



Notification Number: 2004/94/F

Order amending the amended Order of 29 May 1997 on materials and objects used in fixed production, treatment and distribution installations for water intended for human consumption.

Date received : 29/03/2004

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Message

Message 002

Communication from the Commission - SG(2004) D/50634

Directive 98/34/EC

Translation of the message 001

Notification: 2004/0094/F

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200400634.EN)

1. Structured Information Line

MSG 002 IND 2004 0094 F EN 29-03-2004 F NOTIF

2. Member State

FRANCE

3. Department Responsible

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3. Originating Department

Ministère de la santé, de la famille et des personnes handicapées - Direction Générale de la Santé - Sous-direction de la gestion des risques des milieux - Bureau des eaux - 8 Avenue de Ségur - 75350 Paris 07 SP

4. Notification Number

2004/0094/F - C70A



5. Title

Order amending the amended Order of 29 May 1997 on materials and objects used in fixed production, treatment and distribution installations for water intended for human consumption.

6. Products Concerned

Materials in contact with water intended for human consumption (piping, coatings, connections, joints, accessories).

7. Notification Under Another Act

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8. Main Content

The amended Order of 29 May 1997 lays down the conditions for authorising the use of materials and objects placed in contact with water intended for human consumption, used in fixed water production, treatment and distribution installations. This Order:

specifies the technical specifications with which the materials concerned must comply, in terms of composition and chemical formulation, to ensure that they are non-toxic;

lays down the obligation, for those responsible for placing products on the market and for the operators called upon to participate in the construction of fixed water production, treatment and distribution installations, to provide proof of the health conformity of their products with regard to the specifications cited above.

The provisions already apply to persons responsible for placing products on the market such as pipes, fittings, coverings, joints etc. whether they are composed of metal, organic materials (plastic, rubber, etc.) or hydraulic binder-based materials (concrete and mortar) as well as certain accessories (pillar hydrants and fire hydrants etc.). The amended Order of 29 May 1997 lays down that they shall apply to all accessories from 24 December 2003.

Pending completion of the work to establish a European type-approval system for materials (EAS - planned for 2006), the draft Order amends the amended Order of 29 May 1997 by:

extending the validity of the provisions of the above-mentioned Order as well as Annexes I to IV thereto for three years;

postponing until 24 December 2006 the deadline for verifying the health conformity of accessories placed on the market, without prejudice to specific provisions concerning certain categories of accessories.

9. Brief Statement of Grounds

The provisions of the amended Order of 29 May 1997 fall within the scope of the Directives on construction products (Directive 89/106/EEC of 21 December 1988) and on water intended for human consumption (Directive 80/778/EEC of 15 July 1980, repealed by Directive 98/83/EC of 3 November 1998). While Directive 80/778/EEC introduced the necessity of assessing a material's compatibility with water intended for human consumption in order to comply with quality requirements for water provided to the consumer, Directive 98/83/EC now urges Member States to take the appropriate measures to limit the effects of materials on water quality (Article 10). Postponement of the date from 24 December 2003 (to 24 December 2006) will make it possible to give manufacturers enough time to perform migration tests on the constituent materials of accessories, with a view to proving the non-toxicity of products placed on the market.

10. Reference Documents - Basic Texts



Articles R.1321-1 et seq. of the Public Health Code on water intended for human consumption, except for natural mineral waters, and in particular Article R*.1321-48;
Decree No 89-3 of 3 January 1989 on waters intended for human consumption, except for natural mineral waters;
Decree No 2001-1220 of 20 December 2001 on waters intended for human consumption, except for natural mineral waters;
Order of 29 May 1997 on materials and objects used in fixed production, treatment and distribution installations for water intended for human consumption (Notification No 96/0248/F).

11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

As the provisions of the amended Order of 29 May 1997 lapsed on 25 December 2003, it is a matter of urgency to reinstate the regulatory provisions relating to the quality of materials placed in contact with water intended for human consumption and to methods of checking their compliance in health terms.

The urgency procedure currently sought was granted in February 2002 when the previous amendment to the above-mentioned Order of 29 May 1997 was notified to the Member States of the European Union.

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

No

16. TBT and SPS aspects

TBT aspects: No

iii) The draft does not have any notable impact on international trade.

SPS aspects: No

iii) The draft does not have any notable impact on international trade.

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European Commission

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