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European Union

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**'I/A' ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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Subject: Draft 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  
**(first reading)**  
- Adoption of the legislative act  
- Statement

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**Statement by the United Kingdom**

The United Kingdom strongly supports Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work and the Commission limit setting process, which involves a thorough assessment process to consider scientific, technical and socio-economic factors and the views of stakeholders, including the social partners.

The United Kingdom recognises the legitimate concerns that exist regarding exposure to diesel engine exhaust emissions and exposure to these emissions has been subject to controls in the UK for over 20 years. Binding occupational exposure limits should only be included in the Carcinogens and Mutagens Directive, however, once they have successfully completed the limit setting process. The UK regrets that this process was not followed in setting a binding occupational exposure limit for elemental carbon as a marker for diesel engine exhaust emissions. Whilst the UK continues to support action to tackle exposure to diesel engine exhaust emissions, we cannot support the way in which this limit has been set and therefore cannot support this change to the Directive.

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