

As at: 25 September 2020

Information

Transposition of the Elastomer Guideline and the TPE Transitional Recommendation into the Evaluation Criteria Document for Plastics and other Organic Materials in Contact with Drinking Water (Transitional Regulation of Elastomer Guideline)

1 Validity of evaluation criteria

The German Environment Agency has specified evaluation criteria for plastics and other organic materials in contact with drinking water (KTW-BWGL)¹ pursuant to section 17 subsection (3) of the German Drinking Water Ordinance (TrinkwV).

From 21 March 2021 these evaluation criteria shall be binding for plastics and other organic materials used for the reconstruction or maintenance of installations for the extraction, treatment or supply of drinking water.

The 3rd amendment scheduled to be adopted on 1 January 2022, also includes elastomers and TPE in the scope of evaluation criteria. The corresponding material-specific requirements are to be completed in KTW-BWGL Annexes "D Elastomers" and "E Thermoplastic Elastomers". Additions shall be binding two years after their publication - i.e. probably from the beginning of 2024.

Currently silicones are still not to be included within the scope of evaluation criteria. For the assessment of silicones in contact with drinking water a separate transitional recommendation² was prepared.

¹ <https://www.umweltbundesamt.de/dokument/evaluation-criteria-document-for-plastics-other>

² <https://www.umweltbundesamt.de/en/document/transitional-recommendation-for-preliminary>

³ <https://www.umweltbundesamt.de/en/document/recommendation-for-attestation-of-conformity-of>

Evaluation criteria do not contain any requirements for issuing test certificates. Certificates confirming the hygienic suitability for drinking water can be issued in accordance with the UBA recommendation for attestation of conformity of the hygienic suitability of products³ in contact with drinking water.

2 Validity of the Elastomer Guideline and the TPE transitional recommendation

The Elastomer Guideline and the TPE transitional recommendation shall be withdrawn 2 years after the extension of the scope of KTW-BWGL, probably on 1 January 2024.

The test certificates issued on the basis of the Elastomer Guideline or the TPE transitional recommendation will cease to be valid at that date.

Part 2 of the positive list of starting substances for the manufacture of elastomers in the Elastomer Guideline will cease to apply on 31 December 2021, as previously specified. Test certificates for products containing starting substances from part 2 of the positive list will cease to be valid from that date. If applications have been submitted for the evaluation of starting substances of Part 2 and have received a positive response by then, such substances will be transferred from Part 2 to Part 1.

3 Transitional period

During the transitional period after publishing the amendments to the KTW-BWGL in the German Federal Gazette until the requirements of Annexes "D Elastomers" and "E Thermoplastic Elastomers" are valid and binding, test certificates based on the Elastomer Guideline or TPE transitional recommendation and additionally test certificates according to DVGW standard W 270 as well as certificates according to the UBA recommendation for attestation of conformity of the drinking water hygienic suitability of products can be used to prove the hygienic suitability of products in contact with drinking water.

Note: Product manufacturers who have been using elastomers or cross-linked TPE with raw materials from Part 2 of the positive list of the Elastomer Guideline, which could not previously be transferred to Part 1, can use the transitional period to convert their products to elastomer compounds manufactured by raw materials from the positive list for elastomers of the evaluation criteria.

UBA accepts that the product certification bodies shall still use test reports according to the Elastomer Guideline issued after 1 January 2014 for certification in this transitional phase until the date of the legally binding validity of the future Annexes D and E of KTW-BWGL, even if the formulations of the products still contain raw materials from Part 2 of the positive list of the Elastomer Guideline, which is no longer valid at that time.

To transfer test certificates according to the Elastomer Guideline or TPE transitional recommendation into certificates according to the UBA recommendation for attestation of conformity, formulation assessment as well as the drinking water hygienic evaluation of the test results shall be repeated according to the requirements of the completed KTW-BWGL. To assess formulations the certification body must have the current formulations available. If the assessment shows that substances in the migration waters, which have not yet been identified in the migration waters as part of the tests under the guidelines, need to be tested, the test reports under the guidelines are nevertheless sufficient until 1 January 2024 to attest conformity. It is essential that certification bodies inform the manufacturer about the missing listing of starting substances or missing test results for individual substances.