COMMISSION REGULATION (EU) 2022/520

of 31 March 2022

amending Regulation (EC) No 1418/2007 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 EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 Article 37(2), third sentence.

Whereas:

(1) The Annex to Commission Regulation (EC) No 1418/2007 ([2]) was amended by Regulation (EU) 2021/1840 ([3]).

(2) Pursuant to Article 37(1) and (2) of Regulation (EC) No 1013/2006, when that Annex was amended by Regulation (EU) 2021/1840, the Commission took into account the respective replies received from India and Moldova to its written request. India subsequently stated in writing that the information provided in its reply regarding the sub-entry B3020 did not reflect the existing legislation and procedures, which did not prohibit imports of those wastes. Therefore, India requested that the procedure for sub-entry B3020 should be changed from option (a) to option (d).

(3) Moldova subsequently stated in writing that the information in its reply regarding sub-sections of several entries did not reflect the existing legislation and procedures, which did not prohibit imports of those sub-categories of wastes. Therefore, Moldova requested that the procedure for specified sub-categories of waste codes B1010, B1200, B2020, B2110, B3011, B3020, B3030 and B3060 should be moved from option (a) to option (d).

(4) At the time of the amendment, Chile was incorrectly listed in Regulation (EC) No 1418/2007 as belonging to those countries to which the OECD Decision on the control of transboundary movements of wastes destined for recovery operations does not apply. On 10 April 2018, the OECD Council approved the Opinion of the Environment Policy Committee regarding the compliance by Chile with this OECD Decision. Consequently, Article 37(2) of Regulation (EC) No 1013/2006 is no longer applicable to Chile and the table for Chile should be deleted from the Annex to Regulation (EC) No 1418/2007.

(5) At the time of the amendment, waste codes B3010 and GH013 were listed in the table for Algeria. When Regulation (EC) No 1418/2007 was amended by Regulation (EU) 2021/1840 waste code GC040 was listed in the table for Thailand. These codes are no longer in use and should therefore be deleted from the Annex to Regulation (EC) No 1418/2007.

(6) The punctuation in the tables for Chinese Taipei and Liberia is inconsistent. In the table for Chinese Taipei, column (b) 'B1030 – B1031' should read 'B1030; B1031', to be in accordance with the rules on reading the Annex. In the table for Liberia, column (a) '– B1010 – B1250' should read 'B1010 – B1250', to be consistent with the rule for reading column (b).

([1]) OJ L 190, 12.7.2006, p. 1.

([2]) 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 (OJ L 316, 4.12.2007, p. 6).

([3]) Commission Regulation (EU) 2021/1840 of 20 October 2021 amending Regulation (EC) No 1418/2007 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 (OJ L 373, 21.10.2021, p. 1).

(7) In order to rectify these mistakes and considering the impact on economic operators, the Annex to Regulation (EC) No 1418/2007 should be amended accordingly.

(8) Considering the urgent need to resume shipments of the waste concerned to India and Moldova, this Regulation should enter into force on the day following that of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 31 March 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

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

(1) the table for Algeria is replaced by the following:

'**Algeria**

(a)	(b)	(c)	(d)
Single waste entries			
			B1010 – B1020
B1030			
			B1031
B1040			
			B1050
B1070 – B1220			
			B1230 – B1240
B1250 – B2020			
from B2030: — Ceramic based fibres not elsewhere specified or included			from B2030: — Cermet waste and scrap (metal ceramic composites)
B2040 – B2130			
B3020			
			B3030 – B3035
B3040 – B3065			
B3080			
B3100 – B4030			
GB040 – GC050			
			GF010
GG030			
			GG040'
GN010			
GN030			
Mixtures of wastes			
All mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006			

(2) the table for Chile is deleted;

(3) in the table for Chinese Taipei, third row, second column:

'B1030 – B1031' is replaced by 'B1030; B1031';

(4) the table for India is replaced by the following:

'**India**

(a)	(b)	(c)	(d)
			From B1010: Metal and metal-alloy wastes in metallic, non-dispersible form: — Thorium scrap — Rare earths scrap From 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 — Chromium scrap
			B1020
			B1030
			B1031
			B1040
			B1050: Mixed non-ferrous metal, heavy fraction scrap, containing cadmium, antimony, lead & tellurium B1050: Mixed non-ferrous metal, heavy fraction scrap, containing metals other than specified
			B1060
			B1070
			B1080

