

CONSTRUCTION PRODUCTS – DRINKING WATER (CPDW)

Most manufacturers of water treatment equipment are aware of the frequently required national certification of products for suitability of materials for contact with drinking water – the products themselves must not cause contamination of drinking water. The differing requirements between the various countries poses an enormous financial and inconvenience burden on international trade. There are ongoing efforts to harmonise these requirements within the EU but progress has been very erratic.

The original intent was to produce a single European scheme, the EAS (European Acceptance Scheme), but this was abandoned in 2006 ([link to history of the EAS](#)) due to lack of resources and legal basis.

CURRENT POSITION

Officially, the task now lies with DG Enterprise to incorporate Construction Products in contact with Drinking Water (CPDW) into the into the Construction Products Directive (CPD) procedures for CE marking.

The Commission has issued a Mandate (M136) which defines the principle and the products involved. CEN is charged with producing the Supporting Standards (material test standards, e.g. taste, odour, microbial growth, GCMS, etc.) and Harmonised Product Standards (product standards for fittings and equipment) which will define, in a new Annex Z, the requirements for compliance with the CPD. These requirements will include mechanical characteristics (pressure testing, etc), attestation of conformity (level 1+), as well as the material suitability tests necessary for the product concerned. Over the years, much progress has been made in developing the Supporting Standards, although there is still much work to be done, but little has yet been done on the Harmonised Product Standards because of the need for regulatory guidance from the Commission.

The original version of the Mandate contained restrictions in the products that it listed and it did not include WG13 water conditioning products. The latest 2010 version has been issued and it now includes water conditioning products following intervention by UK and Italy in identifying relevant national regulations.

CURRENT ACTIVITY

Progress is currently being made on two fronts:

- 1. DG Enterprise**, as mentioned above, has the official responsibility for incorporating materials in contact with drinking water into the Construction Products Directive. So they are providing the instruction and guidance to CEN in order that the Supporting standards and Harmonised Products standards can be programmed and completed. Information is needed on which tests are necessary for which products and materials. These and other regulatory issues, such as system administration, acceptance levels, interpretation of results, etc., are outside the capabilities of CEN.
- 2. “The 4MS Group”** - four European countries, Germany, France, the Netherlands and UK, with the most developed materials certification schemes, are working together to produce a harmonized version of their present testing and procedural methods. This group is feeding their output and regulatory advice into the Commission activity above. But the intent of the 4MS Group, which is unofficial at EU level, is that, regardless of the success of the activity by the Commission, some harmonisation and/or mutual recognition, between the 4MSs will eventually evolve over time. They

formally established a “Declaration of Intent” and are now seeking to broaden the participation of MS into the Group.

IMPLICATIONS

Although any level of harmonisation or mutual acceptance will benefit manufacturers by reducing trade barriers and costs, the current outcome will not match the original ambition of the EAS. It is likely that there will be progressive adoption of common test procedures but:

- Each Member State will retain its own procedure for application, registration and certification
- Testing acceptance levels will vary between MSs
- Interpretation of results may vary between MSs
- Implementation will occur incrementally over a number of years, rather than in one event (as was intended for the EAS)
- There is no time frame established for the programme of work.

HISTORY of the Defunct EAS

The original intent goes back to 1994 when CEN identified the potential benefit of a harmonised European system, the EAS (European Acceptance Scheme) for certifying products for contact with drinking water which would replace the various national certification schemes. It would provide transparency and cost effectiveness for manufacturers, and removal of trade barriers. The Commission in 1998 organised a feasibility study to assess the possibility of a scheme based on the French, German, Dutch and British existing schemes.

The conclusion was positive so a committee was established designated the RG-CPDW (Regulators Group Construction Products Drinking Water) for combining the relevant regulatory aspects of the Construction Products Directive (through DG Enterprise) and the Drinking Water Directive (through DG Environment). The Commission issued a Mandate (M136) which defined the principle and the products involved. CEN was charged with producing the Supporting Standards (material test standards, e.g. taste, odour, microbial growth, GCMS, etc.) and Harmonised Product Standards (product standards for fittings and equipment) which defined, in the Annex Z_{EAS}, the requirements for compliance with the EAS.

The envisaged EAS was to provide a single European certification scheme for materials in contact with drinking water, with test methods, product standards and a definitive administration process (established at European level) that would be operated through Notified Bodies in each EU Member State. Approved products would then be CE_{EAS} marked. It was to cover all materials used in the drinking water distribution system.

In 2006, DG Environment – responsible for the Drinking Water Directive – identified that it did not have the resource (staff, financial or authority) to provide the regulatory framework for the EAS and that the Drinking Water Directive could not be amended to provide the legal basis for the EAS. It was formally cancelled by the Commission in March 2009.