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Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

2014/953/EU:

- ★ **Council Decision of 4 December 2014 on the signing, on behalf of the European Union, and provisional application of the Agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy** 1

Agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy 3

2014/954/Euratom:

- ★ **Council Decision of 4 December 2014 approving the conclusion by the European Commission, on behalf of the European Atomic Energy Community, of the Agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy** 19

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

REGULATIONS

★ Commission Delegated Regulation (EU) No 1392/2014 of 20 October 2014 establishing a discard plan for certain small pelagic fisheries in the Mediterranean Sea	21
★ Commission Delegated Regulation (EU) No 1393/2014 of 20 October 2014 establishing a discard plan for certain pelagic fisheries in north-western waters	25
★ Commission Delegated Regulation (EU) No 1394/2014 of 20 October 2014 establishing a discard plan for certain pelagic fisheries in south-western waters	31
★ Commission Delegated Regulation (EU) No 1395/2014 of 20 October 2014 establishing a discard plan for certain small pelagic fisheries and fisheries for industrial purposes in the North Sea	35
★ Commission Delegated Regulation (EU) No 1396/2014 of 20 October 2014 establishing a discard plan in the Baltic Sea	40
★ Commission Delegated Regulation (EU) No 1397/2014 of 22 October 2014 amending Regulation (EU) No 318/2013 adopting the programme of ad hoc modules, covering the years 2016 to 2018, for the labour force sample survey provided for by Council Regulation (EC) No 577/98 ⁽¹⁾	42

DECISIONS

2014/955/EU:

★ Commission Decision of 18 December 2014 amending Decision 2000/532/EC on the list of waste pursuant to Directive 2008/98/EC of the European Parliament and of the Council ⁽¹⁾	44
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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 4 December 2014

on the signing, on behalf of the European Union, and provisional application of the Agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy

(2014/953/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 186, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 15 November 2013, the Council authorised the Commission to open negotiations, on behalf of the Union and the European Atomic Energy Community, with the Swiss Confederation, with a view to concluding a comprehensive agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) and the Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing the Horizon 2020; and regulating Switzerland's participation in the ITER project in the years 2014-2020.
- (2) Those negotiations have been successfully completed and the Agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy ('the Agreement') should be signed and applied on a provisional basis, pending the completion of the procedures for its conclusion.
- (3) The conclusion of the Agreement is subject to a separate procedure as regards matters falling within the scope of the Treaty establishing the European Atomic Energy Community.
- (4) In order to be able to treat Swiss legal entities like entities from an Associated Country in actions under Horizon 2020 which have a deadline in the last quarter of 2014, in particular calls under the specific objective 'Spreading excellence and widening participation', the Agreement should be applied on a provisional basis with effect from 15 September 2014,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy is hereby authorised, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

The Agreement shall be applied on a provisional basis as from 15 September 2014, in accordance with Article 15 of the Agreement, pending the completion of the procedures for its conclusion.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 4 December 2014.

For the Council
The President
S. GOZI

AGREEMENT

for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy

THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY,

(hereinafter respectively 'the Union' and 'Euratom'),

of the one part,

and

THE SWISS CONFEDERATION,

(hereinafter 'Switzerland'),

of the other part,

(hereinafter 'the Parties'),

CONSIDERING that the close relationship between Switzerland, on the one hand, and the Union and Euratom, on the other, is of benefit to the Parties,

CONSIDERING the importance of scientific and technological research for the Union and Euratom and for Switzerland and their mutual interest in cooperating in this matter in order to make better use of resources and to avoid unnecessary duplication,

WHEREAS Switzerland and the Union and Euratom are currently implementing research programmes in fields of common interest,

WHEREAS the Union and Euratom and Switzerland have an interest in cooperating on those programmes to their mutual benefit,

CONSIDERING the interest of the Parties in encouraging the mutual access of their research entities to research and technological development activities in Switzerland, on the one hand, and to the Union Framework Programme for research and innovation and to the Research and Training Programme of Euratom, and to the activities carried out by the European Joint Undertaking for ITER and the Development of Fusion for Energy ⁽¹⁾, on the other,

WHEREAS Euratom and Switzerland concluded on 14 September 1978 a Cooperation Agreement in the field of controlled thermonuclear fusion and plasma physics (hereinafter 'the Fusion Agreement'),

WHEREAS both Parties wish to emphasise the mutual benefits of the execution of the Fusion Agreement, in the case of Euratom, the role of Switzerland in the advancement of all the elements of the Fusion Community Programme, in particular JET and ITER on the way to the Demonstration Reactor DEMO, and, in the case of Switzerland, the development and strengthening of the Swiss Programme and its integration in the European and international frames,

WHEREAS both Parties reaffirm their desire to pursue their long-term cooperation in the field of controlled thermonuclear fusion and plasma physics on the basis of a new framework and instruments that will ensure support to the research activities,

WHEREAS this Agreement terminates and replaces the Fusion Agreement,

WHEREAS the Parties concluded on 8 January 1986 a Framework Agreement for scientific and technical cooperation, which entered into force on 17 July 1987 (hereinafter 'the Framework Agreement'),

⁽¹⁾ Established by Council Decision 2007/198/Euratom of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (OJ L 90, 30.3.2007, p. 58).

CONSIDERING that Article 6 of the Framework Agreement states that the cooperation aimed at by the Framework Agreement is to be carried out through appropriate agreements,

WHEREAS on 25 June 2007 the Communities and Switzerland signed an Agreement on scientific and technological co-operation between the European Community and the European Atomic Energy Community, of the one part, and the Swiss Confederation, of the other part,

WHEREAS on 7 December 2012 Euratom and Switzerland concluded an Agreement on scientific and technological co-operation between the European Atomic Energy Community, of the one part, and the Swiss Confederation, of the other part, associating the Swiss Confederation to the Framework Programme of the European Atomic Energy Community for nuclear research and training activities (2012-2013),

CONSIDERING that Article 9(2) of the abovementioned 2007 Agreement and Article 9(2) of the abovementioned 2012 Agreement provide for renewal of the Agreement with a view to participation in new multi-annual Framework Programmes for research and technological development or other current and future activities, under mutually agreed conditions,

WHEREAS Euratom concluded on 21 November 2006 the Agreement on the Establishment of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project ⁽¹⁾. Pursuant to Article 21 of that Agreement and to the Agreements in the form of an Exchange of Letters between the European Atomic Energy Community and the Swiss Confederation (i) on the application of the Agreement on the Establishment of the ITER International Fusion Energy Organization for the joint implementation of the ITER Project, the Agreement on the Privileges and Immunities of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project and the Agreement between the European Atomic Energy Community and the Government of Japan for the joint implementation of the Broader Approach Activities in the field of fusion energy research to the territory of the Swiss Confederation and (ii) on Switzerland's membership in the European Joint Undertaking for ITER and the Development of Fusion Energy of 28 November 2007, the abovementioned 2006 Agreement applies to Switzerland participating in the Euratom fusion programme as a fully associated third State,

