



February 2024

Porcelain Enamel materials Position Paper

EEA - European Enamel Association - Working Group Drinking Water

Enamel Industry position on the assessment of the hygienic suitability of enamel materials in contact with drinking water

Commission Implementing Decision on the European positive lists of starting substances for the application of Directive (EU) 2020/2184

This position paper aims to provide inputs from EEA, representing the European Enamel Industry, to the EU Commission, as well as other regulators and stakeholders, involved in the process of specifying the provisions of the Article 11(2)(b) DWD (Implementing Acts) and Article 11(2)(c) DWD (Implementing Acts).

Different points to be highlighted:

- **Implementing act 2IA – Missing of HfO₂ in the EUPL Number 2029 - Annex IV / Table1:**

HfO₂ is not included in the European positive list of compositions of enamels.

HfO₂ is naturally present in the zircon (ZrSiO₄), mineral which is then transformed into ZrO₂. HfO₂ is not a by-product created during mineral extraction.

Banning the use of HfO₂ leads to banning the use of ZrO₂, a critical element for ensuring the durability of enamel over the time.

Over the last year, a request for the introduction of hafnium oxide (HfO₂) have been submitted by DEV (the German Enamel Association) to UBA for enamel materials.

During the ECHA consultancy last summer on the collection of information and intelligence on the relevance of the draft first European Positive Lists, we have already indicated that an evaluation was led by UBA on Hafnium, with the request to take this into consideration.

Since August 2023, the UBA's assessment of the substance is completed, enabling it to be added to the German positive list for enamel (see ANNEX 1). The updated German evaluation criteria document will be published in the second quarter of 2024 and will lead to the introduction in Germany of HfO₂ with a maximum content of 0.1%.



We want to emphasize that the introduction of HfO₂ in the positive list of enamels will not cause any change in the Hafnium concentration of the drinking water. We will accept to use the very low leaching limit of 0.1µg/l Hf.

HfO₂ is already listed in the EUPL 2032 for ZrO₂ ceramics, with a maximum concentration of 2%w/w. This concentration is the same than the natural HfO₂ content in natural zircon mineral. It therefore seems that HfO₂ pollution of zircon has already been accepted in EUPL 2032, but not in EUPL 2029.

The addition of HfO₂ in the positive list of enamels would not lead to the introduction of a new oxide in contact with drinking water.

Therefore, **EEA asks for the addition of HfO₂ in the positive list for enamels, with a maximum concentration of 0.1%.**

- **Implementing act 2IA – Substances Bi, Ce, Hf, Mo, Pr, Sr, Ti, Y and Zr for which MTCtap are shown as “not available” for enamels - Annex V / Table1:**

Elements Hf, Ti, Mo & Zr are critical for enamels and we would like to ask if and how leaching limits for these elements, and for the other ones listed, will be implemented ? Until now, all our assessments of enamels have been carried out according to the TrinkwV (Evaluation criteria document for enamels and ceramic materials) that already apply UBA guidelines values. New limits / reference values could have a huge impact on the enamel sector, which is why we're **asking to be involved in the implementation and that those values will be defined well in advance of the directive's implementation date.**

- **Implementing act 2IA – New MTCtap for Iron and Lithium - Annex V / Table1:**

We would like to draw your attention to the fact that, until now, these substances have not been included in the German regulation on enamels in contact with drinking water, and have therefore never been evaluated by the enamelers. Lithium is a very important element in enamels, ensuring the proper fusion of the material on the substrate and the durability of the enamel coating over the time.

A non-compliance of any of these substances on formulas currently used on the market would require a long process in the time for the development of new frits and new validations by users. We would like to draw your attention to the fact that it would be difficult to meet the compliance schedule for enamelled materials by 31/12/2026.

- **Implementing act 4IA – Temperature of testing - Annex IV / §3.2.3:**

The application of an operating temperature of 70°C to separate warm and hot water products is inappropriate. Indeed, for products intended to be placed in contact with water between 70 and 80°C, this means testing them at a temperature of 85°C that is significantly higher than what they will meet. Such an assessment is akin to accelerated ageing and is highly detrimental to the material, especially as these very high temperatures generate high ageing kinetics.

We therefore propose to set the temperature limit at 80°C instead of 70°C.

- **Implementing act 4IA – Definition of “operating temperature”**

We would like to add the definition of “operating temperature”. So, “operating temperature” means the water temperature, without withdrawal of water, measured with a thermocouple placed inside the upper section of the tank (T_{set}”).

The definition above is the same definition in ErP Regulation (i.e. “out-of-the-box mode”, see 2014/C 207/03). The ‘out of the box-mode’ is the standard operating condition, setting or mode set by the manufacturer at factory level, to be active immediately after the appliance installation, suitable for normal



use by the end-user according to the water tapping pattern for which the product has been designed and placed on the market.

