

1550.3250 LABELING REQUIREMENTS.

Bottled water must conform to Minnesota Statutes, section 31.101, subdivision 8, and be labeled in compliance with items A to L.

A. If bottled water comes from a municipal source and has not been treated to meet the definition of distilled water or purified water, the label must state "from a municipal source" immediately and conspicuously preceding or following the name of the water without intervening written, printed, or graphic matter in type size at least one-half the size of the statement of identity and not less than 1/16 of an inch.

B. Mineral water may be labeled "mineral water." Mineral water with total dissolved solids content below 500 parts per million must be labeled with the statement "low mineral content" and mineral water with total dissolved solids greater than 1,500 parts per million must be labeled with the statement "high mineral content." The statement must appear on the principal display panel following the statement of identity in type size not less than one-half the size of the statement of identity but in no case of less than 1/16 of an inch.

C. Spring water may be labeled "spring water."

D. Well water may be labeled "well water."

E. Artesian water may be labeled "artesian water."

F. Purified water must be labeled "purified water" and the method of preparation must be stated on the label, except that purified water produced by distillation may be labeled "distilled water."

G. Drinking water may be labeled "drinking water."

H. A bottler, distributor, or vendor of bottled water whose corporate name, brand name, or trademark contains the words "spring," "well," "artesian," "mineral," or any derivative of those words, must label each bottle with the type of bottled water as defined in part 1550.3200, in typeface at least equal to the size of the typeface of the corporate name, brand name, or trademark, if the type of the bottled water is different from the type stated or implied in the corporate name, brand name, or trademark. Product identity must be located near the corporate name, brand name, or trademark.

I. The use of the word "spring" or a derivative of that word, other than in a trademark, trade name, or company name, to describe water that is not spring water is prohibited.

J. A product meeting more than one definition in part 1550.3200 may be identified by any of the applicable product types defined in part 1550.3200, except when otherwise specifically prohibited.

K. Supplemental printed information and graphics concerning recognized uses of the water may appear on the label but may not be false or misleading.

L. Bottled water, the quality of which is below that prescribed by this part, may be labeled with a statement of substandard quality complying with subitems (1) to (3).

(1) If the microbiological quality of bottled water is below that prescribed by part 1550.3210, subpart 2, the label must bear the statement of substandard quality specified in Code of Federal Regulations, title 21, part 130.14(a).

(2) If the physical, chemical, or radiological quality of bottled water is below that prescribed by part 1550.3210, subparts 3, 4, and 5, the label must bear the statement of substandard quality specified in Code of Federal Regulations, title 21, part 130.14(a), except that, as appropriate, instead of or in addition to the words "contains excessive bacteria," the following statements may be used:

(a) "excessively turbid," "abnormal color," and/or "abnormal odor" if the bottled water fails to meet the requirements of part 1550.3210, subpart 3, item A, B, or C;

(b) "contains excessive, " with the blank filled in with the name of the chemical for which a maximum contaminant level in part 1550.3210, subpart 4, is exceeded (e.g., "contains excessive arsenic," "contains excessive trihalomethanes");

(c) "contains excessive chemical substances" in lieu of the statement in unit (b) if the bottled water is not mineral water and the bottler prefers this statement;

(d) "excessively radioactive" if the bottled water fails to meet the requirements of part 1550.3210, subpart 5.

(3) Bottled water containing a substance at a level considered injurious to health is adulterated, whether or not the water bears a label statement of substandard quality.

Statutory Authority: *MS s 31.101; 31.11*

History: *18 SR 31; 27 SR 168*

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