Basic information

2023/0033(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Limit values for lead and its inorganic compounds and diisocyanates Amending Directive 1998/24 1993/0459(SYN) Amending Directive 2004/37 1999/0085(COD) **Subject** 4.15.15 Health and safety at work, occupational medicine	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
EMPL Employment and Social Affairs	VILLUMSEN Nikolaj (The Left)	10/03/2023
	Shadow rapporteur FRANSSEN Cindy (EPP) DE BASSO Ilan (S&D) AMALRIC Catherine (Renew) MATTHIEU Sara (Greens /EFA) RAFALSKA Elżbieta (ECR) ZAMBELLI Stefania (ID)	

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
Employment, Social Affairs and Inclusion	SCHMIT Nicolas

European Economic and Social Committee

European Committee of the Regions

Key events

Date	Event	Reference	Summary
13/02/2023	Legislative proposal published	COM(2023)0071	
13/03/2023	Committee referral announced in Parliament, 1st reading		
07/09/2023	Vote in committee, 1st reading		
07/09/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
08/09/2023	Committee report tabled for plenary, 1st reading	A9-0263/2023	Summary
11/09/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
13/09/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72)		
11/01/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations		
06/02/2024	Debate in Parliament		
07/02/2024	Decision by Parliament, 1st reading	T9-0066/2024	Summary
07/02/2024	Results of vote in Parliament		
26/02/2024	Act adopted by Council after Parliament's 1st reading		
13/03/2024	Final act signed		
19/03/2024	Final act published in Official Journal		

Technical information

Procedure reference	2023/0033(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 1998/24 1993/0459(SYN) Amending Directive 2004/37 1999/0085(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 153-p2 Treaty on the Functioning of the European Union TFEU 153-p1
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/9/11381

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE746.964	08/05/2023	
Amendments tabled in committee		PE749.282	08/06/2023	
Committee report tabled for plenary, 1st reading/single reading		A9-0263/2023	08/09/2023	Summary
Text adopted by Parliament, 1st reading/single reading		T9-0066/2024	07/02/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00081/2023/LEX	13/03/2024	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2023)0071	13/02/2023	
Document attached to the procedure	SEC(2023)0067	13/02/2023	
Document attached to the procedure	SWD(2023)0034	13/02/2023	
Document attached to the procedure	SWD(2023)0035	13/02/2023	
Document attached to the procedure	SWD(2023)0036	13/02/2023	
Commission response to text adopted in plenary	SP(2024)196	30/04/2024	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	SE_PARLIAMENT	COM(2023)0071	27/04/2023	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1367/2023	22/03/2023	

Additional information

Source	Document	Date
European Parliament	Briefing	12/12/2023
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	**Role**	**Committee**	**Date**	**Interest representatives**
VILLUMSEN Nikolaj	Rapporteur	EMPL	12/12/2023	Fagligt Fælles Forbund
FRANSSEN Cindy	Shadow rapporteur	EMPL	13/11/2023	Permanente Vertegenwoordiging België bij de Europese Unie
VILLUMSEN Nikolaj	Rapporteur	EMPL	16/10/2023	EUROPEAN TRADE UNION CONFEDERATION
FRANSSEN Cindy	Shadow rapporteur	EMPL	21/09/2023	Aurubis
VILLUMSEN Nikolaj	Rapporteur	EMPL	19/09/2023	ETUC
TRILLET-LENOIR Véronique	Shadow rapporteur	EMPL	04/07/2023	EUROPEAN TRADE UNION CONFEDERATION
DE BASSO Ilan	Shadow rapporteur	EMPL	20/06/2023	EPSU
FRANSSEN Cindy	Shadow rapporteur	EMPL	12/06/2023	AGORIA
DE BASSO Ilan	Shadow rapporteur	EMPL	05/06/2023	European Tech & Industry Employers (Ceemet)
DE BASSO Ilan	Shadow rapporteur	EMPL	01/06/2023	Europafacket
VILLUMSEN Nikolaj	Rapporteur	EMPL	30/05/2023	International Lead Association
TRILLET-LENOIR Véronique	Shadow rapporteur	EMPL	25/05/2023	Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail Association of European Automotive and Industrial Battery Manufacturers European Biosafety Network European Trade Union Institute European Chemicals Agency Workers Interest Group in the Advisory Committee on Health and Safety at Work Center for Human Genetics, University of Leuven Polish Central Institute for Labour Protection
FRANSSEN Cindy	Shadow rapporteur	EMPL	24/05/2023	CEEMET
FRANSSEN Cindy	Shadow rapporteur	EMPL	24/05/2023	BUSINESSEUROPE
FRANSSEN Cindy	Shadow rapporteur	EMPL	12/05/2023	EUROBAT
FRANSSEN Cindy	Shadow rapporteur	EMPL	10/05/2023	Permanente Vertegenwoordiging/FOD WASO
FRANSSEN Cindy	Shadow rapporteur	EMPL	05/05/2023	ACV
FRANSSEN Cindy	Shadow rapporteur	EMPL	05/05/2023	ETUC
VILLUMSEN Nikolaj	Rapporteur	EMPL	05/05/2023	European Trade Union Institute

