



13 March 2026

(26-1938)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<p>1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Articles 3.2 and 7.2):</p>
<p>2. Agency responsible: European Commission EU-TBT Enquiry Point, Fax: +(32) 2 299 80 43, E-mail: grow-eu-tbt@ec.europa.eu Website: https://technical-barriers-trade.ec.europa.eu/en/home</p>
<p>3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [X], 5.7.1 [], 3.2 [], 7.2 [], Other:</p>
<p>4. Products covered (HS codes or national tariff lines. ICS numbers may be provided in addition, where applicable): Creosote and Creosote-related substances, when used for the treatment of wood:</p> <ul style="list-style-type: none">• Creosote; wash oil;• Creosote oil; wash oil;• Distillates (coal tar), naphthalene oils; naphthalene oil;• Creosote oil, acenaphthene fraction; wash oil;• Distillates (coal tar), upper; heavy anthracene oil;• Anthracene oil;• Tar acids, coal, crude; crude phenols;• Low temperature tar oil, alkaline; extract residues (coal), low temperature coal tar alkaline.• Wood treated with the above substances
<p>5. Details of notified document(s) (title, number of pages and languages, means of access): Draft COMMISSION REGULATION (EU) .../...of XXX amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards creosote and creosote-related substances; (7 page(s), in English), (4 page(s), in English)</p> <p>Link to notified document(s) and/or contact details for agency or authority which can provide copies upon request:</p> <p>https://members.wto.org/crnattachments/2026/TBT/EEC/26_01410_00_e.pdf https://members.wto.org/crnattachments/2026/TBT/EEC/26_01410_01_e.pdf</p> <p>European Commission EU-TBT Enquiry Point</p>

<p>Fax: + (32) 2 299 80 43 E-mail: grow-eu-tbt@ec.europa.eu The text is available on the Website: https://technical-barriers-trade.ec.europa.eu/en/home</p>
<p>6. Description of content: This draft Regulation is intended to update the existing entry 31 of Annex XVII to Regulation (EC) No 1907/2006.</p> <p>For creosote and creosote-related substances used for the treatment of wood, the draft Commission Regulation updates the conditions for derogations aligning them with conditions of the use of the substances under the Biocidal Product Regulation (Regulation (EU) 528/2012), which are stricter than the current conditions of entry 31 with regard to packaging and labelling (see para.s 2 and 3 in Column 2 in the Annex).</p> <p>The draft Commission Regulation further updates the restriction for wood treated with the listed creosote and creosote-related substances. It aligns the existing restriction with relevant provisions for the substances under the Biocidal Product Regulation for wood placed on the market for the first time (see para.s 5(a), 6 and 7 in Column 2 in the Annex). It further updates the provisions of the existing restriction for the further placing of such wood on the market, to complement the provisions under the Biocidal Products Regulation, which only covers the first placing on the market of wood (see para.s 5(b), 6, 7 and 8 in Column 2 in the Annex).</p> <p>Derogations from the ban for creosote-treated wood relate to the placing on the market and use of treated wood for two uses, i.e. the use as railway sleepers or as utility poles for electricity or telecommunication but is limited to those EU Member States that still permit such use.</p>
<p>7. Objective and rationale, including the nature of urgent problems where applicable: Alignment of an existing REACH restriction with stricter rules under the Biocidal Product Regulation, which was already previously notified to the WTO (G/TBT/N/EU/902). ; Protection of human health or safety; Protection of the environment</p>
<p>8. Relevant documents:</p> <ul style="list-style-type: none"> • Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH Regulation): http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1423064258789&uri=CELEX:32006R1907 • The opinions of the Committees for Risk Assessment (RAC) and Socio-economic Analysis (SEAC): https://echa.europa.eu/documents/10162/4073ba72-d5b8-ae29-c3c0-b099719ace94 • Further background information is available at: https://echa.europa.eu/documents/10162/663e1ad8-2320-bead-d552-79495c208b55
<p>9. Proposed date of adoption: Second quarter of 2026</p> <p>Proposed date of entry into force: 20 days from publication in the Official Journal of the EU. Application of the restriction would be deferred for 12 months after entry into force.</p>

10. Provision of comments

Final date for comments: 12 May 2026

[X] 60 days from notification

Contact details of agency or authority designated to handle comments regarding the notification:

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EU-TBT Enquiry Point,
Fax: + (32) 2 299 80 43,
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