

Revisie van de Richtlijn Kankerverwekkende en Mutagene Stoffen – state of play en rondje Europa

Wim van Veelen

FNV

Stop cancer at work

53% of all work-related deaths are caused by occupational cancer.



THESE DEATHS ARE PREVENTABLE

Some of the main carcinogens causing work cancers



50 carcinogens account for more than **80%** of all exposure at work.

5 The current number of binding occupational exposure limit values (OELs) adopted at EU level.



OELs are minimum levels of protection against hazardous substances in the workplace.

There are large differences in the level of protection of workers across the EU. Every country has its own number of OELs, and often different levels for the same substance.

Binding OELs are one of the essential tools for minimizing the exposure levels.

The ETUC calls on the EU to urgently update the Carcinogens and mutagens directive and adopt binding OELs for at least 50 priority carcinogens

Content

- ❑ Eerste batch van 11 (+2) grenswaarden voor kankerverwekkende stoffen: stand van zaken ?
 - ❑ Adopted in Directive (EU) 2017/2398

- ❑ Tweede batch van 5 (+2) grenswaarden voor kankerverwekkende stoffen : stands van Zaken?
 - ❑ Council & Parliament
 - ❑ Trilogues under BG & AT Presidencies

- ❑ Derde batch: state of play ?

- ❑ Vierde batch: state of play ?

- ❑ Acties op Nederlands nivo?

Revisie van de of Carcinogens & Mutagen Richtlijn (CMD)

- ❑ Sinds de inwerkingtreding van de CMD in 1990 zijn er slechts 14 (3 +11) carcinogens with Binding Occupational Exposure Limits (BOELs) ontwikkeld. BOELS zijn Bindende Grenswaarden

Directive (EU) 2017/2398

2017/0004 COD

2018/0081 COD

1st batch
(11 BOELs)

2nd batch
(5 BOELs)

3rd batch
(5 BOELs)

4th batch
?

2016

2017

2018

?

- ❑ Commissaris Thyssen beloofde: 50 kankerverwekkende stoffen krijgen een Bindende Grenswaarde (BOEL) in CMD Annex III by 2020

Eerste batch van 11 (+2) : voorgestelde
grenswaarden door de EU-Commissie in Mei
2016:
Stand van Zaken

First batch adopted in December 2017 (Dir 2017/2398)

Chemical agents	Proposed OELs	Relevant sectors	Types of cancer caused/other illnesses	No. of exposed workers
1,2- Epoxypropane	2.4 mg/m ³	Chemical manufacture; synthetic lubricants, oil field drilling chemicals; polyurethane systems.	Lymphopoietic cancer, haematopoietic cancer, increased leukaemia risk	485-1,500
1,3-Butadiene	2.2 mg/m ³	Manufacture of refined petroleum products, manufacture of rubber products	Lymphohaema-topoietic cancer	27,600
2-Nitropropane	18 mg/m ³	Manufacture of basic chemicals, manufacture of aircraft and spacecraft (downstream use)	Liver tumours	51,400
Acrylamide	0.1 mg/m ³	Manufacture of chemicals and chemical products, education, research and development, other business activities, health and social work, public administration and defence.	Pancreatic cancer	54,100
Bromoethylene	4.4 mg/m ³	Chemicals and allied production; rubber and plastic production; leather and leather production; fabricated metal production for wholesale trade	Liver cancer	n/a
Chromium (VI) compounds	0.005 mg/m ³ (5y transition 0.01 mg/m ³)	Production and use of chromium-containing pigments, paints and metal (conversion) coatings. In terms of downstream use, chromate compounds, including barium chromate, zinc chromate, and calcium chromate, may be used as basic primers and top coats in the aerospace sector.	Lung cancer and sinonasal cancer	916,000
Ethylene Oxide	1,8 mg/m ³	Extraction of crude petroleum and natural gas; service activities incidental to oil and gas extraction; Manufacture of food products, textiles, chemicals, chemical products, medical, precision and optical instruments, watches, clocks; Hospital and Industrial sterilization; R&D; Public Administration and Defence; Education; Health and Social Work	Leukaemia	15,600
Hydrazine	0.013 mg/m ³	Chemical blowing agents; agricultural pesticides; water treatment	Lung and colorectal cancer	2,124,000
o-Toluidine	0.5 mg/m ³	Manufacture of chemicals, chemical products and man-made fibres; Manufacture of rubber products; Research and development; Public administration and defence; education; health and social work.	Bladder cancer	5,500
Respirable Crystalline Silica (RCS)	0.1 mg/m ³ (to be reviewed)	Mining, glass manufacturing, construction and electricity, gas, steam and hot water supply industries.	Lung cancer, silicosis	5,300,000
Refractory Ceramic Fibres (RCF)	0.3 f/ml	Manufacturing (fibre production, finishing, installation, removal, assembly operations, mixing/forming)	Adverse respiratory effects, skin and eye irritation; possibly lung cancers	10,000
Vinyl Chloride Monomer (VCM)	2.6 mg/m ³	Manufacture of chemicals and chemical products (VCM and PVC production)	Angiosarcoma, hepatocellular carcinomas	15,000
Hardwood dusts	2 mg/m ³ (5y transition 3 mg/m ³)	Wood working industry, furniture manufacture sectors and construction.	Sinonasal and nasopharyngeal cancers	3, 333,000

