

# Protecting workers against carcinogens and mutagens: Second proposal

The European Commission has started a phased process to amend Directive 2004/37/EC (Carcinogens and Mutagens Directive, CMD), expanding its scope and including and/or revising occupational exposure limit values for a number of cancer- or mutation-causing chemical agents. The second proposal to amend the CMD addresses a further seven agents. It is among the Joint Declaration initiatives Parliament, Council and Commission have committed to handle with priority. The agreement on the proposal reached after trilogue negotiations now needs a confirmation vote, expected to take place during the December plenary session.

## Background

The current proposal, from January 2017, is the second in a series to amend the [CMD Directive](#). It is one of a number of new measures to modernise EU occupational safety and health (OSH) legislation, and focuses on three main actions: 1) addressing occupational cancer through legislation, including this proposal and subsequent proposed CMD amendments; 2) helping businesses, in particular small and micro-enterprises, comply with OSH rules by providing practical tools; and 3) cooperating with Member States and social partners to update or remove outdated rules, as well as to refocus efforts on better protection, compliance and enforcement on the ground. A third [proposal](#) to amend the CMD was published in April 2018.

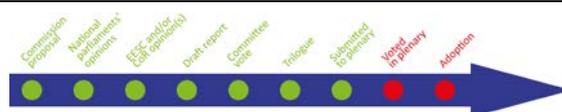
## European Commission proposal

The current [proposal](#) aims at limiting workers' exposure to certain carcinogens by further addressing seven priority chemical agents. More specifically, the Commission intends to bring within the scope of the CMD work involving oils that have been previously used to lubricate and cool the moving parts within an internal combustion engine ('mineral oils as used engine oils'); and introduce EU-wide occupational exposure limits, supplemented by 'skin notations' (indicating the possibility of significant uptake of a substance through the skin) for a further five carcinogens. Moreover, it proposes to assign skin notations, independently of limit values, to two carcinogens: mineral oils as used engine oils, and polycyclic aromatic hydrocarbon (PAH) mixtures.

## European Parliament position

The European Parliament's Committee on Employment (EMPL) adopted its [report](#) on the proposal on 27 March 2018. Trilogue negotiations started in May 2018, and agreement was reached in October 2018. A key element of the agreement is that, as requested by Parliament, diesel engine exhaust emissions will be included in the scope of the CMD, and an occupational exposure limit value has been set, with transitional periods for certain sectors. Thus amended, the proposal would cover a total of eight additional chemical agents, and is expected to better protect an estimated 15.6 million workers in the EU (i.e. an estimated [12 million](#) workers potentially exposed to the seven agents initially proposed by the Commission, plus an estimated [3.6 million](#) potentially exposed to diesel exhaust). The final text resulting from interinstitutional negotiations was approved by Coreper, for the Council, on 24 October 2018. Parliament's EMPL committee endorsed the agreement on 15 November, and it is now to be the subject of a first-reading plenary vote.

First-reading report: [2017/0004\(COD\)](#); Committee responsible: EMPL; Rapporteur: Claude Rolin (EPP, Belgium). For further information, see our 'EU Legislation in progress' [briefing](#).



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