



European Furniture Industries Confederation

Proposal for a Directive of the European Parliament and of the Council amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work – proposed revised limits for hardwood dust

POSITION PAPER

IN BRIEF:

- Uniform and harmonised testing methodology for measuring workers' exposure to hardwood dust are a primary need and should be developed at the European level
- EFIC supports the threshold limit for workers' exposure to hardwood dust proposed by the European Commission (3mg/m³)
- Imposing a lower limit - and especially a limit at the level of 1mg/m³ - would drastically and disproportionately increase the costs and strongly affect SMEs
- A distinction should be kept in setting limits to hardwood and softwood dust
- Any further reduction of the threshold limit below the level assessed as clearly preferred (3mg/m³) should not be imposed without a thorough impact assessment describing the consequences for the industry in the different Member States

1. The European furniture industry

The furniture industry is a dynamic and labour-intensive sector and one important component of European manufacturing industry.

European furniture companies represent a historical **tradition of manufacturers**, committed to high quality and design-oriented products, and still making Europe famous and competitive worldwide.

The furniture industry nowadays provides **1.1 million jobs** in close to **130.000 enterprises** in Europe, mainly micro and small sized, generating an annual turnover of around **EUR 96 billion**.

SMEs play a pivotal role in the EU furniture industry, with almost **85%** of companies in the sector being classified as **micro-enterprises**.

2. The Proposal for amending Directive 2004/37/EC

EFIC welcomes the European Commission's initiative to revise the current limits related to the protection of workers from the risks related to exposure to carcinogens or mutagens at work in the light of more recent scientific data.

The European furniture industry is committed to ensure high and scientifically-up-to date safety standards. For this reason, furniture employers also advocate for the introduction of binding OELs for **formaldehyde**, another chemical substance of proven carcinogenic effect. At the same time, EFIC is trying to raise the awareness on the potential for harm from **flame retardant chemicals** used in furniture. Some flame retardants have demonstrated hazardous properties, such as mutagenicity and carcinogenicity, and the European Institutions should evaluate their potential inclusion in the scope of the CMD.

3. Occupational Exposure Limit on hardwood dust

The OEL on hardwood dust finds direct application in the furniture industry. The Directive 2004/37/EC sets a limit of **5mg/m³** for hardwood dust.

Employers in the furniture sector are already committed to ensure the best protection of workers from exposure to potentially carcinogenic substances, meaning that in most cases real exposures values are well below the current limit of 5 mg/m³.¹ In fact, ventilation systems are already widely used as collective protection equipment, and whenever SMEs are not in capacity to install one, the use of personal protective equipment is systematic.

The **European Commission** in its proposal (2016/0130 (COD)), is now asking for a lower limit of **3mg/m³** for hardwood dust.

The impact assessment reports that such limit clearly emerged as the **preferred value** and it would result in benefits in terms of preventing workers from getting avoidable work-related cancer. In addition, this proposal would also prevent unnecessary health costs, in the case of hardwood dust leading to an estimated net health benefit in the range between 12 and 54 million euros.

4. EFIC position

a. Need for uniform calculation and testing across the EU

EFIC wishes to primarily stress the need to ensure uniform way of calculations in Europe. Today different limits at the national level are accompanied by **different testing method and calculations** all over Europe. A result in a Member State could not be comparable with the one in a different Member State.

This can **impact the real and concrete assessment** of the status quo in Europe and ultimately undermine the fundamental scope of **protection of workers**.

¹ WOODDEX occupational exposure database (2000-2003)

It is therefore of primary importance to **ensure uniformity of calculation** in Europe and a **central and harmonised method** is therefore needed in order to rely on comparable data and measurement.

Before lowering the limits further, and especially at levels of **over-costly compliance** for companies, it is key to harmonize **first** testing methodologies and ensure a clear comparability of the set requirements.

b. Safe and affordable limit

EFIC supports the European Commission proposal of **reducing the limit** for hardwood dust at the level of **3 mg/m³**, as the more recent scientific data have shown a clear benefit in this reduction and it reflects the agreement reached in the Advisory Committee on Safety and Health. The same proposal has also already found an agreement of **Council of the EU** (13/10/2016), which has validated the limit values of 3 mg/m³ proposed by the Commission. As a final result, the new limit of 3mg/m³ will push the majority of Members States (18) to revise their legislation and set **more stringent limits**.

EFIC considers the present proposal **well balanced**, as it duly takes into account health concerns allowing the increase of workers' protection without setting demands on companies that might be ultimately unfeasible.

In fact, **while adaptation to this new threshold can be pursued, imposing a lower limit - and especially a limit at the level of 1mg/m³ - would drastically and disproportionately increase the costs and strongly affect SMEs.**² The possibility of **forcing some of them out of business** should also be taken into account, also considering the consequences of the economic crisis still faced by the sector.

Such demand would, among other things, have the following consequences:

- require changes in the manufacturing process and installation of compliant **ventilation systems** and special **filters**;
- impose high economic costs of structural changes together with the need for a relevantly **higher energy supply**;
- **technical limits** of existing and up-to-date technical installations and machines might still prevent companies to reach that level;
- Unlike other substances, **wood cannot be substituted** in order to avoid compliance costs.

It also has to be taken into account that today countries requiring **limits lower than 3mg/m³** are also including **several exceptions to the calculation methods** because of the highly complex scenario and of **technical infeasibilities**. Different limits feasibilities also depend on the combinations of numerous factors, including the wood species, the specific treatment, protection methods and possibilities.

² The total estimated costs range between 13 and 52 billion euros.

c. Distinction in limits to hardwood and softwood dust

A distinction in limits for hardwood dust and softwood dust should be kept, as proposed by the European Commission, given also the **lack of comparable evidence** regarding the connected potential risks.

It should also be noted that since more than 75% of the workers exposed to wood dust are exposed to both hardwood and softwood dusts, the prevention of the risks posed by hardwood dust will also include softwood dust. The OEL on hardwood dust in its practical implementation would also be **beneficial** to protection against exposure to softwood dust.

d. Discussion in the EMPL committee and draft proposal, December 2016

The proposal presented in the **draft report of the EMPL committee** in the European Parliament, aimed at lowering **the limit to 1 mg/m³**, and possibly to 0,5 mg/m³ in the near future, with first a transitional period of 5 years at the level of 2 mg/m³, would therefore lead to **major economic and technical problems, strongly impacting SMEs**.

In addition, the proposal to **gradually change** the wood dust limit through a step by step reduction of the limit at the value of 3mg/m³, 2mg/m³, 1mg/m³ or even 0,5 mg/m³, would be **unacceptable**, because it would lead to the consequence that every reduction step would cause complete new investments, including filter installation, absorption installation and quantity of air volume, together with energy supply.

For all these reasons, **EFIC urges MEPs to support the lowering of the limit for hardwood dust at the level of 3mg/m³, which has been assessed both safe and economically balanced by the European Commission and agreed by Member States in the Council of the EU.**

About EFIC

EFIC – the European Furniture Industries Confederation - is the voice of the jointly united European Furniture industries.

EFIC was founded in 2006 by seven national federations representing the furniture industries in Belgium, Denmark, Germany, Italy, Slovakia, Spain and Turkey and it was later joined by Portugal, Sweden, Austria, Russia and Norway. Furthermore, Hungary, the Netherlands and France joined EFIC in 2015.

EFIC now represents more than the 70% of the total turnover of the furniture industries in Europe.

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