WHEREAS Euratom is a member of the European Joint Undertaking for ITER and the Development of Fusion Energy. Pursuant to Article 2 of Decision 2007/198/Euratom and to the Agreements in the form of an Exchange of Letters between the European Atomic Energy Community and the Swiss Confederation (i) on the application of the Agreement on the Establishment of the ITER International Fusion Energy Organization for the joint implementation of the ITER Project, the Agreement on the Privileges and Immunities of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project and the Agreement between the European Atomic Energy Community and the Government of Japan for the joint implementation of the Broader Approach Activities in the field of fusion energy research to the territory of the Swiss Confederation and (ii) on Switzerland's membership in the European Joint Undertaking for ITER and the Development of Fusion Energy of 28 November 2007, Switzerland became a member of the European Joint Undertaking for ITER and the Development of Fusion Energy as a third State having associated its research programme to the Euratom fusion programme,

WHEREAS Euratom concluded the Agreement between the European Atomic Energy Community and the Government of Japan for the Joint Implementation of the Broader Approach Activities in the Field of Fusion Energy Research ⁽²⁾. Pursuant to Article 26 of that Agreement it applies to Switzerland participating in the Euratom fusion programme as fully associated third State,

WHEREAS the Union programme 'Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020)' (hereinafter 'Horizon 2020') was adopted by Regulation (EU) No 1291/2013 of the European Parliament and of the Council ⁽³⁾, the Specific Programme implementing Horizon 2020 was adopted by Council Decision 2013/743/EU ⁽⁴⁾, and the Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing Horizon 2020 (hereinafter 'the Euratom Programme') was adopted by Council Regulation (Euratom) No 1314/2013 ⁽⁵⁾, and the Rules for the participation and dissemination in Horizon 2020 and Euratom Programme

⁽¹⁾ OJ L 358, 16.12.2006, p. 62.

⁽²⁾ OJ L 246, 21.9.2007, p. 34.

⁽³⁾ Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104).

⁽⁴⁾ Council Decision 2013/743/EU of 3 December 2013 establishing the specific programme implementing Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC (OJ L 347, 20.12.2013, p. 965).

⁽⁵⁾ Council Regulation (Euratom) No 1314/2013 of 16 December 2013 on the Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing the Horizon 2020 Framework Programme for Research and Innovation (OJ L 347, 20.12.2013, p. 948).

were adopted by Regulation (EU) No 1290/2013 of the European Parliament and of the Council ⁽¹⁾, and Regulation (EC) No 294/2008 of the European Parliament and of the Council ⁽²⁾ (hereinafter 'EIT Regulation') was amended by Regulation (EU) No 1292/2013 of the European Parliament and of the Council ⁽³⁾, and the decision to provide the basis for the financing of the ITER related activities for the period 2014-2020 was adopted by Council Decision 2013/791/Euratom ⁽⁴⁾,

WHEREAS without prejudice to the provisions of the Treaty on the Functioning of the European Union (hereinafter 'TFEU') and the Treaty establishing the European Atomic Energy Community (hereinafter 'Euratom Treaty'), this Agreement and any activities entered into under it will in no way affect the powers vested in the Member States of the Union to undertake bilateral activities with Switzerland in the fields of science, technology, research and development, and to conclude, where appropriate, agreements to that end,

HAVE AGREED AS FOLLOWS:

Article 1

Subject matter

1. The terms and conditions of Switzerland's participation in the implementation of Pillar I of Horizon 2020 and actions under the specific objective 'Spreading excellence and widening participation', the Euratom Programme 2014-2018 and in the activities carried out by the European Joint Undertaking for ITER and the Development of Fusion for Energy (hereinafter 'Fusion for Energy') for 2014-2020 shall be as laid down in this Agreement.
2. Subject to Article 13(6) this Agreement shall set out as of 1 January 2017 the terms and conditions of Switzerland's participation in the implementation of the whole of Horizon 2020, the Euratom Programme 2014-2018 and in the activities carried out by Fusion for Energy for 2014-2020.
3. Legal entities established in Switzerland may participate in Programmes covered by this Agreement and in the activities carried out by Fusion for Energy under the conditions set out in Article 7.
4. As of 1 January 2017 legal entities established in Switzerland may participate in the activities of the Joint Research Centre of the Union, insofar as such participation is not covered by paragraph 1.
5. Legal entities established in the Union, including the Joint Research Centre of the Union, may participate in Swiss research programmes and/or projects on themes equivalent to those of the programmes mentioned in paragraph 1 and, as of 1 January 2017, mentioned in paragraph 2.
6. For the purposes of this Agreement:
 - (a) 'legal entity' means any natural or any legal person created and recognised as such under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;
 - (b) 'Programmes covered by this Agreement' means Pillar I of Horizon 2020, actions under the specific objective 'Spreading excellence and widening participation' and the Euratom Programme 2014-2018 or, subject to Article 13(6), the whole of Horizon 2020 and the Euratom Programme 2014-2018 as of 1 January 2017;
 - (c) 'Pillar I of Horizon 2020' means actions under specific objectives enumerated in Annex I part I of Regulation (EU) No 1291/2013, namely the European Research Council, future and emerging technologies, Marie Skłodowska-Curie actions and research infrastructures.

⁽¹⁾ Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in 'Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020)' and repealing Regulation (EC) No 1906/2006 (OJ L 347, 20.12.2013, p. 81).

⁽²⁾ Regulation (EC) No 294/2008 of the European Parliament and of the Council of 11 March 2008 establishing the European Institute of Innovation and Technology (OJ L 97, 9.4.2008, p. 1).

⁽³⁾ Regulation (EU) No 1292/2013 of the European Parliament and of the Council of 11 December 2013 amending Regulation (EC) No 294/2008 establishing the European Institute of Innovation and Technology (OJ L 347, 20.12.2013, p. 174).

⁽⁴⁾ Council Decision 2013/791/Euratom of 13 December 2013 amending Decision 2007/198/Euratom establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (OJ L 349, 21.12.2013, p. 100).

*Article 2***Forms and means of cooperation**

1. Cooperation shall take the following forms:

- (a) Participation of legal entities established in Switzerland in Programmes covered by this Agreement in accordance with the terms and conditions laid down in their rules for the participation and dissemination; and in all activities carried out by Fusion for Energy, in accordance with the terms and conditions laid down by the Joint Undertaking.

In case the Union makes provisions for the implementation of Articles 185 and 187 TFEU), Switzerland shall be allowed to participate in the legal structures created under those provisions, in conformity with the decisions and regulations that have been or will be adopted for the establishment of those legal structures. Subject to Article 13(6), this provision shall only apply as of 1 January 2017.

Legal entities established in Switzerland shall be eligible for participation, as entities from an associated country, in indirect actions based on Articles 185 and 187 TFEU. Subject to Article 13(6), this provision shall only apply as of 1 January 2017.

