Commission Implementing Regulation (EU) 2016/1245 of 28 July 2016 setting out a preliminary correlation table between codes of the Combined Nomenclature provided for in Council Regulation (EEC) No 2658/87 and entries of waste listed in Annexes III, IV and V to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1245

of 28 July 2016

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(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 50(4e) thereof,

Whereas:

(1) The preliminary correlation table should cover the waste codes established under the Basel Convention of 22 March 1989 on the control of transboundary movements of hazardous waste and their disposal and Decision C(2001)107/Final of the OECD Council concerning the revision of Decision C(92)39/Final on the control of transboundary movements of wastes destined for recovery operations. Those codes are listed in Annexes III and IV and Parts 1 and 3 of Annex V to Regulation (EC) No 1013/2006. The waste codes listed in Annex IIIB and Part 2 of Annex V to Regulation (EC) No 1013/2006 should not be covered by the preliminary correlation table because these are applicable to shipments primarily within the European Union where customs authorities are normally not involved. Possible correlations for each of the entries of waste listed in Annex IIIA to Regulation (EC) No 1013/2006 can be derived using the correlations of the waste codes listed in Annex III to Regulation (EC) No 1013/2006. No correlation of entries of waste from Annex IVA to Regulation (EC) No 1013/2006 is made as this Annex is empty.

(2) Due to differences in the goods covered by the codes of the Combined Nomenclature provided for in Council Regulation (EEC) No 2658/87[(2)] (‘CN codes’) and the entries of waste listed in Annexes III, IV and V to Regulation (EC) No 1013/2006 (‘waste codes’), it is not always possible to achieve a clear or complete match between them. Where there are such differences, it is necessary to establish the correlation between the codes on the basis of an approximation with a view to achieving the best match possible.

Changes to legislation: Commission Implementing Regulation (EU) 2016/1245 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(3) Stakeholders were consulted on the basis of a study commissioned by the Commission to assess the nature of the goods covered by the CN codes and waste codes, respectively, and the draft correlation table resulting from the study and the stakeholder consultation was endorsed by the Tariff and Statistical Nomenclature Section of the Customs Code Committee in January 2015. The preliminary correlation table should be adopted on the basis of that draft.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC of the European Parliament and of the Council[3],

HAS ADOPTED THIS REGULATION:

Article 1

A preliminary table showing the correlation between the codes of the Combined Nomenclature ('CN codes') provided for in Regulation (EEC) No 2658/87 and the entries of waste listed in Annexes III, IV and V to Regulation (EC) No 1013/2006 is set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth 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, 28 July 2016.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

Correlation table between codes of the combined nomenclature provided for in Regulation (EEC) No 2658/87 and the entries of waste listed in Annexes III, IV and V to Regulation (EC) No 1013/2006

Introductory notes

1. The correlation table between codes of the combined nomenclature ('CN codes') and entries of waste listed in Annexes III, IV and V to Regulation (EC) No 1013/2006 ('waste codes') is presented in two alternative ways in Tables A and B.

In Table A, column 1 lists waste codes sorted in ascending alphanumerical order which are correlated with CN codes listed in column 2.

In Table B, column 3 lists CN codes sorted in ascending numerical order which are correlated with waste codes listed in column 4.

The waste codes of column 1 and the CN codes of column 3 appear only once in their respective columns.

2. The waste codes selected for correlation from the Annexes to Regulation (EC) No 1013/2006 are those codes that were established through international agreements, in particular under the Basel Convention or by the OECD. For reasons of simplicity, this correlation table does not take into account that certain waste codes established through international agreements have indents or sub-indents (e.g. B3010).

3. In Table A, some waste codes are correlated with more than one CN code and in Table B, some CN codes are correlated with more than one waste code. For the purpose of determining which of the several codes is applicable, the descriptions of the codes in their respective Regulations shall be taken into consideration.

Table A			**Table B**	
Column 1	**Column 2**		**Column 3**	**Column 4**
Waste code[a]	**CN code**[bc]		**CN code**[bc]	**Waste code**[a]
A1010	ex 2620 60 00		ex 0501 00 00	B3070
	ex 2843 90 10		ex 0502 10 00	A3110
	ex 2853 00 90			B3110
	ex 3825 69 00			GN010
	ex 3825 90 90		ex 0502 90 00	A3110
	ex 7112 91 00			B3110
	ex 7112 92 00			GN010
	ex 7112 99 00		ex 0505 10 10	GN030
	ex 7802 00 00		ex 0505 10 90	GN030

a The description of waste codes is provided in Annexes III, IV and V to Regulation (EC) No 1013/2006.

b The description of CN codes is provided in Commission Implementing Regulation (EU) 2015/1754 of 6 October 2015 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 285, 30.10.2015, p. 1).

c The abbreviation 'ex' before a CN code implies that only part of the CN code is concerned. Such CN codes may also cover goods other than the waste(s) covered by the respective waste code(s).

