

Commission Regulation (EC) No 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply (Text with EEA relevance)

COMMISSION REGULATION (EC) No 1418/2007

of 29 November 2007

concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste⁽¹⁾, and in particular the third subparagraph of Article 37(2) thereof,

After consultation of the countries concerned,

Whereas:

- (1) In accordance with Article 37(1) of Regulation (EC) No 1013/2006 the Commission has sent a written request to each country to which Decision C(2001)107/Final of the OECD Council concerning the revision of Decision C(92)39/Final on control of transboundary movements of wastes destined for recovery operations does not apply, seeking confirmation in writing that waste which is listed in Annex III or IIIA to that Regulation and the export of which is not prohibited under its Article 36 may be exported from the Community for recovery in that country and requesting an indication as to which control procedure, if any, would be followed in the country of destination.
- (2) In those requests, each country was asked to indicate if it had opted for a prohibition or a procedure of prior written notification and consent, or if it would exercise no control, in respect of such waste.
- (3) Pursuant to the first subparagraph of Article 37(2) of Regulation (EC) No 1013/2006, and before the date of application of that Regulation, the Commission was required to adopt a Regulation taking into account all the replies received. The Commission duly adopted Regulation (EC) No 801/2007 of 6 July 2007⁽²⁾. However, further replies and clarifications received since that date provide a better understanding of how the replies of the countries of destination should be taken into account.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 1418/2007. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (4) The Commission has now received replies to its written requests from Algeria, Andorra, Argentina, Bangladesh, Belarus, Benin, Botswana, Brazil, Chile, China, Chinese Taipei, Costa Rica, Croatia, Cuba, Egypt, Georgia, Guyana, Hong Kong (China), India, Indonesia, Israel, Ivory Coast, Kenya, Kyrgyzstan, Lebanon, Liechtenstein, Macau (China), Malawi, Mali, Malaysia, Moldova, Morocco, Oman, Pakistan, Paraguay, Peru, Philippines, Russian Federation, Seychelles, South Africa, Sri Lanka, Thailand, Tunisia, Vietnam.
- (5) Certain countries have not issued a confirmation in writing that the waste may be exported to them from the Community for recovery. Therefore, in accordance with the second subparagraph of Article 37(2) of Regulation (EC) No 1013/2006, those countries are to be regarded as having chosen a procedure of prior written notification and consent.
- (6) Certain countries have in their replies made known their intention to follow control procedures applicable under national law that are distinct from those provided for in Article 37(1) of Regulation (EC) No 1013/2006. In addition, and in accordance with Article 37(3) of Regulation (EC) No 1013/2006, Article 18 of that Regulation should apply *mutatis mutandis* to such shipments, unless a waste is also subject to the prior notification and consent procedure.
- (7) Regulation (EC) No 801/2007 should be amended accordingly. For the sake of clarity, given the number of changes required, it is appropriate to repeal that Regulation and replace it by this Regulation. However, waste classified in Regulation (EC) No 801/2007 as subject to no control in the country of destination but which in this Regulation is shown as requiring prior notification and consent should continue to be classified as subject to no control in the country of destination during a transitional period of 60 days after entry into force,

HAS ADOPTED THIS REGULATION:

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- (1) [OJ L 190, 12.7.2006, p. 1.](#)
- (2) [OJ L 179, 7.7.2007, p. 6.](#)

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/590 reg. 110\(4\)](#)