Regulation (EC) No 294/2008 as amended by Regulation (EU) No 1292/2013 shall apply to participation of legal entities established in Switzerland in Knowledge and Innovation Communities.

Swiss participants are invited to the Stakeholder Forum of the European Institute of Innovation and Technology (EIT).

- (b) Financial contribution by Switzerland to the budgets of the work programmes adopted for the implementation of Programmes covered by this Agreement and to the activities carried out by Fusion for Energy, as defined in Article 4(2).
- (c) Participation of legal entities established in the Union in Swiss research programmes and/or projects decided by the Federal Council on themes equivalent to those of Programmes covered by this Agreement and to those activities carried out by Fusion for Energy, in accordance with the terms and conditions laid down in the relevant Swiss regulations and with the agreement of the partners in the specific project and the management of the corresponding Swiss programme. Legal entities established in the Union participating in Swiss research programmes and/or projects shall cover their own costs, including their relative share of the project's general management and administrative costs.

2. In addition to the timely provision of information and documentation concerning the implementation of Programmes covered by this Agreement and of the activities carried out by Fusion for Energy as well as of the Swiss programmes and/or projects, the cooperation between the Parties may include the following forms and means:

- (a) regular exchanges of views on research policy guidelines and priorities and plans in Switzerland and in the Union and Euratom;
- (b) exchanges of views on the prospects and development of cooperation;
- (c) timely exchanges of information on the implementation of the research programmes and projects in Switzerland and in the Union and Euratom and on the results of the work undertaken under this Agreement;
- (d) joint meetings and resulting joint declarations;
- (e) visits and exchanges of researchers, engineers and technicians;
- (f) regular contacts and follow up between programme or project leaders in Switzerland and in the Union and Euratom;
- (g) participation by experts in seminars, symposia and workshops;
- (h) timely exchanges of information on the activities of ITER in a similar manner as that for Member States of the Union.

*Article 3***Intellectual property rights and obligations**

1. Subject to Annex I to this Agreement and applicable law, legal entities established in Switzerland participating in Programmes covered by this Agreement and activities carried out by Fusion for Energy shall, as regards ownership, exploitation and dissemination of information and intellectual property arising from such participation, have the same rights and obligations as legal entities established in the Union participating in the research programmes and activities in question. This provision shall not apply to the results obtained from projects started before the provisional application of this Agreement.
2. Subject to Annex I and applicable law, legal entities established in the Union participating in Swiss research programmes and/or projects, as provided for in Article 2(1)(c), shall, as regards ownership, exploitation and dissemination of information and intellectual property arising from such participation, have the same rights and obligations as legal entities established in Switzerland participating in the programmes and/or projects in question. This provision shall not apply to the results obtained from projects started before the provisional application of this Agreement.
3. For the purposes of this Agreement, 'intellectual property' shall have the meaning set out in Article 2 of the Convention establishing the World Intellectual Property Organisation, signed at Stockholm on 14 July 1967.

*Article 4***Financial provisions**

1. Switzerland's financial contribution deriving from participation in the implementation of Programmes covered by this Agreement and to the activities carried out by Fusion for Energy shall be established in proportion to and in addition to the amount available each year in the general budget of the Union for commitment appropriations to meet the European Commission's (hereinafter 'the Commission') financial obligations stemming from work to be carried out in the forms necessary for the implementation, management, functioning and operations of the programmes covered by this Agreement.

The Union reserves the right to use the operational and administrative appropriations arising from the Swiss contribution for Programmes covered by this Agreement and all activities carried out by Fusion for Energy according to the needs of those programmes and activities.

2. The proportionality factor governing Switzerland's financial contribution under this Agreement shall be obtained by establishing the ratio between Switzerland's gross domestic product at market prices and the sum of gross domestic products, at market prices, of the Member States of the Union.

As an exception, the proportionality factor governing Switzerland's contribution to Fusion for Energy activities and the fusion part of Euratom Programme shall be obtained by establishing the ratio between Switzerland's gross domestic product at market prices and the sum of gross domestic products, at market prices, of the Member States of the Union and Switzerland.

These ratios shall be calculated on the basis of the latest statistical data from Eurostat, available at the time of publication of the draft general budget of the Union for the same year.

3. The rules governing Switzerland's financial contribution are set out in Annex II.

*Article 5***Switzerland/Communities Research Committee**

1. The Switzerland/Communities Research Committee (hereinafter 'the Committee') set up in the Framework Agreement shall review, evaluate and ensure the proper implementation of this Agreement. Any issues arising from the implementation or interpretation of this Agreement shall be referred to the Committee.
2. The Committee may decide to amend the references to Union acts contained in Annex III.
3. The Committee shall meet at the request of any of the Parties. Furthermore, the Committee will work on an ongoing basis through exchange of documents, e-mails and other means of communication.

*Article 6***Participation in committees**

1. Representatives of Switzerland shall participate as observers in the committees responsible for implementation of the Programmes covered by this Agreement. That participation shall be in accordance with the rules of procedure of those committees. Switzerland shall be informed of the results of votes in these committees. That participation shall take the same form, including procedures for receipt of information and documentation, as that applicable to representatives from Member States of the Union.
2. Representatives of Switzerland shall participate as observers in the Board of Governors of the Joint Research Centre. That participation shall be in accordance with the rules of procedure for the Board of Governors of the Joint Research Centre.
3. Travel costs and subsistence costs incurred by representatives of Switzerland participating in meetings of the committees referred to in paragraphs 1 and 2 shall be reimbursed by the Commission on the same basis as, and in accordance with the procedures currently in force for, representatives of the Member States of the Union.
4. Representatives of Switzerland shall participate in Fusion for Energy bodies. Participation shall be in accordance with the Fusion for Energy statutes, including their provisions on voting rights.
5. Participation of representatives from Switzerland in the European Research Area and Innovation Committee (ERAC) and in the ERA-related groups shall be in accordance with the rules of procedure of that Committee and of those groups.

*Article 7***Participation**

1. Without prejudice to Article 3, legal entities established in Switzerland participating in Programmes covered by this Agreement and in the activities carried out by Fusion for Energy shall have the same contractual rights and obligations as legal entities established in the Union.
2. For legal entities established in Switzerland, the terms and conditions applicable for the submission and evaluation of proposals and those for the granting and conclusion of grant agreements and/or contracts under Programmes covered by this Agreement and under the activities carried out by Fusion for Energy shall be the same as those applicable for grant agreements and/or contracts concluded under the same programmes or activities of Fusion for Energy with legal entities established in the Union.
3. Legal entities established in Switzerland shall be eligible for financial instruments established under Programmes covered by this Agreement.
4. An adequate number of Swiss experts shall be taken into consideration in the selection of evaluators or experts under the Programmes covered by this Agreement as well as for the activities carried out by Fusion for Energy, taking into account the skills and knowledge appropriate to the tasks assigned to them.
5. Without prejudice to Article 1(5), Article 2(1)(c) and Article 3(2) and to existing regulations and rules of procedure, legal entities established in the Union may participate under equivalent terms and conditions to Swiss partners in programmes and/or projects of the Swiss research programmes and activities mentioned in Article 2(1)(c). The Swiss authorities may make participation in a project by one or more legal entities established in the Union subject to joint participation by at least one legal entity established in Switzerland.