DE BASSO Ilan	Shadow rapporteur	EMPL	03/05/2023	International Lead Association
VILLUMSEN Nikolaj	Rapporteur	EMPL	02/05/2023	European Diisocyanate and Polyol Producers Association
VILLUMSEN Nikolaj	Rapporteur	EMPL	27/04/2023	European Trade Union Institute
VILLUMSEN Nikolaj	Rapporteur	EMPL	18/04/2023	FH
VILLUMSEN Nikolaj	Rapporteur	EMPL	14/04/2023	European Trade Union Institute
DE BASSO Ilan	Shadow rapporteur	EMPL	12/04/2023	European Diisocyanate and Polyol Producers Association
VILLUMSEN Nikolaj	Rapporteur	EMPL	21/03/2023	ETUC ETUI
VILLUMSEN Nikolaj	Rapporteur	EMPL	14/03/2023	European Aliphatic Isocyanates Producer Association European trade association for producers of diisocyanates and polyols
DE BASSO Ilan	Shadow rapporteur	EMPL	08/03/2023	Europafacket ETUI

Other Members

Transparency		
Name	**Date**	**Interest representatives**
ARIMONT Pascal	01/09/2023	Orgelbau Schumacher
DE BASSO Ilan	17/07/2023	Teknikföretagen Boliden Zinkgruvan Industriarbetsgivarna

Final act
Directive 2024/0869 OJ OJ L 19.03.2024

Limit values for lead and its inorganic compounds and diisocyanates

2023/0033(COD) - 07/02/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 589 votes to 10, with 40 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Council Directive 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council as regards the limit values for lead and its inorganic compounds and diisocyanates.

Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Limit values for lead

The proposed directive lays down a revised biological limit value of **15 µg Pb/100 ml** blood, accompanied by a revised occupational exposure limit value of **0,03 mg/m3** as an 8-hour time-weighted average (TWA).

A substantial reduction of the biological limit value to 15 µg Pb/100 ml blood may be difficult to comply with in the short term, due to the time needed to implement risk-management measures and the costly adaptation of production processes. Therefore, a transitional period until 31 December 2028 should be introduced during which a biological limit value of **30 µg Pb/100** ml blood applies.

The Commission should, no later than **five years** from the date of entry into force of this amending Directive, assess the occupational limit values for lead and its inorganic compounds. Where appropriate, the Commission should submit a legislative proposal to amend those limit values.

A notation as **'non-threshold reprotoxic substance'** should therefore be introduced for lead and its inorganic compounds and employers should ensure that the occupational exposure of workers to lead and its inorganic compounds is reduced to as low a level as is technically possible.

No later than two years from the date of entry into force of this amending Directive, the Commission should initiate the procedure to obtain a **scientific assessment** of endocrine disruptors that can affect the health and safety of workers, with a view to evaluating the appropriateness of including them within the scope of this Directive in order to better protect the health and safety of workers.

Limit values are set for diisocyanates

The new directive sets the occupational exposure limit for diisocyanates at **6 µg NCO/m3** (the maximum concentration that a worker can be exposed to during an eight-hour working day) and at **12 µg NCO/m3** for short-term exposure (i.e., a period of 15 minutes).

A limit value of 10 µg NCO/m3 in relation to a reference period of 8 hours and a short-term exposure limit value of **20 µg NCO/m3** should apply until 31 December 2028.

The Commission will review these limits by 2029.

Medical surveillance

Lead accumulates in the bones and is released slowly into the circulatory system. The blood lead level could thus remain high for a long time after exposure to lead and its inorganic compounds has been reduced. Regular medical surveillance should therefore be carried out for workers whose blood lead level exceeds the biological limit value in force due to exposure which occurred before two years from the date of entry into force of this amending Directive.

