Draft

Ordinance of the Federal Minister for Social Affairs, Health, Care and Consumer Protection amending the Bath Hygiene Ordinance 2012 (2ndAmendment to the Bath Hygiene Ordinance 2012)

On the basis of § 15 of the Bath Hygiene Act (BHygG), BGBl. [Federal Law Gazette] No 254/1976, last amended by Federal Act BGBl.I No 42/2012 as well as by the Federal Ministries Act Amendment 2025, BGBl. I No 10/2025, the following is decreed in agreement with the Federal Ministry of Economy, Energy and Tourism – insofar as baths, whirlpool baths, sauna facilities, hot air and steam baths and small bathing ponds subject to the authorisation requirement pursuant to § 74 of the Trade and Industry Act 1994, BGBl. No 194/1994 are concerned:

The Ordinance on hygiene in baths, whirlpool baths, sauna facilities, hot air and steam baths and small bath ponds (Bath Hygiene Ordinance 2012 – BHygV 2012), BGBl.II No 321/2012, last amended by Ordinance BGBl.II No 333/2023, is amended as follows:

1. *The following entry is inserted in the table of contents after the entry for § 14:*
   '§ 14a UV irradiation of bathing water'

2. *The following entry is inserted in the table of contents after the entry for § 45:*
   '§ 45a Temporary withdrawal from service'

3. *In the table of contents, the entry for § 46 reads:*
   '§ 46 A. General requirements for whirlpool baths
   B. Requirements for water quality in whirlpool baths'

4. *In the table of contents, the entry for § 50 reads:*
   '§ 50 Additives to bath water
   C. Disinfection and hygienic and technical operational management of whirlpool baths'

5. *In the table of contents, the entry for § 55 reads:*
   '§ 55 Recommissioning after a prolonged shutdown
   D. Internal control of whirlpool baths'

6. *In the table of contents, the entry for § 70 reads:*
   '§ 70 Regeneration area and bathing area'

7. *In the table of contents, the entry for § 76 reads:*
   '§ 76 Waterfowl, fish and pets'

8. *In the table of contents, the entry for § 78 reads:*
   '§ 78 Supply from water supply installations in accordance with the Drinking Water Ordinance, wells or springs'

9. *In the table of contents, the entries for §§ 102, 103, 104 and 105 read as follows:*
   '§ 102 Baths and whirlpool baths approved in accordance with the legislation in the fields of natural healing resources and spas or healing and care institutions
   § 103 Hot spa baths, hot air and steam baths and small bathing ponds approved under bath hygiene legislation and commercial law

§ 104 Whirlpool baths approved under bath hygiene legislation
§ 105 Whirlpool baths approved under commercial law’

10. In the table of contents, the entry for Annex 1 reads as follows:

‘**Annex 1**
Analysis and test methods for water from pools and whirlpool baths’

11. In the table of contents, the entry for Annex 5 reads as follows:

‘**Annex 5**
Approved pH and acidity adjusters’

12. In the table of contents, the entry for Annex 9 reads as follows:

‘**Annex 9**
Requirements for the on-site inspection for water hygiene reports pursuant to § 14(2) et seq. BHygG on the quality of water from whirlpool baths’

13. The following entries are added to the table of contents:

‘**Annex 11**
Method for determining the release of formaldehyde in wood

Annex 12
Approved salinisation agents in saltwater pools’

14. In § 1(1) and (3), Subheading A., B., C. and D. of Section 3, § 46(1), § 47(1), § 53(2), § 55, § 56(1)(2) (a) and (b), § 57(5), the heading for § 102, § 102(3), (4) and (6), the heading for § 104, § 104, the heading for § 105, § 105(1), (2) and (4) and the heading of Annex 9, the bracketed expression ‘(whirlpool baths)’ *is deleted in each case.*

15. § 1(4) reads:

‘(4) This Ordinance shall not apply to baths, whirlpool baths, saunas, hot air and steam baths and small swimming ponds which are jointly operated in a residential complex with fewer than six dwellings.’

16. In § 2(4), points (c) to (n) shall be redesignated ‘(d)’ *to* ‘(o)’*; the following point (c) is inserted after point (b):*

‘c) Combined open-air and indoor swimming pools: pool with an outdoor pool part and a pool part inside a building;’

17. In § 2(4)(e), the words ‘up to’ *are replaced by the sign* ‘≤’ *and the word* ‘over’ *is replaced by the sign* ‘>’*; in (l), the word* ‘maximum’ *is replaced by the sign* ‘≤’.

18. In § 2(5)(c), the words ‘from up to’ *are replaced by the sign* ‘≤’.

19. In § 2(5)(d), the word ‘over’ *is replaced by the sign* ‘>’.

20. In § 2(6), the phrase ‘smaller than’ *is replaced by the sign* ‘<’.

21. § 2(10) is worded as follows:

‘10. Bathing water: in the case of pools, the water circulating in the bathing facility; in the case of small bathing ponds, the water located in the bathing area;’

22. In § 2(19), § 7(1)(2)(b), (c)(aa), § 21(1) and (6), § 27(2), § 28(2) and (3), § 31(1), the heading of § 103 and § 103(1) and (2), the bracketed expression ‘(whirlpools)’ *is deleted in each case.*

23. § 2(23) is worded as follows:

‘23. Whirlpool baths: tanks with a water-circulating and/or air-injecting device having a water volume in operation of more than 30 litres and intended for partial and/or whole-body use; the filling volume (amount of water in the hot bubble tank until the water begins to drain over the overflow) may be ≤ 300 litres, otherwise a jetted hot tub design is required;’

24. In § 2(24), the full stop at the end is replaced by a semicolon; in § 2, the following points 25 to 28 are added:

‘25. UV appliances: Appliances for the photochemical treatment of bathing water using polychromatic ultraviolet radiation;

26. Minimum fluidity: Operational states with maximum rate of flow, minimum radiation power and minimum transmission of the water to be treated;
27. Maximum fluid: Operating states with minimum rate of flow, maximum radiation power and maximum transmission of the water to be treated;
28. Eligible persons: Persons or undertakings who have the technically necessary knowledge, skills and experience to test and monitor the respective system; these may in particular be technical offices, civil engineers and accredited bodies of relevant specialist fields as well as court-certified experts for swimming pool technology.'

25. In § 3, the words 'up to' *are replaced by the sign* '≤'.

26. In § 4(2), the comma after the word 'niche' *is replaced by the word* 'and' *and the words* 'and entrances' *are deleted.*

27. 27. § 4(3)(3) reads:

'3. Pool walls and walls of fixtures in pools, provided that the total length of the sides of these fixtures and pool walls that come into contact with water does not exceed 20% of the overflow edge on all sides and the surfaces of these fixtures are easy to clean and disinfect. In any case, the proportion of the break in tank walls shall not exceed 10% of the total circumference, whereby at least 50% of each side must be equipped with an overflow edge,'

28. § 5(1)(1) reads:

'1. It must be flawless in terms of disease hygiene, which is generally considered to be complied with if the following microbiological requirements are met:
   a) colony number at 37°C incubation temperature: the number of colony forming units (CFU) shall not exceed 100 in 1 ml,
   b) intestinal enterococci: must not be detectable in 100 ml,
   c) pseudomonas aeruginosa: must not be detectable in 100 ml, and
   d) legionella, differentiated for legionella pneumophila serogroup 1, legionella pneumophila serogroup other than 1 and legionella non-pneumophila: shall not exceed 10 CFU in 100 ml each; an examination thereof shall only be carried out if the filling water temperature measured at the point of acceptance after reaching temperature consistency is above 20°C.'

