

## Biocide Review Programme

PAN - Position on the wood preservative

Creosote

(March 2010)



Hamburg, 8 March 2010

Dear Sir or Madam,

At the 36th meeting of representatives of Member State Competent Authorities for the implementation of Directive 98/8/EC concerning the placing of biocidal products on the market to be held 10-12 March 2010, the possibility of including creosote in Annex I to Directive 98/8/EC will be finally discussed and decided by the Standing Committee on 11 March 2010.

Pesticide Action Network Europe urges you to vote against the proposal that creosote should be approved as a wood preservative, product type 8.

- Creosote is classified as carcinogenic, category 2 (R45). The draft evaluation report prepared by the Rapporteur Member State, Sweden, concluded that inclusion in Annex I of Directive 98/8/EC cannot currently be recommended for creosote based on the hazard assessment and risk characterisation for human health.<sup>1</sup>
- During the evaluation of creosote, serious risks were identified for some in-service uses in direct contact with soil or water. The evaluation report pointed out that: "in-service-leaching from treated wood in contact with the ground (use class 4a) will, according to the risk assessment, result in a risk to terrestrial organisms. The risk assessment also showed that there is risk to the aquatic compartment due to in-service use of creosote treated wood in contact with freshwater (use class 4b) as well as permanently exposed to sea water (use class 5)."

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<sup>1</sup> Swedish Chemicals Agency, KEMI (2007): Evaluation report CREOSOTE (PT8), Draft October 2007, Competent Authority Report, Work Programme for Review of Active Substances in Biocidal Products Pursuant to Council Directive 98/8/EC

- The evaluation report has identified relevant gaps in data : detailed data on the composition of the creosotes applied for, validation data for a monitoring method for soil and data on route of degradation in soil and the extent and nature of bound residues.
- Based on the evaluation report, the Competent Authorities and the Commission decided to carry out a risk/benefit analysis. However, such science-based risk/benefit analysis has not to date been published by the responsible authorities. Part of such an analysis should be a specific phase-out plan, including how to promote alternatives.
- A stakeholder consultation was carried out to provide additional information from interest groups<sup>2</sup>. The outcome of this consultation shows that different alternatives to creosote are available: Alternative wood preservatives, alternative materials to use as railway sleepers and poles, and alternative treatment techniques, e.g. heat treatment.
- Another tool for risk/benefit analysis is a Life Cycle Analysis Studies (LCA). In general LCAs are difficult to compare and the individual criteria considerably affect the outcome of such studies. We particularly criticise the LCAs on creosote poles by the Swedish Environmental Research Institute<sup>3</sup>. The study compared creosote poles to competing alternatives made of steel and concrete. However, the study did not consider any other alternatives, such as other wood preservatives or other treatment techniques.
- From our point of view, the applied PEC/PNEC model cannot be applied for the creosote risk assessment because creosote contains PBT-substances. In consequence, there is no “safe” concentration level for exposure to the environment with PBT substances in general and creosote in particular.
- Some other criteria can also not be understood, for example the identical lifetime of all three pole types in the LCA study.
- Finally, it has not been demonstrated why creosote should be included in Annex I (EU-wide application possible) instead of applying Article 15 of the Directive (application derogations for member states concerned).

The final recommendation for inclusion in Annex I is based only on inadequate LCAs and a stakeholder consultation and not on a science-based risk/benefit analysis. Concerning the highly hazardous properties of creosote and the availability of alternatives, PAN Europe asks that creosote is not included in Annex I, following the principles of substitution and comparative risk assessment.

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<sup>2</sup> EC working document (2008): Outcome of stakeholder consultation on creosote, CA-Sept08-Doc.8.4

<sup>3</sup> Swedish Environmental Research Institute (2009): Background data and assumptions made for an LCA on creosote poles, Working report, 16<sup>th</sup> October 2009

Your sincerely,

A handwritten signature in black ink, appearing to read 'S. Smolka', written in a cursive style.

On behalf of PAN Germany  
Susanne Smolka  
(Project Coordination PAN Germany)

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