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| COVER NOTE |
| From: | Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director |
| date of receipt: | 18 July 2025 |
| To: | Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union |
| No. Cion doc.: | COM(2025) 418 annex |
| Subject: | ANNEX to the Proposal for a Directive of the European Parliament and of the Council amending Directive 2004/37/EC as regards the addition of substances and setting limit values in its Annexes I, III and IIIa |

Delegations will find attached document COM(2025) 418 annex.

Encl.: COM(2025) 418 annex

ANNEX

**ANNEX**

Annexes I, III and IIIa to Directive 2004/37/EC are amended as follows:

(1) in Annex I, the following point 9 is added:

‘9. Work involving exposure to fumes from welding processes containing substances that meet the criteria for a substance or mixture which meets the criteria for classification as a category 1A or 1B carcinogen, mutagen or reprotoxic set out in Annex I to Regulation (EC) No 1272/2008[[1]](#footnote-1);

(2) in Annex III, point A is amended as follows:

(a) in the Table the row related to polycyclic aromatic hydrocarbons mixtures, particularly those containing benzo[a]pyrene, which are carcinogens within the meaning of this Directive, is replaced by the following:

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|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name of agent | EC No (1) | CAS No (2) | Limit values | Notation | Transitional measures |
| 8 hours (3) | Short-term(4) |
| mg/m3 (5) | ppm (6) | f/ml(7) | mg/m3 | ppm | f/ml |
| Polycyclic aromatic hydrocarbons mixtures, particularly those containing benzo[a]pyrene, which are carcinogens, mutagens or reprotoxicants within the meaning of this Directive |  |  | 0,00007(\*2) |  |  |  |  |  | Skin (10) | ***Limit value 0,00014(\*2) until …[OJ: six years after the date of entry into force of the amending Directive] limited to the following sectors:*** ***(1) steel and iron foundries, which includes ferroalloy manufacturers, (2) aluminium manufacturers, (3) carbon and graphite electrode manufacturers, (4) coking plants, (5) coal tar distillation, (6) refractory products manufacturers, (7)*** ***welding of train tracks, (8) other non-ferrous metallurgical processes, and (9)*** ***casting of metals.***  |

**’**

(b) in the Table, the row related to mercury and divalent inorganic mercury compounds including mercuric oxide and mercuric chloride (measured as mercury) is replaced by the following:

 ‘

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name of agent | EC No (1) | CAS No (2) | Limit values | Notation | Transitional measures |
| 8 hours (3) | Short-term(4) |
| mg/m3 (5) | ppm (6) | f/ml(7) | mg/m3 | ppm | f/ml |
| Mercury and divalent inorganic mercury compounds that fall under the scope of this Directive (measured as mercury) |  |  | 0***,***02 |  |  |  |  |  |  |  |

’;

(c) in the table the following rows are added

‘

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name of agent | EC No (1) | CAS No (2) | Limit values | Notation | Transitional measures |
| 8 hours (3) | Short-term(4) |
| mg/m3 (5) | ppm (6) | f/ml(7) | mg/m3 | ppm | f/ml |
| Cobalt and inorganic cobalt compounds |  |  | 0,01(11)0,0025(9) |  |  |  |  |  | dermal and respiratory sensitisation(13) | ***Limit value of 0,02(11) and 0,0042(9) until …[OJ: six years after the date of entry into force of the amending Directive]*** |
| 1,4-dioxane |  |  | 7,3 | 2  |  | 73  | 20  |  | Skin (10)  |  |

’;

 (d) in the footnotes after the Table, the following footnote (\*2) is added:

‘(\*2) Measured as benzo[a]pyrene.’;

(1) EC No, i.e. Einecs, ELINCS or NLP, is the official number of the substance within the European Union, as defined in Section 1.1.1.2 in Annex VI, Part 1, to Regulation (EC) No 1272/2008.

(2) CAS No: Chemical Abstract Service Registry Number.

(3) Measured or calculated for a reference period of eight hours time-weighted average (TWA).

(4) Short-term exposure limit (STEL). A limit value above which exposure should not occur and which is for a 15-minute period unless otherwise specified.

(5) mg/m3 = milligrams per cubic metre of air at 20 °C and 101,3 kPa (760 mm mercury pressure).

(6) ppm = parts per million by volume in air (ml/m3).

(7) f/ml = fibres per millilitre.

(9) Respirable fraction.

(10) Substantial contribution to the total body burden via dermal exposure possible.

(11) Inhalable fraction*.*

(13) The substance can cause sensitisation of the skin and of the respiratory tract.

(3) in Annex IIIa, the following point is added:

‘1,4-dioxane

2. The binding biological limit value is 45 mg HEAA\*in urine/g creatinine.’

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\*(2-Hydroxyethoxy)acetic acid’.

1. Exposure shall not exceed the limit value of a carcinogen, mutagen or a reprotoxic substance as set out in Annex III when those substances are released during the welding process. [↑](#footnote-ref-1)