

COMMISSION OF THE EUROPEAN COMMUNITIES

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FOURTEENTH ANNUAL REPORT OF THE ADVISORY COMMITTEE ON SAFETY, HYGIENE AND HEALTH PROTECTION AT WORK - PERIOD 1989 -

(presented by the Commission)

EXPLANATORY MEMORANDUM

Article 3 of Council Decision 74/325/EEC of 27 June 1974 (OJ L 185 of 9 July 1974) on the setting up of an Advisory Committee on Safety, Hygiene and Health Protection at Work provides that:

- "1) The Committee shall produce an annual report on its activities.
- 2) The Commission shall forward that report to the European Parliament, the Economic and Social Committee and the Consultative Committee of the European Coal and Steel Community."

At its meeting on 28 February and 1 March 1991 the Advisory Committee approved the fourteenth annual report attached.

- 1 bis -

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I. LEGAL BASIS

Council Decision of 27 June 1974 on the setting up of an Advisory Committee on Safety, Hygiene and Health Protection at Work (extracts):

"The Council of the European Communities ... Whereas a standing body should be envisaged to assist the Commission in the preparation and implementation of activities in the field of safety, hygiene and health protection at work and to facilitate cooperation between national administrations, trade unions and employers' organizations ...

HAS DECIDED AS FOLLOWS:

Article 1

An Advisory Committee on Safety, Hygiene and Health Protection at Work is hereby established.

Article 2

The Committee shall have the task of assisting the Commission in the preparation and implementation of activities in the fields of safety, hygiene and health protection at work ...

Article 3

1. The Committee shall produce an annual report on its activities.
2. The Commission shall forward that report to the European Parliament, the Council, the Economic and Social Committee and the Consultative Committee of the European Coal and Steel Community".

II. GENERAL REMARKS

A) Membership of the Committee

1. See Annex No IV.A for a list of members

2. Individual changes:

Ms Geogopoulou, GR, member of the "Government Representatives" group, replaced by Mr Peloriadis.

Mr Fredella, IT, member of the "Government Representatives" group, replaced by Ms Amatista.

Mr Bens, B, member of the "Government Representatives" group, replaced by Mr Hublet.

Mr Eberlie, UK, member of the "Employers" group, replaced by Mr Thairs.

B) Structure

- 11 ad-hoc groups carried on their work (see Annex IV. B for the organization of the 1989 ad-hoc groups).

- The Organization Group held three meetings during the year:

* minutes of the meeting of 22 March 1989 -

Doc. V/LUX/5333/89

* minutes of the meeting of 22 May 1989 -

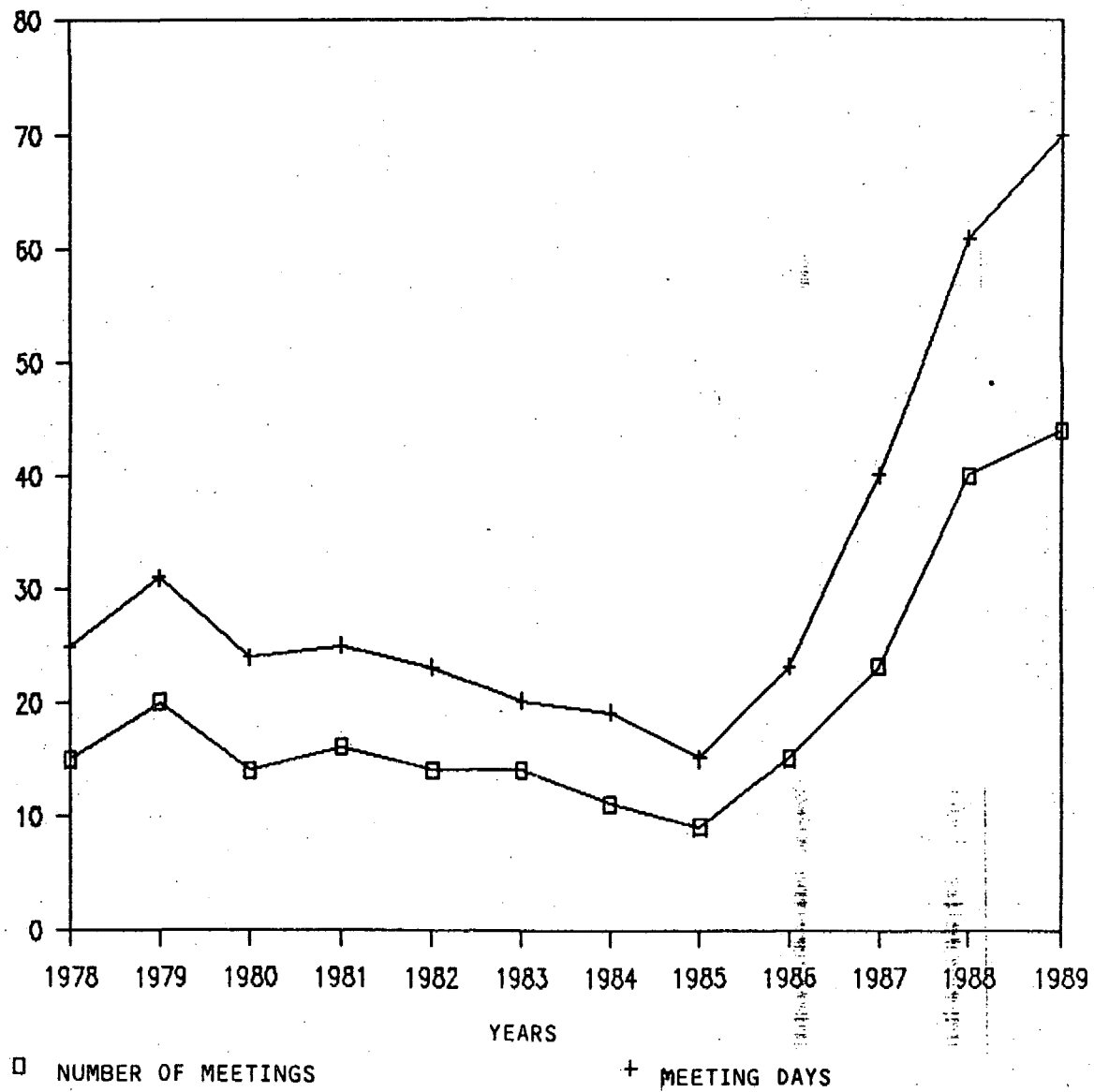
Doc. V/LUX/5499/89

* minutes of the meeting of 6 October 1989.

C) Number of meetings and number of meeting days 1975/1989

See table below.

MEETINGS OF THE ADVISORY COMMITTEE



III. ACTIVITIES

A) SUMMARY

- 1) The Committee continued to be extremely active in 1989. 44 meetings were held over 70 days, including four plenary meetings.
- 2) The Committee decided at the plenary meeting on 2-3 March 1989, to set up an "Organization" group to replace the "Intermediate" Group to prepare for the plenary meetings. This would be responsible for:
 - proposing the schedule and agenda for the plenary meetings which would be preceded by interest group meetings;
 - proposing ad-hoc groups to the plenary meeting;
 - monitoring the Commission's activities;
 - setting up the necessary ad-hoc groups or organizing meetings with experts under exceptional circumstances and only as an emergency measure;
 - ensuring that all members of the Committee are provided with all the information necessary to enable them to discuss the subject advisedly.
- 3) The implementation of the Single Act (Articles 100A and 188A) continued to have a considerable effect on the activities of the Commission and, therefore, on the activities of the Committee.
- 4) The draft individual directives under the framework directive (89/391/EEC) entailed the setting up of ad-hoc groups and, as a result of the work of these groups, the Committee issued a variety of detailed opinions as set out below.
- 5) Furthermore, following on from the discussions started in 1987 (see 1987 Report IV-7), the Committee looked into the specific problem of the new approach to technical harmonization and standardization in the Commission's white paper⁽¹⁾.

