**European Parliament**
2014-2019

*Committee on Agriculture and Rural Development*

**2018/0169(COD)**

12.9.2018

# DRAFT OPINION

of the Committee on Agriculture and Rural Development

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council on minimum requirements for water reuse
(COM(2018)0337 – C8-0220/2018 – 2018/0169(COD))

Rapporteur for opinion: Marijana Petir

PA_Legam

## SHORT JUSTIFICATION

According to the five IPCC reports[1] published in the period between 1983 and 2012, each of the last three decades has been successively warmer at the global level than any previous decade since the 1850s. The period from 1983 to 2012 is probably the warmest 30-year period in the last 1400 years. Recent climatic changes have significantly affected agriculture and the economy, and it is estimated that the impact of climate change has significantly increased the frequency and intensity of droughts and the damage that they cause to the environment and economy over the last thirty years. Between 1976 and 2006, the number of areas and people affected by drought went up by almost 20 %, and total costs incurred due to drought reached EUR 100 billion (European Commission, 2012). If we take into account the fact that European agriculture uses about a quarter of total captured freshwater for irrigation, while in southern and south-eastern Europe about 60 % – and in some water areas up to 80 % – of total captured freshwater is used for irrigation, water conservation and finding alternative means of supplying water for the irrigation needs of agriculture emerges as a priority.

In accordance with adopted legislation and adopted Union policies, such as the Water Framework Directive[2] and the EU Action Plan for the Circular Economy[3], opportunities to regulate the reuse of water from municipal wastewater treatment systems for irrigation purposes in agriculture are being opened up in order to be able to compensate for potential and actual deficits of this vital resource in a timely manner.

Guided by the precautionary principle and applying the best global experiences, as well as the limitations and recommendations of the World Health Organisation[4], the Commission has proposed a Regulation establishing standards, procedures and measures for the reuse of water from municipal wastewater treatment systems at EU level.

Given that the Commission has not undertaken specific studies on the risks involved in the process of reusing water in agriculture, the legislative proposal applies the best experiences of third countries (the USA, New Zealand, Australia), as well as of Member States that already use reclaimed water in agriculture. Given that the Regulation will apply only to operators intending to treat and place on the market reclaimed water from municipal wastewater treatment plants, I consider the proposed minimum levels for the proposed key indicators to be appropriate and the methodology and procedure for authorising the supply of reclaimed water to be adequate to ensuring the desired level of public safety – both for farmers and for consumers. The proposal will allow the competent authorities, during the administrative procedure for the approval of reclaimed water supply permits, to apply stricter rules than those laid down in this Regulation, as well as to change the conditions for the approval of permits if necessary.

At the same time, the legislative framework and the cost of implementing this Regulation

[1] IPCC, 2014: Climate Change 2014: Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland https://www.ipcc.ch/pdf/assessment-report/ar5/syr/SYR_AR5_FINAL_full_wcover.pdf
[2] COM(2015) 614
[3] Directive 2000/60/EC OJ 327, 22.12.2000, p. 1.
[4] WHO Guidelines for the Safe Use of Wastewater, Excreta and Greywater in Agriculture (WHO, 2006a)

should not deter operators from adapting wastewater treatment plants for the reuse of wastewater in agriculture. Therefore, any unjustified burdens or costs for operators should be avoided. It is necessary to ensure that the legislative framework for the development of risk management plans is applied equally throughout the Union and that all Member States understand and apply the proposed risk assessment requirements in a uniform manner.

Given the significance and possible impact of the proposed new legislation on the current situation in the field, the deadline for the entry into force of this Regulation, as well as the deadline for bringing treatment plants into line with the provisions of the Regulation, should be extended from one year, as originally proposed, to two years from the date of publication of the Regulation in the Official Journal of the European Union.

As members of the European Parliament's Committee on Agriculture and Rural Development, we aim to ensure public safety and trust in the healthiness and high quality of food and agricultural products, while also providing adequate fresh water for European agriculture – especially in the southern and eastern parts of the Union – for irrigation purposes.

## AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

**Amendment 1**

**Proposal for a regulation**
**Recital 4 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(4a) The European Parliament resolution of 9 October 2008 on addressing the challenge of water scarcity and droughts in the European Union[1a] recalls that a demand-side approach should be preferred when managing water resources and takes the view that the Union should adopt a holistic approach when managing water resources, combining measures of demand management, measures to optimise existing resources within the water cycle, and measures to create new resources, and that the approach needs to integrate*** |

