


Procedure file

| Basic information | | |
|---|--------------------------------|---------------------|
| SYN - Cooperation procedure (historic) | 1998/0093(SYN) | 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| Repealed by 1999/0085(COD) | | |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 | | | |
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| European Parliament | Former committee for opinion | | |
| | ENVI Environment, Public Health and Consumer Protection | The committee decided not to give an opinion. | |
| Council of the European Union | Council configuration | Meeting | Date |
| | Industry | 2174 | 29/04/1999 |
| | Research | 2154 | 22/12/1998 |
| | Social Affairs | 2145 | 01/12/1998 |

| Key events | | | |
|------------|---|---|---------|
| 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 |  | |
| 22/10/1998 | Decision by Parliament | T4-0619/1998 | Summary |
| 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 | |
| 13/04/1999 | Decision by Parliament, 2nd reading | T4-0233/1999 | Summary |

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| 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

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| | Repealed by 1999/0085(COD) |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

Documentation gateway

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|---|---|------------|-----|---------|
| Legislative proposal | COM(1998)0170 OJ C 123 22.04.1998, p. 0021 | 18/03/1998 | EC | Summary |
| Economic and Social Committee: opinion, report | CES0977/1998 OJ C 284 14.09.1998, p. 0111 | 02/07/1998 | ESC | |
| Committee report tabled for plenary, 1st reading/single reading | A4-0353/1998 OJ C 328 26.10.1998, p. 0005 | 24/09/1998 | EP | |
| Text adopted by Parliament, 1st reading/single reading | T4-0619/1998 OJ C 341 09.11.1998, p. 0105-0134 | 22/10/1998 | EP | Summary |
| Modified legislative proposal | COM(1998)0665 OJ C 392 16.12.1998, p. 0011 | 13/11/1998 | EC | Summary |
| Council position | 13835/1/1998 OJ C 055 25.02.1999, p. 0039 | 22/12/1998 | CSL | Summary |
| Commission communication on Council's position | SEC(1999)0082 | 25/01/1999 | EC | Summary |
| Committee recommendation tabled for plenary, 2nd reading | A4-0152/1999 OJ C 219 30.07.1999, p. 0009 | 25/03/1999 | EP | |
| Text adopted by Parliament, 2nd reading | T4-0233/1999 OJ C 219 30.07.1999, p. 0021-0045 | 13/04/1999 | EP | Summary |
| Commission opinion on Parliament's position at 2nd reading | COM(1999)0210 | 23/04/1999 | EC | |

Additional information

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| European Commission | EUR-Lex |
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Final act

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| Directive 1999/38 OJ L 138 01.06.1999, p. 0066 Summary |
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Health and security at work: protection of workers from the exposure to carcinogens (amend. Directive 90/394/EEC)

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)

The Committee unanimously adopted a report by Quinídio CORREIA (PES, P) on the protection of workers from the risks related to carcinogens at work (cooperation procedure, first reading). The Commission proposal for amending Directive 90/394/EEC extends the Directive's cover to include dust from oak and beech wood and vinyl chloride monomer. According to the Commission, for the time being, only the carcinogenicity of oak and beech dust has been confirmed scientifically. The Social Affairs Committee argued, however, that it is highly probable that dust from other types of hardwood can also cause cancer. Because the precautionary principle should be applied in the protection of workers, the directive should cover wood dust from all types of hardwood. Consequently, the limit value of 5,0 mg/m³ should apply to all hardwood dust. The Committee called for further research on the carcinogenicity of other wood dusts. On the basis of scientific data, the Commission may present a proposal for the adoption of revised limit values for vinyl chloride monomer and wood dust within two years of the date of the Directive. The Committee suggested that the Directive should be implemented within three years from the adoption. To safeguard employment, the provisions relating to wood dusts should apply to existing places of work only after a transition period. ?

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

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)

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)

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)

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)

The committee had tabled only three amendments to the directive on the protection of workers from the risks related to exposure to carcinogens. The main demands made by Parliament at first reading had been taken into account in the Council common position. The committee was keen to ensure that the information on the amended directive was accessible to SMEs so that they were in a position to proceed with the changes necessary in workplaces before the entry into force of the directive. Furthermore, Parliament should be informed of international standards governing exposure to substances covered by the directive. The committee took the view that the period of application should not be extended to four years, as the Council proposed. It intended to maintain the term of three years initially proposed. The rapporteur was Mrs Elisa Damião (PSE, P). ?

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

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.?

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

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 carcinogenic 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 carcinogenicity 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.?