Second batch van 5 (+2) Voorgestelde
grenswaarden in Jan 2017:
Stand van Zaken ?

COM proposal of 10 Jan 2017 (2017/0004 COD)

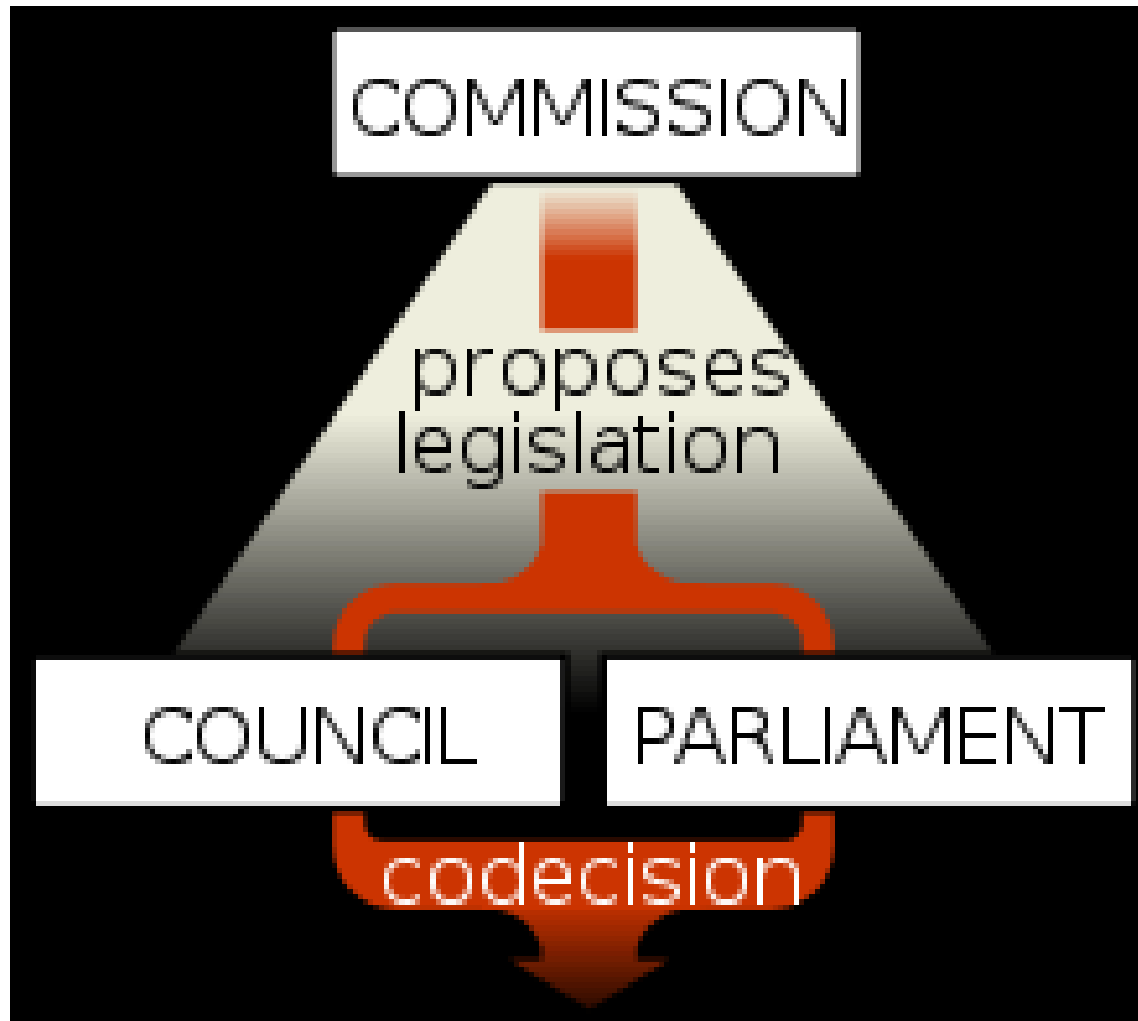
Chemical agents	Proposed OELs	Relevant sectors	Types of cancer caused/other illnesses	No. of exposed workers
4,4'-methylenedianiline (MDA)	0,08 mg/m ³ (+ skin notation in Annex III)	Production of polyurethane foams	Liver and thyroid cancer in animal studies. Also: suspected of causing genetic defects, causes damages to organs,...	390,000 – 3,900,000
Trichloroethylene (TCE)	54,7 mg/m ³ (+ skin notation in Annex III)	Degreasing and cleaning of metal parts Used in adhesives, Used as a solvent and for synthesis in the chemical industry.	Liver cancer, Kidney cancer. Also: suspected of causing genetic defects, causes serious eye irritation, causes skin irritation, ...	74,000
Epichlorohydrin (1-Chloro-2,3-epoxypropane)	1,9 mg/m ³ (+ skin notation in Annex III)	Chemical industry (production of resins) Paper production	Lung cancer. Also: toxic if inhaled, toxic in contact with skin, toxic if swallowed...	40,000
Ethylene dibromide (EDB) (Dibromoethane)	0.8 mg/m ³ (+ skin notation in Annex III)	Chemical industry Preparation of dyes and pharmaceuticals	Caused tumours in animal studies. Also: toxic if swallowed, toxic in contact with skin, toxic if inhaled	7,600
Ethylene dichloride (EDC) (1,2-Dichloroethane)	8,2 mg/m ³ (+ skin notation in Annex III)	Production of plastic and vinyl products Also used as a solvent and added to leaded gasoline to remove lead.	Caused tumours in animal studies. Also: harmful if swallowed, causes serious eye irritation, causes skin irritation...	< 3,000
Complex PAH mixtures with benzo[a]pyrene as an indicator	None (skin notation in Annex III only)	Coal liquefaction, coal gasification, coke production and coke ovens, coal-tar distillation. Roofing and paving (involving coal-tar pitch) Wood impregnation and preservation. Aluminium production Carbon-electrode manufacture. Chimney sweeping	Tumours in animal studies Also: may cause an allergic skin reaction, genetic defects, damage fertility & the unborn child.	7,000,000
Used engine oils	None (entry in Annex I + skin notation in Annex III)	Used in automobile and motorcycle engines, diesel rail engines, marine engines, aeroengines, and in portable machinery including chain saws and lawn mowers	Skin cancer	1,000,000

Europese grenswaarden: waar komen ze vandaan?

Hoe komen die grenswaarden tot stand?

