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COUNCIL REGULATION (EEC) No 259/93

of 1 February 1993

on the supervision and control of shipments of waste within, into and out of the European Community

(OJ L 30, 6.2.1993, p. 1)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Commission Decision 94/721/EC of 21 October 1994	L 288	36	9.11.1994
► <u>M2</u> Commission Decision 96/660/EC of 14 November 1996	L 304	15	27.11.1996
► <u>M3</u> Council Regulation (EC) No 120/97 of 20 January 1997	L 22	14	24.1.1997
► <u>M4</u> Commission Decision 98/368/EC of 18 May 1998	L 165	20	10.6.1998
► <u>M5</u> Commission Regulation (EC) No 2408/98 of 6 November 1998	L 298	19	7.11.1998



COUNCIL REGULATION (EEC) No 259/93

of 1 February 1993

on the supervision and control of shipments of waste within, into and out of the European Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas the Community has signed the Basle Convention of 22 March 1989 on the control of transboundary movements of hazardous wastes and their disposal;

Whereas provisions concerning waste are contained in Article 39 of the ACP-EEC Convention of 15 December 1989;

Whereas the Community has approved the Decision of the OECD Council of 30 March 1992 on the control of transfrontier movements of wastes destined for recovery operations;

Whereas, in the light of the foregoing, Directive 84/631/EEC⁽⁴⁾, which organizes the supervision and control of transfrontier shipments of hazardous waste, needs to be replaced by a Regulation;

Whereas the supervision and control of shipments of waste within a Member State is a national responsibility; whereas, however, national systems for the supervision and control of shipments of waste within a Member State should comply with minimum criteria in order to ensure a high level of protection of the environment and human health;

Whereas it is important to organize the supervision and control of shipments of wastes in a way which takes account of the need to preserve, protect and improve the quality of the environment;

Whereas Council Directive 75/442/EEC of 15 July 1975 on waste⁽⁵⁾ lays down in its Article 5 (1) that an integrated and adequate network of waste disposal installations, to be established by Member States through appropriate measures, where necessary or advisable in cooperation with other Member States, must enable the Community as a whole to become self-sufficient in waste disposal and the Member States to move towards that aim individually, taking into account geographical circumstances or the need for specialized installations for certain types of waste; whereas Article 7 of the said Directive requests the drawing up of waste management plans, if appropriate in cooperation with the Member States concerned, which shall be notified to the Commission, and stipulates that Member States may take measures necessary to prevent movements of waste which are not in accordance with their waste management plans and that they shall inform the Commission and the other Member States of any such measures;

Whereas it is necessary to apply different procedures depending on the type of waste and its destination, including whether it is destined for disposal or recovery;

Whereas shipments of waste must be subject to prior notification to the competent authorities enabling them to be duly informed in particular of

⁽¹⁾ OJ No C 115, 6. 5. 1992, p. 4.

⁽²⁾ OJ No C 94, 13. 4. 1992, p. 276 and opinion delivered on 20 January 1993 (not yet published in the Official Journal).

⁽³⁾ OJ No C 269, 14. 10. 1991, p. 10.

⁽⁴⁾ OJ No L 326, 13. 12. 1984, p. 31. Directive as last amended by Directive 91/692/EEC (OJ No L 377, 31. 12. 1991, p. 48).

⁽⁵⁾ OJ No L 194, 25. 7. 1975, p. 39. Directive as amended by Directive 91/156/EEC (OJ No L 78, 26. 3. 1991, p. 32).

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the type, movement and disposal or recovery of the waste, so that these authorities may take all necessary measures for the protection of human health and the environment, including the possibility of raising reasoned objections to the shipment;

Whereas Member States should be able to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels — in accordance with Directive 75/442/EEC — by taking measures in accordance with the Treaty to prohibit generally or partially or to object systematically to shipments of waste for disposal, except in the case of hazardous waste produced in the Member State of dispatch in such a small quantity that the provision of new specialized disposal installations within that State would be uneconomic; whereas the specific problem of disposal of such small quantities requires cooperation between the Member States concerned and possible recourse to a Community procedure;

Whereas exports of waste for disposal to third countries must be prohibited in order to protect the environment of those countries; whereas exceptions shall apply to exports to EFTA countries which are also Parties to the Basle Convention;

Whereas exports of waste for recovery to countries to which the OECD Decision does not apply must be subject to conditions providing for environmentally sound management of waste;

Whereas agreements or arrangements on exports of waste for recovery with countries to which the OECD Decision does not apply must be subject to periodic review by the Commission leading, if appropriate, to a proposal by the Commission to reconsider the conditions under which such exports take place, including the possibility of a ban;

Whereas shipments of waste for recovery listed on the green list of the OECD Decision shall be generally excluded from the control procedures of this Regulation since such waste should not normally present a risk to the environment if properly recovered in the country of # IO116,9 # destination; whereas some exceptions to this exclusion are necessary in accordance with Community legislation and the OECD Decision; whereas some exceptions are also necessary in order to facilitate the tracking of such shipments within the Community and to take account of exceptional cases; whereas such waste shall be subject to Directive 75/442/EEC;

Whereas exports of waste for recovery listed on the OECD green list to countries to which the OECD Decision does not apply must be subject to consultation by the Commission with the country of destination; whereas it may be appropriate in the light of such consultation that the Commission make proposals to the Council;

Whereas exports of waste for recovery to countries which are not parties to the Basle Convention must be subject to specific agreements between these countries and the Community; whereas Member States must, in exceptional cases, be able to conclude after the date of application of this Regulation bilateral agreements for the import of specific waste before the Community has concluded such agreements, in the case of waste for recovery in order to avoid any interruption of waste treatment and in the case of waste for disposal where the country of dispatch does not have or cannot reasonably acquire the technical capacity and necessary facilities to dispose of the waste in an environmentally sound manner;

Whereas provision must be made for the waste to be taken back or to be disposed of or recovered in an alternative and environmentally sound manner if the shipment cannot be completed in accordance with the terms of the consignment note or the contract;

Whereas, in the event of illegal traffic, the person whose action is the cause of such traffic must take back and/or dispose of or recover the waste in an alternative and environmentally sound manner; whereas, should he fail to do so, the competent authorities of dispatch or destination, as appropriate, must themselves intervene;

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Whereas it is important for a system of financial guarantees or equivalent insurance to be established;

Whereas Member States must provide the Commission with information relevant to the implementation of this Regulation;

Whereas the documents provided for by this Regulation must be established and the Annexes adapted within a Community procedure,

HAS ADOPTED THIS REGULATION:

TITLE I

SCOPE AND DEFINITIONS*Article 1*

1. This Regulation shall apply to shipments of waste within, into and out of the Community.
2. The following shall be excluded from the scope of this Regulation:
 - (a) the offloading to shore of waste generated by the normal operation of ships and offshore platforms, including waste water and residues, provided that such waste is the subject of a specific binding international instrument;
 - (b) shipments of civil aviation waste;
 - (c) shipments of radioactive waste as defined in Article 2 of Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community⁽¹⁾;
 - (d) shipments of waste mentioned in Article 2 (1) (b) of Directive 75/442/EEC, where they are already covered by other relevant legislation;
 - (e) shipments of waste into the Community in accordance with the requirements of the Protocol on Environmental Protection to the Antarctic Treaty.
3. (a) Shipments of waste destined for recovery only and listed in Annex II shall also be excluded from the provisions of this Regulation except as provided for in subparagraphs (b), (c), (d) and (e), in Article 11 and in Article 17 (1), (2) and (3).
 - (b) Such waste shall be subject to all provisions of Directive 75/442/EEC. It shall in particular be:
 - destined for duly authorized facilities only, authorized according to Article 10 and 11 of Directive 75/442/EEC,
 - subject to all provisions of Articles 8, 12, 13 and 14 of Directive 75/442/EEC.
 - (c) However, certain wastes listed in Annex II may be controlled, if, among other reasons, they exhibit any of the hazardous characteristics listed in Annex III of Council Directive 91/689/EEC⁽²⁾, as if they had been listed in Annex III or IV.

These wastes and the decision about which of the two procedures should be followed shall be determined in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC. Such wastes shall be listed in Annex II (a).
 - (d) In exceptional cases, shipments of wastes listed in Annex II may, for environmental or public health reasons, be controlled by Member States as if they had been listed in Annex III or IV.

Member States which make use of this possibility shall immediately notify the Commission of such cases and inform other Member States, as appropriate, and give reasons for their

⁽¹⁾ OJ No L 35, 12. 2. 1992, p. 24.

⁽²⁾ OJ No L 377, 31. 12. 1991, p. 20.

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decision. The Commission, in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC, may confirm such action including, where appropriate, by adding such wastes to Annex II.A.

- (e) Where waste listed in Annex II is shipped in contravention of this Regulation or of Directive 75/442/EEC, Member States may apply appropriate provisions of Articles 25 and 26 of this Regulation.

Article 2

For the purposes of this Regulation:

- (a) *waste* is as defined in Article 1 (a) of Directive 75/442/EEC;
- (b) *competent authorities* means the competent authorities designated by either the Member States in accordance with Article 36 or non-Member States;
- (c) *competent authority of dispatch* means the competent authority, designated by the Member States in accordance with Article 36, for the area from which the shipment is dispatched or designated by non-Member States;
- (d) *competent authority of destination* means the competent authority, designated by the Member States in accordance with Article 36, for the area in which the shipment is received, or in which waste is loaded on board before disposal at sea without prejudice to existing conventions on disposal at sea or designated by non-Member States;
- (e) *competent authority of transit* means the single authority designated by Member States in accordance with Article 36 for the State through which the shipment is in transit;
- (f) *correspondent* means the central body designated by each Member State and the Commission, in accordance with Article 37;
- (g) *notifier* means any natural person or corporate body to whom or to which the duty to notify is assigned, that is to say the person referred to hereinafter who proposes to ship waste or have waste shipped:
- (i) the person whose activities produced the waste (original producer); or
 - (ii) where this is not possible, a collector licensed to this effect by a Member State or a registered or licensed dealer or broker who arranges for the disposal or the recovery of waste; or
 - (iii) where these persons are unknown or are not licensed, the person having possession or legal control of the waste (holder); or
 - (iv) in the case of import into or transit through the Community of waste, the person designated by the laws of the State of dispatch or, when this designation has not taken place, the person having possession or legal control of the waste (holder);
- (h) *consignee* means the person or undertaking to whom or to which the waste is shipped for recovery or disposal;
- (i) *disposal* is as defined in Article 1 (e) of Directive 75/442/EEC;
- (j) *authorized centre* means any establishment or undertaking authorized or licensed pursuant to Article 6 of Directive 75/439/EEC ⁽¹⁾, Articles 9, 10 and 11 of Directive 75/442/EEC and Article 6 of Directive 76/403/EEC ⁽²⁾;
- (k) *recovery* is as defined in Article 1 (f) of Directive 75/442/EEC;
- (l) *State of dispatch* means any State from which a shipment of waste is planned or made;

⁽¹⁾ OJ No L 194, 25. 7. 1975, p. 23. Directive as last amended by Directive 91/692/EEC (OJ No L 377, 31. 12. 1991, p. 48).

⁽²⁾ OJ No L 108, 26. 4. 1976, p. 41.

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- (m) *State of destination* means any State to which a shipment of waste is planned or made for disposal or recovery, or for loading on board before disposal at sea without prejudice to existing conventions on disposal at sea;
- (n) *State of transit* means any State, other than the State of dispatch or destination, through which a shipment of waste is planned or made;
- (o) *consignment note* means the standard consignment note to be drawn up in accordance with Article 42;
- (p) *the Basle Convention* means the Basle Convention of 22 March 1989 on the control of transboundary movements of hazardous wastes and their disposal;
- (q) *the fourth Lomé Convention* means the Lomé Convention of 15 December 1989;
- (r) *the OECD Decision* means the decision of the OECD Council of 30 March 1992 on the control of transfrontier movements of wastes destined for recovery operations.

TITLE II

SHIPMENTS OF WASTE BETWEEN MEMBER STATES

Chapter A

Waste for disposal*Article 3*

1. Where the notifier intends to ship waste for disposal from one Member State to another Member State and/or pass it in transit through one or several other Member States, and without prejudice to Articles 25 (2) and 26 (2), he shall notify the competent authority of destination and send a copy of the notification to the competent authorities of dispatch and of transit and to the consignee.
2. Notification shall mandatorily cover any intermediate stage of the shipment from the place of dispatch to its final destination.
3. Notification shall be effected by means of the consignment note which shall be issued by the competent authority of dispatch.
4. In making notification, the notifier shall complete the consignment note and shall, if requested by competent authorities, supply additional information and documentation.
5. The notifier shall supply on the consignment note information with particular regard to:
 - the source, composition and quantity of the waste for disposal including, in the case of Article 2 (g) (ii), the producer's identity and, in the case of waste from various sources a detailed inventory of the waste and, if known, the identity of the original producers,
 - the arrangements for routing and for insurance against damage to third parties,
 - the measures to be taken to ensure safe transport and, in particular, compliance by the carrier with the conditions laid down for transport by the Member States concerned,
 - the identity of the consignee of the waste, the location of the disposal centre and the type and duration of the authorization under which the centre operates. The centre must have adequate technical capacity for the disposal of the waste in question under conditions presenting no danger to human health or to the environment,
 - the operations involving disposal as referred to in Annex II.A to Directive 75/442/EEC.
6. The notifier must make a contract with the consignee for the disposal of the waste.

The contract may include some or all of the information referred to in paragraph 5.

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The contract must include the obligation:

- of the notifier, in accordance with Articles 25 and 26 (2), to take the waste back if the shipment has not been completed as planned or if it has been effected in violation of this Regulation,
- of the consignee, to provide as soon as possible and no later than 180 days following the receipt of the waste a certificate to the notifier that the waste has been disposed of in an environmentally sound manner.

A copy of this contract must be supplied to the competent authority on request.

Should the waste be shipped between two establishments under the control of the same legal entity, this contract may be replaced by a declaration by the entity in question undertaking to dispose of the waste.

7. The information given in accordance with paragraphs 4 to 6 shall be treated confidentially in accordance with existing national regulations.

8. A competent authority of dispatch may, in accordance with national legislation, decide to transmit the notification itself instead of the notifier to the competent authority of destination, with copies to the consignee and to the competent authority of transit.

The competent authority of dispatch may decide not to proceed with notification if it has itself immediate objections to raise against the shipment in accordance with Article 4 (3). It shall immediately inform the notifier of these objections.

Article 4

1. On receipt of the notification, the competent authority of destination shall, within three working days, send an acknowledgement to the notifier and copies thereof to the other competent authorities concerned and to the consignee.

2. (a) The competent authority of destination shall have 30 days following dispatch of the acknowledgement to take its decision authorizing the shipment, with or without conditions, or refusing it. It may also request additional information.

It shall give its authorization only in the absence of objections on its part or on the part of the other competent authorities. The authorization shall be subject to any transport conditions referred to in (d).

The competent authority of destination shall take its decision not earlier than 21 days following the dispatch of the acknowledgement. It may, however, take its decision earlier if it has the written consent of the other competent authorities concerned.

The competent authority of destination shall send its decision to the notifier in writing, with copies to the other competent authorities concerned.

(b) The competent authorities of dispatch and transit may raise objections within 20 days following the dispatch of the acknowledgement. They may also request additional information. These objections shall be conveyed in writing to the notifier, with copies to the other competent authorities concerned.

(c) The objections and conditions referred to in (a) and (b) shall be based on paragraph 3.

(d) The competent authorities of dispatch and transit may, within 20 days following the dispatch of the acknowledgement, lay down conditions in respect of the transport of waste within their jurisdiction.

These conditions must be notified to the notifier in writing, with copies to the competent authorities concerned, and entered in the consignment note. They may not be more stringent than those laid down in respect of similar shipments occurring wholly within

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their jurisdiction and shall take due account of existing agreements, in particular relevant international conventions.

