

EUROPEAN PARLIAMENT

1999



2004

Committee on the Environment, Public Health and Consumer Policy

15 July 2003

PE 331.644/30-154

AMENDMENTS 30-154

Draft report

(PE 331.644)

Jules Maaten

Quality of bathing water

Proposal for a directive (COM(2002) 581 – C5-0508/2002 – 2002/0254(COD))

Text proposed by the Commission

Amendments by Parliament

Amendment by John Bowis, Caroline F. Jackson, Chris Davies

Amendment 30
Recital 1 (a) (new)

1a) Whereas Article 152 of the EC Treaty stipulates that a high level of human health protection shall be ensured in the definition and implementation in of all Community policies

Or. en

Justification

The importance of protecting public health within the Directive should be addressed by incorporating reference to the appropriate Treaty Article.

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PE 331.644/30-154

EN

EN

Amendment by Minerva Melpomeni Malliori

Amendment 31

Recital 3

EU policy on the environment shall aim at a high level of protection, and contribute to ***pursuing*** the objectives of preserving, protecting and improving the quality of the environment ***and of protecting human health***.

EU policy on the environment shall aim at a high level of protection ***of human health***, and contribute to ***attaining*** the objectives of preserving, protecting and improving the quality of the environment and of protecting human health.

Or. el

Justification

Obviously, the primary aim of the Directive is to protect human health.

Amendment by Minerva Melpomeni Malliori

Amendment 32

Recital 4

European bathing water policy's continued importance is evident each bathing season as it ***protects*** the public ***from accidental and chronic pollution discharged in or near European bathing areas*** and the overall quality of bathing waters has improved considerably since Council Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water¹ came into force. That Directive reflects, however, the state of knowledge and experience of the early seventies. Patterns of recreational water use have changed as has the state of scientific and technical knowledge.

European bathing water policy's continued importance is evident each bathing season as it ***provides*** the public ***with a high level of protection from any source having a negative impact on the quality of bathing water*** and the overall quality of bathing waters has improved considerably since Council Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water² came into force. That Directive reflects, however, the state of knowledge and experience of the early seventies. Patterns of recreational water use have changed as has the state of scientific and technical knowledge.

Or. el

¹ OJ L 31, 5.2.1976, p. 1. Directive as last amended by Directive 91/692/EEC (OJ L 377, 31.12.1991, p. 48).

² OJ L 31, 5.2.1976, p. 1. Directive as last amended by Directive 91/692/EEC (OJ L 377, 31.12.1991, p. 48).

Justification

Obviously, the primary aim of the Directive is to protect human health.

Amendment by John Bowis, Caroline F. Jackson, Chris Davies

Amendment 33
Recital 4

(4) European bathing water policy's continued importance is evident each bathing season as it protects the public from accidental and chronic pollution discharged in *or near* European bathing areas and the overall quality of bathing waters has improved considerably since Council Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water came into force. That Directive reflects, however, the state of knowledge and experience of the early seventies. Patterns of *recreational* water use have changed as has the state of scientific and technical knowledge.

(4) European bathing water policy's continued importance is evident each bathing season as it protects the public from accidental and chronic pollution discharged in European bathing areas and the overall quality of bathing waters has improved considerably since Council Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water came into force. That Directive reflects, however, the state of knowledge and experience of the early seventies. Patterns of *bathing* water use have changed as has the state of scientific and technical knowledge.

Or. en

Justification

The proposal for a directive is in respect of water quality at designated bathing water sites and in respect of bathing uses and not recreational uses of waters.

Amendment by John Bowis, Caroline F. Jackson, Chris Davies

Amendment 34
Recital 7

(7) This Directive should use scientific evidence in implementing the most reliable indicator parameters for predicting bacteriological health risk and achieve a high level of protection.

(7) This Directive should use scientific evidence in implementing the most reliable indicator parameters for predicting bacteriological health risk and achieve a high level of protection. *Analysis of cost benefit should also be examined to ensure*

that the costs involved in implementing this procedure can be justified.

Or. en

Justification

The Commission has admitted that it has not yet been possible to carry out a cost-benefit analysis of its proposals for the EU as a whole. This must be remedied.

Amendment by Minerva Melpomeni Malliori

Amendment 35
Recital 7

This Directive should use scientific evidence in implementing the most reliable indicator parameters for predicting bacteriological health risk and achieve a high level of protection.

This Directive should use scientific evidence in implementing the most reliable indicator parameters for predicting bacteriological, ***physical and chemical*** health risks and achieve a high level of protection.

Or. el

Justification

The physical and chemical risks cannot be ignored as they clearly affect the quality of bathing water.

Amendment by Ursula Schleicher

Amendment 36
Recital 10

(10) This Directive should take into account new types of water recreation, which have gained in popularity due to social changes and to new types of sporting materials and equipment.

deleted

Or. de

Justification

This recital seeks to include other recreational activities (surfing, kayaking, etc.) in the scope of the bathing water directive. In our view, this is not warranted: the proposed bathing water directive is not the appropriate instrument for such activities. Firstly, most such recreational activities take place outside bathing areas proper (and only those areas are monitored). Measurements in bathing areas do not allow sound assertions to be made on health risks in waters away from such areas where other recreational activities take place. In many instances, in addition, those activities take place all year and are not restricted to the bathing season. Non-bathing-season periods are not covered by the directive, however. Taking account of them would involve far greater monitoring efforts without furthering the actual aim of the directive: to protect bathers. Furthermore, increased monitoring efforts by the relevant authorities on the spot would not be feasible because of a lack of resources.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 37

Recital 10

(10) This Directive should ***take into account*** new types of water recreation, which have gained in popularity due to social changes and to new types of sporting materials and equipment.

(10) This Directive should ***also cover*** new types of water recreation ***such as inter alia surfing, windsurfing and kayaking***, which have gained in popularity due to social changes and to new types of sporting materials and equipment.

Or. en

Justification

New kinds of water sports are today a fact of life in many of the European Union's bathing waters. In such sports there is just as much risk of swallowing water as in bathing. So there is a need to ensure that those practising the new sports are also covered by the directive. These need to be mentioned specifically because as a rule they tend to occur further off the coast than bathing, with implications for the definition of bathing waters.

Amendment by John Bowis, Caroline F. Jackson, Chris Davies

Amendment 38

Recital 10

(10) This Directive should take into account new types of water recreation, which have gained in popularity due to social changes and new types of sporting materials and equipment.

(10) This Directive should take into account new types of water recreation ***practised at existing bathing water areas during the bathing season and within 100 metres of the shore at low tide***, which have gained in popularity due to social changes and new types of sporting materials and equipment.

Or. en

Justification

Recreational waters should be dealt with on a subsidiarity basis. This Directive needs to be clear about its scope in relation to bathing water, and should not threaten an extension of its scope to new sites and beyond the bathing area and the bathing season - which would have massive cost implications for monitoring and listing of sites.

Amendment by Ursula Schleicher

Amendment 39
Recital 12

(12) ***To protect and inform the public timely*** on exceptional events like floods or infrastructure breakdowns, ***appropriate emergency plans should be developed, including early warning systems.***

(12) ***The public should be given timely information effectively*** on exceptional events such as floods or infrastructure breakdowns ***and should be protected accordingly.***

Or. de

Justification

This recital relates to Article 12 of the proposal for a directive, which is worded in too much detail and not commensurate with the subsidiarity principle. In many Member States, bathing waters have been successfully monitored for many years and there are adequate mechanisms at national level for taking account of exceptional events and protecting the public. A need for detailed regulation at European level conflicts with the subsidiarity principle.

Amendment by Minerva Melpomeni Malliori

Amendment 40
Article 1, 1st paragraph

For the purpose of preserving, protecting and improving the quality of the environment **and of protecting human health** this Directive lays down provisions for the monitoring and classification of bathing water quality and for providing information to the public thereof.

For the purpose of **protecting human health** preserving, protecting and improving the quality of the environment this Directive lays down provisions for the monitoring and classification of bathing water quality and for providing information to the public thereof.

Or. el

Justification

See justification to amendment 1.

Amendment by Ursula Schleicher

Amendment 41
Article 1, paragraph 1

For the purpose of preserving, protecting and improving the quality of the environment and of protecting human health this Directive lays down provisions for the monitoring and classification of bathing water quality and for providing information to the public thereof.

For the purpose of preserving, protecting and improving the quality of the environment and of protecting human health this Directive lays down provisions **both** for the monitoring and classification of bathing water quality and **for bathing water management and** for providing information to the public thereof.

Or. de

Justification

Express reference should be made in the objectives to the fundamentally welcome new notion of management contained in the proposal for a directive.

Amendment by Ursula Schleicher

Amendment 42
Article 2, paragraph 4

(4) waters in confined surface waters, artificially created and ***separated from*** natural waters like groundwater, surface waters, or coastal water.

(4) waters in confined surface waters, artificially created and ***not connected to*** natural waters like groundwater, surface waters, or coastal water.

Or. de

Justification

The justification does not concern the amendment in English.

Amendment by John Bowis, Caroline F. Jackson, Chris Davies

Amendment 43
Article 2, (4) (a) (new)

(4a) other recreational activities undertaken more than 100 metres from the shore at low tide, or conducted outside of the bathing season.

Or. en

Justification

Recreational waters should be dealt with on a subsidiarity basis. This Directive needs to be clear about its scope in relation to bathing water, and should not threaten an extension of its scope to new sites and beyond the bathing area and the bathing season - which would have massive cost implications for monitoring and listing of sites.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 44
Article 3, paragraph -1 (new)

(-1) “Bathing”: the practice of water-related activities in which full bodily contact with the water is normal or in which there is a substantial risk of swallowing water, and which are carried out without motorised assistance,

Or. en

Justification

New kinds of water sports are today a fact of life in many of the European Union’s bathing waters. In such sports there is just as much risk of swallowing water as in bathing. So there is a need to ensure that those practising the new sports are also covered by the directive. These need to be mentioned specifically because as a rule they tend to occur further off the coast than bathing. The easiest way of ensuring this is to add a definition of ‘bathing’ which includes those engaged in water sports to the Directive.

