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FIFTH PROGRESS REPORT  
OF THE ADVISORY COMMITTEE ON SAFETY, HYGIENE  
AND HEALTH PROTECTION AT WORK  
(PERIOD 1980)

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0. INTRODUCTION

Article 3 of the Council Decision of 27 June 1974 on the setting up of an Advisory Committee on Safety, Hygiene and Health Protection at Work, provides that "the Committee shall produce an annual report of its activities" and that "the Commission shall forward the report to the European Parliament, the Council, the Economic and Social Committee and the Consultative Committee of the European Coal and Steel Community".

The fifth progress report, for the year 1980, was compiled by the Secretariat and approved by the Committee on 15.9.1981.

1. MEMBERSHIP OF THE COMMITTEE, WORKING PARTIES AND RESTRICTED GROUP

1.0 The following membership changes took place in 1980:

- |                            |  |
|----------------------------|--|
| - in the Committee:        | 1 full member<br>3 alternates            |
| - in Working Party I:      | 1 member                                 |
| - in Working Party II:     | 1 member                                 |
| - in Working Party III:    | The Chairman<br>1 member                 |
| - in the Restricted Group: | 1 (The Chairman of Working<br>Party III) |

1.1. As in previous years, the membership of the Committee and the Working Parties remained very stable.

1.2. The membership of the Committee, the three Working Parties and the Restricted Group on 31 December 1980 is shown in Annex 1. (x)

2. STRUCTURE AND OPERATION

2.0. STRUCTURE

The structures of the Committee and the Working Parties remained unchanged in 1980.

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(x) 1980 is the second year of the second term of office, which expires on 22 November 1981.

## 2.1 OPERATION

2.1.0. Two factors which hampered the work of the Committee in 1980 were the absence of the Director of Directorate V/E, who retired and was not replaced during the final quarter of the year, and the likelihood, known well before the end of the year, that a new Commissioner would be given responsibility for the Committee and the action programme on safety and health at work (x).

2.1.1. As in the past, the Committee continued to put pressure on the Commission departments concerned, and in particular on Directorate V/E of DG V.

Since the resources of these departments (DG V) remained unchanged the Committee found it difficult to take the necessary initiatives and to carry out the important work incumbent upon it.

2.1.2. The preparatory meetings of the workers' and employers' groups before each plenary Committee meeting continued. Increasingly, these resulted in group positions being defined, which led to clearer and shorter debates in Committee.

On a proposal from the Restricted Group, the Committee requested that provision be made also for preparatory meetings, on a trial basis, for the representatives of the national governments.

Having obtained the Commission's approval, the Committee instructed the Secretariat to make the necessary arrangements.

2.1.3. Attendance at the Committee meetings continued to be at a realistic maximum. The tendency of Committee members to bring an expert with them, as noticed in 1979, became even more pronounced in 1980.

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(x) See Council Resolution of 29 June 1978 - OJ C 165 of 11 July 1978.

- 2.1.4. In the absence of specific instructions from the Committee, which met only once, the Restricted Group used its own initiative to delegate work to the Working Parties. For their part, the Working Parties refused to issue opinions on certain proposals from the Commission departments before obtaining the approval of at least the Restricted Group.
- 2.1.5. The reduction in the number of meetings in 1980 (see item 3) obliged the Working Parties to impose greater self-discipline, setting themselves time-limits for discussion of any particular problem and restricting themselves to issuing preliminary guideline opinions in cases where the Working Parties had commenced work before the Commission departments.
- 2.1.6. The agreement with the Commission to invite a restricted number of experts to certain Working Party meetings where this was absolutely necessary in exceptional cases was not taken up, mainly for the following two reasons:
- the Working Parties increasingly prefer to prepare opinions expressing a judgement and setting out general guidelines, while leaving the specialists of the Commission departments to work on the legal and technical aspects;
  - consultation of experts by members at national level has become common practice.
- 2.1.7. The concession granted to the members of the Working Parties by the Committee at the end of 1978 to appoint substitutes for a trial period and under a number of conditions was used more in 1980 than in 1979, while remaining at a reasonable level.

