

THE DEPARTMENT HAS JURISDICTION OVER:

(1) THE AREA IMMEDIATELY SURROUNDING ANY SOURCE FROM WHICH DRINKING WATER IS COLLECTED FOR DELIVERY IN CONTAINERS; AND

(2) METHODS OF COLLECTING, BOTTLING, AND DELIVERING DRINKING WATER IN CONTAINERS.

(B) COLLECTING, BOTTLING, OR DELIVERING DRINKING WATER IN CONTAINERS -- PERMIT REQUIRED; APPROVAL OF DEPARTMENT.

(1) NO DRINKING WATER MAY BE COLLECTED, BOTTLED, OR DELIVERED IN CONTAINERS UNTIL A PERMIT HAS BEEN ISSUED BY THE DEPARTMENT TO THE OWNER OF THE WATER SUPPLY.

(2) IF THE DEPARTMENT FINDS THAT THE WATER IS INJURIOUS TO PUBLIC HEALTH, THE DEPARTMENT MAY NOT ISSUE A PERMIT UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(C) SAME -- PROHIBITED WITHOUT PERMIT.

A PERSON MAY NOT COLLECT, BOTTLE, OR DELIVER IN CONTAINERS DRINKING WATER FROM A WATER SUPPLY UNLESS THE OWNER OF THE WATER SUPPLY HAS A PERMIT UNDER SUBSECTION (B)(1) OF THIS SECTION.

(D) SELLING DRINKING WATER FROM OUTSIDE THIS STATE -- PERMIT REQUIRED; QUALIFICATIONS; POWERS OF DEPARTMENT.

(1) A PERSON WHO HANDLES DRINKING WATER TRANSPORTED IN CONTAINERS FROM OUTSIDE THIS STATE SHALL HAVE A PERMIT FROM THE DEPARTMENT BEFORE THE PERSON SELLS THE DRINKING WATER IN THIS STATE.

(2) TO QUALIFY FOR A PERMIT UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PERSON SHALL PRESENT TO THE DEPARTMENT A PERMIT THAT WAS ISSUED BY THE APPROPRIATE AUTHORITY OF THE STATE IN WHICH THE WATER WAS COLLECTED AND THAT SHOWS THAT:

(I) THE WATER SUPPLY AND THE METHOD OF HANDLING THE WATER, AS PRACTICED IN THE OTHER STATE, IS NOT PREJUDICIAL TO PUBLIC HEALTH; AND

(II) THE WATER CAN BE SOLD LAWFULLY IN THE OTHER STATE.

(3) THIS SUBSECTION SECTION DOES NOT PREVENT THE DEPARTMENT FROM PROHIBITING THE USE OF WATER SHIPPED FROM OUTSIDE THIS STATE IF:

(I) IN THE JUDGMENT OF THE DEPARTMENT, THE WATER IS SHOWN BY ANALYSIS TO BE UNFIT FOR DRINKING; OR