

How will REACH affect chemical risk prevention in companies ?

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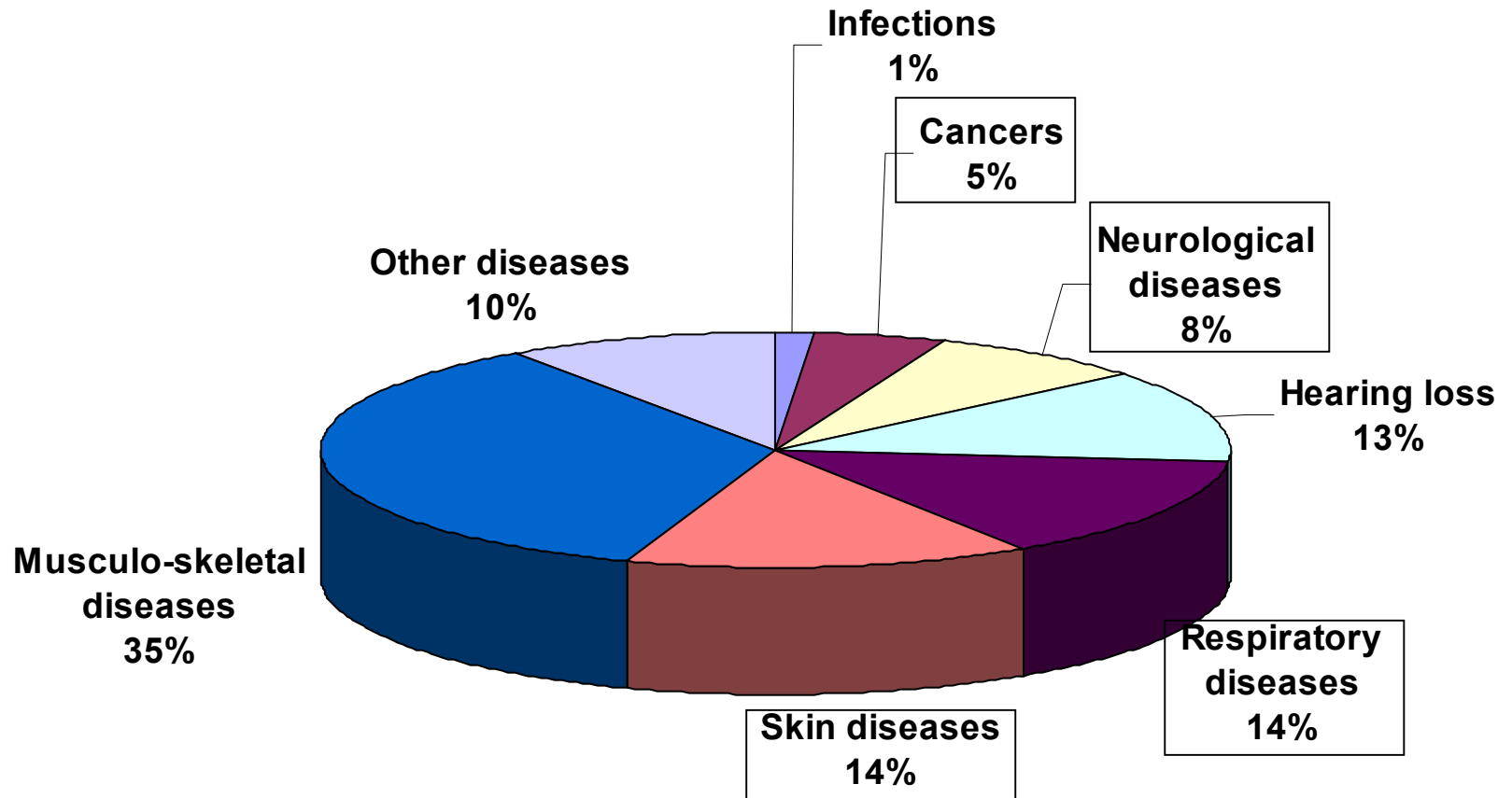
Overview:

- ◆ Chemicals & Occupational diseases in EU
- ◆ REACH basic principles
- ◆ Chemical Safety Report
- ◆ REACH and the OSH legislation
- ◆ REACH benefits for workers
- ◆ Role of unions in the REACH system

