



Notification Number: 2016/608/F

## Order on the prevention of health risks associated with collective water misting systems

Date received : 21/11/2016

End of Standstill : 22/02/2017

### Message

Message 002

Communication from the Commission - TRIS/(2016) 03549

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2016/0608/F

No abre el plazo - Nezahajuje 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 - Não 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: 201603549.EN)

#### 1. Structured Information Line

MSG 002 IND 2016 0608 F EN 21-11-2016 F NOTIF

#### 2. Member State

F

#### 3. Department Responsible

Direction générale des entreprises – SQUALPI – Bât. Sieyès -Teledoc 151 – 61, Bd Vincent Auriol - 75703

PARIS Cedex 13

d9834.france@finances.gouv.fr

tél : 01 44 97 24 55

#### 3. Originating Department

MINISTÈRE DES AFFAIRES SOCIALES ET DE LA SANTÉ

Direction Générale de la Santé

Sous Direction de la Prévention des risques liés à l'environnement et à l'alimentation

Bureau de la qualité des eaux

14 Avenue Duquesne, 75007 Paris



Moïna S. DROUODE  
moina.drouode@sante.gouv.fr  
01.40.56.54.18

#### **4. Notification Number**

2016/0608/F - X00M

#### **5. Title**

Order on the prevention of health risks associated with collective water misting systems

#### **6. Products Concerned**

Collective water misting systems

#### **7. Notification Under Another Act**

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#### **8. Main Content**

This draft Order aims to define the technical provisions applicable to collective water misting systems, the technical conditions for the implementation of monitoring of the water quality within such systems and the preventive and curative measures to be taken in the event that there is a risk to the population. These provisions refer specifically to the operators of collective water misting systems of establishments open to the public and places accessible to the public.

#### **9. Brief Statement of Grounds**

The number of collective water misting installations is increasing and their use to refresh the public during periods of hot weather is now widespread in numerous public places such as restaurant terraces, amusement parks and supermarkets. In France, the number of devices on the market has been growing since the heatwave of 2003. It amounts to approximately tens of thousands of installations which, if poorly designed or maintained, may generate a risk of exposure of the public to Legionella, a water-borne bacteria responsible for 1 389 cases of legionellosis and 117 deaths in France in 2015. Collective misting installations were also the cause of other grouped outbreaks of legionellosis and deaths documented abroad (in particular in the United Kingdom, the United States and Spain) and are increasingly the subject of strong suspicion as regards their involvement in the occurrence of recent cases of legionellosis in France.

The objective of this draft Order is therefore to ensure the regulatory framework of collective misting installations. Their use has become considerably widespread in recent years, while it has also been established that they may be the cause of legionellosis outbreaks in the case of inadequate use or maintenance. This draft Order consolidates from a regulatory standpoint the recommendations issued in France by the High Council for Public Health in 2011 with regard to the conditions of use of this equipment.

Following broad consultations with the professionals and users of these systems in France (around thirty organisations were consulted), the draft text takes into account the variety of existing equipment and is an appropriate, necessary and proportionate response to the degree of health risk associated with this type of device.



**10. Reference Documents - Basic Texts**

Reference(s) to basic text(s): Order on the prevention of health risks associated with collective water misting systems under Article 51 of Law No 2016-41 of 26 January 2016 on the modernisation of our health system, jointly notified

**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**

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**16. TBT and SPS aspects**

TBT aspect

No - the draft has no significant impact on international trade.

SPS aspect

No - the draft has no significant impact on international trade.

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European Commission

Contact point Directive (EU) 2015/1535

Fax: +32 229 98043

email: grow-dir83-189-central@ec.europa.eu