

**COMMISSION REGULATION (EC) No 967/2009**  
**of 15 October 2009**  
**amending Regulation (EC) No 1418/2007 concerning the export for recovery of certain waste to**  
**certain non-OECD countries**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

*Article 1*

Having regard to the Treaty establishing the European Community,

Article 1a of Regulation (EC) No 1418/2007 is replaced by the following:

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

*'Article 1a*

The replies received following a written request by the Commission in accordance with the first subparagraph of Article 37 (1) of Regulation (EC) No 1013/2006 are listed in the Annex.

After consultation of the countries concerned,

Where it is indicated in the Annex that a country, with regard to certain shipments of waste, does not prohibit them or apply the procedure of prior written notification and consent as described in Article 35 of that Regulation, Article 18 of that Regulation shall apply *mutatis mutandis* to such shipments.'

Whereas:

*Article 2*

The Commission has received replies from Montenegro, Nepal, Serbia and Singapore to its written requests seeking confirmation in writing that waste which is listed in Annex III or IIIA to Regulation (EC) No 1013/2006 and the export of which is not prohibited under its Article 36 may be exported from the Community for recovery in those countries and requesting an indication from them as to which control procedure, if any, would be followed there. The Commission has also received further information relating to Hong Kong, Indonesia and Ukraine. The Annex to Commission Regulation (EC) No 1418/2007 <sup>(2)</sup> should therefore be amended to take this into account,

The Annex to Regulation (EC) No 1418/2007 is amended in accordance with the Annex to this Regulation.

*Article 3*

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

It shall apply from the date of entry into force.

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

Done at Brussels, 15 October 2009.

*For the Commission*  
Catherine ASHTON  
*Member of the Commission*

<sup>(1)</sup> OJ L 190, 12.7.2006, p. 1.

<sup>(2)</sup> OJ L 316, 4.12.2007, p. 6.

## ANNEX

The Annex to Regulation (EC) No 1418/2007 is amended as follows:

1. The entry for Hong Kong concerning the waste code B3010 is replaced by the following:

**Hong Kong**

(a)	(b)	(c)	(d)
		From B3010: — ethylene — styrene — polypropylene — polyethylene terephthalate — acrylonitrile — butadiene — polyamides — polybutylene terephthalate — polycarbonates — polyphenylene sulphides — acrylic polymers — 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	From B3010: — polyacetals — polyethers — alkanes C10-C13 (plasticiser) — Perfluoroethylene/propylene (FEP) — Perfluoro alkoxy alkane — Tetrafluoroethylene/per fluoro vinyl ether (PFA) — Tetrafluoroethylene/per fluoro methylvinyl ether (MFA) — Polyvinylfluoride (PVF) — Polyvinylidene fluoride (PVDF)

2. The entry for Indonesia is modified with regard to the following wastes:

**Indonesia**

(a)	(b)	(c)	(d)
			B3010
			B3030
			B3035
			B3130
			Solid plastic wastes GH013 391530 Polymers of vinyl chloride ex 3904 10-40'

3. After the entry for Moldova (Republic of Moldova), the following entry is inserted:

**Montenegro**

(a)	(b)	(c)	(d)
B3140			
GC010			
GC020			
	all other waste listed in Annex III to Regulation (EC) No 1013/2006'		

4. After the entry for Morocco the following entry is inserted:

**Nepal**

(a)	(b)	(c)	(d)
			B3020'

5. After the entry for Russia (Russian Federation), the following entry is inserted:

**Serbia**

(a)	(b)	(c)	(d)
	B1010-B3020		
From B3030: — Worn clothing and other worn textile articles	From B3030: all other waste		
	B3035		
B3040			
	B3050-B3070		
B3080			
	B3090-B4030		
	GB040		
GC010			
GC020			
	GC030-GN030'		

6. After the entry for Seychelles, the following entry is inserted:

**Singapore**

(a)	(b)	(c)	(d)
			B1010
			B1020
			B1150
			B1200
			From B2040: 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
			From B3010: Solid plastic waste provided that they are not mixed with other wastes and are prepared to a specification
			From B3020: The 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 laminated paperboard

7. The entry for Ukraine is replaced by the following:

**Ukraine**

(a)	(b)	(c)	(d)
		B1010 except for: Chromium scrap	
		B1020-B1030	
		B1040-B1090	
		B1100 except for: 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	
		B1120-B1130	
		B1150-B1240	
		B2010-B2040	
		B2060-B2120	
		B3010 except for: — Tetrafluoroethylene/per fluoro vinyl ether (PFA) — Tetrafluoroethylene/per fluoro methylvinyl ether (MFA)	
		B3020-B3030	
		B3040-B3060	
		B3070-B3130	
	B3140		
		B4010-B4030'	