29. In § 5(1)(2)(a)(bb), after the words '11 mg/l', *the words* 'shall not exceed' *are deleted and the words* 'where the chloride content exceeds 500 mg/l, a value of 2.0 mg/l' *are replaced by the words* '3.5 mg/l'.

30. § 6 is worded as follows:

'**§ 6.** The water pumped through the water treatment plant must meet the following requirements after filtration, before chlorination, pH correction and any UV irradiation:

1. In terms of bacteria:
   a) pseudomonas aeruginosa: should not be detectable in 100 ml; if pseudomonas aeruginosa is detected, the procedure laid down in § 43(6) shall be followed,
   b) legionella, differentiated for legionella pneumophila serogroup 1, legionella pneumophila serogroup other than 1 and legionella non-pneumophila: should not exceed 10 CFU in 100 ml each; if a colony number of 10 CFU in 100 ml is exceeded, the procedure laid down in § 43(6) must be followed.
2. In the chemical-physical respect:
   a) the concentration of ozone, measured after the activated carbon canister, must not exceed 0.05 mg/l,
   b) the transmission shall not be less than 60%T100 (254nm) when UV irradiation is used.'

31. § 7(1)(1)(a) reads:

'a) Colony count at 37°C incubation temperature: the number of colony forming units (CFUs) shall not exceed 100 in 1 ml,'

32. In § 7(1)(1)(b) is deleted and points (c) to (e) are redesignated ‘b)’ *to* ‘d)’.

33. In § 7(1)(1)(b), § 47(1)(1)(c), § 48(1)(3), § 78(1)(1)(b), § 79(1)(1)(b), § 80(1)(1)(b), § 84(1)(1)(a)(bb), § 2(e)(bb) and § 3(e)(bb), the word ‘enterococcal’ *is preceded by the word* ‘intestinal’.

34. § 7(1)(1)(d) reads:

‘d) Legionella, differentiated for legionella pneumophila serogroup 1, legionella pneumophila serogroup other than 1 and legionella non-pneumophila: should not be detectable in 100 ml each but must not exceed 10 CFUs in 100 ml; if legionella is detected, the procedure laid down in § 43(7) shall be followed.’

35. § 7(1)(2)(a) and (b) reads as follows:

‘a) the potassium permanganate consumption ($KMnO_4$) shall not exceed 11.0 mg/l or the TOC shall not exceed 3.5 mg/l,

b) the pH shall not be ≤ 6.5 and not ≥ 7.8 for tanks with reprocessing processes in accordance with § 14, and ≤ 6.5 and not ≥ 7.4 in jetted hot tub;’

36. § 7(1)(2)(c)(aa) to (cc) reads as follows:

‘aa) in all parts of the pelvis

– in the pH range up to 7.4 ≥ 0.3 mg/l, in jetted hot tubs, immersion pools, wading pools, treading pools and walk-through pools with preparation methods in accordance with § 14 ≥ 0.6 mg/l,

– in the pH range from 7.4 to 7.8 ≥ 0.5 mg/l,

bb) must be ≥ 0.8 mg/l in immersion, wading, treading and walk-through pools in continuous operation,

cc) must not exceed 1.2 mg/l in indoor swimming pools, 2.0 mg/l in artificial outdoor swimming pools and in immersion, wading, treading and walk-through pools with treatment procedures in accordance with § 14, and’

37. The following Subparagraph dd is added to § 7(1)(2)(c):

‘dd) shall not exceed 4.0 mg/l in continuous immersion, wading, treading and walk-through pools;’

38. In lit. (f) of § 7(1)(2), the word ‘nitrates’ *is replaced by the word* ‘nitrate’, *and in lit. (h) of the introductory part, the word* ‘chlorides’ *is replaced by the word* ‘chloride’.

39. § 7(1)(2)(h)(bb) reads as follows:

‘bb) in artificial outdoor pools, combined outdoor and indoor pools, and indoor pools that are operated via a shared water treatment circuit with an outdoor pool, no more than 350 mg/l,’

40. § 7(1)(2)(h)(cc) shall be deleted.

41. In § 7(1)(2)(h), sublit. ‘(cc)’ *is added and the word* ‘maximum’ *is replaced by the sign* ‘≤’*; in lit. (j) (aa) and (bb), the word* ‘at least’ *is replaced by the sign* ‘≥’.

42. In § 8, the specification ‘Annex 8’ *is replaced by the specification* **‘Annex 8’**, *in § 26(2), the specification* ‘Annex 2’ *by the specification* **‘Annex 2’**, *in § 39, the specification* ‘Annex 3’ *by the specification* **‘Annex 3’**, *in § 40(2), the specification* **‘**Annex 3**’** *by the specification* **‘Annex 3’**, *in § 42(3), the specification* **‘**Annex 8**’** *by the specification* **‘Annex 8’**, *in § 49, the specification* **‘**Annex 1**’** *by the specification* **‘Annex 1’**, *in § 54, the specification* **‘**Annex 3**’** *by the specification* **‘Annex 3’**, *in § 57(1) and (5), the specification* **‘**Annex 9**’** *by the specification* **‘Annex 9’**, *in § 81, the specification* **‘**Annex 6**’** *by the specification* **‘Annex 6’**, *in § 82, the specification* **‘**Annex 7**’** *by the specification* **‘Annex 7’**, *in § 84(2), the specification* **‘**Annex 10**’** *is replaced by the specification* **‘Annex 10’** *and in § 96(2) the specification* **‘**Annex 7**’** *is replaced by the specification* **‘Annex 7’**.

43. The following Paragraph 3 is added to § 9:

‘(3) The use of solar heat collectors is only permissible by means of a separate circuit.’

44. In § 12, the words ‘and each part of the pool for which a separate supply is required pursuant to § 19(2)’ *are inserted after the word* ‘pool’.

45. The following sentence is added to § 13:

‘There shall be at least one continuous measurement of the redox voltage in each reprocessing circuit.’

46. After § 14, § 14a including the heading, is inserted as follows:

‘**UV irradiation of bathing water**

§ 14a. In addition to the preparation procedures pursuant to § 14, ultraviolet spectrographs may be used if they meet the following requirements:

1. The ultraviolet spectrograph must be installed after the filter and before chlorination and pH correction, and must be equipped with a device for cleaning the lamp casing tubes, which must be carried out automatically and regularly.
2. The entire volume flow must be passed through the ultraviolet spectrograph.
3. Irradiation chambers must be evenly flooded with water across their entire cross section and be easily accessible for maintenance and lamp replacement.
4. The command unit of the ultraviolet spectrograph shall ensure easy readability of the operating data.
5. Only medium-pressure mercury vapour lamps may be used.
6. Ensure that a fluence of 400 J/m² is not undershot and a fluence of 800 J/m² is not exceeded.
7. By locking the control of the ultraviolet spectrograph with the bath water treatment system, it must be ensured that when the agitation is switched off, when the flow rate falls below the minimum or when the flow rate is reduced (e.g. night-time reduction, incident), the output of the ultraviolet spectrograph is also reduced accordingly or the ultraviolet spectrograph is switched off.’

47. In Subparagraph 1 of § 15(3), the word ‘up to’ *is replaced by the sign* ‘≤’*; in Subparagraph 2, the word* ‘over’ *is replaced by the sign* ‘>’.

48. In §§ 16 and 17, the word ‘up to’ *is replaced by the* ‘≤’ *sign.*

49. In § 18(2), the words ‘greater than’ *are replaced by the sign* ‘>’.

50. In § 18(3), the words ‘less than or equal to’ *are replaced by the sign* ‘≤’.

51. In § 19(1), after the words ‘multi-purpose pools’, *the phrase* ‘and combined indoor and outdoor pools’ *is inserted, and the words* ‘pool section’ *are replaced by the words* ‘pool part’.

