

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

2018/0081(COD) - 27/03/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 586 votes to 10 with 26 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

As a reminder, the proposal aims to improve the protection of workers against the risks related to exposure to carcinogens or mutagens at work. It adds five new substances to Annex III of Directive 2004/37 / EC expanding binding European limit values, these being: cadmium and beryllium, as well as their respective inorganic compounds, arsenic acid, formaldehyde and 4,4'-methylenebis (2-chloroaniline) ("MOCA").

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

Limit values

- ***Cadmium***: given that it will be difficult to comply with a limit value of 0.001 mg/m³ in the short term, the amended text introduces introduce a transitional period of eight years, during which the limit value 0.004 mg/m³ (inhalable fraction) should apply. With a view to protecting legitimate expectations and in order to avoid potential disruptions of existing practices in Member States that implement, on the date of the entry into force of the Directive, a bio monitoring system with a biological limit value not exceeding 0.002 mg Cd/g creatinine in urine, the limit value of 0.004 mg /m³ should, in those Member States, be measured as respirable fraction during the transitional period.
- ***Beryllium***: since it will be difficult to comply with a limit value of 0.0002 mg/m³ in the short term, the Directive introduces a transitional period of seven years, during which the limit value of 0.0006 mg/m³ should apply.
- ***Arsenic acid***: since the copper smelting sector will have difficulties in complying with a limit value of 0.01 mg/m³, a transitional period of four years will be introduced.
- ***Formaldehyde***: since in some Member States, certain sector will have difficulties in complying, in the short term, with a limit value of or 0.3 ppm, the amended text introduces a transitional period of five years, during which the limit value of 0.62 mg/m³ or 0.5 ppm should apply for the healthcare and funerals and embalming sectors.

Review

No later than three years after the date of entry into force of the Directive, the Commission shall assess the option of amending the Directive to add provisions on a combination of an airborne occupational exposure limit and a biological limit value for cadmium and its inorganic compounds.

No later than 30 June 2020 the Commission shall, taking into account the latest developments in scientific knowledge, and after appropriate consultation with health practitioners and health professionals, assess the option of amending the Directive in order to include hazardous drugs, including cytotoxic drugs, or to

propose a more appropriate instrument for the purpose of ensuring the occupational safety of workers exposed to such drugs. On that basis, the Commission shall present, if appropriate, a legislative proposal.

Member States and relevant bodies at Union and national level are encouraged to provide incentives, guidance and advice to micro, small and medium-size enterprises to comply with the terms of the Directive.