



IMA-Europe Press Release

The European Commission proposes changes to the Carcinogens and Mutagens Directive

A Binding Limit Value is proposed for Respirable Crystalline Silica – The NEPSI Agreement is recognised as a valuable instrument to support its implementation

On 13 May 2016, EU Commissioner Marianne Thyssen presented a proposal to revise the Carcinogens and Mutagens Directive (CMD)¹. The objective is to facilitate the implementation of the Directive by revising the list of substances covered in Annex I, and by introducing new or amended Europe-wide binding exposure limit values for a first set of 13 agents² in Annex III. These limit values set each worker's maximum inhaled exposure, averaged over an 8-hour period. The proposed values reflect the opinions of the tri partite Advisory Committee on Safety and Health at Work.

On this occasion, the Commission proposes to include in Annex I **“work involving exposure to respirable crystalline silica dust generated by a work process”**³ and to establish in Annex III a binding limit value for respirable crystalline (RCS) silica dust ('respirable fraction') **at 0.1 mg/m³**.

The industrial minerals industry welcomes the Commission's proposal for a Binding Limit Value which aims at protecting workers, defining a clear 'level playing field' across the EU.

Workers' health & safety is at the core of the Industrial Minerals Association – Europe (IMA-Europe) priorities since its creation in 1993. In 2006, the main industries concerned by possible exposure to RCS agreed on appropriate and credible prevention measures and signed the Social Dialogue "Agreement (SDA) on Workers' Health Protection Through the Good Handling and Use of Crystalline Silica and Products Containing it". Together, the signatories formed NEPSI, the European Network on Silica, to monitor the application of the Agreement over the years.

In her press conference, **Commissioner Thyssen highlighted the benefit of the NEPSI Agreement**. As one of its primary initiators and signatories, the industrial minerals industry particularly praises that **the proposal in its Recital (6) acknowledges its role as a valuable instrument to complement regulatory requirements and to support their effective implementation**. IMA-Europe trusts that the current revision of the OSH legislative framework under the European Commission's Regulatory Fitness and Performance programme will provide opportunities for such complementarities in the future.

The Directive proposal will be subject to the ordinary adoption procedure (through the Council and Parliament) which usually last around 6 months, then there will be a transition period of two years after entry into force of the Directive for the Member States to transpose the Directive in their national legislation.

The NEPSI signatories will now investigate how to best integrate the CMD provisions into the SDA so as to continue to enhance worker protection and sustainable business in the future.

20 May 2016

¹ Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work. Amendment proposal 2016/0130(COD).

² A second set of limit values for a dozen further agents is expected by end of 2016.

³ 'Process generated' substance means according to the proposal “dust created by work processes such as mining, quarrying, or tunnelling or cutting, crushing or grinding of silica-containing materials such as concrete, bricks, or rocks”.