52. The introduction to § 19(2) reads as follows:

‘In the case of multi-purpose pools and combined indoor and outdoor pools, joint feeding of the calculated flow may take place if:’

53. In § 19(2)(2), the words ‘less than’ *are replaced by the sign* ‘≤’ *and the full stop at the end is replaced by a semicolon.*

54. In § 19(2), the following Subparagraph 3 shall be added:

‘3. in the case of a combined outdoor and indoor pool, the smaller pool section has a water surface area ≤ 20% of the total water surface area.’

55. In § 20(1)(1), a comma is inserted after the phrase ‘§ 14(1)’ *and the word* ‘and’ *shall be deleted before the number* ‘2’.

56. § 20(3) reads:

‘(3) The flow rate of a therapy pool shall be ≥ 16 m³/h.’

57. Article 21 is worded as follows:

‘**§ 21.** (1) For jetted hot tubs, the flow rate shall be calculated as follows:

$$Q_{\ddot{u}} = N \times 5$$

For this purpose:

N = Number of user seats

Q_G = total flow rate, in m^3/h

(2) The calculation of the number of user places shall be based on a space width of 0.8 m per person.

(3) For single-layer filters, the filter velocity must be ≤ 20 m/h.

(4) In the case of multi-layer filters, the filter speed shall be ≤ 25 m/h and the grain size combination B shall be used in accordance with § 28(1)(2).

(5) If the water treatment of jetted hot tubs and other tubs is combined, the filter area of the treatment plant must be the sum of the filter area resulting from the total flow streams per pool in conjunction with the permissible filter speeds (single-layer filters pursuant to § 27, multi-layer filters pursuant to § 28). The flow rate of the treatment plant is calculated from the sum of the total flow rates of the individual pools.'

58. In § 22(2)(3), after the phrase ('1 m'*), the parenthetical phrase* '(measured at the top edge of the backrest)' *is inserted.*

59. In § 24(1), the words 'up to' *are replaced by the sign* '≤'.

60. § 24(2) reads:

'(2) Plunge pools with a surface area ≤ 4 m^2 may be operated with volume-proportional chlorination of the filling water or with organic chlorine products (chlorine tablets) (**Annex 3** § A) in continuous operation. The volume flow of the filling water shall be calculated according to a pool with a water depth of ≤ 1.35 m. The overflow water from immersion pools in continuous operation may be fed into a compensation tank if no organic chlorine preparations are used for disinfection.'

61. In the first sentence of § 25(2), the phrase 'in continuous operation' *is inserted after the parenthetical expression* '(chlorine tablets)'*; the last sentence is deleted.*

62. The following Paragraph 3 is added to § 26:

'(3) The filter bed surface shall be as horizontal as possible and shall not show any distortion of > 5 cm/m filter diameter during the filtration process.'

63. In § 27(1), the words 'at least' *are replaced by the sign* '≥'.

64. In § 27(2), the word sequence 'from over' *is replaced by the sign* '>' *and the words* 'at least' *are replaced by the sign* '≥'.

65. The following Paragraphs 3 and 4 are added to § 27:

'(3) After replacement of the filter material, a filter bed expansion of at least 10% of the filter layer shall be demonstrated during filter backwashing.

(4) A permanently transparent sight glass must be installed flush with the inner wall of the filter to monitor and control the surface of the filter layer, the filter layer height and the expansion of the filter layer during the flushing process.'

66. In § 28(1)(1), in Subparagraphs (a) and (b), the word 'at least' *are replaced by the sign* '≥'*; in Subparagraph (b), after the expression* '0.4 m'*, the phrase* 'in treatment processes pursuant to § 14(2)(a), lignite coke may not be used;' *is added.*

67. In § 28(1)(2)(a) and (b) respectively, the words 'at least' *are replaced by the sign* '≥'*; in (b) after the expression* '0.6 m' *the full stop is replaced by a semicolon and the words* 'lignite coke may not be used in reprocessing procedures pursuant to § 14(2)(a).' *are added.*

68. In § 28(2), the words 'from over' *are replaced by the sign* '>' *and the following sentence is added:*

'The freeboard depth must be ≥ 0.5 m.'

69. In § 28(3), the word sequence 'with a water temperature of over 35° C' *is deleted.*

70. § 28(5) reads:

'(5) In order to monitor and control the surface of the upper filter layer, the filter layer heights, the separation of the filter layers and the expansion of both filter layers during the rinsing process, two permanently transparent glass panes shall be fitted inside the filter pane.'

71. § 29(2) reads:

‘(2) The dimensioning of the chlorinators shall be such that the following amounts of chlorine can be added:

a) indoor pool: at least 2 g of chlorine per m³ of circulation water,

b) artificial outdoor swimming pool with a water depth > 1.35 m: at least 4 g of chlorine per m³ of circulating water and

c) artificial outdoor swimming pool with a water depth ≤ 1.35 m: at least 8 g of chlorine per m³ of circulating water.’

72. The following Paragraph 3 is added to § 29:

‘(3) In the case of electrochemical processes for the on-site production of disinfectant chlorine compounds, electrolysis plants producing chlorine in the main stream or in a partial stream of salty bath water shall not be permitted.’

73. In § 30, in the first sentence, the word ‘up to’ *is replaced by the sign* ‘<’*, the word* ‘over’ *is replaced by the sign* ‘>’ *and after the expression* ‘28°C’ *the words* ‘at least’ *are replaced by the sign* ‘≥’.

74. § 31(3) reads:

‘(3) Pools shall be checked daily for contamination of the bottom and, if necessary and at least once a week, cleaned with appropriate underwater suction equipment.’

75. In § 32, the word ‘daily’ is omitted.

76. In § 33(3), the words ‘Opening time’ *are replaced by the words* ‘Opening hours’.

77. § 34(1) reads:

‘(1) The flow rate may only be reduced to below Q_A outside opening hours. In addition, the reduction is only permitted if

1. the reduced flow rate
   a) for pools, except for jetted hot tubs, ≥ 50% of the flow rate is Q_A or
   b) for jetted hot tubs, ≥ 50% of the flow is Q_G,
2. in the case of a dye test, not necessary in the case of jetted hot tubs, a maximum dyeing time of 20 minutes at reduced flow is demonstrated and complied with,
3. the redox potential is continuously monitored during operation with reduced flow rate,
4. the water treatment plant automatically switches on the flow rate Q_A if the redox voltage falls below 700 mV and
5. when an ultraviolet spectrograph is operated, its power is reduced accordingly or the ultraviolet spectrograph is switched off.’

78. In § 36(1), the words ‘listed in Annex 3 Section C’ *shall be deleted and the sequence of words and signs* ‘in accordance with § 40(2)’ *is inserted after the word* ‘disinfectant’.

79. In § 36(4), in the first sentence, the word ‘at least’ *is replaced by the sign* ‘≥’ *and, after the word* ‘filter bed height’*, the phrase* ‘continuously during the water flushing phase’ *is inserted; the second sentence is deleted.*

80. In the first sentence of § 36(5), the words ‘at least’ *are replaced by the sign* ‘≥’ *and the phrase* ‘permanently during the water flushing phase’ *is inserted after the word* ‘height’*; the second sentence is deleted.*

81. In § 36(6), the words ‘at least’ *are replaced by the sign* ‘≥’ *and the number* ‘4’ *is replaced by the number* ‘5’.

82. § 38(1)(2) is worded as follows:

‘2. before and after the chlorine vaccination site; in the case of water treatment plants with only one filter, the sampling tap in front of the chlorine vaccination site may be omitted; in the case of water treatment plants with several filters, the sampling tap in front of the chlorine vaccination site may be located on a collection line of all filters;’

83. In § 38(1)(3) the word ‘and’ *is replaced by a comma; in Subparagraph 4, the full stop is replaced by the word* ‘and’*; the following Subparagraph 5 is added:*

‘5. after any ultraviolet spectrograph and before chlorination and pH correction.’

