



EUROPEAN PARLIAMENT

2009 - 2014

Committee on the Environment, Public Health and Food Safety

2011/0152(COD)

18.1.2012

COMPROMISE AMENDMENTS

1 - 3

Draft opinion
Philippe Juvin
(PE475.801v01-00)

Minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields)

Proposal for a directive
(COM(2011)0348 – C7-0191/2011 – 2011/0152(COD))

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United in diversity

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Amendment 1

Philippe Juvin on behalf of the EPP
Glenis Willmott on behalf of the S&D
Antonyia Parvanova on behalf of the ALDE
Marina Yannakoudakis on behalf of the ECR
Michèle Rivasi on behalf of the Greens
Marisa Matias on behalf of the GUE/NGL

Compromise amendment replacing Amendments: 14, 15, 16, 17, 66, 67, 68, 69, 70

Proposal for a directive
Article 3 - paragraph 4

Text proposed by the Commission

4. By way of derogation, paragraphs 1 and 2 shall not apply to medical applications using the magnetic resonance effect **and** the following related activities: integral system testing before release for shipment, installation, cleaning, maintenance, research and development activities. ***In these particular cases, specific protection measures shall be put in place.*** For this purpose the Commission shall consult the existing working groups and proceed according to the measures set out in Annex IV.

Amendment

4. By way of derogation, ***the exposure limits as set out in*** paragraphs 1 and 2 shall not apply to medical applications using the magnetic resonance effect, ***notably in instances where medical support services are provided, nor to*** the following related activities: integral system testing before release for shipment, installation, cleaning, maintenance, research and development activities. ***Workers exposed to electromagnetic fields from magnetic resonance imaging shall still be covered by the protective measures set out in this Directive. In order to ensure an adequate protection of workers and the safe use of medical applications using the magnetic resonance effect, employers, in addition to existing protective measures, shall carry out a prior assessment of the potential risks, put in place technical and organisational measures and provide specific and adequate training in accordance with practical guides drawn up by the Commission as mentioned in Article 13 of this Directive.*** For this purpose the Commission shall consult the existing working groups and proceed according to the measures set out in Annex IV. ***This derogation shall be reviewed within 5 years, taking into account new***

evidence regarding the effect of exposure to electromagnetic fields and advances in protecting workers from exposure.

Or. en

Amendment 2

Philippe Juvin on behalf of the EPP

Glenis Willmott on behalf of the S&D

Antonyia Parvanova on behalf of the ALDE

Marina Yannakoudakis on behalf of the ECR

Michèle Rivasi on behalf of the Greens

Marisa Matias on behalf of the GUE/NGL

Compromise amendment replacing Amendments

17, 68, 72, 73, 74

Proposal for a directive

Article 3 - paragraph 6

Text proposed by the Commission

6. Without prejudice to paragraphs 4 and 5, workers **may** not be exposed above the exposure limit values for health effects. For specific situations where these values may temporarily be exceeded, Member States may put in place a system **authorising** work under controlled conditions and on the basis of a comprehensive risk assessment setting out the actual exposure levels and their likelihood and comparing them to the exposure limit values defined in Annexes II and III. Such specific situations shall be reported to the Commission in the report referred to in Article 17a of Directive 89/391/EEC.

Amendment

6. Without prejudice to paragraph 4 and 5, workers **shall** not be exposed above the exposure limit values for health effects. For specific **and one-off** situations where the exposure limit values may be temporarily exceeded, **in duly justified circumstances given the state of the art and the specific characteristics of workplaces**, Member States may put in place a system **enabling** work under controlled conditions and on the basis of a comprehensive risk assessment setting out the actual exposure levels and their likelihood and comparing them to the exposure limit values defined in Annexes II and III. **Such a system must guarantee that the resulting potential risks are reduced to a minimum and that the workers concerned are subject to increased health surveillance.** Such specific situations shall be reported to the Commission in the report referred to in Article 17a of Directive 89/391/EEC.

Amendment 3

Philippe Juvin on behalf of the EPP
Glenis Willmott on behalf of the S&D
Antonyia Parvanova on behalf of the ALDE
Marina Yannakoudakis on behalf of the ECR
Michèle Rivasi on behalf of the Greens
Marisa Matias on behalf of the GUE/NGL

Compromise amendment replacing Amendments 35, 40, 43, 46, 47, 48, 107

Proposal for a directive

Recital (new)

Text proposed by the Commission

Amendment

The present Directive does not address long-term effects of workers exposure to electromagnetic fields. However, should new evidence come to light on the long-term effects of exposure to electromagnetic fields, this Directive should be revised appropriately taking into account these probable effects, and in accordance with Article 17 of Directive 89/391.

(Compromise amendment N° 3 is composed of two parts)

Amendment 3

Philippe Juvin on behalf of the EPP
Glenis Willmott on behalf of the S&D
Antonyia Parvanova on behalf of the ALDE
Marina Yannakoudakis on behalf of the ECR
Michèle Rivasi on behalf of the Greens
Marisa Matias on behalf of the GUE/NGL

Compromise amendment replacing Amendments 35, 40, 43, 46, 47, 48, 107

Proposal for a directive

Article 1 – paragraph 3

Text proposed by the Commission

3. This Directive does not address long-term effects.

Amendment

3. This Directive does not address long-term effects. ***However, should new evidence on the long-term effects of exposure to electromagnetic fields come to light, this Directive shall be revised.***

The Commission shall develop and make public a report reviewing the latest evidence and research on long-term effects of exposure to electromagnetic fields, 5 years after the entry into force of the present Directive, and subsequently every 5 years thereafter. Such review shall be carried out by an ad-hoc committee of independent experts, taking into account all existing and recent scientific literature on the long-term effects of electromagnetic exposure.

Or. en

(Compromise amendment N° 3 is composed of two parts)