(1) White paper: Completing the internal market, COM(85) 310 final of 14 June 1985.

In its joint position of 21 December 1988 on the machinery directive the Council stated that the legislative framework should be improved to ensure that the contribution of employers and workers to the standardization process was both efficient and appropriate. Lord Cockfield, representing the Commission at the European Parliament, accepted "the need to involve workers' representatives in the evaluation of standardization work" and that "the Advisory Committee for Safety, Hygiene and Health protection at work was the appropriate framework for such consultation".

The Committee discussed this new area of responsibility and adopted an opinion on the involvement of the Committee in standardization work.

Opinions delivered

- 1) Health and safety in the construction industry
- 2) Lifting equipment
- 3) Asbestos
- 4) Involvement of the Advisory Committee in European standardization work

Activities of the ad-hoc groups

- 1) Ad-hoc group "carcinogens"
- 2) Ad-hoc group "standardization"
- 3) Ad-hoc group "general product safety"
- 4) Ad-hoc group "limit values"
- 5) Ad-hoc group "information for employers and workers on chemical substances"
- 6) Ad-hoc group "European Year of safety, hygiene and health protection at work, 1992"

Other activities

Meetings of the ad-hoc group "organization"

B) OPINIONS DELIVERED

- 1) Proposal for a Directive on health and safety in the construction industry (Docs 6062/89 and 5477/6/89)

The Advisory Committee adopted a draft opinion on the body of the Directive.

Written observations were drawn up by the interest groups, including the Government Representatives Group, which took note of the draft opinions and said that mention should be made of self-employed workers and small-scale building sites and the question of responsibility. This group also pointed out that it would be difficult for small undertakings and small-scale building sites to set up a single management system.

A separate opinion will be delivered on the annexes to the proposal for a directive at the beginning of 1990.

- 2) Proposal for a directive on lifting equipment (Docs V/LUX 6029/89, V/LUX/5494/89 and III/8140/89)

The Advisory Committee delivered its opinion on the proposals of the ad-hoc group.

The new document, drawn up by DG III, took into account the fact that the individual directive principle had been dropped and that it had been decided to include the lifting of machines and of persons to a height of up to 2 metres (lifting doors on lorries, lifting platforms, etc.) in Directive 89/392/EEC.

The draft opinion suggests that the DG V should draw up a proposal for a directive on the use of lifting equipment or extend the future directive on the use of working equipment to cover lifting gear. The CEN is also involved because the future harmonized standards should not oblige designers to modify their equipment radically.

3) Proposal for a Directive on asbestos (Doc 5601/89 and V/LUX/6034/89)

The Government Representatives and Employers Groups adopted the draft opinion of the ad-hoc group based on the proposal for a Council Directive amending Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work. The Workers' Group drew attention to the risks associated with the use of asbestos, stressed the need to prohibit it wherever another substance could be substituted and pointed out that this was not clear from the Commission's document. The same group proposed discussion of a policy on waste to complement this directive.

The minority opinion of the workers is given in Annex V of the minutes of the plenary meeting on 27, 28 & 29 November 1989.

4) The role of the Advisory Committee in European standardization work (Doc. No 5326/1/89 Rev.111)

In this document, adopted unanimously, the Advisory Committee states that when making plans for CEN/CENELEC standards in connection with the implementation of directives under Article 100a of the Treaty, the Commission should submit to the Advisory Committee the standardization mandates under consideration so that the Committee can choose which of these it wishes to examine in detail. The Committee will also be able to propose priorities to be accorded within the standardization programme.

With regard to projects under Article 118a of the Treaty the Advisory Committee considered that the situation regarding the application of this Article differed from that of Article 100a. When the Commission asked the European standardization institutions to draw up standardized reference measurement methods, the procedure to be followed should be that adopted for work in connection with Article 100a of the Treaty. In other cases the Advisory Committee did not think that the Commission should ask the CEN/CENELEC to draw up technical documents.