2.1.8. One new feature introduced in 1980 was the delegation by two Working Parties, at an advanced stage of discussions, of certain intermediate work to a tripartite and very restricted ad hoc sub-group.

2.1.9. The following organisations sent observers to meetings in 1980:

- the European Foundation for the Improvement of Living and Working Conditions
- the Employers' Liaison Committee
- The European Trade Union Confederation.

### 3. MEETINGS

#### 3.0 GENERAL REMARKS

3.0.0. Since the Committee was first set up the total number of meetings held each year has been increasing significantly. However, the number held in 1980 was down on 1979, falling back to the level of 1978.

3.0.1. This was mainly because of budgetary difficulties (see also Item 2.1.0.).

With no budget for the first half of the year, the Commission departments, and hence also the Secretariat of the Committee, had to work on a monthly basis during this period with a twelfth of the 1979 budget. As a result, some Working Party meetings had to be cancelled. It was impossible to recover this lost ground during the second half of the year.

3.0.2. The Committee held only one plenary meeting (compared with 2 or 3 in the preceding years).

The Restricted Group also held fewer meetings: two in 1980 as opposed to four in 1978 and 1979.

The overall number of meetings of the three Working Parties was hardly affected; each of the three held almost the same number of meetings, in sharp contrast to the preceding year.

In 1980, Working Party I held only half as many meetings as in 1970 (x) whereas Working Parties II and III held twice as many.

3.0.3. Details of the number of meetings are shown in the table on page 8.

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(x) No proposals for directives on technical barriers by DG III.



NUMBER OF MEETINGS AND NUMBER OF DAYS DEVOTED TO MEETINGS - 1979/1980

	NUMBER OF MEETINGS			NUMBER OF DAYS DEVOTED TO MEETINGS		
	1980	1979	1978	1980	1979	1978
Committee	1 (a)	3	2	2 (a)	6 (a)	6
Working Party I	4	9	5	8	15	10
Working Party II	3	2	3	6	4	4
Working Party III	4 (b)	2	1	6 (b)	2	1
(Working Parties II + III)	(1) (c)	-	-	(3) (c)	-	-
Restricted Group	2	4	4	2	4	4
<u>TOTAL</u>	14 (+1)	20	15	24 (+3)	31	25

(a) Each Committee meeting is preceded by a half-day preparatory meeting of the workers' and employers' groups.

(b) This includes a one-day meeting of an ad hoc Group (composed of three persons).

(c) Participation in a symposium, "Ergonomics in the ECSC - 1975/1980".

#### 4. ACTIVITIES OF THE COMMITTEE

##### 4.0 GENERAL MATTERS

The reduction in the number of meetings (see items 3.0 and 3.1) had a negative effect on activities. However, it is difficult to explain this effect precisely, either in terms of the quantity or quality of activities. While the picture presented by 1980 is one of reduced activity, this reduction is not simply proportional to the reduction in the number of meetings.

##### 4.1. DESCRIPTION OF ACTIVITIES

###### 4.1.0 ACTION PROGRAMME (\*)

One important achievement was that the directive on the protection of workers from harmful exposure to chemical, physical and biological agents at work, in the preparation of which the Committee was actively involved in 1979, was approved by the Council in November 1980 (\*\*).

The proposal for a directive on exposure to lead (\*\*\*) , which was prepared in collaboration with the Committee in 1979 as the first application of the above-mentioned framework directive, was submitted to the Council in 1980 but had still not been approved by the end of the year.

The Committee issued an opinion on a draft directive on asbestos, which formed the second specific directive under the framework directive (see Item 4.1.1.(1)).

The activities concerning the information brochures on lead and asbestos (see 4.1.1.(10) and 4.1.1.(12) form a part of the action programme and at the same time complement the two aforementioned implementing directives.

The opinions prepared by the Working Parties on noise, information for workers and studies and research concerning the construction industry (see 4.1.1.(8), (9) and (14) respectively) also form part of the action programme.

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(\*) OJ C 165 of 11.7.1978

(\*\*) OJ L 327 of 3.12.1980

(\*\*\*) OJ C 324 of 28.12.1979

Several other activities connected with the action programmes have not been mentioned here because they are still at a relatively early stage.