3. (a) (i) In order to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels in accordance with Directive 75/442/EEC, Member States may take measures in accordance with the Treaty to prohibit generally or partially or to object systematically to shipments of waste. Such measures shall immediately be notified to the Commission, which will inform the other Member States.
- (ii) In the case of hazardous waste (as defined in Article 1 (4) of Directive 91/689/EEC) produced in a Member State of dispatch in such a small quantity overall per year that the provision of new specialized disposal installations within that State would be uneconomic, (i) shall not apply.
- (iii) The Member State of destination shall cooperate with the Member State of dispatch which considers that (ii) applies, with a view to resolving the issue bilaterally. If there is no satisfactory solution, either Member State may refer the matter to the Commission, which will determine the issue in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC.
- (b) The competent authorities of dispatch and destination, while taking into account geographical circumstances or the need for specialized installations for certain types of waste, may raise reasoned objections to planned shipments if they are not in accordance with Directive 75/442/EEC, especially Articles 5 and 7:
 - (i) in order to implement the principle of self-sufficiency at Community and national levels;
 - (ii) in cases where the installation has to dispose of waste from a nearer source and the competent authority has given priority to this waste;
 - (iii) in order to ensure that shipments are in accordance with waste management plans.
- (c) Furthermore, the competent authorities of dispatch, destination and transit may raise reasoned objections to the planned shipment if:
 - it is not in accordance with national laws and regulations relating to environmental protection, public order, public safety or health protection,
 - the notifier or the consignee was previously guilty of illegal trafficking.
In this case, the competent authority of dispatch may refuse all shipments involving the person in question in accordance with national legislation, or
 - the shipment conflicts with obligations resulting from international conventions concluded by the Member State or Member States concerned.

4. If, within the time limits laid down in paragraph 2, the competent authorities are satisfied that the problems giving rise to their objections have been solved and that the conditions in respect of the transport will be met, they shall immediately inform the notifier in writing, with copies to the consignee and to the other competent authorities concerned.

If there is subsequently any essential change in the conditions of the shipment, a new notification must be made.

5. The competent authority of destination shall signify its authorization by appropriately stamping the consignment note.

Article 5

1. The shipment may be effected only after the notifier has received authorization from the competent authority of destination.

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2. Once the notifier has received authorization, he shall insert the date of shipment and otherwise complete the consignment note and send copies to the competent authorities concerned three working days before the shipment is made.
3. A copy or, if requested by the competent authorities, a specimen of the consignment note, together with the stamp of authorization, shall accompany each shipment.
4. All undertakings involved in the operation shall complete the consignment note at the points indicated, sign it and retain a copy thereof.
5. Within three working days following receipt of the waste for disposal, the consignee shall send copies of the completed consignment note, except for the certificate referred to in paragraph 6, to the notifier and the competent authorities concerned.
6. As soon as possible and not later than 180 days following the receipt of the waste, the consignee shall, under his responsibility, send a certificate of disposal to the notifier and the other competent authorities concerned. This certificate shall be part of or attached to the consignment note which accompanies the shipment.

Chapter B

Waste for recovery*Article 6*

1. Where the notifier intends to ship waste for recovery listed in Annex III from one Member State to another Member State and/or pass it in transit through one or several other Member States, and without prejudice to Articles 25 (2) and 26 (2), he shall notify the competent authority of destination and send copies of the notification to the competent authorities of dispatch and transit and to the consignee.
2. Notification shall mandatorily cover any intermediary stage of the shipment from the place of dispatch to its final destination.
3. Notification shall be effected by means of the consignment note which shall be issued by the competent authority of dispatch.
4. In making notification, the notifier shall complete the consignment note and shall, if requested by competent authorities, supply additional information and documentation.
5. The notifier shall supply on the consignment note information with particular regard to:
 - the source, composition and quantity of the waste for recovery, including the producer's identity and, in the case of waste from various sources, a detailed inventory of the waste and, if known, the identity of the original producer,
 - the arrangements for routing and for insurance against damage to third parties,
 - the measures to be taken to ensure safe transport and, in particular, compliance by the carrier with the conditions laid down for transport by the Member States concerned,
 - the identity of the consignee of the waste, the location of the recovery centre and the type and duration of the authorization under which the centre operates. The centre must have adequate technical capacity for the recovery of the waste in question under conditions presenting no danger to human health or to the environment,
 - the operations involving recovery as contained in Annex II.B to Directive 75/442/EEC,
 - the planned method of disposal for the residual waste after recycling has taken place,
 - the amount of the recycled material in relation to the residual waste,
 - the estimated value of the recycled material.

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6. The notifier must conclude a contract with the consignee for the recovery of the waste.

The contract may include some or all of the information referred to in paragraph 5.

The contract must include the obligation:

- of the notifier, in accordance with Articles 25 and 26 (2), to take the waste back if the shipment has not been completed as planned or if it has been effected in violation of this Regulation,
- of the consignee to provide, in the case of retransfer of the waste for recovery to another Member State or to a third country, the notification of the initial country of dispatch,
- of the consignee to provide, as soon as possible and not later than 180 days following the receipt of the waste, a certificate to the notifier that the waste has been recovered in an environmentally sound manner.

A copy of this contract must be supplied to the competent authority on request.

Should the waste be shipped between two establishments under the control of the same legal entity, this contract may be replaced by a declaration by the entity in question undertaking to recover the waste.

7. The information given in accordance with paragraphs 4 to 6 shall be treated confidentially in accordance with existing national regulations.

8. A competent authority of dispatch may, in accordance with national legislation, decide to transmit the notification itself instead of the notifier to the competent authority of destination, with copies to the consignee and to the competent authority of transit.

Article 7

1. On receipt of the notification the competent authority of destination shall send, within three working days, an acknowledgement to the notifier and copies thereof to the other competent authorities and to the consignee.

2. The competent authorities of destination, dispatch and transit shall have 30 days following dispatch of the acknowledgement to object to the shipment. Such objection shall be based on paragraph 4. Any objection must be provided in writing to the notifier and to other competent authorities concerned within the 30-day period.

The competent authorities concerned may decide to provide written consent in a period less than the 30 days.

Written consent or objection may be provided by post, or by telefax followed by post. Such consent shall expire within one year unless otherwise specified.

3. The competent authorities of dispatch, destination and transit shall have 20 days following the dispatch of the acknowledgement in which to lay down conditions in respect of the transport of waste within their jurisdiction.

These conditions must be notified to the notifier in writing, with copies to the competent authorities concerned, and entered in the consignment note. They may not be more stringent than those laid down in respect of similar shipments occurring wholly within their jurisdiction and shall take due account of existing agreements, in particular relevant international conventions.

4. (a) The competent authorities of destination and dispatch may raise reasoned objections to the planned shipment:

- in accordance with Directive 75/442/EEC, in particular Article 7 thereof, or

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- if it is not in accordance with national laws and regulations relating to environmental protection, public order, public safety or health protection, or
- if the notifier or the consignee has previously been guilty of illegal trafficking. In this case, the competent authority of dispatch may refuse all shipments involving the person in question in accordance with national legislation, or
- if the shipment conflicts with obligations resulting from international conventions concluded by the Member State or Member States concerned, or
- if the ratio of the recoverable and non-recoverable waste, the estimated value of the materials to be finally recovered or the cost of the recovery and the cost of the disposal of the non recoverable fraction do not justify the recovery under economic and environmental considerations.

(b) The competent authorities of transit may raise reasoned objections to the planned shipment based on the second, third and fourth indents of (a).

5. If within the time limit laid down in paragraph 2 the competent authorities are satisfied that the problems giving rise to their objections have been solved and that the conditions in respect of the transport will be met, they shall immediately inform the notifier in writing, with copies to the consignee and to the other competent authorities concerned.

If there is subsequently any essential change in the conditions of the shipment, a new notification must be made.

6. In case of prior written consent, the competent authority shall signify its authorization by appropriately stamping the consignment note.

Article 8

1. The shipment may be effected after the 30-day period has passed if no objection has been lodged. Tacit consent, however, expires within one year from that date.

Where the competent authorities decide to provide written consent, the shipment may be effected immediately after all necessary consents have been received.

2. The notifier shall insert the date of shipment and otherwise complete the consignment note and send copies to the competent authorities concerned three working days before the shipment is made.

3. A copy or, if requested by the competent authorities, a specimen of the consignment note shall accompany each shipment.

4. All undertakings involved in the operation shall complete the consignment note at the points indicated, sign it and retain a copy thereof.

5. Within three working days following receipt of the waste for recovery, the consignee shall send copies of the completed consignment note, except for the certificate referred to in paragraph 6, to the notifier and to the competent authorities concerned.

6. As soon as possible and not later than 180 days following receipt of the waste the consignee, under his responsibility, shall send a certificate of recovery of the waste to the notifier and the other competent authorities concerned. This certificate shall be part of or attached to the consignment note which accompanies the shipment.

Article 9

1. The competent authorities having jurisdiction over specific recovery facilities may decide, notwithstanding Article 7, that they will not raise objections concerning shipments of certain types of waste to a specific recovery facility. Such decisions may be limited to a specific period of time; however, they may be revoked at any time.

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2. Competent authorities which select this option shall inform the Commission of the recovery facility name, address, technologies employed, waste types to which the decision applies and the period covered. Any revocations must also be notified to the Commission.

The Commission shall send this information without delay to the other competent authorities concerned in the Community and to the OECD Secretariat.

3. All intended shipments to such facilities shall require notification to the competent authorities concerned, in accordance with Article 6. Such notification shall arrive prior to the time the shipment is dispatched.

The competent authorities of the Member States of dispatch and transit may raise objections to any such shipment, based on Article 7 (4), or impose conditions in respect of the transport.

4. In instances where competent authorities acting under terms of their domestic laws are required to review the contract referred to in Article 6 (6), these authorities shall so inform the Commission. In such cases, the notification plus the contracts or portions thereof to be reviewed must arrive seven days prior to the time the shipment is dispatched in order that such review may be appropriately performed.

5. For the actual shipment, Article 8 (2) to (6) shall apply.

Article 10

Shipments of waste for recovery listed in Annex IV and of waste for recovery which has not yet been assigned to Annex II, Annex III or Annex IV shall be subject to the same procedures as referred to in Articles 6 to 8 except that the consent of the competent authorities concerned must be provided in writing prior to commencement of shipment.

Article 11

1. In order to assist the tracking of shipments of waste for recovery listed in Annex II, they shall be accompanied by the following information, signed by the holder:

- (a) the name and address of the holder;
- (b) the usual commercial description of the waste;
- (c) the quantity of the waste;
- (d) the name and address of the consignee;
- (e) the operations involving recovery, as listed in Annex II.B to Directive 75/442/EEC;
- (f) the anticipated date of shipment.

2. The information specified in paragraph 1 shall be treated confidentially in accordance with existing national regulations.

Chapter C

Shipment of waste for disposal and recovery between Member States with transit via third States

Article 12

Without prejudice to Articles 3 to 10, where a shipment of waste takes place between Member States with transit via one or more third States,

- (a) the notifier shall send a copy of the notification to the competent authority(ies) of the third State(s);

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- (b) the competent authority of destination shall ask the competent authority in the third State(s) whether it wishes to send its written consent to the planned shipment:
- in the case of parties to the Basle Convention, within 60 days, unless it has waived this right in accordance with the terms of that Convention, or
 - in the case of countries not parties to the Basle Convention, within a period agreed between the competent authorities.

In both cases the competent authority of destination shall, where appropriate, wait for consent before giving its authorization.

TITLE III

SHIPMENTS OF WASTE WITHIN MEMBER STATES*Article 13*

1. Titles II, VII and VIII shall not apply to shipments within a Member State.
2. Member States shall, however, establish an appropriate system for the supervision and control of shipments of waste within their jurisdiction. This system should take account of the need for coherence with the Community system established by this Regulation.
3. Member States shall inform the Commission of their system for the supervision and control of shipments of waste. The Commission shall inform the other Member States thereof.
4. Member States may apply the system provided for in Titles II, VII and VIII within their jurisdiction.

TITLE IV

EXPORTS OF WASTE

Chapter A

Waste for disposal*Article 14*

1. All exports of waste for disposal shall be prohibited, except those to EFTA countries which are also parties to the Basle Convention.
2. However, without prejudice to Articles 25 (2), and 26 (2), exports of waste for disposal to an EFTA country shall also be banned:
 - (a) where the EFTA country of destination prohibits imports of such wastes or where it has not given its written consent to the specific import of this waste;
 - (b) if the competent authority of dispatch in the Community has reason to believe that the waste will not be managed in accordance with environmentally sound methods in the EFTA country of destination concerned.
3. The competent authority of dispatch shall require that any waste for disposal authorized for export to EFTA countries be managed in an environmentally sound matter throughout the period of shipment and in the State of destination.

Article 15

1. The notifier shall send the notification to the competent authority of dispatch by means of the consignment note in accordance with Article 3 (5), with copies to the other competent authorities concerned and to the consignee. The consignment note shall be issued by the competent authority of dispatch.

On receipt of the notification, the competent authority of dispatch shall within three working days send the notifier a written acknowledgement

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of the notification, with copies to the other competent authorities concerned.

2. The competent authority of dispatch shall have 70 days following dispatch of the acknowledgement to take its decision authorizing the shipment, with or without conditions, or refusing it. It may also request additional information.

It shall give its authorization only in the absence of objections on its part or on the part of the other competent authorities and if it has received from the notifier the copies referred to in paragraph 4. The authorization shall, where applicable, be subject to any transport conditions referred to in paragraph 5.

The competent authority of dispatch shall take its decision no earlier than 61 days following the dispatch of the acknowledgement.

It may, however, take its decision earlier if it has the written consent of the other competent authorities.

It shall send a certified copy of the decision to the other competent authorities concerned, to the customs office of departure from the Community and to the consignee.

3. The competent authorities of dispatch and transit in the Community may, within 60 days following the dispatch of the acknowledgement, raise objections based on Article 4 (3). They may also request additional information. Any objection must be provided in writing to the notifier, with copies to the other competent authorities concerned.

4. The notifier shall provide to the competent authority of dispatch a copy of:

- (a) the written consent of the EFTA country of destination to the planned shipment;
- (b) the confirmation from the EFTA country of destination of the existence of a contract between the notifier and the consignee specifying environmentally sound management of the waste in question; a copy of the contract must be supplied, if requested.

The contract shall also specify that the consignee be required to provide:

- within three working days following the receipt of the waste for disposal, copies of the fully completed consignment note, except for the certification referred to in the second indent, to the notifier and to the competent authority concerned,
- as soon as possible and not later than 180 days following the receipt of the waste, a certificate of disposal under his responsibility to the notifier and to the competent authority concerned. The form of this certificate shall be part of the consignment note which accompanies the shipment.

The contract shall, in addition, stipulate that if a consignee issues an incorrect certificate with the consequence that the financial guarantee is released he shall bear the costs arising from the duty to return the waste to the area of jurisdiction of the competent authority of dispatch and its disposal in an alternative and environmentally sound manner;

- (c) written consent to the planned shipment from the other State(s) of transit, unless this (these) State(s) is (are) a Party (Parties) to the Basle Convention and has (have) waived this in accordance with the terms of that Convention.

5. The competent authorities of transit in the Community shall have 60 days following the dispatch of the acknowledgement in which to lay down conditions in respect of the shipments of waste in their area of jurisdiction.

These conditions, which shall be forwarded to the notifier, with copies to the other competent authorities concerned, may not be more stringent than those laid down in respect of similar shipments effected wholly within the area of jurisdiction of the competent authority in question.

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6. The competent authority of dispatch shall signify its authorization by appropriately stamping the consignment note.

7. The shipment may be effected only after the notifier has received authorization from the competent authority of dispatch.

8. Once the notifier has received authorization, he shall insert the date of shipment and otherwise complete the consignment note and send copies to the competent authorities concerned three working days before the shipment is made. A copy or, if requested by the competent authorities, a specimen of the consignment note, together with the stamp of authorization, shall accompany each shipment.