C) ACTIVITIES OF THE AD-HOC GROUPS

1) Ad-hoc group on carcinogens

The group completed its work on the draft directive 80/1107/EEC and discussed the problem of intermediate products not actually on the market but involved in the manufacturing process.

In the absence of new proposals from the Commission the group decided to wait for the results of the Council's discussions on the proposal for a directive before redefining the terms of reference of this group.

2) Ad-hoc group on standardization

The Committee decided to set up this ad-hoc group at the plenary meeting on 2-3 May 1989. Its job is to monitor the activities of the CEN/CENELEC in connection with the implementation of directives under Articles 100a and 118a of the Treaty and, in the case of Article 118a, more specifically to monitor the implementation of standardized measurement methods.

The ad-hoc group looked first at the relationship between the Commission and the CEN/CENELEC and will, in 1990, look into the problem of the mandates for CEN/CENELEC, the working groups etc.

3) Ad-hoc group on limit values

The ad-hoc group was asked to draw up a draft opinion on the draft proposal for a directive on the adaptation to technical progress of the Council Directive of 16 December 1988 amending Directive 80/107/EEC on the protection of workers from the risk related to exposure to chemical, physical and biological agents at work.

The ad-hoc group looked into the question of consistency between the 1980 directive as amended by the 1988 and 1989 directives and the application of limit values at work.

It found the measurement policy still imprecise and pointed out that there was no analysis method to cover these limit values.

The directive covered only 28 substances selected by the Commission. The ad-hoc group felt that the Advisory Committee should have been consulted on this choice.

The ad-hoc group will continue its activities in 1990.

4) Ad-hoc group on general product safety

The task of this ad-hoc group was to examine the proposal for a Council directive on general product safety.

In its conclusions, the group said that a directive designed to control the protection of consumers in areas not yet covered in specific regulations was well suited to the Community programme for the completion of the single market. However, the proposal for a directive could be interpreted in a variety of ways and the ad-hoc group asked the Commission to improve it in areas such as:

- scope;
- definitions;
- establishment of a list of standards for the safety of specific products.

The ad-hoc group will continue its activities in 1990 with a view to finalizing its draft opinion.

5) Ad-hoc group on information for employers and workers on chemical substances

The ad-hoc group continued to draw up information sheets on chemical substances. The group was asked to produce a draft opinion on the Commission's draft proposal for a Council directive defining the specific terms of an information system ensuring the safe use of certain agents at work.

6) Ad-hoc group on the European Year for Safety, Hygiene and Health Protection at Work - 1992

In the resolution published in the Official Journal of the European Communities No C 28 of 3 February 1988, the Council suggests organizing a European Year for safety, hygiene and health protection at work in 1992.

In response to this invitation, the Commission consulted the Advisory Committee on Safety, Hygiene and Health Protection at Work.

At its plenary meeting in July 1989 the Advisory Committee set up an ad-hoc group on the European Year to help the Commission organize a programme.

The ad-hoc group, in cooperation with the Commission, has therefore drawn up a number of documents:

- proposal for a draft Commission decision
- draft programme
- proposal for the organization of the work
- evaluation of staff resources required.

These documents will be examined during 1990.

D) OTHER ACTIVITIES

Meeting of the organization group

The organization group held three meetings in 1989. It heard the reports of the Chairmen of each ad-hoc group, examined proposals for new ad-hoc groups and on this basis drew up the agenda for the plenary meetings of 1989.

