# Appeal for the cultural heritage collections: Allow a derogation of the nitrogen ban (EU 528/2012)

Museum collections, castles and historic houses all over Europe are frequently challenged by pests due to high humidity, changed climatic conditions or various forms of contamination. For several years, the response has been various forms of disinfection procedures ranging from treatments with yesterday’s chemical products to more sustainable methods of today – where the use of hazardous chemicals is avoided.

One of the most versatile and environmentally friendly methods for these disinfection purposes is “anoxia” or modified/controlled atmospheres for treatment with an extremely low content of oxygen in treatment chambers where **nitrogen is generated in situ** for anoxic insect disinfestation of cultural heritage objects

The EU legislation issue

Since the mandatory registration of the use of nitrogen for disinfection purposes by the biocidal products regulation EU 528/2012 in September 2017, only one method of using nitrogen (along with several other restrictions) was acknowledged and included: nitrogen in cannisters. The method encompassing in situ generated nitrogen used in the anoxia chambers fell out.

Because of this juridical flaw, the existing anoxia facilities in Europe can no longer be operated. As a result, the cultural heritage institutions are facing the acute danger that cultural heritage may be damaged or irretrievably lost, and are forced to write off the investments they made.

The nitrogen ban is not justified for health aspects –only for juridical and procedural reasons. It is a setback for the cultural heritage institutions to have less choices for treatment interventions, with the anoxic treatment with in situ generated nitrogen being among the most compatible with many materials and artefacts. The nitrogen ban is also economically damaging the market of European stakeholders in the IPM business, favoring less sustainable and riskier treatments and single operators on the market.

We therefore strongly urge the Commission to allow for a derogation under art. 55(3) in the BPR to be granted those Member States applying with regards to the protection of our shared cultural heritage. The derogation should be granted because this method allows any material to be safely treated – contrary to the alternatives – and because in situ generated nitrogen is harmless, the most economic and the most environmentally friendly alternative to the presently allowed use of nitrogen for this purpose.