

How workers stand to benefit from REACH?

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After nearly ten years of intense debate at European Union (EU) level, the reform of the EU legislation on chemicals has finally been adopted by the European Parliament and the Council in December 2006¹. This new regulation, called REACH, sets up a comprehensive system for the Registration, Evaluation, and Authorisation of Chemicals. The cornerstone of the reform lies in a transfer of the "burden of proof". Under the old system, the authorities were responsible for providing that a substance was dangerous before imposing any restrictions. With REACH, the industry itself will have to provide the necessary information about its products, prior to placing them on the market, in order that appropriate risk management measures can be taken. In practice, under REACH, companies manufacturing or importing chemical substances in quantities of one tonne or more per year will be required to register such substances to demonstrate that they can be used safely. In addition, producers of substances of very high concerns (like carcinogens or substances that are toxic and accumulate in the environment) will need to obtain an authorisation before using or placing them on the market. A new European Agency based in Helsinki will be set up to manage the REACH regulation which will enter into force in the 27 EU countries in June 2007.

Alongside the REACH legislation establishing the rules on the marketing and use of chemical substances, there is European legislation designed to protect workers exposed to hazardous chemicals in the workplace. This legislation mainly consists of two directives: one dating from 1990 on carcinogens, the other dating from 1998 on chemical agents^{2,3}. These directives compel employers to carry out a risk assessment and take the necessary prevention and protection measures. However, implementation of these legal texts in the workplace remains problematic and most of the time they are scarcely or only partially enforced, especially in small and medium-sized enterprises.

REACH will be an opportunity to improve the effectiveness of the existing EU legislation for the protection

of workers exposed to chemicals⁴. The data generated by REACH should foster a better knowledge of the properties of chemical substances, their effects on human health and ways of reducing and minimising risk during their use. It should also greatly improve the transmission of such data along the entire length of the production chain, thanks to better quality labelling and safety data sheets. In addition, the authorisation and restriction procedures provided for in REACH should promote the substitution of the most harmful substances by less hazardous ones. REACH will therefore enhance the EU directives on worker protection in various ways, and will promote their implementation by employers in the workplace.

In order to estimate the benefits of REACH for workers' health, the research institute of the European Trade Union Confederation has commissioned an impact study to the University of Sheffield⁵. The study shows that REACH would help avoid 50,000 cases of occupational respiratory diseases and 40,000 cases of occupational skin diseases from exposure to dangerous chemicals in Europe each year. That would add up to total average savings of 3.5 billion euros over 10 years for the EU-25. The savings would boost social security coffers through reduced sickness benefit payments, while workers will enjoy health-related quality of life gains, and employers in all sectors will avoid productivity losses from sickness absenteeism.

Of course, the REACH reform will not be sufficient in itself to solve all the problems of occupational diseases related to exposure of chemicals. Even when data exist and are properly communicated, they still have to be put to effective use by recipients in the workplace.

For this reason, other measures will be needed to reduce the risk of chemical-related occupational diseases: stepping up workers' representation in the companies, providing training for workers and employers about chemical risks, redoubling checks on compliance with the legislation in the workplace, etc.

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With approximately 30 % of all the occupational diseases recognised every year in EU which are related to exposure to hazardous chemicals, REACH is therefore just one step towards improving the health of workers exposed to chemicals, but it is undoubtedly a crucial step and definitely not to be missed.

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