

Risk Assessment for Chemicals in the EU legislation

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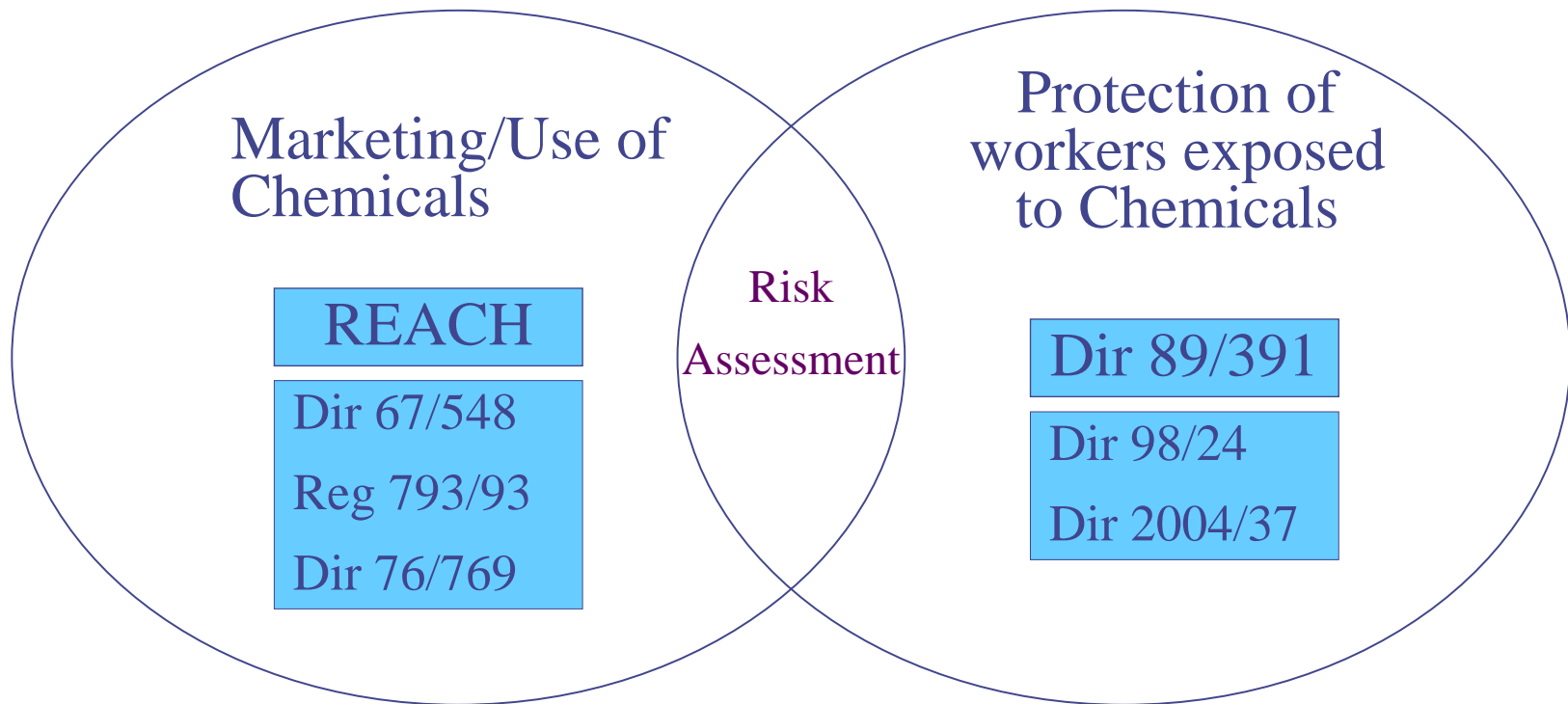
Participation by workers and workers'reps:

