

(1) BE OBTAINED FROM AN APPROVED SOURCE; AND

(2) UNDERGO:

(I) OZONATION OR AN EQUIVALENT DISINFECTION PROCESS APPROVED BY THE DEPARTMENT; AND

(II) WHEN REQUIRED BY THE DEPARTMENT, FILTRATION OR ANY OTHER TREATMENT THAT IS NECESSARY FOR THE WATER TO COMPLY WITH THE STANDARDS ADOPTED BY THE DEPARTMENT UNDER § 21-336(E)(1)(II) OF THIS SUBTITLE.

(B) THE DEPARTMENT MAY GRANT TO A BOTTLER A WAIVER OF THE FILTRATION AND GERMICIDAL DISINFECTION TREATMENT REQUIRED UNDER § 21-336 OF THIS SUBTITLE SUBSECTION (A) OF THIS SECTION IF THE DEPARTMENT IS SATISFIED THAT THE FILTRATION AND GERMICIDAL DISINFECTION TREATMENT ARE NOT NECESSARY TO ASSURE THAT A BOTTLED WATER PRODUCT WILL CONSISTENTLY COMPLY WITH THE MICROBIOLOGICAL STANDARDS UNDER THIS SUBTITLE.

~~(B)~~ (C) (1) BASED ON THE BOTTLER'S DEMONSTRATION OF LONG-TERM BASELINE MICROBIOLOGICAL DATA THAT MONITORS THE SOURCE AND THE PRODUCT, THE NATURE AND EXTENT OF SOURCE MONITORING, AND SOURCE PROTECTION AND BOTTLING SANITATION PROCEDURES INSTITUTED BY THE BOTTLER, A WAIVER MAY BE GRANTED IF:

(I) THE PRODUCT AND SOURCE ARE IN COMPLIANCE WITH THE CODEX ALIMENTARIUS STANDARD FOR NATURAL MINERAL WATER, CAC/RS 108, AS AMENDED, AND THE REQUIREMENTS UNDER § 21-336 (A)(2) AND (E) OF THIS SUBTITLE;

(II) THE PRODUCT AND SOURCE ARE IN COMPLIANCE WITH THE CODE OF HYGIENIC PRACTICE OF THE CODEX ALIMENTARIUS, ALINORM 83/13A, AS AMENDED, FOR THE COLLECTION, PROCESSING, AND MARKETING OF NATURAL MINERAL WATER; AND

(III) THE BOTTLER HAS SUBMITTED A BASIC HYDROGEOLOGICAL SURVEY OF THE SOURCE, A HYDROGEOLOGICAL ASSESSMENT THAT DEMONSTRATES THAT THE SOURCE IS NOT UNDER THE DIRECT INFLUENCE OF SURFACE WATER, AND AN ANNUAL SANITARY SURVEY, ~~BOTH~~ ALL OF WHICH HAVE BEEN PREPARED BY A PROFESSIONALLY QUALIFIED HYDROGEOLOGIST AND WHICH DEMONSTRATE THE INTEGRITY OF THE SOURCE.

(2) THE ANNUAL SANITARY SURVEY REQUIRED UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION SHALL INCLUDE:

(I) WATERSHED SURVEILLANCE THAT INCLUDES AN INSPECTION OF THOSE PORTIONS OF THE DRAINAGE AREA NECESSARY TO IDENTIFY AND EVALUATE ACTUAL AND PROBABLE SOURCES OF CONTAMINATION;