#### 4.1.1 THE ACTIVITIES IN DETAIL

##### Regulations and related problems

##### (1) Directives on asbestos

The Committee issued a detailed opinion on a draft directive by DG V on the protection of workers from the risks related to exposure to asbestos at work<sup>(+)</sup>.

This opinion, which was also useful in relation to a draft directive by DG III on restrictions on the marketing and use of asbestos<sup>(+)</sup>, referred in particular to:

- prohibitions on use;
- exposure limits;
- monitoring of air in factories;
- medical surveillance of workers;
- the need to promote research to find less harmful alternatives.

There were differences of attitude on the main points, both between the workers' and employers' representatives and between government representatives.

##### (2) Occasional exposure

One problematical area, from the point of view of the provisions on measurements and medical surveillance in the directives on lead and asbestos, is the question of occasional exposure or exposure at irregular intervals. Recognizing this, and the fact that the problem will recur in future directives, the Committee requested the Commission to adopt an overall position which would apply to a number of directives.

The Commission had not submitted any proposals on this subject by the end of 1980.

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(+) The proposals for directives resulting from this opinion and submitted by the Commission to the Council appear in OJ C 78 of 28.3.1980 and C 262 of 9.10.1980.

(3) Removal of the worker from his workplace

This being another measure with general application, the same request was made as in (2).

(4) Working document on exposure limits, measurement and sampling

When the framework directive was examined (see 4.1.0., first paragraph), the Committee had stressed the fundamental importance of standardizing terminology and exposure limit criteria and had asked the Commission in 1979 to prepare a document on this subject. This document was being prepared but had not been received by the end of 1980.

(5) Directive on cadmium

and

(6) Directive on carcinogens

After playing an active part in the preparation of the directives on lead (1979) and asbestos (1980), the Committee urged the Commission to continue with the implementation of the framework directive, in particular in relation to cadmium and carcinogens.

(7) Social action programme on sea fishing - framework directive on the safety and health of fishermen

Working Party I drew up a draft opinion on a draft social action programme on sea fishing, a programme announcing the preparation of a framework directive on the safety and health of the crews of fishing boats. The majority of Working Party I (certain members had strong reservations) reacted favourably to the safety and health aspect of this programme. The Working Party will prepare a draft opinion on the framework directive once it knows the opinion of the Joint Committee concerned.

(8) Directive on noise

Working Party I, acting on instructions from the Committee, which was the initiator of this project, prepared preliminary positions on the problem of reducing the level of noise 'received' by workers. This work was based on a technical document prepared by the Commission.

It should be stressed that the work is in the context of the health protection of workers; hence it is directly concerned with the noise received by workers rather than the noise emitted by machinery.

These preliminary positions give numerous guidelines and ideas for the contents of a directive to be prepared by the Commission (often with differences of opinion between workers, employers and government representatives).

(9) Directive on information for workers

Working Party III, acting on instructions from the Committee, which was the initiator of this project, completed a preliminary draft opinion on the provision of information for workers and their representatives on the basis of a study of this subject made by a consultant. Having been drawn up in a spirit of compromise, this preliminary draft opinion, which has not yet been submitted to the Committee, was approved almost unanimously by the Working Party. One of the aims is to lay down by directive a series of general obligations for employers, and hence rights for workers, on the subject of information, thus ensuring that directives pursuant to the framework directive need deal only with information specifically related to the subject of the directive.

Once the Committee has given its opinion, it will be up to the Commission to prepare a proposal for a directive on the provision of information for workers.

The Committee itself has linked the work on information for workers with the work which it recommended in its 1979 opinion on works safety committees/delegates. Hence, as soon as the Committee has given an opinion on 'information for workers' it will also be possible to prepare a Community instrument on works safety committees/delegates.

(10) Information brochure on lead

At the start of 1980 the Committee gave an opinion on a draft information brochure on lead; this brochure, which is aimed at workers involved with lead, was prepared by a consultant.

The opinion was unanimously negative, on the grounds that the draft brochure was too scientific and would therefore be incomprehensible to its intended readers and of little practical use to them. The opinion went on to request a total revision of the brochure and appointed three members of Working Party III to assist the Commission in this revision.