*Article 8***Mobility**

Each Party shall undertake, in accordance with existing regulations and agreements in force, to guarantee the entry and stay — insofar as indispensable for the successful accomplishment of the activity concerned — of a number of their researchers participating, in Switzerland and in the Union, in the activities covered by this Agreement.

*Article 9***Revision and future collaboration**

1. Should the Union or Euratom revise or extend their respective research programmes or the activities of Fusion for Energy, this Agreement may be revised or extended under mutually agreed conditions. The Parties shall exchange information and views concerning any such revision or extension, as well as on any matters which affect directly or indirectly Switzerland's cooperation in the fields covered by Programmes covered by this Agreement and by the activities carried out by Fusion for Energy. Switzerland shall be notified of the exact content of the revised or extended programmes or activities within two weeks of their adoption by the Union and Euratom. In case of such revision or extension of the research programmes or activities, Switzerland may terminate this Agreement by giving six months' notice. The Parties shall give notice of any intention to terminate or to extend this Agreement within three months after the adoption of the Union or Euratom decision.

2. Should the Union or Euratom adopt new multi annual framework programmes for research and technological development or a new decision to finance the Fusion for Energy activities, this Agreement may be renewed or renegotiated under conditions agreed mutually between the Parties. The Parties shall exchange information and views on the preparation of such programmes or other current and future research activities, including those carried out by Fusion for Energy, through the Committee.

*Article 10***Relation to other international agreements**

1. This Agreement shall apply without prejudice to the advantages envisaged by other international agreements binding one of the Parties and reserved only for legal entities established on the territory of that Party.

2. A legal entity established in another country associated to Horizon 2020 (Associated Country) or to the Euratom Programme enjoys the same rights and obligations under this Agreement as legal entities that are established in a Member State of the Union provided that the Associated Country in which the entity is established has agreed to award legal entities from Switzerland the same rights and obligations.

*Article 11***Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the TFEU and Euratom Treaty are applied and under the conditions laid down in those Treaties and, on the other, to the territory of Switzerland.

*Article 12***Annexes**

Annexes I, II and III shall form an integral part of this Agreement.

*Article 13***Amendment and termination**

1. This Agreement shall apply for the duration of Horizon 2020, until 31 December 2018 for the Euratom Programme and until 31 December 2020 for the activities carried out by Fusion for Energy.

Notwithstanding paragraph 3, during the period from 1 January 2019 until 31 March 2019, either Party may terminate this Agreement by written notice in relation to the activities carried out by Fusion for Energy. In this case the Agreement shall cease to apply on 31 December 2018 in relation to such activities.

This Agreement shall be tacitly extended and apply under the same terms and conditions to the Euratom Programme 2019-2020, unless either party notifies its decision not to extend this Agreement to that Programme within three months after the adoption of the Euratom Programme 2019-2020. In the case of such a notification, this Agreement shall cease to apply on 31 December 2018 to the Euratom Programme, without prejudice to the participation of Switzerland in Horizon 2020 and in the activities carried out by Fusion for Energy.

2. This Agreement may be amended only in writing by common consent between the Parties. The procedure for entry into force of the amendments shall be the same as the procedure applicable to this Agreement.

3. Each Party may terminate this Agreement at any time, subject to six months' written notice.
4. In case the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons is terminated, this Agreement shall cease to apply on the same date as the aforementioned agreement. No prior written notice shall be required to that effect.
5. This Agreement shall cease to apply in the absence of the Swiss notification required for the entry into force of the protocol on the extension to Croatia of the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons (hereinafter 'the protocol on the extension to Croatia'), within six months after the completion of Swiss internal procedures. No prior written notice shall be required to that effect.
6. This Agreement shall cease to apply with retroactive effect, as of 31 December 2016, in the absence of Swiss ratification of the protocol on the extension to Croatia by 9 February 2017. If the Swiss Confederation ratifies that Protocol, this Agreement shall apply to the whole of Horizon 2020, Euratom Programme 2014-2018 and the activities carried out by Fusion for Energy as of 1 January 2017.
7. Projects and activities in progress at the time of termination and/or expiry of this Agreement shall continue until their completion under the conditions laid down in this Agreement. The Parties shall settle by common consent any other consequences of termination.

Article 14

Review clause

In the fourth year after this Agreement becomes applicable, Parties shall jointly review the implementation thereof, including the proportionality factor governing the financial contribution of Switzerland, on the basis of the data concerning participation of legal entities established in Switzerland in indirect and direct actions under the Programmes covered by this Agreement in the years 2014-2016 as well as Fusion for Energy activities.

Article 15

Entry into force and provisional application

1. This Agreement shall be ratified or concluded by the Parties in accordance with their respective rules. It shall enter into force on the date of the last notification of completion of the procedures necessary to that end.

In relation to Switzerland's association to Horizon 2020, provisional application of this Agreement shall start upon its signature by representatives of Switzerland and the Union.

In relation to Switzerland's association to Euratom Programme and Fusion for Energy activities, provisional application of this Agreement shall start when Switzerland has signed the Agreement and Euratom has notified Switzerland of the completion of procedures necessary for conclusion of this Agreement.

Provisional application shall take effect from 15 September 2014. Legal entities established in Switzerland shall be treated as entities from an Associated Country within the meaning of Article 2(1) point 3 of Regulation (EU) No 1290/2013 for the purpose of the calls for proposals or invitations to submit proposals, procurement procedures or contests under Programmes covered by this Agreement which have a deadline from 15 September 2014 onwards.

If legal entities established in Switzerland are not eligible for funding in calls for proposals or invitations to submit proposals or contests under Programmes covered by this Agreement financed from the 2015 budget of those Programmes, on the basis of Article 10(1)(a) of Regulation (EU) No 1290/2013, for calculation of Switzerland's financial contribution issued in accordance with Annex II to this Agreement for the year 2015, the budget of the relevant programme shall be diminished by the budget of those calls, invitations to submit proposals or contests.

2. Should one of the Parties notify the other that it will not conclude or ratify this Agreement, it is hereby agreed that:
 - (a) the Union and Euratom shall reimburse Switzerland its contribution to the general budget of the Union, as provided for in Article 2(1)(b);

- (b) however, the funds already committed by the Union and Euratom during the provisional application of this Agreement for participation by legal entities established in Switzerland in indirect actions or for participation in activities carried out by Fusion for Energy, shall be deducted by the Union and Euratom from the reimbursement referred to in point (a);
- (c) projects and activities started during this provisional application and still in progress at the time of the abovementioned notification shall continue until their completion under the conditions laid down in this Agreement.