- **Implementing act 4IA – Definition of “increasing trend”**

We would like to add the definition of “increasing trend”. Its meaning should be defined to avoid any misunderstanding in the tests procedure.

So, “‘increasing trend’ means the amount of substances that are transferred from the material in contact with water to the simulating liquid depending on the time or temperature conditions”.

Moreover, we suggest to replace sentence (b) for cold water migration test with the following:

In case $C_{tap} > 0.8 MT_{Ctap}$ for the final migration period, consider the last 3 C_{tap} measures and analyze the measures trend. The trend shall not be increased by more than 10% for two consecutive times.

And to replace sentence (b) for warm/hot water migration test with the following:

In case $C_{tap} > 0.8 MT_{Ctap}$ for the final migration period, consider the last 4 C_{tap} measures and analyze the measures trend. The trend shall not be increased by more than 10% for three consecutive times.

EEA thanks you for taking these points into account and would be welcome it to discuss them with you into detail on the content and the potential way to implement them in the law.

Best regards,

Koen Lips

EEA President

Sébastien Francois

Chairman of EEA Drinking Water WG

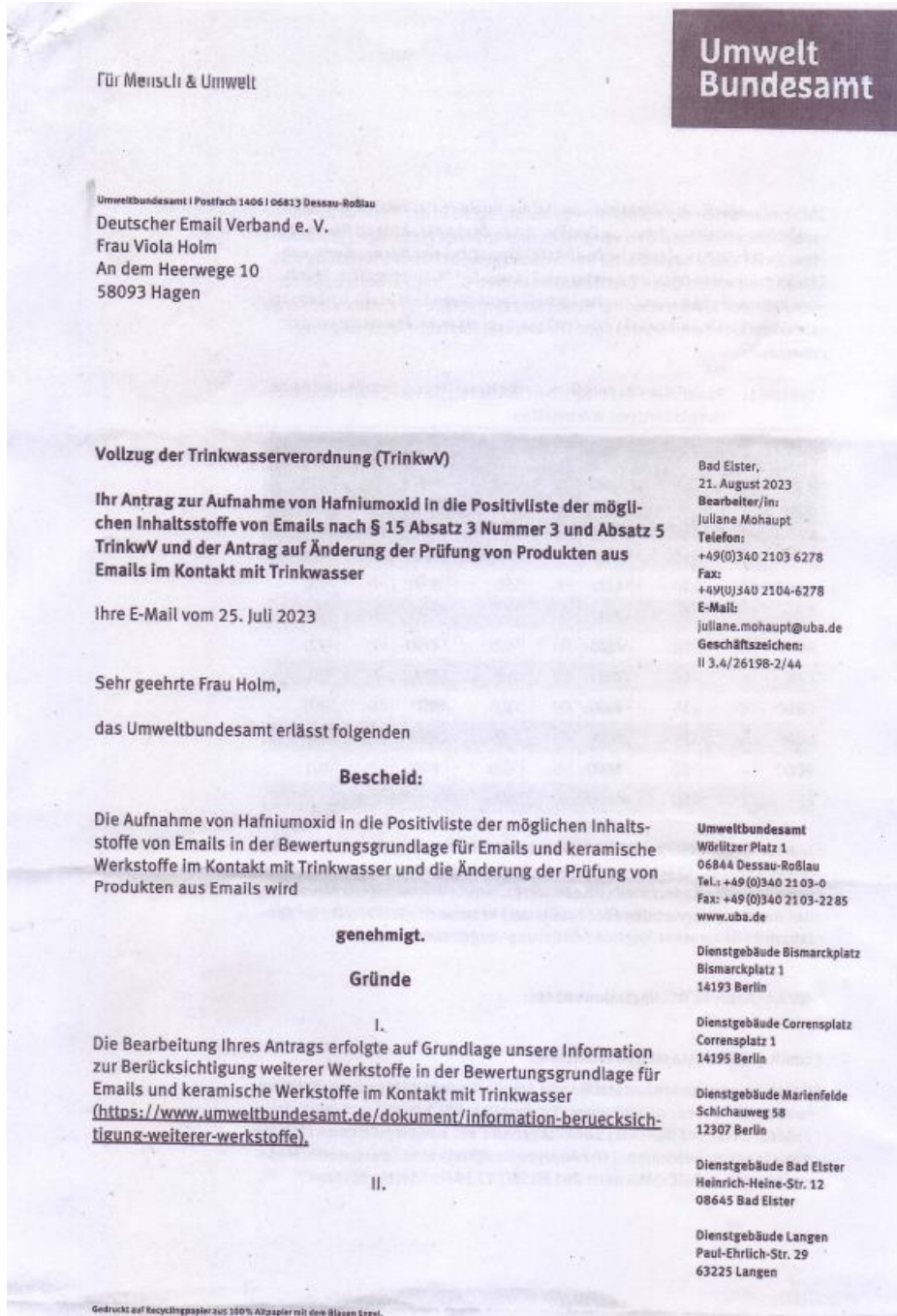
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ANNEXE 1 – UBA acceptance document for the addition of Hafnium in the German positive list for enamel materials