Chemicals and Occupational diseases/fatalities in Europe

- 18 % of workers in EU-25 declare to handle hazardous substances and 20,5 % to breath in toxic vapours (Dublin Foundation, 2006)
- In 2001, more than 26 000 deaths of EU-15 workers due to exposure to hazardous chemicals (ILO, 2005)
- One out of every three occupational diseases recognised each year in EU-15 are related to exposure to chemicals (ETUI-REHS, based on Eurostat data, 2004)

Recognised Occupational diseases in Europe in 2001



Source: EODS Eurostat, 2004

How many are chemicals-related ?

| Occupational diseases | % linked to chemicals exposure | % amongst all recognised diseases | % chemicals related amongst all recg. diseases |
|------------------------------|---------------------------------------|--|---|
| Cancers | 4 – 90* % | 5 % | 0.2 - 4.5* % |
| Neurological diseases | 2 % | 8 % | 0.2 % |
| Respiratory diseases | 36 – 89* % | 14 % | 5.0 – 12.5* % |
| Skin diseases | 88 % | 14 % | 12.3 % |
| Total | | | ~ 18% to 30* % |

(*): including chemical dust

Source: extrapolated from EODS Eurostat, 2004

REACH = **R**egistration, **E**valuation & **A**utorisation of **C**hemicals



REACH, basic principles ?

- **Shifting the burden of proof:**

Manufacturers of chemicals will have to prove that their substances can be used safely

- **No data = No market**

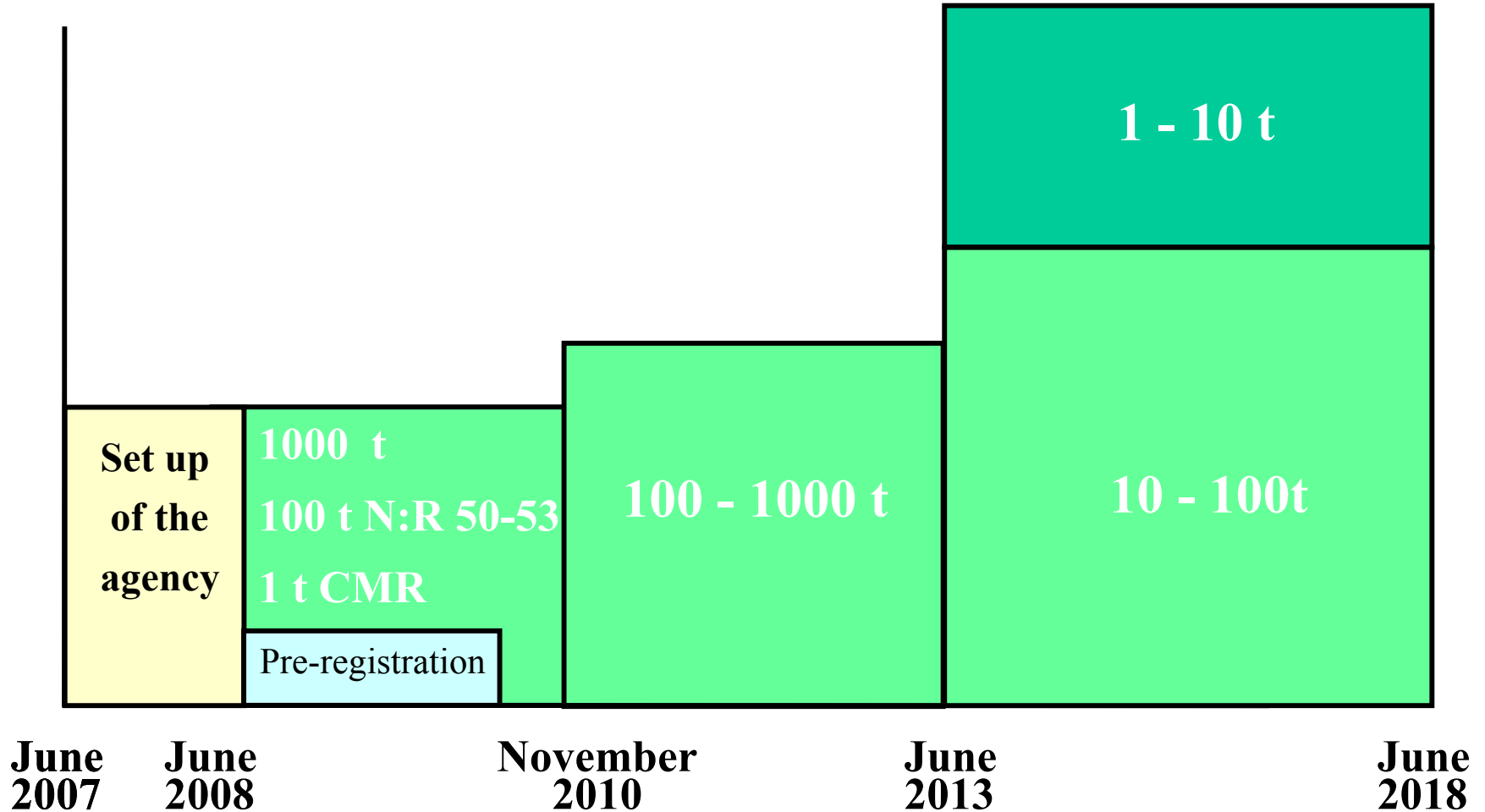
➔ **Manufacturers will have to register their substances and provide data if they want them to stay/be on the market**