84. In § 38(2), the words ‘at least 40 cm’ *are replaced by the words* ‘≥ 0.4 m’.

85. In § 39, the last sentence reads:

In addition, these disinfectants must be approved in accordance with Regulation (EU) No 528/2012 on the making available on the market and use of biocidal products, OJ No L 167 of 27 June 2012, p. 1, or in accordance with the Biocidal Products Act (BiozidprodukteG), BGBl.I No 105/2013, may be placed on the market and used.’

86. § 40(1) reads:

‘(1) Only the following substances may be added to the water to be prepared:

1. flocculants as defined in **Annex 2**,
2. disinfectants as defined in **Annex 3** Sections A and B,
3. oxidizing in accordance with **Annex 4**,
4. means for setting the pH value and the acid capacity in accordance with **Annex 5** and
5. appropriations for salinisation in saltwater pools as specified in **Annex 12**.

The substances may only be added in quantities and dilutions that do not pose a risk to the health of bathers.’

87. In § 41(1)(2), the words ‘opening time’ *are replaced by the words* ‘opening hours’.

88. In § 41(1)(4) and § 42(1), the phrase in brackets ‘(Whirl Pool)’ *is deleted.*

89. In § 41(4), the words ‘or in the case of filling water with low carbonate hardness (weak buffered water)’ *are deleted.*

90. In § 41, Paragraph 7 is given the paragraph designation ‘(9)’ *and the following Paragraphs 7 and 8 are inserted after Paragraph 6:*

‘(7) Where an ultraviolet spectrograph is used, the following documents shall be attached to the logbook:

1. a record of the first entry into service of the ultraviolet spectrograph, with the date of entry into service and all relevant operating conditions;
2. the name of the custodian of the ultraviolet spectrograph and his or her substitute;
3. records of periodic maintenance, repairs and operational deviations, such as
   a) cleaning and maintenance of the ultraviolet spectrograph,
   b) replacement of UV lamps,
   c) checking and, if necessary, calibration of the device radiometer,
   d) nature and date of malfunctions, failures and damage to parts of the installation.

(8) In addition to paragraph 7, the following data shall be recorded weekly:

1. counter reading for operating hours,
2. counter reading for switching operations,
3. exposure rate on the equipment sensor.’

91. § 42(1)(2) is worded as follows:

‘2. Water from the water treatment plant before chlorination, pH correction and any UV irradiation (in the procedure under § 14(2) both after the single-layer or multi-layer filter and after the activated carbon filter), and’

92. In § 42(1), the final § is deleted.

93. In § 42(3), the following sentence is added:

In exceptional cases, the inspection, sampling and measurements on site may be announced in advance.’

94. In § 42(4), before the phrase ‘the expert’*, the word* ‘or’ *is replaced by the words* ‘and/or’.

95. After § 43(1), the following Paragraphs 1a and 1b are inserted:

‘(1a) In the case of pools for which a joint supply of water is not permitted pursuant to § 19(2), the examination of the parameters referred to in § 7(1)(2)(b) to (e) is required in each pool area. The examination for the parameters referred to in § 7(1)(2)(a) and (f) to (i) is only required from one tank per processing circuit.

(1b) For immersion, wading, tread and walk-through pools in continuous operation, only one measurement of free chlorine is required.’

96. § 43(4) and (5) is worded as follows:

‘(4) The water hygiene report must clearly state in its overall assessment, taking into account the site findings in accordance with **Annex 8**, whether

1. the filling water, the water from the water treatment plant before chlorination and the pool water are of such a nature that sufficient precautions are taken to protect the health of bathers, in particular from a hygienic point of view, by indicating whether
   a) the filling water complies with the values specified in § 5, the water from the water treatment plant complies with the values specified in § 6 prior to chlorination, and the pool water complies with the values specified in § 7, in conjunction with § 98(2) where applicable, or
   b) detected deviations from the values according to §§ 5, 6 and 7, if necessary with immediate adoption of measures, can be tolerated in the context of the overall assessment or whether
2. the requirements referred to in Subparagraph 1 are not met. (5) In the cases referred to in Subparagraphs 1(b) and 2 of Paragraph 4, the report shall state the deficiencies and, where possible, propose measures to remedy them, in the event of the detection of Pseudomonas aeruginosa and/or Legionella in accordance with Paragraphs 6 and 7, the measures listed there and a control investigation or an extended investigation to verify the effectiveness of the measures taken.’

97. The following paragraphs (6) to (8) are added to § 43:

‘(6) If an investigation pursuant to § 6 reveals the presence of Legionella > 10 CFU in 100 ml or Pseudomonas aeruginosa, immediate measures must be taken to remediate the water treatment system, such as disinfecting the filter and/or replacing the filter material. The effectiveness of the measures taken must be demonstrated by means of a control investigation

1. for the parameter Pseudomonas aeruginosa at a concentration of ≤ 50 CFU in 100 ml, no later than six months from the date of the test result;
2. for the parameter Pseudomonas aeruginosa at a concentration of > 50 CFU in 100 ml, immediately;
3. for the parameter Pseudomonas aeruginosa, at a concentration of 200 CFU in 100 ml, there is in any case not a sufficient level of precaution for the protection of the health of bathers from a hygienic perspective;
4. for the parameter Legionella, at a concentration of > 10 to ≤ 100 CFU in 100 ml, at the latest six months after the result of the test has been obtained;
5. for the parameter Legionella, at a concentration of > 100 CFU in 100 ml, without undue delay;
6. for the parameter Legionella, if the concentration is > 1000 CFU in 100 ml, there is in any case not a sufficient level of precaution to protect the health of bathers from a hygienic point of view.

(7) If the test pursuant to § 7 reveals the presence of Legionella bacteria, remedial measures must be carried out in any case. Immediate closure of the bathing facility may be dispensed with if a concentration of 100 CFUs in 100 ml is not exceeded and

1. immediate measures are taken to rehabilitate water treatment, such as disinfection of the filter and/or replacement of the filter material, control of the rinsing of the attraction pipes,
2. the free chlorine content in the pool water during that period is ≥ 0.8 mg/l and the pH value is ≤ 7.0,
3. aerosol-forming attractions are decommissioned and
4. the effectiveness of the measures taken is confirmed by a control test carried out no later than one month after the results of the test are available, if necessary before the water hygiene report is issued.

(8) If a pool is closed following positive evidence of Legionella bacteria, the results of the follow-up inspection must be presented before the pool can be reopened.'

98. In § 44(1), in the introductory part, the words in brackets '(e.g. according to the Trade Regulation Act of 1994, civil engineers in relevant fields)' *are deleted.*

99. § 44(1)(2) and (3) read:

'2. Testing of pool flow and disinfectant distribution by dyeing the pool water with Eriochrome Black T followed by decolouration by chlorination; Q_A shall be used as the basis for testing the pool flow; the time for dyeing and decolouration must not exceed 15 minutes each for a water depth > 1.35 m and 10 minutes each for a water depth ≤ 1.35 m. In the case of jetted hot tubs, wading, pedalling and crossing pools and landing pools for water slides, this proof can be omitted. In the case of reduced flow, §§ 34 and 35 shall apply;

3. Test of filter bed elongation during flushing of the filter system (§ 36(4) and (5));'

100. In § 44 (1) (4), after the word 'bathing water', *the phrase* 'during opening hours' *is inserted, and after the word* 'hair trap test', *the phrase* 'on site' *is inserted.*

101. After § 45, § 45a including the heading, is inserted as follows:

'**Temporary removal from service**

§ 45a. (1) The temporary removal from service of a pool must be reported to the district administrative authority within three weeks. This does not apply to decommissioning periods of less than twelve months.

