
GOVERNMENT NOTICE

DEPARTMENT OF HEALTH

No. R. 800

31 July 2009

“ANNEXURE A”

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT NO. 54 OF 1972)

REGULATIONS RELATING TO ALL BOTTLED WATERS: DRAFT AMENDMENT

The Minister of Health intends, in terms of section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972) to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed draft amendments to the regulations, to the Director – General of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Food Control), within three months of the date of publication of this notice.

SCHEDULE

1. In these regulations, **“the Regulations”** means the regulations published under Government Notice No. R 718 of 28 July 2006.

Amendment of the Title to the Regulations

2. The title to the Regulations is hereby substituted for the following title:

“REGULATIONS RELATING TO ALL PACKAGED WATER”**Amendment of Regulation 1 of the Regulations**

3. “Regulation 1 of the Regulation is hereby amended by –

(a) the substitution for the definition of “bottled water” of the following definition:

“packaged water” means water that is packed in sealed containers of various forms, capacities and materials and which is intended as a foodstuff for human consumption which –

- i) in the case of prepared water only, may contain minerals, naturally occurring or intentionally added;
- ii) may contain carbon dioxide, naturally occurring or intentionally added; and
- iii) shall not contain added oxygen and nutrients, sugars, sweeteners, additives, infused aromas, ingredients, substances, alcohol or any other foodstuffs.” ; and

(b) the insertion after the definition of “the Act” of the following definition:

“water” means a compound molecule that consists of 2 hydrogen atoms and 1 oxygen atom (H₂O), which occurs at room temperature as a colourless, odourless and tasteless liquid, with a freezing point of 4°C “.

General Amendment to the Regulations

4. The Regulations are hereby amended by the substitution for the expression **“bottled water”** of the expression “packaged water” wherever it appears in the Regulations.

Amendment of the Annexure to the Regulations

5. The table of elements in the annexure of these Regulations, as indicated underneath, is amended by -

(a) the substitution in column II of the current level of 0.5mg/l for copper for the maximum level 1.0mg/l.

- (b) the substitution in columnn III of the current range of 0.5-1.0 mg/l for copper for the acceptable range 1-1.5 mg/l.
- (c) the substitution in column II of the current expression "See item (f)" for fluoride for the expression "See item (g).
- (d) the substitution in column II of the current level of 0.5 mg/l for manganese for the maximum level 0.4 mg/l .
- (e) the substitution in column III of the current range of 0.05-0,1 mg/l for manganese for the acceptable range 0.4 – 1.0 mg/l.
- (f) the addition of a footnote for nitrate:*11.3 mg/l, calculated as Nitrogen(N).
- (g) the insertion of the substance nitrite with the maximum level of 0.1 mg/l (calculated as nitrite).
- (h) the addition of a footnote for nitrite: ^ 0.03 mg/l, calculated as Nitrogen (N).
- (i) the substitution of paragraph (g) of the Annexure of the following paragraph;

"Notwithstanding the provisions under (f), packaged water containing more than 1 mg/l fluoride, shall have the expression "contains fluoride" affixed in close proximity to the name of the water or in a prominent place on the label. If it contains more than 1.5 mg/l fluoride, the expression 'this product is not suitable for infants and children under the age of seven years', shall be affixed in close proximity to the name of the water or in a prominent place on the label".



DR A MOTSOALEDI, MP
MINISTER OF HEALTH