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BULLETIN N.11/2020

CARCINOGENIC RISK AND MUTAGEN EUROPEAN DIRECTIVE 2017/23

On 24 June 2020, the 2017/23 Directive's act of implementation came into force, amending Directive 81/08 For carcinogenic and mutagenic risks. In order to meet this principle, the Legislative Decree 1 June 2020, 44 with the "Implementation of the Directive (EU) 2017/2398 of the European Parliament and the Council, of 12 December 2017, amending the Council's Directive 2004/37/EC, relating to the protection of workers against the risks of exposure to carcinogens or mutagens during work". This Directive stipulates that binding professional exposure limit values should be reviewed where necessary in the light of the available information, including new scientific and technical data and best practices, based on concrete data for measuring the level of exposure at the site of the work. It is also indicated that, in the absence of consistent data on exposure to substances, it is necessary to protect workers exposed or at risk of exposure with adequate health surveillance making it mandatory to continue monitoring, even at the end of exposure, on the recommendation of the doctor. 1 June 2020, 44, amends The Legislative Decree 81/2008 both by replacing paragraph 6 of Article 242 (Title IX Dangerous Substances, Chief II, Section III) in relation to health assessments and specific preventive and protective standards, both by completely replacing Annex XLII (Dangerous Substances – List of Substances, Prepareds and Processes) and Annex XLIII (Dangerous Substances – Professional Limit Values and Exposure). The relevant physician, if necessary, reports the need for health surveillance to continue beyond the end of exposure for the period of time he deems necessary to protect the health of the worker concerned. In addition, since in the national 'health surveillance' system sorveglianza sanitaria it is, according to the provision of d.lgs 81/2008, the one that takes place in the constancy of employment, in order to fully implement the directive, it was considered that it was also the second part of the current sixth paragraph of Article 242, which, in referring to a post-retirement period, speaks of health assessments. Let us also take the conclusion of the contents of the new XLII annex in which, in paragraph 6, the "works involving exposure to breathable crystalline silica dust generated by a processing process" were included. Finally, we refer to the full reading of the new XLIII Annex, which includes the limits on professional exposure under the 2017/2398 Directive (EU).



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Dr. Ing. Leonardo Bonini INGEGNERIA della SICUREZZA, AMBIENTE e della QUALITA'

Studio Dr. Ing. Leonardo Bonini is on hand to provide you with a first written advice by visiting:
CONSULENZE- 1st level consultations – Sicurezza e salute nei luoghi di lavoro

Studio Dr. Ing. Leonardo Bonini is on hand for clarification

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