Basic information

2023/0421(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Awaiting committee decision
Protection of workers from the risks related to exposure to carcinogens, mutagens or reprotoxic substances at work. Codification **Subject** 4.15.15 Health and safety at work, occupational medicine	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs		

Former committee responsible	Former rapporteur	Appointed
JURI Legal Affairs	DZHAMBAZKI Angel (ECR)	16/01/2024

Committee for opinion	Rapporteur for opinion	Appointed
EMPL Employment and Social Affairs		
ENVI Environment, Climate and Food Safety		

Former committee for opinion	Former rapporteur for opinion	Appointed
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	
ENVI Environment, Climate and Food Safety	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
Secretariat-General	VON DER LEYEN Ursula

European Economic and Social Committee

European Committee of the Regions

Key events

Date	Event	Reference	Summary
27/11/2023	Legislative proposal published	COM(2023)0738	Summary
14/12/2023	Committee referral announced in Parliament, 1st reading		

Technical information

Procedure reference	2023/0421(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Codification
Legislative instrument	Directive
Legal basis	Treaty on the Functioning of the European Union TFEU 153-p2
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Awaiting committee decision
Committee dossier	JURI/10/00277

Documentation gateway

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2023)0738	27/11/2023	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_SENATE	COM(2023)0738	25/03/2024	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES5580/2023	13/12/2023	

Additional information

Source	Document	Date
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
CLAUSEN Per	Shadow rapporteur for opinion	EMPL	19/10/2026	European Biosafety Network

Other Members

Transparency		
Name	Date	Interest representatives
SOMMEN Liesbet	14/01/2026	EUROALLIAGES

Protection of workers from the risks related to exposure to carcinogens, mutagens or reprotoxic substances at work. Codification

2023/0421(COD) - 27/11/2023 - Legislative proposal

PURPOSE: to codify Directive 2004/37/EC of the European Parliament and of the Council on the protection of workers from the risks related to exposure to carcinogens, mutagens or reprotoxic substances at work.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Directive 2004/37/EC of the European Parliament and of the Council has been substantially amended several times.

In the interests of clarity and rationality, Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens, mutagens or reprotoxic substances at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) should be codified.

The new Directive will supersede the various acts incorporated in it; this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

CONTENT: this Directive has as its aim the **protection of workers** against risks to their health and safety arising from or likely to arise from exposure to **carcinogens, mutagens or reprotoxic substances at work**, including the prevention of such risks. It lays down particular minimum requirements in this area, including limit values.

In the case of any activity likely to involve a risk of exposure to carcinogens, mutagens or reprotoxic substances, **the nature, degree and duration of workers' exposure** should be determined in order to make it possible to assess any risk to the workers' health or safety and to lay down the measures to be taken.

The assessment should be renewed regularly and in any event when any change occurs in the conditions which may affect workers' exposure to carcinogens, mutagens or reprotoxic substances.

When assessing the risk, account should be taken of all other routes of exposure, such as absorption into and/or through the skin. When the risk assessment is carried out, employers shall pay particular attention to any effects concerning the health or safety of workers at particular risk and should, inter alia, take account of the desirability of not employing such workers in areas where they may come into contact with carcinogens, mutagens or reprotoxic substances.

Employers' obligations

Employers must:

- **reduce the use** of a carcinogen, mutagen or reprotoxic substance at the place of work, in particular by replacing it, in so far as is technically possible, by a substance, mixture or process which, under its conditions of use, is not dangerous or is less dangerous to workers' health or safety;

- apply, in all cases where a CMR agent is used, measures such as: **limiting** the quantities of a CMR agent in the workplace; limiting to the lowest possible level the number of workers exposed or likely to be exposed; removing CMR agents at source; hygiene measures, in particular regular cleaning of floors, walls and other surfaces; collective protection measures; informing workers; demarcating risk areas;

- make available to the competent authority, on request, appropriate **information** on: the activities and/or industrial processes carried out, including the number of workers exposed; the preventive measures taken; the type of protective equipment to be used; the nature and degree of exposure;

- inform the worker in the event of **unforeseeable events** or accidents likely to lead to abnormal exposure of workers;

- determine, after consultation of the workers and/or their representatives in the undertaking or establishment, without prejudice to the employer's responsibility, the measures necessary to reduce the **duration of workers' exposure** to the minimum possible and to ensure protection of workers while they are engaged in such activities;

- ensure that workers and/or workers' representatives in the undertaking or establishment receive sufficient and appropriate **training** concerning: potential risks to health, including the additional risks due to tobacco consumption; precautions to be taken to prevent exposure; hygiene requirements; wearing and use of protective equipment and clothing; steps to be taken by workers, including rescue workers, in the case of incidents and to prevent incidents.

Appropriate measures must be taken to ensure that workers and/or their representatives in the undertaking or establishment can check that the provisions of the directive are being applied.

Health surveillance

Member States should establish arrangements for carrying out relevant health surveillance of workers for whom the results of the risk assessment reveal a risk to health or safety. The doctor or authority responsible for the health surveillance of workers may indicate that health surveillance must continue after the end of exposure for as long as they consider it to be necessary to safeguard the health of the worker concerned.