Registration:

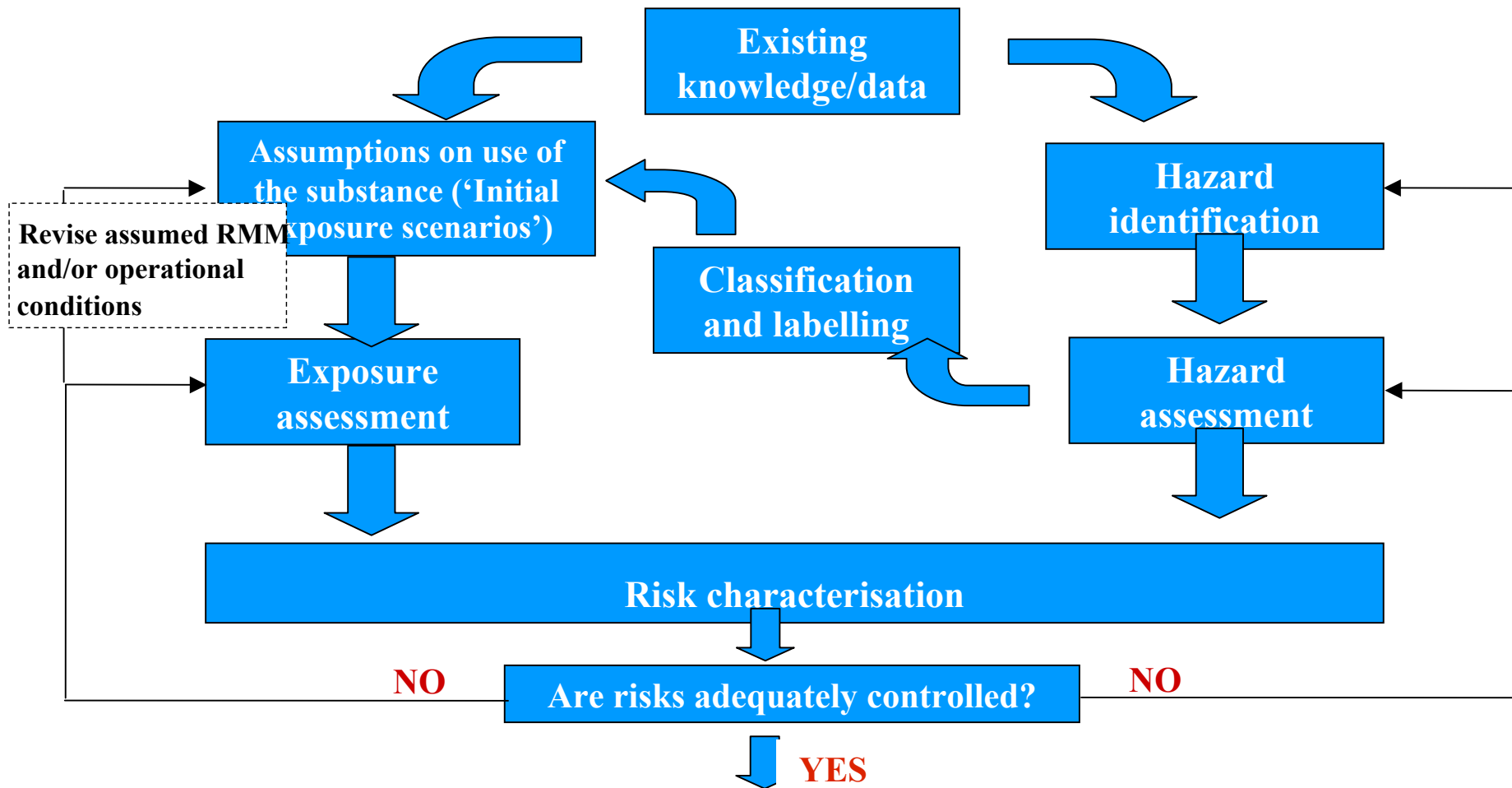
- Chemicals > 1 tonne/year per manufacturer (~ 30 000 subst)
- Manufacturers/Importers collect and submit data through a registration dossier:
 - Technical dossier (>1t/y)
 - Chemical Safety Report (> 10t/y)
- European Chemicals Agency will receive the registration dossiers and manage the database