Amendment by David Robert Bowe

Amendment 45
Article 3, paragraph 1 (a)

a) Bathing is not prohibited and is traditionally practised by a large number of bathers, or

(a) Bathing is not prohibited ***nor advised against*** and is traditionally practised by a large number of bathers, or

Or. en

Justification

It is important to have a clear definition of bathing water so as to avoid legal uncertainty. The definition should be linked to the responsibility of public authorities to promote, advise against or prohibit bathing.

Amendment by Minerva Melpomeni Malliori

Amendment 46
Article 3, paragraph 1(a)

(a) bathing is not prohibited and is traditionally practised by **a large number of** bathers, or

(a) bathing is not prohibited and is traditionally practised by **(deletion)** bathers, or

Or. el

Justification

Any place where people bathe should be defined as a bathing site irrespective of the number of people concerned.

Amendment by Yvonne Sandberg-Fries

Amendment 47
Article 3, paragraph 1(a)

(a) bathing is not prohibited and is traditionally practised **by a large number of bathers, or**

(a) bathing is not prohibited **or not discouraged** and is traditionally practised , **and**

Or. sv

Justification

It is extremely important that the definition of bathing water is clear so that it is interpreted in the same way throughout the EU. It is also important that the requirements of the Directive do not cover an unmanageable number of bathing sites, as many of them are small and have few visitors. These should not be covered by the Directive as it would make disproportionate demands of local authorities. National provisions in the form of general advice should apply to bathing sites not covered by the Directive.

Amendment by Ursula Schleicher

Amendment 48
Article 3, point 1 (a)

(a) bathing is not prohibited and is traditionally practised by a large number of

(a) bathing is not prohibited and is traditionally practised by a large number of

bathers, *or*

bathers, *and*

Or. de

Justification

Only publicly designated bathing areas should be regulated by the EU bathing water directive. Under the definition now proposed, all hitherto unauthorised bathing areas would also be included and registered on an equal footing. This would involve major monitoring problems where a bathing area had no known legally responsible entity, manager or operator or bathing were simply tolerated in less important waters. In Germany, for example, there are over 2000 bathing waters; and there will not be any fewer as a result of this amended definition. Decisions on bathing waters should be taken only by the authorities, and not by other commercial interests, since the decisions have consequences (monitoring, classification) for which the authorities bear responsibility.

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 49

Article 3, paragraph 1(a)a (new)

(a)a waters traditionally used for other 'recreational activities', provided that such waters are at particular risk of pollution from urban waste water and/or other sources of pollution,

Or. da

Justification

The norm is that if the water close to the shore is clean, the water further out is usually of the same standard. However, if urban waste water is discharged through pipes far out into the water in order to avoid polluting the water close to the shore, there is a need to incorporate those waters in the Directive. This would protect surfers, windsurfers and kayakers from pollution and provide people practising those sports with important information.

Amendment by John Bowis, Caroline F. Jackson, Chris Davies

Amendment 50

Article 3, paragraph 1 (b)

(b) public bodies or commercial interests actively promote bathing.

(b) officially designated by the competent authorities for the purpose of bathing in accordance with Article 5.

Or. en

Justification

The competent authorities should designate the bathing areas in accordance with the terms of the directive, in particular, Article 5.

Amendment by Yvonne Sandberg-Fries

Amendment 51

Article 3, paragraph 1(b)

(b) public bodies or commercial interests actively promote bathing.

(b) the competent authorities have officially designated it as bathing water, and

Or. sv

Justification

It is extremely important that the definition of bathing water is clear so that it is interpreted in the same way throughout the EU. It is also important that the requirements of the Directive do not cover an unmanageable number of bathing sites, as many of them are small and have few visitors. These should not be covered by the Directive as it would make disproportionate demands of local authorities. National provisions in the form of general advice should apply to bathing sites not covered by the Directive.

Amendment by David Robert Bowie

Amendment 52

Article 3, paragraph 1 (b)

(b) Public bodies or commercial interests actively promote bathing.

(b) Public bodies actively promote bathing.

Or. en

Justification

It is important to have a clear definition of bathing water so as to avoid legal uncertainty. The definition should be linked to the responsibility of public authorities to promote, advise against or prohibit bathing.

Amendment by Ursula Schleicher

Amendment 53
Article 3, point 1 (b)

(b) public bodies *or commercial interests*
actively promote bathing.

(b) public bodies actively promote bathing.

Or. de

Justification

Only publicly designated bathing areas should be regulated by the EU bathing water directive. Under the definition now proposed, all hitherto unauthorised bathing areas would also be included and registered on an equal footing. This would involve major monitoring problems where a bathing area had no known legally responsible entity, manager or operator or bathing were simply tolerated in less important waters. In Germany, for example, there are over 2000 bathing waters; and there will not be any fewer as a result of this amended definition. Decisions on bathing waters should be taken only by the authorities, and not by other commercial interests, since the decisions have consequences (monitoring, classification) for which the authorities bear responsibility.

Amendment by Guido Sacconi

Amendment 54
Article 3, paragraph 1(b)(a) (new)

**(ba) bathing is made possible by the
accessibility of the location**

Or. it

Justification

The scope of the directive must be extended to all the waters of beaches where infrastructure and facilities are absent (such as public beaches) and to all the waters of beaches which are reasonably easy for bathers to reach.

Amendment by Yvonne Sandberg-Fries

Amendment 55

Article 3, paragraph 1(b)a (new)

(b)a the number of bathers or anticipated number of bathers amounts to over 300 people a day during the bathing season.

Or. sv

Justification

It is extremely important that the definition of bathing water is clear so that it is interpreted in the same way throughout the EU. It is also important that the requirements of the Directive do not cover an unmanageable number of bathing sites, as many of them are small and have few visitors. These should not be covered by the Directive as it would make disproportionate demands of local authorities. National provisions in the form of general advice should apply to bathing sites not covered by the Directive.

Amendment by Astrid Thors

Amendment 56

Article 3, paragraph 1(b)a (new)

(b)a Member States may decide not to apply the Directive to bathing waters which are frequented daily by fewer than 50 people.

Or. sv

Justification

It is important that monitoring resources are used effectively. At the present time, the methods of application differ from country to country. In the Mediterranean countries, the frequency is at least 300 visitors per day, in northern Europe more than 50 bathers. This clarification is

proposed to ensure a little more uniformity.

Amendment by David Robert Bowe

Amendment 57

Article 3, paragraph 1 (a) (new)

(1a) "Bathing": any voluntary direct body contact with water involving head submersion and/or risk of ingestion, with the exclusion of other recreational activities as defined under point 4

Or. en

Justification

It is important that the Directive contains a clear definition for "Bathing", which in particular explicitly excludes recreational activities. It is important to make a clear distinction between "bathing" and "recreational activities" so as to avoid legal uncertainties as to the scope of the Directive.

Amendment by Riitta Myller

Amendment 58

Article 3, paragraph 4

"Other recreational activities": those activities, where devices are used to move across the water, involving a meaningful risk of swallowing water, such as surfing, windsurfing and kayaking. *deleted*

Or. fi

Justification

The mentioned activities in question are carried out either in the immediate vicinity of the bathing beach or further out, where there are no bathers. They also take place outside the bathing season proper when the water is colder than is usually used for bathing. If there are no problems with the quality of the water in the vicinity of the bathing beach and during the bathing season, it will be as good if not better further out and during the colder weather.

Amendment by Ursula Schleicher

Amendment 59
Article 3, point 4

(4) “Other recreational activities”: *those activities, where devices are used to move across the water, involving a meaningful risk of swallowing water, such as surfing, windsurfing and kayaking.* **deleted**

Or. de

Justification

We reject the inclusion of other recreational activities (surfing, kayaking, etc.) in the scope of the bathing water directive: the proposed bathing water directive is not the appropriate instrument for such activities. Firstly, most such recreational activities take place outside bathing areas proper (and only those areas are monitored). Measurements in bathing areas do not allow sound assertions to be made on health risks in waters away from such areas where other recreational activities take place. In many instances, in addition, those activities take place all year and are not restricted to the bathing season. Non-bathing-season periods are not covered by the directive, however. Taking account of them would involve far greater monitoring efforts without furthering the actual aim of the directive: to protect bathers. Furthermore, increased monitoring efforts by the relevant authorities on the spot would not be feasible because of a lack of resources.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 60
Article 3, paragraph 4

(4) “Other recreational activities”: *those activities, where devices are used to move across the water, involving a meaningful risk of swallowing water, such as surfing, windsurfing and kayaking* **Deleted**

Or. en

Justification

This is linked to the amendment that includes recreational use into the definition of bathing and is needed as a consequence for a coherent text.

Amendment by Ursula Schleicher

Amendment 61
Article 3, point 5

(5) "Transitional waters" and "coastal water" have the same meaning as under Directive 2000/60/EC.

(5) "**Surface waters**", "transitional waters" and "coastal water" have the same meaning as under Directive 2000/60/EC.

Or. de

Justification

All categories of waters should be defined in line with the water framework directive.

Amendment by Mauro Nobilia and Giorgio Lisi

Amendment 62
Article 3, paragraph 6

(6) 'Emergency condition': an exceptional condition, impacting on water quality, and which **is not the result of ordinary weather conditions like rainfall or changes in the river flow that happen at regular intervals of less than five** years.

(6) 'Emergency condition': an exceptional condition, impacting on water quality, and which **normally does not** happen **more than once every three** years.

Or. it

Justification

Specifying a precise period of time within which an exceptional (because unforeseeable) event takes place is not regarded as feasible. It would be better to specify a period of time within which the phenomenon does not normally occur. The five-year period of time stipulated in the proposal is regarded as excessively long for the purpose of defining an exceptional condition.

Furthermore, there is no reason to restrict the definition to meteorological phenomena; the definition of an emergency case should be extended to include other events which may have an impact on the quality of bathing water, such as a malfunction at a water-treatment plant.

Amendment by Riitta Myller

Amendment 63
Article 3 a (new)

Exemptions

The Member States may exempt from this directive bathing waters which are used by fewer than 50 swimmers per day in the bathing season or which the competent authorities have not officially designated for bathing use.

