

# Water supply materials – Common Approach

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

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## Outline

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

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#### Source to Tap





















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#### 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
- 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

- Different control mechanisms are in place or under development at MSs level - EU wide harmonisation is important (single market, human health), but difficult
- 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 <u>essential characteristics</u> – based on requirements MS, this is not foreseen for CPDW in near future
- 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

- Products in contact with dw: CPR products (after water treatment) and non CPR products (before water treatment, showerheads)
- 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

– B:	3,2	l:	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

Cost-Estimation EU-16 : 70 Mrd. €

- Estimated cost of pipe exchange per household : ~ 1500 €
- → Transitionperiod 15 Years , but start in EU 1998 (-2013) !

(1994)



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## 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/drinkingwater/drinking-waterdistribution/approvalharmonization-4ms-initiative



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#### 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



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## 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

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Food Contact Materials - EU Legislation Food contact materials and articles are regulated by:	Topics Introduction	
<ul> <li>Framework Regulation EC 1935/2004 - general requirements for all food contact materials</li> </ul>	EU Legislation Legislative List	Resources
<ul> <li>Legislation on specific materials - groups of materials and articles listed in the Framework Regulation</li> </ul>	Scientific Advice	Speeches
<ul> <li>Directives on <u>Individual Substances</u> or groups of substances used in the manufacture of materials and articles intended for for contact</li> </ul>	od News Documents	Press Releases Health & Consumer
<u>National legislation</u> covering groups of materials and articles for which EU legislation is not yet in place	Food contact materials database	Voice Newsletter Publications Committees
Principles for EU legislation		Links
Harmonising legislation on food contact materials at EU level aims to:		International
<ul> <li>Protect consumers' health;</li> </ul>		Affairs
<ul> <li>Remove technical barriers to trade.</li> </ul>		Organisations Code×
Safety and migration of food contact materials		OIE WTO Import Conditions
Food contact materials must not transfer their components into the foods in unacceptable quantities (migration).		Pets and Animal Welfare
Migration limits for plastic materials:		Enlargement
Overall Migration Limit - 10mg of substances/dm <sup>2</sup> of the food contact surface for all substances that can migrate from food co	ntact materials to foods;	Agreements EU - Russia: SPS
Specific Migration Limit (SML) for individual authorised substances fixed on the basis of a toxicological evaluation.		issues
SML is set according to the Acceptable Daily Intake or the Tolerable Daily Intake established by the Scientific Committee on Food.		FOOD AND FEED SAFETY
The limit is set on the assumption that every day throughout lifetime, a person weighing 60kg eats 1kg of food packed in plastics containing the substance in		
the maximum permitted quantity.		PLANT HEALTH
More information on food contact materials research and analysis		FVO AUDITS
	)	
Internet   Beveiliade modus	- Second clubb	4 + 0 100



#### 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



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#### 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 fullfilled?
- In future: Information with CEmarking (information in a user manual)?









# Thank you for your attention

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