Data required depend on production volume

Registration Deadlines



Chemical Safety Assessment



**Final ESs' with RMM and operational conditions to adequately control the risks, to be:
Documented in the Chemical Safety Report (CSR)
Communicated to downstream users via an SDS annex**

Manufacturers and Importers

- Responsible for preparing the Chemical Safety Report
- Implement Risk Management Measures and Operational Conditions (= Exposure scenarios) needed to control risks related to manufacture and own uses
- Recommend Risk Management Measures and Operational Conditions needed to control Downstream Users ' risks

Downstream users

- Exposure Scenarios (ES) will be communicated to DUs as an annex to Safety Data Sheets (SDS)
- A DU needs to ensure that his use is covered by the ES and to implement at least as effective the risk management measures and operational conditions as in the ES

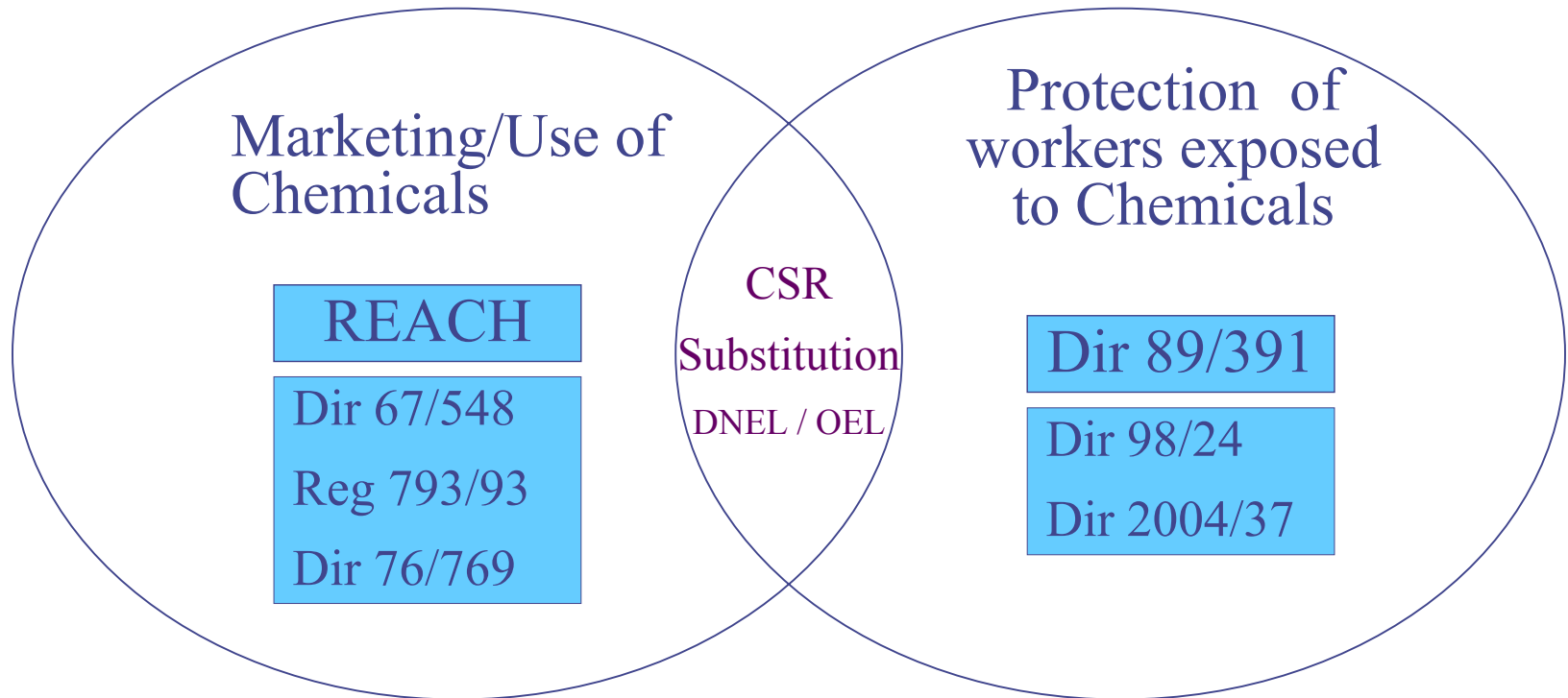
OR

- If he uses the substance outside the ES (other uses or other conditions), he may either
 - Inform his supplier to make his use an identified use,

OR

- Conduct a DU chemical safety assessment for his use(s) (and for his downstream uses if he is a supplier)

REACH and the OSH legislation: Two co-existing legislations