IV. ANNEXES:

- A) LIST OF MEMBERS
- B) AD-HOC GROUPS
- C) ORGANIZATION GROUP

**LISTE DES MEMBRES TITULAIRES ET DES MEMBRES
SUPPLEANTS DU COMITE CONSULTATIF POUR LA SECURITE,
L'HYGIENE ET LA PROTECTION DE LA SANTE SUR LE LIEU DU
TRAVAIL**

BELGIQUE

- (G) M. Willy ZUALLAERT
- (G) Dr. P. HUBLET

- (T) M. P. SILON
- (T) M. P. -P. MAETER

- (EMP) M. R. LEONARD
- (EMP) M. H. DE LANGE

DANEMARK

- (G) Henrik GROVE
- (G) Erik ANDERSEN

- (T) Ole HEEGAARD
- (T) Benny ANDREASEN

- (EMP) Jens ANDERSEN
- (EMP) Torben JEPSEN

ALLEMAGNE

- (G) Rainer OPFERMANN
- (G) Dr. Thomas GIESEN

- (T) Reinhold KONSTANTY
- (T) Heinz PARTIKEL

- (EMP) Dieter BITTSCHIEDT
- (EMP) Andreas THEUER

GRECE

- (G) M. S. ASLANIS
- (G) M. N. STAMATAKIS

- (T) M. Dimitris POLITIS
- (T) M. Christos CHATZIS

- (EMP) M. E. ZIMALIS
- (EMP) M. Hiliias TSAMOUSOPOULOS

ESPAGNE

(G) Dña Concha SERRANO HERRERA
(G) D. José Luis CASTELLA

(T) D. Francisco Javier PINILLA
(T) D. Angel CARCOBA ALONSO

(EMP) D. Enrique BALBOYSSON CORRECHER
(EMP) D. Constantino MENENDEZ RODRIGUEZ

FRANCE

(G) M. François BRUN
(G) Mme ROUAUD

(T) M. Michel MARTIN
(T) M. Pascal ETIENNE

(EMP) M. Jean-Pierre PEYRICAL
(EMP) M. Jacques TASSIN

IRLANDE

(G) Mr Thomas WALSH
(G) Mr B.K. NEVILLE

(T) Mr D. O'SULLIVAN
(T) Mr T. WALL

(EMP) Mr R. TUMULTY
(EMP) Mr R. BRISCOE

ITALIE

(G) Dott.ssa Giovanna ROCCA
(G) Dott.ssa Anna Maria AMATISTA

(T) Dott.ssa Cecilia BRIGHI
(T) Dott.ssa Gabriella GALLI

(EMP) Dott. Franco GIUSTI
(EMP) Dott. FREGOSO

LUXEMBOURG

(G) M. Paul WEBER
(G) Dr. Nicolas RUME

(T) M. Roby NURENBERG
(T) M. Aloyse GROBEN

(EMP) M. Robert FERRY
(EMP) M. Paul OLINGER

PAYS-BAS

(G) Drs. R.O. TRIEMSTRA
(G) Dr. C.J. VOS

(T) De heer G.A. CREMERS
(T) Drs. H.P.W. SCHMITZ

(EMP) Mevrouw mr. C. DE MEESTER
(EMP) De heer SCHOENMAECKERS

PORTUGAL

(G) Mme Josefina DA ENCARNACAO PINTO MARVAO
(G) M. Antonio Augusto CASTELO BRANCO

(T) M. Armando José GOMES TAVARES
(T) M. Joaquim Manuel LEITAO RIBEIRO ARENGA

(EMP) M. José Henrique Luis DA COSTA TAVARES
(EMP) M. Manuel LIMA AMORIN

GRANDE-BRETAGNE

(G) Mr BROWN
(G) Mr CULLEN

(T) Mr A.D. TUFFIN
(T) Mr P. JACQUES

(EMP) Miss A.M. MACKIE
(EMP) Mr C.H.A.F. CASTLE

LISTE DES MEMBRES DU GROUPE AD HOC
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Membres experts gouvernementaux

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Fédération des Entreprises de Belgique (FEB)
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ORGANISATION DES GROUPES AD HOC - 1990 -

