



## California Department of Public Health Food and Drug Branch



### PROCEDURE FOR OBTAINING A RETAIL WATER FACILITY LICENSE

(Revised, 6/20/2008)

#### License Application Form: CDPH 8602

California Health and Safety Code (H&SC) Section 111120 requires operators of retail water facilities (RWF) in California to obtain a Retail Water Facility License issued by the Department of Public Health's Food and Drug Branch (FDB). The following describes what you must do to obtain the license.

#### LICENSE APPLICATION

Submit a fully completed Retail Water Facility License Application form with the required fee. To obtain an application form, you may call FDB at (916) 650-6500 or download the form from the FDB website (<http://www.cdph.ca.gov/pubsforms/forms/Pages/FoodandDrug.aspx>; click "Form CDPH 8602").

Important points regarding completion of the application form:

- Include the firm name
- For RENEWAL licenses, include the license number
- Write the phrase "PCA Code 76214" on your check or money order.
- The business address must be that of the retail water facility, not that of the corporate headquarters.
- The mailing address can be that of the facility, corporate headquarters or the firm's branch office. Licenses and renewal notices will be sent to the mailing address listed on the application form.
- Proper telephone numbers must be provided to expedite scheduling of inspection appointments.
- Only water from a public drinking water supply or from a private water source licensed by FDB can be used as source water for the RWF.
  - Public Drinking Water
    - You must indicate the name, address and phone number of the public (municipal) Water District on the application form. You are not required to analyze the source water, but must obtain a copy of the Water District's most recent chemical, physical, radiological and microbiological analysis data for the water.
  - Licensed Private Water Source
    - **You must indicate the name, address, phone number, and license number of the private water source on the application form. You are not required to analyze the source water, but must obtain a copy of the water quality analysis data from the private water source.**
    - **Note: A well or a spring owned by the RWF, regardless of whether it is located on the same premise or not, cannot be used as a source unless it has already been licensed as a private water source by FDB.**
  - Keep copies of the source water analytical data in your files. You will need to provide this information to FDB during inspections or as otherwise requested.

Any incomplete and/or illegible applications will be RETURNED to the applicant. **License fees are non-refundable. Retail Water Facility Licenses are non-transferrable to new owners or other locations.** A change of the RWF ownership or a change in facility location will require submittal of a NEW application. Cleaning/sanitation of water bottles and/or bottling of water are NOT allowed at a licensed RWF.

The RWF License is valid for one calendar year. It is your responsibility to renew the license prior to the expiration date printed on the license. You will receive a renewal notice from FDB approximately two months before the expiration date of your license. Follow the instructions on the renewal notice and submit the completed application form, a check or money order for the license fee payment, and a copy of the most recent coliform test data for the facility. If you are selling purified water, submit a copy of TDS test results. If you do not receive a renewal notice, please contact the FDB Water Licensing Desk at (916) 650-6500.

## INSPECTION and OPERATING REQUIREMENTS

FDB will perform an on-site inspection of your facility prior to issuance of the license. FDB will also conduct periodic inspections once the license has been issued. Inspections are conducted to ensure that the facility is in compliance with the applicable state and federal laws and regulations.

### A. Water Quality Testing: Maintain copies of all water quality test results in your files.

1. **Source Water Quality:** Maintain copies of current source water quality analysis data in your files. You will need to submit copies of the source water quality analysis data to the FDB investigator during licensing inspections and/or routine inspections.
2. **Product Water Quality:** Request the testing laboratory\* of your choice to take water samples at your store and perform the analyses shown below. At least four random sub-samples of water must be taken from the dispenser during operating hours. Run the water for at least 1 minute before taking the first sub-sample. The laboratory will make one composite of the four sub-samples for analysis. You will need to submit copies of the product water quality analysis data to the FDB investigator during licensing inspections and/or routine inspections.
  - (i) Bacteriological quality (total coliforms),
  - (ii) Lead,
  - (iii) Volatile organic chemicals [Note: VOCs must be determined by the U.S. EPA Method 524.2. (Revision 4.0), and you must submit data for all the chemicals detected by the test method].

[Note: Pursuant to H&SC Section 111155, FDB may ask you to test for other contaminant(s) if FDB suspects the substance(s) may be present in the water.]

\* Testing Laboratories: All testing must be done by a California laboratory that has been certified for testing water or by a laboratory certified by the United States Environmental Protection Agency (USEPA). For a list of certified laboratories, please contact the California Environmental Laboratory Accreditation Program (ELAP) at (510) 620-3155 or visit the agency website at <http://www.cdph.ca.gov/certlic/labs/Pages/ELAP.aspx>. Testing done by a laboratory approved by the primary enforcement authority in states which have been granted primacy by the USEPA is also acceptable pursuant to H&SC 111165.

