



A Division of the BWPDA

Creosote Group

Use of Creosote and Creosote-treated timber A Wood Protection Association Guidance Note

100% Coal Tar Creosote has been used for over 150 years to impart reliable service life to timber in many uses. Improved safety rules on the sale and use of creosote and creosote-treated timber are being introduced which implement a European directive and will apply in the UK by the end of June 2003. The Wood Protection Association and its members afford the safety of the public and that of people working in the industry the utmost importance and fully support the principles and objectives set out in the directive. To this end, association members have closely monitored developments preceding the adoption of the directive and already supply and use formulations of creosote that comply fully with its requirements well before it comes into force. This guidance note assumes the date the directive applies in the UK is 30 June 2003.

The directive includes rules that are open to interpretation. This Guidance Note provides this association's interpretation of those rules. Companies and individuals are advised to seek advice from their own legal advisors if they are in any doubt as to the application of our interpretation to their own situation.

Creosote composition

The directive introduces new lower limits for certain constituents of creosote to improve safety. Manufacturers have indicated that product now reaching the market already complies.

Creosote is supplied in two grades with viscosity suited to either non-pressure application (typically brush or dip) or vacuum-pressure application at elevated temperature in treatment plants. It is conceivable that other techniques such as hot and cold open tank are still in use and from 30 June 2003 these may only be undertaken by professional or industrial users, regardless of viscosity.

Use of creosote

The provisions of the Control of Pesticides Regulations 1986 (CoPR) govern the use of all wood preservatives including creosote. DIY users should read the label and follow instructions. The regulations impose more duties on professional and industrial users.

Creosote for non-pressure application

1. DIY products (HSE code WA): The UK Health and Safety Executive has already announced that approval for sale and supply through retail outlets will be withdrawn from 30 April 2003. Therefore from 1 May 2003 there should be no further sale or supply of creosote through DIY outlets (unless being supplied to professional users in 20 litre or larger containers – see below). DIY users are supposed to use up any creosote they hold by 30 June 2003. Use is the best way to avoid having creosote left over but any that is left over can be kept, solely for the purposes of disposal, until 30 June 2004. It will be illegal for such persons to keep creosote after 30 June 2004. Many local authority amenity waste disposal sites offer facilities for disposal of unused DIY pesticides.

2. Professional products (HSE code WP): Creosote (and other preservatives) in containers larger than 5 litres should only have been available to professional users since the introduction of CoPR in 1986. From 30 June 2003 creosote should only be supplied in 20 litre or larger containers. Such containers must carry the additional warning: "For use in industrial installations (*interpretation: timber treatment plants*) or by professionals.

A professional user is one who uses a product in the course of his business and he then becomes subject to the raft of health and safety legislation covering employees including the CoPR rules on competence of users and provision of information, instruction and training by employers. CoPR rules for non-agricultural pesticides like wood preservatives do not include a requirement for certificates of competence to be held by those who apply such products unlike agricultural pesticides where certificates of competence are required. The BWPDA publishes guidance on standards of training for users of wood preservatives developed in consultation with the HSE.

Creosote for industrial use in vacuum pressure plants

Other than the composition and labelling requirements mentioned above there should be no change in the conditions of approval of industrial grade creosote (HSE code WI) typically used at elevated temperature in vacuum pressure plants to treat poles, sleepers and fencing. Persons working in this sector are covered by the same health and safety rules as professional users. The BWPDA publishes a Code of Practice for Timber Treatment Plants developed with the Environment Agency and the Health and Safety Executive. Plant operators can be trained in accordance with the BWPDA's training standards and can achieve a National Vocational Qualification developed by the association with the Construction Industry Training Board and City & Guilds.

Selling/supplying creosoted timber ("placing on the market")

Wood treated with creosote prior to 30 June 2003 may, without restriction, be placed on the second-hand market for re-use (typically old railway sleepers).

Wood treated or re-treated (in any way) with creosote before or after 30 June 2003 and placed on the market for first time use, may be placed on the market but only by derogation from the provisions of the directive. (*Interpretation: this is means you are free to sell or supply your product into the professional/industrial use markets*).

However, although it is the user's responsibility to comply with the restrictions on the use to which creosoted timber is put, BWPDA recommends creosoted timber should be supplied with user guidance – see 'Advice to sellers/suppliers of creosoted timber' below).

Using creosote-treated timber

Wood treated with creosote prior to 30 June 2003 and placed on the market for second-hand use (typically old railway sleepers) may be used in any situation by DIY, professional and industrial users apart from those listed below under 'Restricted uses'.

Wood treated or re-treated (in any way) with creosote before or after 30 June 2003 and placed on the market for first time use can be used for professional and industrial uses in any situation apart from those listed below under 'Restricted uses'. The directive gives examples of professional and industrial uses that include on railways, in electrical power transmission and telecommunications, fencing, agricultural purposes (e.g. stakes for tree support), harbours and waterways. (*Interpretation: thus, apart from the specific situations listed below, timber installed by professional or industrial users may be used in virtually any situation, subject only to the Restricted Uses list.*)

Restricted uses:

After 30 June 2003 creosoted timber (all forms) may not be used:

1. inside buildings,
2. in toys,
3. in playgrounds,

4. in parks, gardens and outdoor leisure facilities where there is a risk of frequent skin contact, (*interpretation: frequent means 'often occurring, happening in close succession, habitual, constant' – Concise Oxford Dictionary. There are very few uses in these situations where 'frequent skin contact' could occur and therefore very few uses where this restriction could apply. An example may be benches in parks but such uses are usually quite unsuitable in any case due to risk of staining clothing from contact with any creosote there may be on the surface*).
5. in the manufacture of garden furniture such as picnic tables,
6. for the manufacture and use and any re-treatment of:
 - containers intended for growing purposes
 - packaging that may come into contact with raw materials, intermediate or finished products destined for human and/or animal consumption,
 - other materials which may contaminate the products mentioned above.

Most of the specific situations listed above, e.g. toys, garden furniture, are in any case not suitable for creosoted timber due to risk of staining clothing from contact with any creosote there may be on the surface.

Advice to sellers/suppliers of creosoted timber

Sellers/suppliers of all forms of creosoted timber are advised to pass on guidance to their customers on the use of their product(s). They must take responsibility for the advice they give. The following is offered only to help in developing such guidance and is aimed at the consumer (and hence relevant only to second-hand uses) rather than business user. This advice could be given on a label affixed to each piece or bundle of creosoted timber and/or in a leaflet supplied with each purchase.

This timber is treated with 100% Coal Tar Creosote. 100% Coal Tar Creosote has been used for over 150 years to impart reliable service life to timber in many uses.

Avoid contact with skin. Handle with gloves. Wear a dust mask and eye protection when sawing or machining. Dispose of off-cuts, sawdust etc safely. Waste wood may be disposed of by burning subject to any local rules on burning in the open or via your local waste disposal facility.

Creosoted timber should not be used where there is risk of frequent (i.e. often-occurring, habitual or constant) skin contact nor where it may come into contact with or contaminate animal or human foodstuffs. In particular it should not be used inside buildings, to make toys, in playgrounds, for garden furniture or picnic tables.

Supply for business use carries certain statutory obligations with regard to product information and the BWPDA is developing suitable guidelines on information for business users.

More information:

Advice is available from the BWPDA and on its website www.bwpda.co.uk

To see the directive itself, click [here](#)

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