Key to successful risk assessment

Brussels, 26-27 January 2009

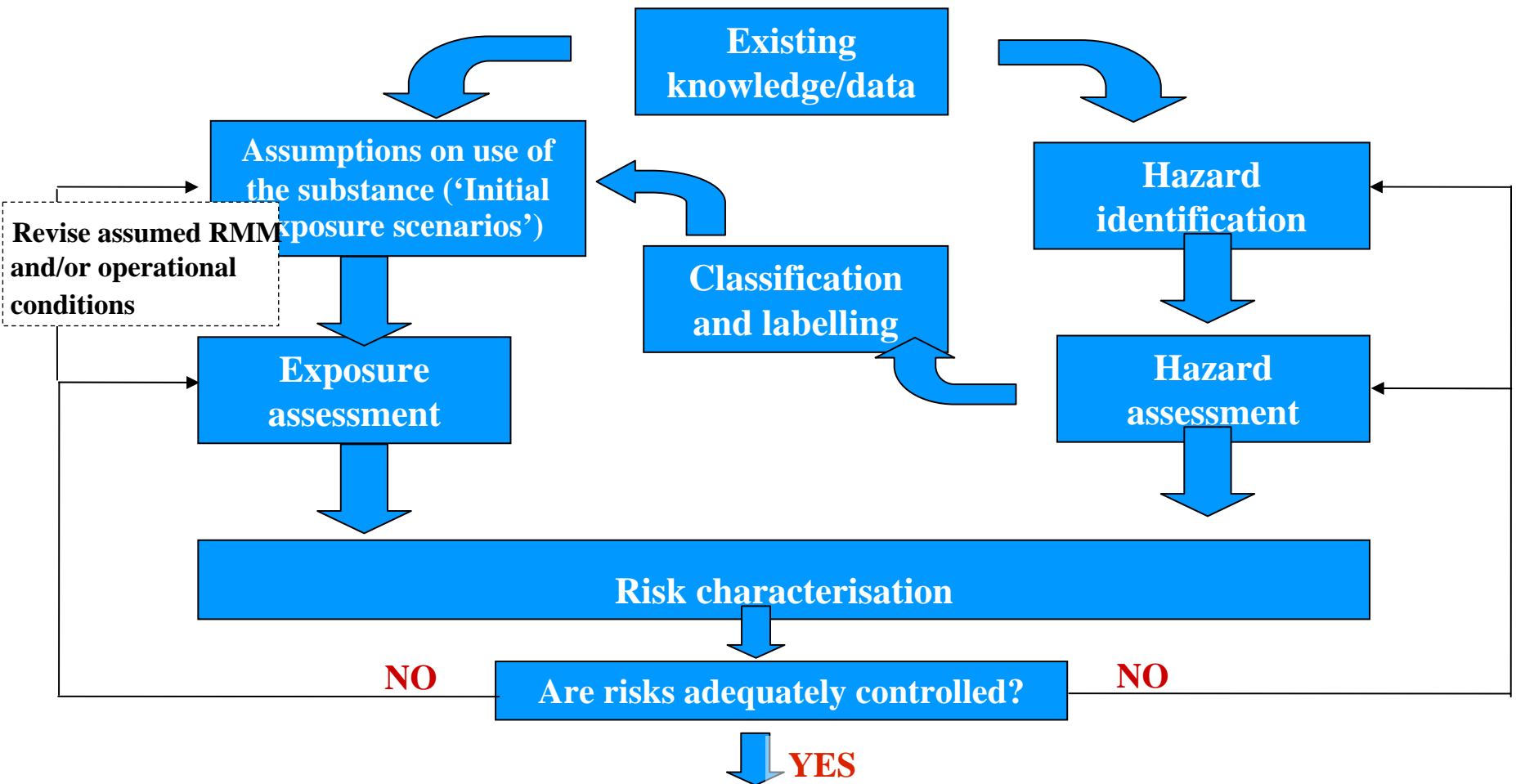


REACH and the OSH legislation: Two co-existing legislations



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

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**

Comparison risk assessment Dir 98/24 and REACH

Directive 98/24/EC	REACH
All hazardous chemicals present in the workplace (= irrespective of volume)	Only for chemicals > 10t/y
Workplace specific	Substance specific
Obligation on the employer	Obligation on the manufacturer/importer/ downstream user
Mandatory consultation and participation of workers	Risk Management Measures must be indicated in SDS
Occupational Exposure Limit Values (OELs)	Derived No Effect Levels (DNELs)

Roles of workers or their representatives at company level under REACH?

- Recall employers that they have obligations both under REACH and OSH legislation
- 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)

Conclusions :

- Risk assessments under REACH and Dir 98/24/EC are complementary
- REACH is a good opportunity to recall employers that they have obligations to fulfil under worker protection legislation
- REACH will provide missing data on the properties of chemicals (labelling improvements)
- REACH will improve the distribution of information up & down the supply chain (Safety Data Sheets)
- REACH will help the progressive substitution of the most harmful substances via restrictive and authorisation procedures

Risk assessment under the Chemical agents directive will be facilitated

Further info :

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

http://reach.jrc.it/guidance_en.htm

<http://echa.europa.eu/>

on Chemical Agents Directive:

http://ec.europa.eu/employment_social/health_safety/publications/ke6805058_en.pdf