

**Commonwealth of the Northern Mariana Islands**

**Department of Public Health**

**Bureau of Environmental Health**

**Standard Governing the Importation, Sale and Distribution of  
Foreign Bottled Water for Human Consumption**

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# STANDARD GOVERNING THE IMPORTATION, SALE, AND DISTRIBUTION OF FOREIGN BOTTLED WATER FOR HUMAN CONSUMPTION

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### I. AUTHORITY

Pursuant to the authority of Public Law 11-40 (Pure Food, Drug and Cosmetic Act of 1998), the Secretary of the Department of Public Health is authorized to establish a standard for a food, by regulation, as being necessary to prevent injury to health of the consumer or purchaser of the food in the Commonwealth of the Northern Mariana Islands. 3 CMC §2716(a).

### II. PURPOSE

This regulation shall be known as the “Foreign Bottled Water Standard” and may be listed as such. The purpose of this regulation is to establish minimum quality control requirements for the importation, sale, and distribution of bottled water in the Commonwealth. Bottled water manufactured within the Commonwealth is subject to the CNMI Bureau of Environmental Health’s “Water and Ice Manufacturing Regulations.” Since it is not possible to determine whether water bottled outside the Commonwealth satisfies the regulatory requirements of the “Water and Ice Manufacturing Regulations,” this regulation is prescribed to set a standard for foreign bottled water. Bottled water is considered “food” under the “Public Health and Food Regulations” and as such, is subject to those regulations also. These regulations are in addition to “Public Health Food Regulations,” and the “Water and Ice Manufacturing Regulations.”

### III. DEFINITIONS

3.1 FOREIGN BOTTLED WATER: Any bottled water produced outside of the Commonwealth of the Northern Mariana Islands.

### IV. FOREIGN BOTTLED WATER STANDARD

- 4.1 Foreign bottled water imported, distributed, or offered for sale in the Commonwealth must be manufactured and bottled by a facility that is a member in good standing of a water bottling trade association recognized by the Secretary of Public Health as one that assures that its membership meets the requirements of the International Bottled Water Association Model Code. Such associations that the Secretary recognizes include:

- (1) Asia Bottled Water Association
- (2) Australasian Bottled Water Institute Inc.
- (3) Canadian Bottled Water Association
- (4) European Federation of Bottled Waters
- (5) Latin American Bottled Water Association
- (6) International Bottled Water Association (USA)

4.2 The Secretary may review and approve petitions from other water bottling trade associations seeking to be recognized.

## V. ENFORCEMENT

5.2 Bottled water may be examined or sampled by the Secretary or his/her authorized representative as often as necessary for enforcement of these regulations. The Secretary or his/her authorized representative may, upon written notice to the owner or person in charge, specifying with particularity the reasons therefore, place a hold order on any bottled water which he or she believes does not comply with the foreign bottled water standard. The Secretary or his/her authorized representative shall tag, label, or otherwise identify any bottled water subject for destruction, disposal or condemnation. All bottled water that does not comply with the foreign bottled water standard shall be immediately condemned and be disposed of in a sanitary manner that will be determined by the Secretary or his/her duly authorized representative.

The following guidelines shall be used in the condemnation of bottled water that does not comply with the foreign bottled water standard.

(1) The importer, seller, or distributor of bottled water that does not comply with the foreign bottled water standard, upon request, shall be given a written notice of condemnation from the Secretary or his/her duly authorized representative of the Bureau stating that such bottled water was found to be in non-compliance with the foreign bottled water standard and shall be properly disposed in a sanitary manner; and

(2) The importer, seller, or distributor of bottled water that does not comply with the foreign bottled water standard and the duly authorized representative of the Secretary shall be present to witness the disposal and/or destruction of such bottled water was found to be in non-compliance with the foreign bottled water standard; and

(3) A copy of all condemnation records shall be filed with the Bureau and a copy shall be forwarded to importer, seller, or distributor for their documentation of such condemnation.