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Mr Richard Bruton, TD
Minister for Jobs, Enterprise and Innovation
Kildare Street
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CC Irish MEPS

Institute of Physics in Ireland urges support for the derogation for MRI from EU Directive 2004/40 (EMF) to ensure the unimpeded use of this lifesaving technology for patients

Dear Minister Bruton

The Institute of Physics in Ireland, which is the professional body for over 2000 physicists in Ireland and is a part of the UK based Institute of Physics, is seriously concerned that EU member states, [including Ireland] will not agree to a Commission proposal to derogate MRI from the exposure to electromagnetic fields in the revision of Directive 2004/40¹ (EMF Directive).

The European Commission, on the basis of sound scientific evidence, has proposed a derogation of MRI from the exposure limit values in order to ensure patient access to this vital technology.

The highest level of worker safety is of course of paramount importance. However, there is now a risk that Europe will regulate against an unproven risk to workers and in doing so will seriously jeopardize patient access to technology which is vital for the detection and treatment of life-threatening diseases.

¹ Directive 2004/40/EC on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields)

A derogation for MRI is vital for the following reasons:

- MRI has been used for over 25 years, imaging up to 500 million patients without evidence of harm to workers due to EMF exposure.
- MRI examinations are undertaken in highly controlled environments and there are stringent safety standards to ensure the safety of patients and workers.
- MRI is free from health risks associated with ionising radiation such as X-rays, which would form the alternative to MRI in many situations.

We understand that up until recently Ireland was in fully in favour of the derogation. However late last year Italy put forward a compromise proposal in Council that has been taken up by the Polish Presidency: The proposal put forward by Italy would remove the derogation for MRI completely and would leave Member States to grant individual derogations (for any application) based on a prior risk assessment of workers' exposure to electromagnetic fields in individual applications.

The Institute of Physics is against this compromise as it would be totally counter-productive to the EU aim to achieve harmonization in worker protection. During the November meeting in Council, a number of countries switched from supporting the Commission derogation to the Italian proposal (including Ireland). This switch was prompted, not because they believed the Italian proposal was better, but because it would offer a compromise in Council while individual member states could decide how much to derogate. So for a number of countries the compromise proposal seems acceptable as a plan B. The Council did not reach an agreement, but only published a progress report, therefore discussions are continued under the Danish Presidency since January and country positions are not final.

We very much hope that you take our concerns into account and fully support the European Commission's proposal to derogate MRI from the EMF Directive.

Your decision will have a major impact on the ability of doctors and the medical community to treat patients now and in the future.

We look forward to hearing from you on this matter.

Yours sincerely,



Dr Kevin McGuigan
Chairperson
Institute of Physics in Ireland