Or. fi

Justification

The Member States must be able to exempt certain bathing waters from the directive in accordance with local conditions, since not all beaches are suitable for the public or used by more than 50 swimmers per day (e.g. bodies of water whose beaches comprise many privately-owned plots).

Amendment by Minerva Melpomeni Malliori

Amendment 64
Article 4, paragraph 1

Member States shall ensure that all bathing waters respect a “Good Quality” status, based on values of microbiological parameters which are not less stringent than those set out for parameters **1 and 2** in column C of Annex I, and which are based on assessment and calculation by the method set out in Annex II.

Member States shall ensure that all bathing waters respect a “Good Quality” status, based on values of microbiological, ***physical and chemical*** parameters which are not less stringent than those set out for parameters (***deletion***) in column C of Annex I, and which are based on assessment and calculation by the method set out in Annex II.

Or. el

Justification

All the parameters should be of interest.

Amendment by Guido Sacconi

Amendment 65
Article 4, paragraph 1

Member States shall ensure that all bathing waters respect a 'Good Quality' status, based on values of microbiological parameters which are not less stringent than those set out for parameters 1 and 2 in column C of Annex I, and which are based on assessment and calculation by the method set out in Annex II.

Member States shall ensure that, ***within an appropriate period of time***, all bathing waters respect a 'Good Quality' status, based on values of microbiological parameters which are not less stringent than those set out for parameters 1 and 2 in column C of Annex I, and which are based on assessment and calculation by the method set out in Annex II.

Or. it

Justification

Self-explanatory.

Amendment by Ursula Schleicher

Amendment 66
Article 4, paragraph 2

2. Member States shall by measures they consider necessary, promote the achievement of quality standards which conform to those set out in column B 'excellent quality' of Annex I, and based on assessment and calculation by the method given in Annex II.

2. Member States shall by measures ***which they consider necessary and are practicable and proportionate*** promote the achievement of quality standards which conform to those set out in column B 'excellent quality' of Annex I, and based on assessment and calculation by the method given in Annex II.

Or. de

Justification

Measures must be realistic and financeable, in particular given the Member States' limited resources.

Amendment by Guido Sacconi

Amendment 67
Article 4, paragraph 2

Member States shall by measures they consider necessary, promote the achievement of quality standards which conform to those set out in column B 'excellent quality' of Annex I, and based on assessment and calculation by the method given in Annex II.

Member States shall by measures they consider necessary, promote the achievement, ***within an appropriate period time***, of quality standards which conform to those set out in column B 'excellent quality' of Annex I, and based on assessment and calculation by the method given in Annex II.

Or. it

Justification

Self-explanatory.

Amendment by David Robert Bowie

Amendment 68
Article 5, paragraph 1

1. Within two years of the entry into force of this Directive, Member States shall establish a list of waters, identified as bathing water.

1. Within two years of the entry into force of this Directive, Member States shall establish a list of waters, identified as bathing water ***in their territory and the corresponding length of the bathing season.***

Or. en

Justification

As the length of bathing season can vary considerably between Member States, the competent authorities should establish the length of the bathing season, which should be used as a basis for the purpose of monitoring and assessing bathing water quality.

Amendment by Cristina García-Orcoyen Tormo

Amendment 69
Article 5, paragraph 2 (b)

(b) waters that have been removed from the list since they no longer fulfil the requirements for being identified as bathing waters

(b) waters that have been removed from the list since they no longer fulfil the requirements for being identified as bathing waters, ***according to definition set in article 3.1***

Or. en

Justification

There must be a clear and transparent link between definition and list of bathing waters. The list must contain all the bathing waters that can be included in the definition on Article 3.1.

Amendment by Cristina García-Orcoyen Tormo

Amendment 70
Article 5, paragraph 3

Member States shall notify the Commission and the public of the list mentioned in paragraph 1 each year, before the start of the bathing season. At the same time Member States shall notify the Commission and the public of any changes to the list including the reasons for removing waters from the list.

Deleted

The reasons for removing waters from the list may include changes in customs, changes in the constitution and use of bathing areas, or changes in the topographical conditions of the bathing site.

Justification

Adding the link in Article 5.2 with Article 3.1 is not necessary paragraph 3 on Article 5 which mentions the reasons for removing waters from the list, which is not clear at all. All the waters that are not in the definition on Article 3.1 will not be included in the list.

Amendment by Ursula Schleicher

Amendment 71
Article 6, paragraph 1

1. Member States shall ensure that a bathing water profile is established for each bathing water in accordance with Annex III. The first bathing water profile shall be established within **three** years following the date laid down in Article 22 (1).

1. Member States shall ensure that a bathing water profile is established for each bathing water in accordance with Annex III. The first bathing water profile shall be established within **five** years following the date laid down in Article 22 (1).

Or. de

Justification

The three-year period should be increased by two years: establishing what are very involved bathing water profiles, given the large number of bathing waters in all Member States, requires efforts which should not be underestimated and for which adequate time should be set aside, in particular since, to date, sufficient staff have not been available within Member State administrations to carry out the task.

Amendment by Guido Sacconi

Amendment 72
Article 6, paragraph 1

Member States shall ensure that a bathing water profile is established for each bathing water in accordance with Annex III. The first bathing water profile shall be established within three years following the

Member States shall ensure that a bathing water profile is established for each bathing water in accordance with Annex III. The first bathing water profile shall be established within three years following the date laid down in Article 22 (1). ***In the***

date laid down in Article 22 (1).

intervening period the measures laid down in Directive 76/160/EEC shall apply.

Or. it

Justification

Self-explanatory.

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 73

Article 7, paragraph 1, (a) (new)

(1a) Member States shall ensure that for monitoring purpose all bathing waters are identified as one or several water bodies according to Directive 2000/60/EC.

Or. en

Justification

A recent EU guidance document on the implementation of the WFD, endorsed by EU water directors, explains: “The Water Framework Directive covers all waters, including inland waters (surface water and ground water) ..., independent of the size and the characteristics. This totality of waters is, for the purpose of the implementation of the directive, attributed to geographical or administrative units, in particular the river basin, the river basin district, and the “water body”.” The water body is the smallest “administrative“ unit of the WFD, for which the objectives; relevant monitoring schemes and programme of measures have to be established.

There are indications that some Member States for practical reasons will set a water body size limit at 0.5 km² for lakes and 10km² for a river catchment. This means that a lake < 0.5 km² would not be designated as a water body, but aggregated with other waters into a larger water body. Subsequently this could result in a situation where no monitoring or specific standard setting would be required in that water. Taking into account the deletion of important monitoring parameters, like ammonia, phosphates and important hazardous substances, in the Commission’s proposal for a Bathing Water Directive, these parameters would in certain cases also not be monitored under the WFD.

Amendment by Mauro Nobilia and Giorgio Lisi

Amendment 74
Article 7, paragraph 2(a) (new)

(2a) Monitoring should be carried out within four days of the date specified in the calendar.

Or. it

Justification

It is right that the monitoring date should be specified, but the calendar must also be flexible and must allow the sample to be taken if necessary within the four days following the specified date. Such a provision would enable allowance to be made for unforeseen events (such as meteorological or organisational problems) which might prevent a sample from being taken on a particular day, and would also make it possible to prevent any 'massaging' of emissions by polluters, such as industrial plants.

Amendment by Guido Sacconi

Amendment 75
Article 7, paragraph 4

During emergency conditions, the monitoring calendar referred to in paragraph 2 may be suspended. It shall be resumed as soon as practical after the end of the emergency condition.

During emergency conditions, the monitoring calendar referred to in paragraph 2 may be suspended. It shall be resumed as soon as practical after the end of the emergency condition. ***In the meantime, bathing shall be prohibited.***

Or. it

Justification

A ban on bathing should be seen as a means of protecting public health.

Amendment by Ursula Schleicher

Amendment 76
Article 7, paragraphs 4 and 5

Does not concern the English version

Or. de

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 77
Article 7, paragraph 5 (a) (new)

(5a) In bathing waters in which bathers move away from the coast with the aid of sports equipment such as surf-boards, kayaks, flippers or diving equipment, the monitoring may be waived.

Member States shall not be required to monitor such bathing waters if

- monitoring is carried out directly on the coast and leads or has led to “Good Quality” waters or if adjoining bathing waters have been classified as at least “Good Quality”, and*
- the bathing water profile does not indicate risks of pollution any higher than close to the coast.*

Or. en

Justification

If both such conditions are met, experience suggests that we can assume that the bathing water concerned will be at least of ‘Good’ quality. For cost reasons it should therefore be possible to waive monitoring of such waters

Amendment by Minerva Melpomeni Malliori

Amendment 78
Article 8, paragraph 1

On the basis of the monitoring of parameters **1 and 2** in column A of Annex I Members States shall establish sets of water quality data.

On the basis of the monitoring of parameters (**deletion**) in column A of Annex I Members States shall establish sets of water quality data.

Or. el

Justification

All the parameters should be of interest.

Amendment by Riitta Myller

Amendment 79
Article 8, paragraph 2

2. A bathing water quality assessment shall be established on the basis of water quality data sets obtained during the preceding **three** bathing seasons and in accordance with the procedure set out in Annex II.

2. A bathing water quality assessment shall be established on the basis of water quality data sets obtained during the preceding **five** bathing seasons and in accordance with the procedure set out in Annex II.

Or. fi

Justification

If the water quality assessment is carried out over a longer period, the influence of momentary changes will not be so significant.

Amendment by Ursula Schleicher

Amendment 80
Article 10, paragraph 2

2. Bathing waters classified as “good” shall be subjected to a bi-annual analysis of all the sources and circumstances likely to cause or contribute to its pollution or contamination. This analysis is aimed at updating the bathing water profile set out in Article 6 and Annex III, and at understanding the risks as a base of targeted, preventive management measures. *deleted*

Or. de

Justification

Profiles for all bathing waters, even those classified as 'good' or 'excellent', are not regarded as proportionate. It is more sensible to establish profiles for problematic waters which are as sound and meaningful as possible than to invest major efforts in establishing profiles for unproblematic waters. Determining potential sources of pollution at bathing waters in densely populated areas is complicated and expensive. The past makes it clear that, often, the source of sudden pollution events in particular cannot be determined. The previous catalogue of potential pollution sources is of no help either: in many instances, they are not the cause.

