

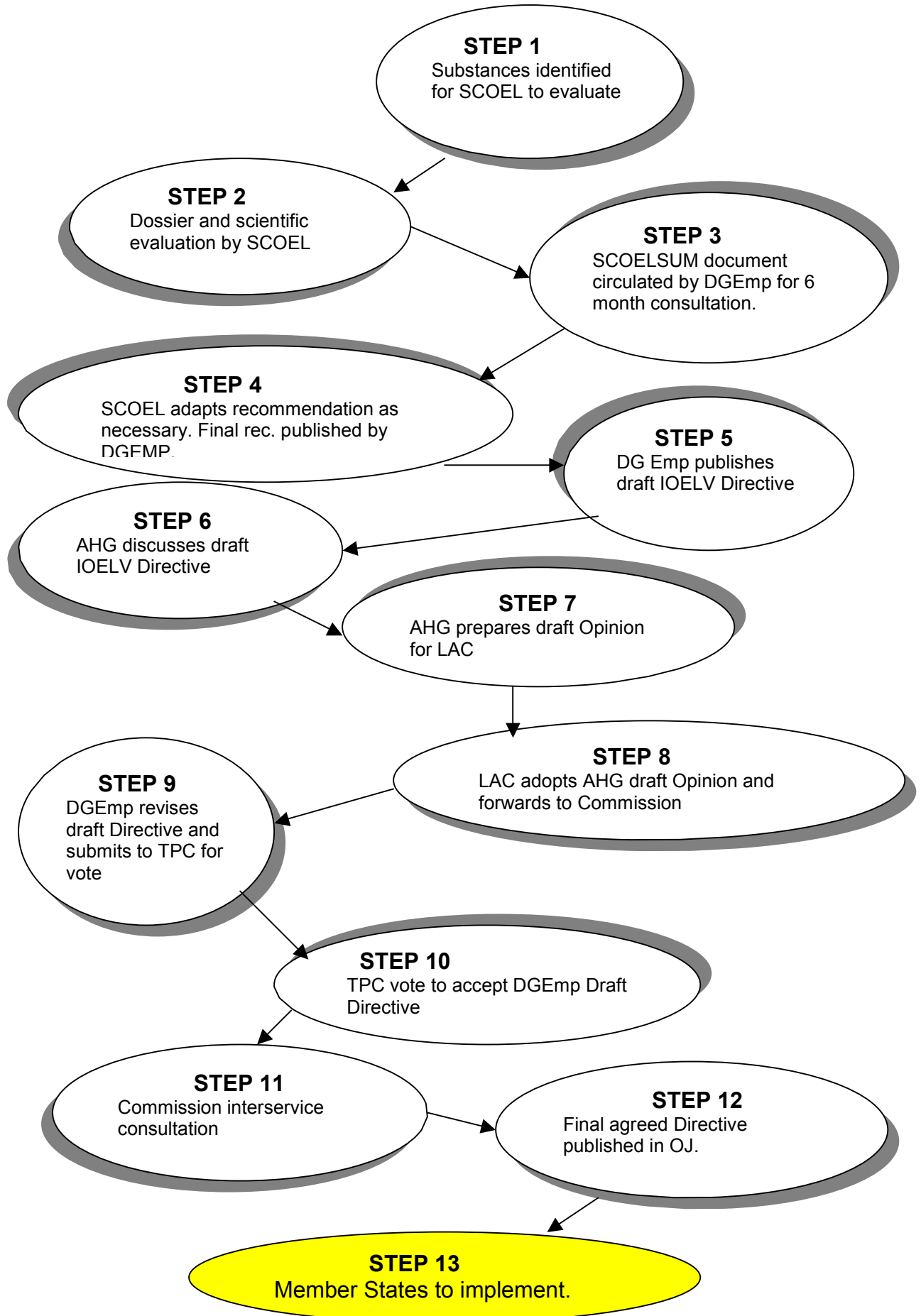
**EU INDICATIVE OCCUPATIONAL EXPOSURE LIMIT PROCESS
IDENTIFYING SUBSTANCES AND SCOEL RECOMMENDATION STAGE**

No	STAKEHOLDER INPUT	PROCESS	INITIATOR
1.	<u>All stakeholders</u> (eg industry, trade unions, scientific community etc) submit lists of substances through CEFIC/ETUC/other Member States	Preparation of lists of substances from <u>MSs/Industry/Workers</u> Lists submitted to DG Emp	DG Emp
2.	<u>HSE</u> initial briefing to WEELS.	NEWG (National Experts Working Group – meets 2xyr) NEWG considers substances for SCOEL to consider and agrees a priority list.	NEWG (Member State Experts)
3.	<u>UK stakeholders</u> – where, in exceptional circumstances, UK identifies a substance of particular concern in the UK, a criteria document can be prepared following a check to examine whether an existing review document of suitable quality is available.	Alternatively, MSs [or other organisations] can submit a full analysis for a substance(s) of concern, directly to Commission/SCOEL for consideration	Member States
4.	<u>HSE</u> initial briefing to WEELS	DG Emp prepares schedule of substances and submits to SCOEL	DG Emp
5.	All stakeholders have an opportunity to submit to DG Emp relevant scientific data eg known studies, or concerns about measurement methods throughout this process. SCOEL WILL NOT CONSIDER SOCIO-ECONOMIC ASPECTS	Collection of dossier and scientific evaluation by SCOEL On average, SCOEL consideration takes 2 years.	SCOEL
6.		SCOEL prepares draft recommendation summary document (SCOEL SUM)	SCOEL
7.		SCOEL SUM circulated to Member States for a 6 month consultation	DG Emp
8.	All stakeholders – Government/Worker/Employer comments/further data to be submitted independently to DG Emp by deadline. [NB: not circulated to ACTS/WEELS/WATCH members for a collective view. Unlikely to require a UK tripartite response.]	HSE circulates SCOEL SUM to individual ACTS/WEELS/WATCH members.	HSE
9.		SCOEL considers comments/ new data. Adapts recommendation, as necessary. DG Emp publishes final rec.	SCOEL

