# Safety and security at work: protection from the risks related to exposure to asbestos (amend. Directive 83/477/EEC)

2001/0165(COD) - 23/09/2002 - Council position

The Council was not able to accept all the amendments of the European Parliament which had been taken up by the Commission in its amended proposal. Nevertheless, the Council considers that, on the whole, the text of the common position meets the fundamental objectives of the Commission's proposal and those that the European Parliament had in mind when proposing its amendments. The Council would also like to point out that, in one important respect, namely the prohibition of the vast majority of activities which could lead to workers being exposed to asbestos fibres, the text of the common position goes further than that of the Commission's original proposal. By considerably reinforcing the text of Directive 83/477/EEC, the common position improves substantially the protection of workers from the risks related to exposure to asbestos. More specifically, as regards the new provisions introduced by the Council, and the Commission's position : - the common position provides for a ban on activities which expose workers to asbestos fibres during the extraction of asbestos, the manufacture and processing of asbestos products, or the manufacture and processing of products containing deliberately added asbestos, with the exception of the treatment and landfill of products resulting from demolition and asbestos removal; - the common position also reformulates the criteria laid down in Article 1(3) for the possible non-application of Articles 4, 15 and 16 of the Directive in the case of sporadic and limited exposure. The Commission has accepted this reformulation, as it considers that the criteria laid down by the common position on this subject are appropriate and do not imply any reduction in the level of protection of workers. Two draft statement have to be entered in the Council's minutes. The first is a statement by Denmark supported by Belgium, Germany and Greece as regards Article 5(2) (Diretcive 83/477/EC) : Denmark, supported by Belgium, Germany and Greece, having taken note of the opinion of the Council Legal Service that a total ban on activities exposing workers to asbestos cannot be achieved within the framework of this Directive, urges the Commission to prepare as soon as possible a proposal for such a total ban using the appropriate legal basis in the context of the Internal Market. The second is in response to the Council's statement, the Commission highlights that while sharing the Council's objective, it would have preferred to await the opinion of the Scientific Committee on Toxicology, Ecotoxicology and the Environment that is at present examining the latest scientific evidence relating to chrysotile (white asbestos).