

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

2018/0081(COD) - 20/06/2019 - Final act

**PURPOSE:** to ensure better protection of workers from exposure to carcinogens.

**LEGISLATIVE ACT:** Directive (EU) 2019/983 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.

**CONTENT:** the tenth principle of the European Social Rights Pillar provides that workers have the right to a healthy, safe and appropriate working environment.

The purpose of this Directive is to improve the protection of workers from the risks related to exposure to carcinogens or mutagens at work. It adds five new substances to Annex III of Directive 2004/37/EC extending the list of binding European limit values, namely: cadmium and beryllium, and their respective inorganic compounds, arsenic acid, formaldehyde and 4,4'-methylene bis (2-chloroaniline) (MOCA).

The Directive sets new limits that are consistent with new scientific and technical data and evidence-based practices for measuring exposure levels in the workplace.

## ***Limit values***

- Cadmium: the limit value is set at 0.001 mg/m<sup>3</sup>. However, the Directive introduces a transitional period until 11 July 2027, during which a limit value of 0.004 mg/m<sup>3</sup> (inhalable fraction) shall apply. In Member States operating a biomonitoring system with a biological limit value not exceeding 0.002 mg Cd/g creatinine in urine, the limit value of 0.004 mg/m<sup>3</sup> shall be measured as a respirable fraction during the transitional period.
- Beryllium: the Directive sets the limit value at 0.0002 mg/m<sup>3</sup> but provides for a transitional period until 11 July 2026, during which a limit value of 0.0006 mg/m<sup>3</sup> shall apply.
- Arsenic acid: for the copper smelting sector, the limit value of 0.01 mg/m<sup>3</sup> (inhalable fraction) shall enter into force on 11 July 2023.
- Formaldehyde: the limit value is set at 0.37 mg/m<sup>3</sup> or 0.3 ppm. However, the Directive introduces a transitional period until 11 July 2024 during which a limit value of 0.62 mg/m<sup>3</sup> or 0.5 ppm will apply for the healthcare, funeral and embalming sectors.

## ***Re-examination***

No later than 11 July 2022, the Commission shall assess the option of amending this 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 assess the option of amending this 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.

ENTRY INTO FORCE: 10.7.2019.

TRANSPOSITION: no later than 11.7.2021.