

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EU) No 333/2011. 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

ANNEX I

CRITERIA FOR IRON AND STEEL SCRAP

Criteria	Self-monitoring requirements
1. Quality of scrap resulting from the recovery operation	
1.1. The scrap shall be graded according to a customer specification, an industry specification or a standard for direct use in the production of metal substances or objects by steel works or foundries.	Qualified staff shall grade each consignment.
1.2. The total amount of foreign materials (steriles) shall be $\leq 2\%$ by weight. Foreign materials are: (1) non-ferrous metals (excluding alloying elements in any ferrous metal substrate) and non-metallic materials such as earth, dust, insulation and glass; (2) combustible non-metallic materials such as rubber, plastic, fabric, wood and other chemical or organic substances; (3) larger pieces (brick-size) which are non-conductors of electricity such as tyres, pipes filled with cement, wood or concrete; (4) residues arising from steel melting, heating, surface conditioning (including scarfing), grinding, sawing, welding and torch cutting operations, such as slag, mill scale, baghouse dust, grinder dust, sludge.	Qualified staff shall carry out a visual inspection of each consignment. At appropriate intervals (at least every 6 months), representative samples of foreign materials shall be analysed by weighing after magnetic or manual (as appropriate) separation of iron and steel particles and objects under careful visual inspection. The appropriate frequencies of monitoring by sampling shall be established taking into account the following factors: (1) the expected pattern of variability (for example as shown by historical results); (2) the inherent risk of variability in the quality of waste used as input for the recovery operation and any subsequent processing; (3) the inherent precision of the monitoring method; and (4) the proximity of results to the limitation of the foreign materials' content to a maximum of 2 % per weight. The process of determining monitoring frequencies should be documented as part of the quality management system and should be available for auditing.
a	Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L 159, 29.6.1996, p. 1).
b	Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 226, 6.9.2000, p. 3).
c	Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants (OJ L 158, 30.4.2004, p. 7).
d	OJ L 37, 13.2.2003, p. 24.
e	OJ L 269, 21.10.2000, p. 34.

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1.3. The scrap shall not contain excessive ferrous oxide in any form, except for typical amounts arising from outside storage of prepared scrap under normal atmospheric conditions.	Qualified staff shall carry out a visual inspection for the presence of oxides.
1.4. Scrap shall be free of visible oil, oily emulsions, lubricants or grease except negligible amounts that will not lead to any dripping.	Qualified staff shall carry out a visual inspection of each consignment, paying particular attention to those parts where oil is most likely to drip.
1.5. Radioactivity: there is no need for response action according to national or international rules on monitoring and response procedures for radioactive scrap metal. This requirement is without prejudice to the basic standards on the health protection of workers and members of the public adopted in acts falling under Chapter III of the Euratom Treaty, in particular Directive 96/29/Euratom ^a .	Qualified staff shall monitor the radioactivity of each consignment. Each consignment of scrap shall be accompanied by a certificate established in accordance with national or international rules on monitoring and response procedures for radioactive scrap metal. The certificate may be included in other documentation accompanying the consignment.
1.6. The scrap shall not display any of the hazardous properties listed in Annex III to Directive 2008/98/EC. The scrap shall comply with the concentration limits laid down in Decision 2000/532/EC ^b and shall not exceed the concentration limits laid down in Annex IV to Regulation (EC) No 850/2004 ^c . Properties of individual elements included in iron and steel alloys are not relevant for this requirement.	Qualified staff shall carry out a visual inspection of each consignment. Where visual inspection raises any suspicion of possible hazardous properties, further appropriate monitoring measures shall be taken, such as sampling and testing where appropriate. The staff shall be trained on potential hazardous properties that may be associated with iron and steel scrap and on material components or features that allow hazardous properties to be recognised. The procedure for recognising hazardous materials shall be documented under the quality management system.
1.7. The scrap shall not contain any pressurised, closed or insufficiently	Qualified staff shall carry out a visual inspection of each consignment.
<p>a Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L 159, 29.6.1996, p. 1).</p>	
<p>b Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 226, 6.9.2000, p. 3).</p>	
<p>c Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants (OJ L 158, 30.4.2004, p. 7).</p>	
<p>d OJ L 37, 13.2.2003, p. 24.</p>	
<p>e OJ L 269, 21.10.2000, p. 34.</p>	

