

Drinking Water Quality Regulator for Scotland

T: 0131 244 0188 | F: 0131 244 0211

E: [regulator@dwqr.scot](mailto:regulator@dwqr.scot)

[www.dwqr.scot](http://www.dwqr.scot)



To: All Scottish Local Authorities

Our ref: DWQR IL 3/2016

15 June 2016

Dear Colleague

### **Information Letter 3/2016**

#### **Guidance on the use of private water supplies in primary production – withdrawal of Information Letter PWS 1/2008**

The Scottish Government issued Information Letter PWS 1/2008 on 23 June 2008 setting out revised water quality monitoring arrangements for private water supplies serving milking parlours. These were interim arrangements pending the introduction by the Food Standards Agency (FSA) of new guidance on water used in primary food production. That guidance has now been published and is available on the Food Standards Scotland (FSS) website [here](#) and on the FSA website.

The new guidance states that for primary food production clean water as defined in Regulation (EC) No 852/2004 (“the Food Hygiene Regulation”) can be used as an alternative to potable water, which is defined as water meeting the requirements of Council Directive 98/83/EC (“the Drinking Water Directive”), transposed into domestic legislation in the Private Water Supplies (Scotland) Regulations 2006 (“the PWS Regulations”).

The effect of this is that private water supplies used only for primary production activities are not subject to the PWS regulations and are therefore neither Type A or B supplies. However, clean water must not be added to any food product as an ingredient, and it must not present a risk of contamination of the food product. Water used in any other circumstances (including for domestic purposes such as drinking, cooking, hand washing, or

Area 1-D South  
Victoria Quay  
Edinburgh  
EH6 6QQ



other sanitary purposes) must comply with the requirements set out in the Drinking Water Directive and the PWS Regulations.

Primary production is defined in Regulation (EC) No 178/2002 ("the General Food Law Regulation") as the production, rearing or growing of primary products including harvesting, milking and farmed animal production prior to slaughter and also includes hunting, fishing and the harvesting of wild products. It therefore includes milking parlours and game larders.

The Food Hygiene Regulation does not place specific obligations on food business operators (FBOs) in relation to water sampling or set microbiological or chemical parameters or criteria which must be met. The monitoring arrangements set out in Information Letter PWS 1/2008 do not therefore now apply. However, primary producers need to follow good hygiene practices and must be able to demonstrate that their operations are managed in a way that controls food safety risks, including those associated with the use of water.

This letter is being issued primarily for the information of Environmental Health Officers with responsibility for private water supplies. It does not seek to provide comprehensive guidance regarding the requirements for clean water in food hygiene legislation, which are covered in the FSA/FSS guidance.

Yours sincerely



Moira Malcolm  
Drinking Water Specialist  
Drinking Water Quality Regulator for Scotland