Basic information

1998/0093(SYN) SYN - Cooperation procedure (historic)	Procedure completed
Health and security at work: protection of workers from the exposure to carcinogens (amend. Directive 90/394/EEC) Repealed by 1999/0085(COD) **Subject** 4.15.15 Health and safety at work, occupational medicine	

Key players

European Parliament

Former committee for opinion	Former rapporteur for opinion	Appointed
ENVI Environment, Public Health and Consumer Protection	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Industry	2174	1999-04-29
Research	2154	1998-12-22
Social Affairs	2145	1998-12-01

Key events

Date	Event	Reference	Summary
18/03/1998	Legislative proposal published	COM(1998)0170	Summary
27/05/1998	Committee referral announced in Parliament		
24/09/1998	Vote in committee		Summary
24/09/1998	Committee report tabled for plenary, 1st reading/single reading	A4-0353/1998	
21/10/1998	Debate in Parliament		
13/11/1998	Modified legislative proposal published	COM(1998)0665	Summary
22/12/1998	Council position published	13835/1/1998	Summary
28/01/1999	Committee referral announced in Parliament, 2nd reading		
25/03/1999	Vote in committee, 2nd reading		Summary
25/03/1999	Committee recommendation tabled for plenary, 2nd reading	A4-0152/1999	
29/04/1999	Act adopted by Council after consultation of Parliament		

29/04/1999	End of procedure in Parliament		
01/06/1999	Final act published in Official Journal		

Technical information

Procedure reference	1998/0093(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Amendments and repeals	Repealed by 1999/0085(COD)
Legal basis	EC Treaty (before Amsterdam) E 118A
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/4/10695

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0353/1998 OJ C 328 26.10.1998, p. 0005	24/09/1998	
Text adopted by Parliament, 1st reading/single reading		T4-0619/1998 OJ C 341 09.11.1998, p. 0105-0134	22/10/1998	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0152/1999 OJ C 219 30.07.1999, p. 0009	25/03/1999	
Text adopted by Parliament, 2nd reading		T4-0233/1999 OJ C 219 30.07.1999, p. 0021-0045	13/04/1999	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	13835/1/1998 OJ C 055 25.02.1999, p. 0039	22/12/1998	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1998)0170 OJ C 123 22.04.1998, p. 0021	18/03/1998	Summary
Modified legislative proposal	COM(1998)0665 OJ C 392 16.12.1998, p. 0011	13/11/1998	Summary
Commission communication on Council's position	SEC(1999)0082	25/01/1999	Summary

Commission opinion on Parliament's position at 2nd reading	COM(1999)0210	23/04/1999	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0977/1998 OJ C 284 14.09.1998, p. 0111	02/07/1998	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 1999/0038
OJ L 138 01.06.1999, p. 0066 Summary

Health and security at work: protection of workers from the exposure to carcinogens (amend. Directive 90/394/EEC)

1998/0093(SYN) - 29/04/1999 - Final act

PURPOSE: amendment of Directive 90/394/EEC on the protection of workers from the risks related to exposure to carcinogens at work and extending it to mutagens - addition of wood dusts to the list of agents . COMMUNITY MEASURE: Council Directive 1999/38/EC amending for the second time Directive 90/394/EEC on the protection of workers from the risks related to exposure to carcinogens at work and extending it to mutagens. CONTENT: The modifications relate to three specific points: - addition to the list of carcinogencic substances covered by Directive 30/394/EEC all types of wood dust (and not just beech and oak) by setting a limit value of exposure at 5.0mg per cubic metre of air at 20°C. It is specified that if the wood dusts concerned are mixed with other wood dusts that this limit value has to apply to all the wood dusts present in the mixture; This standard may be reviewed by the Commission on the basis of the latest available scientific data within two years of the adoption of this Directive; - the consolidation in Directive 90/394/EEC of Directives in force concerning carcinogenic substances in the workplace, in particular as regards vinyl chloride monomer by adding stricter limit values for exposure to this agent. These values may also be reviewed two years following the adoption of this Directive on the basis of the latest available scientific data. - thirdly, provision for appropriate standards of protection against the risks relating to mutagenic substances which are not yet covered by Directive 90/394/EEC but are likely to have carcinogenic effects (such as the substances in categories 1 and 2 of Annex VI of Directive 67/548/EEC). Furthermore, it is planned that the Commission should submit proposals regarding the carcinogencity of other wood dusts, if studies identify associated risks. ENTRY INTO FORCE: 01.06.1999. DATE OF TRANSPOSITION IN THE MEMBER STATES: 29.04.2003. It should be noted that Directive 78/610/EEC relating to exposure to vinyl chloride monomer is repealed from the same date.

