




**Second stage consultation on amendment certain  
EU directives on health and safety as a result of  
the adoption of CLP Regulation  
Brussels, 03/03/11**



**Erwin Annys**

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**Topic**



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- **Updating of current H&S legislation to align with CLP**
  - **Protection of health and safety of workers from risks related to chemical agents at work**
  - **Protection of health and safety of workers from risks related to exposure to carcinogens or mutagens at work**
  - **Minimum requirements for provision of safety and/or health signs at work**
  - **Introduction of measures to encourage improvements in safety and health of pregnant workers and workers who have recently given birth**
  - **Protection of young people at work.**

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## General statement

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- ECEG supports the amendment of the specified directives on health and safety at work, to align them with the CLP Regulation to ensure consistency.

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## Question 1

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1. *Forward an opinion or, where appropriate, a recommendation on the content of the envisaged regulatory initiative pursuant to Article 154(3) of the Treaty on the Functioning of the European Union*

**We favour policy option 1: a new directive amending those parts of the health and safety directives which refer to chemical classification, to bring them in line with the CLP Regulation.**

**In line with better regulation, a single amending directive will more likely result in a simplified legislative framework than amending the five directives individually, which would be unnecessarily complex and more time-consuming.**

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## Question 2

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*2. Indicate whether they favour an approach that includes maintaining a formal link to the EU chemical classification system (CLP Regulation) or whether they prefer an approach based on the use of general descriptor terms.*

**We support the proposal to maintain a formal link to the CLP Regulation, rather than using general descriptor words to describe different categories of chemicals. Making specific reference to the CLP Regulation would be a better way to ensure legal certainty than general descriptor words, which may not be precise enough. This is important for companies to ensure that they are compliant with the directives in question.**

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## Question 3

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*3. Inform the Commission whether they consider that additional non-binding measures, such as explanatory guidance, should be developed for employers and workers to help them to understand occupational safety and health issues arising from the new requirements for chemical classification, labelling and packaging. If so, they should specify what measures would be useful, outline the level of detail that may be necessary, and say how such measures could be effective at EU level.*

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### Question 3

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**We support the Commission's proposal to produce additional non-binding measures, such as explanatory guidance for employers and workers to help them to understand occupational safety and health issues arising from the new requirements for chemical classification, labelling and packaging. Practical guides are an invaluable tool particularly for SMEs.**

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### Question 4

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***4. Inform the Commission if they agree with the approach proposed for updating the Annex of Directive 94/33/EC on Young Persons at Work.***

**We agree that the Commission could use this opportunity to make some minor amendments to the Annex of the Directive on Young People at Work. This should be restricted to technical amendments, as stated in the consultation document, to reflect changes to EU legal texts referred to in the annex. These changes should also be policy-neutral.**

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## Question 5

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***5. Inform the Commission about their readiness to start a negotiation process on the basis of the proposals described in this document pursuant to Articles 154(4) and 155 of the Treaty on the Functioning of the European Union.***

**Given that the approach taken by the European Commission is in line with the position taken by Industry in its response to the first stage consultation, we do not intend to start a negotiation process on this topic.**



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**Thanks for your attention**