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Committee on Employment and Social Affairs

2008/2208(INI)

3.12.2008

OPINION

of the Committee on Employment and Social Affairs

for the Committee on the Environment, Public Health and Food Safety

on Regulatory aspects of nanomaterials
(2008/2208(INI))

Rapporteur: Jan Cremers

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SUGGESTIONS

The Committee on Employment and Social Affairs calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Welcomes the Commission's Communication, which in general provides a balanced and up-to-date overview of the scientific knowledge and an assessment of the possible health or environmental risks of nanomaterials on the one hand, and a review of the Community legislation, on the other hand;
2. Acknowledges that nanotechnology and the use of nanomaterials have benefits, including in terms of job creation; underlines the fact that products are being made today with insufficient knowledge of the release of nanoparticles and the potential impacts they may have on human beings and the environment;
3. Furthermore, underlines the fact that nanotechnology and nanomaterials, throughout their whole life cycle, raise major challenges for occupational health and safety, as many workers along the production chain are exposed to these materials without knowing whether the safety procedures implemented and the protection measures taken are adequate and efficient; notes that the number and diversity of workers exposed to the effects of nanomaterials is expected to increase in the future; calls, therefore, for sufficient time and budgetary resources to be made available for the technology to be assessed;
4. Recognises that current knowledge of the toxicity of nanoparticles is limited and that comprehensive information about what risks different nanoparticles may pose on workers is not available yet, but notes that preliminary results in most published studies indicate that the toxicity of insoluble particles of similar composition increases with decreasing particle diameter and increasing particle surface area; furthermore, notes that those studies reveal a risk of serious health effects arising from ultrafine particles, air pollution and fibres;
5. Emphasises the utmost importance of the safe and responsible use of nanomaterials in the short, medium and long term, as well as of the development of responsible nanotechnology which integrates health and safety considerations with production and application approaches; considers it therefore necessary to formulate adequate thresholds which are scientifically justifiable;
6. Recognises that prevention is of central importance in order to mitigate the risks and to eliminate potentially negative influences; emphasises that, as the scientific base needs to be improved, the precautionary principle has to be the guiding principle, along with the principle of the elimination of risk at source, in order to maintain a high level of protection of health and safety at work as well as of the environment;
7. Draws attention to the fact that different categories of people might be at risk at different stages of the product lifecycle: in the production and handling stages, in packaging, transport and maintenance, during disposal and demolition, and where secondary and

end-users, and consumers are concerned; recalls that risk assessment has to be based on normal use and accidents, as well as the fact that the features are inhalation, dermal and other routes of exposure; stresses that the relevant legislation has to take into account the categories of people at risk as well as the risks related to these categories;

8. Underlines the importance of the Commission and Member States ensuring that the Framework Directive 89/391/EEC and its individual Directives, and in particular Directive 98/24/EC on hazardous chemical agents at work, are fully complied with; considers that the key elements of these Directives, with regard to nanomaterials, are the risk assessment, the protection and prevention measures, the information and consultation rights and the right to be trained;
9. Calls on the Commission and Member States to provide additional incentives to foster compliance with the regulatory framework, including for example strengthening labour inspection bodies and other enforcement and professional agencies, where appropriate; also calls on Member States to ensure adequate training for health and safety specialists necessary to prevent known as well as potentially harmful exposures to nanomaterials;
10. Draws attention to the need for prevention and risk reduction measures to be undertaken even when the dangers of particular substances used are still unknown; invites the Bilbao Agency Risk Observatory and the Member States to step up their efforts in awareness-raising and the exchange of good practice;
11. Invites the Commission, in the context of the implementation of Directive 89/391/EEC, to consider the need for an adequate instrument to deal with the exposure of nanoparticles in the workplace as soon as further research on the 'knowledge gaps', in particular with regard to hazards and exposure risks, are resolved, allowing a comprehensive understanding of the properties and risks of those materials;
12. Considers that the placing of such substances on the market has to take into account the free movement of products, which can lead to secondary and end-use being in another country; considers therefore that requirements regarding customer information and the labelling of products have to be clarified, and urges the Member States to ensure compliance with existing provisions on labelling and information in relation to nanomaterials, in the necessary languages, so as to ensure that workers are provided with transparent information and that a precautionary approach can be applied;
13. Furthermore points out that, in individual cases, provisions on worker protection and safety concerning nanomaterials should be available in several languages;
14. Emphasises that a clear assignment of liability to producers and employers arising from nanotechnology and from the use of nanomaterials is necessary;
15. Underlines the need for rapid improvement of the scientific knowledge and its uptake, in particular the research underpinning risk assessment and measurement, effective risk prevention and protection measures, in accordance with existing Community occupational health and safety legislation; considers it of the utmost importance that possible health and safety at work implications are addressed at the same time as research into new applications is being undertaken; moreover considers it vital that a substantial

part of the RTD budgets for nanotechnologies is earmarked to occupational health and safety, consumer protection and environmental considerations;

16. Calls on the Commission and Member States to pay special attention to the social dimension of the development of nanotechnology, including to the accompanying social-science research; underlines the fact that nanotechnology should be judged in terms of its usefulness and its effect on humans and the environment; furthermore considers that the active participation of the social partners concerned has to be ensured from the earliest possible stage.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	2.12.2008
Result of final vote	<div style="display: flex; justify-content: flex-end; align-items: center;"> <div style="text-align: right; padding-right: 10px;"> + : 41 - : 1 0 : 0 </div> </div>
Members present for the final vote	Jan Andersson, Edit Bauer, Iles Braghetto, Philip Bushill-Matthews, Alejandro Cercas, Ole Christensen, Derek Roland Clark, Luigi Cocilovo, Jean Louis Cottigny, Jan Cremers, Proinsias De Rossa, Harald Ettl, Carlo Fatuzzo, Ilda Figueiredo, Stephen Hughes, Ona Juknevičienė, Elizabeth Lynne, Thomas Mann, Jan Tadeusz Masiel, Maria Matsouka, Juan Andrés Naranjo Escobar, Csaba Őry, Siiri Oviir, Marie Panayotopoulos-Cassiotou, Pier Antonio Panzeri, Rovana Plumb, Bilyana Ilieva Raeva, José Albino Silva Peneda, Jean Spautz, Gabriele Stauner, Ewa Tomaszewska, Anne Van Lancker
Substitute(s) present for the final vote	Gabriela Crețu, Petru Filip, Marian Harkin, Magda Kósáné Kovács, Sepp Kusstatscher, Jamila Madeira, Viktória Mohácsi, Ria Oomen-Ruijten, Csaba Sógor, Anja Weisgerber