			B1090
			From B1100: Metal-bearing wastes arising from melting, smelting and refining of metals: — Hard zinc spelter — Zinc-containing drosses: — Galvanising slab zinc top dross (> 90 % Zn) — Galvanising slab zinc bottom dross (> 92 % Zn) — Zinc die casting dross (> 85 % Zn) — Hot dip galvanisers slab zinc dross (batch) (> 92 % Zn) — Zinc skimmings — Aluminium skimmings (or skims) excluding salt slag
B1115			
			B1120 – B1240
B1250			
			B2010 – B2100
B2110 – B2130			
			B3020
B3026			
			B3027
			From B3030: — Textile wastes. The following materials, provided they are not mixed with other wastes and are prepared to a specification: — 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) — 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 — Tow, noils and waste (including yarn waste and garneted stock) of coconut — Tow, noils and waste (including yarn waste and garneted stock) of abaca (Manila hemp or Musa textilis Nee) — Tow, noils and waste (including yarn waste and garneted 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, scrapt wine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile materials — — sorted — — other
			B3035 – B3060
B3065			
			B3070 – B3130
			B3140: Waste pneumatic and other tyres, excluding those which do not lead to resource recovery, recycling, reclamation but not for direct reuse B3140: Aircraft Tyres exported to Original Equipment Manufacturers for re-treading and re-imported after re-treading by airlines for aircraft maintenance and remaining either on board or under the custodian ship of the respective airlines warehouses located on the airside of the custom bonded Areas

			B4010 – B4030
			GB040 Slags from precious metals and copper processing for further refining 262030 262090 — 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
			GC010 Electrical assemblies consisting only of metals or alloys
			GC020 Electronic scrap (e.g. printed circuit boards, electronic components, wire, etc.) and reclaimed electronic components suitable for base and precious metal recovery
			GG040’

(5) in the table for Liberia, first column (column a), ‘– B1010’ and ‘– B1250’ is replaced by ‘B1010 – B1250’. Accordingly, ‘– B3011’ is replaced by ‘B3011’;

(6) the table for Moldova is replaced by the following:

‘**Moldova (Republic of Moldova)**

(a)	(b)	(c)	(d)
All waste listed in Annex III to Regulation (EC) No 1013/2006 except: From B1010: Waste and scrap of cast iron, iron or steel From B1200: Granulated blast furnace slag (slag sand) from the manufacture of pig iron, iron or steel From B2020 and GE020: Cullet and other waste and scrap of glass; glass in the mass: — Cullet and other waste and scrap of glass (not containing dangerous substances)			From B1010: Waste and scrap of cast iron, iron or steel From B1200: Granulated blast furnace slag (slag sand) from the manufacture of pig iron, iron or steel From B2020 and GE020: Cullet and other waste and scrap of glass; glass in the mass: — Cullet and other waste and scrap of glass (not containing dangerous substances)

From B2110: Red mud (bauxite residue) From B3011: Polyethylene with a density less than 0,94 Ethylene polymers From B3020: Recyclable paper or paperboard (waste and scrap): — Unbleached kraft paper or paperboard or 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, periodicals and similar printed matter): — Old and unsold newspapers and magazines, telephone directories, brochures and printed advertising material — Other, including unsorted waste and scrap: — Unsorted (i.e. production and household waste, various types of paperboard, white and coloured paper) — Sorted (i.e. pieces of paper) From B3030: Cotton waste (including yarn waste and garnetted stock) From B3060: Tobacco waste (tobacco rib) Wine lees Raw tartar			From B2110: Red mud (bauxite residue) From B3011: Polyethylene with a density less than 0,94 Ethylene polymers From B3020: Recyclable paper or paperboard (waste and scrap): — Unbleached kraft paper or paperboard or 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, periodicals and similar printed matter): — Old and unsold newspapers and magazines, telephone directories, brochures and printed advertising material — Other, including unsorted waste and scrap: — Unsorted (i.e. production and household waste, various types of paperboard, white and coloured paper) — Sorted (i.e. pieces of paper) From B3030: Cotton waste (including yarn waste and garnetted stock) From B3060: Tobacco waste (tobacco rib) Wine lees Raw tartar’
Mixtures of waste			
All mixtures of waste listed in Annex IIIA of Regulation (EC) No 1013/2006			

(7) in the table for Thailand, second column (column b),

‘GC010 – GC040’ is replaced by ‘GC010 – GC030’.