# Commission Regulation (EC) No 740/2008 of 29 July 2008 amending Regulation (EC) No 1418/2007 as regards the procedures to be followed for export of waste to certain countries (Text with EEA relevance)

## COMMISSION REGULATION (EC) No 740/2008

## of 29 July 2008

## amending Regulation (EC) No 1418/2007 as regards the procedures to be followed for export of waste to certain countries

## (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) Any ambiguity should be removed with regard to the applicability of Article 18 of Regulation (EC) No 1013/2006 to shipments of waste where a country in its reply to the Commission's request in accordance with the first subparagraph of Article 37(1) of Regulation (EC) No 1013/2006 has indicated it will not prohibit those shipments nor apply the procedure of prior written notification and consent to them as described in Article 35 of that Regulation.

(2) The Commission has received replies from Bosnia and Herzegovina, Iran and Togo 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 Côte d'Ivoire, Malaysia, Moldova[(2)], Russia and Ukraine. The Annex to Commission Regulation (EC) No 1418/2007[(3)] should therefore be amended to take this into account.

(3) It has been pointed out by the government of Liechtenstein that Liechtenstein is to be regarded as a country to which the OECD Decision applies. Article 37(2) of Regulation (EC) No 1013/2006 therefore does not apply to that country, and Liechtenstein should be deleted from the Annex to Regulation (EC) No 1418/2007.

(4) Regulation (EC) No 1418/2007 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

1. The following Article 1a is inserted:

*Article 1a*

Where a country in its reply to a written request sent by the Commission in accordance with the first subparagraph of Article 37(1) of Regulation (EC) No 1013/2006 indicates that, with regard to certain shipments of waste, it will not prohibit them nor 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.

2. 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 14th 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, 29 July 2008.

*For the Commission*

Peter MANDELSON

*Member of the Commission*

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 740/2008. (See end of Document for details)*

ANNEX

*Note*: Article 18 of Regulation (EC) No 1013/2006 applies to columns (c) and (d) in the Annex of Regulation (EC) No 1418/2007 by virtue of Article 1 of this Regulation.

1. In the text preceding the country information, point (d) is replaced by the following:

(d) other control procedures will be followed in the country of destination under applicable national law.

2. After the entry for Benin, the following entry is inserted:

BOSNIA AND HERZEGOVINA

| **(a)** | **(b)** | **(c)** | **(d)** |
|---|---|---|---|
| | | B3020 | |
| | all other waste listed in Annex III of Regulation (EC) No 1013/2006 | | |

3. After the entry for Costa Rica, the following entry is inserted:

CÔTE D'IVOIRE (REPUBLIC OF CÔTE D'IVOIRE)

| **(a)** | **(b)** | **(c)** | **(d)** |
|---|---|---|---|
| | from B1010:<br>all other waste | | from B1010<br>— precious metals (gold, silver, the platinum group, but not mercury) |
| B1020 – B2120 | | | |
| | B2130 | | |
| | | | B3010 – B3020 |
| | from B3030<br>all other waste | | from B3030<br>— waste (including noils, yarn waste and garnetted stock) of man-made fibres<br>— worn clothing and other |

**Changes to legislation:** *There are currently no known outstanding effects for the Commission Regulation (EC) No 740/2008. (See end of Document for details)*

| | | | |
|---|---|---|---|
| | | | — worn textile articles<br>— used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile |
| | B3035 – B3130 | | |
| | | | B3140 |
| | B4010 – B4030 | | |
| GB047011<br>2620 30<br>2620 90 | | | |
| | GC010 | | |
| | GC020 | | |
| GC030 | ex 8908 00 | | |
| GC050 | | | |
| | GE020 | ex 7001<br>ex 7019 39 | |
| | GF010 | | |
| | GG030 | ex 2621 | |
| | GG040 | ex 2621 | |
| | GH013 | 3915 30<br>ex 3904 10-40 | |
| | GN010 | ex 0502 00 | |
| | GN020 | ex 0503 00 | |
| | GN030 | ex 0505 90 | |

4. The entry for Liechtenstein is deleted.

5. After the entry for Indonesia, the following entry is inserted:

IRAN (ISLAMIC REPUBLIC OF IRAN)

| (a) | (b) | (c) | (d) |
|---|---|---|---|
| | B1010 – B1090 | | |

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 740/2008. (See end of Document for details)*

| | | | |
|---|---|---|---|
| from B1100:<br>— the following zinc-containing drosses:<br>— hot-dip galvanisers slab zinc dross (batch) (> 92 % Zn)<br>— zinc skimmings<br>— aluminium skimmings (or skims) excluding salt slag<br>— wastes of refractory linings, including crucibles, originating from copper smelting<br>— slags from precious metals processing for further refining<br>— tantalum bearing tin slags with less than 0,5 | from B1100:<br>— hard zinc spelter<br>— the following zinc-containing drosses:<br>— galvanising slab zinc top dross (> 90 % Zn)<br>— galvanising slab zinc bottom dross (> 92 % Zn)<br>— zinc die-casting dross (> 85 % Zn) | | |