

Aromatics Producers Association (APA)

A sector group of Cefic 
European Chemical Industry Council - Cefic aisbl

REVISION OF THE OEL FOR BENZENE:

POLICY, PROCESS AND INVOLVEMENT OF STAKEHOLDERS

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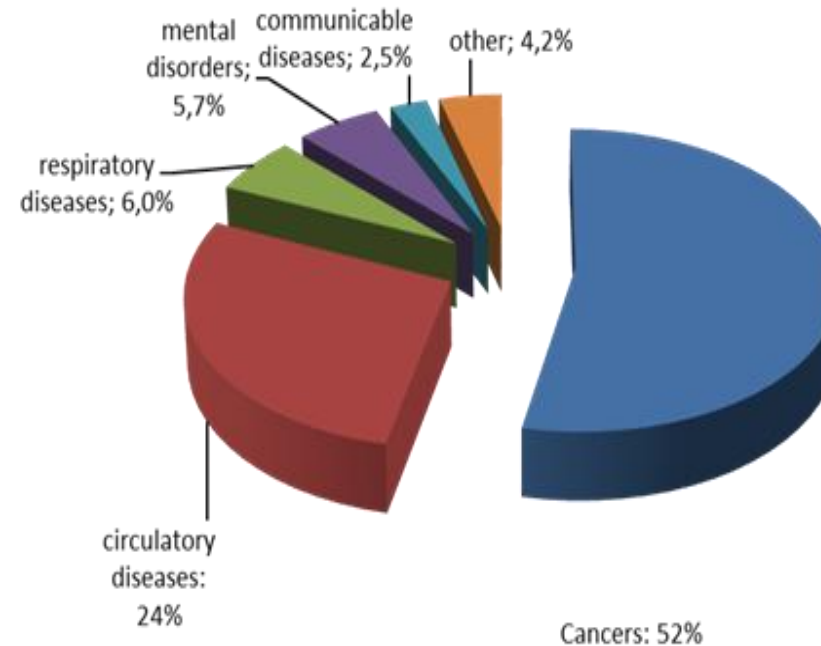


PRESENTATION OUTLINE

1. Why is there a need to act?
2. Key stakeholders.
3. Safer and Healthier Work for All - Modernisation of the EU OSH Legislation and Policy.
4. Practical benefits of EU OELs.
5. European Commission's process to propose BOELs under CMD.
6. Social partners participation.
7. Where are we now?
8. CMD 4th batch.
9. ACSH Opinion on benzene.

WHY IS THERE A NEED TO ACT?

- Cancer is the first cause of work-related deaths in the EU.
- 52% of occupational deaths are attributed to cancer, compared to 24% for circulatory diseases.
- 106,307 deaths are attributed to occupational cancer in the EU every year.
- Strong desire from all stakeholders to establish occupational exposure limit values.



WHY IS THERE A NEED TO ACT?



Ursula von der Leyen's agenda for Europe (July 2019)

« (...) almost all of us will know the anxiety and grief of a friend or family member diagnosed with cancer. Survival rates are on the up, especially thanks to early detection and screening programmes. But there is a lot more we can do. I will put forward a **European plan to fight cancer**, to support Member States in improving cancer control and care »

➔ *Prevention of occupational cancer is key to fight cancer*

KEY STAKEHOLDERS

DG Employment, Social Affairs and Inclusion (DG EMPL)

- Health and Safety Unit, Luxembourg.
- Develops and manages EU OSH chemicals policy.

Risk Assessment Committee (RAC)

- Provides scientific evaluations for priority chemicals.

Advisory Committee on Safety and Health (ACSH)

- Tri-partite, one member per Member State per Interest Group = 84 members.
- Provides advice and formal Opinions to support the work of DG EMPL.

Working Party on Chemicals (WPC)

- 3 Interest Groups (IGs): Governments, Employers and Workers.
- 4 members per IG = 12 members + 1 additional expert per IG = total of 15 experts.
- Mandated by the ACSH to carry out specific tasks.