(2) If the pool is put back into operation after more than twelve months, the operator must notify the administrative body

1. of the resumption of operation before commissioning,
2. and send proof of an acceptance test regarding the proper, foolproof and official condition of the water treatment plant by a person authorised for this purpose; and
3. proof of an inspection regarding the requirements laid down in §§ 6 and 7 by a hygiene expert pursuant to § 14(3)(1) BHygG

.'

102. § 46(1) reads:

'(1) Hot dip tanks, except those in public areas with private character, are intended, regardless of their size, only for use by a person in a bathing process.'

103. In § 46(2), the word 'light' *shall be deleted before the words* 'material to be disinfected'.

104. In § 47(1)(1)(a), the words 'colony-forming units' *are replaced by the words* 'colony number' *and* 'concentration' *by the words* 'number of colony-forming units (CFU)'.

105. § 47(1)(1)(b) is deleted; Subparagraphs (c) to (e) are renumbered as 'b)' *to* 'd)', *respectively.*

106. § 47(1)(1)(d) read:

'd) Legionella differentiated by Legionella pneumophila serogroup 1, Legionella pneumophila serogroups other than 1 and Legionella non-pneumophila: the concentration shall not exceed 10 CFU in 100 ml each;'

107. In § 48(1), § 51(2), (3) and (5), § 53(1), § 57(1) and (2), § 59(1) and (2), § 60(1) and (4) and § 96(1) and (3), the bracketed expression '(whirlpool)' *is deleted in each case.*

108. In § 48(1)(1), the phrase 'colony forming units' *is replaced by the words* 'colony count' *and the word* 'concentration' *is replaced by the phrase* 'number of colony forming units (CFU)'*; point 2 is deleted and points 3 to 5 are renumbered* '2.' *to* '4.'.

109. § 48(1)(4) is worded as follows:

'4. Legionella differentiated by Legionella pneumophila serogroup 1, Legionella pneumophila serogroups other than 1 and Legionella non-pneumophila: the concentration shall not exceed 10 CFU in 100 ml each.'

110. In Subparagraph 1 of § 48(2), the words ‘at least’ *are replaced by the sign* ‘≥’, *the number* ‘0.6’ *is replaced by the specification* ‘1.0 mg/l’, *the word* ‘maximum’ *is replaced by the sign* ‘≤’ *and the number* ‘1.2’ *is replaced by the number* ‘4.0’, *and in point 2, the word* ‘maximum’ *is replaced by the sign* ‘≤’.

111. § 50, including its heading, reads as follows:

‘**Additives to tub water**

§ 50. No additives may be added to the tub water. This must be mentioned in the bathing rules.’

112. In § 51(1), after the parenthetical expression ‘(Disinfection of the tank circuit with flushing water)’, *the word* ‘between’ *is replaced by the word* ‘after’.

113. In the introductory part of § 51(2), the words ‘but not the use of additives,’ *are deleted.*

114. In § 51(3)(3), the phrase ‘although no additives may be used’ *is deleted.*

115. In the first sentence of § 51(4), after the number ‘4’, *the words* ‘mg/l’ *are inserted; the word* ‘at least’ *is replaced by the sign* ‘≥’, *the word* ‘maximum’ *is replaced by the sign* ‘≤’ *and the number* ‘10’ *is replaced by the number* ‘20’.

116. In the first sentence of § 51(5), the words ‘flowing through’ *are inserted after the word* ‘rinsing disinfection’, *and the phrase* ‘flowing through the filling water chlorination’ *is replaced by the phrase* ‘wetting during the filling water chlorination’.

117. Article 52 is worded as follows:

‘**§ 52.** Cleaning of the surface of the tub, including any fittings, shall be carried out, if possible, after the individual use procedures, but at least once a day, provided that the tub has been put into operation. Care must be taken to ensure that no large quantities of cleaning agent enter the tank circuit. Cleaning must also be carried out after a prolonged shutdown or break in operation.’

118. In the first sentence of § 53(1), the words ‘for both water chlorination and rinsing disinfection’ *are inserted after the word* ‘disinfectant’.

119. In the second sentence of § 54, the words ‘in accordance with the provisions of the Biocidal Products Act’ *are replaced by* the words ‘in accordance with Regulation (EU) No 528/2012 and the Biocidal Products Act’.

120. In § 57(5), the following sentence is added:

In exceptional cases, the inspection, sampling and measurements on site may be announced in advance.’

121. In § 57(6), in the last clause before the words ‘of the judicial expert’ *the word* ‘or’ *is replaced by the words* ‘and/or’.

122. In § 58(3), before the words ‘judicial expert’, *the word* ‘of’ *is replaced by the phrase* ‘of the’.

123. In § 58(4), after the words ‘overall assessment’, *the following phrase is inserted:* ‘taking into account the findings on site in accordance with **Annex 9**’.

124. In § 59(1), the parenthetical expression ‘(e.g. according to the Trade Regulation Act of 1994, civil engineers in relevant fields)’ *is deleted.*

125. In § 61(2), in the first sentence, the words ‘at least’ *are replaced by the sign* ‘≥’.

126. In § 61(3), the words ‘to the outside in the direction of the shortest escape route, easily open and unlockable’ *are replaced by the words* ‘to be opened outwards by slight pressure and must not obstruct the escape route when open; it must not be lockable for unauthorised persons’.

127. In the first sentence of § 61(5), the words ‘wood booths’ *are replaced by the words* ‘sauna booths’ *and the words* ‘with the lowest possible release of formaldehyde’ *are replaced by the words* ‘in accordance with Paragraph 5a’.

128. In § 61(5), the following sentence is inserted after the first sentence:

‘Impregnation, varnishing and staining in the interior of sauna cabins is not permitted.’

129. After § 61(5), the following Paragraph 5a is inserted:

‘(5a) Wood referred to in paragraph 5 may have a maximum formaldehyde release of 0.4 mg/(m²·h) (gas analysis value measured at 90° C – **Annex 11**). If this cannot be demonstrated, an indoor air measurement shall be carried out. The formaldehyde content (gas analysis value) in the interior air of the cabins shall not exceed 0.1 mg/m³ as a half-hourly average and shall be determined in cabins that can reach a temperature of more than 60°C in the indoor air or on surfaces during operation at 90°C, in all other cabins (such as infrared cabins) at 60°C. In any case, the following types of wood are permissible for solid wood construction: aspen, hemlock, native spruce, Nordic spruce, lime, fir and Swiss stone pine.’

130. In § 61(7), the specification ‘55 cm’ *is replaced by the specification* ‘0.55 m’.

131. In § 62, the phrase ‘with a trigger temperature’ *is omitted from the last sentence, and the words* ‘at the’ *are replaced by the words* ‘with which’.

132. In § 63(2), the phrase ‘at the height of the uppermost seating level’ *is replaced by the parenthetical expression* ‘(measured above the uppermost seat and reclining bench)’.

133. § 67 is worded as follows:

‘**§ 67.** (1) The facilities, such as changing rooms, showers, toilet facilities, sauna facilities, hot air and steam baths, solariums, sunbeds, walkways, boarding aids and first aid facilities, which are part of the bathing operation on a surface water must be designed and maintained in such a way as to ensure hygienically impeccable operation in terms of number, equipment and arrangement.

(2) Pets may not be taken into baths on surface water, including facilities forming part of the bathing operation on surface water, except for assistance dogs and therapy assistance dogs pursuant to § 39a of the Federal Act of 17 May 1990 on counselling, care and special assistance for disabled persons (Federal Disabled Persons Act – BBG), BGBl. No 283/1990, and areas for pets separated by organisational or structural measures. Assistance dogs are exempt from the muzzle and leash obligation when on duty.