- Elke stof wordt bestudeerd door groepen van experts
- Rapporten (de SCOEL/RAC/ Gezondheidsraad etc)
- Die rapoorten gaan de Working Paerty on Chemicals in Luxembourg
- In deze WP Chem zitten vakbonden, werkgevers en overheden (elk 4 leden) en zij stellen een Europese BOEL voor
- Deze voorstellen worden aangenomen in de Advisory Committee on Safety and Health in Luxembourg
- Aangenomen Opinions (adviezen) gaan naar de Europese Commissie en EU parlement
- Eu COM doet op basis van deze Opinions een voorstel en nadat er een Impact Assessment heeft plaatsgevonden: wat gaat de invoering van zo'n nieuwe grenswaarde kosten?
- EU parlement reageert daarop en doet eventueel tegenvoorstellen
- Voorstellen worden vervolgens in de Trigolen beslist , waarbij de Europese Raad (Council) meebeslist.

Co-legislators have the possibility to amend COM proposal



EU Parliament: rapporteur and shadow rapporteurs (2nd batch)



Marita ULVSKOG
SE, S&D



Karima DELLI
FR, Greens



Claude ROLIN
BE, PPE



Patrick LE HYARIC
FR, GUE-NGL



Joëlle MELIN
FR, ENF



Enrique C. CHAMBON
ES, ALDE

State of play Council & European Parliament

February 2017 :

Council : 1st discussion

March 2017:

Council : 2nd discussion (Trichloroethylene + Diesel)

EP: rapporteur and shadows have been appointed

November 2017 : EP (Rolin)' draft Report with focus on Diesel Exhaust Engine Emissions (Annex I + Annex III)

27 March 2018: vote in EP EMPL Cttee

May-June 2018: trilogue meetings under BG Presidency (failed)

By end 2018 : adoption under the AT Presidency

EP amendments on COM 2nd batch:

- ❑ Steun voor 5 nieuwe BOEL's voorgesteld door de Commissie in bijlage III + gebruikte motoroliën in bijlage I
- ❑ Eis dat er in de Lidstaten beter wordt geïnspecteerd (Art 19)
- ❑ COM-verplichting om uiterlijk op 30 juni 2019 te beoordelen of het nodig is de BOEL te wijzigen voor DE
- ❑ nieuwe overweging 3 ter: verdere wijzigingen moeten betrekking hebben op gevaarlijke drugs (inclusief cytostatica)
- ❑ nieuwe overweging 16: voorzorgsbeginsel

Derde batch : Stand van Zaken ?

COM proposal 2018/0081(COD) of 5 April 2018

Chemical agents	Proposed OELs	Relevant sectors	Types of cancer caused/other illnesses	No. of exposed workers
Cadmium and its inorganic compounds	0,001 mg/m ³ (7 y transition at 0.004 mg/m ³)	Cadmium production and refining, nickel-cadmium battery manufacture, cadmium pigment manufacture and formulation, cadmium alloy production, mechanical plating, zinc and copper smelting, mining of non-ferrous metal ores, etc...	Lung cancer, bladder cancer, kidney cancer and prostatic cancer Proteinuria, osteoporosis and respiratory effects	2,900 – 300,000
Beryllium and inorganic beryllium compounds	0,0002 mg/m ³ (5 y transition at 0,0006 mg/m ³)	Foundries, glass sector, laboratories.	Lung cancer, Chronic beryllium disease, allergy or asthma symptoms, beryllium respiratory and skin sensitisation, cardiovascular, renal effects,etc.	14,000 - 74,000
Arsenic acid and its salts, as well as inorganic arsenic compounds	0,01 mg/m ³ (2 years extra transposition for the copper smelting sector))	Copper and zinc production, glass, electronics and chemical sectors	Lung cancer, skin cancer, liver cancer, lung cancer, bladder cancer, kidney cancer Peripheral neuropathy, cardiovascular effects and immunotoxicity, skin changes, etc	7,900 - 15,300
Formaldehyde	0,37 mg/m ³ (+ notation on dermal sensitisation)	Formaldehyde manufacturing, building and construction works, manufacturing of leather and fur, pulp, paper and paper products, textile and wood and wood products, autopsy rooms	Nasopharyngeal cancer, leukaemia tumor induction Sensory irritation, potential cancer precursor effects	990,000 – 2,200,000
4,4-Methylene-bis(2-chloroaniline) MOCA	0,01 mg/m ³ (+ skin notation in Annex III)	Plastics sector	Lung cancer, bladder cancer	350

Fourth batch : State of play ?

