

Health and safety at work: aligning certain Directives to Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures

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The Committee on Employment and Social Affairs adopted the report by Sari ESSAYAH (EPP, FI) on the proposal for a directive of the European Parliament and of the Council amending Council Directives 92/58/EEC, 92/85/EEC, 94/33/EC, 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council, in order to align them to Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures.

The committee recommended that Parliament's position adopted at first reading under the ordinary legislative procedure should be to amend the Commission's proposal as follows:

Scope of the amendments to the directive: the proposed directive seeks to align a certain number of directives in force with Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures (the 'CLP' Directive) in order to identify hazardous chemicals and inform users about the related hazards by means of standard symbols and phrases on packaging labels, and safety data sheets.

The alignment of references and terminology of the five Directives to correspond that of CLP Regulation does not necessitate **any changes to the scope or level of protection provided by these Directives**. The amendments to the five Directives are **purely technical in nature** to standardise the level of protection.

Periodic review of the level of protection: it is stipulated that the amendment should not reduce the level of protection of workers. However, in view of on-going technological progress, **all five Directives should be subject to periodic review** in order to ensure coherent legislation and a proper level of health and safety protection when hazardous chemical substances and mixtures are present in the working environment.

Further attention should be paid to **employees within professions where there is daily contact with substances and mixtures**, often without adequate protection.

Labelling of containers used at work for brief periods: in the context of the revision of the directive, Members do not want the directive to apply to containers used at work for brief periods or to containers whose contents change frequently, unless alternative adequate measures are taken, in particular for information and/or training, which guarantee the same level of protection.

The labelling may take the following forms:

- replaced by warning signs set out in Annex II of the Directive, using the same pictograms or symbols;
- supplemented by additional information, such as the name and/or formula of the hazardous substance or mixture and details of the hazard ;
- supplemented or replaced by signs applicable throughout the Union for the transport of hazardous substances or mixtures.

Addition of certain hazardous substances: Members added some sub-categories of substances to those proposed by the Commission, with a view to protecting young people who handle these substances owing to their insufficient attention to safety or lack of experience or training.

This relates to the following substances:

- unstable explosives;
- self-reactive substances;
- organic peroxides type A and B;
- certain toxic, corrosive or explosive substances with specific target organ toxicity (repeated exposure, for example);
- certain self-reactive substances and mixtures of types C&D, E&F that may cause fire when heated;
- oxidising liquids that may intensify fire ;
- and oxidising solids (category 3) that may intensify fire.

Members also made a series of technical amendments with a view to adapting and improving the terminology used in the proposal.

Entry into force: Members called for the amended directive to enter into force on **1 June 2015**.