

Summary of the report Towards a new working programme Occupational Exposure Limits (OEL)

In order to limit the exposure of employees to substances in the workplace, the Netherlands sets statutory occupational exposure limits, or OELs. A 'three-step procedure' is used to set these limits: the Health Council of the Netherlands (*Gezondheidsraad*) recommends a health-based exposure limit, the Social and Economic Council tests the recommended exposure limit in the field, and the Ministry of Social Affairs and Employment defines an OEL based on the recommendations of the Health Council and the Social and Economic Council.

A working programme is defined virtually every year for substances that should be made subject to the foregoing procedure. In the course of time, the working programme has come to include many substances, some of which may already be under investigation elsewhere. Furthermore, it often takes between seven and eight years for a substance to go through the three-step procedure.

The Social and Economic Council's Working Conditions Committee found this reason enough to recommend a new approach to determining a working programme. In the opinion of the Committee, the following requirements and underlying principles must be taken into account:

- **Prioritising:** the substances concerned should be relevant in the Dutch workplace and their potential effects on health upon exposure should make it desirable to evaluate them.
- **Evaluation period:** a moderate period of time should be allotted for the three-step procedure. The Committee basically advises restricting this period to three years. The scope of the working programme should be adjusted accordingly.
- **Scope of the working programme:** a limited list of substances which can clearly be dealt with within the evaluation period.
- **International cooperation:** the Dutch working programme must be coordinated with any other programmes undertaken at international level (specifically by the European Commission) in order to avoid double work.
- **OELs and/or classification:** in theory, substances are only evaluated in the three-step procedure in order to determine an OEL. In the event of carcinogenic substances or substances with toxicological properties that will affect future generations, the evaluation procedure may involve classifying such properties in accordance with EU directives.
- **Exclusion of substances:** essentially, no substances should be excluded from the working programme; they are, after all, substances to which employees may be exposed.

In its report, the Committee divides the process of determining a working programme into four phases. The first phase involves collecting indicators on the relevant substances and reporting these to the Ministry. In the second phase, the Council investigates the relevance of these substances for Dutch workplaces and compiles a draft list. In the third phase, the Health Council decides in what order the substances on the list should be considered. In the fourth phase, the Ministry adopts the working programme.

A new working programme should be adopted every two years. The new programme should consist of three short lists of about seven substances each, in the Committee's view. The first list of seven substances should be evaluated in the first of these two

years, and the second in the second year. The third list would be regarded as a reserve list to which consideration would be given when discussing the following working programme.

The Committee proposes introducing the new system as soon as possible and believes that the substances in the present working programme should, in essence, be evaluated according to the new system. A full-scale introduction of the new system would, however, make too great a demand on the capacity required to produce the necessary specialist health-related evidence, thus filling up the working programme for many years in advance. The Committee also questions whether all of the substances in the present working programme do in fact require priority consideration. The Committee therefore recommends:

- evaluating a restricted number of substances in the present working programme according to the new system (limited evaluation period);
- deleting a number of substances from the present working programme and testing the feasibility of adopting European exposure limits for them;
- deleting a number of substances from the present working programme because the European Commission is already determining exposure limits for them;
- deleting the remaining substances from the present working programme.

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