The testing requirements go far beyond the approach taken in the water framework directive, which provides for comparable testing only for water bodies at risk (Annex II(1)(5) in conjunction with Annex V(1)(1)(5) of the water framework directive). However, the bathing water directive should dovetail with the water framework directive.

Amendment by Ursula Schleicher

Amendment 81
Article 10, paragraph 3

3. Bathing waters classified as “excellent” shall be subjected to a tri-annual analysis of the bathing water profile in order to have a better understanding of all potential sources and risks of pollution and contamination and to take appropriate measures against them. *deleted*

Or. de

Justification

Profiles for all bathing waters, even those classified as 'good' or 'excellent', are not regarded as proportionate. It is more sensible to establish profiles for problematic waters which are as sound and meaningful as possible than to invest major efforts in establishing profiles for unproblematic waters. Determining potential sources of pollution at bathing waters in densely populated areas is complicated and expensive. The past makes it clear that, often, the source of sudden pollution events in particular cannot be determined. The previous catalogue of potential pollution sources is of no help either: in many instances, they are not the cause.

The testing requirements go far beyond the approach taken in the water framework directive, which provides for comparable testing only for water bodies at risk (Annex II(1)(5) in conjunction with Annex V(1)(1)(5) of the water framework directive). However, the bathing water directive should dovetail with the water framework directive.

Amendment by Minerva Melpomeni Malliori

Amendment 82
Article 10, paragraph 3

Bathing waters classified as “excellent” shall be subjected to a tri-annual analysis of the bathing water profile in order to have a better understanding of all potential sources and risks of pollution and contamination **and** to take appropriate measures against them.

Bathing waters classified as “excellent” shall be subjected to a tri-annual analysis of the bathing water profile in order to have a better understanding of all potential sources and risks of pollution and contamination **in order** to take appropriate measures against them **immediately**.

Or. el

Justification

Self-explanatory.

Amendment by Riitta Myller

Amendment 83
Article 12

Emergency plans

deleted

1. Members States shall establish emergency plans for events such as floods,

accidents or infrastructure breakdowns which may have an adverse impact on bathing water quality. Such plans shall identify potential causes and risks of impacts, establish surveillance and/or early warning systems and provide guidance on prevention or mitigation of damage.

2. Member States shall ensure that comprehensive national and/or local surveillance and early-warning systems are established, improved or maintained which will:

(a) identify incidents of pollution or significant risks of such incidents which may have an adverse effect on bathing water quality, including those resulting from extreme weather conditions;

(b) give prompt and clear notification to the relevant public authorities of such incidents or threats;

(c) in the event of any imminent risk to public health, disseminate to those members of the public who may be affected all the relevant information that is held by a public authority and which could help the public to prevent or mitigate harm;

(d) make recommendations to the relevant public authorities and, where appropriate, to the public about preventive and remedial actions.

3. Member States shall ensure that the relevant public authorities have the necessary capacity to respond to such incidents or risks in accordance with the relevant emergency plan.

4. Surveillance and early-warning systems, emergency plans and response capacities in relation to incidents and threats to bathing water quality may be combined with those in relation to other matters.

Or. fi

Justification

The Member States should decide on the necessary measures in the light of the circumstances, rather than detailed rules being laid down in Community law. This article is more appropriate to major disasters, for which the Member States have specific legislation, than to sudden pollution incidents affecting bathing water.

Amendment by Ursula Schleicher

Amendment 84

Article 12

1. Member States shall establish emergency plans for events such as floods, accidents or infrastructure breakdowns which may have an adverse impact on bathing water quality. Such plans shall identify potential causes and risks of impacts, establish surveillance and/or early warning systems and provide guidance on prevention or mitigation of damage.

2. Member States shall ensure that comprehensive national and/or local surveillance and early-warning systems are established, improved or maintained which will:

(a) identify incidents of pollution or significant risks of such incidents which may have an adverse effect on bathing water quality, including those resulting from extreme weather conditions;

(b) give prompt and clear notification to the relevant public authorities of such incidents or threats;

(c) in the event of any imminent risk to public health, disseminate to those members of the public who may be affected all the relevant information that is held by a public authority and which could help the public to prevent or mitigate harm;

(d) make recommendations to the relevant public authorities and, where appropriate, to the public about preventive and remedial actions.

In emergency situations such as floods, accidents or infrastructure breakdowns which may have an adverse impact on bathing water quality, Member States shall ensure that the relevant public authorities are informed quickly and clearly about such incidents so that they are in a position to respond quickly and effectively to such incidents or risks.

3. Member States shall ensure that the relevant public authorities have the necessary capacity to respond to such incidents or risks in accordance with the relevant emergency plan.

4. Surveillance and early-warning systems, emergency plans and response capacities in relation to incidents and threats to bathing water quality may be combined with those in relation to other matters.

Or. de

Justification

Article 12 should be worded more simply and more concisely. The version proposed by the Commission is not commensurate with the subsidiarity principle. For many years, Member States have successfully coped with such emergencies and protected bathers against relevant health risks. Detailed rules at EU level conflict with the subsidiarity principle.

Amendment by Mauro Nobilia, Giorgio Lisi

Amendment 85

Article 12, paragraph 2 (c)

(c) in the event of any imminent risk to public health, disseminate to those members of the public who may be affected all the relevant information that is held by a public authority and which could help the public to prevent or mitigate harm;

(c) in the event of any imminent risk to public health, disseminate to those members of the public who may be affected all the relevant information that is held by a public authority and which could help the public to prevent or mitigate harm, **and possibly impose a temporary ban on bathing;**

Or. it

Justification

Public health must be protected by means of the prompt provision of information to the general public and a temporary ban on bathing should the quality of the water deteriorate to a level which may pose a threat to bathers' health.

Amendment by Guido Sacconi

Amendment 86

Article 13, paragraph 1, (b) (a) (new)

(ba) the waters deemed to conform are open for bathing purposes.

Or. it

Justification

Self-explanatory.

Amendment by Ursula Schleicher

Amendment 87

Article 13, paragraph 2, point (a)

(a) management measures have been undertaken during the bathing season, to prevent human exposure to pollution/contamination and to reduce or eliminate the risk of pollution/contamination, and

(a) management measures, ***including bathing bans, where necessary*** have been undertaken during the bathing season, to prevent human exposure to pollution/contamination and to reduce or eliminate the risk of pollution/contamination, and

Or. de

Justification

Express reference should also be made to bathing bans as measures to protect the public, since, in practice, all Member States have already been applying them for years.

Amendment by Ursula Schleicher

Amendment 88

Article 13, paragraph 2, point (c)

(c) measures to prevent, reduce or eliminate

(c) measures to prevent, reduce or eliminate

the pollution/contamination are implemented and are expected to **produce positive results** within **three** years, and

the pollution/contamination are implemented and are expected to **improve bathing water quality** within **five** years, and

Or. de

Justification

The three-year period proposed is too restrictive. It is already foreseeable that there will be bathing waters in respect of which the necessary improvement in quality is not attainable within three years.

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 89
Article 13, paragraph 2, (d)

(d) the public is informed of the causes of the pollution/contamination and all measures undertaken.

(d) the public is informed **by a clear and simple warning sign and additionally** of the causes of the pollution/contamination and all measures undertaken.

Or. en

Justification

"and additionally" is an addition to the rapporteur's am. 18. This will make sure that the public also will be informed on the causes of pollution/contamination.

Amendment by Guido Sacconi

Amendment 90
Article 13, paragraph 2, (d) (a) (new)

(da) in the case of such water, bathing shall be permitted if:

- the parameters in column A of Annex I have been checked in accordance with Annex IV;

- in the final bathing season of the three-year reference period the parameters in column A of Annex I were found to be equal to or higher than the values shown in column C.

Or. it

Justification

The purpose of the amendment is to ensure that public health receives utmost protection.

Amendment by Guido Sacconi

Amendment 91

Article 13, paragraph 2, last sentence

If bathing water has still not reached the classification 'good' within three years, it shall be considered as not being in conformity with this Directive.

If bathing water has still not reached the classification 'good' within three years, it shall be considered as not being in conformity with this Directive. ***If it is to be deemed acceptable again for bathing purposes, measures designed to improve the quality thereof must therefore be taken.***

Or. it

Justification

This provision will offer bathers greater protection.

Amendment by Ursula Schleicher

Amendment 92

Article 13, paragraph 2, point 2

If bathing water has still not reached the classification "good" within ***three*** years, it shall be considered as not being in

If bathing water has still not reached the classification "good" within ***five*** years, it shall be considered as not being in

conformity with this Directive.

conformity with this Directive.

Or. de

Justification

The three-year period proposed is too restrictive. It is already foreseeable that there will be bathing waters in respect of which the necessary improvement in quality is not attainable within three years.

Amendment by Catherine Stihler and Phillip Whitehead

Amendment 93
Article 13 a (new)

Article 13 (a) (new)

Conformity and Control of Transitory Contamination

- 1. Member States may decide to apply the provisions of this Article to bathing waters affected by transitory contamination***
- 2. Bathing Water shall be considered to be affected by transitory contamination if it is affected by contamination that results in short periods during which the quality of the water is worse than the value of parameters 1 and 2 in column C of Annex I.***
- 3. If bathing water is affected by transitory contamination, the cause of which is known and the timing of which can be predicted, and the conditions in paragraph 4 are met:***
 - (a) Member States shall exclude from sets of water quality data non-compliant samples taken from the bathing water during the periods of transitory contamination,***

(b) the bathing water shall be given the classification it would be given but for the transitory contamination.

4. The conditions referred to in paragraph 3 are that:

(a) implementing remedial measures would infringe other Community legislation, be disproportionate or be infeasible, and

(b) appropriate measures are taken during the bathing season to notify the public whenever transitory contamination affecting the bathing water is expected or occurring and that, during any period of transitory contamination, bathing is prohibited or advised against.