(3) In all other respects, the relevant provisions of the 7th Section shall apply.’

134. In § 72(1), the words ‘at least’ *in the last sentence are replaced by the sign* ‘≥’.

135. In § 72(4), the word ‘maximum’*is replaced with the sign* ‘≤’.

136. In § 73(1), the words ‘at least’ *are replaced by the sign* ‘≥’.

137. In § 75, the words ‘at least’ *are replaced by the sign* ‘≥’.

138. The heading of § 76 is worded as follows:

‘Waterbirds, fish and pets’

139. The following Paragraph 3 is added to § 76:

‘(3) Pets are not permitted in the facility or in the bathing water of small bathing ponds; with the exception of bathing water, this does not apply to assistance and therapy dogs in accordance with § 39a BBG or to areas for pets that are separated by organisational or structural measures. Assistance dogs shall be exempted from muzzle and leash requirement during their intended use.’

140. The heading of § 78 is worded as follows:

‘Food from water supply installations in accordance with the Drinking Water Ordinance, wells or springs’

141. In the introductory part of § 78(1), after the word ‘from’, *the words* ‘Water supply systems in accordance with the Drinking Water Ordinance – TWV, BGBl. II No 304/2001,’ *are inserted.*

142. In § 80(1)(2)(b), the words ‘at least’ *are replaced by the sign* ‘≥’.

143. In § 84(2), the following sentence is added:

In exceptional cases, the inspection, sampling and measurements on site may be announced in advance.’

144. In § 85(4), after the words ‘overall assessment’, *the following phrase is inserted:* ‘taking into account the findings on site in accordance with **Annex 10**’*).*

145. The following Paragraph 5 is added to § 88:

‘(5) Pets may not be taken in baths, whirlpool baths, sauna facilities, hot air and steam baths, including ancillary facilities belonging to the bathing establishment. With the exception of sauna cabins, hot air baths, steam baths, hot sprinkler tubs and tanks, this does not apply to assistance dogs and therapy assistance dogs pursuant to § 39a BBG. Assistance dogs are exempt from the muzzle and leash obligation when on duty.’

146. In § 90, the words ‘at least’ *are replaced by the sign* ‘≥’.

147. § 93(1)(2) is worded as follows:

‘2. Toilet facilities shall be equipped with seat glasses that are easy to clean and disinfect; toilet paper shall be made available free of charge,’

148. In § 95, the phrase ‘in accordance with ÖNORM Z 1020’ *is inserted after the word* ‘equipment’.

149. § 96(3) reads:

‘(3) With regard to the hygiene requirements for whirlpool baths, the bathing regulations to be displayed in the immediate vicinity of the whirlpool bath must contain the following information with reference to this regulation,

1. that the use of additives is impermissible as persistently contaminates the tub circuit; and
2. that, for hygiene reasons, disinfection of the furnace circuit is to be carried out immediately after each bathing process in accordance with § 51; this notice can be omitted in the presence of automatic filling water chlorination.’

150. The following Paragraph 5 is added to § 98:

‘(5) Already at the date of entry into force of Ordinance BGBl. II No xxx/202x and after the entry into force of the Bath Hygiene Ordinance 2012, BGBl. II No 321/2012 (1 October 2012), indoor swimming pools approved in accordance with bath hygiene legislation or commercial law regulations and artificial outdoor swimming pools may continue to operate to this extent in accordance with the Bath Hygiene Ordinance 2012, BGBl.II No 321/2012. In this context, the use of disinfectants and reprocessing procedures in accordance with Ordinance BGBl.II No xxx/202x is permissible. Indoor swimming pools and artificial outdoor swimming pools must meet the water quality requirements set out in §§ 5, 6, 7 and §§ 42 and 43 of the version of Ordinance BGBl. II No xxx/202x by 1 July 2026 at the latest.’

151. In the introduction to § 99, the specification ‘§ 6 (2)’ *is replaced by the specification* ‘§ 9 (3)’.

152. In § 100(2), the words ‘legal aspects of bath hygiene’ *shall be replaced by the words* ‘bath hygiene legislation’.

153. The following Paragraph 3 is added to § 100:

‘(3) Already at the date of entry into force of Regulation BGBl.II No xxx/202x (§ 106(4)), and after the entry into force of the Bath Hygiene Ordinance 2012, BGBl.II No 321/2012 (1 October 2012), sauna facilities approved in accordance with bath hygiene legislation or commercial law regulations may continue to be operated to this extent in accordance with the Bath Hygiene Ordinance 2012, BGBl.II No 321/2012.’

154. 154. The following Paragraphs 7 and 8 are added to § 102:

‘(7) Already at the date of entry into force of Ordinance BGBl.II No xxx/202x and after the entry into force of the Bath Hygiene Ordinance BGBl.II No 420/1998 (1 December 1998) baths approved in accordance with the legislation in the fields of natural healing resources and spas or healing and care institutions may continue to be operated to this extent in accordance with the Bath Hygiene Ordinance 2012, BGBl.II No 321/2012. In this context, the use of disinfectants and reprocessing procedures in accordance with Ordinance BGBl.II No xxx/202x is permissible. These baths must meet the water quality requirements in accordance with §§ 5, 6, 7 and §§ 42 and 43 in the version of Ordinance BGBl.II No xxx/202x by 1 July 2026 at the latest. § 1(3) shall apply.

(8) Already at the time of the entry into force of the regulation BGBl. II No xxx/202x and after the entry into force of the Bath Hygiene Ordinance 2012, BGBl. II No 321/2012 (1 October 2012), hot spring baths approved in accordance with the legal provisions governing natural healing resources and health resorts or healing and nursing institutions may be used to this extent in accordance with the Bath Hygiene Ordinance 2012, BGBl.II No 321/2012. The requirements for water quality pursuant to §§ 47, 48, 50 and

51(4) as amended by Ordinance BGBl.II No xxx/202x shall comply with these whirlpool baths by 1 July 2026 at the latest.'

155. The following Paragraph 3 is added to § 103:

'(3) Already at the date of entry into force of Regulation BGBl.II No xxx/202x and after the entry into force of the Bath Hygiene Ordinance 2012, BGBl. II No 321/2012 (1 October 2012), hot bubble baths, hot air baths and steam baths approved in accordance with bath hygiene legislation or commercial regulations may be used to this extent in accordance with the Bath Hygiene Ordinance 2012, BGBl.II No 321/2012. The requirements for water quality pursuant to §§ 5, 6, 7 and 42 and 43 or §§ 77 to 80 and 84 as amended by Ordinance BGBl.II No xxx/202x shall correspond to hot bubble baths by 1 July 2026 at the latest.'

156. In § 104, the paragraph number '(1)' *is placed before the previous text.*

157. The following Paragraph 2 is added to § 104:

'(2) Already at the date of entry into force of Regulation BGBl. II No xxx/202x whirlpool baths approved in accordance with bath hygiene legislation may be used to this extent in accordance with the Bath Hygiene Ordinance 2012, BGBl.II No 321/2012. The requirements for water quality pursuant to §§ 47, 48, 50 and 51(4) as amended by Ordinance BGBl.II No xxx/202x shall correspond to whirlpool baths by 1 July 2026 at the latest.'

158. In § 105(1), after the words 'Medical Devices Act'*, the specification* '2021, BGBl. I No 122/2021,' *is inserted.*

159. § 105(4) reads:

'(4) As of 1 July 2026, hot bubble baths which do not comply with § 53 (without automatic dosing system for filling water chlorination and/or rinsing water disinfection) may no longer be operated.'

