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General Secretariat

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Subject: Draft Regulation of the European Parliament and of the Council on minimum requirements for water reuse (**first reading**)
Outcome of the written procedure initiated by CM 1912/20
– Adoption of the Council's position at first reading and of the statement of the Council's reasons

Delegations are informed that the written procedure, opened by CM 1912/20 of Friday, 3 April 2020 was completed on Tuesday, 7 April 2020 and that all delegations voted in favour of, except for Germany and Slovakia that abstained, the adoption of the Council's position at first reading on the draft Regulation of the European Parliament and of the Council on minimum requirements for water reuse, as set out in document 15301/1/19 REV1 and the statement of the Council's reasons as set out in the ADD 1 to that document.

The required qualified majority has been reached. Therefore, the above position of the Council at first reading and the statement of the Council's reasons are adopted.

The statements by Greece and Slovakia are reproduced in the Annex to this CM.

The above statements will be included in the summary of acts adopted by the written procedure as statements to be entered in the Council minutes, in accordance with the third subparagraph of Article 12(1) of the Council's Rules of Procedure.

Statement by Greece

1. Greece supports the "Proposal for a Regulation of the European Parliament and of the Council on minimum requirements for water reuse". The establishment of an integrated, stable and commonly accepted regulatory framework at EU level will contribute significantly to dealing with drought and water scarcity which are likely to be more severe in the future, due to the climate change.
2. However, Greece maintains that the dilution of reclaimed water, by itself must not be considered as a water treatment option, i.e. food business operators or farmers should not be allowed to dilute reclaimed water of any quality class and subsequently use it as being of a higher (cleaner) quality class.
3. Greece is among the Member States that have already in force such a regulatory framework which includes even stricter provisions. It goes without saying that health protection is fundamental to us and therefore we reserve our right to adopt additional provisions and implement further measures at a national level, in line with the precautionary principle.

Statement by the Slovak Republic

The Slovak Republic is aware of the fact that some Member States have to face the problem of water scarcity and droughts as a result of climate change. However, according to the reports of the Intergovernmental Panel on Climate Change, climate change affects the spread and multiplication of various diseases, harmful substances and pathogens transmitted through water, food, eg Salmonella, which affect the health of the population. Therefore, the use of such reused water for agricultural irrigation must not endanger the health of the final consumer as a result of insufficient water quality criteria on reused water and must take into account the future development.

During the negotiations on this reused water, we have consistently called for an ambitious proposal with regard to the objective of ensuring the efficient and equal functioning of the internal market (movement of goods) by imposing uniform requirements for reused water for all Member States and with regard to the objective of protecting the environment, human and animal health. We regret that this was not reflected in the final text.

We are also disappointed that the proposal on mandatory labelling has not been incorporated, which we regard as misleading the end consumer and suppressing his right to information. This goes against the principle of transparent information to the final consumer and in particular against various vulnerable groups, eg elderly people, children, people with weak immune system.

Similarly, our proposals to tighten the quality parameters of the Regulation as regards the inclusion of several quality parameters such as Salmonella have not been accepted. We emphasized the high level of health protection, food quality and strictly set criteria in the Annex. In the current wording, we do not consider the protection of the health of the final consumer to be sufficiently addressed.

At the same time, we have reservations on the wording of Article 2.2, which does not allow a Member State to apply for a derogation on a neutral way on the basis of one or more of the criteria set out in the Regulation. The current wording gives the European Commission too much discretion to decide on a derogation on the basis of all the criteria mentioned in the Regulation.

Given our health and food concerns, we are not in a position to agree with this regulation and therefore we abstain from voting.