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## **Report on technical and economic feasibility of substitution of biocidal products containing creosote**

### **Background**

In accordance with the Commission Directive 2011/71/EU of 26 July 2011 amending Directive 98/8/EC of the European Parliament and of the Council to include creosote as an active substance in its Annex I creosote can be used in biocidal products under provision that biocidal products containing creosote may only be authorized for uses where the authorizing Member State, based on an analysis regarding the technical and economic feasibility of substitution which it shall request from the applicant, as well as on any other information available to it.

In Directive 2011/71/EU is also stated that Member States authorizing such products in their territory shall submit a report to the Commission justifying their conclusion that there are no appropriate alternatives and indicating how the development of alternatives is promoted.

This report focuses on the authorized use area and potential alternatives regarding technical and economic feasibility of substitution of biocidal products containing creosote in Slovenia.

### **Authorised products and uses**

Slovenian Competent Authority (CA) received two applications for authorization of biocidal products families containing creosote for use class UC 3 – Pressure impregnation: preventive treatment of railway sleepers.

During the evaluation of applications the CA made inquiries to producers/applicants and users regarding possible alternatives and their use as well actual need of impregnated wooden sleepers. The authorization data of RMS Sweden for both products were also taken into account. On the basis of available data, the Comparative assessment report which also includes technical and economic feasibility of substitution for creosote BPF for the cMS Slovenia was conducted and submitted to ECHA in 2017. CA granted authorizations for both biocidal product families with seven biocidal products under Biocidal Product Regulation (EU) No 528/2012. All authorizations were approved for preventive treatment of railway sleepers in a closed system - vacuum-pressure impregnation for industrial, trained professionals and professional users.

## **Use and alternatives**

According to performed inquiry to producers of creosote-impregnated wood, public railway company and academia the CA received the feedback that:

- Impregnation of railway sleepers (beach, oak) with creosote containing biocidal products is needed because of railway company's requirements for efficiently impregnated wooden sleepers which enable a long service life. There are according to end users no available efficient alternatives to creosote oils at the present time. Impregnated wooden sleepers are mainly used for maintenance of the existing wooden lines by replacement of damaged wooden sleepers. For new trails for transport of passengers concrete sleepers are planned.

- A company that impregnates wooden sleepers with approved biocidal products containing creosote uses all appropriate risk mitigation measures for protection of humans and environment according the BPR and carries out the necessary monitoring.

- There are no appropriate and equally effective alternatives on our market that can replace creosote.

According to expert opinion alternatives to creosote impregnation don't exist yet. As far as our experts are aware until now only two-year trials of alternatives were performed. There are no appropriate alternatives with proven at least 5-years standard testing results, which can guarantee good quality of long lasting wood preservation without leaching of tested materials. Wooden railway sleepers are more appropriate for freight transport than for passengers transport with higher-speed rail.

There is no production of products with creosote and no testing of alternatives in Slovenia.

## **Conclusion**

It should be noted that the use of biocidal products containing creosote is limited to impregnation and use of wooden sleepers only.

Slovenia plans to renew the railway intensively in forthcoming years. The use of wooden sleepers with creosote is still needed, mainly for maintenance. As there are currently no available alternatives that can replace use of wooden sleepers, impregnated with creosote and no acceptable wood treatment alternatives, we support prolonged use of creosote in line with renewal of inclusion of the active substance in a Union list of approved active substances.

Based on analysis of technical and economic feasibility of substitution of biocidal products containing creosote no appropriate and equally effective alternatives are currently available, so further use of biocidal products for impregnation of wooden sleepers with creosote biocidal products for UC 3 with use of appropriate RMM can be justified in Slovenia.