5. If bathing water is affected by transitory contamination, the cause of which is not known or the timing of which cannot be predicted, and the conditions in paragraph 6 are met, the bathing water shall be considered to conform with this Directive.

6. The conditions referred to in paragraph 5 are that

(a) the bathing water is classified as “poor” only because it is affected by transitory contamination,

(b) the Member State is undertaking the measures in paragraph 7 below, and

(c) the measures are leading to progress in the understanding or control of the transitory contamination.

7. The measures referred to in paragraph 6 are:

(a) measures to understand the cause of transitory contamination or improve predictability

(b) remedial measures, unless they would infringe other Community legislation, be disproportionate or be infeasible

(c) measures to inform the public about the current understanding of the cause and predictability of the transitory contamination, and the management and remedial measures being undertaken, and

(d) appropriate measures during the bathing season to notify the public that the water may be subject to transitory contamination and periods when bathing is prohibited or advised against

8. *In determining whether it is disproportionate to implement remedial measures for transitory contamination, the following shall be taken into account:*

(a) the nature, likely frequency and duration of the transitory contamination;

(b) the cost, technical feasibility and environmental impact of such measures

(c) any guidance provided by the Committee established under Article 20; and

(d) any other relevant factors

9. *Member States shall ensure that the bathing water profile for any bathing water affected by transitory contamination includes the following information:*

(a) details of the transitory contamination to the extent allowed by current understanding including its anticipated cause, frequency, nature, and scope

(b) details of any measures being undertaken to understand the cause or improve the predictability of transitory contamination,

(c) details of any remedial measures being undertaken, and

(d) any reasons why it would infringe other Community legislation, be disproportionate or infeasible to eliminate the sources of transitory contamination, including factors taken into account to

evaluate the proportionality of eliminating any remaining sources of transitory contamination.

10. The measures taken by Member States to notify the public about transitory contamination under this Article shall be at least as extensive as the requirements under Article 16.

Or. en

Justification

This introduces two systems of measures to deal with periods of transitory contamination, which are short periods during which the water quality does not meet the microbiological standards for “good” status.

1. It provides that a bathing water can retain the quality status it would have but for transitory contamination if the cause of the transitory contamination is known, the timing can be predicted and the public is appropriately notified. The conditions of use for this system would limit it to those transitory contamination episodes where it would be disproportionate to implement remedial measures. In such a case, non-compliant samples are to be disregarded for monitoring purposes. This allows Member States to remain in conformity with the Directive if the water quality would otherwise be “good” or better.

2. It also provides that if the cause of transitory contamination is not known or cannot be predicted, then so long as measures are being taken which are leading to progress in the understanding or control of the transitory contamination, the water is classified as “poor” but remains in conformity with the Directive. There is also provision for public information to ensure health protection for bathers.

The two systems also provide for the bathing water profile to contain the relevant information in relation to transitory contamination

Amendment by Guido Sacconi

Amendment 94
Article 14, paragraph 2

Visual inspection and analytical measurement, conform to the tests specified in column D of Annex I, shall be undertaken to establish the status of the bathing water in

Visual inspection and analytical measurement, conform to the tests specified in column D of Annex I, shall be undertaken to establish the status of the bathing water in

relation to the physico-chemical parameters 4 to 6 of Annex I. For these parameters, test results deviating from specifications given in column C of Annex I, shall be addressed in terms of investigation and remediation where appropriate, involving public participation as set out in Article 15.

relation to the physico-chemical parameters 4 to 6 of Annex I. For these parameters, test results deviating from specifications given in column C of Annex I, shall be addressed in terms of investigation and remediation where appropriate, involving public participation as set out in Article 15. ***In such a case, bathing in such waters shall be prohibited.***

Or. it

Justification

Greater protection for bathers' health should be provided in cases where waters are found to contain a high level of microbes.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 95 Article 15

Member States shall ensure that ***all interested parties are consulted and allowed*** to participate in establishing, reviewing and updating the list of bathing waters, bathing water profile and the management measures

Member States shall ensure that ***the public is given early and effective opportunities*** to participate in establishing, reviewing and updating the list of bathing waters, bathing water profile and the management measures.

Or. en

Justification

Improved wording to better take into account directive 2003/35/EC on public information in respect of certain plans and programmes relating to the environment, which implements certain provisions of the Aarhus Convention, in particular Article 7 thereof.

Amendment by Ursula Schleicher

Amendment 96 Article 15

Member States shall ensure that all interested parties are **consulted and allowed** to participate in establishing, reviewing and updating the **list of** bathing waters, **bathing water profile** and the management measures.

Member States shall ensure that all interested parties are **locally given early and effective opportunities** to participate in establishing, reviewing and updating the bathing waters and the management measures.

Or. en

Justification

This wording is in line with the outcome of the Parliament-Council conciliation procedure on the directive on providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending the directive regarding public participation and access to justice.

Amendment by Guido Sacconi

Amendment 97 Article 15

Member States shall ensure that all interested parties are consulted and allowed to participate in establishing, reviewing and updating the list of bathing waters, bathing water profile and the management measures.

Member States shall ensure that all interested parties are consulted and allowed to participate in establishing, reviewing and updating the list of bathing waters, bathing water profile and the management measures. ***For this purpose the Member States shall set up advisory committees (as referred to in Article 20) to ensure, inter alia, that the Directive is correctly implemented and that information is provided on a continuous basis.***

Or. it

Justification

The purpose of the amendment is to ensure that all interested parties are fully involved.

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 98
Article 15

Member States shall ensure that all interested parties are consulted and allowed to participate in establishing, reviewing and updating the list of bathing waters, bathing water profile and the management measures.

Member States shall ensure that all interested parties are consulted and allowed to participate in establishing, reviewing and updating the list of bathing waters, bathing water profile and the management measures.
Member States inform the Commission and the public on the way(s) this is organised.

Or. en

Justification

The proposed idea will increase the information flow aiming to improve the efficiency of public participation in all member states.

Amendment by Minerva Melpomeni Malliori

Amendment 99
Article 15

Member States shall ensure that all interested parties are consulted and allowed to participate in establishing, reviewing and updating the list of bathing waters, bathing water profile and the management measures.

Member States shall ensure that all interested parties, ***including those at local level***, are consulted and allowed to participate in establishing, reviewing and updating the list of bathing waters, bathing water profile and the management measures.

Or. el

Justification

Self-explanatory.

Amendment by Ursula Schleicher

Amendment 100

Article 16, paragraph 1, point (a)

(a) *a non-technical summary of the bathing water profile and the bathing water classification over the last 3 years;*

(a) *a general description of the bathing water;*

Or. de

Justification

Article 16 should be worded in such a way that the public's genuine information needs are fulfilled and the subsidiarity principle observed. Members of the public are not interested in technical explanations and details; rather, they are interested in where they can bathe and in the current quality of the bathing water of interest to them. Adequate information mechanisms concerning bathing water quality have been in use for years in Member States. A detailed need for regulation at EU level clashes with the subsidiarity principle.

Amendment by Ursula Schleicher

Amendment 101

Article 16, paragraph 1, point (b)

(b) *an assessment as to whether the monitoring data are relevant for other recreational activities;*

deleted

Or. de

Justification

Article 16 should be worded in such a way that the public's genuine information needs are fulfilled and the subsidiarity principle observed. Members of the public are not interested in technical explanations and details; rather, they are interested in where they can bathe and in the current quality of the bathing water of interest to them. Adequate information mechanisms concerning bathing water quality have been in use for years in Member States. A detailed need for regulation at EU level clashes with the subsidiarity principle.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 102
Article 16, paragraph 1 (b)

(b) an assessment as to whether the monitoring data are relevant for *other recreational* activities;

(b) an assessment as to whether the monitoring data are relevant for *all bathing* activities;

Or. en

Justification

This is linked to the amendment that includes recreational use into the definition of bathing and is needed as a consequence for a coherent text.

Amendment by John Bowis, Caroline F. Jackson, Chris Davies

Amendment 103
Article 16, paragraph 1 (b)

(b) an assessment as to whether the monitoring data are relevant for other recreational activities;

(b) an assessment as to whether the monitoring data are relevant for other recreational activities *undertaken within 100 metres of the shore at low tide*;

Or. en

Justification

Recreational waters should be dealt with on a subsidiarity basis. This Directive needs to be clear about its scope in relation to bathing water, and should not threaten an extension of its scope to new sites and beyond the bathing area and the bathing season - which would have massive cost implications for monitoring and listing of sites.

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 104
Article 16, paragraph 1 (b)

(b) an assessment as to whether the monitoring data are relevant for other recreational activities;

(b) an assessment as to whether the monitoring data are relevant for other recreational activities, ***including an overview of the discharge of urban waste water surrounding the bathing area.***

Or. en

Justification

Standardised warning symbols and information in several languages make the proposal more practicable and useful for all bathers. Urban waste water should also be included since it also affects the quality of bathing water.

Amendment by Chris Davies

Amendment 105
Article 16, paragraph 1 (b)

(b) an assessment as to whether the monitoring data are relevant for other recreational activities;

(b) an assessment as to whether the monitoring data are relevant for other recreational activities; ***At each bathing water location, a flag (or flags) indicating current bathing water quality shall be flown.***

The Commission shall ensure that such a flag system is established within two years.

The Commission shall work with Member States and other interested parties with a view to establishing a common approach towards the provision of information for the public about bathing water quality and other matters relating to the bathing water location.

Or. en

Justification

A flag system can provide a simple and universal guide to the quality of bathing water and bathing water locations. However, the Blue Flag scheme is already in operation and the provision of additional flag indicators will create confusion. The Commission should seek to work with the providers of this scheme, and others if appropriate, in order to try and develop a single and consistent flag information scheme.