The revised version had still not been produced by the end of the year, since the Council had still made no decision on the directive on lead.

(11) Information brochures in general

Working Party III unanimously produced a set of general guidelines concerning the form and the use of such information brochures.

Observing that the preparation of such brochures is laid down in the action programme, and that Council discussions on the framework directive have confirmed the need for them, the Working Party considers that such brochures should be closely aligned to the specific directives implementing the framework directive.

As regards the form (volume) and intended readership, the Working Party proposed a dual formula:

- a fairly comprehensive and scientific brochure intended for specialists;

- a shorter, simple, practical and attractive brochure aimed particularly at workers.

According to the Working Party it would be impossible to make the use of such brochures obligatory at national level. As far as the Commission is concerned, it would be sufficient to make them available to all interested parties (government departments, trade union and employers' organizations, specialist bodies, firms, etc.) which could use them as they saw fit.

(12) Information brochure on asbestos

A draft brochure, prepared by a consultant, was submitted to Working Party III at the end of 1980; it will be examined at the start of 1981 in the light of the general guideline mentioned at (11).

Studies and research

(13) Safety research inventory

After having played an active part in the preparation of this inventory in 1979 (questionnaire, national liaison centres), the Committee urged the Commission, and in particular DG XIII, to implement the inventory, pointing out that it would:

- reveal areas where research was needed;
- avoid duplication with other documentation systems, while being more comprehensive than such systems;
- be socially reliable (access to all interested users, choice of liaison centres, choice of executant);
- constitute a basis for coordination at Community and national levels (by the possible future creation of a national centre for this purpose).

(14) Programme of studies and research in the construction industry

On the basis of the priority research subjects in the construction industry selected by the Committee in 1979 and of two documents outlining research projects drawn up by one of its members, Working Party II prepared a programme distinguishing between studies and research and spreading the work over three financial years.

This programme, which is outlined below, was received favourably by the Commission.

<u>Subject (brief description)</u>	<u>Study or Research</u>	<u>Financial Year</u>
(a) Falls	Study/ research	1980/1981
(b) Preliminary study to (c) (d) (e) (f)	Study	1980
(c) Reactions of workers in response to working conditions (staff turn- over - absenteeism - militant action - agreements)	Study	1981
(d) Careers of workers. High-stress jobs and physically arduous work.	Study	1981
(e) Environmental factors (climate dust, noise, etc.) and their effects on health.	Research	1981
(f) Effect of working uninterrupted in all weathers (winter)	Research	1982

(15) Follow-up to the research requested on flammable goods

Since this research was given secondary priority by the Committee, Working Party II restricted itself to laying down the following guidelines:

Any research on flammable products should relate to the chemical industry, where large quantities of such products are produced, used or stored, and should concentrate on 'normal' accidents rather than possible catastrophes. The emphasis should be on analysing risks in specific work situations and on preventive measures.

(16) General programme of safety research

Having given absolute priority to research in the construction industry (see 14), the Committee requested the preparation of a general programme of safety research spread out over several years and drew up the following provisional list of possible subjects (in which flammable products could be incorporated if required):



- storage of flammable products with other dangerous products;
- everyday accidents (how to promote awareness);
- underlying causes of repeated accidents;
- method of analyzing accidents (for the purpose of prevention), and possibly also incidents;
- high-risk industrial zones - infrastructure;
- exposure limits;
- methods of measurement;
- reasons for ignoring existing knowledge and regulations;
- relationship between minor accidents and serious accidents;
- technical response to human and psychological factors (behaviour);
- restriction of research to the theme of prevention;
- research based on the design and organization of work and production;
- carcinogens;
- non-ionizing radiation;
- toxicity;
- ergonomics.

(17) Effect of summer time

The Committee instructed Working Party II to collect data on the effect, if any, of the change of summer time on the safety and health of workers.

Very little data was forthcoming and the Working Party concluded that the effect, supposing it exists at all, is not known.

Analysis of the results of certain ECSC activities

(18) Generalization of the ECSC social research results

and of

(19) ECSC ergonomics research results

After being informed of the overall results of the research projects in question, the Committee instructed Working Party II to consider the feasibility of generalizing these results to apply them to industry as a whole.