160. The following paragraph 5 is added to § 105:

'(5) Already at the date of entry into force of Ordinance BGBl. II No xxx/202x whirlpool baths approved in accordance with trade regulations may be used to this extent in accordance with the Bath Hygiene Ordinance 2012, BGBl. II No 321/2012. The requirements for water quality pursuant to §§ 47, 48 and 50 and 51(4) as amended by Ordinance BGBl. II No xxx/202x shall correspond to whirlpool baths by 1 July 2026 at the latest.'

161. The following paragraph 4 is added to § 106:

'(4) The table of contents, § 1(1), (3) and (4), § 2(4)(c) to (o), § 5(c) and (d), § 6, § 10, §§ 19 and 23 to 28, § 3, § 4(2) and (3)(3), § 5(1)(1) and (2)(a) sublit. bb, § 6, § 7(1)(1)(1) and (2), § 8, § 9(3), §§ 12 and 13, § 14a including the heading, § 15(3)(1) and (2), § 16, § 17, § 18(2) and (3), § 19, § 20(1)(1)(1) and (3), § 21, § 22(2)(3), § 24(1) and (2), § 25(2), § 26(2) and (3), § 27, § 28(1) to (3) and (5), § 29(2) and (3), § 30, § 31(1) and (3), § 32, § 33(3), § 34(1), § 36(1) and (4) to (6), § 38(1)(2) to (5) and (2), § 39, § 40, § 41(1)(2) and (4), (4) and (7) to (9), § 42(1), (3) and (4), § 43(1a), (1b) and (4) to (8), § 44(1), § 45a including the heading, subheadings A., B., C. and D. of Section 3, § 46(1) and (2), § 47(1), § 48, § 49, § 50 including the heading, § 51, § 52, § 53, § 54, § 55, § 56(1)(2)(a) and (b), § 57(1), (2), (5) and (6), § 58(3) and (4), § 59, § 60(1) and (4), § 61(2), (3), (5), (5a) and (7), § 62, § 63(2), § 67, § 72(1) and (4), § 73(1), § 75, the heading of § 76, § 76(3), the heading of § 78, § 78(1), § 79(1)(1)(b), § 80(1), point 1(b), and point 2(b), § 81, § 82(2), § 84(1), point 1(a), sublit. bb, point 2(e) sublit. bb and point 3(e) sublit. bb, § 84(2), § 85(4), § 88(5), § 90, § 93(1)(2), § 95, § 96, § 98(5), § 99, § 100(2) and (3), the heading of § 102, § 102(3), (4), (6), (7) and (8), § 103 including the heading, § 104 including the heading, § 105 including the heading, § 107(3) and **Annexes 1, 3** and **5** to **12** including the heading in the version of Ordinance BGBl.II No xxx/202x shall enter into force on x. xxx 202x.'

162. The following Paragraph 3 is added to § 107:

'(3) Ordinance BGBl. II No. xxx/202x was notified in compliance with the provisions of Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and rules on Information Society services, OJ L 241, 17.09.2015, p. 1 under Notification No 202x/XXX/A.'

163. Annex 1 is worded as follows:

‘**Annex 1**

(regarding §§ 5, 6, 7, 48 and 51(4))

Analysis and test methods
for water from pools and whirlpool baths

I. Chemical and physical parameters

The specified process characteristics shall ensure that the analytical method used is at least capable of measuring concentrations corresponding to the parameter value with the limit of quantification (²) defined in Article 2(2) of Commission Directive 2009/90/EC (¹) of 30% or less of the relevant parameter value and the measurement uncertainty specified in Table B.1.

Irrespective of the sensitivity of the analytical method used, the result shall be expressed to at least the same decimal place as for the respective parameter value in §§ 5, 6, 7, 48 and 51(4).

A. On-site measurements

Parameter	Method	Requirements for the measurement procedure	Notes
pH value	ÖNORM EN ISO 10523	±0.2	Note 1
Free chlorine, total chlorine	Colorimetric method with N,N-diethyl-1,4-phenylenediamine (DPD) ÖNORM EN ISO 7393-2	±0.1 mg/l (in the input range 0.3–2.0 mg/l) ±25% (input range 2.0 – 20 mg/l)	Note 2
Chlorine dioxide	photometric using the extended DPD method according to PALIN DIN 38408-5 modified for spectrophotometry	±0.1 mg/l	
Chlorite	photometric using the extended DPD method according to PALIN	±0.1 mg/l	Note 3
Ozone	Colorimetric method with N,N-diethyl-1,4-phenylenediamine (DPD) ÖNORM M 6619	a limit of determination of ≤ 0.05 mg/l must be given	
Temperature	ÖNORM M 6616	±1° C	

B.1 Measurements in the laboratory – minimum procedural characteristic value ‘measurement uncertainty’

Parameter	Measurement uncertainty (Note 7)	Notes
TOC	30	Note 8
Oxidability (Potassium permanganate consumption)	50	Note 9
Chloride	15	
Nitrate	15	
Aluminium	25	
Iron	30	
Chlorite	40	
Trihalomethanes	40	Note 10
UV transmission (spectral absorption coefficient at 254 nm; 100 mm)	2	Note 11

([1]) Commission Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status (OJ No L 201 of 01.08.2009 P. 36)

([2]) The limit of quantification is a stipulated multiple of the limit of detection of the concentration of the analytes that can be reasonably determined with an acceptable level of trueness and precision. The limit of quantification can be calculated using a suitable standard or a sample and determined using the lowest calibration point on the calibration curve without a blank sample.

Note 1:

For the hydrogen ion concentration, it should be ensured that the analytical method used is suitable for measuring concentrations corresponding to the parameter value with an accuracy of 0.2 pH units and a precision of 0.2 pH units.

Note 2:

Alternatively, test strips suitable for this input range may also be used when checking the concentration of free chlorine in the context of rinsing disinfection (§ 51(4)) of hot bubble baths.

Note 3:

Only for methods pursuant to § 14(3). On-site measurement for inspection by the operator (for the preparation of the water hygiene report: Measurement in the laboratory, see note 6).

Note 4:

Correctness is the systematic error of measurement resulting from the difference between the mean of a large number of repeated measurements and the true value.

Note 5:

Precision is the random measurement deviation, which is usually expressed as the standard deviation (within a series of measured values and between series of measured values) of the variability of results around the mean value. Acceptable precision is twice the relative standard deviation.

Note 6:

The detection limit is either three times the relative standard deviation (within a series of measured values) of a natural sample with a low concentration of the parameter, or five times the relative standard deviation (within a series of measured values) of a blank sample.

Note 7:

Measurement uncertainty is a non-negative parameter characterising the dispersion of the values assigned to the measured quantity on the basis of the information used. The procedure characteristic value for the measurement uncertainty (k = 2) is the percentage of the parameter value in the table or better. The uncertainty of measurement shall be estimated at the level of the parameter value, unless otherwise stated. The specified measurement uncertainty shall not be used as an additional tolerance for the parameter values.

Note 8:

The measurement uncertainty of total organic carbon (TOC) should be related to a measured value of 3 mg/l. Norm EN 1484 must be used – Guidelines for the determination of total organic carbon (TOC) and dissolved organic carbon (DOC).

Note 9:

Reference method: EN ISO 8467.

Note 10:

The measurement uncertainty of trihalomethanes applies to the individual substances and should be based on 25% of the parameter value. Measurement values for individual substances that are below the limit of determination of the respective examination procedure are not taken into account in the totalisation. The measured values of all individual substances shall be reported separately.

Note 11:

The measurement uncertainty of UV transmission should be related to a measurement value of 60%T_{100} transmission.

The measurements on site and the sampling procedure shall be carried out by the hygienic expert authorised to draw up a water hygiene report pursuant to § 14(3)(1) of the BHygG or by a sufficiently qualified person authorised by the latter in accordance with § 14(4) of the BHygG.

