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**Introduction to the EC Directive 2004/40/CE – Obligations of employers (risk
assessment, protective measures, worker information and training)**

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The European Directive 2004/40/EC of the European Parliament and the Council of 29 April 2004 on the minimum health and safety requirements regarding exposure of workers to the risks arising from physical agents (electromagnetic fields) was adopted after a long discussion process in both Council and Parliament and published in Official Journal L184 of 24 May 2004. In the European Union legal system, directives are binding and must be transposed into national legislation by all Member States. For this directive which concerns workers exposed to electromagnetic fields and not patients nor the general public, only known short-term adverse effects in the human body were considered. Occupational exposure limits were adopted except for static magnetic fields.

The action values and exposure limit values set out in the directive are directly derived from the latest ICNIRP recommendations available at the time for Reference Levels and Basic Restrictions respectively.

The exposure limit values must not be exceeded and they are to be considered as an integral part of a comprehensive system to limit the exposure of workers to electromagnetic fields. Indeed the directive develops in some detail measures and provisions relating to the responsibility of employers, in particular the need to carry out an *ex-ante* risk assessment, the obligation to eliminate all risks or, when not possible, to reduce them to a minimum by using appropriate means. A series of preventive and protection measures are explicitly mentioned in the directive itself. Information, training and consultation of the workers are also essential elements in this preventive approach as it is the case for all individual EU directives relating to occupational health and safety protection (currently 19). Appropriate health surveillance measures must also be put in place by the Member States. And adequate sanctions must be foreseen by the member States for those employers in the event of infringement.

Since the adoption of the directive, concerns have been voiced about possible implementation difficulties in domains such as welding processes and new medical applications using MRI. The speaker will briefly address these issues and inform the audience on actions currently initiated by the Commission.