

By email to:

Andres Sutt
Minister
Ministry of Climate
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Volker Meyer
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Water industry initiative
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Brussels, 14 September 2026

**Re: Implementation challenges relating to Article 11 of the Drinking Water Directive –
Request for discussion at the Environment Council**

Dear Minister Sutt,

I am writing to you in my capacity as Chairman of European Drinking Water (EDW) to draw your attention to the significant challenges that the industry is facing in the implementation of Article 11 of the Drinking Water Directive (EU) 2020/2184 and to seek your support in addressing this issue at the next Environment Council meeting, which is scheduled on 12 October 2026.

Unless urgent action is taken, there is a considerable risk that manufacturers will be temporarily unable to place certain drinking water contact products on the EU market from 2027 onwards. This could have far-reaching consequences for the resilience of drinking water supply systems and the continued delivery of safe drinking water services across the EU.

EDW fully supports the objectives of Article 11 of the Drinking Water Directive, which seeks to establish harmonised, high hygiene standards for products in contact with drinking water across the EU. We firmly believe that, once effectively implemented, these standards will deliver substantial benefits for public health, strengthen consumer protection and enhance the functioning of the internal market.

However, with only a few months remaining before the implementation deadline of 31 December 2026, a number of critical issues in the implementation of Article 11 and its related acts remain unresolved. Persistent regulatory uncertainties and practical bottlenecks are creating significant challenges for manufacturers and water operators alike.

The key issues can be summarised as follow:

1. **Structural incompatibility of the current conformity assessment framework** with products made of site-applied materials specifically used in public drinking water supply.
2. **The transitional regime under Commission Delegated Regulation (EU) 2024/370**, which risks creating a regulatory deadlock at the start of the new regime's application.
3. **Limited operability of the European Positive Lists system during the initial implementation phase**, resulting in uncertainty for manufacturers and operators.
4. **Insufficient harmonisation of material testing methodologies and evaluation of test results across Member States**, undermining consistency in implementation.
5. **The absence of a mandatory cost- and data-sharing mechanism**, which places the full financial burden of European Positive Lists evaluations on sole applicants, opening the door to free-riding.
6. **Unresolved interaction between Articles 11 and 12 of the Directive** regarding ion exchange resins and filtration membranes.

The attached document provides further details on the issues described above, together with proposed solutions developed by EDW. Our secretariat would be pleased to discuss any of these points with you and provide further technical background at your convenience.

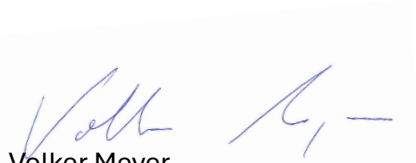
These issues risk disrupting the supply of essential products for drinking water infrastructure and consequently the supply of drinking water, significantly weakening the competitiveness of the European industry concerned, and generating broader adverse impacts on economic activity, public services and society as a whole. You will find a series of concrete examples in the annex to this letter. In addition, several Member States intend to apply the new requirements from 31 December 2026 without a national transition period, although conformity assessment bodies cannot issue certificates before 1 January 2027; this will result in a situation where the same component may continue to be placed on the market in one Member State while being prohibited in another, thereby creating fragmentation within the Single Market.

Over the past year, EDW has engaged in a number of constructive exchanges with the European Commission regarding these concerns. EDW presented potential solutions on the above-mentioned six issues to the European Commission in writing in February this year. The Commission has demonstrated a willingness to explore pragmatic solutions within the bounds of the existing regulatory framework and launched a survey to help carry out a prioritisation exercise on substances envisaged to be included in the first update of the European Positive Lists. As of today, however, it has made clear that reopening the relevant secondary legislation is not currently under consideration. This is concerning as interpretative solutions alone cannot provide the legal certainty required. Such certainty can ultimately only be achieved through targeted amendments to the regulatory framework.

Considering the urgency of the situation, we invite you to call on the European Commission to adopt the necessary measures and would be grateful for your support in ensuring that this issue is discussed at the next Environment Council meeting. As this Council configuration played a key role in shaping the recast Drinking Water Directive, we believe it should now take stock of the implementation challenges that risk undermining its intended objectives.

I remain at your disposal should you have any questions.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Volker Meyer', is shown on a light blue background.

Volker Meyer
Chairman, European Drinking Water

Annex 1 – One-pager infographic

Annex 2 – Concrete examples

About us

[European Drinking Water \(EDW\)](#) is an alliance of trade associations representing industries supplying products or materials used in drinking water applications and municipal drinking water supply in Europe. EDW works to promote the harmonisation of EU regulatory requirements of substances, materials and products used in drinking water applications and to ensure the harmonised implementation of the provisions of Article 11 of the EU Drinking Water Directive. European Drinking Water is registered in the EU Transparency Register under registration number 3520872105990-93.