

# Protecting workers against carcinogens and mutagens: Third proposal

The European Commission is undertaking a phased process to amend Directive 2004/37/EC (the Carcinogens and Mutagens Directive), expanding its scope and including and/or revising occupational exposure limit values for a number of cancer- or mutation-causing chemical agents. The third proposal to amend the directive addresses a further five agents. The agreement on the proposal reached after trilogue negotiations now needs to be confirmed by Parliament, with a vote expected to take place during the March II plenary session.

## Background

The current proposal, from April 2018, is the third in a series to amend the [Carcinogens and Mutagens Directive](#); the first and second proposals having been adopted by the co-legislators as [Directive \(EU\) 2017/2398](#) and [Directive \(EU\) 2019/130](#), respectively. It aims to improve workers' health protection by reducing workplace exposure to chemical agents that may cause cancer or mutations; provide more clarity for workers, employers and enforcers; and contribute to a level playing field for economic operators. The proposal is meant to help deliver on the [European Pillar of Social Rights](#) by implementing its principle 10 ('Healthy, safe and well-adapted work environment') which expresses workers' right to a high level of protection of their health and safety.

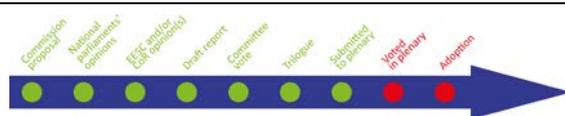
## European Commission proposal

The [proposal](#) addresses a further five priority chemical agents, namely: two individual substances (formaldehyde and 4,4'-methylene-bis(2-chloroaniline) (MOCA)) and three groups of substances (cadmium and its inorganic compounds; beryllium and its inorganic compounds; and arsenic acid and its salts, as well as inorganic arsenic compounds). The proposal would introduce new occupational exposure limit values for the inhalation route of exposure, supplemented by a skin notation in the case of MOCA; a notation for skin sensitisation in the case of formaldehyde; and a notation for skin and respiratory sensitisation in the case of beryllium and its inorganic compounds. Moreover, transition periods would be established for beryllium and cadmium (five and seven years, respectively), as well as for arsenic acid (two years, for the copper smelting sector only).

## European Parliament position

Parliament's Committee on Employment and Social Affairs (EMPL) adopted its [report](#) on the proposal on 20 November 2018. It contains, among other things, the call to bring hazardous medicines, including the cytotoxic agents used in the treatment of cancer (as chemotherapy), within the scope of the Carcinogens and Mutagens Directive. The mandate to enter interinstitutional negotiations with the Council was confirmed in plenary in November 2018, allowing the first trilogue meeting to be held on 16 January 2019. A [provisional agreement](#) was reached on 29 January. The final text resulting from interinstitutional negotiations was endorsed by Coreper, for the Council, on 15 February, and then approved in the EMPL committee meeting of 19 February. The text now needs to be formally adopted by Parliament, and is scheduled to be voted during the March II plenary session.

First-reading report: [2018/0081\(COD\)](#); Committee responsible: EMPL; Rapporteur: Laura Agea (EFDD, Italy). For further information see our 'EU Legislation in progress' [briefing](#).



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