Fourth batch: state of play ?

- ❑ COM proposal by end 2019?
 - ✓ All necessary steps incl. Impact Assessment should be available in 2019
 - ✓ Juncker Commission will end in 2019
 - ✓ Priorities of next Commission might change

- ❑ Expected carcinogens (based on scientific recommendation from RAC):
 - ✓ Nickel compounds
 - ✓ Acrylonitrile
 - ✓ Benzene (update of existing BOEL)
 - ✓ Diesel engine exhaust emissions ? (depends on Batch 2 or 3 outcome)

- ❑ ACHS opinions not yet adopted

Wat vraagst de ETUC van de FNV, van ons?

❑ Wat vraagt de ETUC van Vakbonden voor de komende tijd?

De richtlijn: minimale vereisten

Als betere bepalingen op nationaal niveau: behoud ze

Probeer het probleem van reprotoxische stoffen op te lossen in landen waar dit nog niet het geval is (voorbeeld NL & HR)

Blootstelling na blootstelling medisch: is afhankelijk van nationale specifieke bepalingen

Probeer BOEL's te verbeteren en kortere overgangsperioden te krijgen

Betere bescherming van het leven van werknemers

Goed voorbeeld voor de toekomstige ontwikkeling van EU-wetgeving

Argument: beste praktijken uit andere landen gebruiken (alle EVV-voorstellen zijn gebaseerd op bestaande regels in sommige lidstaten)

Bijzonder belangrijk: kristallijn silica en Croom VI

TARGET: ministerie van werkgelegenheid en tripartiete nationale adviesorganen

Handhaving is ook een centrale verantwoordelijkheid van de lidstaten: hoe zit het met de situatie in uw land?

Belangrijk om informatie over ontwikkelingen in uw MS te communiceren
deze kunnen nuttig zijn voor andere landen

Reprotoxische stoffen

- ❑ Verklaring ETUC en Chemische industrie: Stop Reprotoxische stoffen ook onder de CM Richtlijn
- ❑ Probleem daarbij is dat voor kankerverwekkende stoffen geldt dat werkgevers verplicht zijn de blootstelling zo laag mogelijk te krijgen, zelfs onder de grenswaarde. Dat vinden ze raar
- ❑ Voor reprotoxische stoffen kan wel veilige grenswaarden vaststellen, voor veel kankerverwekkende stoffen niet. Dus 'fair' om in de wet te zetten dat je bij reprotoxische stoffen niet verder hoeft te verlagen dan de grenswaarde aangeeft.

Waar zijn we als FNV druk mee?

- ❑ SER GSW: in NL stellen wij ook zelf grenswaarden voor kankerverwekkende stoffen af: is moeilijk en ingewikkeld proces
- ❑ **Diesel als voorbeeld: europa gaat andere kant op die wij willen**
- ❑ Problemen met Chroom VI: NS, Defensie en Nijmegen
- ❑ Asbest: verwijdering van asbestdaken: hoe gaan we dat veilig doen>
- ❑ Stoffen als Pur, steenstof, Allergene stoffen zijn 'blijvertjes'
- ❑ Wel mooi dat we als eerste land een grenswaarde hebben vastgesteld voor een allergene stof : schimmel alfa amylase
- ❑ Vragen via de arbotelefoon
- ❑ Vragen omtrent biomonitoring en sensing (komt een SER advies aanvraag over)
- ❑ Aantal projecten in het land
- ❑ Deelname FNV aan de Working Parting on Chemicals?
- ❑ En meer algemeen: hoe belangrijk is Europa eigenlijk voor ons?

Useful tool: the Roadmap
<https://roadmaponcarcinogens.eu/>



NEWS

ABOUT

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EVENTS

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FACTS