Amendment by Ursula Schleicher

Amendment 106

Article 16, paragraph 1, point (c)

(c) in the event of a bathing water being removed from the list of bathing waters **a notice advising the public** of such a removal and giving the reasons for **it, shall be put up in the immediate vicinity of the water during the bathing season of the year that the removal takes place and the following year. Such notice shall also indicate to the public the nearest available bathing water.**

(c) in the event of a bathing water being removed from the list of bathing waters, **information on** such a removal and, **where necessary, about** the reasons for **removal.**

Or. de

Justification

Article 16 should be worded in such a way that the public's genuine information needs are fulfilled and the subsidiarity principle observed. Members of the public are not interested in technical explanations and details; rather, they are interested in where they can bathe and in the current quality of the bathing water of interest to them. Adequate information mechanisms concerning bathing water quality have been in use for years in Member States. A detailed need for regulation at EU level clashes with the subsidiarity principle.

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 107

Article 16, paragraph 1 (c)

(c) in the event of a bathing water being removed from the list of bathing waters a notice advising the public of such a removal and giving the reasons for it, shall be put up in the immediate vicinity of the water during the bathing season of the year that the removal takes place and the following year. Such notice shall also indicate to the public the nearest available bathing water.

(c) in the event of a bathing water being removed from the list of bathing waters a notice advising the public of such a removal and giving the reasons for it, shall be put up in the immediate vicinity of the water during the bathing season of the year that the removal takes place and the following year. Such notice shall also indicate to the public the nearest available bathing water. ***Such notice shall include warning signs at the beach and also indicate to the public the nearest available bathing water***

Or. en

Justification

Standardised warning symbols and information in several languages make the proposal more practicable and useful for all bathers. Urban waste water should also be included since it also affects the quality of bathing water.

Amendment by Ursula Schleicher

Amendment 108 Article 16, paragraph 2

2. Member States shall use appropriate media and technologies, ***such as the Internet***, to actively and promptly disseminate the information concerning bathing water referred to in paragraph 1 and also the following information:

2. Member States shall use appropriate media and technologies to actively and promptly disseminate the information concerning bathing water referred to in paragraph 1 and also the following information:

Or. de

Justification

Article 16 should be worded in such a way that the public's genuine information needs are fulfilled and the subsidiarity principle observed. Members of the public are not interested in technical explanations and details; rather, they are interested in where they can bathe and in the current quality of the bathing water of interest to them. Adequate information mechanisms

concerning bathing water quality have been in use for years in Member States. A detailed need for regulation at EU level clashes with the subsidiarity principle.

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 109
Article 16, paragraph 2

- | | |
|---|--|
| 2. Member States shall use appropriate media and technologies, <i>such as</i> the Internet, to actively and promptly disseminate the information concerning bathing water referred to in paragraph 1 and also the following information: | 2. Member States shall use appropriate media and technologies, <i>including</i> the Internet, to actively and promptly disseminate the information, <i>including at least English and French translation hereof,</i> concerning bathing water referred to in paragraph 1 and also the following information: |
|---|--|

Or. en

Justification

Standardised warning symbols and information in several languages make the proposal more practicable and useful for all bathers. Urban waste water should also be included since it also affects the quality of bathing water.

Amendment by David Robert Bowe

Amendment 110
Article 16, paragraph 2 (a)

- | | |
|---|---|
| (a) the bathing water's profile and the bathing water's classification, <i>including information in relation to other recreational activities,</i> | (a) the bathing water's profile and the bathing water's classification, |
|---|---|

Or. en

Justification

The provision proposed by the Commission on the need for Member States to provide information in relation to recreational waters is unclear. In accordance with the exclusion of recreational waters from the definition of bathing water, this provision should be deleted.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 111
Article 16, paragraph 2 (a)

(a) the bathing water's profile and the bathing water's classification, including information in relation to ***other recreational*** activities,

(a) the bathing water's profile and the bathing water's classification, including information in relation to ***all bathing*** activities,

Or. en

Justification

This is linked to the amendment that includes recreational use into the definition of bathing and is needed as a consequence for a coherent text.

Amendment by Ursula Schleicher

Amendment 112
Article 16, paragraph 2, point (a)

(a) the bathing water's profile and the bathing water's classification, including ***information in relation to other recreational activities,***

(a) the bathing water's profile and the bathing water's classification, including ***current measurement results,***

Or. de

Justification

Article 16 should be worded in such a way that the public's genuine information needs are

fulfilled and the subsidiarity principle observed. Members of the public are not interested in technical explanations and details; rather, they are interested in where they can bathe and in the current quality of the bathing water of interest to them. Adequate information mechanisms concerning bathing water quality have been in use for years in Member States. A detailed need for regulation at EU level clashes with the subsidiarity principle.

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 113
Article 16, paragraph 2 (a)

(a) the bathing water's profile and the bathing water's classification, including information in relation to other recreational activities,

(a) the bathing water's profile and the bathing water's classification, including information in relation to other recreational activities. ***Results of water inspection should be available on the internet within a week.***

Or. en

Justification

Standardised warning symbols and information in several languages make the proposal more practicable and useful for all bathers. Urban waste water should also be included since it also affects the quality of bathing water.

Amendment by Ursula Schleicher

Amendment 114
Article 16, paragraph 2, point (b)

(b) ***the monitoring calendar,***

(b) ***the list of bathing waters. That information should be available each year before the start of the bathing season;***

Or. de

Justification

Article 16 should be worded in such a way that the public's genuine information needs are

fulfilled and the subsidiarity principle observed. Members of the public are not interested in technical explanations and details; rather, they are interested in where they can bathe and in the current quality of the bathing water of interest to them. Adequate information mechanisms concerning bathing water quality have been in use for years in Member States. A detailed need for regulation at EU level clashes with the subsidiarity principle.

Amendment by Riitta Myller

Amendment 115
Article 16, paragraph 2 (b)

(b) the monitoring calendar,

(b) the monitoring calendar, ***and information concerning the results of the most recent analyses,***

Or. fi

Justification

The public should have a right, on request, to obtain details of the results concerning the monitoring of bathing water.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 116
Article 16, paragraph 3

Information referred to in paragraphs 1 and 2 shall be made available for the first time three years following the date laid down in Article 22 (1)

Information referred to in paragraphs 1 and 2 shall be made available for the first time three years following the date laid down in Article 22 (1).

For dissemination of this information, a series of standard symbols shall be used. A standard colour code may be used in addition for communicating the bathing water's classification. The Commission shall in accordance with the procedure referred to in Article 20 (2) adopt such standards at the latest two years following the date laid down in Article 22(1).

Or. en

Justification

There are currently many different labels for bathing water quality, which are made available by several organisations. This variety of labels, often based on different criteria, is confusing and does not give a uniform message to the public when bathing in different Member States. As this Directive aims to establish an EU standard on bathing water quality and harmonised analysis and assessment methods, it should also harmonise the corresponding information to the public

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 117

Article 16, paragraph 3 (a) (new)

(3a) The Commission shall after hearing the Member States, relevant tourist and consumer organisations, develop a simple standardised system of symbols - e.g. smiling faces - which can be used in different matters by Member States, Counties, Municipalities, Tourist Industries etc. as one among other information tools in order to provide information to the public. The system must be available on an EU website.

Or. en

Justification

Standardised warning symbols and information in several languages make the proposal more practicable and useful for all bathers. Urban waste water should also be included since it also affects the quality of bathing water.

Amendment by Ursula Schleicher

Amendment 118

Article 16, paragraph 4

4. Member States shall encourage the active involvement of all interested parties in the public information process, and in ***deleted***

the involvement of the public in issues related to good bathing water quality.

Or. de

Justification

Paragraph 4 can be omitted: it is already contained in Article 15.

Amendment by John Bowis, Caroline F. Jackson

Amendment 119
Article 16, paragraph 4 (a) (new)

At each bathing water location classified as "Good Quality" or "Excellent Quality" under Article 9 a flag indicating current bathing water quality may be flown

Blue flag: 'good' bathing water quality

Blue and gold flag: 'excellent' bathing water quality

The flag shall bear the 12 stars of the European Union and carry the Internet address from which information on bathing water quality can be obtained.

The Commission shall establish such a flag system within two years.

Or. en

Justification

In addition to other measures to improve information to the public, bathing water locations that meet the Good and Excellent status should be permitted to fly an EU-approved flag to 'advertise' the status of the beach/marina. The scheme should not be compulsory as in some locations flags might spoil the visual amenity of the area. The scheme should not interfere with red and red/yellow flags flown by lifeguards to indicate dangerous bathing conditions and stretches of patrolled waters, and the scheme should complement - rather than compete with - the Blue Flag

Amendment by John Bowis, Caroline F. Jackson, Chris Davies

Amendment 120
Article 17, paragraph 1

1. For each bathing water, Member States shall provide the Commission annually, by 31 December at the latest and for the first time within three years following the date laid down in Article 22 (1), with the results of the monitoring data, together with an indication as to whether those data are relevant for other recreational activities *in waters adjacent* to the sampling points. Member States shall provide the Commission the bathing water assessment annually by 31 December at the latest, for the first time three years following the date laid down in Article 22 (1).

1. For each bathing water, Member States shall provide the Commission annually, by 31 December at the latest and for the first time within three years following the date laid down in Article 22 (1), with the results of the monitoring data, together with an indication as to whether those data are relevant for other recreational activities *undertaken within 100 metres of the shore at low tide and relating* to the sampling points. Member States shall provide the Commission the bathing water assessment annually by 31 December at the latest, for the first time three years following the date laid down in Article 22 (1).

Or. en

Justification

Recreational waters should be dealt with on a subsidiarity basis. This Directive needs to be clear about its scope in relation to bathing water, and should not threaten an extension of its scope to new sites and beyond the bathing area and the bathing season - which would have massive cost implications for monitoring and listing of sites.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 121
Article 17, paragraph 1

1. For each bathing water, Member States shall provide the Commission annually, by 31 December at the latest and for the first time within three years following the date laid down in Article 22 (1), with the results

1. For each bathing water, Member States shall provide the Commission annually, by 31 December at the latest and for the first time within three years following the date laid down in Article 22 (1), with the results

of the monitoring data, together with an indication as to whether those data are relevant for ***other recreational activities*** in waters adjacent to the sampling points. Member States shall provide the Commission the bathing water assessment annually by 31 December at the latest, for the first time three years following the date laid down in Article 22 (1).

of the monitoring data, together with an indication as to whether those data are relevant for ***bathing in the bathing water concerned and in bathing*** waters adjacent to the sampling points. Member States shall provide the Commission the bathing water assessment annually by 31 December at the latest, for the first time three years following the date laid down in Article 22 (1).