***environmental, social and economic considerations.***

---

*[1a] 2008/2074(INI)*

Or. en

**Amendment 2**

**Proposal for a regulation**
**Recital 7**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (7) Health standards in relation to food hygiene for agricultural products irrigated with reclaimed water can be achieved only if quality requirements for reclaimed water destined for agricultural irrigation do not differ significantly in Member States. Harmonisation of requirements will also contribute to the efficient functioning of the internal market in relation to such products. It is therefore appropriate to introduce minimum harmonisation by setting minimum requirements for water quality and monitoring. Those minimum requirements should consist of minimum parameters for reclaimed water and other stricter or additional quality requirements imposed, if necessary, by competent authorities together with any relevant preventive measures. In order to identify stricter or additional requirements for water quality, the reclamation plant operators should perform key risk management tasks. The parameters are based on the technical report of the Commission Joint Research Center and reflect the international standards on water reuse. | (7) ***Equivalent*** health standards in relation to food hygiene for agricultural products irrigated with reclaimed water can be achieved ***across the Union*** only if quality requirements for reclaimed water destined for agricultural irrigation do not differ significantly in Member States. Harmonisation of requirements will also contribute to the efficient functioning of the internal market in relation to such products. It is therefore appropriate to introduce minimum harmonisation by setting minimum requirements for water quality and monitoring. Those minimum requirements should consist of minimum parameters for reclaimed water and other stricter or additional quality requirements imposed, if necessary, by competent authorities together with any relevant preventive measures. In order to identify stricter or additional requirements for water quality, the reclamation plant operators should perform key risk management tasks. The parameters are based on the technical report of the Commission Joint Research Center and reflect the international standards on water reuse. |

Or. en

*Justification*

*The harmonisation is necessary to have the same level of health protection across Europe. Local and diverse standards may be sufficient for health protection but would result in different level of protection across Europe which is not acceptable.*

**Amendment 3**

**Proposal for a regulation**
**Article 3 – paragraph 1 – point 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. 'reclamation ***plant***' means an urban waste water treatment plant or other ***plant*** that further treats urban waste water complying with the requirements set out in Directive 91/271/EEC in order to produce water that is fit for a use specified in section 1 of Annex I to this Regulation; | 6. 'reclamation ***facility***' means an urban waste water treatment plant or other ***facility*** that further treats urban waste water complying with the requirements set out in Directive 91/271/EEC in order to produce ***reclaimed*** water that is fit for a use specified in section 1 of Annex I to this Regulation;<br>*(The amendment of the term "reclamation plant" to "reclamation facility" applies throughout the text. Adopting it will necessitate corresponding changes throughout.)* |

Or. en

*Justification*

*Harmonisation of the terms "plant" and "facility" with EU environmental legislation is necessary. Facility for water reclamation could be a part of the water treatment plant and could be operated by different operator.*

**Amendment 4**

**Proposal for a regulation**
**Article 3 – paragraph 1 – point 7**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 7. 'reclamation ***plant*** operator' means a natural or legal person who operates or controls a reclamation ***plant***; | 7. 'reclamation ***facility*** operator' means a natural or legal person who operates or controls a reclamation ***facility***; |

Or. en

*Justification*

*Harmonisation of the terms "plant" and "facility" with EU environmental legislation is necessary. Facility for water reclamation could be a part of the water treatment plant and could be operated by different operator.*

**Amendment 5**

**Proposal for a regulation**
**Article 3 – paragraph 1 – point 11 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***11a. 'Point of compliance' means outlet of the reclamation facility.*** |

Or. en

*Justification*

*The term "Point of compliance" should be defined in the "Definitions" section as already defined in Article 4.*

**Amendment 6**

**Proposal for a regulation**
**Article 4 – paragraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Reclamation ***plant*** operators shall ensure that reclaimed water destined for a use specified in section 1 of Annex I, shall, at the ***outlet of the reclamation plant (***point of compliance***)***, comply with the following: | 1. Reclamation ***facility*** operators shall ensure that reclaimed water destined for a use specified in section 1 of Annex I, shall, at the point of compliance, comply with the following: |

Or. en

*Justification*

*To be consistent with proposed definitions.*

**Amendment 7**

**Proposal for a regulation**
**Article 17 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| It shall apply from ... [***one year*** after the date of entry into force of this Regulation]. | It shall apply from ... [***two years*** after the date of entry into force of this Regulation]. |

Or. en

*Justification*

*Considering the number of adaptations required existing facilities to comply with the regulation, by improving the existing equipment, by changing the operation and controls and, above all, by conducting the risk assessment and establishing the risk management plan and assigning responsibilities, the proposed time of one year should be extended to at least two years to allow for compliance.*

**Amendment 8**

**Proposal for a regulation**
**Annex II – point 4 – paragraph 2 – point b – point i**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| i. confirmation of the nature of the hazards, including, where relevant, the dose-response relationship; | i. confirmation of the nature of the hazards, including, where relevant, the dose-response relationship ***in collaboration with health authorities***; |

Or. en

*Justification*

*Dose-response relationships and risk assessment studies require certain skills, knowledge and data, which health authorities in Members States could provide.*