Sie beantragten die Aufnahme von Hafniumoxid in der Positivliste der möglichen Inhaltsstoffen von Emails und anderen glasartigen Werkstoffen. Es ist keine hygienische Beeinträchtigung bei der Verwendung von Emails mit einem Gehalt an Hafniumoxid von 0,1 % zu erwarten. Somit wird mit der 3. Änderung der Bewertungsgrundlage für Emails und keramische Werkstoffe im Kontakt mit Trinkwasser folgende Änderung vorgenommen:

Tabelle 1: Positivliste der möglichen Inhaltsstoffe von Emails und anderen glasartigen Werkstoffen

| Substanz | Gehalt in % | | Substanz | Gehalt in % | | Substanz | Gehalt in % | |
|-------------------------------|-------------|------|--------------------------------|-------------|------|--------------------------------|-------------|------|
| | Min. | Max. | | Min. | Max. | | Min. | Max. |
| SiO ₂ | 25 | 100 | K ₂ O | 0 | 10 | P ₂ O ₅ | 0 | 5,0 |
| Na ₂ O | 0 | 30 | Li ₂ O | 0 | 10 | SnO ₂ | 0 | 5,0 |
| ZrO ₂ | 0 | 30 | ZnO | 0 | 10 | SrO | 0 | 5,0 |
| B ₂ O ₃ | 0 | 20 | Al ₂ O ₃ | 0 | 5,0 | Cr ₂ O ₃ | 0 | 3,0 |
| TiO ₂ | 0 | 16 | CoO | 0 | 5,0 | CuO | 0 | 3,0 |
| BaO | 0 | 15 | Fe ₂ O ₃ | 0 | 5,0 | NiO | 0 | 3,0 |
| CeO ₂ | 0 | 15 | MgO | 0 | 5,0 | Sb ₂ O ₃ | 0 | 1,0 |
| CaO | 0 | 10 | MnO ₂ | 0 | 5,0 | HfO ₂ | 0 | 0,1 |
| F | 0 | 10 | MoO ₃ | 0 | 5,0 | | | |

Sie beantragten weiterhin die Änderung der Prüfmodalitäten von Produkten aus Emails. Es ist keine hygienische Beeinträchtigung durch die Änderung der Prüfung von Emails zu erwarten. Somit wird mit der 3. Änderung der Bewertungsgrundlage für Emails und keramische Werkstoffe im Kontakt mit Trinkwasser folgende Änderung vorgenommen:

“8.3.4 Analyse der Migrationswässer

Emails/andere glasartige Werkstoffe

Es sind diejenigen Inhaltsstoffe von Emails/anderen glasartigen Werkstoffen zu bestimmen, die mit einem Prüfwert gemäß Tabelle 11 belegt sind. Zusätzlich ist der Blei- und Cadmiumgehalt der zu analysierenden Migrationswässer zu bestimmen. Die Analyse ist mittels eines geeigneten Messverfahrens, z. B. ICP-MS nach DIN EN ISO 17294-1, durchzuführen.”



In den nächsten Wochen wird die 2. Änderung der Bewertungsgrundlage für Emails und keramische Werkstoffe im Kontakt mit Trinkwasser veröffentlicht, für die die Änderung noch nicht berücksichtigt werden konnte. Die 3. Änderung der Bewertungsgrundlage werden wir erst im nächsten Jahr veröffentlichen.

Für individuell zurechenbare Leistungen zur Führung der Positivlisten nach § 15 der Trinkwasserverordnung erhebt das Umweltbundesamt Gebühren. Diese werden nach § 1 Absatz 1 Nummer 6 und § 2 i.V.m. der Anlage zu § 2 Absatz 1 der Besonderen Gebührenverordnung des Bundesministeriums für Umwelt, Naturschutz und nukleare Sicherheit (BMUBGebV) vom 1. Oktober 2021 festgelegt. Es ergeht ein Gebührenbescheid gesondert zu diesem Schreiben.

Rechtsbehelfsbelehrung:

Gegen diesen Bescheid kann innerhalb eines Monats nach Bekanntgabe Widerspruch beim Umweltbundesamt (Standort Bad Elster, Heinrich-Heine-Str. 12, 08645 Bad Elster) einlegt werden.

Mit freundlichen Grüßen

Im Auftrag

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Trinkwasserverteilung