

1550.3200 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to parts 1550.3200 to 1550.3320.

Subp. 2. **Analytical unit.** "Analytical unit" means that portion of water taken from a sample for the purpose of analysis.

Subp. 3. **Approved source.** "Approved source" means a source of water that has been inspected and approved by the department, the plumbing found satisfactory under the plumbing code of the Department of Health, and the water has been sampled, analyzed, and found to be of a safe and sanitary quality.

Subp. 4. **Artesian water.** "Artesian water" means water from a well tapping a confined aquifer in which the water level stands above the top of the aquifer.

Subp. 5. **Bottled water.** "Bottled water" means water that is intended for human consumption and that is sealed in bottles or other containers with no added ingredients, except that it may contain safe and suitable antimicrobial agents.

A. Bottled water may be used as an ingredient in beverages such as diluted juices and flavored bottled waters.

B. Bottled water may not include food ingredients that are declared in ingredient labeling as "water," "carbonated water," "disinfected water," "filtered water," "seltzer water," "soda water," and "tonic water."

C. The processing and bottling of bottled water must comply with parts 1550.3200 to 1550.3320 and Code of Federal Regulations, title 21, part 129.

Subp. 6. **Bottled water plant.** "Bottled water plant" means a place in which bottled water is prepared for sale.

Subp. 7. **Carbonated water or sparkling water.** "Carbonated water" or "sparkling water" means bottled water containing carbon dioxide.

Subp. 8. **Corrosion-resistant materials.** "Corrosion-resistant materials" means materials that maintain acceptable sanitary surface characteristics under prolonged influence of the water to be contacted, the normal use of cleaning compounds and sanitizing solutions, and other conditions of the use environment.

Subp. 9. **Department.** "Department" means the Department of Agriculture.

Subp. 10. **Distilled water.** "Distilled water" means water produced by a process of distillation that meets the definition of purified water.

Subp. 11. **Drinking water.** "Drinking water" means water from an approved source.

Subp. 12. **EPA.** "EPA" means the United States Environmental Protection Agency.

Subp. 13. **Fluoridated water.** "Fluoridated water" means water containing fluoride. Water that meets this definition must comply with the United States Food and Drug Administration quality standards in Code of Federal Regulations, title 21, section 103.35(d)(2).

Subp. 14. **Law.** "Law" means applicable federal, state, and local statutes, ordinances, rules, and regulations.

Subp. 15. **Lot.** "Lot" means:

A. a collection of primary containers or units of the same size, type, and style produced under conditions as nearly uniform as possible and usually designated by a common container code or marking, or in the absence of any common container code or marking, a day's production during manufacture, process, or packing; or

B. a collection of primary containers or units transported, stored, or held under conditions as nearly uniform as possible.

Subp. 16. **Mineral water.** "Mineral water" means water that contains not less than 250 parts per million total dissolved solids coming from a source tapped at one or more boreholes or springs, originating from a geologically and physically protected underground water source, distinguished from other types of water by its constant level of minerals and trace elements at the point of emergence from the source.

Subp. 17. **Operator.** "Operator" means a person who owns or operates a water vending machine.

Subp. 18. **Ozonation.** "Ozonation" means disinfection of bottled or vended water with sufficient ozone residue of 0.1 to 0.4 parts per million in the bottled or vended water immediately after filling the container.

Subp. 19. **Plant operator.** "Plant operator" means a person who owns or operates a bottled water plant.

Subp. 20. **Purified water.** "Purified water" means water produced by distillation, deionization, ion-exchange treatment, reverse osmosis, or other suitable process. Purified water must not contain more than ten parts per million total dissolved solids. Water that meets this definition and is vaporized and then condensed may be labeled distilled water.

Subp. 21. **Regulatory authority.** "Regulatory authority" means the department or the authorized home rule charter or statutory city or county responsible for licensing and inspection of vending machines.

Subp. 22. **Safe materials.** "Safe materials" means materials that may not reasonably be expected to result, directly or indirectly, in their becoming a component or otherwise affecting the characteristics of food. Food additives or color additives as defined in Section 201(s) or (t) of the federal Food, Drug, and Cosmetic Act are safe materials only if they are

used in conformity with regulations established under Section 409 or 706 of that act. Other materials are safe materials only if, as used, they are not food additives or color additives as defined in Section 201(s) or (t) of the federal Food, Drug, and Cosmetic Act and are used in conformity with applicable regulations of the United States Food and Drug Administration.

Subp. 23. **Sample.** "Sample" means a representative container or consumer unit from a batch or lot of a continuous, production of each type of bottled drinking water consisting of primary containers or unit packages of product.

Subp. 24. **Sanitize.** "Sanitize" means effective bactericidal treatment of clean food contact surfaces of utensils and equipment by an approved process that is effective in destroying microorganisms, including pathogens, without adversely affecting the product or the safety of the consumer.

Subp. 25. **Spring water.** "Spring water" means water derived from an underground formation from which water flows naturally to the surface of the earth.

Subp. 26. **Steam.** "Steam" used in contact with water or water contact surfaces must be free from materials or additives other than those in Code of Federal Regulations, title 21, section 173.310.

Subp. 27. **Trihalomethane or THM.** "Trihalomethane" or "THM" means one of the family of organic compounds, named as derivatives of methane, in which three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure.

Subp. 28. **Total trihalomethanes or TTHM.** "Total trihalomethanes" or "TTHM" means the sum of the concentration in milligrams per liter of the trihalomethane compounds (trichloromethane (chloroform), dibromochloromethane, bromodichloromethane, and tribromomethane (bromoform)), rounded to two significant figures.

Subp. 29. **Ultraviolet light treatment of water.** "Ultraviolet light treatment of water" means radiation at a wavelength of 240 to 280 nanometers (nm) applied at a minimum dosage of 16,000 microwatt seconds per square centimeter throughout the water disinfecting chamber. The disinfecting unit must have a maximum water depth in the chamber of three inches from the ultraviolet tube surface to the chamber wall, have a time delay mechanism to permit a two-minute warm-up unless left on at all times, and be installed with an intensity meter and an automatic shut-down valve when the dosage is below required minimum. Ultraviolet lamps must be replaced when the intensity meter indicates less than 50 percent of the rated lamp intensity.

As an alternative to the intensity meter and automatic shut-down valve, an operator may use a portable meter to test the ultraviolet lamp intensity. Operators using a portable meter must post in each machine near the ultraviolet assembly a permanent instruction label specifying a safe test procedure, a minimum intensity level of 254 nanometers, a required

six-month test interval, and replacement of the lamp when at less than 50 percent of rated lamp intensity. A record of lamp testing and replacement must be signed, dated, and posted near the lamp assembly of each vending machine.

Subp. 30. **Vended water.** "Vended water" means water dispensed by a water vending machine.

Subp. 31. **Water dealer.** "Water dealer" means a person who imports bottled water or causes bulk water to be transported for bottling or as vended water for human consumption or other consumer uses.

Subp. 32. **Water vending machine.** "Water vending machine" means a device that, upon insertion of one or more coins or tokens or receipt of payment by other means, dispenses treated water into a container without the necessity of refilling the machine between each operation, including bulk water dispensing machines with water prepared in the machine or from a remote refillable tank and dispensed on a self-serve basis by a consumer, an operator, or an operator's employee.

Subp. 33. **Well water.** "Well water" means water taken from below the ground through a pipe or similarly installed device and using external force or vacuum.

Statutory Authority: *MS s 29.27; 31.101; 31.11; 144.05; 144.08; 144.12; 157.011*

History: *18 SR 31; 19 SR 75; 23 SR 519*

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