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open containers that could cause an explosion in a metalwork furnace.	
2. Waste used as input for the recovery operation	
2.1. Only waste containing recoverable iron or steel may be used as input.	Acceptance control of all waste received (by visual inspection) and of the accompanying documentation shall be carried out by qualified staff which is trained on how to recognise waste that does not meet the criteria set out in this Section.
2.2. Hazardous waste shall not be used as an input except where proof is provided that the processes and techniques specified in Section 3 of this Annex to remove all hazardous properties have been applied.	
2.3. The following waste shall not be used as an input:	
(a) filings and turnings that contain fluids such as oil or oily emulsions; and (b) barrels and containers, except equipment from end-of-life vehicles, which contain or have contained oil or paints.	
3. Treatment processes and techniques	
3.1. The iron or steel scrap shall have been segregated at source or while collecting and shall have been kept separate or the input waste shall have been treated to separate the iron and steel scrap from the non-metal and non-ferrous components.	
3.2. All mechanical treatments (like cutting, shearing, shredding or granulating; sorting, separating, cleaning, de-polluting, emptying) needed to prepare the scrap metal for direct input into final use in steel works and foundries shall have been completed.	
a	Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L 159, 29.6.1996, p. 1).
b	Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 226, 6.9.2000, p. 3).
c	Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants (OJ L 158, 30.4.2004, p. 7).
d	OJ L 37, 13.2.2003, p. 24.
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- 3.3. For waste containing hazardous components, the following specific requirements shall apply:
- (a) input materials that originate from waste electrical or electronic equipment or from end-of-life vehicles shall have undergone all treatments required by Article 6 of Directive 2002/96/EC of the European Parliament and of the Council^d and by Article 6 of Directive 2000/53/EC of the European Parliament and of the Council^e;
 - (b) chlorofluorocarbons in discarded equipment shall have been captured in a process approved by the competent authorities;
 - (c) cables shall have been stripped or chopped. If a cable contains organic coatings (plastics), the organic coatings shall have been removed in accordance with the best available techniques;
 - (d) barrels and containers shall have been emptied and cleaned, and
 - (e) hazardous substances in waste that is not mentioned in point (a) shall have been efficiently removed in a process which is approved by the competent authority.

a Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L 159, 29.6.1996, p. 1).

b Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 226, 6.9.2000, p. 3).

c Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants (OJ L 158, 30.4.2004, p. 7).

d OJ L 37, 13.2.2003, p. 24.

e OJ L 269, 21.10.2000, p. 34.

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ANNEX II

CRITERIA FOR ALUMINIUM SCRAP

Criteria	Self-monitoring requirements
1. Scrap quality	
1.1. The scrap shall be graded in accordance with a customer specification, an industry specification or a standard for direct use in the production of metal substance or objects by refining or re-melting.	Qualified staff shall grade each consignment.
1.2. The total amount of foreign materials shall be $\leq 5\%$ by weight or the metal yield shall be $\geq 90\%$; Foreign materials are: (1) metals other than aluminium and aluminium alloys; (2) non-metallic materials such as earth, dust, insulation materials and glass; (3) combustible non-metallic materials such as rubber, plastic, fabric, wood and other chemical or organic substances; (4) larger pieces (brick-size) which are non-conductors of electricity such as tyres, pipes filled with cement, wood or concrete; or (5) residues arising from the melting of aluminium and aluminium alloys, heating, surface conditioning (including scarfing), grinding, sawing, welding and torch cutting operations such as slag, dross, skimmings, baghouse dust, grinder dust, sludge.	The producer of the aluminium scrap shall check compliance by monitoring the amount of foreign materials or by determining the metal yield. Qualified staff shall carry out visual inspection of each consignment. At appropriate intervals (at least every 6 months), representative samples of each grade of aluminium scrap shall be analysed to measure the total amount of foreign materials or the metal yield. The representative samples shall be obtained in accordance with the sampling procedures described in standard EN 13920 ^a . The total amount of foreign materials shall be measured by weight after separating aluminium metallic particles and objects from particles and objects consisting of foreign materials by hand sorting or other means of separation (such as by magnet or by using density as a basis). Metal yield shall be measured in accordance with the following procedure: (1) determination of mass (m_1) after removal and determination of moisture (in accordance with point 7.1 of the EN 13920-1:2002 standard);
a EN 13920-1:2002; Aluminium and aluminium alloys – Scrap- Part 1: General requirements, sampling and tests; CEN 2002.	
b OJ L 159, 29.6.1996, p. 1.	
c OJ L 226, 6.9.2000, p. 3.	
d OJ L 229, 30.4.2004, p. 1.	
e OJ L 37, 13.2.2003, p. 24.	
f OJ L 269, 21.10.2000, p. 34.	

