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## Press Release

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### **The Maltese presidency and the European Parliament reached a provisional agreement on the Carcinogens and Mutagens at Work Directive (CMD) which highly concerns industries.**

**On 28 June 2017, the Maltese Presidency and the European Parliament reached a provisional agreement on the revised text for the Carcinogens and Mutagens Directive (2004/37/EC). The Directive sets threshold limits for specific substances in workplaces. However, the threshold agreed for hardwood dust would imply concrete problems in its implementation.**

#### **The legislative framework**

Today the European threshold limit for hardwood dust in workplaces is set at 5mg/m<sup>3</sup>. Some countries have already adopted lower threshold limits. However, European countries are currently using different testing methodologies for measuring exposure to hardwood dust. Additionally, exceptions to lower limits are often included in National regulations.

The European Commission has proposed in May 2016 a [proposal](#) for a revision of the CMD, and proposed a change in the current threshold limit for hardwood dust at the level of 3 mg/m<sup>3</sup>, explaining that: “For some carcinogens (e.g. [...] hardwood dust) a **clear preferred value** emerged”.

After some rounds of negotiations, on 28th June 2017 the Maltese presidency and the European Parliament reached a provisional agreement on a new exposure limit value of 3 mg/m<sup>3</sup> for five years after the entry into force of the directive and thereafter to 2 mg/m<sup>3</sup>. The compromise proposal needs to be approved by the Council's Permanent Representatives Committee (COREPER) and afterwards formally adopted by the Council and the European Parliament.

#### **The industry position**

Bearing in mind that the European woodworking and furniture industries generate over 2.1million jobs and it is very committed in providing workers the best and safest working

conditions, the industry is calling on the three European Institutions to take into consideration some concerns over the new provisional agreement.

This agreement is not taking into account some specific issues that have been continuously raised by industry with particular regard to the need for harmonised methodology for measuring workers' exposure to hardwood dust and the existing technical problems in reaching a limit value that – in certain cases – cannot be applied.

- Need for harmonization

EFIC has supported the European Commission proposal, which was assessed to result in a clear benefit for workers, implementable by companies. At the same time, EFIC stressed the need to establish a **common and adequate methodology** in measuring the workers' exposure in the EU, which should rather be the pre-requisite before setting common binding limit values.

Today different testing methodologies lead to **lack of comparability**, which undermine the final goal of the CMD aimed at increasing workers' protection at the European level. A common methodology should therefore be established prior to discuss lower limits not supported by the European Commission's Impact Assessment.

- Technical impossibilities and need for exceptions

A limit of 2 mg/m<sup>3</sup> – as proposed by the new provisional agreement – would create in some cases many **technical impossibilities** and a **number of exceptions** for certain **machines or working conditions** must be taken in consideration.

Therefore, Member States should always be entitled to set a number of relevant *ad hoc* exceptions for machines or working conditions due to technical impossibilities to reach the threshold established by the Directive.

**In the view of the final adoption of the revised CMD, the woodworking and furniture sectors call European co-legislators to support a change in the current threshold limit (5 mg/m<sup>3</sup>) for hardwood dust at the level of 3 mg/m<sup>3</sup> and suggest to start working on a necessary harmonization of testing methodologies and evaluation of available technologies before any further lowering of the limit.**

In this regard, a request for a **Wood Dust Conference** – aimed at analysing these existing issues – will be soon submitted to the European Commission by Social Partners in the field.

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