



Water supply materials – Common Approach

Harmonisation of health related requirements for materials and products in contact with drinking water

*Jelka Appelman
(Ministry of Infrastructure and Environment, NL)*

ANEC ASI CC Conference Hazardous chemicals in products

Brussels, 29 October 2013



Outline

- The issue
- Development European Acceptance Scheme (EAS)
- Next best: harmonisation/mutual recognition - 4(5) MS Initiative
- MS – multilateral – EU level?
- Transparency?



Source to Tap





The issue

- Materials and products in contact with drinking water could impair the drinking water quality by
 - leaching of substances at levels that pose a potential risk to human health
 - enhancement of microbial growth
 - organoleptic problems
- Materials/products often (semi-)permanent in drinking water system – consumer dependent dw quality, life time exposure; not easy to replace; costly
- 1. Control of materials and products is necessary to protect human health (Article 10, Drinking Water Directive) – obligation in general terms, not an operational framework



The issue

2. Different control mechanisms are in place or under development at MSs level - EU wide harmonisation is important (single market, human health), but difficult
3. Construction products regulation (CPR): Harmonised standards shall provide the methods and the criteria for assessing the performance of the construction products in relation to their essential characteristics – based on requirements MS, this is not foreseen for CPDW in near future
4. Difference between placing on the market (CPR) and requirements for use (legislation on MS level) – producers are not obliged to certify products, products on market which are not (fully) assessed for human health aspects, enforcement difficult



The issue

5. Products in contact with dw: **CPR products** (after water treatment) and **non CPR products** (before water treatment, showerheads)
6. Transparency to users/consumers?: **products for use in contact with drinking water and other uses (for example pipes); products not (fully) assessed;**
7. Feasibility national systems discutable: **on national level not efficient/feasible to assess all products – vs European market**



Examples

- Lead – pipes, plumbing (not used any more)
- PVC pipes (this type not used anymore) – vinylchloride
- Leaching of metals – e.g. sanitary taps
- etcetera

Cost-Estimation EU-16 : **70 Mrd. €** (1994)

– B:	3,2	I:	14,7
– DK:	0	L:	15,0
– D:	3,2	NL:	1,7
– GR:	0	P:	2,3
– F:	19,5	SP:	9,1
– IR:	2,4	GB:	13,4

– **Estimated cost of pipe exchange per household : ~ 1500 €**

– → Transitionperiod 15 Years , but start in EU 1998 (–2013) !





Development of European Acceptance Scheme

- Initiated by European Commission
 - Context: Construction Products Directive and Drinking Water Directive
- 1998: Feasibility study (EC, France, Germany, Netherlands and UK)
- 1999: Start of development of EAS (RG-CPDW)
- 2000-2005 Joint EAS research programme
- 2001: Mandate M136 to CEN (revised in 2006. 2010, currently under revision)
- 2002: Commission Decision on Attestation of Conformity 1+ (2002/359/EC)
- 2002: Conference “CEN-EAS. Almost a reality?”
- 2003: Seminar on revision of Drinking Water Directive
- 2005: EAS Proposal



Key elements of EAS Proposal (single scheme)

- Scope: all products between source and tap
- Control of performance of substances and materials (**comparable with food contact materials**)
 - Lists of acceptable substances (PL, CL and ACL) – health based
 - Full formulation information provided by manufacturers
- Product testing (initial type testing)
 - Product standards, supporting test standards (CEN)
 - Harmonised pass/fail criteria (regulatory guidance)
- Auditing (AoC1+)
 - Pre-certificate audit of factory production control systems
 - Post-certificate auditing of systems and products (including audit testing)



Next best

No EAS?

