Commission Regulation (EC) No 105/2005 of 17 November 2004 amending Council Regulation (EC) No 1420/1999 and Regulation (EC) No 1547/1999 as regards shipments of certain types of waste to China and Saudi Arabia (Text with EEA relevance)

COMMISSION REGULATION (EC) No 105/2005

of 17 November 2004

amending Council Regulation (EC) No 1420/1999 and Regulation (EC) No 1547/1999 as regards shipments of certain types of waste to China and Saudi Arabia

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community[(1)], and in particular Article 17(3) thereof,

Having regard to Council Regulation (EC) No 1420/1999 of 29 April 1999 establishing common rules and procedures to apply to shipments to certain non-OECD countries of certain types of waste[(2)], and in particular Article 3(5) thereof,

Whereas:

(1) On 4 August 2003, the Ministry of Defence and Aviation, Presidency of Meteorology and Environment of the Kingdom of Saudi Arabia sent a request to the European Commission that normal commercial transactions (‘green list’ procedure) apply to the material GH 014 ‘waste, parings and scrap of polyurethane foam not containing chlorofluorocarbons’.

(2) On 13 May 2004, the Mission of the People’s Republic of China to the European Communities sent a request to the European Commission for an amendment to the list of wastes in Annex D to Commission Regulation (EC) No 1547/1999[(3)] which are allowed without recourse to any of the control procedures provided for in Council Regulation (EEC) No 259/93. This amended list will be subject, as before, to additional pre-shipment inspection procedures under the responsibility of the Chinese authorities.

(3) In accordance with Article 17(3) of Regulation (EEC) No 259/93, the committee set up by Article 18 of Council Directive 75/442/EEC of 15 July 1975 on waste[(4)] was notified of the official requests of Saudi Arabia and of China on 2 April 2004 and 18 May 2004.

(4) In order to take into account the new situation of these countries, it is necessary to amend at the same time Regulation (EC) No 1420/1999 and Regulation (EC) No 1547/1999.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Committee set up by Article 18 of Directive 75/442/EEC,

HAS ADOPTED THIS REGULATION:

Article 1

Annex D to Regulation (EC) No 1547/1999 is amended as set out in Annex I to this Regulation.

Article 2

Annex A to Regulation (EC No 1420/1999 is amended as set out in Annex II to this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following 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, 17 November 2004.

For the Commission

Pascal LAMY

Member of the Commission

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 105/2005. (See end of Document for details)*

ANNEX I

Annex D to Regulation (EC) No 1547/1999 is amended as follows:

1. In Annex D, between the entry relating to São Tomé and Príncipe and the entry relating to Sierra Leone, the following entry is inserted:
SAUDI ARABIA

GH 014 ex 3915 90 Waste, parings and scrap of plastics of polyurethane (not containing chlorofluorocarbons).

2. In Annex D, between the entry relating to Chile and the entry related to The Comoros, the entry relating to China should be deleted and the following entry inserted:
CHINA

Pre-shipment inspection is required by the Chinese authorities

1. In section GA (Metal and metal-alloy wastes in metallic, non-dispersible form)[(5)]

GA 120	7404 00	Copper waste and scrap
GA 130	7503 00	Nickel waste and scrap
GA 140	7602 00	Aluminium waste and scrap
GA 160	7902 00	Zinc waste and scrap
GA 170	8002 10	Tin waste and scrap
GA 200	ex 8103 10	Tantalum waste and scrap
GA 430	7204	Iron or steel scrap.

2. In section GC (Other wastes containing metals):

GC 030	ex 8908 00	Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials arising from the operation of the vessel which may have been classified as a dangerous substance or waste
GC 070	ex 2619 00	Slags arising from the manufacture of iron and carbon steel (including low alloy steel) excluding those

a This entry covers the use of such slags as a source of titanium dioxide and vanadium.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 105/2005. (See end of Document for details)*

		slags which have been specifically produced to meet both national and relevant international requirements and standards[a]

a This entry covers the use of such slags as a source of titanium dioxide and vanadium.

3. In section GH (Solid plastic wastes):

Including, but not limited to:

GH 010	3915	Waste, parings and scrap of plastics of:
GH 011	ex 3915 10	Polymers of ethylene
GH 012	ex 3915 20	Polymers of styrene
GH 013	ex 3915 30	Polymers of vinyl chloride
GH 014	ex 3915 90	Polymers or copolymers, for example: — Polypropylene — Polyethylene terephthalate — Acrylonitrile copolymer — Butadiene copolymer — Styrene copolymer — Polyamides — Polybutylene terephthalates — Polycarbonates — Polyphenylene sulphides — Acrylic polymers — Paraffins (C_{10}-C_{13}) (4) — Polyurethane (not containing chlorofluorocarbons) — Polysiloxalanes (silicones) — Polymethyl metharcrylate