Or. en

Justification

This is linked to the amendment that includes recreational use into the definition of bathing and is needed as a consequence for a coherent text.

Amendment by Ursula Schleicher

Amendment 122
Article 17, paragraph 4

4. Member States and the Commission shall provide information to the public where possible based upon geo-referenced technology, and presented in a harmonised way and through harmonised formats, as set out in Article 16. *deleted*

Or. de

Justification

Geographic information systems (GIS) are not universally available in Member States. There is no discernible need for standardisation of information. What is important is that information needs are met locally. The information needed, and how it is conveyed may vary in Member States. It should be possible to continue with tried-and-tested approaches.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 123
Article 18 (a) (new)

Article 18 a (new)

Review

The Commission shall review this Directive at the latest 15 years after its entry into force, with particular regard to the parameters for bathing water quality, and shall present appropriate legislative proposals in accordance with Article 251 of Treaty for the review of this Directive.

Or. en

Justification

Given the synergy of this directive with other directives such as the water framework directive, the urban waste water directive or the nitrates directive, a revision after 15 years is appropriate.

Amendment by Guido Sacconi

Amendment 124
Article 19, paragraph 1

The methods of analysis for the parameters set out in Annex I *may* be adapted to scientific and technical progress in accordance with the procedure referred to in Article 20(2).

The methods of analysis for the parameters set out in Annex I *shall* be adapted to scientific and technical progress in accordance with the procedure referred to in Article 20(2).

Or. it

Justification

Since virological-analysis tests have now reached a satisfactory stage of development, the technical aspect of the directive may be updated immediately.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 125
Article 19, paragraph 2

Scientific results obtained on virus detection **may also be integrated, completing** the list of parameters in Annex I, in accordance with the procedure referred to in Article 20(2).

On the basis of scientific results obtained on virus detection, the list of parameters in Annex I **shall be completed with parameters on virus detection**, in accordance with the procedure referred to in Article 20(2).

Or. en

Justification

The presence of viruses in bathing water represents a significant risk. It should be mandatory and not optional to include the detection of viruses in this Directive.

Amendment by Guido Sacconi

Amendment 126
Article 19, paragraph 2

Scientific results obtained on virus detection **may** also be integrated, completing the list of parameters in Annex I, in accordance with the procedure referred to in Article 20(2).

Scientific results obtained on virus detection **shall** also be integrated, completing the list of parameters in Annex I, in accordance with the procedure referred to in Article 20(2).

Or. it

Justification

Since virological-analysis tests have now reached a satisfactory stage of development, the technical aspect of the directive may be updated immediately.

Amendment by John Bowis, Caroline F. Jackson, Chris Davies

Amendment 127
Article 20, paragraph 1

1. The Commission shall be assisted by a committee (hereinafter referred to as "the Committee") composed of representatives of the Member States and chaired by the representative of the Commission.

1. The Commission shall be assisted by a committee (hereinafter referred to as "the Committee") composed of representatives of the Member States and chaired by the representative of the Commission, ***who shall consult with experts representing water consumers, bathing water users, water sports participants and other interested parties.***

Or. en

Justification

Where important matters remain to be decided by the Commission under comitology procedure after the Directive has come into force, representatives of those who benefit and those who will pay the costs should be consulted.

Amendment by Guido Sacconi

Amendment 128

Article 20, paragraph 1(a) (new)

(1a) Similarly, each Member State shall set up an internal committee which shall comprise representatives of the scientific world, of the monitoring scheme, of the relevant ministries and of recognised environmental associations, and which shall be chaired by the appropriate ministry.

Or. it

Justification

The purpose of the amendment is to ensure that the interested parties are fully involved as regards the transposition and the monitoring of the implementation of the directive at national level.

Amendment by Cristina García-Orcoyen Tormo

Amendment 129
ANNEX I, TITLE

Parameters *for Bathing Water Quality*

Parameters *used for seawater classification*

Or. en

Justification

The criterion proposed in this amendment is scientifically more rigorous and it is based on the internationally known fact that the risk of contracting a disease is between two and five times less in inland waters than in coastal waters. For this reason the levels of risk in each of the two types of water should be made comparable and the standards proposed by the Commission and the WHO for coastal waters should be accepted, whilst new values (higher but similar in terms of risk) are proposed for inland waters.

Amendment by Ursula Schleicher

Amendment 130
ANNEX I, Parameters for Bathing Water Quality, column D, heading

D

Methods of Analysis

D

Reference Methods of Analysis

Or. de

Justification

The relevant methods of analysis used in practice are listed in the table. Only reference methods should be represented, i.e. other recognised, equivalent methods of analysis should also be possible.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 131
ANNEX I, Parameters for Bathing Water Quality, row 1

Intestinal Enterococci (I.E.) in cfu/100 ml
Excellent quality **100**

Intestinal Enterococci (I.E.) in cfu/100 ml
Excellent quality **40**

Or. en

Justification

As far as the excellent quality is concerned, WHO brings forward risk levels of bacterial concentrations of 40 cfu/100 ml in its report on health risks related to bathing. Under or up to this level risks on GI are <1% and risks on AFRI are <0.3%. Following WHO, this value is below the NOAEL (no-observed-adverse-effect level) in most epidemiological studies. Therefore only this value can be called excellent.

Amendment by Guido Sacconi

Amendment 132

ANNEX I, Parameters for Bathing Water Quality, row 1

1. Intestinal Enterococci (I.E.) in cfu/100 ml
Excellent quality - 100

1. Intestinal Enterococci (I.E.) in cfu/100 ml
Excellent quality - 50

Or. it

Justification

In the case of waters which are to be described as excellent, tighter parameters should be used and this is the more restrictive reference value used in the WHO guidelines.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 133

ANNEX I, Parameters for Bathing Water Quality, row 1

Intestinal Enterococci (I.E.) in cfu/100 ml
Good quality **200**

Intestinal Enterococci (I.E.) in cfu/100 ml
Good quality **100**

Or. en

Justification

The level proposed by the Commission for good quality is above the threshold of illness transmission in most epidemiological studies. It corresponds with a 5% risk on Gastro-Enteritis (GI) and 3% on Respiratory Illnesses (AFRI) for 'good quality', and 3% and 1% respectively for 'excellent quality'. Such a level of risk is too high to be considered good, let alone excellent. The new levels proposed in the amendment would mean that 'good quality' corresponded to a risk level of 3% on GI and 1% on AFRI. .

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 134

ANNEX I, Parameters for Bathing Water Quality, row 2

Escherischia coli (E.C.) in cfu/100 ml	Escherischia coli (E.C.) in cfu/100 ml
Excellent Quality 250	Excellent Quality 100

Or. en

Justification

As far as the excellent quality is concerned, WHO brings forward risk levels of bacterial concentrations of 40 cfu/100 ml in its report on health risks related to bathing. Under or up to this level risks on GI are <1% and risks on AFRI are <0.3%. Following WHO, this value is below the NOAEL (no-observed-adverse-effect level) in most epidemiological studies. Therefore only this value can be called excellent.

The values for Escherischia Coli (EC) have been derived from the values for Intestinal Enterococci (IE). As studies and practise have indicated that the ratio of EC/IE is in the range of 2 to 3, we vary the concentrations of EC proportionally, so that the ratio of concentrations is 2.5.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 135

ANNEX I, Parameters for Bathing Water Quality, row 2

Escherischia coli (E.C.) in cfu/100 ml	Escherischia coli (E.C.) in cfu/100 ml
Good Quality 500	Good Quality 250

Or. en

Justification

The level proposed by the Commission for good quality is above the threshold of illness transmission in most epidemiological studies. It corresponds with a 5% risk on Gastro-Interitis (GI) and 3% on Respiratory Illnesses (AFRI) for 'good quality', and 3% and 1% respectively for 'excellent quality'. Such a level of risk is too high to be considered good, let alone excellent.

The new levels proposed in the amendment would mean that 'good quality' corresponded to a risk level of 3% on GI and 1% on AFRI.

The values for Escherischia Coli (EC) have been derived from the values for Intestinal Enterococci (IE). As studies and practise have indicated that the ratio of EC/IE is in the range of 2 to 3, we vary the concentrations of EC proportionally, so that the ratio of concentrations is 2.5.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 136

ANNEX I, Parameters for Bathing Water Quality, row 3

Phytoplankton blooms or macro-algae
proliferation

Excellent Quality

Phytoplankton blooms or macro-algae
proliferation

Excellent Quality *Negative result on test*

Or. en

Justification

Simple correction of an omission in the Commission's proposal.

Amendment by Cristina García-Orcoyen Tormo

Amendment 137
ANNEX I (a) (new)

ANNEX I (a) (new)

*Parameters used for freshwater
classification*

1. Escherischia coli (E.C.) in cfu/100 ml

Excellent Quality 500⁵⁸

Good Quality 2000⁵⁸

⁵⁸ **Based upon 95 percentile evaluation**

Or. en

Justification

The criterion proposed in this amendment is scientifically more rigorous and it is based on the internationally known fact that the risk of contracting a disease is between two and five times less in inland waters than in coastal waters. For this reason the levels of risk in each of the two types of water should be made comparable and the standards proposed by the Commission and the WHO for coastal waters should be accepted, whilst new values (higher but similar in terms of risk) are proposed for inland waters.

Amendment by Astrid Thors

Amendment 138

ANNEX II; Bathing Water Assessment and Clarification, 3rd paragraph, second indent

the length of the bathing season and management measures reflect other recreational activities practised.

deleted

Or. sv

Justification

The Commission's intention in adding 'other recreational activities practised' is unclear. Can the quality of the bathing water be excellent only if other activities are also practised there? It is difficult to classify areas as bathing water if they are mainly used for something else. The monitoring facilities that may reasonably be expected are not present in this case.

Amendment by Ursula Schleicher

Amendment 139

ANNEX II, Bathing Water Assessment and Classification, paragraph 3, indent 2

• the length of the bathing season and management measures reflect other

deleted

recreational activities practised.

