

# The European Drinking Water Industrial Alliance Views on the Recast of the Drinking Water Directive

**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'*.<sup>1</sup>

**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<sup>2</sup> 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 **partial and inadequate harmonisation**: standards usually only define the test methods through which products need to be tested.<sup>3</sup> As recognised by the Commission, in general standards are not setting the hygienic requirements against which products should be tested. **No real harmonisation is possible without EU-wide hygienic requirements ensuring that all EU citizens enjoy the same high level of health protection.**

<sup>1</sup> 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](http://ec.europa.eu/environment/water/water-drink/pdf/SWD_2016_428_F1.pdf)

<sup>2</sup> Hygienic requirements include: a list of substances allowed for the production of materials in contact with drinking water; other general hygienic requirements for materials and products (e.g. on microbiological growth, taste, odour, flavour, colour and turbidity of the water); common European test methods; a system clearly identifying products in contact with drinking water compliant with EU legislation.

<sup>3</sup> European Commission, Report on the implementation of Regulation (EU) No 305/2011, 7 July 2016, p. 6, Available at <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016DC0445&from=EN>

## EDW Recommendations

The EDW calls for 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 recommend EU policy-makers to revise the Drinking Water Directive in a way that:

- 1) **Enables EU institutions to adopt legally binding measures to further harmonise hygienic requirements on materials and products in contact with drinking water**, including the gradual development of an EU-widelist of substances approved for the production of materials<sup>4</sup> 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;
- 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. 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.
- 3) **Ensure coherence between the Drinking Water Directive (DWD) and the Construction Products Regulation (CPR)**. This requires that the harmonised standards developed under the CPR make a reference to the legally binding measures adopted by the Commission under the DWD<sup>5</sup>. As a result, products in contact with drinking water compliant the EU-wide hygienic requirements set by the DWD could be marketed throughout the EU.
- 4) **Closes any loophole in the harmonisation process**. To achieve this, the Drinking Water Directive should enable and strongly encourage Member States to apply European harmonised standards also to products not covered by the CPR only for drinking water purposes.

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.

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<sup>4</sup> Among the materials in contact with drinking water are organic materials, elastomers, cement, metals.

<sup>5</sup> See point 1

European Drinking Water – Member associations



**ANIMA**  
Federation of Association of  
Mechanical and Engineering  
Industry



**ZVEI**  
German Electrical and  
Electronic Manufacturers' Association



**AQUA**  
European Association of  
Water Meters and Heat  
Meters Manufacturers



**AQUA EUROPA**



**BMA**  
Bathroom Manufacturers  
Association



**Branchehuset**



**British Water**



**CEIR**  
European Association for  
the Taps and Valves  
Industry



**CES**  
Silicones Europe



**CESA**  
Catering Equipment  
Suppliers Association



**DKI**  
Copper Alliance



**EADIPS**  
European Association for  
Ductile Iron Pipe Systems



**EFCEM**  
European Federation of  
Catering Equipment



**EHI**  
European Heating Industry



**ELISANA**  
European Light Stabilisers  
and Antioxidants



**ESA**  
European Sealing  
Association



**ETRMA**  
European Tyre & Rubber  
Manufacturers' Association



**Europump**  
The European Pump  
Manufacturers Association



**EVA**  
European Vending  
Association



**EWTA**  
European Water  
Treatment Association

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**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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