



NEPSI Signatories Position on the proposal of Amendment of the 2004/37/EC Carcinogens and Mutagens Directive COM (2016) 248 final

Concerned by potential exposure to Respirable Crystalline Silica, a diverse group of industries and their social partners signed the Social Dialogue "Agreement (SDA) on Workers' Health Protection Through the Good Handling and Use of Crystalline Silica and Products Containing it" in 2006. Together, the 15 signatories formed NEPSI, the European Network on Silica, to implement effective protection measures and monitor the application of the Agreement over the years. The SDA is the first European multi-sectoral agreement.

Through this Agreement, the signatories have committed to control the exposure of workers to dust and crystalline silica by applying good practices.

On 13 May 2016, the European Commission published its proposal to amend the Carcinogens and Mutagens Directive (2004/37/EC), COM (2016) 248 final. The EC proposes to include in Annex I of this Directive "work involving exposure to respirable crystalline silica dust generated by a work process" and to establish in Annex III a binding limit value for respirable crystalline silica (RCS) dust ('respirable fraction') at 0.1 mg/m³. The proposed value reflects the opinion of the tri partite Advisory Committee on Safety and Health at Work.

NEPSI Signatories acknowledge the proposal for a European Binding Limit Value which aims to protect workers and defines clear and equal treatment across the EU.

NEPSI signatories note with satisfaction Recital 6 which acknowledges the role of NEPSI Good Practices as a valuable instrument to complement regulatory requirements and to support their effective implementation.

Recently, the European Commission (DG EMPL, social dialogue unit) has performed an evaluation of NEPSI and the report concludes that, overall, the Agreement and its implementation mechanisms are suitable to achieve its objectives and to better protect the workers exposed to respirable crystalline silica.

This positive evaluation enabled Commissioner Thyssen to transmit the following message at a Conference marking the 10th Anniversary of the Agreement on 16 June 2016: *"Setting limit values through EU legislation is instrumental for protection of workers' health. But it is the quality of implementation and enforcement on the ground - on each factory floor, in each mine, on each construction site - that will determine whether lives are saved. That is where we see the true value of the bottom-up approach, which has driven the success of NEPSI"*.

At this conference NEPSI signatories confirmed through a joint declaration their desire to continue working together for enhanced workers' health protection and to ensure that the NEPSI Agreement continues to have a key role to play in facilitating compliance with the proposed regulatory measures and actual implementation on the ground.

NEPSI signatories would therefore welcome a stronger emphasis of the Agreement's contribution to complying with the goals of the Carcinogens and Mutagens Directive.

Brussels, November 2016



NEPSI Signatories:

BIBM – The International Bureau for Precast Concrete

CAEF – European Foundry Association

CEEMET - European employers' organisation of the metal, engineering and technology-based industries

CEMBUREAU – The European Cement Association

Cerame-Unie - The European Ceramic Industry Association

EMO – European Mortar Organization

EURIMA - -The European Insulation Manufacturers Association

EUROMINES – The European Association of Mining Industries

EUROROC - European Federation of Natural Stone Industries

EXCA – The European Expanded Clay Association

ECSPA – European Calcium Silicate Producers Association (voluntary)

FEVE – The European Container Glass Federation

GlassFibreEurope – The European Glass Fibre Producers Association

GLASS FOR EUROPE – The trade association for Europe's manufacturers of building, automotive and transport glass

IMA-Europe – The European Industrial Minerals Association

UEPG – European Aggregates Association

IndustriAll – European Trade Union