- Despite broad support for proposal (Regulators, Industry, Eureau) – [transparency, protection human health, removal barriers to trade](#)
- Feasibility questioned by EC ([legal framework, required resources for operational management](#))

Next best

- EU wide convergence of national schemes providing a basis for mutual recognition and harmonisation, *inter alia* under the CPR
- Conditions
 - Set of supporting test standards (ENs) complying with regulatory (health related) requirements
 - One (high) level of attestation of conformity (Commission Decision 2002/359/EC)
 - Common framework for health related requirements ([amendment of Drinking Water Directive instrumental](#))



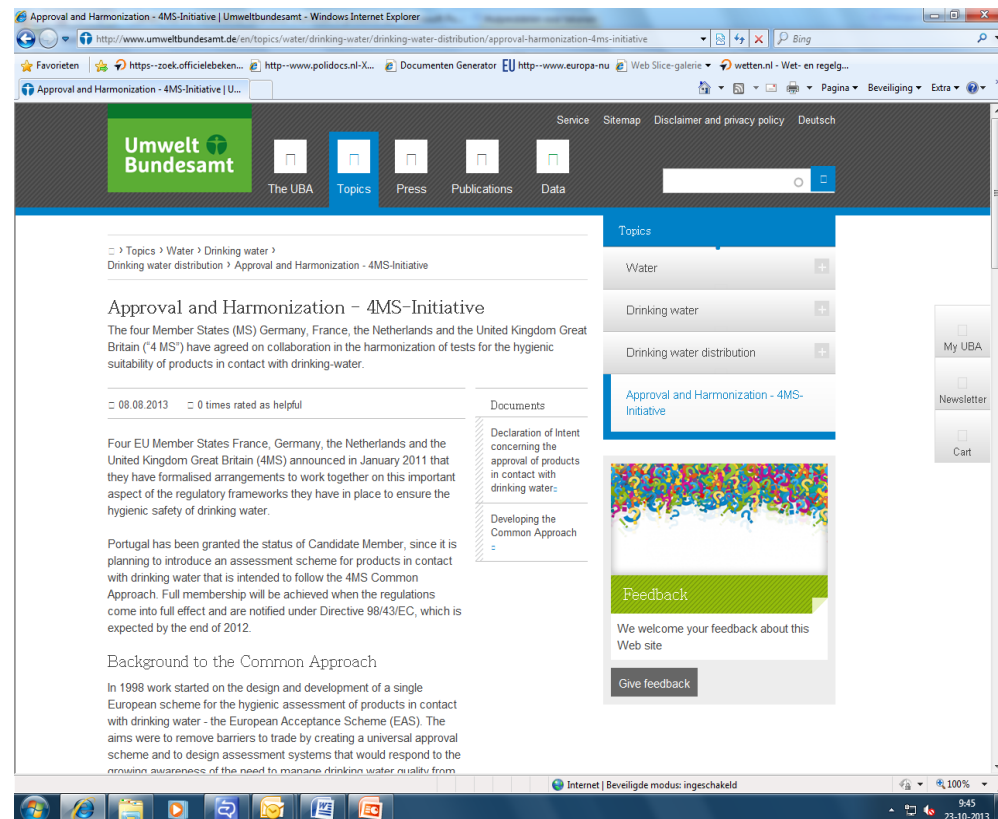
The 4(5)MS Initiative – UK, F, D, NL, PT

- Started in 2007
 1. To support DG Enterprise in formulating guidance for standardisation work under Mandate M136
 2. To work on convergence of the 4 national approval schemes (4MS Common Approach)
- Formalisation of co-operation: Declaration of Intent, signed by the 4MS (January 2011)
- Development of common principles, leading to mutual recognition
 - EAS proposal + 4NAS + new developments = h NAS
 - Maintenance of common building blocks (*e.g.* Positive Lists)
- Portugal aspirant member – full member when legislation is in place
- 4(5) MS is not a closed shop!



