

S.I. No. 686/2007 — European Communities (Natural Mineral Waters, Spring Waters and Other Waters in Bottles Or Containers) (Amendment) Regulations 2007

S.I. No. 686 of 2007

EUROPEAN COMMUNITIES (NATURAL MINERAL WATERS, SPRING WATERS AND OTHER WATERS IN BOTTLES OR CONTAINERS) (AMENDMENT) REGULATIONS 2007

Notice of the making of this Statutory Instrument was published in

“Iris Oifigiúil” of 9th October, 2007.

I, MARY HARNEY, Minister for Health and Children, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Council Directive 80/777/EEC ¹ of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters, as amended by Directive 96/70/EC ² of the European Parliament and of the Council of 28 October 1996, and for the purpose of giving further effect to Council Directive 98/83/EC ³ of 3 November 1998 on the quality of water intended for human consumption, and for the purpose of giving further effect to Commission Directive 2003/40/EC ⁴ of 16 May 2003 establishing the list, concentration limits and labelling requirements for the constituents of natural mineral waters and the conditions for using ozone-enriched air for the treatment of natural mineral waters and spring waters, hereby make the following regulations—

1. These Regulations may be cited as the European Communities (Natural Mineral Waters, Spring Waters and Other Waters in Bottles or Containers) (Amendment) Regulations 2007.

2. The European Communities (Natural Mineral Waters, Spring Waters and Other Waters in Bottles or Containers) Regulations 2007 (S.I. No. 225 of 2007) are amended:

(a) in Regulation 31, by substituting for paragraph (2) the following paragraph:

“(2) A person who is guilty of an offence under these Regulations is liable—

(a) on summary conviction, to a fine not exceeding €5,000, or imprisonment for a term not exceeding 3 months, or both, or,

(b) on conviction on indictment, to a fine not exceeding €500,000, or imprisonment for a term not exceeding 3 years, or both,”.

and

(b) by substituting for Regulation 32 the following:

“32. Notwithstanding Section 57 of the Act of 1998, a summary offence under these Regulations may be prosecuted by—

(a) the Authority, or

(b) an official agency,

or both.”.



GIVEN under my Official Seal,

28 September 2007

MARY HARNEY.

Minister for Health and Children.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations amend the European Communities (Natural Mineral Waters, Spring Waters and Other Waters in Bottles or Containers) Regulations 2007 ([S.I. No. 225 of 2007](#)).

These Regulations may be cited as the European Communities (Natural Mineral Waters, Spring Waters and Other Waters in Bottles or Containers) (Amendment) Regulations 2007.

1 OJ L 229, 30.8.1980, p. 1.

2 OJ L 299, 23.11.1996, p. 26.

3 OJ L 330, 5.12.1998, p. 32.

4 OJ L 126, 22.5.2003, p. 34.

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