3. **Frequency of Product Water Testing: The laboratory must clearly identify the RWF firm name, address and FDB license number on analytical reports.**
  - a. **Coliforms (bacteriological)**
    - i. **Prior to beginning operations and at least every 6 months thereafter.**
    - ii. **The laboratory may use the presence/absence (P&A) test for the coliform analysis. Only negative (absence) test data are acceptable.** If a sample tests positive (presence), you must resample the water (i.e., four random samples) within 24 hours and test using the multiple tube-fermentation method. If the test data show that the water contains more than 2.2 most probable numbers (MPN)/100 ml, you must immediately stop distributing the water; notify the FDB Licensing Desk; investigate the cause of the problem; take corrective actions and resample/test the water. You must not resume the distribution of water until the test shows that the water contains total coliforms of less than 2.2 MPN/100 ml.
  - b. **Volatile Organic Chemicals (VOC's)**
    - i. **You must test for VOC's prior to operation/licensing if the RWF is new. If the RWF is an existing facility, you must test for VOC's if you do not have copies of the last VOC test results performed by the previous owner. You must test for VOC's at any time during the operation of the RWF if you change the water treatment process or replace major equipment such as reverse osmosis unit, water tank, water pump, activated carbon, etc.**
  - c. **Lead – You must test for lead prior to operation/licensing of the RWF and if you change the water treatment process or replace major equipment such as reverse osmosis unit, water tank, water pump, activated carbon, etc.**

**d. Total Dissolved Solids (TDS) – Only if selling Purified Water**

- i. You must have a certified laboratory test for TDS prior to operation/licensing and once a year thereafter.
- ii. You must test for TDS in your facility every 10 days during operation of the RWF. Use of a handheld TDS meter is acceptable for these tests.

**B. Equipment and Materials: Only process equipment and materials that have been approved for food or potable water use can be used at your facility. Obtain copies of the specification sheet for each piece of equipment and type of material. Highlight the sections that indicate the equipment or material was approved for food or potable water use. You will need to submit copies of the specification sheets to the FDB investigator during licensing inspections and/or routine inspections and maintain copies for your files.**

\*\* You must obtain specification sheets for the following equipment and materials:

- 1) Pipes, hoses, fittings, water faucets - If specification sheets are not available, indicate the schedule # other relevant information and the name of the approval organization.
- 2) Pipe cement or bonding agent - If specification sheets are not available, indicate whether it was approved for use in food contact surfaces and the name of the approval organization).
- 3) Water softener (if applicable). Include specifications regarding the type of resins.
- 4) Carbon filters (if applicable).
- 5) Particle or polishing filter (if applicable)
- 6) Reverse osmosis (if applicable). Include specifications for components such as RO membranes and RO pump.
- 7) Deionization (if applicable).
- 8) Storage tank. Include information about whether the tank is vented or not.
- 9) Pump. Include whether materials used for making the pump have been approved for food or potable water contact surfaces and the name of the approval organization. Include information about whether the pump is water-lubricated.
- 10) Re-pressurization tank (if applicable).
- 11) Post carbon filter (if applicable).
- 12) Ultraviolet lights (UV) for disinfection (if applicable). The UV equipment must have a minimum UV dosage of 16,000 uW sec/cm<sup>2</sup>.
- 13) Ozonator (if applicable). The ozone generator must have enough capacity for providing water with more than 0.1 ppm ozone for at least 5 minutes.

**C. Equipment Maintenance: RWF operators are required to perform maintenance on the equipment and to maintain records of the maintenance. Records must be kept for at least two years and copies must be provided to FDB upon request. RWF need to maintain the following types of records:**

- a. Equipment Maintenance Schedule.
- b. Process control and daily monitoring procedures. This includes a copy of the daily activity log, the log for coliform testing/ results and the log for TDS testing/results (if selling purified water).
- c. Written procedures for cleaning and sanitizing of equipment. Identify the specific brand names of the cleaning and sanitizing compounds and the concentrations that are used. Include the chemical names of the cleaning/sanitizing compounds if available. Indicate whether the cleaning/sanitizing chemicals have been approved for food contact surfaces. Identify the approving or certifying organization.

**D. Schematic Diagram: Submit a schematic diagram of the water treatment process used at your facility. Please clearly identify the different components of the water treatment process.**

**E. Labels, Advertising and Promotional Materials: Submit samples of all labels or labeling, advertising and promotional materials to the FDB investigator at the time of the licensing inspection. Submit color photographs of advertising or promotional materials that are displayed on walls, windows, etc. Labels, advertising and promotional material must be in compliance with H&SC Section 109875 *et seq.* and other applicable regulations.**

If a product designation other than "drinking water" (e.g., "purified" "spring", "mineral") is used on the label or labeling, the water must meet the definition for the terms as specified in H&SC Section 111175 and 21 CFR 165.110(a)(vi).

H&SC Section 111170 (c) and (d) **requires all RWF to display the following information, in both English and Spanish, in a location that is clearly visible to customers:**

- (1) The name and address of the RWF
- (2) The fact that the water is obtained from an approved public drinking water supply or licensed private water source.
- (3) A statement describing the treatment process used at the RWF
- (4) If no treatment process is utilized, a statement to that effect.
- (5) A toll-free telephone number, or a local telephone number within the area code in which your RWF is located, that may be called for further information, service, or complaints,
- (6) The Department of Public Health - Food and Drug Branch's toll-free telephone number (1-800-495-3232) that can be called to file complaints or ask questions.

F. Record Keeping: Title 21, Code of Federal Regulations Part 129.80 (h) requires RWF to maintain records for at least 2 years. Refer to Part 129.80 (h) regarding the types of records that must be maintained.

G. Design or Construction Changes: You must inform FDB when any changes are made in the design or construction of your water treatment system.