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		<p>(2) removal and determination of free iron (in accordance with point 7.2 of the EN 13920-1:2002 standard);</p> <p>(3) determination of the mass of the metal after melting and solidifying (m_2) following the procedure for the determination of the metal yield in accordance with point 7.3 of the EN 13920-1:2002 standard;</p> <p>(4) calculation of the metal yield m [%] $= (m_2/m_1) \times 100$.</p> <p>The appropriate frequencies of analysis of representative samples shall be established taking into account the following factors:</p> <p>(1) the expected pattern of variability (such as shown by historical results);</p> <p>(2) the inherent risk of variability in the quality of waste used as input for the recovery operation and in the performance of the treatment processes;</p> <p>(3) the inherent precision of the monitoring method; and</p> <p>(4) the proximity of results to the limit values for the total amount of foreign materials or the metal yield.</p>
1.3.	The scrap shall not contain polyvinyl chloride (PVC) in form of coatings, paints, plastics.	Qualified staff shall carry out a visual inspection of each consignment.
1.4.	The Scrap shall be free of visible oil, oily emulsions, lubricants or grease except negligible amounts that will not lead to any dripping.	Qualified staff shall carry out a visual inspection of each consignment, paying particular attention to those parts where oil is most likely to drip.
1.5.	Radioactivity: there is no need for response action according to national or international rules on monitoring and response procedures for radioactive scrap metal. This requirement is without prejudice to the basic standards on the health protection	Qualified staff shall monitor the radioactivity of each consignment. Each consignment of scrap shall be accompanied by a certificate established in accordance with national or international rules on monitoring and response procedures for radioactive scrap metal. The certificate may be included in
a	EN 13920-1:2002; Aluminium and aluminium alloys – Scrap- Part 1: General requirements, sampling and tests; CEN 2002.	
b	OJ L 159, 29.6.1996, p. 1.	
c	OJ L 226, 6.9.2000, p. 3.	
d	OJ L 229, 30.4.2004, p. 1.	
e	OJ L 37, 13.2.2003, p. 24.	
f	OJ L 269, 21.10.2000, p. 34.	