4(5)MS Work Programme

- Step by step but important progress: common approaches (assessment methods) on metals, organic materials (bases on approach food contact materials), cementitious materials
- Opinions on substances – positive lists
- www.umweltbundesamt.de/en/topics/water/drinking-water/drinking-water-distribution/approval-harmonization-4ms-initiative





CPR – DWD: overview

CPR main aim remove technical barriers to trade (CEN M136; EG-CPDW)

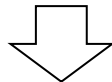
- *Product standards*
- Harmonised test standards

AND

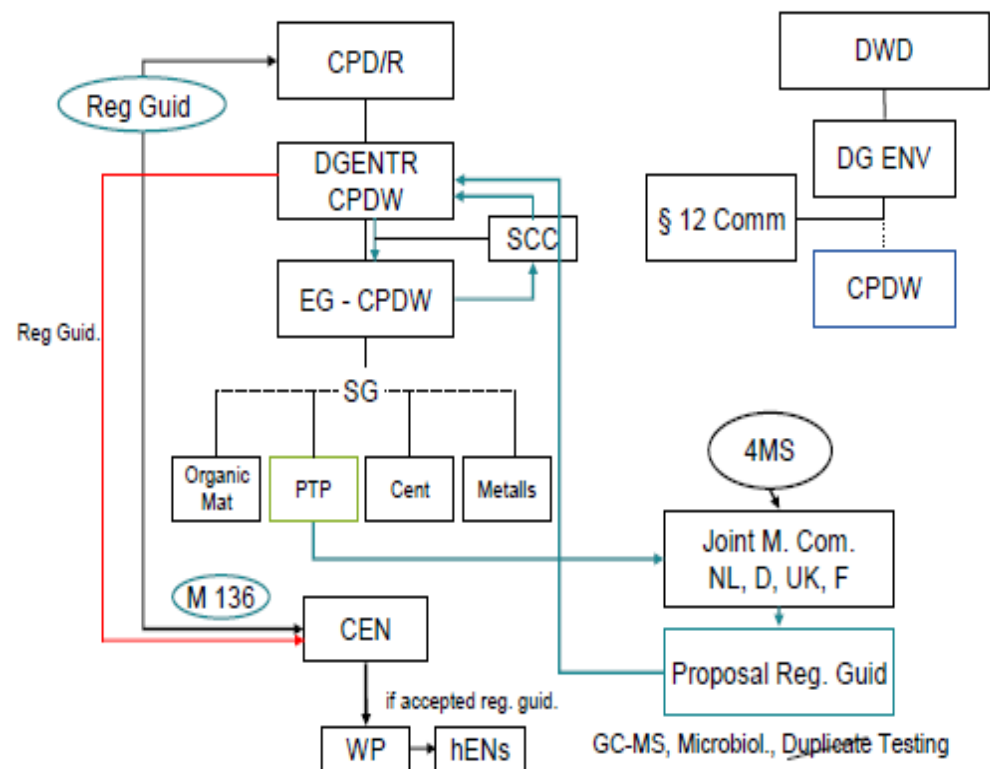
DWD main aim protect human health

- Article 10 (MS systems, 4(5)MS)
- *Control of performance of substances and materials (common approaches/lists);*
- *(Harmonised) pass/fail criteria*

Harmonisation



Sustainable drinking water supply:
market with products fit for use





Harmonisation: National – Multilateral – EU?

DWD – common approach; human health

- DG ENV(/DG ENTR): To reconsider whether national action is preferable or common practise under the DWD? – **Issue and approach comparable with food contact materials**
- 4(5)MS: Other MS could consider joining or use elements!
- 4(5)MS work will take years; could be accelerated by EC

CPR – test and product standards

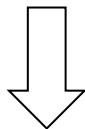
- DG-ENTR to re-activate the proces and EG-CPDW (regulators) and subgroups
- DG-ENTR completion by CEN of supporting test methods under M136





Common Approach!

- Common Approach: 28 Member States
- 2 European Directive/Regulation, 28 national systems is not efficient
- Transnational aspects; clear benefits harmonisation within EU,



Better products for sustainable drinking water supply



Transparency - consumers

- Not all products on market tested/suitable for use in contact with drinking water
- Special marking?
- Question to producers/stores to describe how (national) requirements with respect to drinking water are fulfilled?
- In future: Information with CE-marking (information in a user manual)?





Thank you for your
attention