



Notification Number: 2014/36/F

## Decree relating to quality management for artificial bathing areas

Date received : 20/01/2014

End of Standstill : 22/04/2014

### Message

Message 002

Communication from the Commission - TRIS/(2014) 00162

Directive 98/34/EC

Translation of the message 001

Notification: 2014/0036/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 - 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: 201400162.EN)

#### 1. Structured Information Line

MSG 002 IND 2014 0036 F EN 20-01-2014 F NOTIF

#### 2. Member State

F

#### 3. Department Responsible

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

2014/0036/F - B10

#### **5. Title**

Decree relating to quality management for artificial bathing areas

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

Artificial bathing areas

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

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

Artificial bathing areas receiving the public, commonly known as atypical bathing areas or biological swimming pools, are a new category of bathing area corresponding neither to the definition of a bathing area given in Article L.1332-2 of the French Public Health Code (the health rules for which are set out in Articles D.1332-14 to 42 of the same code) since the water is captive and artificially separated from surface and subterranean water, nor to the definition established for a swimming pool in Articles D. 1332-1 to 13 of the French Public Health Code, since the water is neither disinfected nor disinfectant.

The aim of this Decree is to lay down the administrative procedure for the opening of public artificial bathing areas and the sanitary monitoring and inspection rules applicable to them in operation. Specific regulations have been introduced for closed-system bathing areas and open-system bathing areas in order to take into account the particular risks associated with each system.

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

In late 2006, the Ministers for Health and Ecology called upon the Agence française de sécurité sanitaire de l'environnement et du travail (AFSSET, the French Agency for Environmental and Occupational Health Safety), in order that the health risks associated with this type of bathing area might be evaluated and technical requirements adapted and integrated into the regulations where applicable. AFSSET published its report 'Evaluation of the health risks associated with artificial bathing areas' on 31 July 2009. The feedback on such zones created for experimental purposes seems to reveal difficult management conditions associated with a very strict and restrictive operational regime aimed at maintaining water quality at a sufficient level to guarantee public health and safety. The partial or total confinement of the water and the absence of any disinfection process are among the causes of these difficulties. These regulations are awaited by professionals as well as local authorities interested in constructing these artificial bathing areas as an alternative to chlorinated swimming pools. Regional health agencies are also calling for these regulations as they often have to manage these bathing areas during the season in the event of non-compliance. Therefore, the DGS (Directorate General of Health) has redrafted these draft texts in order to implement the Agency's recommendations.

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

References to basic texts: Articles L.1332-1, L.1332-8 and L.1332-9 of the French 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 has no significant impact on international trade.

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European Commission

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