**ORDINARY LEGISLATIVE procedure – First reading**

**Follow up to the European Parliament legislative resolution on the 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**

**1. Rapporteur:** Stefania ZAMBELLI (ID / IT)

**2. Reference numbers:** 2020/0262 (COD) / A9-0114/2021 / P9\_TA-PROV(2022)0046

**3. Date of adoption of the resolution:** 17 February 2022

**4. Legal basis:** Article 153(2)(b) and (1)(a) of the Treaty on the Functioning of the European Union

**5. Competent Parliamentary Committee:** Committee on Employment and Social Affairs (EMPL)

**6. Commission's position:** Accepts all amendments.

The Commission has transmitted to the European Parliament ahead of the plenary vote the following statements:

**Commission Statement - Hazardous medicinal products**

The Commission highlights the importance of protecting workers from the adverse health effects that occupational exposure to certain hazardous medicinal products can have.

In this regard, it is acknowledged that certain hazardous medicinal products which contain one or several substances meeting the criteria for classification as carcinogenic (categories 1A or 1B), mutagenic (categories 1A or 1B) or reprotoxicant (categories 1A or 1B) in accordance with Regulation (EC) No 1272/2008 fall under the scope of Directive 2004/37/EC.

**Commission Statement – Action plan and legislative proposals**

The obligations imposed on the Commission in Article 18a, third paragraph, regarding the presentation of an action plan and the presentation of a legislative proposal cannot go against the institutional prerogatives of the Commission and its right of initiative deriving directly from the Treaties.

Article 18a, third paragraph, refers to Article 16 of Directive 2004/37/EC, which lays down an obligation to set limit values on the basis of the available information, including scientific and technical data, in respect of all those substances for which this is possible.  In implementing this provision, the Commission is also invited to present the action plan referred to in Article 18a, third paragraph. For reasons of transparency, this action plan will consist of a listing of the next 25 new or revised substances to be scientifically evaluated. The evaluations of the listed substances will form part of the established procedure including consultation of social partners, the opinion of the ACSH and impact assessment preparing any necessary legislative proposals in due time.