

(II) EVALUATION OF SOURCE CONSTRUCTION AND PROTECTION, AND, WHEN APPROPRIATE, INTAKE STRUCTURES AND TRANSMISSION FACILITIES; AND

(III) EVALUATION OF FINISHED WATER STORAGE FACILITIES.

~~(C)~~ (D) ONCE A WAIVER HAS BEEN GRANTED UNDER THIS SECTION:

(1) A BOTTLER SHALL SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT THAT DEMONSTRATES CONTINUED COMPLIANCE OF THE SOURCE AND THE PRODUCT WITH THE CODEX ALIMENTARIUS STANDARDS BY:

(I) TESTING AND APPROVAL OF THE SOURCE ~~OR~~ AND PRODUCT AT LEAST ONCE EVERY 2 MONTHS BY THE APPROPRIATE AUTHORITY;

(II) MICROBIOLOGICAL TESTING:

1. ON A WEEKLY BASIS, AS DESCRIBED IN THE CODE OF HYGIENIC PRACTICES OF THE CODEX ALIMENTARIUS, ALINORM 85/13A, FOR THE COLLECTION, PROCESSING, AND MARKETING OF NATURAL MINERAL WATER; AND

2. IN ACCORDANCE WITH THE STANDARDS DESCRIBED IN 21 CFR 103.35; AND

(III) AN ANNUAL INSPECTION BY AN INDEPENDENT ORGANIZATION ACCEPTABLE TO THE DEPARTMENT THAT DEMONSTRATES COMPLIANCE WITH THE CODE OF HYGIENIC PRACTICES OF THE CODEX ALIMENTARIUS, ALINORM 85/13A, AND WITH THE REQUIREMENTS OF 21 CFR PART 129 FOR THE COLLECTION, PROCESSING, AND MARKETING OF NATURAL MINERAL WATER; AND

(2) THE PRODUCT SHALL BE BOTTLED:

(I) IN AN ENCLOSED FILLING ROOM OR CHAMBER THAT IS UNDER POSITIVE PRESSURE OF FILTERED PURIFIED AIR; AND

(II) AT A FACILITY AND WITH GOOD MANUFACTURING PRACTICES THAT COMPLY WITH THE REQUIREMENTS OF 21 CFR PART 129.

~~(D)~~ (E) IF A BOTTLED WATER PRODUCT IS NOT IN COMPLIANCE WITH ANY REQUIREMENT UNDER SUBSECTION ~~(B)~~ ~~OR~~ (C) OR (D) OF THIS SECTION:

(1) THE DEPARTMENT SHALL REVOKE THE WAIVER; AND

(2) THE PRODUCT SHALL BE SUBJECT TO THE FILTRATION AND GERMICIDAL DISINFECTION TREATMENT REQUIREMENTS UNDER ~~§ 21-336 OF THIS SUBTITLE~~ SUBSECTION (A) OF THIS SECTION.

~~(E)~~ (F) EXCEPT FOR FILTRATION AND GERMICIDAL DISINFECTION TREATMENT, THIS SECTION MAY NOT BE CONSTRUED TO WAIVE ANY REQUIREMENT THAT IS APPLICABLE UNDER THIS SUBTITLE TO A BOTTLED WATER PRODUCT.