

UNE Standard 149101

Basic standards of aptitude of equipment used in the treatment of water for human consumption in buildings

The National Standards Body for Spain, AENOR, officially approved the above standard on 3rd November 2010 having informed CEN of its intention to prepare the standard on 7th February 2008.

The water treatment industry considers that this publication represents a barrier to trade because:

- its regulatory status is questionable because it makes reference to national regulatory requirements but it was not notified through TRIS under Directive 98/34/EC
- it conflicts with the Drinking Water Directive 98/83/EC by requiring compliance with Indicator Parameters which are not mandatory under that Directive
- it conflicts with the Drinking Water Directive 98/83/EC by permitting some mandatory parametric values to be exceeded
- it fails to comply with the CEN standstill agreement by setting test methods which conflict with current standards produced by CEN/TC 164/WG 3

1. **Regulatory Status.** The Introduction references “Royal Decree 140/2003 by which sanitary standards regarding the quality of water for human consumption are established” and then identifies clause 10.4 which covers treatment units in buildings and states “marketing of these units shall be subject to prior approval”. It also states that the standard “describes the basic aptitude standards of the water treatment equipment in buildings as indicated in articles 10.3 and 10.4 of RD 140/2003 and other supplementary legal texts that require it”.

Thus the requirements of this Standard are necessary to satisfy regulatory requirements of the Spanish Drinking Water Regulations – but it was not notified to the Commission under 98/34/EC and consequently violates that Directive.

2. **Indicator Parameters.** The acceptance criteria for the Standard identify chemical and microbiological parameters which are set in the Drinking Water Directive 98/83/EC and transposed into the Royal Decree 140/2003. It requires compliance with the “Indicator Parameters” which were not intended to indicate the existence of a health or aesthetic contaminant but to assist water supplies in monitoring for variations in water quality. They are therefore inappropriate and unnecessary for this materials suitability standard. It will therefore exclude some products and represents a barrier to trade.
3. **Construction Materials.** The test method only requires compliance with parameters identified in the Drinking Water Directive 98/83/EC. It therefore fails to include chemicals, which are not included in the Drinking Water Directive, and that may be released by the construction materials in contact with water. It therefore poses a health threat to the consumer. Furthermore it allows an increase of materials released into the drinking water to be up to the value specified in this Directive without allowing for the levels which may already be present in the test water. It therefore allows water for human consumption to exceed the health related levels set in the Directive.

4. **CEN Standstill Infringement.** The object of the Standard is to determine whether water treatment units “can be used without transmitting to the water for human consumption substances, microorganisms or undesirable or health-damaging properties”. This conflicts with the scope of CEN/TC 164/WG 3 which is developing standards for assessing suitability of materials in contact with drinking water. UNE 149101 is therefore violating the standstill agreement for the development of standards by members of CEN.

The EWTA position is that this AENOR standard should be withdrawn pending correction of the aforementioned objections.