Health and security at work: protection of workers from the exposure to carcinogens (amend. Directive 90/394/EEC)

1998/0093(SYN) - 18/03/1998 - Legislative proposal

OBJECTIVE: to amend for the second time Directive 90/394/EEC to introduce new standards for the protection of workers against some carcinogens not already covered by the current directive. SUBSTANCE: The amendments concern the following aspects: - provision of appropriate standards of protection are provided against the risk from mutagenic substances not already covered by Directive 90/394/EEC but likely to show carcinogenic effects (category 1 and 2 substances from Annex VI of Directive 67/548/EEC), - measures to address the question of carcinogenicity of wood dusts (oak and beech) with a view to their inclusion in Directive 90/394/EEC and to clarify how the provisions of that directive could be applied to wood dusts (the Commission proposes in particular to set a limit value of 5 mg/m3 for exposure, as an appropriate indication of minimum standards for good technological practice, and provides for this standard to be reviewed within five years to align it with the most recent scientific data), - consolidation in Directive 90/394/EEC of the existing directives on carcinogens at the workplace, in particular vinyl chloride monomer (more specifically, to include in

Directive 90/394/EEC the revised lower limit values from Directive 78/610/EEC, which will be reviewed within five years in the light of scientific progress; consequently, Directive 78/610/EEC will be repealed). However, the directive on asbestos (83/477/EEC) will not be incorporated into Directive 90/394/EEC owing to the specificity of this carcinogen. The Commission thus plans to delay the inclusion of the provisions of that directive in Directive 90/394/EEC.

Health and security at work: protection of workers from the exposure to carcinogens (amend. Directive 90/394/EEC)

1998/0093(SYN) - 22/12/1998 - Council position

The Council's common position retains the most crucial amendment adopted by the European Parliament which relates to the extension of the provisions of the proposal to all types of hard woods. It also retains two other amendments that seek to: - apply the same limit value (5.0 mg/m3) to mixtures of wood dusts; - revise limit values for vinyl chloride monomer and wood dusts within 2 years of the date of adoption of the Directive on the basis of the latest scientific data. The Council also decided to extend the implementation period to four years instead of the three years proposed by both the European Parliament and the Commission. In addition, the Council considered that, as it has not been proven that all mutagenic substances are necessarily carcinogenic, these substances should be taken up in the text in their own right and not simply included in Annex I of Directive 90/394 /EEC as proposed by the Commission. It therefore added the necessary references in the text of the proposal and changed the title of the proposal.

Health and security at work: protection of workers from the exposure to carcinogens (amend. Directive 90/394/EEC)

1998/0093(SYN) - 13/11/1998 - Modified legislative proposal

The Commission's amended proposal incorporates for the most part the European Parliament's amendments in particular with regard to : - the extension of the provisions to all types of hardwood; - the need to apply the same limit value where mixture of wood dusts are present; - the need to revise limit values for vinyl chloride monomer and wood dusts within two years of the date of the adoption of the Directive, on the basis of latest scientific data.

Health and security at work: protection of workers from the exposure to carcinogens (amend. Directive 90/394/EEC)

1998/0093(SYN) - 22/10/1998 - Text adopted by Parliament, 1st reading/single reading

Adopting the report by Mr Quinidio Correia (PES, P) on the protection of workers from the risks related to exposure to carcinogens at work, Parliament considers it highly probable that dust from other types of hardwood can also cause cancer. The precautionary principle should therefore be applied to protect workers and consequently, the directive should cover dust from all types of hardwood. For this reason, Parliament proposes that the limit value of 5.0 mg/m3 advocated by the directive apply to all hardwood dusts (including mixtures of different hardwoods). Parliament calls for further research into the carcinogenic properties of other wood dusts. On the basis of scientific data, the Commission could present, within five years of this directive, a proposal to adopt revised limit values for vinyl chloride monomer and wood dust. The directive is to come into force within three years of its adoption. To safeguard employment, the provisions related to wood dusts will apply to existing places of work only after a transitional period. In order to avoid any misunderstanding as to the purpose of the directive, Parliament points out that implementation does not aim to restrict the processing of hardwoods by craft workers or the use of such materials or to replace them by other types of wood. The purpose is solely to provide effective protection for workers against the risks of developing cancer as a result of exposure to wood dust at work, as it is known that the risk of developing cancer is related to exposure of wood dust and not wood itself.

Health and security at work: protection of workers from the exposure to carcinogens (amend. Directive 90/394/EEC)

1998/0093(SYN) - 25/01/1999 - Commission communication on Council's position

The Commission considers that the text of the common position is generally satisfactory in respect of the position of the European Parliament.

Health and security at work: protection of workers from the exposure to carcinogens (amend. Directive 90/394/EEC)

1998/0093(SYN) - 13/04/1999 - Text adopted by Parliament, 2nd reading

At second reading under assent procedure without debate, the European Parliament adopted the recommendation by Damião, which amends the Council common position in the following areas: - providing that the Commission should ensure that information on the proposed directive's provisions related to wood dusts is available in an easily understandable form, in order to help SMEs to prepare for the entry into force of those same provisions; -

requiring that the European Parliament be informed about agreed international standards governing the measurement of exposure to substances covered by the proposed directive, proposals for changes to these standards and the results of research into new equipment, and particularly with regard to the work of the CEN-CENELEC in this area; - requiring Member States to bring into force the laws, regulations and administrative provisions necessary to comply with the proposed directive no later than three (rather than four) years after its adoption.