Working Party II has been informed of these activities in detail and has already held a general discussion on the problem of generalization (contents and form).

The Commission will prepare two notes on the feasibility of generalizing in two particular areas: safety and ergonomics.

Working Parties II and III participated in a three-day symposium on 'Ergonomics research in the ECSC - 1975/1980'.

#### Provision of information to the Committee and the Working Parties

- (20) The members of the Committee and the Working Parties received even more basic information documents on the subjects treated or to be treated than in previous years. The information came in various forms: articles, studies, directives, national regulations, written or oral reports.

It should be stressed that various members of the Working Parties played an active part in the practical application of this information.

#### Operating problems

- (21) DG V work plan

In order to enable it to organize its own work properly, the Committee requested DGV to submit a realistic work plan giving details of the work to be carried out under the action programme in the period 1980/1981.

It had not been possible to submit this work plan.

- (22) Second report of the Commission to the Council on the implementation of the action programme

The Committee did not receive the first report of the Commission on the implementation of the action programme until the start of 1980, i.e. not until very late, and after it had been forwarded to the Council. Since it had a special interest in such reports in view of their value as policy indicators, the Committee urged that the second report be made available more quickly.

(23) Internal functioning

The Committee instructed the Restricted Group to examine the operation of the Committee and the Working Parties with a view to proposing means of increasing efficiency. The Restricted Group accordingly examined various questions during its two meetings in 1980, but then suspended work on this subject for the reasons mentioned at 2.1.0.

4.2. BACKGROUND INFORMATION

4.2.0. Progress of activities

The list of around twenty activities (see 4.1.1.) cannot be considered as particularly positive.

The Committee gave an important opinion (directive on asbestos) and a 'simple' opinion (general rejection of a draft information brochure on lead, on the grounds that it was too scientific for workers).

The request for the implementation of the safety research inventory was a reminder and the proposals for a programme of general safety research were simply intended for guidance. The other activities consisted in the main of requests for future action and the delegation of work to Working Parties.

The Working Parties themselves completed a number of important activities, consisting in particular of draft opinions on future directives (noise and the provision of information for workers) and a programme of studies and research concerning the construction industry.

It should be stressed that four documents requested have not yet been supplied (occasional exposure; removal from the workplace; exposure limits; second version of the information brochure on lead).

Several pieces of work requested by the Committee have not yet been carried out by the Commission.

4.2.1. Initiators of activities

The activities initiated by the departments of the Commission in 1980 represent numerically about 20% of the total, the vast majority of the activities (approximately 80%) having been initiated by the Committee.

This indicates the enormous interest of the professional and governmental bodies in work safety.

Almost all the work initiated by the Commission centres around the direct (asbestos directive) or indirect (information brochures on lead and asbestos) application of the framework directive (x), which was itself a result of the action programme.

The Committee's initiatives took various forms.

In part they consisted of requesting activities (documents) as a follow-up to activities already in progress or as a basis for future activities; elsewhere, they reflected the Committee's constant desire to activate the departments of the Commission. A third type of initiative saw the Committee drawing up preliminary opinions (on noise and the informing of workers), i.e. beginning work before the Commission.

5. ACTIVITIES OF THE WORKING PARTIES

5.0. The preparatory activities of the Working Parties have been mentioned throughout the different sections of part 4, and there is therefore no need to go into further detail here.

5.1. From the point of view of the number of meetings held, the Working Parties were equally balanced in 1980.

5.2. The following brief outline of the most important subjects dealt with by the three Working Parties also indicates a more even distribution of work than has been the case in previous years.

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(x) Council Directive of 27 November 1980 on the protection of workers from harmful exposure to chemical, physical and biological agents at work.

see 4.1.1. under

- Working Party I :
  - directive on asbestos (1)
  - sea fishing (7)
  - noise (8)
  
- Working Party II :
  - studies and research "construction industry" (14)
  - ECSC safety research (18)
  - ECSC ergonomics research (19)
  
- Working Party III :
  - information for workers (9)
  - information brochure on lead (10)
  - information brochures in general (11)

5.3. Taken together, the following increasingly evident tendencies in the Working Parties created a more propitious working environment than in previous years:

- a tendency to express opinions more as judgements and guidelines and to pay less attention to the technical details;
- a tendency to impose a degree of self-discipline by dividing the treatment of problems into phases and restricting the duration of each phase (in meetings);
- a tendency to use working documents prepared by official or voluntary consultants;
- a tendency to distinguish clearly between the role of the departments of the Commission and the role of the Working Parties.

