Consumer Products

HCT-202611-09

EU REACH Annex XVII Amended Again! Creosote and Creosote-related Substances Involved

On 26 November 2026, Regulation (EU) 2026/2593 was officially published in the Official Journal of the European Union, amending the restrictions on creosote and creosote-related substances in Annex XVII to the REACH Regulation. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union and shall apply from 16 December 2027. This amendment mainly revises entry 31 in Annex XVII to Regulation (EC) No 1907/2006. The comparison before and after the amendment is as follows:

Substance	Restrictions before the amendment	Restrictions after the amendment
31. **Creosote and Creosote-related substances:** (a) Creosote; wash oil CAS No 8001-58-9 EC No 232-287-5 (b) Creosote oil; wash oil CAS No 61789-28-4 EC No 263-047-8 (c) Distillates (coal tar), naphthalene	1. Shall not be placed on the market, or used, as substances or in mixtures where the substance or mixture is intended for the treatment of wood. Furthermore, wood so treated shall not be placed on the market. 2. By way of derogation from paragraph 1: (a) The substances and mixtures may be used for wood treatment in industrial installations or by professionals covered by Community legislation on the protection of workers for in situ retreatment only if they contain: (i) benzo[a]pyrene at a concentration of less than 50 mg/kg (0,005 % by weight), and (ii) water extractable phenols at a concentration of less than 3 % by weight.	1. Shall not be placed on the market or used, on their own or in mixtures, for the treatment of wood. 2. By way of derogation from paragraph 1 and without prejudice to the application of the requirements set out in Regulation (EU) No 528/2012, substances may be placed on the market and used, on their own or in mixtures, for wood treatment by vacuum pressure impregnation in industrial installations only if they contain concentrations, as follows, of both the following substances: (a)benzo[a]pyrene at a concentration of less than 50 mg/kg (0,005 % by weight); (b)water extractable phenols at a concentration of less than 3 % by weight. 3. The derogation provided for in paragraph 2 shall be subject to the following conditions: (a)substances, on their own or in mixtures, may be placed on the market only in packaging of a capacity equal to or greater than 200 litres; (b)substances, on their own or in mixtures, shall not be placed on the market for the general public; (c)without prejudice to the application of other Union provisions on the classification, packaging and labelling of

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oils; naphthalene oil CAS No 84650-04-4 EC No 283-484-8 (d) Creosote oil, acenaphthene fraction; wash oil CAS No 90640-84-9 EC No 283-484-8EC No 292-605-3 (e) Distillates (coal tar), upper; heavy anthracene oil CAS No 65996-91-0 EC No 266-026-1 (f) Anthracene oil CAS No 90640-80-5 EC No 292-602-7 (g) Tar acids, coal, crude; crude phenols CAS No 65996-85-2	Such substances and mixtures for use in wood treatment in industrial installations or by professionals: — may be placed on the market only in packaging of a capacity equal to or greater than 20 litres, — shall not be sold to consumers. Without prejudice to the application of other Community provisions on the classification, packaging and labelling of substances and mixtures, suppliers shall ensure before the placing on the market that the packaging of such substances and mixtures is visibly, legibly and indelibly marked as follows: 'For use in industrial installations or professional treatment only'. (b) Wood treated in industrial installations or by professionals according to subparagraph (a) which is placed on the market for the first time or retreated in situ may be used for professional and industrial use only, for example on railways, in electric power transmission and telecommunications, for fencing, for agricultural purposes (for example stakes for tree support) and in harbours and waterways. (c) The prohibition in paragraph 1 on the placing on the market shall not apply to wood which has been treated with substances listed in entry 31 (a) to (i) before 31 December 2002 and is placed	substances and mixtures, the following shall apply: —suppliers shall ensure, before the placing on the market, that the packaging of such substances, on their own or in mixtures, is visibly, legibly and indelibly marked with the words 'For use in industrial installations only'; — labels and, where provided, safety data sheets shall include the following additional information: a.industrial application of the wood treatment shall be conducted within a contained area or on impermeable hard standing with bunding; b.freshly treated timber shall be stored after treatment under shelter or on impermeable hard standing, or both, to prevent direct losses to soil, sewer or water; c.any losses from the application of the product to wood shall be collected for reuse or disposal. 4. Wood treated with the substances listed in column 1 of this entry, whether on their own or in mixtures, shall not be placed on the market or used. 5. By way of derogation from paragraph 4, wood treated with the substances listed in column 1 of this entry, on their own or in mixtures, may be: (a)placed on the market under the same conditions as set out in Implementing Regulation (EU) 2022/1950; (b)used as a railway sleeper or as a utility pole for electricity or telecommunications. Point (b) of the first subparagraph applies to all associated uses including storage. 6. For the purposes of paragraph 5, the placing on the market and use of treated wood is only allowed in Member States listed by the European Chemicals Agency, in accordance with Implementing Regulation (EU) 2022/1950. However, in the event of a Member State being removed from the list, the placing on the market and use of treated wood shall be allowed for an additional 180 days from the date of removal, after which it shall no longer be permitted in that Member State. Member States not listed in accordance with Implementing Regulation (EU) 2022/1950 may adopt national legislation allowing the further placing on the market of treated wood for the purpose of use and

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EC No 266-019-3 (h) Creosote, wood CAS No 8021-39-4 EC No 232-419-1 ~~(i) Low temperature tar oil, alkaline; extract residues (coal), low temperature coal tar alkaline CAS No 122384-78-5 EC No 310-191-5~~	on the second-hand market for re-use. 3. Treated wood referred to under paragraph 2(b) and (c) shall not be used: — inside buildings, whatever their purpose, — in toys, — in playgrounds, — in parks, gardens, and outdoor recreational and leisure facilities where there is a risk of frequent skin contact, — in the manufacture of garden furniture such as picnic tables, — 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 articles mentioned above.	reuse and allowing the use and reuse itself. Member States shall notify the Agency of such legislation within a month of its entry into force. The Agency shall ensure that the information on such national legislation is made publicly available. 7. Wood treated with the substances listed in column 1 of this entry, whether on their own or in mixtures, may remain in place in the same location and continue to be used there for the same purpose. 8. When further placing on the market or using treated wood in accordance with paragraph 5 of this entry, suppliers and users shall at least apply the risk management measures for creosote set out in Implementing Regulation (EU) 2022/1950. The users of treated wood shall maintain documentation of the supplies of the treated wood which they receive and of their disposal. That documentation shall be kept for the duration of the use and for 10 years after their disposal. Where such supplies are further placed on the market, that documentation shall be kept for a further 10 years thereafter. 9. In this entry, “reuse” means any operation by which treated wood that is not waste is used again for the same purpose as the original use.

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