

The European Drinking Water Industrial Alliance Reply to the Public Consultation on the Recast of the Drinking Water Directive (DWD)

The European Drinking Water Industrial Alliance (EDW) supports EU-wide harmonised requirements on the hygienic safety of drinking water. Harmonisation will benefit the safety of European consumers, while enhancing the competitiveness of the European industry and strengthening the single market

The EDW considers the Commission proposal on the Recast of the DWD to be insufficient in providing harmonisation

Over the last decades, several EU Member States have developed their own rules on materials and products in contact with drinking water (e.g. water pipes, taps, water heaters, pumps, water meters etc.), resulting in different hygienic requirements leading to potentially different levels of human health protection. Not only does this impact consumers but it also penalises companies, especially SMEs, that face unnecessary burden in exporting their products to other EU countries. As highlighted by the Commission Review of the DWD, current provisions on materials and products in contact with drinking water *'do not work well and represent a long term challenge to the provision of clean and healthy drinking water in the EU'*.¹

The EDW considers the Commission proposal on the Recast of the DWD to be insufficient in providing harmonisation. The Commission proposes that the hygienic requirements for materials and products in contact with drinking water ("drinking water applications") should be set under the Construction Products Regulation (CPR). The objective of the CPR is to set harmonised European standards for the marketing of construction products all over the EU, in order to deepen the EU single market. The EDW believes that this option will not bring the harmonisation needed by consumers and businesses for the following reasons:

- Many products in contact with drinking water – such as, water heaters, water meters, pumps, and domestic appliances - do not fall under the scope of the CPR.
The Commission proposals excludes a large share of products in contact with drinking water from harmonisation, creating a significant loophole and legal vacuum.
- The CPR can only lead to a **partial harmonisation**, since it does not provide a clear legal procedure to continuously assess and, if necessary, update hygienic requirements for drinking water applications, in line with technological developments.

¹ European Commission, Staff Working Document "Refit Evaluation of the Drinking Water Directive 98/83/EC", 1 December 2016, p. 42, Available at http://ec.europa.eu/environment/water/water-drink/pdf/SWD_2016_428_F1.pdf

EDW Recommendations

The EDW supports a significant strengthening of the Commission proposed measures as a way to ensure full harmonisation and high safety standards for materials and products in contact with drinking water. We call on EU policy-makers to revise the Drinking Water Directive in a way that:

- 1) Enables EU institutions to adopt **legally binding measures² to further harmonise hygienic requirements on materials and products in contact with drinking water**, including the gradual development of an EU-wide list of substances approved for the production of materials³ in contact with drinking water.

This approach would:

- Ensure that the same high safety standards apply to all European consumers and close potential loopholes in consumers safety at national level;
 - Ensure that all products – irrespective of whether they fall under the scope of the CPR - are covered by harmonised hygienic rules;
 - Be a first step towards the harmonisation of hygienic requirements on materials in contact with drinking water.
- 2) Clarifies that the final objective of EU drinking water policy is the development of a fully harmonised regulatory framework on materials and products in contact with drinking water ensuring that all European citizens benefit from a high level of human health protection. The EDW supports the inclusion of **a review clause** in the DWD asking the Commission to:
 - Evaluate the progress in the harmonisation of hygienic rules on drinking water applications;
 - Take appropriate measures, such as a proposal for a new regulation, if needed.

The EDW believes that work in the standardisation field could support further harmonisation of materials and products in contact with drinking water. This requires that the standardisation request (M/136 and its revisions) from the European Commission to draw up Standards under the Construction Products Regulation (CPR) allow for:

- The inclusion of a reference to the legally binding acts developed under the DWD (see point 1 above): this reference should make clear that products in contact with drinking water should comply with future Commission delegated acts.
- The harmonisation of hygienic requirements and test methods that can be adequately managed through standards.

² E.g. delegated acts

³ Among the materials in contact with drinking water are organic materials, elastomers, cement, metals and ion exchange resins.

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- A cost-effective system to identify products in contact with drinking water compliant with harmonised standards.

To ensure a certain degree of harmonisation for all products in contact with drinking water, Member States should be enabled and strongly encouraged to apply European harmonised standards also to products not covered by the CPR, while keeping these products outside of the scope of the CPR.

The EDW Industrial Alliance believes that the above recommendations constitutes the basis for an **ambitious and pragmatic solution** towards the development of a fully harmonised legal framework on drinking water applications. Such harmonisation would both safeguard equal drinking water quality for the consumers across Europe and improve the competitiveness and innovation capability of the European industry.

European Drinking Water

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European Drinking Water – Member associations

			
<p>ANIMA Federation of Association of Mechanical and Engineering Industry</p>	<p>AQUA European Association of Water Meters and Heat Meters Manufacturers</p>	<p>AQUA EUROPA</p>	<p>BMA Bathroom Manufacturers Association</p>
			
<p>Branchehuset</p>	<p>British Water</p>	<p>ZVEI German Electrical and Electronic Manufacturers' Association</p>	<p>CEIR European Association for the Taps and Valves Industry</p>
			
<p>CES Silicones Europe</p>	<p>CESA Catering Equipment Suppliers Association</p>	<p>DKI Copper Alliance</p>	<p>EADIPS European Association for Ductile Iron Pipe Systems</p>
			
<p>EFCEM European Federation of Catering Equipment Manufacturers</p>	<p>EHI European Heating Industry</p>	<p>ELISANA European Light Stabilisers and Antioxidants Association</p>	<p>ESA European Sealing Association</p>
			
<p>ETRMA European Tyre & Rubber Manufacturers' Association</p>	<p>Europump The European Pump Manufacturers Association</p>	<p>EVA European Vending Association</p>	<p>EWTA European Water Treatment Association</p>



FCA
Food Contact Additives (a
Cefic Sector Group)



Figawa
Association of Companies
for Gas and Water
Technologies



KRV
Fachverband der
Kunststoffrohrindustrie



PlasticsEurope



SOIA
Synthetic Organic Ion
Exchangers and
Adsorbents



TEPPFA
The European Plastic
Pipes and Fittings
Association



VDDW
Association of German
water- and heat meters
industry



VRH
Association for Piping
Systems Inside Buildings



WQA
Water Quality Association

About us

The European Drinking Water (EDW) is an alliance of currently 30 European trade associations representing industries involved with the supply of products or materials that are used in drinking water applications and connected to municipal drinking water supplies within the European Union (EU). This ranges, from raw materials suppliers to producers of pumps, water meters, pipes, valves, taps, fittings, water treatment, water heaters, catering equipment industry, seals, etc. and all types of materials, such as elastomers, metals, plastics, etc. The alliance is open to any industry association relevant to drinking water contact applications.

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