All undertakings involved in the operation shall complete the consignment note at the points indicated, sign it and retain a copy thereof.

A specimen of the consignment note shall be delivered by the carrier to the last customs office of departure when the waste leaves the Community.

9. As soon as the waste has left the Community, the customs office of departure shall send a copy of the consignment note to the competent authority which issued the authorization.

10. If, 42 days after the waste has left the Community, the competent authority which gave the authorization has received no information from the consignee about his receipt of the waste, it shall inform without delay the competent authority of destination.

It shall take action in a similar way if, 180 days after the waste has left the Community, the competent authority which gave the authorization has not received from the consignee the certificate of disposal referred to in paragraph 4.

11. A competent authority of dispatch may, in accordance with national legislation, decide to transmit the notification itself instead of the notifier, with copies to the consignee and the competent authority of transit.

The competent authority of dispatch may decide to proceed with any notification if it has itself immediate objections to raise against the shipment in accordance with Article 4 (3). It shall immediately inform the notifier of these objections.

12. The information given in paragraphs 1 to 4 shall be treated confidentially in accordance with existing national regulations.

Chapter B

Waste for recovery

Article 16

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1. All exports for recovery of waste listed in Annex V for recovery shall be prohibited except those to:

- (a) countries to which the OECD Decision applies;
- (b) other countries:
 - which are Parties to the Basle Convention and/or with which the Community, or the Community and its Member States, have concluded bilateral or multilateral or regional agreements or arrangements in accordance with Article 11 of the Basle Convention and paragraph 2 of this Article. Any such exports shall however be prohibited from 1 January 1998 onwards,
 - with which individual Member States have concluded bilateral agreements and arrangements prior to the date of application of this Regulation, insofar as these are compatible with Community legislation and in accordance with Article 11 of the Basle Convention and paragraph 2 of this Article. These agreements and arrangements shall be notified to the Commission within three months of the date of application of this Regulation or of the date that such agreements are brought into effect, whichever

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is earlier, and shall expire when agreements or arrangements are concluded in accordance with the first indent. Any such exports shall however be prohibited as from 1 January 1998 onwards.

The Commission, in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC, shall, as soon as possible, and at the latest before 1 January 1998, review and amend Annex V to this Regulation taking into full consideration those wastes featuring on the list of wastes adopted in accordance with Article 1 (4) of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste⁽¹⁾ and any lists of wastes characterized as hazardous for the purposes of the Basle Convention.

Annex V shall be reviewed and further amended as appropriate under the same procedure. In particular, the Commission shall review the Annex in order to give effect to decisions of the Parties to the Basle Convention as to what waste should be characterized as hazardous for the purposes of the Convention and to amendments of the list of wastes adopted in accordance with Article 1 (4) of Directive 91/689/EEC.

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2. The agreements and arrangements referred to in paragraph 1 (b) shall guarantee an environmentally sound management of the waste in accordance with Article 11 of the Basle Convention and shall, in particular:

- (a) guarantee that the recovery operation is carried out in an authorized centre which complies with the requirements for environmentally sound management;
- (b) fix the conditions for the treatment of the non-recoverable components of the waste and, if appropriate, oblige the notifier to take them back;
- (c) enable, if appropriate, the examination of the compliance of the agreements on the spot in agreement with the countries concerned;
- (d) be subject to periodic review by the Commission and for the first time not later than 31 December 1996, taking into account the experience gained and the ability of the countries concerned to carry out recovery activities in a manner which provides full guarantees of environmentally sound management. The Commission shall inform the European Parliament and the Council about the results of this review. If such a review leads to the conclusion that environmental guarantees are insufficient, the continuation of waste exports under such terms shall, on a proposal from the Commission, be reconsidered, including the possibility of a ban.

3. However, without prejudice to Article 25 (2) and 26 (2), exports of waste for recovery to the countries referred to in paragraph 1 shall be prohibited:

- (a) where such a country prohibits all imports of such wastes or where it has not given its consent to their specific import;
- (b) if the competent authority of dispatch has reason to believe that the waste will not be managed in accordance with environmentally sound methods in such a country.

4. The competent authority of dispatch shall require that any waste for recovery authorized for export be managed in an environmentally sound manner throughout the period of shipment and in the State of destination.

Article 17

1. In respect of waste listed in Annex II, the Commission shall notify prior to the date of application of this Regulation to every country to which the OECD Decision does not apply the list of waste included in that Annex and request written confirmation that such waste is not subject to control in the country of destination and that the latter will

⁽¹⁾ OJ No L 377, 31. 12. 1991, p. 20. Directive as amended by Directive 94/31/EC (OJ No L 168, 2. 7. 1994, p. 28).

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accept categories of such waste to be shipped without recourse to the control procedures which apply to Annex III or IV or that it indicate where such waste should be subject to either those procedures or the procedure laid down in Article 15.

If such confirmation is not received six months before the date of application of this Regulation, the Commission shall make appropriate proposals to the Council.

2. Where waste listed in Annex II is exported, it shall be destined for recovery operations within a facility which under applicable domestic law is operating or is authorized to operate in the importing country. Furthermore, a surveillance system based on prior automatic export licensing shall be established in cases to be determined in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC.

Such a system shall in each case provide that a copy of the export licence be forwarded without delay to the authorities of the country in question.

3. Where such waste is subject to control in the country of destination or upon request of such a country in accordance with paragraph 1 or where a country of destination has notified under Article 3 of the Basle Convention that it regards certain kinds of waste listed in Annex II as hazardous, exports of such waste to that country shall be subjected to control. The Member State of export or the Commission shall notify all such cases to the committee established pursuant to Article 18 of Directive 75/442/EEC; the Commission shall determine in consultation with the country of destination which of the control procedures shall apply, that is those applicable to Annex III or IV or the procedure laid down in Article 15.

4. Where waste listed in Annex III is exported from the Community for recovery to countries and through countries to which the OECD Decision applies, Articles 6, 7, 8 and 9 (1), (3), (4) and (5) shall apply, the provisions concerning the competent authorities of dispatch and transit applying only to the competent authorities in the Community.

5. In addition, the competent authorities of the exporting and Community-transit countries shall be informed of the decision referred to in Article 9.

6. Where the waste for recovery listed in Annex IV and waste for recovery which has not yet been assigned to Annex II, III or IV is exported for recovery to countries and through countries to which the OECD Decision applies, Article 10 shall apply by analogy.

7. In addition, where waste is exported in accordance with paragraphs 4 to 6:

- a specimen of the consignment note shall be delivered by the carrier to the last customs office of departure when the waste leaves the Community,
- as soon as the waste has left the Community, the customs office of departure shall send a copy of the consignment note to the competent authority of export,
- if, 42 days after the waste has left the Community, the competent authority of export has received no information from the consignee about this receipt of the waste, it shall inform without delay the competent authority of destination,
- the contract shall stipulate that, if a consignee issues an incorrect certificate with the consequence that the financial guarantee is released, he shall bear the costs arising from the duty to return the waste to the area of jurisdiction of the competent authority of dispatch and its disposal or recovery in an alternative and environmentally sound manner.

8. Where waste for recovery listed in Annex III and IV and waste for recovery which has not yet been assigned to Annex II, III or IV is exported to and through countries to which the OECD Decision does not apply:

- Article 15, except for paragraph 3, shall apply by analogy,

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— reasoned objections may be raised in accordance with Article 7 (4) only,

save as otherwise provided for in bilateral or multilateral agreements entered into in accordance with Article 16 (1) (b) and on the basis of the control procedure of either paragraph 4 or 6 of this Article or Article 15.

Chapter C

Export of waste to ACP States

Article 18

1. All exports of waste to ACP States shall be prohibited.
2. This prohibition does not prevent a Member State to which an ACP State has chosen to export waste for processing from returning the processed waste to the ACP State of origin.
3. In case of re-export to ACP States, a specimen of the consignment note, together with the stamp of authorization, shall accompany each shipment.

TITLE V

IMPORTS OF WASTE INTO THE COMMUNITY

Chapter A

Imports of waste for disposal

Article 19

1. All imports into the Community of waste for disposal shall be prohibited except those from:
 - (a) EFTA countries which are Parties to the Basle Convention;
 - (b) other countries:
 - which are Parties to the Basle Convention, or
 - with which the Community, or the Community and its Member States, have concluded bilateral or multilateral agreements or arrangements compatible with Community legislation and in accordance with Article 11 of the Basle Convention guaranteeing that the disposal operations carried out in an authorized centre and complies with the requirements for environmentally sound management, or
 - with which individual Member States have concluded bilateral agreements or arrangements prior to the date of application of this Regulation, compatible with Community legislation and in accordance with Article 11 of the Basle Convention, containing the same guarantees as referred to above and guaranteeing that the waste originated in the country of dispatch and that disposal will be carried out exclusively in the Member State which has concluded the agreement or arrangement. These agreements or arrangements shall be notified to the Commission with in three months of the date of application of the Regulation or of their date of application, whichever is the earlier, and shall expire when agreements or arrangements are concluded in accordance with the second indent, or
 - with which individual Member States conclude bilateral agreements or arrangements after the date of application of this Regulation in the circumstances of paragraph 2.
2. The Council hereby authorizes individual Member States to conclude bilateral agreements and arrangements after the date of application of this Regulation in exceptional cases for the disposal of specific waste, where such waste will not be managed in an environmentally sound manner in the country of dispatch. These agreements and arrangements shall comply with the conditions set out in paragraph 1 (b), third indent and shall be notified to the Commission prior to their conclusion.

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3. The countries referred to in paragraph 1 (b) shall be required to present a duly motivated request beforehand to the competent authority of the Member State of destination on the basis that they do not have and cannot reasonably acquire the technical capacity and the necessary facilities in order to dispose of the waste in an environmentally sound manner.

4. The competent authority of destination shall prohibit the bringing of waste into its area of jurisdiction if it has reason to believe that the waste will not be managed in an environmentally sound manner in its area.

Article 20

1. Notification shall be made to the competent authority of destinations by means of the consignment note in accordance with Article 3 (5) with copies to the consignee of the waste and to the competent authorities of transit. The consignment note shall be issued by the competent authority of destination.

On receipt of the notification, the competent authority of destination shall, within three working days, send a written acknowledgement to the notifier, with copies to the competent authorities of transit in the Community.

2. The competent authority of destination shall authorize the shipment only in the absence of objections on its part or from the other competent authorities concerned. The authorization shall be subject to any transport conditions referred to in paragraph 5.

3. The competent authorities of destination and transit in the Community may, within 60 days of dispatch of the copy of the acknowledgement, raise objections based on Article 4 (3).

They may also request additional information. These objections shall be conveyed in writing to the notifier, with copies to the other competent authorities concerned in the Community;

4. The competent authority of destination shall have 70 days following dispatch of the acknowledgement to take its decision authorizing the shipment, with or without conditions, or refusing it. It may also request additional information.

It shall send certified copies of the decision to the competent authorities of transit in the Community, the consignee and the customs office of entry into the Community.

The competent authority of destination shall take its decision no earlier than 61 days following the dispatch of the acknowledgement. It may, however, take its decision earlier if it has the written consent of the other competent authorities.

The competent authority of destination shall signify its authorization by appropriately stamping the consignment note.

5. The competent authority of destination and transit in the Community shall have 60 days following dispatch of the acknowledgement to lay down conditions in respect of the shipment of the waste. These conditions, which must be conveyed to the notifier, with copies to the competent authorities concerned, may not be more stringent than those laid down in respect of similar shipments occurring wholly within the jurisdiction of the competent authority in question.

6. The shipment may be effected only after the notifier has received authorization from the competent authority of destination.

7. Once the notifier has received authorization, he shall insert the date of the shipment and otherwise complete the consignment note and send copies to the competent authorities concerned three working days before the shipment is made. A specimen of the consignment note shall be delivered by the carrier to the customs office of entry into the Community.

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A copy or, if requested by the competent authorities, a specimen of the consignment note, together with the stamp of authorization, shall accompany each shipment.

All undertakings involved in the operation shall complete the consignment note at the points indicated, sign it and retain a copy.

8. Within three working days following receipt of the waste for disposal, the consignee shall send copies of the completed consignment note, except for the certificate referred to in paragraph 9, to the notifier and the competent authorities concerned;

9. As soon as possible and not later than 180 days following the receipt of the waste, the consignee shall, under his responsibility, send a certificate of disposal to the notifier and the other competent authorities concerned. This certificate shall be part of or attached to the consignment note which accompanies the shipment.

Chapter B

Imports of waste for recovery

Article 21

1. All imports of waste for recovery into the Community shall be prohibited, except those from:

- (a) countries to which the OECD decision applies;
- (b) other countries:
 - which are Parties to the Basle Convention and/or with which the Community, or the Community and its Member States, have concluded bilateral or multilateral or regional agreements or arrangements compatible with Community legislation and in accordance with Article 11 of the Basle Convention, guaranteeing that the recovery operation is carried out in an authorized centre and complies with the requirements for environmentally sound management, or
 - with which individual Member States have concluded bilateral agreements or arrangements prior to the date of application of this Regulation, where these are compatible with Community legislation and in accordance with Article 11 of the Basle Convention, containing the same guarantees as referred to above. These agreements or arrangements shall be notified to the Commission within three months of the date of application of this Regulation or of their date of application, whichever is the earlier, and shall expire when agreements or arrangements are concluded in accordance with the first indent, or
 - with which individual Member States conclude bilateral agreements or arrangements after the date of application of this Regulation in the circumstances of paragraph 2.

2. The Council hereby authorizes individual Member States to conclude after the date of applications of this Regulation bilateral agreements and arrangements in exceptional cases for the recovery of specific waste, where a Member State deems such agreements or arrangements necessary to avoid any interruption of waste treatment before the Community has concluded those agreements and arrangements. Such agreements and arrangements shall also be compatible with Community legislation and in accordance with Article 11 of the Basle Convention; they shall be notified to the Commission prior to their conclusion and shall expire when agreements or arrangements are concluded in accordance with paragraph 1 (b), first indent.

Article 22

1. Where waste is imported for recovery from countries and through countries to which the OECD Decision applies, the following control procedures shall apply by analogy:

- (a) for waste listed in Annex III: Articles 6, 7, 8, 9 (1), (3), (4) and (5), and 17 (5);

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(b) for waste listed in Annex IV and waste which has not yet been assigned to Annex II, III or IV: Article 10.

2. Where waste for recovery listed in Annexes III and IV and waste which has not yet been assigned to Annex II, III or IV is imported from and through countries to the OECD Decision does not apply:

- Article 20 shall apply by analogy,
- reasoned objections may be raised in accordance with Article 7 (4) only,

save as otherwise provided for the bilateral or multilateral agreements entered into in accordance with Article 21 (1) (b) and on the basis of the control procedures of either paragraph 1 of this Article or Article 20.

TITLE VI

**TRANSIT OF WASTE FROM OUTSIDE AND THROUGH THE
COMMUNITY FOR DISPOSAL OR RECOVERY OUTSIDE THE
COMMUNITY**

Chapter A

**Waste for disposal and recovery (except transit covered by Article
24)**

Article 23

1. Where waste for disposal and, except in cases covered by Article 24, recovery is shipped through (a) Member State(s), notification shall be effected by means of the consignment note to the last competent authority of transit within the Community, with copies to the consignee, the other competent authorities concerned and the customs offices of entry into and departure from the Community.

2. The last competent authority of transit within the Community shall promptly inform the notifier of receipt of the notification. The other competent authorities in the Community shall, on the basis of paragraph 5, convey their reactions to the last competent authority of transit in the Community, which shall then respond in writing to the notifier within 60 days, consenting to the shipment with or without reservations; or imposing, if appropriate, conditions laid down by the other competent authorities of transit, or withholding information. Any refusal or reservations must be justified. The competent authority shall send a certified copy of the decision to both the other competent authorities concerned and the customs offices of entry into and departure from the Community.

3. Without prejudice to Articles 25 (2) and 26 (2), the shipment shall be admitted into the Community only if the notifier has received the written consent of the last competent authority of transit. This authority shall signify its consent by appropriately stamping the consignment note.

