

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 materials and products in contact with 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 materials and products in contact with drinking water ("drinking water applications") are regulated 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.² 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.**

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

² 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 requirements³ on materials and products in contact with drinking water**, including the gradual development of an EU-widelist of substances approved for the production of materials⁴ 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 relevant product legislation**. Harmonised standards under the Construction Products Regulation and all other relevant legislation covering the marketing of drinking water applications (e.g. Gas Appliances Regulation, etc.) should comply with the hygienic requirements⁵ set by the DWD. These cross-references would close any potential loophole in the harmonisation process.

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.

³ 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

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

⁵ See point 1

European Drinking Water – Member associations



ANIMA
Federation of Association of
Mechanical and Engineering
Industry



APPLIA
Home
Appliance
Europe



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



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



ZVEI
German Electrical and
Electronic Manufacturers'
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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