II. Microbiological principles

Colony count 37°C Incubation temperature*: ISO 6222

Intestinal enterococci*: ISO 7899-2

Pseudomonas aeruginosa*: ISO 16266

Legionella*: ISO 11731

* The results shall be expressed in colony forming units (CFU) per predetermined sample volume.'

164. Annex 3 is worded as follows:

'**Annex 3**

(regarding §§ 39, 40 and 54)

Authorised disinfectants (active substances)

A. For water from pools, with the exception of jetted hot tubs:

1. Hypochlorite acid[1], formed

a) in bathing water from chlorine gas, calcium hypochlorite or sodium hypochlorite, or

b) from sodium chloride using electrochemical processes on site;

2. chlorine-chlorine dioxide (with the addition of an aqueous chloride solution produced using the P.-Berger process) and

3. furthermore for exclusive use in wading, pedalling and stepping pools pursuant to § 25(2) and in plunge pools pursuant to § 24(2), the water of which is discarded

Hypochlorous acid[1], formed in bath water from sodium dichloroisocyanurate or trichloroisocyanuric acid.

(Note: calcium hypochlorite, sodium dichloroisocyanurate and trichloroisocyanuric acid are usually available in tablet form)

B. For water from jetted hot tubs:

Hypochlorite acid[1], formed

a) in bathing water from chlorine gas, calcium hypochlorite or sodium hypochlorite, or

b) from sodium chloride using electrochemical processes on site;

C. For disinfecting the filters:

1. Hypochlorite acid[1], formed

a) in bathing water from chlorine gas, calcium hypochlorite or sodium hypochlorite, or

b) from sodium chloride using electrochemical processes on site;

D. For filling water chlorination and rinsing disinfection of hot bubble baths:

Hypochlorous acid[1], formed in the pool water from calcium hypochlorite, sodium hypochlorite or sodium dichloroisocyanurate.

[1] Compliant with biocide regulations in accordance with Regulation (EU) No 528/2012 concerning the making available on the market and use of biocidal products (listed under 'Active Chlorine'), see § 39.'

165. Annex 5 is worded as follows:

'**Annex 5**

(regarding § 40)

Approved pH and acidity adjusters

For water from pools:

Calcium carbonate

Magnesium carbonate

Calcium oxide

Semi-burned dolomite (Magno)

Sodium carbonate

Sodium hydrogen carbonate

Sodium hydrogen sulphate

Technically pure hydrochloric acid

Sulphuric acid

Carbon dioxide and

Sodium hydroxide

The purity of these substances shall be such as to exclude any risk to the health of bathers and not affect bathing water treatment.'

166. Annex 6 is worded as follows:

'**Annex 6**

(regarding § 81)

Analysis and examination procedures for small swimming ponds

1. Escherichia coli (E. coli): ISO 9308-2-3
2. Intestinal enterococci: ISO 7899-1 or ISO 7899-2
3. Pseudomonas aeruginosa: ISO 16266
4. Salmonella: ISO 19250
5. Visibility: Secchi disk
6. Dissolved oxygen (% saturation): Winkler method (ÖNORM EN 25813, whereby only the fixation of the oxygen has to be carried out on site), electrochemical method (ÖNORM EN ISO 5814) or optical sensor method (DIN ISO 17289)
7. pH value: ÖNORM EN ISO 10523
8. Total phosphorus: ÖNORM EN ISO 6878 (after oxidation with peroxodisulphate), ÖNORM EN ISO 17294-1:2025 (Water quality – Application of inductively coupled plasma mass spectrometry (ICP-MS) – Part 2: Determination of selected elements including uranium isotopes)
9. Temperature: ÖNORM M 6616

Other methods may be used if they lead to at least equivalent results.'

167. Annex 7 is worded as follows:

‘**Annex 7**

(regarding § 82(2))

Notice for bathers

The water of the small swimming pond is kept clean exclusively by its self-cleaning powers.

The natural cleaning power is limited.

In order to protect the health of bathers, the number of persons mentioned must therefore not be exceeded:

At the same time, a maximum of... persons may be present in the bathing area of the small bathing pond.

The total number of bathers in the bathing area of the small bathing pond may not exceed ...

…. persons.’

168. Annex 8 is worded as follows:

‘**Annex 8**

(regarding § 42)

Requirements for the on-site assessment for water hygiene reports pursuant to § 14(2) et seq. of the BHygG on the quality of the water in pools

(in accordance with the Bath Hygiene Ordinance 2012 – BHygV 2012, BGBl.II No 321/2012)

Client:	
Name of the bath:	
Address:	
Person entrusted, pursuant to Paragraph 14(1) of the BHygG, with the protection of the health of bathers, in particular from a hygienic point of view:	
On-site inspection, sampling procedure, on-site measurements, carried out by:	
Date:	
Weather conditions (for outdoor pools):	
Filling water:	
Provenience of the filling water and filling water temperature:	

Reprocessing plant(s): (Particulars which are different for the individual tanks must be given separately)	
Reprocessing procedures: (§ 14(1), (2) and (3))	
Number of water treatment circuits:	
Number of tanks:	
Continuous flocculation agent dosage available and in operation:	
Dosage for pH value adjustment available and in operation:	
Filter pressure gauge available and Display value (unit):	
Filter backwashing frequency:	
Added filling water (quantity):	
Disinfectant used:	
Flocculating agent used:	
PH correction agent used:	
Type of filter system:	
Operating log (carried out/possibly carried out/not carried out):	
Operational status:	
Display on in-house measuring instruments	
- pH – value:	
- Redox voltage (mV) (if measuring instrument available):	
- free chlorine (mg/l):	
Bathing visit to the pool	
- at the time of sampling (strong/medium/weak):	
Deficiencies/comments/noteworthy features:	
Sampling reprocessing:	
Name of water cycle; number of filters	
Sampling tap before chlorination (increment or sampling from collection pipe)	
Sampling pools:	
Name of the pool:	
Type of pool/intended operating temperature:	
Flow meter:	
Display value (m^3/h):	
Set point (m3/h):	
Aerosol forming attractions:	
Clear indication of the extraction point(s):	
Date/time:	
On-site measurement results	

- Pool water temperature (measured):	
- turbidity of the pool water: (clear/slightly turbid/highly turbid):	
- pH value:	
- Total chlorine (mg/l):	
- free chlorine (mg/l):	
- bound chlorine (mg/l):	
- Chlorine dioxide (mg/l) only in the method referred to in § 14(3):	
Ultraviolet spectrograph: - Operating hours - Switching operations - Exposure rate (W/m2) - Last lamp change - Last calibration of the device radiometer’	

169. In Annex 9, the words ‘Description of the furnace circuit (water and/or air injection):’ *are replaced by the words* ‘Description of the furnace circuit or the fittings (nozzles) for water and/or air injection:’ *and the line with the words* ‘Swim additives used’ is *deleted.*

170. In Annex 10, after the parenthesis ‘(% saturation O_2)’, *the words* ‘except where the Winkler method is used’ *are inserted.*

171. The following Annexes 11 and 12 are added to the Regulation:

‘**Annex 11**

(regarding § 61(5) and (5a))

Method for determining the release of formaldehyde in wood

Parameter	Method	Notes
Gas analysis value – formaldehyde	ÖNORM EN ISO 12460-3	Deviating measurement temperature of 90°C for wood used in sauna cabins

Annex 12

(regarding § 2(4)(g) and § 40(1)(5))

Approved salinisation agents in saltwater pools

For the salinisation of saltwater pools pursuant to § 40(1)(5):

Sodium chloride type A as per ÖNORM EN 14805.’