

(English version)

**Question for written answer E-000088/22
to the Commission
Cindy Franssen (PPE)
(10 January 2022)**

Subject: Transposition of the third revision of Directive (EU) 2019/130

Over 100 000 European workers die from work-related cancer every year. The Commission has been imposing restrictions on 27 carcinogenic substances in the workplace since 2014.

The third revision of Directive (EU) 2019/130 has been in force since 25 June 2019, with Member States being required to transpose it into national law by 11 July 2021 at the latest. However, the Commission's reply of 11 February 2021 indicated that two Member States had not yet transposed the amendment to this directive into national law.

1. Can the Commission confirm whether they have since done so?
2. If not, what steps has it taken to persuade them to comply?

**Answer given by Mr Schmit on behalf of the European Commission
(15 March 2022)**

As regards the transposition of Directive (EU) 2019/983 ⁽¹⁾, which is the third amendment of Directive 2004/37/EC ⁽²⁾, only Spain has not yet notified to the Commission the national transposition measures.

If a Member State has failed to transpose a directive or has transposed it incorrectly, the Commission may launch infringement proceedings pursuant to Article 258 of the Treaty on the Functioning of the European Union.

Given that the transposition deadline for Directive (EU) 2019/983 expired on 11 July 2021, the Commission initiated an infringement procedure against the Member State that had not yet transposed the directive.

⁽¹⁾ Directive (EU) 2019/983 of the European Parliament and of the Council of 5 June 2019 amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work, (OJ L 164, 20.6.2019, p. 23).

⁽²⁾ 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 or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC), (OJ L 158, 30.4.2004, p. 50).