Health and safety at work: exposure of workers to the risks arising from physical agents (electromagnetic fields)

2007/0230(COD) - 23/04/2008 - Final act

PURPOSE: to postpone by four years the deadline for the transposition of Directive 2004/40/EC on the exposure of workers to electromagnetic fields in the Member States to take into account new scientific evidence.

LEGISLATIVE ACT: Directive 2008/46/EC of the European Parliament and of the Council Directive 2004/40/EC on minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (18th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC).

BACKGROUND: Directive 2004/40/EC of the European Parliament and of the Council on minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (or 'electromagnetic fields' Directive) was adopted on 29 April 2004 and was to be transposed in the Member States no later than 30 April 2008. This Directive provides for action values and limit values based on the recommendations of the International Commission for Non-Ionizing Radiation Protection (ICNIRP). New scientific studies on the impact on health of exposure to electromagnetic radiation, made public after the Directive was adopted, have been brought to the attention of the European Parliament, the Council and the Commission. The results of those scientific studies are currently being examined by the ICNIRP and by the World Health Organisation. Those new recommendations, due to be published by the end of 2008, are likely to contain elements that could lead to substantial amendments to the action and limit values of Directive 2004/40/EC.

Moreover, the Commission launched a study to assess directly and quantitatively the situation regarding medical imaging (sector directly concerned by Directive 2004/40/EC). In this context, the results of that study should be taken on board, in addition to the results of similar studies concerning European standards (as defined by the European Committee for Electrotechnical Standardization (Cenelec)) in order to ensure smooth application of the Directive by taking account of latest scientific evidence.

Given that the majority of these studies and new standards should be published during the course of 2008, a period of four years will be necessary to obtain and analyse this new information and to take it into account with a view to a new proposal for a Directive. That is why it is necessary to postpone by four years the deadline for the transposition of the initial Directive.

CONTENT: in view of the above, the aim of this amending Directive is to provide for a new date of transposition of Directive 2004/40/EC. The original date of 30 April 2008 is therefore deleted and replaced by **30 April 2012**.

ENTRY INTO FORCE: the Directive enters into force on 26 April 2008.