Denomination du groupe	Substances cancérogènes	Valeurs limites	Information aux parten. sociaux/P.C.	Santé et sécurité dans la construct.	Appareils de levage	
Mandat	Détermination de la stratég. à suivre pour les substances cancérogènes	Examen des propositions de la CCE sur les valeurs lim. D.88/642/CCE		Examen du projet de directive portant sur la sécurité et la santé dans la construction	Examen de la Directive DG III "Engins de levage"	
Composition						
- Président - Vice-Prés. - Rapporteur	Bormans (B)	Garlanda IT Graham (UK) Maeter (BE)	Burgess (UK) Leandro (PO) Corman (FR)	Piccoli (FR) Da Costa (PO) Andersen (DA)	Léonard (BE) Kennes (BE)	
- Gouvern.	Graham (UK) Klein (D) Roelfzema (NL)	Graham (UK) De Greve (B) Guerrieri IT Wardenb. (D) (expert)	Président Nation (UK) Neustadt (D) Fredella (IT) (expert)	Waugh (UK) Président Romeo (ES) Albertz (D) (expert)	Jacobs (B) Dorlöchter (DE) Lagendijk (NE) Rocca-Ercoli (IT) (Expert)	
- Travail.	Coyle (UK) Heegaard (DK) Konstanty (DE) Silon (BE) (Expert)	Pinilla (ES) Maeter (BE) Martin (FR) Sapir (Exp.)	Leandro (PO) Galli (IT) Martin (FR) Sapir (Exp.)	Sun Boe. (DA) Van Vliet (N) Miracapil.(I) Seifert (DE) (Expert)	Kennes (BE) Sedes (FR) Stanzani (IT) Sapir (Expert)	
- Empl.	Président Garlanda (IT) Hartmann (DE) Aubrun (FR) (Expert)	Bormans (BE) Président Aubrun (FR) Beekhui. (D) (Expert)	Verhoef (NE) Schnierle (D) Corman (FR) Garlanda (IT) (Expert)	Meisard (FR) Arcangeli (I) Da Costa (PO) Norton (UK) (Expert)	Président Giusti (IT) Peyrical (FR) Arscott (UK)	
Fonctionnaire DG V/E (concerné)	Aresini C4/85 Tel. 2260	De Smedt C4/95 3673	Haigh C4/105 2734	Dutailly C4/99 2293	Lommel C4/122 3871	

Dénomination du groupe ad hoc	Groupe 1992	Amiante	Sécurité des produits	Normalisation	
Mandat	Propositions pour l'année européenne pour la santé, séc. et l'hygiène sur le lieu de travail	Examen du projet de directive/ modification de la directive 83/447/CEE		Coopération CEN/CENELEC avec le CCSHS	
Composition - Président - Vice-Prés. - Rapporteur	Cullen (UK) Terrier (UK) Konstanty (DE)	Brighi (IT) Brun (FR) Bouige (FR)	Garlanda (IT)	Jacques (UK) Böshagen (DE)	
Gouvernem.	Sheye (DA) Opfermann (DE) Pinto Marvao (PO) Président Rocca-Ercoli (IT) Triemstra (NE)	Lomenède (FR) Smith (UK) Henry (IR) Guerrieri (IT) (Expert)	Buckley (UK) Overgaard (DA) Lejeune (FR) Faventi (IT)	Serrano (ES) Brun (FR) Rolt (UK) Casano (IT)	
Travailleurs	Etienne (FR) Carcoba (ES) Konstanty (DE) Jacques (UK) R. Arenga (PO) Silon (BE)	Jacques (UK) Heegaard (DA) Silon (BE) Président	Dunkel (LU) Keating (IR) Kennes (BE) Sapir (Exp.)	Partikel (DE) Benedettini (IT) Sapir (CES) Président	
Employeurs	Tsamousop. (GR) Tassin (FR) Ridley (UK) Terrier (UK) Teves C. (PO) Jepsen (DA)	Cordy (BE) Garlanda (IT) Bouige (FR) Penney (UK)	Bormans (BE) Gambelli (FR) Garlanda (IT) Böshagen (DE)	Gambelli (FR) Giusti (IT) Böshagen (DE) Tornos (ES)	
Fonctionnaire DG V/E concerné	Morettini C4/77 Tel. 2737	Martin C4/87 2738	Lommel C4/122 3871	Lommel C4/122 3871	