



Use of CCA-treated timber

A Wood Protection Association Guidance Note

Background

This Guidance Note is issued by the Wood Protection Association (WPA) to assist users and specifiers of chromated copper arsenate (CCA) treated timber to understand changes in UK law brought in to implement the provisions of European Union (EU) Regulation (EC) 1907/2006 ("the EC Regulation"). Earlier European directives had similar provisions but are now superseded by the EC Regulation. The latest version of the UK regulations at the date of this note is [The REACH Enforcement Regulations 2008 SI 2008/2852](#) ("the Regulations").

The Regulations effectively mean that if it is desired to use, reuse or place CCA-treated timber on the second hand market, only that already in use in the EU before 30 September 2007 may be used, or imported into the UK and used.

An EU directive, The Biocidal Product Directive, involves procedures that requires suppliers of all wood preservative active ingredients to produce new environmental and safety data on their products and CCA suppliers decided not to incur the cost of these tests. Formulations without arsenic or chromium had already been developed and suppliers decided to concentrate on these. This meant that existing approvals for the use of CCA preservatives in the UK (and throughout the EU) were withdrawn in September 2006.

Treated wood already in use not affected

CCA-treated wood already in use before 30 September 2007 may remain in place and continue to be used until it reaches the end of its service life.

History of CCA

CCA preservatives were developed in 1933 and have been used extensively in all parts of the world, facilitating the use of local and imported timber in situations where timber could otherwise not have been used due to fungal, beetle, termite or marine borer attack. In many such situations if CCA had not been available concrete, steel, aluminium or plastic may have had to be used with loss of visual appeal and potential adverse environmental impact. CCA remains in use in some countries.

Wood as the sustainable construction material

It is important to ensure the continued and increased use of wood as the only truly sustainable construction material. Preservative treatment ensures the acceptability of sustainable wood species in both ground and water contact as well as above ground uses at risk of insect and fungal attack. Confidence in the durability of these otherwise perishable commercially available timber species has allowed wood to be used in such end uses as road fencing, environmental barriers, ground engineering and retaining structures where at least 30 years service life is required.

Alternative preservatives

Wood preservatives formulated without arsenic are available and performance of treated timber in many uses, including construction, is excellent. A list of suppliers of such preservatives is available from the WPA and preservatives are listed in the WPA Manual - *Industrial Wood Preservation Specification and Practice*. Wood preservative suppliers have devoted years of research and development and invested a great deal of money in programmes to develop new products that offer timber treaters and their customers a choice. This is evidence of a responsible industry ahead of, not following, the evolution of society's attitudes to health, safety and environmental protection.

Provisions of the Regulations

Although the Regulations allow for CCA preservatives authorised in accordance with Article 5(1) of Directive 98/8/ EC to be used after 30 September 2007, no such authorisation exists. Therefore no freshly-CCA treated timber is available from within the EU nor may it be imported from outside the EU where CCA treatment may still be carried out.

The following applies to second-hand material already in use in the EU before 30 September 2007.

Provisions relating to supply and use of CCA-treated timber include:

- **CCA-treated wood may be placed on the market** for professional and industrial use where the structural integrity of the wood is required for human or livestock safety and skin contact by the general public during its service life is unlikely. The Regulations lists the following uses:
 - as structural timber in public and agricultural buildings, office buildings, and industrial premises;
 - in bridges and bridgework;
 - as constructional timber in freshwater areas and brackish waters e.g. jetties and bridges;
 - as noise barriers;
 - in avalanche control;
 - in highway safety fencing and barriers;
 - as debarked round conifer livestock fence posts;
 - in earth retaining structures;
 - as electric power transmission and telecommunications poles;
 - as underground railway sleepers.

The WPA's opinion is that compliance with the caveats (structural integrity of the wood is required for human or livestock safety and skin contact by the general public during its service life is unlikely) automatically follows from inclusion in this list. No further assessment of compliance is necessary.

'Placed on the market'. *The WPA is advised by the UK Department for Environment Food and Rural Affairs that 'placed on the market' includes offering for sale or supply so, for example, a supplier of treated wood should not, from 30 September 2007, list in a catalogue or have in stock for sale CCA-treated wood intended for use by professional or industrial users in one of the restricted end-use categories (see below) or by the public.*

See above for interpretation of 'placed on the market'. Note the restriction for 'professional and industrial' use – CCA-treated timber should not be placed on the market for DIY use.

However, CCA-treated wood may not be used:

- in residential or domestic constructions, whatever the purpose;
- in any application where there is a risk of repeated skin contact;
- in marine waters;
- for agricultural purposes other than for livestock fence posts and structural uses (in accordance with the previous paragraph dealing with permitted uses);
- in any application where the treated wood may come into contact with intermediate or finished products intended for human and/or animal consumption.

'Repeated skin contact' *is not defined in the Regulations but the Department of Trade and Industry gave a helpful definition of 'frequent' skin contact in their guidance notes on other regulations that introduced restrictions on creosote-treated timber. This suggests that someone working with treated timber and handling it without gloves is an example of someone in frequent skin contact. This may give an indication of what is meant by repeated skin contact.*

Advice for users of CCA-treated timber

It is clearly the user's responsibility to comply with the law. However, the WPA advises suppliers of CCA-treated timber to provide purchasers with information on allowed and restricted uses. Sale or supply to the

public for DIY use is not permitted. The WPA advises suppliers to convey information on allowed and restricted uses as set out in the Regulations (see above).

- **CCA-treated wood must be individually labelled** *“For professional and industrial installation and use only, contains arsenic”*. In addition, all wood placed on the market in packs shall also bear a label stating, *“Wear gloves when handling this wood. Wear a dust mask and eye protection when cutting or otherwise crafting this wood. Waste from this wood shall be treated as hazardous by an authorised undertaking”*.

DEFRA advises that labelling rules will apply to all parts of the supply chain so a supplier receiving treated timber in a labelled pack and who intends to supply smaller quantities by breaking the pack must ensure that the individual labelling requirement is met.

This Guidance Note provides the WPA’s opinion on the Regulations but is not legal advice. Companies and individuals should seek advice from their own legal advisors as to their own situation and intentions. The WPA, its employees and officers cannot be held liable for any loss or liability arising from reliance on this guidance document which is nevertheless offered in good faith.

For further information please contact:
Stephen Young
The Wood Protection Association
5 Flemming Court
Castleford
West Yorkshire WF10 5HW

Tel/Fax 01977 558274
Email info@wood-protection.org
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