Or. de

Justification

For the reasons already stated, other recreational activities should not be covered by the directive. Furthermore, classifying a bathing water as 'excellent' cannot be made dependent on taking account of other recreational activities.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 140

ANNEX II, Bathing Water Assessment and Classification, 3rd paragraph, 2nd indent

the length of the bathing season and management measures reflect *other recreational activities practised.*

the length of the bathing season and management measures reflect *all bathing activities*

Or. en

Justification

This is linked to the amendment that includes recreational use into the definition of bathing and is needed as a consequence for a coherent text.

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 141

ANNEX III, The Bathing Water Profile (a) (a) (new)

aa) a description of the physical, geographical and hydrological characteristics of the bathing water in relation to the Water Framework Directive 2000/60/EC;

Justification

Self-explanatory

Amendment by Ursula Schleicher

Amendment 142

ANNEX III, The Bathing Water Profile, paragraph 1, point (b)

b) an identification – ***quantitative and qualitative*** - of all potential sources of pollution;

b) an identification – qualitative - of all potential sources of pollution;

Elements a) and b) should also be provided on a detailed map. Other relevant information may be attached or included as deemed appropriate.

Or. de

Justification

The bathing water profile should be confined to realistic assertions which are genuinely meaningful. The effort involved should be proportionate, particularly for Member States with a large number of bathing waters. Requirements should be worded more clearly. The reference to other recreational activities should be deleted. (See justification for the other relevant amendments.) Amendment by Ursula Schleicher

Amendment 143

ANNEX III, The Bathing Water Profile, paragraph 1, point (c)

c) an assessment of their potential to pollute bathing water, thus impairing the health of bathers. This assessment should be made, in terms of time - accidental or chronic risk potential - and in terms of the nature and volume of all polluting and potentially polluting discharges and their effects assessed in terms of distance from the bathing water.

deleted

Justification

The bathing water profile should be confined to realistic assertions which are genuinely meaningful. The effort involved should be proportionate, particularly for Member States with a large number of bathing waters. Requirements should be worded more clearly. The reference to other recreational activities should be deleted. (See justification for the other relevant amendments.)

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 144

ANNEX III, The Bathing Water Profile (c)

c) an assessment of their potential to pollute bathing water, thus impairing the health of bathers. This assessment should be made, in terms of time - accidental or chronic risk potential - and in terms of the nature and volume of all polluting and potentially polluting discharges and their effects assessed in terms of distance from the bathing water.

c) an assessment of their potential to pollute bathing water, thus impairing the health of bathers, ***as well as an assessment of the environmental quality of the bathing water according to the Water Framework Directive***. This assessment should be made, in terms of time - accidental or chronic risk potential - and in terms of the nature and volume of all polluting and potentially polluting discharges and their effects assessed in terms of distance from the bathing water.

Or. en

Justification

Self-explanatory.

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 145

ANNEX III, The Bathing Water Profile (c), 2nd paragraph

Elements a) and b) should also be provided on a detailed map.

Elements a) **aa**) and b) should also be provided on a detailed map.

Or. en

Justification

Self-explanatory.

Amendment by Ursula Schleicher

Amendment 146

ANNEX III, The Bathing Water Profile, paragraph 1, point (e)

e) an assessment whether this monitoring provides as well representative information for other recreational activities practised with a similar risk of swallowing water as bathing (e.g. windsurfing, kayaking). ***deleted***

Or. de

Justification

The bathing water profile should be confined to realistic assertions which are genuinely meaningful. The effort involved should be proportionate, particularly for Member States with a large number of bathing waters. Requirements should be worded more clearly. The reference to other recreational activities should be deleted. (See justification for the other relevant amendments.)

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 147

ANNEX III, The Bathing Water Profile, (e)

e) an assessment whether this monitoring provides as well representative information for other recreational activities practised with a similar risk of swallowing water as ***e) a description of the bathing activities likely to be carried out (e.g. swimming, windsurfing, kayaking)***

bathing (e.g. windsurfing, kayaking).

Or. en

Justification

This is linked to the amendment that includes recreational use into the definition of bathing and is needed as a consequence for a coherent text.

Amendment by John Bowis, Caroline F. Jackson, Chris Davies

Amendment 148
ANENX III, The Bathing Water Profile, (e)

e) an assessment whether this monitoring provides as well representative information for other recreational activities practised with a similar risk of swallowing water as bathing (e.g. windsurfing, kayaking).

e) an assessment whether this monitoring provides as well representative information for other recreational activities practised **not more than 100 metres from the shore at low tide** with a similar risk of swallowing water as bathing (e.g. windsurfing, kayaking).

Or. en

Justification

Recreational waters should be dealt with on a subsidiarity basis. This Directive needs to be clear about its scope in relation to bathing water, and should not threaten an extension of its scope to new sites and beyond the bathing area and the bathing season - which would have massive cost implications for monitoring and listing of sites.

Amendment by Ursula Schleicher

Amendment 149
ANNEX III, The Bathing Water Profile, paragraph 1, point (f)

Bathing water profile update

Excellent - every **3** years

Aspects to be assessed

Excellent - Update of a), b) **and e)**

Good - Update of a), b) **and c)**

Poor - Update of a), b) **and c)**

Bathing water profile update

Excellent - every **6** years

Aspects to be assessed

Excellent - Update of a) **and b)**

Good - Update of a) **and b)**

Poor - Update of a) **and b)**

Justification

The bathing water profile should be confined to realistic assertions which are genuinely meaningful. The effort involved should be proportionate, particularly for Member States with a large number of bathing waters. Requirements should be worded more clearly. The reference to other recreational activities should be deleted. (See justification for the other relevant amendments.)

Amendment by Torben Lund, Kathleen Van Brempt

Amendment 150

ANNEX IV, Bathing Water Monitoring Frequency, 1st paragraph and Table

The frequency for routine monitoring is set to **2 analysed samples per month**, where a month is a four week period, with each started week considered as whole. *As a function of the bathing water classification, the monitoring frequency is:*

DELETE TABLE

The frequency for routine monitoring is set to **2 analysed samples per month**, where a month is a four week period, with each started week considered as whole.

DELETE TABLE

Or. en

Justification

Regardless of water quality, there should be frequent testing. That will ensure that information is updated, thus benefiting bathers' health.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 151

ANNEX IV, Bathing Water Monitoring Frequency

The frequency for routine monitoring is set to 2 analysed samples per month, where a month is a four week period, with each

As a function of the bathing water classification, the monitoring frequency is:

started week considered as whole. As a function of the bathing water classification, the monitoring frequency is:

During 1 period of 3 years

Excellent
(samples per month) - 0.5

Good
(samples per month) - 1

Poor
(samples per month)- 2

During 2 consecutive periods of 3 years

Excellent
(samples per month)- 0.25

Good
(samples per month) - 0.5

Poor
(samples per month)- 2

One extra sample is to be taken one week before the start of the bathing season. Taking into account this extra sample, in no circumstance there should be less than *two* samples taken and analysed per bathing season.

During 1 period of 3 years

Excellent
(sampling interval) - 4 weeks

Good
(sampling interval) - 3 weeks

Poor or no classification
(sampling interval) - 2 weeks

During 2 consecutive periods of 3 years

Excellent
(sampling interval)- 8 weeks

Good
(sampling interval) - 4 weeks

Poor or no classification
(sampling interval) - 2 weeks

One extra sample is to be taken one week before the start of the bathing season. Taking into account this extra sample, in no circumstance there should be less than *three* samples taken and analysed per bathing season.

Or. en

Justification

The monitoring frequency proposed by the Commission is not very clear and too low. It is suggested to indicate the sampling intervals instead, and to increase the frequency of sampling.

Amendment by Mauro Nobilia, Giorgio Lisi

Amendment 152

ANNEX V, Standards for Handling of Samples, (1)

The sampling point is on the location where on a bathing water, on average throughout the bathing season, most bathers will be

The sampling point is on the location where on a bathing water, on average throughout the bathing season, most bathers will be

found.

found, *provided that the bathing water identified may be regarded as uniform on the basis of factors such as hydrological and topographical conditions, monitoring data and the sources of contamination and pollution. If this is not the case, more sampling points must be created on the basis of the bathing-water profile.*

Or. it

Justification

It should be spelt out that the sampling location must be representative of a bathing water and the water in question must therefore be uniform. If this is not the case (for example, if the profile reveals a source of pollution), there must be a greater number of sampling points capable of monitoring the quality of bathing waters.

Amendment by Marie Anne Isler Béguin, Caroline Lucas

Amendment 153

ANNEX V, Standards for Handling of Samples, 4, 2nd row

The sample should be conserved at a temperature of around 4°C, in a cool box or refrigerator (*if possible*) until arrival at the laboratory. If the transport to the laboratory is likely to take more than 4 hours, then transport in a refrigerator is *highly recommended*.

The sample should be conserved at a temperature of around 4°C, in a cool box or refrigerator until arrival at the laboratory. If the transport to the laboratory is likely to take more than 4 hours, then transport in a refrigerator is *required*.

Or. en

Justification

Due to the rapid decay of bacteria, storage and transport of samples should be standardised as much as possible so as to ensure correct measurements. Temperature needs to be kept at 4°C at all times, otherwise concentrations found may be lower than those actually present in the water

Amendment 154

ANNEX V, Standards for Handling of Samples, 4, row 3

The time between the sampling and the analysis should be kept as short as possible. It is recommended to analyse the samples on the same working day. If this is not possible for practical reasons, then the samples must be processed within maximum 24 hours, provided that the samples are stored in the dark and *as close to 4°C as possible*.

The time between the sampling and the analysis should be kept as short as possible. It is recommended to analyse the samples on the same working day. If this is not possible for practical reasons, then the samples must be processed within maximum 24 hours, provided that the samples are stored in the dark and *at 4°C*

Or. en

Justification

Due to the rapid decay of bacteria, storage and transport of samples should be standardised as much as possible so as to ensure correct measurements. Temperature needs to be kept at 4°C at all times, otherwise concentrations found may be lower than those actually present in the water.