

European Drinking Water (EDW) position on the Revision of the Drinking Water Directive (DWD)

The Commission proposal on the DWD should lead to the development of a harmonised regulatory framework on materials and products in contact with drinking water.

EDW supports the Commission's ongoing work on the Revision of the Drinking Water Directive 98/83/EC (DWD). The legislative proposal that the Commission will publish by the end of 2017 should particularly address the lack of EU-wide harmonised provisions on materials and products in contact with drinking water.

As highlighted by the Commission evaluation of the DWD, materials and products in contact with drinking water are currently subject to a **non-harmonised European regulatory framework**. They must therefore meet national-specific requirements and provisions that differ from one Member State to another.

To move towards the development of **EU-wide harmonised provisions** ensuring the same high degree of human health protection for all European consumers, the EDW believes that the Commission proposal should:

- Empower the Commission to adopt **legally binding measures** to harmonise EU requirements on the hygienic safety of materials in contact with drinking water
- Ensure the development of common European **test methods and procedures for conformity assessment** of the hygienic safety of materials and products in contact with drinking water.

What is the issue?

The current lack of harmonised requirements on materials and product in contact with drinking water is the result of:

- Multiple national **requirements** aiming at ensuring consumers health and the quality of drinking water.
- Different national **test methods** and **procedures for conformity assessment** of the safety of materials and products in contact with drinking water.

This situations stems from the current **article 10 of the DWD** which allows Member States to have different national approval systems for materials and products in contact with drinking water.¹ This has led to:

- Potentially **different levels of consumer protection across EU Member States**.

¹ According to the [European Commission Evaluation of the Drinking Water Directive](#) (December 2016), 'the Article 10 provisions do not work well and represent a long term challenge to the provision of clean and healthy drinking water in the EU' (p.42).

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- **A fragmentation of the EU internal market** worsened by the insufficient application of the mutual recognition principle.
- **Significant obstacles to the market uptake of innovative products, such as products with a longer lifetime.** As companies do not have the legal certainty that new products in contact with drinking will be accepted by other EU Member States, they often lack appropriate incentives to invest in innovative products.
- **High administrative and financial burden, especially for Small and Medium Enterprises (SMEs).** Companies need to test and assess the conformity of the same material or product multiple times when so required by different Member State. This situation results in higher costs for consumers and is especially dramatic for SMEs which, due to their limited resources, are at a competitive disadvantage in fulfilling the multiple requirements set by different Member States.
- **Competitive disadvantage of European manufacturers vis-à-vis third countries in the competition for extra-EU markets.** The existence of a harmonised regulatory framework and a EU product safety mark could be accepted by extra-EU countries, enhancing export opportunities for European companies.

European Drinking Water Recommendations

For all the above reasons, EDW believes that the Revision of the Drinking Water Directive should lead to the development of a **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**.

EDW recommends the Commission to revise the Drinking Water Directive to ensure that the safety of materials and products in contact with drinking water is regulated at the EU level.

This requires:

- The development of common European requirements ensuring **consumers health and the quality of drinking water**. In this respect, **the DWD should empower the Commission to adopt specific legally binding measures on the hygienic safety of materials and products in contact with drinking water**. These legally binding measures should ensure that all European citizens benefit from the **same high level of human health protection**. These specific measures should ultimately lead to the progressive development of an EU-wide harmonised list of substances allowed in the production of materials and products in contact with drinking water.
- The development of common European **test methods and procedures for conformity assessment** of the hygienic safety of materials and products in contact with drinking water. The Commission should issue a mandate for the development of **EU-wide common procedures for conformity assessment and test methods**² on the hygienic safety of all materials and products in contact with drinking water.³ The DWD should then contain an explicit reference to the above-mentioned documents: test results for materials and products in contact with drinking water which are tested according to EU-wide procedures for conformity assessment and test methods should be presumed to be compliant with the provisions of the DWD.

² These test methods could be based on harmonised test methods already produced by CEN/TC164.

³ Specific procedures for conformity assessment and test methods should be developed at least for the 4 most common material categories used in drinking water applications (plastics, metals, elastomers and cement) and for assembled products composed of different materials.

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About the European Drinking Water EDW

European Drinking Water (EDW) is an alliance of currently 28 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)^[i]. This ranges, from raw materials suppliers to producers of pumps, 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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