Senior Labour Inspectors Committee (SLIC)

- Defines common principles of labour inspection, improved knowledge and mutual understanding, develops guidance and exchanges information.
- Working Group on Chemicals - CHEMEX

SAFER AND HEALTHIER WORK FOR ALL - MODERNISATION OF THE EU OSH LEGISLATION AND POLICY

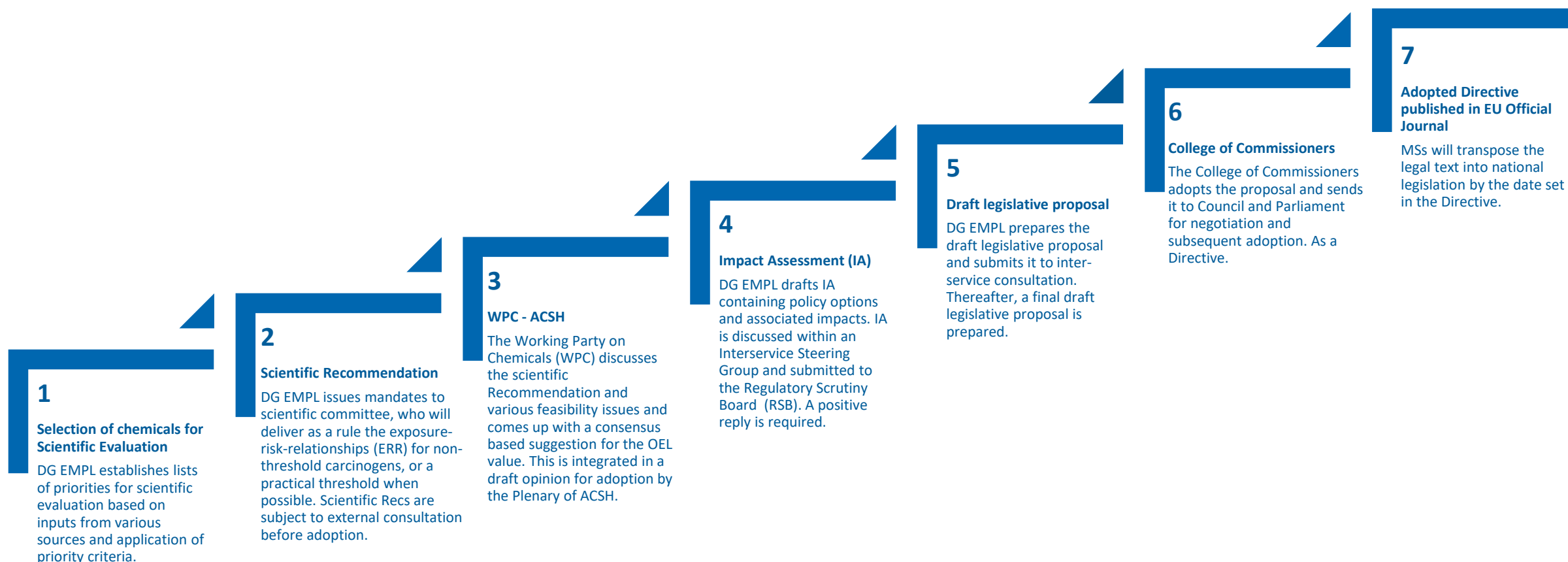
OSH challenges, three priority areas (COM/2017/12):

- Stepping up the fight against occupational cancer and exposure to chemicals.
 - *The Commission considers the protection of workers' health and safety to be a key element of implementing the European Pillar of Social Rights and TFEU. The Commission Communication "Safer and Healthier Work for All - Modernisation of the EU Occupational Safety and Health Legislation and Policy", adopted on January 2017, proposes key actions in specific OSH priority areas including stepping up the fight against occupational cancer through legislative proposals accompanied by increased guidance and awareness-raising.*
- Helping businesses, in particular microentreprises and SMEs, to comply with OSH rules.
- Cooperating with Member States and Social Partners to remove or update outdated rules.

PRACTICAL BENEFITS OF EU OELs

- Protects workers' health.
- Defines effective control mechanisms of exposure.
- Provides a "level playing field" for all users - promotes consistency.
- Indicates level of exposure considered to be safe (health based) or appropriate (where feasibility factors are also taken into consideration).
- Provides a benchmark for new users and designers of process plant.
- Defines a common objective for employers, workers and enforcement agencies.
- Contributes to more effective health surveillance.

