

Protection of workers from the risks related to exposure to carcinogens or mutagens at work: limit values and skin notations

2017/0004(COD) - 11/12/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 585 votes to 46, with 35 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Diesel engine exhaust: the amended text added to Annex I of Directive 2004/37/EC the work involving exposure to such exhaust gases and set an occupational exposure limit value in Annex III of **50µg/m³ (0.05 mg/m³)** calculated on the basis of elemental carbon.

The limit value shall apply from **four years** after the date of entry into force of this amending directive. For underground mining and tunnel construction the limit value shall apply from **seven years** after the date of entry into force of this amending directive.

In a recital, it is recalled that the International Agency for Research on Cancer (IARC), which has classified diesel engine exhaust emissions as carcinogenic to humans (category 1), has clarified that, while the amount of particulates and chemicals are reduced in the newer types of diesel engines, it is not yet clear how the quantitative and qualitative changes will translate into altered health effects.

Mineral oils: it is proposed to include in Annex I to Directive 2004/37/EC work exposed to mineral oils that have previously been used in internal combustion engines to lubricate and cool moving parts of the engine and to include in Annex III to that Directive a '**skin**' **notation** indicating the possibility of significant absorption through the skin.

To limit dermal exposure, a range of best practices can be used, including the use of personal protective equipment, such as gloves, and the removal and cleaning of contaminated clothing. Strict compliance with these practices, as well as newly emerging best practices, could help reduce this exposure.

Polycyclic aromatic hydrocarbons mixtures (PAHs): these mixtures, in particular those containing benzo[a]pyrene, are carcinogenic within the meaning of Directive 2004/37/EC. Exposure to such mixtures may occur during work involving burning processes, such as from combustion engine exhaust, and high temperature combustion processes, among others. The Advisory Committee on Safety and Health at Work (ACSH) identified the possibility of significant uptake through the skin for those mixtures and the ACSH agreed on the importance of introducing an occupational exposure limit value for PAHs mixtures and has recommended carrying out work to evaluate the scientific aspects with a view to proposing an occupational exposure limit value in the future. It is therefore proposed to **assign in Annex III to Directive 2004/37/EC a 'skin' notation** indicating the possibility of significant absorption through the skin.

Further investigations should also be carried out to assess whether it is necessary to set a limit value for PAHs mixtures in order to better protect workers from those mixtures.

Agreements between social partners: any agreements between social partners concluded in the field covered by the Directive shall be listed on the website of the European Agency for Safety and Health at Work (EU-OSHA). Their list shall be updated regularly.

Revision: no later than in the first quarter of 2019, the Commission, taking into account the latest developments in scientific knowledge, should assess the option of amending the scope of Directive 2004/37/EC **to include reprotoxic substances**. On that basis, the Commission should present a legislative proposal, if appropriate, after consulting management and labour.

The amended text also underlined the importance:

- of protecting workers exposed to carcinogenic or mutagenic substances resulting from the preparation, administration or disposal of **hazardous drugs**, including cytostatic or cytotoxic drugs;
- and from work involving exposure to carcinogenic or mutagenic substances in **cleaning, transport, laundry and waste disposal of hazardous drugs** or materials contaminated by hazardous drugs.

The guidelines published by the Commission to reduce occupational health and safety risks in the healthcare sector shall be without prejudice to possible further legislative proposals or other initiatives.