Article 16

Relation to the Fusion Agreement

1. Upon its provisional application, this Agreement shall suspend the Fusion Agreement.
2. Upon its entry into force, this Agreement shall terminate and replace the Fusion Agreement.

This Agreement shall be drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

Съставено в Брюксел на пети декември две хиляди и четиринадесета година.

Hecho en Bruselas, el cinco de diciembre de dos mil catorce.

V Bruselu dne pátého prosince dva tisíce čtrnáct.

Udfærdiget i Bruxelles den femte december to tusind og fjorten.

Geschehen zu Brüssel am fünften Dezember zweitausendvierzehn.

Kahe tuhande neljateistkümnenda aasta detsembrikuu viiendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις πέντε Δεκεμβρίου δύο χιλιάδες δεκατέσσερα.

Done at Brussels on the fifth day of December in the year two thousand and fourteen.

Fait à Bruxelles, le cinq décembre deux mille quatorze.

Sastavljeno u Bruxellesu petog prosinca dvije tisuće četrnaeste.

Fatto a Bruxelles, addì cinque dicembre duemilaquattordici.

Briselē, divi tūkstoši četrpadsmitā gada piektajā decembrī.

Priimta du tūkstančiai keturioliktą metų gruodžio penktą dieną Briuselyje.

Kelt Brüsszelben, a kétézer-tizenegyedik év december havának ötödik napján.

Magħmul fi Brussell, fil-hames jum ta' Diċembru tas-sena elfejn u erbatax.

Gedaan te Brussel, de vijfde december tweeduizend veertien.

Sporządzono w Brukseli dnia piątego grudnia roku dwa tysiące czternastego.

Feito em Bruxelas, em cinco de dezembro de dois mil e catorze.

Întocmit la Bruxelles la cinci decembrie două mii paisprezece.

V Bruseli piateho decembra dvetisícštrnásť.

V Bruslju, dne petega decembra leta dva tisoč štirinajst.

Tehty Brysselissä viidentenä päivänä joulukuuta vuonna kaksituhattaneljätoista.

Som skedde i Bryssel den femte december tjugohundrafjorton.

За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

За Европейската общност за атомна енергия
 Por la Comunidad Europea de la Energía Atómica
 Za Evropské společenství pro atomovou energii
 For Det Europæiske Atomenergifællesskab
 Für die Europäische Atomgemeinschaft
 Euroopa Aatomienergiaühenduse nimel
 Για την Ευρωπαϊκή Κοινότητα Ατομικής Ενέργειας
 For the European Atomic Energy Community
 Pour la Communauté européenne de l'énergie atomique
 Za Europsku zajednicu za atomsku energiju
 Per la Comunità europea dell'energia atomica
 Eiropas Atomenerģijas Kopienas vārdā –
 Europos atominės energijos bendrijos vardu
 Az Európai Atomenergia-közösség részéről
 F'isem il-Komunità Ewropea tal-Energija Atomika
 Voor de Europese Gemeenschap voor Atoomenergie
 W imieniu Europejskiej Wspólnoty Energii Atomowej
 Pela Comunidade Europeia da Energia Atómica
 Pentru Comunitatea Europeană a Energiei Atomice
 Za Európske spoločenstvo pre atómovú energiu
 Za Evropsko skupnost za atomsko energijo
 Euroopan atomienergiajärjestön puolesta
 För Europeiska atomenergigemenskapen

За Конфедерация Швейцария
 Por la Confederación Suiza
 Za Švýcarskou konfederaci
 For Det Schweiziske Forbund
 Für die Schweizerische Eidgenossenschaft
 Šveitsi Konföderatsiooni nimel
 Για την Ελβετική Συνομοσπονδία
 For the Swiss Confederation
 Pour la Confédération suisse
 Za Švicarsku Konfederaciju
 Per la Confederazione svizzera
 Šveices Konfederācijas vārdā
 Šveicarijos Konfederacijos vardu
 A Svájci Államszövetség részéről
 Għall-Konfederazzjoni Żvizzera
 Voor de Zwitserse Bondsstaat
 W imieniu Konfederacji Szwajcarskiej
 Pela Confederação Suíça
 Pentru Confederația Elvețiană
 Za Švajčiarsku konfederáciu
 Za Švicarsko konfederacijo
 Sveitsin valaliiton puolesta
 På Schweiziska edsförbundets vägnar

ANNEX I

PRINCIPLES ON THE ALLOCATION OF INTELLECTUAL PROPERTY RIGHTS**I. INTELLECTUAL PROPERTY RIGHTS OF THE LEGAL ENTITIES OF THE PARTIES**

1. Each Party shall ensure that the intellectual property rights of the legal entities of the other Party participating in the activities undertaken under this Agreement and the rights and obligations resulting from such participation are treated in a manner compatible with the relevant international conventions applicable to the Parties, in particular the TRIPS Agreement (Agreement on Trade Related Aspects of Intellectual Property Rights administered by the World Trade Organisation), the Berne Convention (Paris Act 1971) and the Paris Convention (Stockholm Act 1967).
2. Legal entities established in Switzerland participating in indirect actions under Programmes covered by this Agreement shall have intellectual property rights and obligations in accordance with Regulation (EU) No 1290/2013, the provisions of the Horizon 2020 and Euratom Grant Agreements.
3. Legal entities established in Switzerland participating in activities carried out by Fusion for Energy shall have intellectual property rights and obligations in accordance with the rules on intellectual property rights and dissemination of information and with the financial rules adopted by Fusion for Energy.
4. Where legal entities established in Switzerland participate in indirect actions under Horizon 2020, implemented in accordance with Article 185 and Article 187 TFEU, the legal entities established in Switzerland shall have intellectual property rights and obligations in accordance with Regulation (EU) No 1290/2013, provisions of the relevant Grant Agreements and any other relevant rules, as applicable.
5. Legal entities established in a Member State of the Union participating in Swiss research programmes and/or projects shall have the same intellectual property rights and obligations as legal entities established in Switzerland participating in those research programmes or projects.

