



European Chemicals Agency provides scientific opinions on occupational exposure limits (OELs)

In January 2019, the European Commission's Directorate-General for Employment, Social Affairs and Inclusion (DG EMPL) and the European Chemicals Agency (ECHA) agreed that the Agency would provide scientific opinions on priority occupational exposure limits (OELs) under occupational safety and health (OSH) legislation.

OELs are regulatory values set at EU and national level that establish a safe concentration level for a chemical substance in the air of a workplace. They help employers protect their workers from possible risks when using chemicals at work and ensure that workers are not exposed to unsafe levels of hazardous chemicals. The ultimate aim is to improve the protection of workers' health and safety.

OSH legislation aims to protect Europeans at work, regardless of whether they are exposed to noise, bad workplace ergonomics, psychological stress or chemicals. Taking action on harmful chemicals is a significant part of OSH policy in the EU and a priority area for worker protection.

Setting OELs includes extensive consultations with several stakeholders; employers, workers and Member State authorities. Full support and ownership of social partners and governments are also essential for ensuring effective implementation.

ECHA's role

ECHA and its Committee for Risk Assessment (RAC) gives advice when priority chemicals are assessed. This supports the work of the Commission under the Carcinogens and Mutagens Directive (CMD) and Chemical Agents Directive (CAD) on proposed actions to adopt new or revised OELs. ECHA has substantial expertise in-house and in the field of occupational safety and health, and has strengthened RAC's expertise in this area.

The agreement between the Commission and ECHA requires the Agency to provide scientific opinions for up to five OELs a year for three years starting from 2019. Up-to-date information on the substances requested to be assessed and the RAC opinions can be found on [ECHA website pages on OELs](#).

Before the current agreement between the Commission and ECHA, a pilot project was run from 2017 to 2018 where ECHA gave OEL opinions on five carcinogenic substances. The second REACH Review proposed action points to improve the interface between REACH and OSH legislation, and a joint task force was set up of ECHA's RAC and DG EMPL's Scientific Committee on

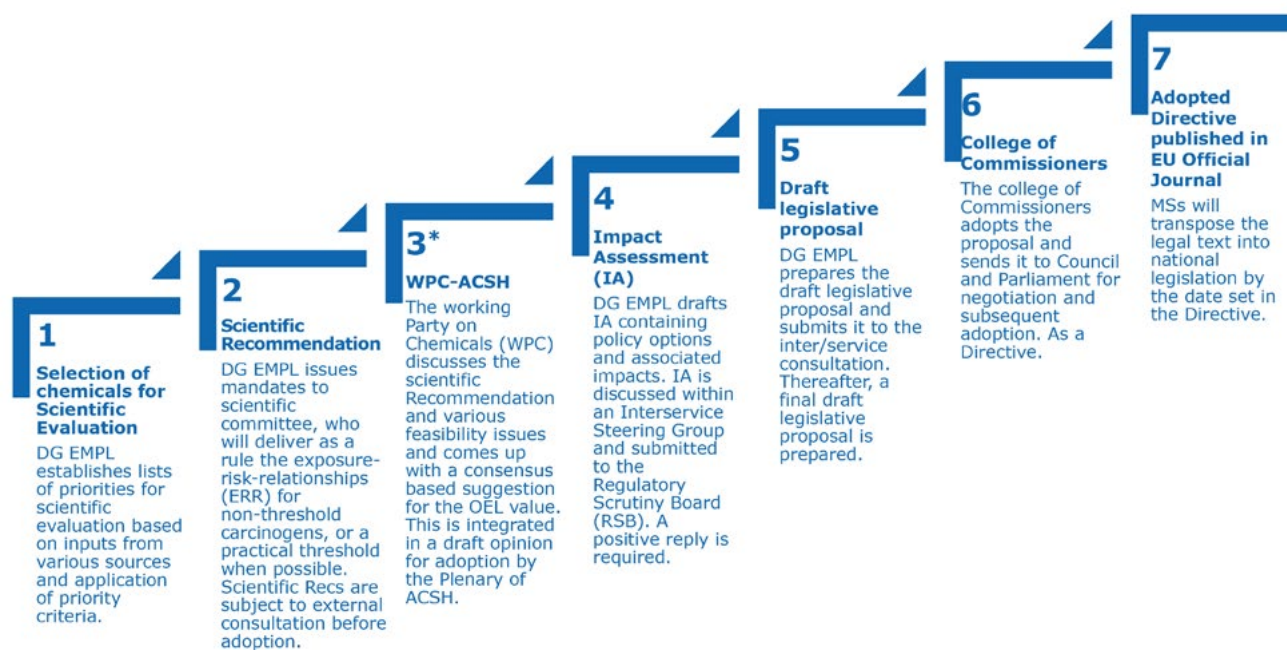
Occupational Exposure Limits (SCOEL) to improve the mutual understanding of different approaches and to work towards agreed common scientific approaches.

ECHA and RAC tasks

The Commission decides the substances for which OELs are needed. The decisions on priority substances are discussed in the tripartite Working Party on Chemicals that comprises experts from Member States as well as representatives of employer and worker organisations.

OELs are established following a stepwise process. When the Commission has assigned a substance for ECHA to assess, the Agency will prepare a scientific report for RAC based on the available scientific data and any relevant information collected through a call for evidence. The report will then be opened for a consultation.

RAC develops its opinion based on a review of ECHA's scientific report and the information gathered through the consultation. During the opinion development process, ECHA's scientific report forms an Annex supporting the RAC opinion that is forwarded to the Commission.



Commission tasks

DG EMPL discusses the outcome of the RAC scientific evaluation in the tripartite Working Party on Chemicals that prepares a draft proposal to be presented for adoption to the tripartite Advisory Committee on Safety and Health. At the final step, the Commission adopts a legislative proposal.

For binding occupational exposure limits under the CMD or the CAD, the ordinary legislative procedure is followed where the proposal is sent to the Council and the European Parliament for final adoption. The binding limit

provides a minimum level of protection for all workers in the EU, and Member States must set a corresponding binding limit that does not exceed the EU value.

For indicative occupational exposure limits under the CAD, a lighter legislative procedure is applied and a decision is taken by the European Commission. This limit is health-based and established for substances for which it is possible to set a level where there should be no risk to workers' health. Member States must establish a corresponding national occupational exposure limit value which takes into account the national legislation and practice, as well as the EU value.

