



Notification Number: 2012/385/F

Decree on the conditions for placement on the market and employment of ultraviolet reactors used in the treatment of water intended for human consumption, pursuant to Article R. 1321-50-I and II of the Public Health Code. Opinion on the conditions for placement on the market and employment of ultraviolet reactors used in the treatment of water intended for human consumption, pursuant to Article R. 1321-50-I and II of the Public Health Code.

Date received : 15/06/2012

End of Standstill : 17/09/2012

Message

Message 002

Communication from the Commission - SG(2012) D/51611

Directive 98/34/EC

Translation of the message 001

Notification: 2012/0385/F

No abre el plazo - Nezhajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201201611.EN)

1. Structured Information Line

MSG 002 IND 2012 0385 F EN 15-06-2012 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number

2012/0385/F - C00A

5. Title

Decree on the conditions for placement on the market and employment of ultraviolet reactors used in the treatment of water intended for human consumption, pursuant to Article R. 1321-50-I and II of the Public Health Code. Opinion on the conditions for placement on the market and employment of ultraviolet reactors used in the treatment of water intended for human consumption, pursuant to Article R. 1321-50-I and II of the Public Health Code.

6. Products Concerned

Ultraviolet reactors used in the treatment of water intended for human consumption.

7. Notification Under Another Act

- Directive 98/83/EC of the Council of 3 November 1998 on the quality of water intended for human consumption (Article 10).

8. Main Content

This draft text covers the safety requirements for ultraviolet reactors (UV reactors) used in the treatment of water intended for human consumption and minimum performance requirements in terms of treatment effectiveness. It defines the conditions for issuance of a health conformity certificate attesting that the product has no harmful effects upon either the quality of the water or consumer health.

Articles 21 and 22 of the draft text lay down a mutual recognition provision regarding authorisations issued by other Member States of the European Union or signatory States to the European Economic Area Agreement, or the Republic of Turkey.

The draft decree does not in any way oppose the recognition of test results produced by inspection or certification bodies accredited in Member States other than France, as long as these bodies are legally established, recognised or empowered by the competent authorities of that State.

The French authorities wish to exercise the right to make preemptive inspections of products coming into contact with water intended for human consumption, in order to guarantee an adequate level of consumer and public health protection. Article 36 of the treaty establishing the functioning of the European Union (ex-Article 30 of the TEC) stipulates that the provisions of Articles 34 and 35 shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of the protection of health and life of humans. UV



reactors, and construction products in general, which come into contact with water intended for human consumption, are installed in potable water production and distribution installations for a number of years. Substances liable to leach into the water from components of these products are not subject to the health inspection imposed under the potable water directive application framework (since this provides for the adoption of a priority measures to tackle this health risk). Consequently, there is no way to prevent or identify potential water contamination by these products sufficiently quickly to prevent consumer exposure. Hence it is indispensable to make them subject to an advance authorisation procedure.

The purpose of this examination is not to establish a double inspection: the draft text never requires that tests already undertaken should be repeated, nor does it impose test protocols; it seeks only to verify that sufficient inspections have been made prior to issuance of the authorisation, since examination a posteriori is too late.

Henceforth, the French authorities recognise the following European certification:

- DVGW, technical standard W 294 (parts 1, 2 and 3) 'UV disinfection apparatus in water supply';
- Önorm, technical standard M 5873 (parts 1 and 2) 'Water disinfection installations using ultraviolet radiation – requirements and tests'.

9. Brief Statement of Grounds

Directive 98/83/EC obliges Member States to take all measures necessary to fulfil the requirements established under Article 10 of this Directive. Article 10 is transposed into French national legislation more generally through the Decree on the safety of water intended for human consumption. This draft decree sets out more clearly the requirements for UV reactors and is necessary in order to guarantee the safety of materials and products coming into contact with water in installations producing water intended for human consumption. This draft decree also defines the anticipated minimum effectiveness requirements for these provisions. These requirements are non-discriminatory in that they apply to all parties concerned (producers, users and distributors of drinking water).

10. Reference Documents - Basic Texts

References to reference texts: Decree no. 2007-49 of 11 January 2007 on the safety of water intended for human consumption (notification no. 2005/0492/F).

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-



16. TBT and SPS aspects

TBT Aspect

No - The plan is neither a technical regulation nor an assessment of conformity

SPS Aspect

NO - The plan has no significant impact on international commerce.

Catherine Day
Secrétaire général
Commission européenne

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