

30 July 2007

Reference: LSB/323

Dear Interested Party

**Update on Proposed Draft European Regulation on Fluoride Removal From Natural Mineral Water Using Activated Alumina**

As stated in my previous letter of 18 July on the above issue, the draft attached in that letter was discussed at the Working Group meeting, during which several suggestions were made for amendments. The Commission agreed to circulate a revised version to Member States.

I am writing to let you know that this revised version has been released and accompanies this letter.

The European Commission have noted that the main changes having been made to the previous version are:

*Article 1c.* Introducing the option to have additional national measures applicable to the release of impurities due to the treatment (such as maximum percentage of a chemical released from the treatment in addition to initial concentrations present).

*Articles 2 and 3.* It is now clearly stated that treatment notification by operators shall take place before the implementation of treatment and that the appropriate information which justifies the treatment has to be provided in advance.

*Annex, point 1.* Added that any media used for NMW treatment has to comply with the European or national standards applicable to the media for drinking water treatment.

*Annex, point 3.* New text requiring that the chemicals and reagents used for initialisation and regeneration have also to comply with CEN standards for chemicals and reagents used for drinking water treatment.

*Annex, point 4.* Removed the general reference to compliance of treated water with Directive 98/83/EC, instead requiring that treated water must comply with limits in Directive 2003/40/EC and in 98/83/EC for aluminium and PAHs. The previous wording would require compliance with all limits in 98/83/EC, which the Commission considers would be inappropriate, leading to a mismatch with 2003/40/EC.

Please note that no Impact Assessment has been produced as the information we have is that UK producers already meet the appropriate fluoride limit and would therefore not need to use this treatment. If, however, you believe that this amendment will result in a significant impact we would welcome your comments and evidence including evidence on costs.

As stated in the letter of 18 July, due to the short timeframe for responding to the European Commission, can you please send any comments to me by **17 August 2007**.

Yours sincerely

Paul Nunn  
Food Standards Agency

*Attached:*

- Circulation List
- Revision 2, Draft COMMISSION REGULATION (EC) No .../.. of [...] Commission Regulation establishing the conditions for using aluminium oxide for the removal of fluoride from natural mineral waters and spring waters.

**Interested Parties Circulation List:**

ADAS

BOTTLED WATER COOLER ASSOCIATION (BWCA)

BRITISH RETAIL CONSORTIUM (BRC)

BRITISH SOFT DRINKS ASSOCIATION (BSDA)

CAMPDEN & CHORLEYWOOD FOOD R. A.

FEDERATION OF SMALL BUSINESSES

FOOD AND DRINK FEDERATION

FOOD COMMISSION

FOODAWARE

IAN HALL (NATURAL MINERAL WATER CONSULTANT)

LABORATORY OF THE GOVERNMENT CHEMIST

LACORS

LEATHERHEAD FOOD INTERNATIONAL RA

NATIONAL CONSUMER COUNCIL

NATIONAL CONSUMER FEDERATION

PROVISION TRADE FEDERATION

SMALL BUSINESS SERVICE

SUSTAIN - THE ALLIANCE FOR BETTER FOOD AND FARMING

THE FORUM OF PRIVATE BUSINESS

TRADING STANDARDS INSTITUTE

WATER UK

WHICH?

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