point out that any measurements carried out to measure radioactivity in bottled waters should be undertaken by laboratories holding ISO/IEC 17025 accreditation for these measurements.

Thank you for this opportunity to comment.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Derek Craston'.

Derek Craston
The Government Chemist