

**Government of India**  
**Ministry of Consumer Affairs, Food and Public Distribution**  
**Department of Consumer Affairs**

**LOK SABHA**  
**UNSTARRED QUESTION NO. 2763**  
**TO BE ANSWERED ON 13.03.2018**

**CONTAMINATED BOTTLED DRINKING WATER**

2763. SHRI BHARATHI MOHAN R.K.: SHRI K.N. RAMACHANDRAN: SHRI PR. SENTHIL NATHAN: SHRI RAJESH KUMAR DIWAKER: SHRI ASHOK MAHADEORAO NETE: SHRIMATI SANTOSH AHLAWAT:

**Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**  
**उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री be pleased to state:**

- (a) whether the Government is aware that lots of shopkeepers are selling contaminated drinking water bottles without BIS mark illegally and if so, the details thereof and the action taken by the Government in this regard;
- (b) whether the Government proposes to make any strict law to tackle these types of vendors in future and if so, the details thereof;
- (c) whether the Government has any plan to ban the selling of Drinking water in plastic pouches which is dangerous and if so, the details thereof;
- (d) whether the Government has taken any steps to curb the menace of contaminated bottled water and if so, the details thereof; and
- (e) whether the Government has appointed any regulator for quality control of bottled drinking water and if so, the details of the complaints received and action taken against the manufacturers/vendors of contaminated bottled drinking water ?

**ANSWER**

**उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण राज्य मंत्री**  
**(श्री सी. आर. चौधरी)**

**THE MINISTER OF STATE**  
**CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**  
**(SHRI C. R. CHAUDHARY)**

(a) & (b) : FSSAI has prescribed quality standards of Packaged Mineral Water and Packaged Drinking Water (other than Mineral Water) under sub-regulations 2.10.7 and 2.10.8 of Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011. Further, under Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011, it is specified that 'No person shall manufacture, sell or exhibit for sale packaged drinking water and mineral water except under the Bureau of Indian Standards Certification Mark'.

Cases of sale of packaged mineral water/drinking water by unlicensed units / without BIS certification mark have come to notice of the FSSAI. As and when such reports are received, Commissioners of Food Safety of the States/UTs are advised to take strict action against the erring Food Business Operators under the penal provisions of Food Safety and Standards Act. The penal provisions under Chapter IX of the FSS Act, 2006 are considered adequate to deal with such cases.

As per BIS Act 2016, sale of goods which are notified by central government under compulsory BIS Certification when sold without BIS Standard mark is treated as cognizable offence. (Section 16, 17 and 29 of BIS Act 2016).

(c) : No Madam. However, strict norms regarding the packaging material to be used for packaged drinking water are laid down in sub-regulation 2.1.2(5) of Food Safety and Standards (Packaging and Labelling) Regulations, 2011 as under:

*‘ It shall be packed in clean, hygienic, colourless, transparent and tamperproof bottles/containers made of polyethylene (PE) (conforming to IS:10146 or polyvinyl chloride (PVC) conforming to IS : 10151 or polyalkylene terephthalate (PET and PBT) conforming to IS : 12252 or polypropylene conforming to IS : 10910 or foodgrade polycarbonate or sterile glass bottles suitable for preventing possible adulteration or contamination of the water.*

*All packaging materials of plastic origin shall pass the prescribed overall migration and colour migration limits’*

(d) & (e): Food Safety and Standards Authority of India established under Food Safety and Standards Act, 2006 functions as the regulatory authority for ensuring quality of food for human consumption, including Packaged Drinking Water.

FSSAI has launched an online safe water web portal where consumers can view and compare test reports of packaged drinking water/mineral water including physical, chemical and microbiological information uploaded by enforcement agencies and Food Business Operators using FSSAI or BIS License No. . The initiative aims to use this portal as a 'confidence building exercise' for the packaged drinking water emphasising that the consumers have the right to expect that the packaged drinking water/ beverage they purchase should be safe and of high quality. States/UTs and FBOs are already uploading their data.

The enforcement of the provisions of Food Safety and Standards Act, 2006 and Rules and Regulations made there under primarily rests with States/UTs. Regular surveillance, monitoring, inspection and random sampling of food articles including packaged drinking water/mineral water is being done by State Food Safety Authorities to check compliance of the prescribed norms and take penal action against cases of non-compliance.

As per the information available from State/UT Governments, the details of samples of Packaged Drinking Water/Packaged Mineral Water collected, tested, found non-conforming and penal action taken during the year 2016-17 is as under:

Total no. of samples taken	No of Samples Analysed	No. of Samples found non-conforming	No of cases launched	No of cases of convictions	No. of cases where penalties imposed
743	697	224	131	33	40

BIS has received 55 complaints regarding quality of Packaged Drinking Water and Packaged Natural Mineral Water during the last three years and the current year (upto February 2018). During the same period, on investigation, 23 complaints were established and actions were taken which inter alia includes stop marking and/or cancellation/expiry of the Licence. In addition, complaints were also received regarding misuse of Standard Mark by manufacturers without BIS licence. After discreet investigation, raids were conducted and cases were filed in the court of law. The details of number of raids conducted in the last three years and the current year is given below:

Number of Search and Seizures (Raids) carried out for misuse of Standard Mark during the last three years and the current year for Packaged Drinking Water/Natural Mineral water is given below:

Number of Raids	2014 -15	2015 -16	2016-17	2017-18 (upto Feb 2018)
	40	71	51	30

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