PROCESS FOLLOWING PUBLICATION OF DRAFT COMMISSION DIRECTIVE

No.	STAKEHOLDER INPUT	PROCESS	INITIATOR
10.	NB: when there are initial discussions in the LAC AHG, the process at point 12 below will commence at this point.	Pre-published draft IOELV Commission Directive stage - initial discussions may commence in Luxembourg Advisory Committee's (LAC) Ad-hoc Group on Chemical Policies in the Workplace (AHG)	DG Emp
11.		DG Emp publishes a draft IOELV Commission Directive	DG Emp
12.	<u>All stakeholders</u> <u>WEELS</u> NB: Socio-economic aspects relevant in considering whether the UK Government supports the limit's inclusion in the draft Directive.	HSE prepares UK negotiating position in consultation with stakeholders. Clear through ACTS. NB: this process will follow for either of the two processes above.	HSE
13.	<u>HSE, TUC & CBI</u> representatives on AHG. NB: TUC & CBI present own positions if different from UK Govn't.	AHG considers Commission proposal – prepares draft opinion for LAC.	AHG (Under new Council Decision setting up LAC, the constitution of AHG will change in 2004)
14.	<u>Govn't, Worker and Industry representation.</u>	LAC adopts/modifies AHG draft Opinion. Submitted to Commission for consideration.	LAC
15.		DG Emp amends proposal in light of LAC opinion (or not) and circulates revised draft proposal for discussion and adoption by Technical Progress Committee (TPC) NB: Member State Government group.	DG Emp
16.	<u>Member State Govn't reps only</u>	TPC vote	DG Emp
17.		Draft Directive as agreed at TPC subject to Commission interservice consultation.	DG Emp
18.		Commission publishes adopted Directive.	DG Emp
19.	<u>WEELS/ACTS</u> All stakeholders Industry and Unions via representatives on ACTS/ HSC	HSE commences work to implement IOELV Directive. Any socio-economic aspects identified during negotiations will be taken into account in setting UK limits.	HSE
20.	<u>All stakeholders</u>	HSC/E consults on proposals for new limits.	HSE

EU LIMIT SETTING PROCESS IN BRIEF



List of acronyms and terms used

Acronym/term	Explanation
ACTS	HSC's Advisory Committee on Toxic Substances
AHG	LAC, Ad-hoc Group on Chemical Policies in the Workplace. [NB: This is a tripartite Committee established to advise the LAC on Chemicals. The AHG prepares a draft Opinions for the LAC and if the LAC agrees the draft opinion it adopts it as its own and submits it to the Commission. The AHG is due to be newly constituted in 2004 under new rules for the LAC (OJ C218/1, 13/9/2003 refers). Currently, the UK has Government, Worker and Employer representatives on the AHG.]
CBI	Confederation of British Industries
CEFIC	European Chemical Industry Council
Commission Directive	IOELVs are established through Commission Directives not Council Directives. Adoption of a Commission Directive does not require formal consultation with the European Parliament. In the UK, it also means that Commission Directives are not subject to Parliamentary Scrutiny. IOELVs are established in this way, as they establish health-based values which do not take into account socio-economic aspects.
DG Emp	Directorate General for Employment and Social Affairs.
ETUC	European Trade Union Confederation
HSE	Health and Safety Executive
HSC	Health and Safety Commission
IOELV	Indicative Occupational Exposure Limit Values. [NB: Article 3 of the Chemical Agents at Work Directive (98/24/EC) requires the European Commission (the Commission) to evaluate the health effects of hazardous chemical agents and the level of occupational exposure and establish IOELVs.]
Interservice consultation	A process of clearing all significant proposals with other interested Directorate Generals (DGs). [NB: this is an opportunity to lobby other DGs]
LAC	Advisory Committee on Safety, Hygiene and Health protection at work (also known as Luxembourg Advisory Committee).
NEWG	National Expert Working Group. [NB: DG Emp working group of Government Experts, primarily concerned with agreeing priorities for substances to be evaluated by SCOEL (see below). Bob Warner is the UK Government representative.]
OJ	Official Journal of the European Communities. www.europa.eu.int/eur-lex/en/oj
SCOEL	Scientific Committee for Occupational Exposure Limits (SCOEL). [NB: Article 3(1) of the Chemical Agents at Work Directive (CAD) requires the evaluation referred to above to be carried out by a independent scientific assessment. SCOEL has 20 members representing the 15 MS with two from Germany, France, Italy, UK and Spain. The members are appointed for their independent advice, not to represent their MS.]
SCOEL SUM	Recommendation from SCOEL circulated to MSs for a six month consultation period.
TPC	Technical Progress Committee. [NB: All Member State Government representatives are invited to the meetings of the TPC as referred to in Article 17 of Directive 89/391/EEC. The TPC meets following receipt of the LAC's opinion to vote to accept (or reject) the Commission's proposal. The text for consideration by the TPC normally takes into account comments in the LAC opinion.]
TUC	Trades Union Congress
WATCH	Working Group on the Assessment of Toxic Chemicals
WEELS	ACTS, Working Group on European Exposure Limits [NB: WEELS is a tripartite forum for developing and agreeing UK positions, eg for negotiating Commission IOELV proposals, including input to reasonable practicability and socio-economic aspects. It also provides a role in providing a conduit for information.