

Czech Republic – Collection of Law

258/2000 Coll. ACT of July 14, 2000 on protection of the public health and on amendment to some related laws

Amendment: 254/2001 Coll., Act No 274/2001 Coll.
Amendment: 86/2002 Coll.
Amendment: 13/2002 Coll., Act No 120/2002 Coll.
Amendment: 76/2002 Coll., Act No 320/2002 Coll.
Amendment: 274/2003 Coll.
Amendment: 274/2003 Coll. (part)
Amendment: 274/2003 Coll., (part) 356/2003 Coll., 167/2004 Coll.
Amendment: 326/2004 Coll.
Amendment: 274/2003 Coll., (part), 562/2004 Coll.
Amendment: 125/2005 Coll.
Amendment: 253/2005 Coll., 392/2005 Coll. (part)
Amendment: 392/2005 Coll.
Amendment: 392/2005 Coll. (part)
Amendment: 392/2005 Coll. (part)
Amendment: 444/2005 Coll.
Amendment: 392/2005 Coll. (part)
Amendment: 381/2005 Coll., 392/2005 Coll. (part)

The Parliament has passed the following Act of the Czech Republic:

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Section 5

Products Coming into Direct Contact with Drinking, Hot and Raw Water, Chemical Preparations, Treatment of Water and Water-Works Technologies

(1) The producer or importer of a product intended for direct contact with drinking, hot or raw water^{6a)}, in the framework of accumulation, withdrawal, transport, distribution, collection, measurement of supplies and other similar purposes (hereinafter a “product coming into direct contact with water”) and the producer or importer of a chemical preparation intended for treatment of water for drinking or hot water shall be obliged to ensure that the composition thereof and labeling thereof on packaging, tags, in accompanying documentation or in instructions for use complies with the public health requirements laid down in an implementing regulation. Distributors^{4a)} may not distribute products that do not comply with these public health requirements. Further, the producer or importer of products coming into direct contact with water shall be obliged to ensure that the surface treatment of the product complies with the public health requirements laid down in an implementing regulation.

(2) The producer or importer of a product coming into direct contact with water shall be obliged, prior to placement thereof on the market, to ensure, with respect to a holder of a

certificate of accreditation^{4a)} or holder of authorization (Section 83c) pursuant to this Act and, in relation to construction products, with respect to a person authorized pursuant to the special regulation,^{4a)} verification, in a manner stipulated in an implementing regulation, that there is no undesirable effect on drinking or hot water; the producer or importer shall be obliged to have a record of the verification. The manner of evaluating this verification and the manner and scope of keeping records of verifications shall be stipulated in an implementing regulation.

(3) The producer and importer must always equip a product coming into direct contact with water and a chemical preparation, which could cause damage to health of natural persons or deteriorate drinking, hot or raw water, with instructions for use and, if necessary, also with instructions for remediation of the consequences of incorrect use. The instructions must be in the Czech language or in the Slovak language, as appropriate. Distributors^{4a)} shall be obliged to distribute such product or chemical preparation to the consumers or other users always with instructions for use or with instructions for remedying of the consequences of incorrect use.

(4) Otherwise, a special regulation^{4a)} shall apply to evaluation of the safety of a product, which is a construction product in the sense of the special regulation⁸⁾, coming into direct contact with water.

(5) On the basis of a proposal of the producer or importer, the competent body for protection of the public health shall make a decision on

- a) the admissibility, content and migration limit, as appropriate, of substances that are not set forth in an implementing regulation for products coming into direct contact with water; this shall not apply to products set forth in paragraph 4 above;
- b) the admissibility of a chemical preparation intended for treatment of water for drinking or hot water that is not stipulated in an implementing regulation.

(6) The competent body for protection of the public health shall issue a permit pursuant to paragraph 5 above if the proponent demonstrates that there will be no unfavorable effects on the quality of the drinking or hot water. An implementing regulation shall provide for the requisites of the proposal pursuant to paragraph 5 above.

(7) Within water-works treatment of raw water^{6a)}, the persons specified in Section 3 (2) may only use water-works technologies stipulated in an implementing regulation and chemical preparations stipulated in an implementing regulation or permitted pursuant to paragraph 5 (b) above.

(8) On the basis of a proposal of a person set forth in Section 3 (2), the competent body for protection of the public health shall make a decision on the admissibility of a water-works technology that is not stipulated in an implementing regulation. The competent body for protection of the public health shall issue a permit to use a water-works technology if the proponent demonstrates that the water-works technology ensures maintaining of the quality of drinking water and that the quality of the drinking water will not be adversely affected. An implementing regulation shall provide for the requisites of the proposal.

(9) Persons producing hot water (Section 3 (3)) may use only chemical preparations stipulated in an implementing regulation or permitted pursuant to paragraph 5 (b) above for treatment of this water.

⁸⁾ Regulation of the Government No. 163/2002 Coll., laying down the technical requirements for selected construction products

(10) The persons set forth in Section 3 (2) and (3) and consumers^{6a}) may use only products that meet the public health requirements pursuant to paragraphs 1 to 3, paragraph 5 (a) and paragraph 6 above for the accumulation, transport, treatment, distribution, collection and measurement of supplies of raw, drinking and hot water and for similar purposes.