



Notification Number: 2017/359/F

## Draft Order on tin-plated materials and objects intended for use in production, distribution and treatment facilities that come into contact with water intended for human consumption

Date received : 02/08/2017

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Issue of comments by : Commission

### Message

Message 002

Communication from the Commission - TRIS/(2017) 02016

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2017/0359/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 - 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: 201702016.EN)

#### 1. Structured Information Line

MSG 002 IND 2017 0359 F EN 02-08-2017 F NOTIF

#### 2. Member State

F

#### 3. Department Responsible

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#### 3. Originating Department

Direction Générale de la Santé  
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#### **4. Notification Number**

2017/0359/F - B00

#### **5. Title**

Draft Order on tin-plated materials and objects intended for use in production, distribution and treatment facilities that come into contact with water intended for human consumption

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

Tin-plated materials and objects intended for use in production, distribution and treatment facilities that come into contact with water intended for human consumption

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

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

This draft order, enacted pursuant to Article R1321-48 of the Public Health Code, sets out the requirements to be met by tin-plated materials and objects that come into contact with water intended for human consumption to ensure they are safe. It also lays down the type of evidence for demonstrating their safety.

In this regard, a number of technical criteria (in particular relating to the alloy compositions) shall be laid down to allow the tin coatings (applied to copper or copper-alloy fittings by impressed current electroplating, or applied to pipes or copper fittings chemically (cf. Article 1 and Annex 1)) to be used in contact with water intended for human consumption.

In addition, the person responsible for placing the tin-plated materials and objects intended for use in production, distribution and treatment facilities for water intended for human consumption on the market shall, before placing them on the market, provide the characteristics of the product, general information and documents demonstrating that health regulations have been complied with (cf. Article 2 and Annex 2).

Specifically, these provisions apply to economic operators involved in the placement on the market and use of tin-plated materials and objects, particularly manufacturers, importers and distributors, and those responsible for producing, distributing and treating water intended for human consumption.

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

Currently, the requirements laid down by regulations on materials that come into contact with water intended for human consumption do not cover tin-plated materials and objects. However, according to Article R1321-48 of the Public Health Code, which results from the transposition of Article 10 of Council Directive 98/83/EC on the quality of water intended for human consumption: 'materials and objects placed on the market and intended for use in production, distribution and treatment facilities that come into contact with water intended for human consumption must comply with the specific provisions laid down by order of the Minister for Health, to prevent



them, during their normal or anticipated usage conditions, from constituting a risk to human health or from altering the composition of the water as defined by reference to the values laid down in such order.'

The draft order thus sets out the specific provisions for tin-plated materials and objects that come into contact with water intended for human consumption, in particular copper and/or brass pipes and fittings, in order to ensure these are safe, and incorporates the copper alloy compositions that are authorised in the '4 Member States' common list. Indeed, France is currently working on regulations pursuant to the Construction Products Regulation as part of a voluntary working group known as the '4 Member States' or '4MS' (made up of Germany, the Netherlands, the UK and France). The aim is to issue common proposals in relation to assessing the materials and laying down acceptability criteria, in order to implement the principle of mutual recognition and to eventually harmonise the regulatory provisions across Europe.

The French authorities have also granted a transitional period to the economic operators affected by this measure. In this way, they can continue using their current copper alloys until 1 January 2023.

As regards the above-mentioned observations, it seemed necessary, appropriate and proportionate to tighten the regulations on materials in contact with water intended for human consumption.

#### **10. Reference Documents - Basic Texts**

Reference(s) to basic text(s): Article R1321-48 of the Public Health Code

#### **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 is neither a sanitary nor phytosanitary measure.



**EUROPEAN COMMISSION**  
GROWTH DIRECTORATE-GENERAL

**Single Market for goods**  
Prevention of Technical Barriers

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European Commission

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