

GLASS ALLIANCE EUROPE POSITION

ON THE INCLUSION OF 'WORK INVOLVING EXPOSURE TO RESPIRABLE CRYSTALLINE SILICA (RCS) DUST GENERATED BY A WORK PROCESS' IN THE CARCINOGENS AND MUTAGENS DIRECTIVE (CMD)

November 2016

Glass Alliance Europe welcomes the European Commission's proposal [COM(2016)248 final] to strengthen the level of worker health protection via a revision of Annex I and III of the Carcinogens & Mutagens Directive (CMD). Respirable crystalline silica (RCS) is included in this amendment via an addition to Annex I of "work involving exposure to RCS dust generated by a work process".

Silica sand (in which crystalline silica is the main constituent) is an essential and non-substitutable raw material for glass manufacturing. Employing over 180,000 people, the European glass industry is committed to achieving the highest health and safety standards for workers. It has therefore systematically implemented risk reduction measures (RRM) and best practices, based on risk assessment.

Glass Alliance Europe is keen to contribute to a legislative framework that promotes harmonised implementation of practical and effective risk reduction measures which reduce occupational exposure to RCS to safe levels. To this end, Glass Alliance Europe would like to raise the following two points for consideration.

1. A proper clarification of "work involving exposure to RCS dust generated by a work process" needs to be developed

In the current proposal of the European Commission, RCS is included as "work involving exposure to RCS dust generated by a work process". This statement needs more detail and explanation to ensure proper implementation across Member States.

The European Commission provided clarification in its press release [IP/16/1656] accompanying the proposal. Glass Alliance Europe proposes to amend the proposal to include a new recital reproducing the exact wording of the European Commission in [IP/16/1656]:

"work involving exposure to respirable crystalline silica dust generated by a work process such as mining, quarrying, or tunnelling or cutting, crushing or grinding of silica-containing materials such as concrete, bricks, or rocks".

2. Risk Reduction Measures (RRM) safeguarding worker's protection, such as those established in the NEPSI Social Dialogue Agreement, should be recognised

In order to ensure the successful implementation of the CMD revision, a coordinated approach among Member States should be promoted.

Glass Alliance Europe welcomes the recognition of the appropriateness of NEPSI-like (European Network for Silica formed by the Employee and Employer European sectoral associations) risk reduction measures as valuable instruments. Glass Alliance Europe therefore fully supports Recital (6).

Moreover, to reinforce this statement, where good practices to control exposure to process-generated respirable crystalline silica dust are agreed through social dialogue pursuant to Article 153(3) or 155(2) of the Treaty, the application of these good practices should establish presumption of compliance with Articles 4(1), 5(2), 5(3). This could be done via the addition of the NEPSI agreement in Annex III.B. of the CMD, without prejudice to similar considerations of other Member States agreements, Commission guidance etc.

About Glass Alliance Europe

Europe is the world leader in glass making. The glass industry comprises more than 500 plants providing 500,000 direct and indirect jobs. Glass is a unique and inert material made from abundant natural resources and fully recyclable. It is a key contributor to the EU objectives of a low-carbon, energy efficient and circular economy, and a key enabling material for essential supply chains, such as the pharmaceutical and health sector, the food and drink industry, buildings and construction, automotive, luxury goods and perfumes, electronics, etc.

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