4. The competent authorities of transit within the Community shall have 20 days following notification to lay down, if appropriate, any conditions attached to the transport of the waste.

These conditions, which must be conveyed to the notifier, with copies to the competent authorities concerned, may not be more stringent than those laid down in respect of similar shipments occurring wholly within the jurisdiction of the competent authority in question.

5. The consignment note shall be issued by the last competent authority of transit within the Community.

6. Once the notifier has received authorization, he shall complete the consignment note and send copies to the competent authorities concerned three working days before the shipment is made.

A specimen of the consignment note, together with the stamp of authorization, shall accompany each shipment.

A specimen of the consignment note shall be supplied by the carrier to the customs office of departure when the waste leaves the Community.

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All undertakings involved in the operation shall complete the consignment note at the points indicated, sign it and retain a copy thereof.

7. As soon as the waste has left the Community, the customs office of departure shall send a copy of the consignment note to the last competent authority of transit within the Community.

Furthermore, at the latest 42 days after the waste has left the Community, the notifier shall declare or certify to that competent authority, with copies to the other competent authorities of transit, that it has arrived at its intended destination.

Chapter B

Transit of waste for recovery from and to a country to which the OECD Decision applies

Article 24

1. Transit of waste for recovery listed in Annexes III and IV from a country and transferred for recovery to a country to which the OECD Decision applies through (a) Member State(s) requires notification to all competent authorities of transit of the Member State(s) concerned.

2. Notification shall be effected by means of the consignment note.

3. On receipt of the notification the competent authority(ies) of transit shall send an acknowledgement to the notifier and to the consignee within three working days.

4. This competent authority(ies) of transit may raise reasoned objections to the planned shipment based on Article 7 (4). Any objection must be provided in writing to the notifier and to the competent authorities of transit of the other Member States concerned within 30 days of dispatch of the acknowledgement.

5. The competent authority of transit may decide to provide written consent in less than 30 days.

In the case of transit of waste listed in Annex IV and waste which has not yet been assigned to Annex II, III or IV, consent must be given in writing prior to commencement of the shipment.

6. The shipment may be effected only in the absence of any objection.

TITLE VII

COMMON PROVISIONS

Article 25

1. Where a shipment of waste to which the competent authorities concerned have consented cannot be completed in accordance with the terms of the consignment note or the contract referred to in Articles 3 and 6, the competent authority of dispatch shall, within 90 days after it has been informed thereof, ensure that the notifier returns the waste to its area of jurisdiction or elsewhere within the State of dispatch unless it is satisfied that the waste can be disposed of or recovered in an alternative and environmentally sound manner.

2. In cases referred to in paragraph 1, a further notification shall be made. No Member State of dispatch or Member State of transit shall oppose the return of this waste at the duly motivated request of the competent authority of destination and with an explanation of the reason.

3. The obligation of the notifier and the subsidiary obligation of the State of dispatch to take the waste back shall end when the consignee has issued the certificate referred to in Articles 5 and 8.

▼B*Article 26*

1. Any shipment of waste effected:
 - (a) without notification to all competent authorities concerned pursuant to the provisions of this Regulation; or
 - (b) without the consent of the competent authorities concerned pursuant to the provisions of this Regulation; or
 - (c) with consent obtained from the competent authorities concerned through falsification, misrepresentation or fraud; or
 - (d) which is not specified in a material way in the consignment note; or
 - (e) which results in disposal or recovery in contravention of Community or international rules; or
 - (f) contrary to Articles 14, 16, 19 and 21

shall be deemed to be illegal traffic.

2. If such illegal traffic is the responsibility of the notifier of the waste, the competent authority of dispatch shall ensure that the waste in question is:

- (a) taken back by the notifier or, if necessary, by the competent authority itself, into the State of dispatch, or if impracticable;
- (b) otherwise disposed of or recovered in an environmentally sound manner,

within 30 days from the time when the competent authority was informed of the illegal traffic or within such other period of time as may be agreed by the competent authorities concerned.

In this case a further notification shall be made. No Member State of dispatch or Member State of transit shall oppose the return of this waste at the duly motivated request of the competent authority of destination and with an explanation of the reason.

3. If such illegal traffic is the responsibility of the consignee, the competent authority of destination shall ensure that the waste in question is disposed of in an environmentally sound manner by the consignee or, if impracticable, by the competent authority itself within 30 days from the time it was informed of the illegal traffic or within any such other period of time as may be agreed by the competent authorities concerned. To this end, they shall cooperate, as necessary, in the disposal or recovery of the waste in an environmentally sound manner.

4. Where responsibility for the illegal traffic cannot be imputed to either the notifier or the consignee, the competent authorities shall cooperate to ensure that the waste in question is disposed of or recovered in an environmentally sound manner. Guidelines for this cooperation shall be established in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC.

5. Member States shall take appropriate legal action to prohibit and punish illegal traffic.

Article 27

1. All shipments of waste covered within the scope of this Regulation shall be subject to the provision of a financial guarantee or equivalent insurance covering costs for shipment, including cases referred to in Articles 25 and 26, and for disposal or recovery.

2. Such guarantees shall be returned when proof has been furnished, by means of:

- the certificate of disposal or recovery, that the waste has reached its destination and has been disposed of or recovered in an environmentally sound manner,

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— Control copy T 5 drawn up pursuant to Commission Regulation (EEC) No 2823/87⁽¹⁾ that, in the case of transit through the Community, the waste has left the Community.

3. Each Member State shall inform the Commission of the provision which it makes in national law pursuant to this Article. The Commission shall forward this information to all Member States.

Article 28

1. While respecting the obligations imposed on him by the applicable Articles 3, 6, 9, 15, 17, 20, 22, 23 and 24, the notifier may use a general notification procedure where waste for disposal or recovery having the same physical and chemical characteristics is shipped periodically to the same consignee following the same route. If, in the case of unforeseen circumstances, this route cannot be followed, the notifier shall inform the competent authorities concerned as soon as possible or before the shipment starts if the need for route modification is already known at this time.

Where the route modification is known before the shipment starts and this involves other competent authorities than those concerned in the general notification, this procedure shall not be used.

2. Under a general notification procedure, a single notification may cover several shipments of waste over a maximum period of one year. The indicated period may be shortened by agreement between the competent authorities concerned.

3. The competent authorities concerned shall make their agreement to the use of this general notification procedure subject to the subsequent supply of additional information. If the composition of the waste is not as notified or if the conditions imposed on its shipment are not respected, the competent authorities concerned shall withdraw their consent to this procedure by means of official notice to the notifier. Copies of this notice shall be sent to the other competent authorities concerned.

4. General notification shall be made by means of the consignment note.

Article 29

Wastes which are the subject of different notifications shall not be mixed during shipment.

Article 30

1. Member States shall take the measures needed to ensure that waste is shipped in accordance with the provisions of this Regulation. Such measures may include inspections of establishments and undertakings, in accordance with Article 13 of Directive 75/442/EEC, and spot checks of shipments.

2. Checks may take place in particular:

- at the point of origin, carried out with the producer, holder or notifier,
- at the destination, carried out with the final consignee,
- at the external frontiers of the Community,
- during the shipment within the Community.

3. Checks may include the inspection of documents, the confirmation of identity and, if appropriate, the physical control of the waste.

Article 31

1. The consignment note shall be printed and completed and any further documentation and information referred to in Article 4 and 6

⁽¹⁾ OJ No L 270, 23. 9. 1987, p. 1.

▼B

shall be supplied in a language which is acceptable to the competent authority of:

- dispatch, as referred to in Articles 3, 7, 15 and 17, in the case of both a shipment of waste within the Community and the export of waste,
- destination, as referred to in Articles 20 and 22, in the case of the import of waste,
- transit, as referred to in Articles 23 and 24.

A translation shall be supplied by the notifier at the request of the other competent authorities concerned in a language acceptable to them.

2. Further details may be determined in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC.

TITLE VIII

OTHER PROVISIONS*Article 32*

The provisions of the international transport conventions listed in Annex I to which the Member States are parties shall be complied with in so far as they cover the waste to which this Regulation refers.

Article 33

1. Appropriate administrative costs of implementing the notification and supervision procedure and usual costs of appropriate analyses and inspections may be charged to the notifier.

2. Costs arising from the return of waste, including shipment, disposal or recovery of the waste in an alternative and environmentally sound manner pursuant to Articles 25 (1) and 26 (2), shall be charged to the notifier or, if impracticable, to the Member States concerned.

3. Costs arising from disposal or recovery in an alternative and environmentally sound manner pursuant to Article 26 (3) shall be charged to the consignee.

4. Costs arising from disposal or recovery, including possible shipment pursuant to Article 26 (4), shall be charged to the notifier and/or the consignee depending upon the decision by the competent authorities involved.

Article 34

1. Without prejudice to the provisions of Article 26 and to Community and national provisions concerning civil liability and irrespective of the point of disposal or recovery of the waste, the producer of that waste shall take all the necessary steps to dispose of or recover or to arrange for disposal or recovery of the waste so as to protect the quality of the environment in accordance with Directives 75/442/EEC and 91/689/EEC.

2. Member States shall take all necessary steps to ensure that the obligations laid down in paragraph 1 are carried out.

Article 35

All documents sent to or by the competent authorities shall be kept in the Community for at least three years by the competent authorities, the notifier and the consignee.

Article 36

Member States shall designate the competent authority or authorities for the implementation of this Regulation. A single competent authority of transit shall be designated by each Member State.

▼B*Article 37*

1. Member States and the Commission shall each designate at least one correspondent responsible for informing or advising persons or undertakings who or which make enquiries. The Commission correspondent shall forward to the correspondents of the Member States any questions put to him which concern the latter, and *vice versa*.
2. The Commission shall, if requested by Member States or if otherwise appropriate, periodically hold a meeting of the correspondents to examine with them the questions raised by the implementation of this Regulation.

Article 38

1. Member States shall notify the Commission not later than three months before the date of application of this Regulation of the name(s), address(es) and telephone and telex/telex number(s) of the competent authorities and of the correspondents, together with the stamp of the competent authorities.

Member States shall notify the Commission annually of any changes in this information.

2. The Commission shall send the information without delay to the other Member States and to the Secretariat of the Basle Convention.

The Commission shall furthermore send to Member States the waste management plans referred to in Article 7 of Directive 75/442/EEC.

Article 39

1. Member States may designate customs offices of entry into and departure from the Community for shipments of waste entering and leaving the Community and inform the Commission thereof.

The Commission shall publish the list of these offices in the *Official Journal of the European Communities* and, if appropriate, update this list.

2. If Member States decide to designate the custom offices referred to in paragraph 1, no shipment of waste shall be allowed to use any other frontier crossing points within a Member State for entering or leaving the Community.

Article 40

Member States, as appropriate and necessary in liaison with the Commission, shall cooperate with other parties to the Basle Convention and inter-State organizations directly or through the Secretariat of the Basle Convention, *inter alia*, via the exchange of information, the promotion of environmentally sound technologies and the development of appropriate codes of good practice.

Article 41

1. Before the end of each calendar year, Member States shall draw up a report in accordance with Article 13 (3) of the Basle Convention and send it to the Secretariat of the Basle Convention and a copy thereof to the Commission.
2. The Commission shall, based on these reports, establish every three years report on the implementation of this Regulation by the Community and its Member States. It may request to this end additional information in accordance with Article 6 of Directive 91/692/EEC ⁽¹⁾.

Article 42

1. The Commission shall draw up not later than three months before the date of application of this Regulation and adapt if appropriate

⁽¹⁾ OJ No L 377, 31. 12. 1991, p. 48.

▼B

afterwards, in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC, the standard consignment note, including the form of the certificate of disposal and recovery (either integral to the consignment note or, meanwhile, attached to the existing consignment note under Directive 84/631/EEC) taking account in particular of:

- the relevant Articles of this Regulation,
- the relevant international Conventions and agreements.

2. The existing form of the consignment note shall apply by analogy until the new consignment note has been drawn up. The form of the certificate of disposal and recovery to be attached to the existing consignment note shall be drawn up as soon as possible.

3. Without prejudice to the procedure laid down in Article 1 (3) (c) and (d) regarding Annex II.A, Annexes II, III and IV shall be adapted by the Commission in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC only to reflect changes already agreed under the review mechanism of the OECD.

4. The procedure referred to in paragraph 1 shall apply also to define environmentally sound management, taking into account the relevant international conventions and agreements.

Article 43

Directive 84/631/EEC is hereby repealed with effect from the date of application of this Regulation. Any shipment pursuant to Articles 4 and 5 of that Directive shall be completed not later than six months from the date of application of this Regulation.

Article 44

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply 15 months after publication.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

*ANNEX I***LIST OF INTERNATIONAL TRANSPORT CONVENTIONS REFERRED
TO IN ARTICLE 32⁽¹⁾**

1. ADR:
European Agreement concerning the international carriage of dangerous goods by road (1957).
2. Cotif:
Convention concerning the international carriage of dangerous goods by rail (1985).

RID:
Regulation on the international carriage by rail of dangerous goods (1985).
3. Solas Convention:
International Convention for the safety of life at sea (1974).
4. IMDG Code⁽²⁾:
International maritime dangerous goods code.
5. Chicago Convention:
Convention on international civil aviation (1944), Annex 18 to which deals with the carriage of dangerous goods by air (TI: Technical instructions for the safe transport of dangerous goods by air).
6. Marpol Convention:
International Convention for the prevention of pollution from ships (1973 to 1978).
7. ADNRR:
Regulations of the carriage of dangerous substances on the Rhine (1970).

⁽¹⁾ This list contains those Conventions in force at the time of adoption of this Regulation.

⁽²⁾ Since 1 January 1985, the IMDG code has been incorporated in the Solas Convention

▼ **M4**

ANNEX II

GREEN LIST OF WASTES(*)

Regardless of whether or not wastes are included on this list, they may not be moved as green wastes if they are contaminated by other materials to an extent which (a) increases the risks associated with the waste sufficiently to render it appropriate for inclusion in the amber or red lists, or (b) prevents the recovery of the waste in an environmentally sound manner.

GA. METAL AND METAL-ALLOY WASTES IN METALLIC, NON-DISPERSIBLE FORM ()**

The following waste and scrap of precious metals and their alloys:

GA 010	ex 7112 10	— Of gold
GA 020	ex 7112 20	— Of platinum (the expression 'platinum' includes platinum, iridium osmium, palladium, rhodium and ruthenium)
GA 030	ex 7112 90	— Of other precious metal, e.g. silver

NB: Mercury is specifically excluded as a contaminant of these metals or their alloys or amalgams.

The following ferrous waste and scrap of iron or steel:

GA 040	7204 10	Waste and scrap of cast iron
GA 050	7204 21	Waste and scrap of stainless steel
GA 060	7204 29	Waste and scrap of other alloy steels
GA 070	7204 30	Waste and scrap of tinned iron or steel
GA 080	7204 41	Turnings, shavings, chips, milling waste, filings, trimmings and stampings, whether or not in bundles
GA 090	7204 49	Other ferrous waste and scrap
GA 100	7204 50	Re-melting scrap ingots
GA 110	ex 7302 10	Used iron and steel rails

The following waste and scrap of non-ferrous metals and their alloys:

GA 120	7404 00	Copper waste and scrap
GA 130	7503 00	Nickel waste and scrap
GA 140	7602 00	Aluminium waste and scrap
GA 150	7802 00	Lead waste and scrap
GA 160	7902 00	Zinc waste and scrap
GA 170	8002 00	Tin waste and scrap
GA 180	ex 8101 91	Tungsten waste and scrap
GA 190	ex 8102 91	Molybdenum waste and scrap
GA 200	ex 8103 10	Tantalum waste and scrap
GA 210	8104 20	Magnesium waste and scrap (excluding those

(*) Wherever possible, the code number of the Harmonised Commodity Description and Coding System, established by the Brussels Convention of 14 June 1983 under the auspices of the Customs Cooperation Council (Harmonised System) is listed opposite an entry. This code may apply to both wastes and products. This Regulation does not include items which are not wastes. Therefore, the code — used by customs officials in order to facilitate their procedures as well as by others — is only provided here to help in identifying wastes that are listed and subject to this Regulation. However, corresponding official Explanatory Notes as issued by the Customs Cooperation Council should be used as interpretative guidance to identify wastes covered by generic headings.