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of workers and members of the public adopted in acts falling under Chapter III of the Euratom Treaty, in particular Council Directive 96/29/Euratom ^b .	other documentation accompanying the consignment.
<p>1.6. The scrap shall not display any of the hazardous properties listed in Annex III to Directive 2008/98/EC. The scrap shall comply with the concentration limits laid down in Commission Decision 2000/532/EC^c and shall not exceed the concentration limits laid down in Annex IV to Regulation (EC) No 850/2004^d.</p> <p>Properties of individual elements included in aluminium alloys are not relevant for this requirement.</p>	<p>Qualified staff shall carry out a visual inspection of each consignment. Where visual inspection raises any suspicion of possible hazardous properties, further appropriate monitoring measures shall be taken, such as sampling and testing where appropriate.</p> <p>Staff shall be trained on potential hazardous properties that may be associated with aluminium scrap and on material components or features that allow hazardous properties to be recognised.</p> <p>The procedure for recognising hazardous materials shall be documented under the quality management system.</p>
<p>1.7. The scrap shall not contain any pressurised, closed or insufficiently open containers that could cause an explosion in a metalwork furnace.</p>	<p>Qualified staff shall carry out a visual inspection of each consignment.</p>
2. Waste used as input in the recovery operation	
<p>2.1. Only waste that contained recoverable aluminium or aluminium alloys may be used as input.</p> <p>2.2. Hazardous waste shall not be used as an input except where proof is provided that the processes and techniques specified under Section 3 of this Annex to remove all hazardous properties have been applied.</p> <p>2.3. The following waste shall not be used as an input:</p> <p>(a) filings and turnings that contain fluids such as oil or oily emulsions; and</p>	<p>Acceptance control of all waste received (by visual inspection) and of the accompanying documentation shall be carried out by qualified staff which is trained on how to recognise waste that does not fulfil the criteria set out in this Section.</p>
<p>a EN 13920-1:2002; Aluminium and aluminium alloys – Scrap- Part 1: General requirements, sampling and tests; CEN 2002.</p>	
<p>b OJ L 159, 29.6.1996, p. 1.</p>	
<p>c OJ L 226, 6.9.2000, p. 3.</p>	
<p>d OJ L 229, 30.4.2004, p. 1.</p>	
<p>e OJ L 37, 13.2.2003, p. 24.</p>	
<p>f OJ L 269, 21.10.2000, p. 34.</p>	

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- (b) barrels and containers, except equipment from end-of-life vehicles, which contain or have contained oil or paints.

3. Treatment processes and techniques

- 3.1. The aluminium scrap shall have been segregated at source or while being collected and shall have been kept separate or the input waste shall have been treated to separate the aluminium scrap from the non-metal and non-aluminium metal components.
- 3.2. All mechanical treatments (like cutting, shearing, shredding or granulating; sorting, separating, cleaning, de-polluting, emptying) needed to prepare the scrap metal for direct input into final use shall have been completed.
- 3.3. For waste containing hazardous components the following specific requirements shall apply:
- (a) input materials that originate from waste electrical or electronic equipment and end-of-life vehicles shall have undergone all treatments required by Article 6 of Directive 2002/96/EC of the European Parliament and of the Council^e and Article 6 of Directive 2000/53/EC of the European Parliament and of the Council^f;
- (b) chlorofluorocarbons in discarded equipment shall have been captured in a process approved by the competent authorities;
- (c) cables shall have been stripped or chopped. If a cable contains organic coatings (plastics), the organic coatings shall have been

^a EN 13920-1:2002; Aluminium and aluminium alloys – Scrap- Part 1: General requirements, sampling and tests; CEN 2002.

^b OJ L 159, 29.6.1996, p. 1.

^c OJ L 226, 6.9.2000, p. 3.

^d OJ L 229, 30.4.2004, p. 1.

^e OJ L 37, 13.2.2003, p. 24.

^f OJ L 269, 21.10.2000, p. 34.

ANNEX III

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	removed in accordance with the best available techniques;
(d)	barrels and containers shall have been emptied and cleaned;
(e)	hazardous substances in waste not mentioned in point (a) shall have been efficiently removed in a process which is approved by the competent authority.
a	EN 13920-1:2002; Aluminium and aluminium alloys – Scrap- Part 1: General requirements, sampling and tests; CEN 2002.
b	OJ L 159, 29.6.1996, p. 1.
c	OJ L 226, 6.9.2000, p. 3.
d	OJ L 229, 30.4.2004, p. 1.
e	OJ L 37, 13.2.2003, p. 24.
f	OJ L 269, 21.10.2000, p. 34.