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	ex 8107 30 00		ex 0505 90 00	GN030
	ex 8110 20 00		ex 0506 10 00	B3060
	ex 8112 13 00		ex 0506 90 00	B3060
	ex 8112 52 00		ex 0511 91 10	B3060
A1020	ex 2620 29 00		ex 0511 99 10	A3110
	ex 2620 91 00			B3110
	ex 2620 99 95		ex 0511 99 85	A3110
	ex 2621 90 00			B3110
	ex 3825 20 00			GN020
	ex 3825 69 00		ex 1213 00 00	B3060
	ex 3825 90 90			B3070
	ex 7112 91 00		ex 1404 90 00	B3060
	ex 7112 92 00		ex15	B3065
	ex 7112 99 00		ex 1515 11 00	A4040
	ex 7802 00 00		ex 1515 19 10	A4040
	ex 8107 30 00		ex 1518 00	A4040
	ex 8110 20 00		ex 1522 00 10	B3060
	ex 8112 13 00		ex 1522 00 31	B3060
A1030	ex 2620 60 00		ex 1522 00 39	B3060
	ex 2621 90 00		ex 1522 00 91	B3060
	ex 2843 90 10		ex 1522 00 99	B3060
	ex 2853 00 90		ex 1802 00 00	B3060
	ex 3825 20 00		ex 2301 10 00	B3060
	ex 3825 69 00		ex 2301 20 00	B3060
	ex 3825 90 90		ex 2302	B3060
	ex 8112 52 00		ex 2303	B3060
A1040	ex 3825 20 00		ex 2304 00 00	B3060
	ex 3825 50 00		ex 2305 00 00	B3060
	ex 3825 61 00		ex 2306	B3060
	ex 3825 69 00		ex 2307 00 11	B3060

a The description of waste codes is provided in Annexes III, IV and V to Regulation (EC) No 1013/2006.

b The description of CN codes is provided in Commission Implementing Regulation (EU) 2015/1754 of 6 October 2015 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 285, 30.10.2015, p. 1).

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	ex 3825 90 90		ex 2307 00 19	B3060
A1050	ex 2620 19 00		ex 2308 00 11	B3060
	ex 2620 29 00		ex 2308 00 19	B3060
	ex 2620 30 00		ex 2308 00 40	B3060
	ex 2620 40 00		ex 2308 00 90	B3060
	ex 2620 60 00		ex 2309 90 31	B3070
	ex 2620 91 00		ex 2309 90 33	B3070
	ex 2620 99 10		ex 2309 90 35	B3070
	ex 2620 99 20		ex 2309 90 39	B3070
	ex 2620 99 40		ex 2309 90 41	B3070
	ex 2620 99 60		ex 2309 90 43	B3070
	ex 2620 99 95		ex 2309 90 49	B3070
	ex 3825 69 00		ex 2309 90 51	B3070
	ex 3825 90 90		ex 2309 90 53	B3070
A1060	ex 3825 50 00		ex 2309 90 59	B3070
A1070	ex 2601		ex 2309 90 70	B3070
	ex 2602 00 00		ex 2309 90 96	B3070
	ex 2603 00 00		ex 2401 30 00	B3060
	ex 2604 00 00		ex 2501 00 31	B2010
	ex 2605 00 00			B2040
	ex 2606 00 00		ex 2501 00 51	B2010
	ex 2607 00 00			B2040
	ex 2608 00 00		ex 2501 00 99	B2010
	ex 2609 00 00			B2040
	ex 2610 00 00		ex 2502 00 00	B2010
	ex 2611 00 00		ex 2503 00 10	B2040
	ex 2612		ex 2503 00 90	B2040
	ex 2613		ex 2504 10 00	B2010
	ex 2614 00 00		ex 2504 90 00	B2010
	ex 2615		ex 2505 10 00	AB070

a The description of waste codes is provided in Annexes III, IV and V to Regulation (EC) No 1013/2006.

b The description of CN codes is provided in Commission Implementing Regulation (EU) 2015/1754 of 6 October 2015 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 285, 30.10.2015, p. 1).

c The abbreviation ‘ex’ before a CN code implies that only part of the CN code is concerned. Such CN codes may also cover goods other than the waste(s) covered by the respective waste code(s).