The indicative 'ex' identifies a specific item contained within a heading of the Harmonised System code.

The code in bold in the first column is the OECD code: it consists of two letters (one for the list: Green, Amber or Red and one for the category of waste: A, B, C, . . .) followed by a number.

▼ **M4**

		listed in AA 190)
GA 220	ex 8105 10	Cobalt waste and scrap
GA 230	ex 8106 00	Bismuth waste and scrap
GA 240	ex 8107 10	Cadmium waste and scrap
GA 250	ex 8108 10	Titanium waste and scrap
GA 260	ex 8109 10	Zirconium waste and scrap
GA 270	ex 8110 00	Antimony waste and scrap
GA 280	ex 8111 00	Manganese waste and scrap
GA290	ex 8112 11	Beryllium waste and scrap
GA 300	ex 8112 20	Chromium waste and scrap
GA310	ex 8112 30	Germanium waste and scrap
GA320	ex 8112 40	Vanadium waste and scrap
	ex 8112 91	Wastes and scrap of:
GA330		— Hafnium
GA 340		— Indium
GA 350		— Niobium
GA 360		— Rhenium
GA 370		— Gallium
GA 400	ex 2804 90	Selenium waste and scrap
GA 410	ex 2804 50	Tellurium waste and scrap
GA 420	ex 2805 30	Rare earth waste and scrap
GB. METAL BEARING WASTES ARISING FROM MELTING, SMELTING AND REFINING OF METALS		
GB 010	2620 11	Hard zinc spelter
GB 020		Zinc containing drosses:
GB 021		— Galvanising slab zinc top dross (> 90 % Zn)
GB 022		— Galvanising slab zinc bottom dross (> 92 % Zn)
GB 023		— Zinc die cast dross (> 85 % Zn)
GB 024		— Hot dip galvanisers slab zinc dross (batch) (> 92 % Zn)
GB 025		— Zinc skimmings
GB 030		Aluminium skimmings
GB 040	ex 2620 90	Slags from precious metals and copper processing for further refining
GB 050	ex 2620 90	Tantalum bearing tin slags with less than 0,5 % tin
GC. OTHER WASTES CONTAINING METALS		
GC 010		Electrical assemblies consisting only of metals or alloys
GC 020		Electronic scrap (e.g. printed circuit boards, electronic components, wire, etc.) and reclaimed electronic components suitable for base and precious metal recovery
GC 030	ex 8908 00	Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials arising from the operation of the vessel which may have been classified as a dangerous substance or waste
GC 040		Motor vehicle wrecks, drained of liquids
GC 050		Spent fluid catalytic cracking (FCC) catalysts (e.g. aluminium oxide, zeolites)

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GC 060 Spent metal bearing catalysts containing any of:

- Precious metals: gold, silver
- Platinum-group metals: ruthenium, rhodium, palladium, osmium, iridium, platinum
- Transition metals: scandium, vanadium, manganese, cobalt, copper, yttrium, niobium, hafnium, tungsten, titanium, chromium, iron, nickel, zinc, zirconium, molybdenum, tantalum, rhenium
- Lanthanides (rare earth metals): lanthanum, praseodymium, samarium, gadolinium, dysprosium, erbium, ytterbium, cerium, neodymium, europium, terbium, holmium, thulium, lutetium

GC 070 ex 2619 00 Slags arising from the manufacture of iron and carbon steel (including low alloy steel) excluding those slags which have been specifically produced to meet both national and relevant international requirements and standards (!)

GC 080 Mill scale (ferrous metal)

GD. WASTES FROM MINING OPERATIONS: THESE WASTES TO BE IN NON-DISPERSIBLE FORM

GD 010 ex 2504 90 Natural graphite waste

GD 020 ex 2514 00 Slate waste, whether or not roughly trimmed or merely cut, by sawing or otherwise

GD 030 2525 30 Mica waste

GD 040 ex 2529 30 Leucite, nepheline and nepheline syenite waste

GD 050 ex 2529 10 Feldspar waste

GD 060 ex 2529 21 Fluospar waste

ex 2529 22

GD 070 ex 2811 22 Silica wastes in solid form excluding those used in foundry operations

GE. GLASS WASTE IN NON-DISPERSIBLE FORM

GE 010 ex 7001 00 Cullet and other waste and scrap of glass except for glass from cathode-ray tubes and other activated glasses

GE 020 Fibre glass wastes

GF. CERAMIC WASTES IN NON-DISPERSIBLE FORM

GF 010 Ceramic wastes which have been fired after shaping, including ceramic vessels (before and/or after use)

GF 020 ex 8113 00 Cermet waste and scrap (metal ceramic composites)

GF 030 Ceramic based fibres not elsewhere specified or included

GG. OTHER WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND ORGANIC MATERIALS

GG 010 Partially refined calcium sulphate produced from flue gas desulphurisation (FGD)

GG 020 Waste gypsum wallboard or plasterboard arising from the demolition of buildings

GG 030 ex 2621 Bottom ash and slag tap from coal-fired power plants

GG 040 ex 2621 Coal-fired power plants fly ash

GG 050 Anode butts of petroleum coke and/or bitumen

GG 060 ex 2803 Spent activated carbon, resulting from the treatment of potable water and processes of the food industry and vitamin production

▼ **M4**

GG 080	ex 2621 00	Slag from copper production, chemical stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications
GG 090		Sulphur in solid form
GG 100		Limestone from production of calcium cyanamide (having a pH less than 9)
GG 110	ex 2621 00	Neutralised red mud from alumina production
GG 120		Sodium, potassium, calcium chlorides
GG 130		Carborundum (silicon carbide)
GG 140		Broken concrete
GG 150	ex 2620 90	Lithium-tantalum and lithium-niobium containing glass scraps

GH. SOLID PLASTIC WASTES

Including, but not limited to:

GH 010	3915	Waste, parings and scrap of plastics of:
GH 011	ex 3915 10	— Polymers of ethylene
GH 012	ex 3915 20	— Polymers of styrene
GH 013	ex 3915 30	— Polymers of vinyl chloride
GH 014	ex 3915 90	— Polymerized or co-polymers: for example: — Polypropylene — Polyethylene terephthalate — Acrylonitrile copolymer — Butadiene copolymer — Styrene copolymer — Polyamides — Polybutylene terephthalates — Polycarbonates — Polyphenylene sulphides — Acrylic polymers — Paraffins (C10-C13) (?) — Polyurethane (not containing chlorofluorocarbons) — Polysiloxanes (silicones) — Polymethyl methacrylate — Polyvinyl alcohol — Polyvinyl butyral — Polyvinyl acetate — Polymers of fluorinated ethylene (Teflon, PTFE)
GH 015	ex 3915 90	— Resins or condensation products, for example: — Urea formaldehyde resins — Phenol formaldehyde resins — Melamine formaldehyde resins — Epoxy resins — Alkyd resins — Polyamides

GI. PAPER, PAPERBOARD AND PAPER PRODUCT WASTES

GI 010	4707	Waste and scrap of paper or paperboard:
GI 011	4707 10	— Of unbleached kraft paper or paperboard or of corrugated paper or paperboard
GI 012	4707 20	— Of other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass
GI 013	4707 30	— Of paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)

▼M4

GI 014	4707 90	— Other, including but not limited to: 1. Laminated paperboard 2. Unsorted waste and scrap
GJ. TEXTILE WASTES		
GJ 010	5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)
<i>GJ 011</i>	5003 10	— Not carded or combed
GJ 012	5003 90	— Other
GJ 020	5103	Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock
GJ 021	5103 10	— Noils of wool or of fine animal hair
GJ 022	5103 20	— Other waste of wool or of fine animal hair
GJ 023	5103 30	— Waste of coarse animal hair
GJ 030	5202	Cotton waste (including yarn waste and garnetted stock)
GJ 031	5202 10	— Yarn waste (including thread waste)
GJ032	5202 91	— Garnetted stock
GJ 033	5202 99	— Other
GJ 040	5301 30	Flax tow and waste
GJ 050	ex 5302 90	Tow and waste (including yarn waste and garnetted stock) of true hemp (<i>Cannabis sativa</i> L.)
GJ060	ex 5303 90	Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)
GJ 070	ex 5304 90	Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus <i>Agave</i>
GJ 080	ex 5305 19	Tow, noils and waste (including yarn waste and garnetted stock) of coconut
GJ 090	ex 5305 29	Tow, noils and waste (including yarn waste and garnetted stock) of abaca (Manila hemp or <i>Musa textilis</i> Nee)
GJ 100	ex 5305 99	Tow, noils and waste (including yarn waste and garnetted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included
GJ 110	5505	Waste (including noils, yarn waste and garnetted stock) of man-made fibres
GJ 111	5505 10	— Of synthetic fibres
GJ 112	5505 20	— Of artificial fibres
GJ 120	6309 00	Worn clothing and other worn textile articles
GJ 130	ex 6310	Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile materials
GJ 131	ex 6310 10	— Sorted
GJ 132	ex 6310 90	— Other
GK. RUBBER WASTES		
GK 010	4004 00	Waste, parings and scrap of rubber (other than hard rubber) and granules obtained therefrom
GK 020	4012 20	Used pneumatic tyres
GK 030	ex 4017 00	Waste and scrap of hard rubber (for example, ebonite)
GL. UNTREATED CORK AND WOOD WASTES		
GL 010	ex 4401 30	Wood waste and scrap, whether or not agglom-

▼ **M4***ANNEX III***AMBER LIST OF WASTES (*)**

Regardless of whether or not wastes are included on this list, they may not be moved as amber wastes if they are contaminated by other materials to an extent which (a) increases the risks associated with the waste sufficiently to render it appropriate for inclusion in the red list, or (b) prevents the recovery of the waste in an environmentally sound manner.

AA. METAL BEARING WASTES

AA 010	ex 2619 00	Dross, scalings and other wastes from the manufacture of iron and steel (**)
AA 020	ex 2620 19	Zinc ashes and residues (**)
AA 030	2620 20	Lead ashes and residues (**)
AA 040	ex 2620 30	Copper ashes and residues (**)
AA 050	ex 2620 40	Aluminium ashes and residues (**)
AA 060	ex 2620 50	Vanadium ashes and residues (**)
AA 070	2620 90	Ashes and residues (**) containing metals or metal compounds not elsewhere specified or included
AA 080	ex 8112 91	Thallium waste scrap and residues (**)
AA 090	ex 2804 80	Arsenic waste and residues (**)
AA 100	ex 2805 40	Mercury waste and residues (**)
AA 110		Residues from alumina production not elsewhere specified or included
AA 120		Galvanic sludges
AA 130		Liquors from the pickling of metals
AA 140		Leaching residues from zinc processing, dusts and sludges such as jarosite, hematite, goethite, etc.
AA 150		Precious metal bearing residues in solid form which contain traces of inorganic cyanides
AA 160		Precious metal ash, sludge, dust and other residues such as:
AA 161		— Ash from incineration of printed circuit boards
AA 162		— Photographic film ash
AA 170		Lead-acid batteries, whole or crushed
AA 180		Used batteries or accumulators, whole or crushed, other than lead-acid batteries, and waste and scrap arising from the production of batteries and accumulators, not otherwise specified or included
AA 190	8014 20	Magnesium waste and scrap that is flammable, pyrophoric or emits, upon contact with water, flammable gases in dangerous quantities.

AB. WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITU-

(*) Wherever possible, the code number of the Harmonised Commodity Description and Coding System, established by the Brussels Convention on 14 June 1983 under the auspices of the Customs Cooperation Council (Harmonised System) is listed opposite an entry. This code may apply to both wastes and products. This Regulation does not include items which are not wastes. Therefore, the code — used by customs officials in order to facilitate their procedures as well as by others — is only provided here to help in identifying wastes that are listed and subject to this Regulation. However, corresponding official Explanatory Notes as issued by the Customs Cooperation Council should be used as interpretative guidance to identify wastes covered by generic headings.

The indicative 'ex' identifies a specific item contained within a heading of the Harmonised System code.

The code in bold in the first column is the OECD: it consists of two letters (one for the list: Green, Amber or Red, and one for the category of waste: A, B, C, . . .) followed by a number.

▼ **M4****ENTS, WHICH MAY CONTAIN METALS AND ORGANIC MATERIALS**

AB 010	2621 00	Slag, ash and residues (**), not elsewhere specified or included
AB 020		Residues arising from the combustion of municipal/household wastes
AB 030		Wastes from non-cyanide based systems which arise from surface treatment of metals
AB 040	ex 7001 30	Glass waste from cathode-ray tubes and other activated glasses
AB050	ex 2529 21	Calcium fluoride sludge
AB 060		Other inorganic fluorine compounds in the form of liquids or sludges
AB 070		Sands used in foundry operations
AB 080		Spent catalysts not on the green list
AB 090		Waste hydrates of aluminium
AB 100		Waste alumina
AB 110		Basic solutions
AB 120		Inorganic halide compounds, not elsewhere specified or included
AB 130		Used blasting grit
AB 140		Gypsum arising from chemical industry processes
AB 150		Unrefined calcium sulphite and calcium sulphate from flue gas desulphurisation (FGD)

AC. WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS

AC 010	ex 2713 90	Waste from the production/processing of petroleum coke and bitumen, excluding anode butts
AC 020		Asphalt cement wastes
AC 030		Waste oils unfit for their originally intended use
AC 040		Leaded petrol (gasoline) sludges
AC 050		Thermal (heat transfer) fluids
AC 060		Hydraulic fluids
AC 070		Brake fluids
AC 080		Antifreeze fluids
AC 090		Waste from production, formulation and use of resins, latex, plasticizers, glues and adhesives
AC 100	ex 3915 90	Nitrocellulose
AC 110		Phenols, phenol compounds including chlorophenol in the form of liquids or sludges
AC 120		Polychlorinated naphthalenes
AC 130		Ethers
AC 140		Triethylamine catalyst for setting foundry sands
AC 150		Chlorofluorocarbons
AC 160		Halons
AC 170		Treated cork and wood wastes
AC 180	ex 4110 00	Leather dust, ash, sludges and flours
AC 190		Fluff — light fraction from automobile shredding
AC 200		Organic phosphorous compounds
AC 210		Non-halogenated solvents

▼ **M4**

AC 220		Halogenated solvents
AC230		Halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations
AC 240		Wastes arising from the production of aliphatic halogenated hydrocarbons (such as chloromethanes, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlorhydrin)
AC 250		Surface active agents (surfactants)
AC 260		Liquid pig manure; faeces
AC 270		Sewage sludge
AD. WASTES WHICH MAY CONTAIN EITHER INORGANIC OR ORGANIC CONSTITUENTS		
AD 010		Wastes from the production and preparation of pharmaceutical products
AD 020		Wastes from the production, formulation and use of biocides and phytopharmaceuticals
AD 030		Wastes from the manufacture, formulation and use of wood preserving chemicals
AD 040		Wastes that contain, consist of or are contaminated with any of the following: — Inorganic cyanides, excepting precious metal-bearing residues in solid form containing traces of inorganic cyanides
AD 050		— Organic cyanides
AD 060		Waste oils/water, hydrocarbons/water mixtures, emulsions
AD 070		Wastes from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish
AD 080		Wastes of an explosive nature, when not subject to specific other legislation
AD 090		Wastes from production, formulation and use of reprographic and photographic chemicals and materials not elsewhere specified or included
AD 100		Wastes from non-cyanide based systems which arise from surface treatment of plastics
AD 110		Acidic solutions
AD 120		Ion exchange resins
AD 130		Single-use cameras with batteries
AD 140		Wastes from industrial pollution control devices for cleaning of industrial off-gases, not elsewhere specified or included
AD 150		Naturally occurring organic material used as a filter medium (such as bio-filters)
AD 160		Municipal/household wastes
AD 170	ex 2803	Spent activated carbon having hazardous characteristics and resulting from its use in the inorganic chemical, organic chemical and pharmaceutical industries, waste water treatment, gas/air cleaning processes and similar applications.