Medical surveillance is carried out if exposure to a concentration of lead in air is greater than 0.015 mg/m3, calculated as a time-weighted average over 40 hours per week, or a blood lead level greater than 9 µg Pb/100 ml blood is measured in individual workers. Medical surveillance is also carried out with regard to female workers of childbearing age whose blood lead level exceeds 4.5 µg Pb/100 ml blood or the national reference value of the general population not occupationally exposed to lead, if such a value exists.

No later than two years from the date of entry into force of this amending Directive, the Commission should draw up Union guidelines for health surveillance, including biological monitoring. Those guidelines shall include advice on the implementation of provisions regarding blood lead level, taking into account the slow removal of lead from the body and the special protection of female workers of childbearing age.

Limit values for lead and its inorganic compounds and diisocyanates

2023/0033(COD) - 08/09/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Employment and Social Affairs adopted the report by Nikolaj VILLUMSEN (GUE/NGL, DK) on the proposal for a directive of the European Parliament and of the Council amending Council Directive 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council as regards limit values for lead, its inorganic compounds and diisocyanates.

The proposal aims to revise the existing limit values for lead and to introduce limit values for diisocyanates for the first time, thereby helping to achieve a high level of protection for the health and safety of workers.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal.

Regarding the limit values for **lead**, the report supports the Commission's proposal to lower the exposure limit value (ELV) from 0.15 milligrams per cubic metre (0.15 mg/m³) to 0.03 mg/m³ and to lower the biological limit value (BLV) from 70 micrograms per 100 millilitres of blood (70µg/100ml) to 15µg/100ml.

With regard to diisocyanates, it is proposed to establish an occupational exposure limit value of **6 µg NCO/m³** and a short-term exposure limit value of **12 µg NCO/m³** for this group of chemical agents.

The report introduces a **review mechanism guaranteeing regular revisions** in the future to ensure that these limit values are regularly updated, taking into account the latest scientific data.

In particular, the Commission should:

- no later than 31 December 2029, launch a process to review the occupational exposure limit and short-term occupational exposure limit values for diisocyanates;

- draw up Union guidelines on how to adapt the implementation of limit values in the event of exposure to a combination of substances acting by the same mode of action or on the same target cell or tissue;

- no later than 31 December 2023, present a legislative proposal to introduce a limit value for **cobalt** and inorganic cobalt compounds;

- no later than 12 months after the date of entry into force of the amending Directive, review the implementation of the Directive and, as part of this review, determine whether any further amendments to the Directive are necessary, assess the possibility of including **endocrine disrupters** within the scope of the Directive and, if appropriate, submit a legislative proposal to the European Parliament and the Council;

- no later than five years after the date of entry into force of the amending Directive and every five years thereafter, review the Occupational Exposure Limit Value and the Biological Limit Values including the **limit value for historical exposure and the guidance value for female workers of childbearing age**, taking into account the negative impacts on the reproductive capacity of female workers of childbearing age as well as on foetal development in order to ensure equal protection for all workers regardless of their gender as well as taking into account up-to-date scientific data and the classification of lead as a non-threshold reprotoxic;

- twelve months after the date of entry into force of the amending Directive, develop a definition of **'carcinogenic occupations'** and assess the appropriateness to include such occupations in the scope of this Directive;

- no later than twelve months after the date of entry into force of the amending Directive, develop guidelines as regards **historical occupational exposure to lead** with a view to increasing the protection and reduction of the exposure of workers whose blood-lead levels are above the biological limit value as well as to further protect female workers of childbearing age;

- no later than one year after the directive comes into force, update its action plan aimed at defining occupational exposure limits for at least 5 substances or groups of substances or substances produced by additional processes. These include lithium and its compounds, methyl hydrazine, 1,3-propanesultone, welding fumes and leather dust;

- no later than twelve months after the date of entry into force of the amending directive, to consider, in consultation with the social partners, consider targeted and limited exemptions for cultural and heritage-related work activities to existing Occupational Exposure Limit Values and Biological Limit Values, and take appropriate action;

- no later than 1 January 2028, assess the feasibility of further reducing the limit value for **benzene** and present, if appropriate, the necessary legislative amendments to this Directive no later than 1 January 2030.