ANNEX III

STATEMENT OF CONFORMITY WITH THE END-OF-WASTE CRITERIA REFERRED TO IN ARTICLE 5(1)

1.	Producer/importer of scrap metal: Name: Address: Contact person: Tel. Fax E-mail:
2.	(a) name or code of the scrap metal category, in accordance with an industry specification or standard: (b) where relevant, main technical provisions of a customer specification, such as composition, size, type and properties:
3.	The scrap metal consignment complies with the specification or standard referred to in point 2:
4.	Quantity of the consignment in tonnes:
5.	A radioactivity test certificate has been established in accordance with national
a	Council Regulation (EU) No 333/2011 of 31 March 2011 establishing criteria determining when certain types of scrap metal cease to be waste under Directive 2008/98/EC of the European Parliament and of the Council (OJ L 94, 8.4.2011, p. 2).

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	or international rules on monitoring and response procedures for radioactive scrap metal:
6.	The producer of scrap metal applies a quality management system complying with Article 6 of Regulation (EU) No 333/2011 ^a , which has been verified by an accredited verifier or, where scrap metal which has ceased to be waste is imported into the customs territory of the Union, by an independent verifier:
7.	The scrap metal consignment meets the criteria referred to in points (a) to (c) of Articles 3 and 4 of Regulation (EU) No 333/2011 ^a :
8.	Declaration of the producer/importer of scrap metal: I certify that the above information is complete and correct to my best knowledge. Name: Date: Signature:
a	Council Regulation (EU) No 333/2011 of 31 March 2011 establishing criteria determining when certain types of scrap metal cease to be waste under Directive 2008/98/EC of the European Parliament and of the Council (OJ L 94, 8.4.2011, p. 2).

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Changes and effects yet to be applied to :

- Regulation power to modify conferred by S.I. 2022/190 reg. 16(1)reg. 16(5)(a)
- Annex 1 Table words omitted by S.I. 2019/620 reg. 9(8)(a)
- Annex 1 Table words substituted by S.I. 2019/620 reg. 9(8)(b)
- Annex 3 words substituted by S.I. 2019/620 reg. 9(9)
- Annex 2 Table words omitted by S.I. 2019/620 reg. 9(8)(a)
- Annex 2 Table words substituted by S.I. 2019/620 reg. 9(8)(b)
- Art. 6(5) words omitted by S.I. 2019/620 reg. 9(4)(a)
- Art. 7 omitted by S.I. 2019/620 reg. 9(6)

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

- Signature words omitted by S.I. 2019/620 reg. 9(7)
- Art. 2(1) Art. 2 renumbered as Art. 2(1) by S.I. 2019/620 reg. 9(2)(a)
- Art. 2(1)(e) words substituted by S.I. 2019/620 reg. 9(2)(b)(i)(aa)
- Art. 2(1)(e) words substituted by S.I. 2019/620 reg. 9(2)(b)(i)(bb)
- Art. 2(1)(i)-(k) inserted by S.I. 2019/620 reg. 9(2)(b)(ii)
- Art. 2A2B inserted by S.I. 2019/620 reg. 9(3)
- Art. 2A(1) words substituted in earlier amending provision S.I. 2019/620, reg. 9(3) by S.I. 2020/1540 reg. 14(5)(a)(i)
- Art. 2A(2) words substituted in earlier amending provision S.I. 2019/620, reg. 9(3) by S.I. 2020/1540 reg. 14(5)(a)(ii)
- Art. 2A(5)-(7) substituted in earlier amending provision S.I. 2019/620, reg. 9(3) by S.I. 2020/1540 reg. 14(5)(a)(iii)
- Art. 2A(9) words substituted in earlier amending provision S.I. 2019/620, reg. 9(3) by S.I. 2020/1540 reg. 14(5)(a)(iv)
- Art. 2B(8) substituted in earlier amending provision S.I. 2019/620, reg. 9(3) by S.I. 2020/1540 reg. 14(5)(b)
- Art. 6(6A) inserted by S.I. 2019/620 reg. 9(4)(b)
- Art. 6A inserted by S.I. 2019/620 reg. 9(5)
- Art. 6A words substituted in earlier amending provision S.I. 2019/620, reg. 9(5) by S.I. 2020/1540 reg. 14(5)(c)