## 6. RESTRICTED GROUP

6.0. The Restricted Group continued to perform its principal function, consisting of preparing and organizing certain activities for the Committee or the Working Parties.

6.1. In 1980, the Restricted Group played a wider and deeper role than in the past, the Committee having held only one plenary meeting and the Restricted Group having been obliged to represent the Committee in a

number of situations, either on instructions from the Committee or at the request of the departments of the Commission. Conscious of this development, the Restricted Group kept to its intermediary role of making preparations and proposals, scrupulously avoiding acting in place of the Committee, i.e. taking care not to adopt any definitive or decisive attitude.

6.2. Having followed all the activities, it would be pointless to mention them individually here; instead, let us stress some typical aspects. The Restricted Group:

- had to take responsibility for delegating work directly to the Working Parties;
- took over from the Committee in urging the Commission to press ahead with various projects;
- studied the problems of internal functioning mentioned at 4.1.1. (23).

## 7. SECRETARIAT

7.0. The Secretariat consists of two A grade officials and one C grade official.

The services of the second C grade official, who only worked part time for the Secretariat in 1979, were dispensed with completely in 1980; this loss has caused some administrative problems (documentation and archives).

7.1. In the past, the service provided by the Secretariat to the Committee and the Working Parties was quantitatively minimal (and qualitatively sometimes even below the minimum necessary). However, the reduction in the number of meetings during the first six months enabled it to raise its standards slightly.

7.2. During the second period of the year the Working Parties tended to ask the Secretariat to prepare, either alone or in cooperation with various members, draft opinions or draft intermediate opinions, instead of attempting to draft them themselves in meetings. This tendency, which is perfectly natural, forms a concrete example of the general desire to increase the effectiveness of meetings and has repercussions on the work of the Secretariat.

7.3. The Secretariat thus remained in the same position as before: more work than it could cope with and a shortage of staff.

## 8. CONCLUSIONS

8.0. The work of the Committee was hampered by the absence of a Community budget for six months. The problem was exacerbated by top-level changes in the Commission.

The Committee tried to adapt its working methods in order to offset in part the external shortcomings by internal action.

8.1. The Committee deplores the fact that all the concrete achievements of the action programme concern health; generally speaking, the safety aspect has still not got beyond the stage of studies and research.

8.2. A considerable amount of work requested by the Committee or promised by the departments of the Commission is still with the Commission. If the Committee is prepared to carry out preparatory work either in place of or in agreement with the Commission, it wishes the departments of the Commission to complete the work within reasonable time-limits.

8.3. Having been encouraged by results so far, the Committee urges that the Commission's contribution be strengthened by delegating considerably more work to outside agencies (contracts, consultants).

8.4. Overall, it must be admitted that relatively little progress was made on the action programme in 1980.

## 9. OUTLOOK FOR 1981

9.0. In 1981 the problem facing the Committee will not be the lack of a budget but a 12% reduction in the meetings budget in comparison with 1980, at a time when the entry of Greece will alone increase the number of participants by approximately 10% and the cost of a meeting by approximately 20%.

If the Committee restricts itself to one plenary meeting, the number of Working Party meetings could be reduced by a quarter. If the Committee holds two plenary meetings, the funds available for the Working Parties would be reduced by a half.

Every possible means of increasing efficiency must be studied and used to try to offset, to as great an extent as possible, a reduction in meetings.

- 9.1. The Committee and the departments of the Commission will need to exercise great control in selecting and planning activities in order to avoid setting themselves more than they can reasonably expect to cope with in the short term.
- 9.2. The intention of DG V to fill a vacant post in another department with an official employed to work full time on the safety aspect of the action programme is a step in this direction.