II. INTELLECTUAL PROPERTY RIGHTS OF AND INFORMATION EXCHANGE BETWEEN THE PARTIES

1. Unless otherwise agreed between the Parties, the following rules shall apply to the intellectual property rights generated by the Parties in the course of the activities undertaken in accordance with Article 2(2) of this Agreement:
 - (a) The Party generating the intellectual property shall have ownership thereof. Where their respective shares in the work cannot be determined, the Parties shall co own the intellectual property;
 - (b) The Party holding ownership shall grant the other Party rights of access to and the use of the intellectual property with a view to the activities referred to in Article 2(2) of this Agreement. No charge shall be made for granting rights of access to and the use of the intellectual property.
2. Unless otherwise agreed between the Parties, the following rules shall apply to scientific publications from the Parties:
 - (a) Where a Party publishes a work containing data, information and technical or scientific results arising from the activities undertaken under this Agreement in journals, articles, reports and books, including audiovisual works and software, a worldwide, non- exclusive, irrevocable royalty free licence to translate, adapt, transmit and publicly distribute the data, information and technical or scientific results in question shall be granted to the other Party unless precluded from doing so by existing intellectual property rights of third parties;
 - (b) All copies of copyrighted data and information to be publicly distributed and prepared under this section shall indicate the names of the author or authors, unless an author expressly declines to be named. Copies shall also bear a clearly visible acknowledgement of the cooperative support of the Parties.
3. Unless otherwise agreed between the Parties, the following rules shall apply to information of the Parties that is not to be disclosed:
 - (a) At the time of submission to the other Party of information relating to the activities undertaken under this Agreement, each Party shall identify the information which it wishes to remain undisclosed;
 - (b) For the specific purposes of application of this Agreement, the receiving Party may, on its own responsibility, communicate such information that is not to be disclosed as confidential information to bodies or persons under its authority and under an obligation to keep the information confidential;

- (c) With the prior written consent of the Party providing information that is not to be disclosed, the receiving Party may disseminate such information more widely than otherwise permitted under point (b). The Parties shall cooperate in developing procedures for requesting and obtaining prior written consent for wider dissemination, and each Party shall grant such approval to the extent permitted by its domestic policies, regulations and laws;
 - (d) Non-documented information that is not to be disclosed or other confidential or privileged information provided in seminars or other meetings of the representatives of the Parties arranged under this Agreement, or information arising from the attachment of staff, use of facilities or indirect actions must remain confidential, where the recipient of such information that is not to be disclosed or other confidential or privileged information was made aware of the confidential character of the information before it was communicated, in accordance with point (a);
 - (e) Each Party shall ensure that information that is not to be disclosed which it obtains in accordance with point (a) or (d) shall be controlled as provided for in this Agreement. If one of the Parties becomes aware that it will be, or may be expected to become, unable to meet the requirements on non-dissemination set out in points (a) and (d), it shall immediately inform the other Party. The Parties shall thereafter consult to define an appropriate course of action.
-

ANNEX II

FINANCIAL RULES GOVERNING THE CONTRIBUTION OF SWITZERLAND REFERRED TO IN ARTICLE 4 OF THIS AGREEMENT**I. DETERMINATION OF FINANCIAL PARTICIPATION**

1. The Commission shall communicate to Switzerland together with relevant background material including the corresponding Eurostat data, as soon as possible and at the latest on 1 September of each year and any multi-annual financial framework 2014-2020 update as soon as available:
 - (a) the amounts in commitment appropriations in the statement of expenditure of the draft general budget of the Union for the following year corresponding to the Programmes covered by this Agreement and the Union final contribution to Fusion for Energy;
 - (b) the estimated amount of the contributions derived from the draft general budget of the Union, corresponding to the participation of Switzerland for the following year in each of the Programmes covered by this Agreement and in the activities carried out by Fusion for Energy.
2. Once the general budget of the Union has been finally adopted and at the same time as the first call for funds of the year, the Commission shall communicate to Switzerland the amounts referred to in paragraph 1 (a) and (b) with relevant background material including the corresponding Eurostat data, in separate statements of expenditure corresponding to the participation of Switzerland in each of the Programmes covered by this Agreement and in the activities carried out by Fusion for Energy.

II. PAYMENT PROCEDURES

1. In June and November of each financial year, the Commission shall issue a separate call for funds to Switzerland corresponding to its contribution to each of the Programmes covered by this Agreement and to the activities carried out by Fusion for Energy under this Agreement. Those calls for funds shall provide respectively for the payment of six twelfths of Switzerland's contribution for each call for funds and not later than 30 days after receipt of the corresponding call for funds. However, in the last year of the two Programmes and the last year of Decision 2013/791/Euratom, the Commission shall issue in June of that year a single call for funds covering the whole year to be paid not later than 30 days after receipt of the corresponding call for funds.
2. Notwithstanding paragraph 1, the Commission shall issue by 15 December 2014 a call for funds to Switzerland corresponding to 7/24 of its annual contribution to Programmes covered by this Agreement in 2014, with the exception of fusion activities under the Euratom Programme. The Commission shall also issue by 15 December 2014 a call corresponding to 12/12 of Swiss annual contribution to the fusion activities of the Euratom Programme and the activities carried out by Fusion for Energy in 2014. Those calls shall provide for the payment of Switzerland's contribution not later than 30 days after the receipt of the corresponding call for funds.
3. The contributions of Switzerland shall be expressed and paid in euro.
4. Switzerland shall pay its contribution under this Agreement according to the schedule in, respectively, paragraph 1 or 2. Any delay in payment shall give rise to the payment of interest at a rate equal to the one-month inter bank offered rate (EURIBOR). This rate shall be increased by 1.5 percentage point for each month of delay. The increased rate shall be applied to the entire period of delay.

III. CONDITIONS FOR IMPLEMENTATION

1. The financial contribution of Switzerland to the two Programmes and the activities carried out by Fusion for Energy in accordance with Article 4 of this Agreement shall remain unchanged for the financial year in question. Any relevant changes in the general budget of the Union adopted in the financial year in question shall be taken into account in the first call for funds issued in the following year, except in the final year of the respective Programmes and activities.
2. The Commission, at the time of the closure of the accounts relating to each financial year (n), within the framework of the establishment of the revenue and expenditure account, shall proceed to the regularisation of the accounts with respect to the participation of Switzerland, taking into consideration modifications which have taken place, either by transfer, cancellations, carry overs, or by supplementary and amending budgets during the financial year.

3. That regularisation shall occur at the time of the first payment for the year $n+1$. However, the final such regularisation shall occur not later than July of the fourth year following the end of each of the two Programmes and the end of the duration of Decision 2013/791/Euratom. Payment by Switzerland shall be credited to the Union and Euratom Programmes as budget receipts allocated to the appropriate budget heading in the statement of revenue of the general budget of the Union.

IV. INFORMATION

1. At the latest on 1 September of each financial year ($n+1$), the statement of appropriations for the Programmes covered by this Agreement and for the activities carried out by Fusion for Energy related to the previous financial year (n), shall be prepared and transmitted to Switzerland for information, according to the format of the Commission's revenue and expenditure account.
 2. The Commission shall make available to Switzerland the statistics and all other general financial data relating to the implementation of each of the two Programmes and activities carried out by Fusion for Energy which is made available to the Member States of the Union.
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ANNEX III

FINANCIAL CONTROLS OF SWITZERLAND'S PARTICIPANTS IN HORIZON 2020, IN THE EURATOM PROGRAMME AND IN THE ACTIVITIES CARRIED OUT BY FUSION FOR ENERGY COVERED BY THIS AGREEMENT

I. DIRECT COMMUNICATIONS

The Commission may communicate directly with the participants in Programmes covered by this Agreement and in the activities carried out by Fusion for Energy established in Switzerland and with their subcontractors. They may submit directly to the Commission all relevant information and documentation which they are required to submit on the basis of the instruments referred to in this Agreement and of the grant agreements and/or contracts concluded to implement them.