(**) This listing includes wastes in the form of ash, residue, slag, dross, skimming, scaling, dust, powder, sludge and cake, unless a material is expressly listed elsewhere.

▼ **M1***ANNEX IV***RED LIST OF WASTES**

'Containing' or 'contained with', when used in this list, means that the substance referred to is present to an extent which (a) renders the waste hazardous, or (b) renders it not suitable for submission to a recovery operation.

RA. WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS

RA 010 Wastes, substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB) and/or polychlorinated terphenyl (PCT) and/or polybrominated biphenyl (PBB), including any other polybrominated analogues of these compounds, at a concentration level of 50 mg/kg or more

RA 020 Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolytic treatment

RB. WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND ORGANIC MATERIALS

RB 010 Asbestos (dusts and fibres)

RB 020 Ceramic-based fibres of physico-chemical characteristics similar to those of asbestos

RC. WASTES WHICH MAY CONTAIN EITHER INORGANIC OR ORGANIC CONSTITUENTS

Wastes that contain, consist of or are contaminated with any of the following:

RC 010 — Any congener of polychlorinated dibenzofuran

RC 020 — Any congener of polychlorinated dibenzodioxin

RC 030 Leaded anti-knock compounds sludges

RC 040 Peroxides other than hydrogen peroxide

ANNEX V

INTRODUCTORY NOTES

1. Annex V shall apply without prejudice to Directive 75/442/EEC, as amended by Directive 91/156/EEC, and Directive EEC.
2. This Annex consists of three parts, whereby Parts 2 and 3 only apply when Part 1 is not applicable. Consequently, to determine if a specific waste is covered by Annex V to Regulation (EEC) No 259/93, one has to first check whether the waste features in Part 1 of Annex V, if this is not the case whether it features in Part 2, and if this is not the case whether it features in Part 3.

Part 1 is divided into two sub-sections: List A enumerating wastes which are classified as hazardous for the purposes of the Basel Convention and therefore are covered by the export ban and List B enumerating wastes which are not covered by the export ban.

Thus, if a waste features in Part 1, one has to check if it is enumerated in List A or in List B. Only if a waste does not feature in either List A or List B of Part 1, one has to check if it features in Part 2 or 3 and if this is the case it is covered by the export ban.

3. Member States may make provisions, in exceptional cases, to determine, on the basis of documentary evidence provided in an appropriate way by the holder, that a specific waste on this Annex is excluded from the export ban referred to in Article 16(1) of Regulation (EEC) No 259/93 as amended, if it does not display any of the properties listed in Annex III to Directive 91/689/EEC, taking into account, as regards H3 to H8 of the said Annex, the limit values laid down in Decision 94/904/EC.

In such a case, the Member State concerned shall inform the envisaged importing country prior to taking a decision. Member States shall notify such cases to the Commission before the end of each calendar year. The Commission shall forward the information to all Member States and to the Secretariat of the Basel Convention. On the basis of the information provided, the Commission may make comments and, where appropriate, submit proposals to the Committee established pursuant to Article 18 of Directive 75/442/EEC with a view to adapting Annex V to Regulation (EEC) No 259/93.

4. The fact that a waste is not listed in this Annex, or that it is listed in Part 1, List B, does not preclude, in exceptional cases, characterisation of such a waste as hazardous and therefore subject to the export ban referred to in Article 16(1) of Regulation (EEC) No 259/93 as amended, if it displays any of the properties listed in Annex III to Directive 91/689/EEC, taking into account, as regards H3 to H8 of the said Annex, the limit values laid down in Decision 94/904/EC, as provided for in Article 1(4), second indent, of Directive 91/689/EEC and in the Header of Annex II to Regulation (EEC) No 259/93.

In such a case, the Member State concerned shall inform the envisaged importing country prior to taking a decision. Member States shall notify such cases to the Commission before the end of each calendar year. The Commission shall forward the information to all Member States and to the Secretariat of the Basel Convention. On the basis of the information provided, the Commission may make comments and, where appropriate, submit proposals to the Committee established pursuant to Article 18 of Directive 75/442/EEC with a view to adapting Annex V to Regulation (EEC) No 259/93;

▼ **M5****PART 1***List A (Annex VIII to the Basel Convention)***[A1] Metal and metal-bearing wastes**

- [A1010] Metal wastes and waste consisting of alloys of any of the following:
- Antimony
 - Arsenic
 - Beryllium
 - Cadmium
 - Lead
 - Mercury
 - Selenium
 - Tellurium
 - Thallium
- but excluding such wastes specifically listed on List B.
- [A1020] Waste having as constituents or contaminants, excluding metal waste in massive form, any of the following:
- Antimony; antimony compounds
 - Beryllium; beryllium compounds
 - Cadmium; cadmium compounds
 - Lead; lead compounds
 - Selenium; selenium compounds
 - Tellurium; tellurium compounds
- [A1030] Wastes having as constituents or contaminants any of the following:
- Arsenic; arsenic compounds
 - Mercury; mercury compounds
 - Thallium; thallium compounds
- [A1040] Wastes having as constituents any of the following:
- Metal carbonyls
 - Hexavalent chromium compounds
- [A1050] Galvanic sludges
- [A1060] Waste liquors from the pickling of metals
- [A1070] Leaching residues from zinc processing, dust and sludges such as jarosite, hematite, etc.
- [A1080] Waste zinc residues not included on List B, containing lead and cadmium in concentrations sufficient to exhibit Annex III characteristics
- [A1090] Ashes from the incineration of insulated copper wire
- [A1100] Dusts and residues from gas cleaning systems of copper smelters
- [A1110] Spent electrolytic solutions from copper electro-refining and electro-winning operations
- [A1120] Waste sludges, excluding anode slimes, from electrolyte purification systems in copper electro-refining and electro-winning operations
- [A1130] Spent etching solutions containing dissolved copper
- [A1140] Waste cupric chloride and copper cyanide catalysts
- [A1150] Precious metal ash from incineration of printed circuit boards not included on List B ⁽¹⁾
- [A1160] Waste lead-acid batteries, whole or crushed
- [A1170] Unsorted waste batteries excluding mixtures of only List B batteries. Waste batteries not specified on List B containing Annex I constituents to an extent to render them hazardous
- [A1180] Waste electrical and electronic assemblies or scrap ⁽²⁾ containing components such as accumulators and other batteries included on List A, mercury-switches, glass from cathode-ray tubes and other

▼ **M5**

activated glass and PCB capacitors, or contaminated with Annex I constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they possess any of the characteristics contained in Annex III (note the related entry on List B [B1110])⁽³⁾

[A2] Wastes containing principally inorganic constituents, which may contain metals and organic materials

- [A2010] Glass waste from cathode-ray tubes and other activated glasses
- [A2020] Waste inorganic fluorine compounds in the form of liquids or sludges but excluding such wastes specified on List B
- [A2030] Waste catalysts but excluding such wastes specified on List B
- [A2040] Waste gypsum arising from chemical industry processes, when containing Annex I constituents to the extent that it exhibits an Annex III hazardous characteristic (note the related entry on List B [B2080])
- [A2050] Waste asbestos (dusts and fibres)
- [A2060] Coal-fired power plant fly-ash containing Annex I substances in concentrations sufficient to exhibit Annex III characteristics (note the related entry on List B [B2050])

[A3] Wastes containing principally organic constituents, which may contain metals and inorganic materials

- [A3010] Waste from the production or processing of petroleum coke and bitumen
- [A3020] Waste mineral oils unfit for their originally intended use
- [A3030] Wastes that contain, consist of or are contaminated with leaded anti-knock compound sludges
- [A3040] Waste thermal (heat transfer) fluids
- [A3050] Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives excluding such wastes specified on List B (note the related entry on List B [B4020])
- [A3060] Waste nitrocellulose
- [A3070] Waste phenols, phenol compounds including chlorophenol in the form of liquids or sludges
- [A3080] Waste ethers not including those specified on List B
- [A3090] Waste leather dust, ash, sludges and flours when containing hexavalent chromium compounds or biocides (note the related entry on List B [B3100])
- [A3100] Waste paring and other waste of leather or of composition leather not suitable for the manufacture of leather articles containing hexavalent chromium compounds or biocides (note the related entry on List B [3090])
- [A3110] Fellmongery wastes containing hexavalent chromium compounds or biocides or infectious substances (note the related entry on List B [3110])
- [A3120] Fluff — light fraction from shredding
- [A3130] Waste organic phosphorous compounds
- [A3140] Waste non-halogenated organic solvents but excluding such wastes specified on List B
- [A3150] Waste halogenated organic solvents
- [A3160] Waste halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations
- [A3170] Wastes arising from the production of aliphatic halogenated hydrocarbons (such as chloromethane, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlorhydrin)
- [A3180] Wastes, substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB), polychlorinated terphenyl (PCT), polychlorinated naphthalene (PCN) or polybrominated biphenyl (PBB), or any other polybrominated analogues of these compounds, at a concentration level of 50

▼ **M5**mg/kg or more ⁽⁴⁾

- [A3190] Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolytic treatment of organic materials

[A4] Wastes which may contain either inorganic or organic constituents

- [A4010] Wastes from the production, preparation and use of pharmaceutical products but excluding such wastes specified on List B
- [A4020] Clinical and related wastes; that is wastes arising from medical, nursing, dental, veterinary, or similar practices, and wastes generated in hospitals or other facilities during the investigation or treatment of patients, or research projects
- [A4030] Wastes from the production, formulation and use of biocides and phytopharmaceuticals, including waste pesticides and herbicides which are off-specification, out-dated ⁽⁵⁾, or unfit for their originally intended use
- [A4040] Wastes from the manufacture, formulation and use of wood-preserving chemicals ⁽⁶⁾
- [A4050] Wastes that contain, consist of or are contaminated with any of the following:
 — Inorganic cyanides, excepting precious-metal-bearing residues in solid form containing traces of inorganic cyanides
 — Organic cyanides
- [A4060] Waste oils/water, hydrocarbons/water mixtures, emulsions
- [A4070] Wastes from the production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish excluding any such waste specified on List B (note the related entry on List B [B4010])
- [A4080] Wastes of an explosive nature (but excluding such wastes specified on List B)
- [A4090] Waste acidic or basic solutions, other than those specified in the corresponding entry on List B (note the related entry on List B [B2120])
- [A4100] Wastes from industrial pollution control devices for cleaning of industrial off-gases but excluding such wastes specified on List B
- [A4110] Wastes that contain, consist of or are contaminated with any of the following:
 — any congener of polychlorinated dibenzo-furan
 — any congener of polychlorinated dibenzo-dioxin
- [A4120] Wastes that contain, consist of or are contaminated with peroxides
- [A4130] Wastes packages and containers containing Annex I substances in concentrations sufficient to exhibit Annex III hazard characteristics
- [A4140] Waste consisting of or containing off-specification or out-dated ⁽⁵⁾ chemicals corresponding to Annex I categories and exhibiting Annex III hazard characteristics
- [A4150] Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on human health and/or the environment are not known
- [A4160] Spent activated carbon not included on List B (note the related entry on List B [B2060])

⁽¹⁾ Note that the mirror entry on List B ([B 1160]) does not specify exceptions.

⁽²⁾ This entry does not include scrap assemblies from electric power generation.

⁽³⁾ PCBs are at a concentration level of 50 mg/kg or more.

⁽⁴⁾ The 50 mg/kg level is considered to be an internationally practical level for all wastes. However, many individual countries have established lower regulatory levels (e.g. 20 mg/kg) for specific wastes.

⁽⁵⁾ 'Out-dated' means unused within the period recommended by the manufacturer.

⁽⁶⁾ This entry does not include wood treated with wood-preserving chemicals.

▼ **M5***List B (Annex IX to the Basel Convention)***[B1] Metal and metal-bearing wastes**

- [B1010] Metal and metal-alloy wastes in metallic, non-dispersible form:
- Precious metals (gold, silver, the platinum group, but not mercury)
 - Iron and steel scrap
 - Copper scrap
 - Nickel scrap
 - Aluminium scrap
 - Zinc scrap
 - Tin scrap
 - Tungsten scrap
 - Molybdenum scrap
 - Tantalum scrap
 - Magnesium scrap
 - Cobalt scrap
 - Bismuth scrap
 - Titanium scrap
 - Zirconium scrap
 - Manganese scrap
 - Germanium scrap
 - Vanadium scrap
 - Scrap of hafnium, indium, niobium, rhenium and gallium
 - Thorium scrap
 - Rare earths scrap
- [B1020] Clean, uncontaminated metal scrap, including alloys, in bulk finished form (sheet, plate, beams, rods, etc.):
- Antimony scrap
 - Beryllium scrap
 - Cadmium scrap
 - Lead scrap (but excluding lead-acid batteries)
 - Selenium scrap
 - Tellurium scrap
- [B1030] Refractory metals containing residues
- [B1040] Scrap assemblies from electrical power generation not contaminated with lubricating oil, PCB or PCT to an extent to render them hazardous
- [B1050] Mixed non-ferrous metal, heavy fraction scrap, not containing Annex I materials in concentrations sufficient to exhibit Annex III characteristics ⁽¹⁾
- [B1060] Waste selenium and tellurium in metallic elemental form including powder
- [B1070] Waste of copper and copper alloys in dispersible form, unless than contain Annex I constituents to an extent that they exhibit Annex III characteristics
- [B1080] Zinc ash and residues including zinc alloys residues in dispersible form unless containing Annex I constituents in concentration such as to exhibit Annex III characteristics or exhibiting hazard characteristic H4.3 ⁽²⁾
- [B1090] Waste batteries conforming to a specification, excluding those made with lead, cadmium or mercury
- [B1100] Metal-bearing wastes arising from melting, smelting and refining of metals:
- Hard zinc spelter
 - Zinc-containing drosses:
 - galvanizing slab zinc top dross (> 90 % Zn)
 - galvanizing slab zinc bottom dross (> 92 % Zn)
 - zinc die casting dross (> 85 % Zn)
 - hot dip galvanizers slab zinc dross (batch) (> 92 % Zn)
 - zinc skimmings
 - Aluminium skimmings (or skims) excluding salt slag

▼ **M5**

- Slags from copper processing for further processing or refining not containing arsenic, lead or cadmium to an extent that they exhibit Annex III hazard characteristics
 - Wastes of refractory linings, including crucibles, originating from copper smelting
 - Slags from precious metals processing for further refining
 - Tantalum bearing tin slags with less than 0,5 % tin
- [B1110] Electrical and electronic assemblies:
- Electronic assemblies consisting only of metals or alloys
 - Waste electrical and electronic assemblies or scrap ⁽³⁾ (including printed circuit boards) not containing components such as accumulators and other batteries included on List A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB capacitors, or not contaminated with Annex I constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) or from which these have been removed, to an extent that they do not possess any of the characteristics contained in Annex III (note the related entry on List A [A1180])
 - Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct re-use ⁽⁴⁾ and not for recycling or final disposal ⁽⁵⁾
- [B1120] Spent catalysts excluding liquids used as catalysts, containing any of:
- Transition metals, excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) on List A: scandium, vanadium, manganese, cobalt, copper, yttrium, niobium, hafnium, tungsten, titanium, chromium, iron, nickel, zinc, zirconium, molybdenum, tantalum, rhenium
 - Lanthanides (rare earth metals): lanthanum, praseodymium, samarium, gadolinium, dysprosium, erbium, ytterbium, cerium, neodymium, europium, terbium, holmium, thulium, lutetium
- [B1130] Cleaned spent precious-metal-bearing catalysts
- [B1140] Precious-metal-bearing residues in solid form which contain traces of inorganic cyanides
- [B1150] Precious metals and alloy wastes (gold, silver, the platinum group, but not mercury) in a dispersible, non-liquid form with appropriate packaging and labelling
- [B1160] Precious-metal ash from the incineration of printed circuit boards (note the related entry on List A [A1150])
- [B1170] Precious-metal ash from the incineration of photographic film
- [B1180] Waste photographic film containing silver halides and metallic silver
- [B1190] Waste photographic paper containing silver halides and metallic silver
- [B1200] Granulated slag arising from the manufacture of iron and steel
- [B1210] Slag arising from the manufacture of iron and steel including slags as a source of TiO₂ and vanadium
- [B1220] Slag from zinc production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301) mainly for construction
- [B1230] Mill scaling arising from the manufacture of iron and steel
- [B1240] Copper oxide mill-scale

