

## Call for better and more limits for exposure to dangerous substances

We are concerned about the protection of employees against exposure to carcinogenic and other dangerous substances in the workplace. The diversity of substances employees are exposed to is huge. Recently the 'European Chemicals Agency' ([www.echa.europa.eu](http://www.echa.europa.eu)) provided a databank on their website with information about 120,000 different substances employees can possibly be exposed to and which are registered in the context of the REACH regulation. According to a study about the benefits of REACH, commissioned by the European Commission, an estimated 4510 of these substances are a cause of great concern. These are 1400 carcinogenic, mutagen or dangerous substances for procreation, 560 endocrine disrupting substances (for which there actually is no existing accurate definition at European level), 550 sensitising substances with chronic toxicity and some 2000 persistent and bio-accumulative substances.

In time REACH will provide a clear picture of the substances present in the workplace and the risks linked to exposure, except for the substances produced at volumes under the registration limit. We have a lot less, and sometimes no insight in where these substances are present, how many employees are exposed and in which concentration of those substances.

There are considerable problems in measuring, recording and monitoring the exposure to dangerous substances and therefore also in terms of the information to employees. There is an urgent need **at national level** to synchronise the collected exposure data and to create a **national** databank. It is equally problematic to obtain an overall view of the consequences of exposure to these substances. The few figures, often estimated, that are available are alarming. **In Belgium the annual number of work-related cancers is estimated between 2600 and 5500 (4 to 8.5% of all cancers)**<sup>1</sup>. For the total European community a number of 102,500 fatalities per year as a consequence of work related cancer is assumed<sup>2</sup>. This is only the tip of the iceberg. There is a multitude of other serious illnesses resulting from the exposure to dangerous substances. These problems are not or little known by the general public. This in sharp contrast with the more obvious work accidents. **The 'only' 80 annual fatal accidents in the workplace in Belgium are extensively covered by newspapers and news websites.**

The protection of employees against dangerous substances is regulated in the European **and Belgian** legislation and is based on a risk analysis on the basis of which necessary preventive measures are to be taken according to a strict hierarchy. The limit values for exposure are used as reference for the risk analysis and testing the prevention policy. **The Belgian legislation includes a list of almost 800 binding limit values of dangerous substances, including 50 carcinogenic substances.** At European level the situation is simply bleak. In 34 years only 5 (five) binding and 113 indicative (non-binding) limit values were set for the exposure to dangerous substances. In comparison with the total number of dangerous substances circulating in the European workplaces this is outrageously low. A comparative study of

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<sup>1</sup> Answer of the Minister of employment, Kris Peeters to a parliamentary question in the matter: <https://www.dekamer.be/kvvcr/showpage.cfm?section=qrva&language=nl&cfm=qrvaXml.cfm?legislat=54&dossierID=54-b057-861-0488-2015201606255.xml>

<sup>2</sup> Takala J. (2014) Work-related illnesses, identification, causal factors and prevention 'safe work – healthy work – for life', Greek EU Presidency Conference Athens, 16-17 June 2014.

2007<sup>3</sup> demonstrated furthermore that questions can be asked about the protection level of these limit values. A reference list of limit values was compared with 18 systems of limit values from 13 different countries. The European list obtained the second worst score (average highest limit values). Still the European limit values are supposed to be health-based. Overall they are less strict than the limit values defined in individual member states however.

In other words there is an urgent need for a catch up operation at European level, both for the number of substances with an existing limit value and for the protection level of those limit values. The limit values for carcinogenic substances must be prioritised here. Several member states, including Belgium subscribed to a common request for a list of limit values for the 50 major carcinogenic substances. The European Trade Union Confederation launched a similar proposal.<sup>4</sup>

We can use the accurate scientific work performed in many European member states to define national limit values. Such limit values from individual member states that guarantee a better level of protection could be considered at European level and thus become applicable in all member states. This catch up action, a harmonisation of the limit values between the various member states benefits the protection of the employees, but also the competitive position of the companies concerned with the protection of their employees. Because of the big difference in limit values in Europe we still too often see unfair competition to the detriment of the employees' health.

Simultaneously, work on a faster procedure for establishing new limit values and the update of the limit values list at European level is needed. Concretely considerable investments in manpower and the resources to achieve this are required. This means for example that budgets must be freed up for the necessary scientific research in safe limits for exposure to substances and mixes of substances, considering the differences in employees, e.g. man/woman and for cross-border co-operation in the matter.

Defining limit values in itself will not solve all problems, because they are only part of a broader framework of preventive measures. In addition it is not possible to define a safe level for a number of substances and a certain level of risk continues to exist – even with the strictest European limit value. But despite these restrictions we are convinced that it is much better to have binding limit values than none at all. An extensive list of European limit values will make the working conditions of millions of employees much healthier, prevent a lot of human suffering and restrict the social cost of the exposure to dangerous substances.

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<sup>3</sup> Schenk, L., Hannson, S. O., Rudén, C., Gilek, M., 2007. Occupational exposure limits: a comparative study. *Regulatory Toxicology and Pharmacology* 50 (2008) 261-270. Elsevier Inc.

<sup>4</sup> <http://www.etui.org/fr/Publications2/Rapports/Carcinogens-that-should-be-subject-to-binding-limits-on-workers-exposure>