II. AUDITS

1. In accordance with Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council ⁽¹⁾ and Commission Delegated Regulation (EU) No 1268/2012 ⁽²⁾ and with the other rules referred to in this Agreement, the grant agreements and/or contracts concluded with participants in the programmes and activities established in Switzerland may provide for scientific, financial, technological or other audits to be conducted at any time on the premises of the participants and of their subcontractors by Commission agents or by other persons mandated by the Commission.
2. Commission agents, the European Court of Auditors and other persons mandated by the Commission shall have access to relevant sites and works and to all information, including information in electronic form, required in order to carry out such audits. This right of access shall be stated explicitly in the grant agreements and/or contracts concluded to implement the instruments referred to in this Agreement.
3. After the expiry of Horizon 2020 and the Euratom Programme, or after 31 December 2020 for the activities carried out by Fusion for Energy, audits may be conducted on the terms laid down in the grant agreements and/or contracts in question.
4. The Swiss Federal Audit Office shall be informed in advance of any audits conducted by the persons referred to in paragraph 2 on Swiss territory. Such notification shall not be a legal precondition for carrying out such audits. The Swiss Federal Audit Office or other competent Swiss authorities designated by the Swiss Federal Audit Office may assist during such audits.

III. INVESTIGATIONS BY THE EUROPEAN ANTI FRAUD OFFICE (OLAF)

1. Within the framework of this Agreement, the Commission (OLAF) may carry out investigations, including on-the-spot checks and inspections, on Swiss territory, in accordance with the terms and conditions laid down in Council Regulation (Euratom, EC) No 2185/96 ⁽³⁾ and Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ⁽⁴⁾ with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union and/or of Euratom.
2. On the spot checks and inspections shall be prepared and conducted by OLAF in close collaboration with the Swiss Federal Audit Office or with other competent Swiss authorities designated by the Swiss Federal Audit Office, which shall be notified in good time of the object, purpose and legal basis of the checks and inspections, so that they can provide all the requisite help. To that end, the officials of the competent Swiss authorities may participate in the on-the-spot checks and inspections.

⁽¹⁾ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

⁽²⁾ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

⁽³⁾ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

⁽⁴⁾ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

3. If the Swiss authorities concerned so wish, the on the spot checks and inspections may be carried out jointly by OLAF and them.
4. Where the participants in Programmes covered by this Agreement and activities carried out by Fusion for Energy resist an on the spot check or inspection, the Swiss authorities, acting in accordance with national rules, shall give OLAF investigators such assistance as they need to allow them to discharge their duty in carrying out an on the spot check or inspection.
5. OLAF shall report as soon as possible to the Swiss Federal Audit Office or other competent Swiss authorities designated by the Swiss Federal Audit Office any fact or suspicion relating to an irregularity which has come to its notice in the course of the on the spot check or inspection. In any event OLAF shall inform the aforementioned authorities of the result of such checks and inspections.

IV. INFORMATION AND CONSULTATION

1. For the purposes of proper implementation of this Annex, the competent Swiss and Union authorities shall regularly exchange information and, at the request of one of the Parties, shall conduct consultations.
2. The competent Swiss authorities shall inform the Commission without delay of any fact or suspicion which has come to their notice relating to an irregularity in connection with the conclusion and implementation of the grant agreements and/or contracts concluded in application of the instruments referred to in this Agreement.

V. CONFIDENTIALITY

Information communicated or acquired in any form under this Annex shall be covered by professional secrecy and protected in the same way as similar information is protected by Swiss law and by the corresponding provisions applicable to the Union institutions. Such information may not be communicated to persons other than those within the Union institutions or in the Member States of the Union or Switzerland whose functions require them to know it nor may it be used for purposes other than to ensure effective protection of the Parties' financial interests.

VI. ADMINISTRATIVE MEASURES AND PENALTIES

Without prejudice to application of Swiss criminal law, administrative measures and penalties may be imposed by the Commission in accordance with the Regulation (EU, Euratom) No 966/2012, Regulation (EU) No 1268/2012 and with Council Regulation (EC, Euratom) No 2988/95 ⁽¹⁾.

VII. RECOVERY AND ENFORCEMENT

Decisions taken by the Commission under Horizon 2020 or Euratom Programme within the scope of this Agreement which impose a pecuniary obligation on persons other than States shall be enforceable in Switzerland. The enforcement order shall be issued, without any further control than verification of the authenticity of the act, by the authorities designated by the Swiss government, which shall inform the Commission thereof. Enforcement shall take place in accordance with the Swiss rules of procedure. The legality of the enforcement decision shall be subject to control by the Court of Justice of the European Union. Judgments given by that Court pursuant to an arbitration clause in a contract or grant agreement under Horizon 2020 and Euratom Programme shall be enforceable on the same terms as those applicable to the enforcement of the Commission decisions.

⁽¹⁾ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1).

COUNCIL DECISION**of 4 December 2014**

approving the conclusion by the European Commission, on behalf of the European Atomic Energy Community, of the Agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy

(2014/954/Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 15 November 2013, the Council authorised the Commission to open negotiations, on behalf of the European Union and the European Atomic Energy Community, with the Swiss Confederation with a view to concluding a comprehensive agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) and the Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing the Horizon 2020; and regulating Switzerland's participation in the ITER project in the years 2014-2020.
- (2) Those negotiations have been successfully completed.
- (3) The signature and conclusion of the Agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy ('the Agreement') is subject to a separate procedure as regards matters falling within the scope of the Treaty on European Union and the Treaty on the Functioning of the European Union.
- (4) The Agreement should be concluded also on behalf of the European Atomic Energy Community as regards matters falling in the scope of the Euratom Treaty.
- (5) The conclusion by the Commission, acting on behalf of the European Atomic Energy Community, of the Agreement should be approved.
- (6) In order to be able to treat Swiss legal entities like entities from an Associated Country in fission calls under the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, which have a deadline in the last quarter of 2014, the Agreement should be applied with effect from 15 September 2014,

HAS ADOPTED THIS DECISION:

Article 1

The conclusion by the Commission, on behalf of the European Atomic Energy Community, of the Agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy is hereby approved.

The text of the Agreement is attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 4 December 2014.