[B2] Wastes containing principally inorganic constituents, which may contain metals and organic materials

- [B2010] Wastes from mining operations in non-dispersible form:
- Natural graphite waste
 - Slate waste, whether or not roughly trimmed or merely cut, by sawing or otherwise
 - Mica waste
 - Leucite, nepheline and nepheline syenite waste

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- Feldspar waste
 - Fluorspar waste
 - Silica wastes in solid form excluding those used in foundry operations
- [B2020] Glass waste in non-dispersible form:
Cullet and other waste and scrap of glass except for glass from cathode-ray tubes and other activated glasses
- [B2030] Ceramic wastes in non-dispersible form:
- Cermet wastes and scrap (metal ceramic composites)
 - Ceramic based fibres not elsewhere specified or included
- [B2040] Other wastes containing principally inorganic constituents:
- Partially refined calcium sulphate produced from flue-gas desulphurisation (FGD)
 - Waste gypsum wallboard or plasterboard arising from the demolition of buildings
 - Slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications
 - Sulphur in solid form
 - Limestone from the production of calcium cyanamide (having a pH less than 9)
 - Sodium, potassium, calcium chlorides
 - Carborundum (silicon carbide)
 - Broken concrete
 - Lithium- tantalum and lithium-niobium containing glass scraps
- [B2050] Coal-fired power plant fly-ash, not included on List A (note the related entry on List A [A2060])
- [B2060] Spent activated carbon resulting from the treatment of potable water and processes of the food industry and vitamin production (note the related entry on List A [A4160])
- [B2070] Calcium fluoride sludge
- [B2080] Waste gypsum arising from chemical industry processes not included on List A (note the related entry on List A [A2040])
- [B2090] Waste anode butts from steel or aluminium production made of petroleum coke or bitumen and cleaned to normal industry specifications (excluding anode butts from chlor alkali electrolyses and from metallurgical industry)
- [B2100] Waste hydrates of aluminium and waste alumina and residues from alumina production excluding such materials used for gas cleaning, flocculation or filtration processes
- [B2110] Bauxite residue ('red mud') (pH moderated to less than 11,5)
- [B2120] Waste acidic or basic solutions with a PH greater than 2 and less than 11,5, which are not corrosive or otherwise hazardous (note the related entry on List A [A4090])

[B3] Wastes containing principally organic constituents, which may contain metals and inorganic materials

- [B3010] Solid plastic waste:
- The following plastic or mixed plastic materials, provided they are not mixed with other wastes and are prepared to a specification:
- Scrap plastic of non-halogenated polymers and co-polymers, including but not limited to the following (6):
 - ethylene
 - styrene
 - polypropylene
 - polyethylene terephthalate
 - acrylonitrile
 - butadiene
 - polyacetals

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- polyamides
- polybutylene terephthalate
- polycarbonates
- polyethers
- polyphenylene sulphides
- acrylic polymers
- alkanes C10 - C13 (plasticiser)
- polyurethane (not containing CFCs)
- polysiloxanes
- polymethyl methacrylate
- polyvinyl alcohol
- polyvinyl butyral
- polyvinyl acetate
- Cured waste resins or condensation products including the following:
 - urea formaldehyde resins
 - phenol formaldehyde resins
 - melamine formaldehyde resins
 - epoxy resins
 - alkyd resins
 - polyamides
- The following fluorinated polymer wastes (?):
 - Perfluoroethylene/propylene (FEP)
 - Perfluoroalkoxy alkane (PFA)
 - Perfluoroalkoxy alkane (MFA)
 - Polyvinylfluoride (PVF)
 - Polyvinylidene fluoride (PVDF)

[B3020] Paper, paperboard and paper product wastesThe following materials, provided they are not mixed with hazardous wastes:

Waste and scrap of paper or paperboard of:

- unbleached paper or paperboard or of corrugated paper or paperboard
- other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass
- paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)
- other, including but not limited to 1. laminated paperboard; 2. unsorted scrap

[B3030] Textile wastes

The following materials, provided they are not mixed with other wastes and are prepared to a specification:

- Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock):
 - not carded or combed
 - other
- Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock:
 - noils of wool or of fine animal hair
 - other waste of wool or of fine animal hair
 - waste of coarse animal hair
- Cotton waste (including yarn waste and garnetted stock):
 - yarn waste (including thread waste)
 - garnetted stock
 - other
- Flax tow and waste
- Tow and waste (including yarn waste and garnetted stock) of true hemp (*Cannabis sativa* L.)
- Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)
- Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus *Agave*

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- Tow, noils and waste (including yarn waste and garnetted stock) of coconut
 - Tow, noils and waste (including yarn waste and garnetted stock) of abaca (Manila hemp or *Musa textilis* Nee)
 - Tow, noils and waste (including yarn waste and garnetted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included
 - Waste (including noils, yarn waste and garnetted stock) of man-made fibres:
 - of synthetic fibres
 - of artificial fibres
 - Worn clothing and other worn textile articles
 - Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile:
 - sorted
 - other
- [B3040] Rubber wastes
- The following materials, provided they are not mixed with other wastes:
- Waste and scrap of hard rubber (e.g. ebonite)
 - Other rubber wastes (excluding such wastes specified elsewhere)
- [B3050] Untreated cork and wood waste:
- Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
 - Cork waste: crushed, granulated or ground cork
- [B3060] Wastes arising from agro-food industries provided it is not infectious:
- Wine lees
 - Dried and sterilised vegetable waste, residues and by-products, whether or not in the form of pellets, or a kind used in animal feeding, not elsewhere specified or included
 - Degras: residues resulting from the treatment of fatty substances or animal or vegetable waxes
 - Waste of bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised
 - Fish waste
 - Cocoa shells, husks, skins and other cocoa waste
 - Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption
- [B3070] The following wastes:
- Waste of human hair
 - Waste straw
 - Deactivated fungus mycelium from penicillin production to be used as animal feed
- [B3080] Waste parings and scrap of rubber
- [B3090] Paring and other wastes of leather or of composition leather not suitable for the manufacture of leather articles, excluding leather sludges, not containing hexavalent chromium compounds and biocides (note the related entry on List A [A 3100])
- [B3100] Leather dust, ash, sludges or flours not containing hexavalent chromium compounds or biocides (note the related entry on List A [A3090])
- [B3110] Fellmongery wastes not containing hexavalent chromium compounds or biocides or infectious substances (note the related entry on List A [A3110])
- [B3120] Wastes consisting of food dyes
- [B3130] Waste polymer ethers and waste non-hazardous monomer ethers incapable of forming peroxides
- [B3140] Waste pneumatic tyres, excluding those destined for Annex IV.A

▼ M5

operations

[B4] Wastes which may contain either inorganic or organic constituents

- [B4010] Wastes consisting mainly of water-based/latex paints, inks and hardened varnishes not containing organic solvents, heavy metals or biocides to an extent to render them hazardous (note the related entry on List A [A4070])
- [B4020] Wastes from production, formulation and use of resins, latex, plasticisers, glues/adhesives, not listed on List A, free of solvents and other contaminants to an extent that they do not exhibit Annex III characteristics, e.g. water based, or glues based on casein starch, dextrin, cellulose ethers, polyvinyl alcohols (note the related entry on List A [A3050])
- [B4030] Used single use cameras, with batteries not included on List A

- (¹) Note that even where low level contamination with Annex I materials initially exists, subsequent processes, including recycling processes, may result in separated fractions containing significantly enhanced concentrations of those Annex I materials.
- (²) The status of zinc ash is currently under review and there is a recommendation with United Nations Conference on Trade and Development (UNCTAD) that zinc ashes should not be dangerous goods.
- (³) This entry does not include scrap from electrical power generation.
- (⁴) Re-use can include repair, refurbishment or upgrading, but not major reassembly.
- (⁵) In some countries these materials destined for direct re-use are not considered wastes.
- (⁶) It is understood that such scraps are completely polymerized.
- (⁷) — Post-consumer wastes are excluded from this entry.
 — Wastes shall not be mixed.
 — Problems arising from open-burning practices to be considered.

▼ **M5****PART 2**

Wastes listed in Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Directive 91/689/EEC on hazardous waste

020000	WASTE FROM AGRICULTURAL, HORTICULTURAL, HUNTING, FISHING AND AQUACULTURE PRIMARY PRODUCTION, FOOD PREPARATION AND PROCESSING
020100	Primary production waste
020105	Agrochemical wastes
030000	WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PAPER, CARDBOARD, PULP, PANELS AND FURNITURE
030200	Wood preservation waste
030201	Non-halogenated organic wood preservatives
030202	Organochlorinated wood preservatives
030203	Organometallic wood preservatives
030204	Inorganic wood preservatives
040000	WASTES FROM THE LEATHER AND TEXTILE INDUSTRIES
040100	Wastes from the leather industry
040103	Degreasing wastes containing solvents without a liquid phase
040200	Wastes from the textile industry
040211	Halogenated wastes from dressing and finishing
050000	WASTES FROM PETROLEUM REFINING, NATURAL GAS PURIFICATION AND PYROLYTIC TREATMENT OF COAL
050100	Oily sludges and solid wastes
050103	Tank bottom sludges
050104	Acid alkyl sludges
050105	Oil spills
050107	Acid tars
050108	Other tars
050400	Spent filter clays
050401	Spent filter clays
050600	Waste from the pyrolytic treatment of coal
050601	Acid tars
050603	Other tars
050700	Wastes from natural gas purification
050701	Sludges containing mercury
050800	Wastes from oil regeneration
050801	Spent filter clays
050802	Acid tars
050803	Other tars
050804	Aqueous liquid waste from oil regeneration
060000	WASTES FROM INORGANIC CHEMICAL PROCESSES
060100	Waste acidic solutions
060101	Sulphuric acid and sulphurous acid
060102	Hydrochloric acid
060103	Hydrofluoric acid
060104	Phosphoric and phosphorous acid

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060105	Nitric acid and nitrous acid
060199	Waste not otherwise specified
060200	Waste alkaline solutions
060201	Calcium hydroxide
060202	Soda
060203	Ammonia
060299	Wastes not otherwise specified
060300	Waste salts and their solutions
060311	Salts and solutions containing cyanides
060400	Metal-containing wastes
060402	Metallic salts (except 060300)
060403	Wastes containing arsenic
060404	Wastes containing mercury
060405	Wastes containing other heavy metals
060700	Wastes from halogen chemical processes
060701	Wastes containing asbestos from electrolysis
060702	Activated carbon from chlorine production
061300	Wastes from other inorganic chemical processes
061301	Inorganic pesticides, biocides and wood preserving agents
061302	Spent activated carbon (except 060702)
070000	WASTES FROM ORGANIC CHEMICAL PROCESSES
070100	Waste from the manufacture, formulation, supply and use (MFSU) of basic organic chemicals
070101	Aqueous washing liquids and mother liquors
070103	Organic halogenated solvents, washing liquids and mother liquors
070104	Other organic solvents, washing liquids and mother liquors
070107	Halogenated still bottoms and reaction residues
070108	Other still bottoms and reaction residues
070109	Halogenated filter cakes, spent absorbents
070110	Other filter cakes, spent absorbents
070200	Waste from the MFSU of plastics, synthetic rubber and man-made fibres
070201	Aqueous washing liquids and mother liquors
070203	Organic halogenated solvents, washing liquids and mother liquors
070204	Other organic solvents, washing liquids and mother liquors
070207	Halogenated still bottoms and reaction residues
070208	Other still bottoms and reaction residues
070209	Halogenated filter cakes, spent absorbents
070210	Other filter cakes, spent absorbents
070300	Waste from the MFSU of organic dyes and pigments (excluding 061100)
070301	Aqueous washing liquids and mother liquors
070303	Organic halogenated solvents, washing liquids and mother liquors
070304	Other organic solvents, washing liquids and mother liquors
070307	Halogenated still bottoms and reaction residues

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070308	Other still bottoms and reaction residues
070309	Halogenated filter cakes, spent absorbents
070310	Other filter cakes, spent absorbents
070400	Waste from the MFSU of organic pesticides (except 020105)
070401	Aqueous washing liquids and mother liquors
070403	Organic halogenated solvents, washing liquids and mother liquors
070404	Other organic solvents, washing liquids and mother liquors
070407	Halogenated still bottoms and reaction residues
070408	Other still bottoms and reaction residues
070409	Halogenated filter cakes, spent absorbents
070410	Other filter cakes, spent absorbents
070500	Waste from the MFSU of pharmaceuticals
070501	Aqueous washing liquids and mother liquors
070503	Organic halogenated solvents, washing liquids and mother liquors
070504	Other organic solvents, washing liquids and mother liquors
070507	Halogenated still bottoms and reaction residues
070508	Other still bottoms and reaction residues
070509	Halogenated filter cakes, spent absorbents
070510	Other filter cakes, spent absorbents
070600	Waste from the MFSU of fats, grease, soaps, detergents, disinfectants and cosmetics
070601	Aqueous washing liquids and mother liquors
070603	Organic halogenated solvents, washing liquids and mother liquors
070604	Other organic solvents, washing liquids and mother liquors
070607	Halogenated still bottoms and reaction residues
070608	Other still bottoms and reaction residues
070609	Halogenated filter cakes, spent absorbents
070610	Other filter cakes, spent absorbents
070700	Waste from the MFSU of fine chemicals and chemical products not otherwise specified
070701	Aqueous washing liquids and mother liquors
070703	Organic halogenated solvents, washing liquids and mother liquors
070704	Other organic solvents, washing liquids and mother liquors
070707	Halogenated still bottoms and reaction residues
070708	Other still bottoms and reaction residues
070709	Halogenated filter cakes, spent absorbents
070710	Other filter cakes, spent absorbents
080000	WASTES FROM THE MANUFACTURE, FORMULATION, SUPPLY AND USE (MFSU) OF COATINGS (PAINTS, VARNISHES AND VITREOUS ENAMELS), ADHESIVE, SEALANTS AND PRINTING INKS
080100	Wastes from MFSU of paint and varnish
080101	Waste paints and varnish containing halogenated solvents
080102	Waste paints and varnish free of halogenated solvents
080106	Sludges from paint or varnish removal containing halogenated solvents

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080107	Sludges from paint or varnish removal free of halogenated solvents
080300	Waste from MFSU of printing inks
080301	Waste ink containing halogenated solvents
080302	Waste ink free of halogenated solvents
080305	Ink sludges containing halogenated solvents
080306	Ink sludges free of halogenated solvents
080400	Wastes from MFSU of adhesives and sealants (including waterproofing products)
080401	Waste adhesives and sealants containing halogenated solvents
080402	Waste adhesives and sealants free of halogenated solvents
080405	Adhesives and sealants sludges containing halogenated solvents
080406	Adhesives and sealants sludges free of halogenated solvents
090000	WASTES FROM THE PHOTOGRAPHIC INDUSTRY
090100	Wastes from the photographic industry
090101	Water based developer and activator solutions
090102	Water based offset plate developer solutions
090103	Solvent based developer solutions
090104	Fixer solutions
090105	Bleach solutions and bleach fixer solutions
090106	Waste containing silver from on-site treatment of photographic waste
100000	INORGANIC WASTES FROM THERMAL PROCESSES
100100	Wastes from power station and other combustion plants (except 190000)
100104	Oil fly ash
100109	Sulphuric acid
100300	Wastes from aluminium thermal metallurgy
100301	Tars and other carbon-containing wastes from anode manufacture
100303	Skimmings
100304	Primary smelting slags/white drosses
100307	Spent pot lining
100308	Salt slags from secondary smelting
100309	Black drosses from secondary smelting
100310	Waste from treatment of salt slags and black drosses treatment
100400	Wastes from lead thermal metallurgy
100401	Slags (first and second smelting)
100402	Dross and skimmings (first and second smelting)
100403	Calcium arsenate
100404	Flue gas dust
100405	Other particulates and dust
100406	Solid waste from gas treatment
100407	Sludges from gas treatment
100500	Wastes from zinc thermal metallurgy
100501	Slags (first and second smelting)
100502	Dross and skimmings (first and second smelting)
100503	Flue gas dust