REACH, Art 4 (2) : This Regulation shall apply without prejudice to Dir 89/391, Dir 98/24, Dir 2004/37, [.....]

Principal OSH obligations for the employers:

Chemical Agents Directive (98/24/EC):

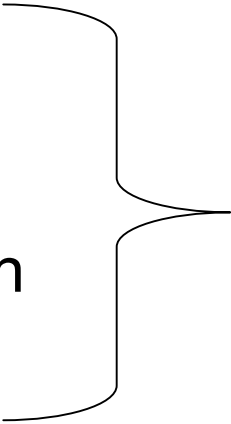
- Determine whether any hazardous chemical agents are present in the workplace
- Assess any risk to the H&S of workers arising from their use
- Ensure that the risk is eliminated or reduced to a minimum (hierarchy of prevention and protection measures)

Carcinogens Directive (2004/37/EC):

- Substitution with a substance, preparation or process that is not dangerous or is less dangerous
- Control measures (closed system, exposure as low as is technically possible)

REACH will improve the efficiency of the workers protection legislation, by:

- Reminding employers that they have obligations to fulfil under worker protection legislation
- Providing missing information on their properties (labelling improvements)
- Enforcing the efficient distribution of information through the supply chain (Safety Data Sheets)
- Encouraging the progressive substitution of the most harmful substances via restrictive and authorisation procedures



Risk assessment under the Chemical agents directive will be facilitated

Results of the Sheffield Study on REACH benefits for worker's health

For EU-25:

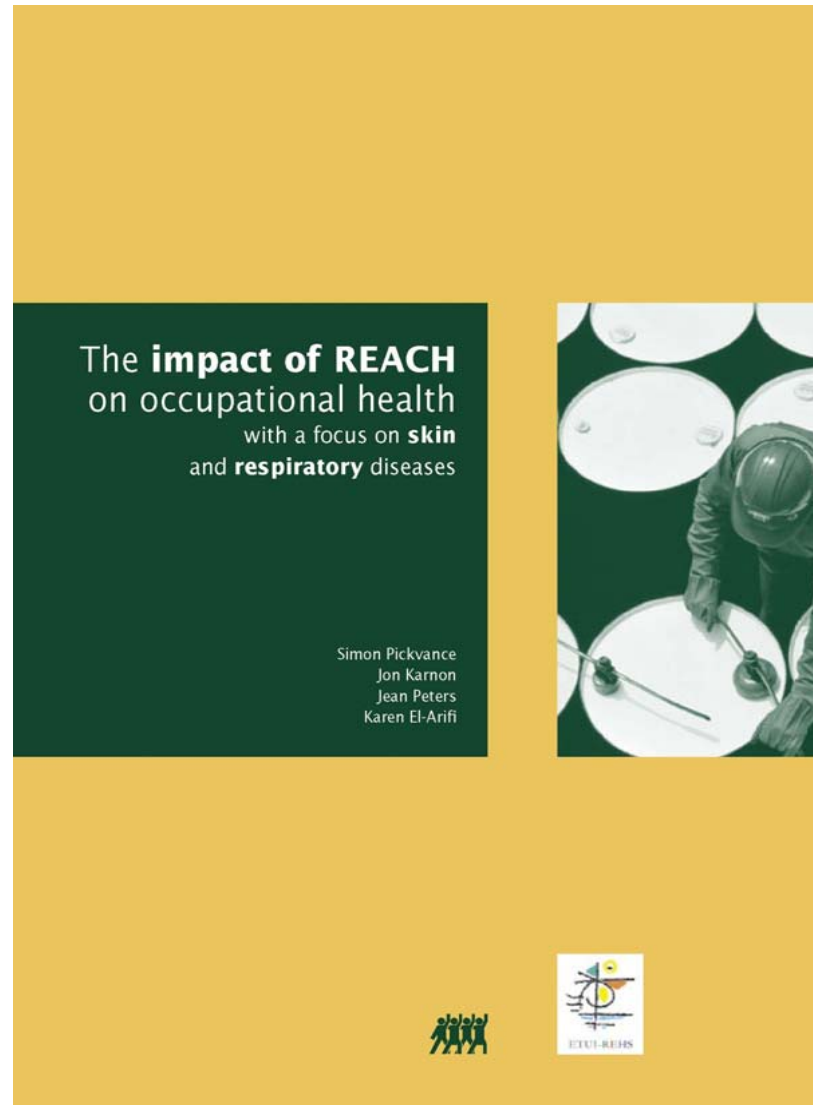
- Respiratory diseases: 50 000 cases/year avoided
- Skin diseases : 40 000 cases/year avoided
- € 3.5 billion benefits over 10 years
- € 90 billion benefits over 30 years

Where do the benefits come from ?

- Savings for social security
- Quality of life gains for workers
- Productivity gains for industry (absenteeism avoided)

➔ REACH is clearly an opportunity to reduce the number of chemical-related occupational diseases and the associated costs for both industry and society

The Sheffield study can be downloaded for free



http://hesa.etui-rehs.org/uk/dossiers/files/Sheffield_FINAL.pdf

Learnings from Sheffield study ?

In the proposed scenario, potential benefits are linked to:

- Good synergy between REACH and existing EU directives on worker's protection
- Data requirement and data transmission in supply chain
- Full application of Substitution Principle
- Implementation of the REACH regulation

Roles of workers representatives to ensure workers' health under REACH ?

At European and National level:

- Continuous involvement in RIP work
- Information campaign about REACH for safety reps and workers' representatives in chemicals & DUs companies
- Third party role (authorisation and restriction procedures)
- Monitor Article 35 enforcement (access to information for workers)
- Prepare REACH reviews (CSR for all registered substances, info requirements 1-10 tpa)

■ Ensure there are no conflicts between REACH and Directive 2004/37/EC

Example:

REACH:

- ✓ Authorisation can be granted for a carcinogen even if there is a safer alternative (adequate control route)

Carcinogens Directive (2004/37/EC):

- ✓ Mandatory substitution of carcinogen with a safer alternative where available (no cost consideration !)

Roles of workers representatives to ensure workers' health under REACH (cont.) ?

At company level:

- Check if intended use is covered by Exposure Scenarios in Safety Data Sheet (SDS)
- Apply Risk Management Measures provided for in SDS (keeping exposure below DNELs)
- Be critical towards the proposed Risk Management Measures
- Ensure REACH is applied without prejudice to OSH legislation (compliance with existing OELs and Substitution principle)

Thank you, further info on:

<http://www.etuc.org> > Our activities > REACH

<http://hesa.etui-rehs.org> > Dossiers > Chemicals