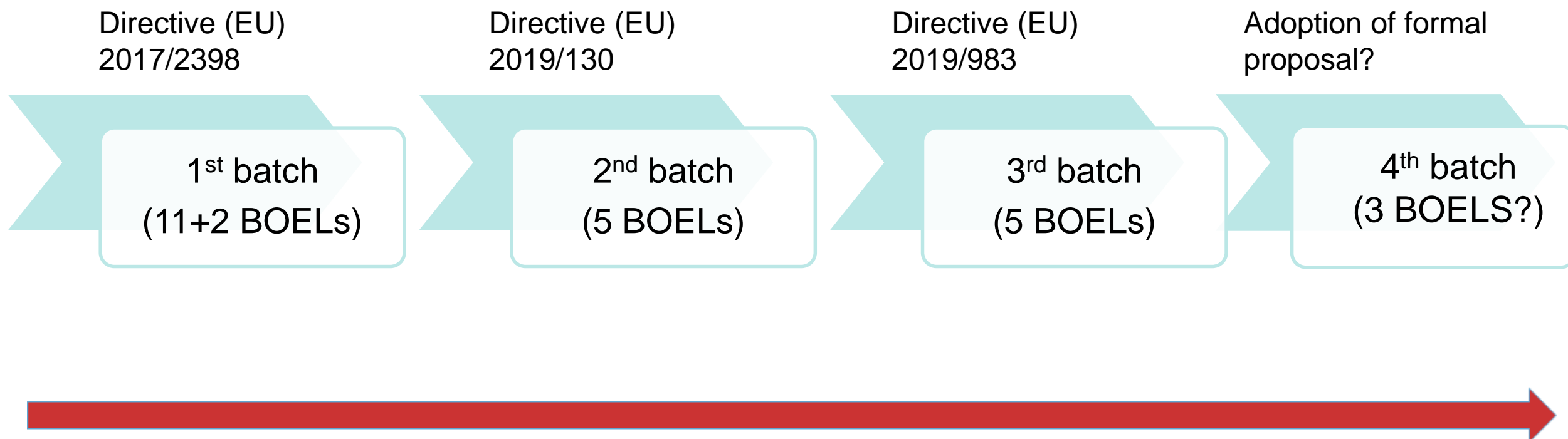
EUROPEAN COMMISSION'S PROCESS TO PROPOSE OELs UNDER CMD



SOCIAL PARTNERS PARTICIPATION

- Two stage social partners consultation at EU level (in accordance with TFEU Article 154).
- Selecting priority chemicals for scientific evaluation (WPC).
- Public consultation for the draft scientific evaluations (done by RAC).
- Represented in the Working Party on Chemicals where they prepare the draft opinion for the Advisory Committee on Safety and Health.
- Adoption of Opinion of ACSH.
- External study to support the Impact Assessments makes use of data provided by external stakeholders. Social partners are also present in the steering group for the study.
- Bilateral discussions with DG EMPL.

WHERE ARE WE NOW?



CMD 4th BATCH

- Occupational exposure limit values for three additional priority substances/group of substances:
 - Acrylonitrile;
 - Benzene;
 - Nickel compounds.
- Scientific assessments by ECHA RAC have been completed (March 2018).
- ACSH's opinions have been adopted (June 2019).
- External study to support the Commission in the preparation of the impact assessment will be finalised soon.
- Preparation of impact assessment (ongoing).
- Obtain positive opinion of Regulatory Scrutiny Board.
- Adoption of the Commission proposal is expected under the new College of Commissioners.
- It will then follow the ordinary legislative procedure for adoption by the Council and the European Parliament.

ACSH OPINION ON BENZENE

The ACSH strongly recommends the Commission to adopt as soon as possible a revised BOEL for this substance under Directive 2004/37/EC.

The entries in the Directive should be:



The Advisory Committee on Safety and Health at Work

Opinion

Opinion on an EU Binding Occupational Exposure Limit Value (BOEL) for
Benzene
under the Carcinogens and Mutagens Directive 2004/37/EC.

Doc. 105619

Adopted on 04/06/2019

EC No	CAS No	NAME OF THE CHEMICAL AGENT	LIMIT VALUES				Notation	Transitional measures
			8 hours		Short-term			
			mg/m³	ppm	mg/m³	ppm		
200-753-7	71-43-2	Benzene	0.66	0.2	-	-	skin	This value shall apply from four years after entry into force of the directive. From two years up to four years after entry into force a limit value of 0.5ppm (1.65 mg/m³) shall apply.

Thank you ... for your attention !

Revision of the OEL for benzene:
Policy, process and involvement of stakeholders



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