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100505	Solid waste from gas treatment
100506	Sludges from gas treatment
100600	Wastes from copper thermal metallurgy
100603	Flue gas dust
100605	Waste from electrolytic refining
100606	Solid waste from gas treatment
100607	Sludges from gas treatment
110000	INORGANIC WASTE WITH METALS FROM METAL TREATMENT AND THE COATING OF METALS; NON-FERROUS HYDRO-METALLURGY
110100	Liquid wastes and sludges from metal treatment and coating of metals (e.g. galvanic processes, zinc coating processes, pickling processes, etching, phosphatising, alkaline degreasing)
110101	Cyanidic (alkaline) wastes containing heavy metals other than chromium
110102	Cyanidic (alkaline) wastes which do not contain heavy metals
110103	Cyanide-free wastes containing chromium
110105	Acidic pickling solutions
110106	Acids not otherwise specified
110107	Alkalis not otherwise specified
110108	Phosphatising sludges
110200	Wastes and sludges from non-ferrous hydrometallurgical processes
110202	Sludges from zinc hydrometallurgy (including jarosite, goethite)
110300	Sludges and solids from tempering processes
110301	Wastes containing cyanide
110302	Other wastes
120000	WASTES FROM SHAPING AND SURFACE TREATMENT OF METALS AND PLASTICS
120100	Wastes from shaping (including forging, welding, pressing, drawing, turning, cutting and filing)
120106	Waste machining oils containing halogens (not emulsioned)
120107	Waste machining oils free of halogens (not emulsioned)
120108	Waste machining emulsions containing halogens
120109	Waste machining emulsions free of halogens
120110	Synthetic machining oils
120111	Machining sludges
120112	Spent waxes and fats
120300	Wastes from water and steam degreasing processes (except 110000)
120301	Aqueous washing liquids
120302	Steam degreasing wastes
130000	OIL WASTES (except edible oils, 050000 and 120000)
130100	Waste hydraulic oils and brake fluids
130101	Hydraulic oils, containing PCBs or PCTs
130102	Other chlorinated hydraulic oils (not emulsions)
130103	Non-chlorinated hydraulic oils (not emulsions)
130104	Chlorinated emulsions
130105	Non-chlorinated emulsions

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130106	Hydraulic oils containing only mineral oil
130107	Other hydraulic oils
130108	Brake fluids
130200	Waste engine, gear and lubricating oils
130201	Chlorinated engine, gear and lubricating oils
130202	Non-chlorinated engine, gear and lubricating oils
130203	Other machine, gear and lubricating oils
130300	Waste insulating and heat transmission oils and other liquids
130301	Insulating or heat transmission oils and other liquids containing PCBs or PCTs
130302	Other chlorinated insulating and heat transmission oils and other liquids
130303	Non-chlorinated insulating and heat transmission oils and other liquids
130304	Synthetic insulating and heat transmission oils and other liquids
130305	Mineral insulating and heat transmission oils
130400	Bilge oils
130401	Bilge oils from inland navigation
130402	Bilge oils from jetty sewers
130403	Bilge oils from other navigation
130500	Oil/water separator contents
130501	Oil/water separator solids
130502	Oil/water separator sludges
130503	Interceptor sludges
130504	Desalter sludges or emulsions
130505	Other emulsions
130600	Oil waste not otherwise specified
130601	Oil waste not otherwise specified
140000	WASTES FROM ORGANIC SUBSTANCES EMPLOYED AS SOLVENTS (except 070000 and 080000)
140100	Wastes from metal degreasing and machinery maintenance
140101	Chlorofluorocarbons
140102	Other halogenated solvents and solvent mixes
140103	Other solvents and solvent mixes
140104	Aqueous solvent mixes containing halogens
140105	Aqueous solvent mixes free of halogens
140106	Sludges or solid wastes containing halogenated solvents
140107	Sludges or solid wastes free of halogenated solvents
140200	Wastes from textile cleaning and degreasing of natural products
140201	Halogenated solvents and solvent mixes
140202	Solvent mixes or organic liquids free of halogenated solvents
140203	Sludges or solid wastes containing halogenated solvents
140204	Sludges or solid wastes containing other solvents
140300	Wastes from the electronic industry
140301	Chlorofluorocarbons
140302	Other halogenated solvents
140303	Solvents and solvent mixes free of halogenated solvents

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140304	Sludges or solid wastes containing halogenated solvents
140305	Sludges or solid wastes containing other solvents
140400	Wastes from coolants, foam/aerosol propellents
140401	Chlorofluorocarbons
140402	Other halogenated solvents and solvent mixes
140403	Other solvents and solvent mixes
140404	Sludges or solid wastes containing halogenated solvents
140405	Sludges or solid wastes containing other solvents
140500	Wastes from solvent and coolant recovery (still bottoms)
140501	Chlorofluorocarbons
140502	Halogenated solvents and solvent mixes
140503	Other solvents and solvent mixes
140504	Sludges containing halogenated solvents
140505	Sludges containing other solvents
160000	WASTE NOT OTHERWISE SPECIFIED IN THE CATALOGUE
160200	Discarded equipment and shredder residues
160201	Transformers and capacitors containing PCB or PCTs
160400	Waste explosives
160401	Waste ammunition
160402	Fireworks waste
160403	Other waste explosives
160600	Batteries and accumulators
160601	Lead batteries
160602	Ni-Cd batteries
160603	Mercury dry cells
160606	Electrolyte from batteries and accumulators
160700	Waste from transport and storage tank cleaning (except 050000 and 120000)
160701	Waste from marine transport tank cleaning, containing chemicals
160702	Waste from marine transport tank cleaning, containing oil
160703	Waste from railway and road transport tank cleaning containing oil
160704	Waste from railway and road transport tank cleaning containing chemicals
160705	Waste from storage tank cleaning, containing chemicals
160706	Waste from storage tank cleaning, containing oil
170000	CONSTRUCTION AND DEMOLITION WASTE (INCLUDING ROAD CONSTRUCTION)
170600	Insulation materials
170601	Insulation materials containing asbestos
180000	WASTES FROM HUMAN OR ANIMAL HEALTH CARE AND/OR RELATED RESEARCH (excluding kitchen and restaurant wastes which do not arise from immediate health care)
180100	Waste from natal care, diagnosis, treatment or prevention of disease in humans
180103	Other wastes whose collection and disposal is subject to special requirements in view of the prevention of infection
180200	Waste from research, diagnosis, treatment or prevention of disease involving animals

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180202	Other wastes whose collection and disposal is subject to special requirements in view of the prevention of infection
180204	Discarded chemicals
190000	WASTES FROM WASTE TREATMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE WATER INDUSTRY
190100	Wastes from incineration or pyrolysis of municipal and similar commercial, industrial and institutional wastes
190103	Fly ash
190104	Boiler dust
190105	Filter cake from gas treatment
190106	Aqueous liquid waste from gas treatment and other aqueous liquid wastes
190107	Solid waste from gas treatment
190110	Spent activated carbon from flue-gas treatment
190200	Wastes from specific physico/chemical treatments of industrial wastes (e.g. dechromatation, decyanidation, neutralisation)
190201	Metal hydroxide sludges and other sludges from metal insolubilisation treatment
190400	Vitrified wastes and wastes from vitrification
190402	Fly ash and other flue-gas treatment wastes
190403	Non-vitrified solid phase
190800	Wastes from waste water treatment plants not otherwise specified
190803	Grease and oil mixture from oil/waste water separation
190806	Saturated or spent ion exchange resins
190807	Solutions and sludges from regeneration of ion exchangers
200000	MUNICIPAL WASTES AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES INCLUDING SEPARATELY COLLECTED FRACTIONS
200100	Separately collected fractions
200112	Paint, inks, adhesives and resins
200113	Solvents
200117	Photo chemicals
200119	Pesticides
200121	Fluorescent tubes and other mercury containing waste

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PART 3

Waste from Annexes III and IV to Regulation (EEC) No 259/93. The wastes numbered AB 130, AC 020, AC 250, AC 260, AC 270 and AD 160 have been deleted since they have been considered, in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC, to be clearly non-hazardous and therefore shall not be subject to the export ban.

AMBER LIST OF WASTES (*)

AA. METAL BEARING WASTES

AA 010	ex 2619 00	Dross, scalings and other wastes from the manufacture of iron and steel (**)
AA 020	ex 2620 19	Zinc ashes and residues (**)
AA 030	2620 20	Lead ashes and residues (**)
AA 040	ex 2620 30	Copper ashes and residues (**)
AA 050	ex 2620 40	Aluminium ashes and residues (**)
AA 060	ex 2620 50	Vanadium ashes and residues (**)
AA 070	2620 90	Ashes and residues (**) containing metals or metal compounds not elsewhere specified or included
AA 080	ex 8112 91	Thallium waste scrap and residues
AA 090	ex 2804 80	Arsenic waste and residues (**)
AA 100	ex 2805 40	Mercury waste and residues (**)
AA 110		Residues from alumina production not elsewhere specified or included
AA 120		Galvanic sludges
AA 130		Liquors from the pickling of metals
AA 140		Leaching residues from zinc processing, dusts and sludges such as jarosite, hematite, goethite, etc.
AA 150		Precious metal bearing residues in solid form which contain traces of inorganic cyanides
AA 160		Precious metal ash, sludge, dust and other residues such as:
AA 161		— Ash from incineration of printed circuit boards
AA 162		— Photographic film ash
AA 170		Lead-acid batteries, whole or crushed
AA 180		Used batteries or accumulators, whole or crushed, other than lead-acid batteries, and waste and scrap arising from the production of batteries and accumulators, not otherwise specified or included
AA 190	8104 20	Magnesium waste and scrap that is flammable, pyrophoric or emits, upon contact with water, flammable gases in dangerous quantities.

AB. WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND ORGANIC MATERIALS

AB 010	2621 00	Slag, ash and residues (**), not elsewhere specified or included
AB 020		Residues arising from the combustion of municipal/household wastes
AB 030		Wastes from non-cyanide based systems which arise from surface treatment of metals
AB 040	ex 7001 00	Glass waste from cathode-ray tubes and other activated glasses
AB 050	ex 2529 21	Calcium fluoride sludge
AB 060		Other inorganic fluorine compounds in the form of liquids or sludges

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AB 070		Sands used in foundry operations
AB 080		Waste catalysts not on the green list
AB 090		Waste hydrates of aluminium
AB 100		Waste alumina
AB 110		Basic solutions
AB 120		Inorganic halide compounds, not elsewhere specified or included
AB 140		Gypsum arising from chemical industry processes
AB 150		Unrefined calcium sulphite and calcium sulphate from flue-gas desulphurization (FGD)

AC. WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS

AC 010	ex 2713 90	Waste from the production/processing of petroleum coke and bitumen, excluding anode butts
AC 030		Waste oils unfit for their originally intended use
AC 040		Leaded petrol (gasoline) sludges
AC 050		Thermal (heat transfer) fluids
AC 060		Hydraulic fluids
AC 070		Brake fluids
AC 080		Antifreeze fluids
AC 090		Waste from production, formulation and use of resins, latex, plasticizers, glues and adhesives
AC 100	ex 3915 90	Nitrocellulose
AC 110		Phenols, phenol compounds including chlorophenol in the form of liquids or sludges
AC 120		Polychlorinated naphthalenes
AC 130		Ethers
AC 140		Triethylamine catalyst for setting foundry sands
AC 150		Chlorofluorocarbons
AC 160		Halons
AC 170		Treated cork and wood wastes
AC 180	ex 4110 00	Leather dust, ash, sludges and flours
AC 190		Fluff-light fraction from automobile shredding
AC 200		Organic phosphorous compounds
AC 210		Non-halogenated solvents
AC 220		Halogenated solvents
AC 230		Halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations
AC 240		Wastes arising from the production of aliphatic halogenated hydrocarbons (such as chloromethanes, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlorhydrin)

AD. WASTES WHICH MAY CONTAIN EITHER INORGANIC OR ORGANIC CONSTITUENTS

AD 010		Wastes from the production and preparation of pharmaceutical products
AD 020		Wastes from the production, formulation and use of biocides and phytopharmaceuticals
AD 030		Wastes from the manufacture, formulation and use of wood preserving chemicals

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AD 040		Wastes that contain, consist of or are contaminated with any of the following: — Inorganic cyanides, excepting precious metal-bearing residues in solid form containing traces of inorganic cyanides
AD 050		— Organic cyanides
AD 060		Waste oils/water, hydrocarbons/water mixtures, emulsions
AD 070		Wastes from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish
AD 080		Wastes of an explosive nature, when not subject to specific other legislation
AD 090		Wastes from production, formulation and use of reprographic and photographic chemicals and materials not elsewhere specified or included
AD 100		Wastes from non-cyanide based systems which arise from surface treatment of plastics
AD 110		Acidic solutions
AD 120		Ion exchange resins
AD 130		Single-use cameras with batteries
AD 140		Wastes from industrial pollution control devices for cleaning of industrial off-gases, not elsewhere specified or included
AD 150		Naturally occurring organic material used as a filter medium (such as bio-filters)
AD 170	ex 2803	Spent activated carbon having hazardous characteristics and resulting from its use in the inorganic chemical, organic chemical and pharmaceutical industries, waste water treatment, gas/air cleaning processes and similar applications.

(*) Wherever possible, the code number of the Harmonized Commodity Description and Coding System, established by the Brussels Convention on 14 June 1983 under the auspices of the Customs Cooperation Council (Harmonized System) is listed opposite an entry. This code may apply to both wastes and products. This Regulation does not include items which are not wastes. Therefore, the code — used by customs officials in order to facilitate their procedures as well as by others — is only provided here to help in identifying wastes that are listed and subject to this Regulation. However, corresponding official Explanatory Notes as issued by the Customs Cooperation Council should be used as interpretative guidance to identify wastes covered by generic headings.

The indicative 'ex' identifies a specific item contained within a heading of the Harmonized System code.

The code in bold in the first column is the OECD code: it consists of two letters (one for the list: Amber or Red, and one for the category of waste: *A, B, C, . . .*) followed by a number.

(**) This listing includes wastes in the form of ash, residue, slag, dross, skimming, scaling, dust, powder, sludge and cake, unless a material is expressly listed elsewhere.

RED LIST OF WASTE**RA. WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS**

RA 010	Waste substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB) and/or polychlorinated terphenyl (PCT) and/or polybrominated biphenyl (PBB), including any other polybrominated analogues of these compounds, at a concentration level of 50 mg/kg or more
RA 020	Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolytic treatment

RB. WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND ORGANIC MATERIALS

RB 010	Asbestos (dusts and fibres)
RB 020	Ceramic-based fibres of physico-chemical characteristics similar to those of asbestos

▼M5**RC. WASTES WHICH MAY CONTAIN EITHER INORGANIC OR ORGANIC CONSTITUENTS**

Wastes that contain, consist of or are contaminated with any of the following:

- RC 010** — Any congener of polychlorinated dibenzo-furan
- RC 020** — Any congener of polychlorinated dibenzo-dioxin
- RC 030** Leaded anti-knock compounds sludges
- RC 040** Peroxides other than hydrogen peroxide