

## Position Paper on recast of Drinking Water Directive – Quality of Water intended for human consumption

ECPA supports a scientific risk-based approach to water safety including drinking water, and welcomes much of the current draft of the Commission's proposed recast of the Directive on the Quality of Water intended for human consumption (COM(2017)753 final).

During the ongoing trilogues **we would encourage the institutions to maintain the wording in the original Commission proposal, which is also reflected in the current position of the European Parliament and not follow the changes made in the Council General Approach to “Annex 1 - Part B – Chemical Parameters - Pesticides”.**

The proposed changes (see annex p.3) introduce ambiguous explanations about relevant metabolites; whilst the original Commission (see annex p.2) text makes clear reference to the pesticide EU regulation (1107/2009) and does not need changing.

The suggested introduction of a general limit for non-relevant metabolites is not based on most recent science and would add considerable cost for water treatment without providing health protection benefits.

Adoption of the wording in the Council's General Approach would:

- **Contradict provisions of existing sectoral legislation, and create a lack of clarity** – Existing Commission guidance documents (such as SANTE guidance document SANCO/221/2000) already provide a definition of relevant metabolites and set out the necessary tests and triggers for them to be defined as relevant or non-relevant.  
**Non-relevant metabolites are compounds which do not have pesticidal properties or other unacceptable toxicological properties and therefore should be regulated similarly to other chemicals, and differently from pesticides and their relevant metabolites.** As a consequence there should be no general limit value for all non-relevant metabolites but rather specific substance limit values as for any other chemical in Annex I of the Directive that could appear in water.
- **Not be based on the most recent science** - The chosen limit value of 0.75 µg/L is based on an old threshold of toxicological concern (TTC) value for genotoxic substances, while non-relevant pesticide metabolites are tested and shown to be non-genotoxic.
  - **Therefore, this value is inappropriate, overly conservative, and will result in significant and unnecessary implementation difficulties and additional costs for water treatment which cannot be justified by health risk concerns. Legislation also needs to provide planning security for development of crop protection products for the European market as up to 24% of active substances for conventional and also organic agriculture would be affected if the proposed change was adopted.**<sup>1</sup>
  - If authorities decide to apply a general limit value for all non-relevant metabolites, application of the current default WHO drinking water intake methodology would lead to a threshold value of 9.0 µg/L for non-relevant pesticide metabolites<sup>2</sup> in drinking water.  
The limit value of 0.75 µg/L is given as a testing threshold in the SANTE guidance document on non-relevant metabolites (SANCO/221/2000) by which an acceptable daily intake value should be derived. **It is not a guidance value to manage the presence of non-relevant metabolites of pesticides in drinking water.**

<sup>1</sup> EFSA conclusions published 01.01.2017 24% of surveyed active substances have non-relevant metabolites exceeding 0.75 µg/L

<sup>2</sup> Non-genotoxic Cramer Class III substances

**ANNEX****COMMISSION PROPOSAL & CURRENT EUROPEAN PARLIAMENT POSITION**

Pesticides	0,10	µg/l	<p>Pesticides' means:</p> <ul style="list-style-type: none"> <li>– organic insecticides,</li> <li>– organic herbicides,</li> <li>– organic fungicides,</li> <li>– organic nematocides,</li> <li>– organic acaricides,</li> <li>– organic algicides,</li> <li>– organic rodenticides</li> <li>– organic slimicides,</li> <li>– related products (<i>inter alia</i>, growth regulators)</li> </ul> <p>and their relevant metabolites as defined in Article 3(32) of Regulation (EC) No 1107/2009<sup>3</sup> .</p> <p>The parametric value applies to each individual pesticide.</p> <p>In the case of aldrin, dieldrin, heptachlor and heptachlor epoxide, the parametric value is 0,030 µg/l.</p>
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<sup>3</sup> Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309 24.11.2009, p. 1).

**NEW PROPOSED COUNCIL GENERAL APPROACH**

Pesticides	0,10	µg/l	<p>Pesticides' means:</p> <ul style="list-style-type: none"> <li>– organic insecticides,</li> <li>– organic herbicides,</li> <li>– organic fungicides,</li> <li>– organic nematocides,</li> <li>– organic acaricides,</li> <li>– organic algicides,</li> <li>– organic rodenticides</li> <li>– organic slimicides,</li> <li>– related products (<i>inter alia</i>, growth regulators)</li> </ul> <p>and their <b>relevant</b> metabolites as defined in Article 3(32) of Regulation (EC) No 1107/2009<sup>4</sup> ,</p> <p><b>that are considered relevant for water intended for human consumption.</b></p> <p><b>A pesticide metabolite is deemed relevant for water intended for human consumption if there is reason to consider that it has intrinsic properties comparable to those of the parent substance in terms of its pesticide target activity or that it generates (itself or its transformation products) a health risk to the consumer.</b></p> <p>The parametric value applies to each individual pesticide.</p> <p>In the case of aldrin, dieldrin, heptachlor and heptachlor epoxide, the parametric value is 0,030 µg/l.</p> <p><b>Member States may define a guidance value to manage the presence of non-relevant metabolites of pesticides in drinking water or, in the absence of such value, Member States should use the value of 0,75 µg/l. Only those pesticides which are likely to be present in a given supply need to be monitored.</b></p> <p><b>Based on the data reported by Member States, Commission may establish a database of pesticides and their relevant metabolites taking in to account their possible presence in water intended for human consumption.</b></p>
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<sup>4</sup> Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309 24.11.2009, p. 1).