

DDGM SECTION

Our Ref: DDGM/Certn/PDW

7/8 October 2004

Subject: Flexible Pouches for Packaged Drinking Water

The issue of flexible pouches for Packaged Drinking Water has been under debate for quite sometime and more so in view of the unhygienic practices prevailing with respect to handling, storage, sale and dispensing of water in pouches.

The data collected by CMD for the period 1 January 2003 to 30 June 2004 for samples of Packaged Drinking Water in pouches, shows failure to the tune of 19.2% in microbiological requirements and which only indicates that hygienic conditions in which pouches are being packed and sold are not under control.

A proposal was made to PCD 21 to formulate standard for flexible pouches but during its meeting held on 19 July 2004, the members showed their concern on the manner of unhygienic chilling, storage and sale practices of Packaged Drinking Water in pouches. The issue of penetration of external off odours of neighbouring ingredients was also discussed and the committee opined not to recommend this particular mode of Packaged Drinking Water. The Committee further recommended that if need be, a study may be initiated to find out whether suitable design and materials could be utilized for making pouches as packaging medium for drinking water.

The expert legal opinion from Additional Solicitor General (ASG) was also sought on the following:-

- a) Whether pouches are containers;
- b) Whether use of pouches is permitted as per IS 14543:1998
- c) Whether manufacture and sale of Packaged drinking water in pouches constitute violation of a licence granted by BIS in terms of IS 14543:1998.

In the opinion of ASG:

- a) "Pouches are covered within the scope of the expression containers occurring in IS 14543:1998".
- b) "The use of pouches made of these very materials would be permissible only if such use is consistent with the mandatory requirement to prevent possible adulteration or contamination of the water."
- c) "Manufacture and sale of Packaged drinking water (other than Packaged Natural Mineral Water) in pouches does not per se constitute a violation of licence granted by BIS in terms of IS 14543:1998 since these licences only specify the quality of water in the bottles/containers and not specify

the quality of water in the bottles/containers and not the package. However, use of pouches which are unsuitable for preventing possible adulteration or contamination of water would be inconsistent with and not in conformity with IS 14543:1998. Such use would result in violation of licence granted by BIS".

The issue was discussed in the 64th meeting of EC held on 8 September 2004 which has directed that fresh licences for Packaged Drinking Water in Pouches may not be granted and existing licences may not be renewed.

From the above it is implied that;

- a) wherever the licensee is packing water only in pouches, the licence will not be renewed.
- b) where licensee is packing water in all types of containers including pouches, the permission for packing in pouches shall be withdrawn at the time of renewal and necessary endorsement in licence made to this effect irrespective of whether such an endorsement in the licence existed earlier.

A copy of the proceedings is enclosed for information and necessary action by ROs/BOs.

sd/-

(Balwant Rai)
Deputy Director General(Marks)

To all DDGRs and Heads of BOs

BUREAU OF INDIAN STANDARDS
(Bureau Secretariat)

*Extract from the Proceedings of 64th Meeting of the
Executive Committee held on 8 Sep 2004*

2.19 Use of Flexible Pouches for Packaged Drinking Water – Having considered item 2.19 of the agenda, EC DECIDED as under:

a) The proposal as made vide 6(b) (ii) i.e.

“The Indian Standard on Packaged Drinking Water may be amended to incorporate quality parameters for flexible pouches with additional safeguards such as labeling on the pouches giving guidelines on safe handling and storage of pouches” be forwarded to the concerned Technical Committee for consideration and decision within three months.

b) For the existing licensees who are packing water in pouches, hygienic conditions may be monitored within the factory of the licensee as well as with respect to methods/systems employed for distribution and sale of pouches by the licensees.

c) Fresh licences for Packaged Drinking Water in Pouches may not be granted and the existing licences may not be renewed.

d) BIS may send the detailed report to the Government in this regard.

sd/-

(K.K. BHOJWANI)
SECRETARY