For the Council
The President
S. GOZI

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) No 1392/2014

of 20 October 2014

establishing a discard plan for certain small pelagic fisheries in the Mediterranean Sea

THE EUROPEAN COMMISSION,

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

Having regard to the Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ⁽¹⁾, and in particular Articles 15(6) and 18(1) and (3) thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 aims to progressively eliminate discards in all Union fisheries through the introduction of a landing obligation for catches of species subject to catch limits.
- (2) Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of a delegated act for a period of no more than three years on the basis of joint recommendations developed by Member States in consultation with the relevant Advisory Councils.
- (3) Greece, Spain, France, Croatia, Italy, Malta and Slovenia have a direct fisheries management interest in the Mediterranean Sea. Those Member States have submitted joint recommendations ⁽²⁾ to the Commission after consultation of the Mediterranean Sea Advisory Council. Scientific contribution was obtained from relevant scientific bodies. In line with Article 18(3) of Regulation (EU) No 1380/2013 only those measures in the joint recommendations which comply with Article 15(6) of that Regulation should be included in this Regulation.
- (4) As regards the Mediterranean Sea, Article 15 of Regulation (EU) No 1380/2013 establishes a landing obligation for all catches of species which are subject to catch limits and also for catches of species which are subject to minimum sizes as defined in Annex III to Council Regulation (EC) No 1967/2006 ⁽³⁾. According to Article 15(1)(a) of Regulation (EU) No 1380/2013, the landing obligation should apply in small pelagic fisheries, large pelagic fisheries and fisheries for industrial purposes at the latest from 1 January 2015.
- (5) In accordance with the joint recommendation, the discard plan should cover all catches of species which are subject to minimum sizes as defined in Annex III to Regulation (EC) No 1967/2006 caught in small pelagic fisheries using pelagic mid-water trawl and/or purse seines in the Mediterranean Sea (i.e. fisheries for anchovy, sardine, mackerel and horse mackerel) from 1 January 2015.

⁽¹⁾ OJ L 354, 28.12.2013, p. 22.

⁽²⁾ 'Discard management plan for Western Mediterranean Sea (GSAs 1-12 except for GSAs 3 and 4): joint recommendation agreed by fisheries directors of France, Spain and Italy', transmitted on 2 July 2014; 'Discard management plan in North Adriatic Sea (GSA 17): joint recommendation by Croatia, Italy and Slovenia', transmitted on 25 June 2014; 'Greek discard plan for pelagic fisheries in Aegean Sea and Crete island (GSAs 22 and 23)', transmitted on 30 June 2014; 'Joint recommendation to the European Commission for a specific discard plan for pelagic fisheries in Southern Adriatic Sea, Western and Eastern Ionian Seas (GSAs 18-19-20)', transmitted by Greece and Italy on 25 June 2014; 'Discard management plan for Malta and the South of Sicily (GSAs 15-16): joint recommendation agreed by Italy and Malta', transmitted on 19 June 2014.

⁽³⁾ Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 (OJ L 409, 30.12.2006, p. 11).

- (6) To avoid disproportionate costs of handling unwanted catches and in accordance with Article 15(5)(c)(ii) of Regulation (EU) No 1380/2013, it is appropriate to establish a *de minimis* exemption from the landing obligation in terms of percentage of the total annual catches of species subject to the landing obligation in small pelagic fisheries. The joint recommendations submitted by the concerned Member States support the case for the *de minimis* exemption, due to the increased costs entailed in the management of unwanted catches, both on board (sorting and boxing, storage and conservation) and on land (transport and storage, conservation, marketing and processing or destruction as special waste), compared to the limited and sometimes inexistent economic profit that could be derived from those unwanted catches. The evidence provided by the Member States was reviewed by the Scientific, Technical and Economic Committee for Fisheries (STECF) which concluded that the joint recommendations contained reasoned arguments related to the increase of costs in handling unwanted catches, supported in some cases with a qualitative assessment of the costs ⁽¹⁾. In light of the above and in the absence of differing scientific information, it is appropriate to establish the *de minimis* exemption in accordance with the percentage levels proposed in the joint recommendations and at levels not exceeding those allowed under Article 15(1)(c) of Regulation (EU) No 1380/2013
- (7) In accordance with the joint recommendations and taking into account the time-frame set out in Article 15(1) of Regulation (EU) No 1380/2013 this Regulation should apply from 1 January 2015. In accordance with Article 15(6) of that Regulation, it should apply for no more than 3 years,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation specifies the details for implementing the landing obligation, as provided for in Article 15(1) of Regulation (EU) No 1380/2013, from 1 January 2015 in the Mediterranean Sea, to all catches of species which are subject to minimum sizes in the small pelagic fisheries set out in the Annex.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'minimum size' means the minimum size of marine organisms as established in Annex III to Regulation (EC) No 1967/2006.
- 'Mediterranean Sea' means maritime waters of the Mediterranean to the east of line 5°36' West;
- (b) 'GFCM Geographical Sub-Area' means General Fisheries Commission for the Mediterranean (GFCM) Geographical Sub-Area as defined in Annex I to Regulation (EU) No 1343/2011 of the European Parliament and of the Council ⁽²⁾;
- (c) 'Western Mediterranean Sea' means GFCM Geographical Sub-Areas 1, 2, 5, 6, 7, 8, 9, 10, 11.1, 11.2, 12;
- (d) 'Northern Adriatic Sea' means GFCM Geographical Sub-Area 17;
- (e) 'Southern Adriatic and Ionian Sea' means GFCM Geographical Sub-Areas 18, 19 and 20;
- (f) 'Malta Island and South of Sicily' means GFCM Geographical Sub-Areas 15 and 16;
- (g) 'Aegean Sea and Crete Island' means GFCM Geographical Sub-Area 22 and 23.

⁽¹⁾ 46th Plenary meeting report of the Scientific, Technical and Economic Committee for Fisheries (PLEN-14-02), 7-11 July 2014, Copenhagen. Edited by Norman Graham, John Casey & Hendrik Doerner, 2014.

⁽²⁾ Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p. 44).

*Article 3****De minimis exemption***

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities may be discarded:

- (a) in the western Mediterranean Sea, up to 5 % of the total annual catches of species subject to minimum sizes in the small pelagic mid-water trawl and purse seines fisheries set out in point 1 of the Annex;
- (b) in the northern Adriatic Sea, up to 5 % of the total annual catches of species subject to minimum sizes in the small pelagic mid-water trawl and purse seines fisheries set out in point 2 of the Annex;
- (c) in the southern Adriatic and Ionian Sea:
 - (i) up to 3 % of the total annual catches of species subject to minimum sizes in the small pelagic purse seines fisheries; and
 - (ii) up to 7 % in 2015 and 2016 and up to 6 % in 2017 of the total annual catches of species subject to minimum sizes in the small pelagic mid-water trawl fisheries, set out in point 3 of the Annex;
- (d) in the Malta Island and South of Sicily:
 - (i) up to 3 % of the total annual catches of species subject to minimum sizes in the small pelagic purse seines fisheries; and
 - (ii) up to 7 % in 2015 and 2016 and up to 6 % in 2017 of the total annual catches of species subject to minimum sizes in the small pelagic mid-water trawl fisheries, set out in point 4 of the Annex;
- (e) in the Aegean Sea and Crete Island, up to 3 % of the total annual catches of species subject to minimum sizes in the small pelagic purse seines fisheries set out in point 5 of the Annex.

*Article 4***Entry into force**

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

It shall apply from 1 January 2015 until 31 December 2017.

This Regulation shall be binding in its entirety and directly applicable in all Member States in accordance with the Treaties.

Done at Brussels, 20 October 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

1. Small pelagic fisheries in the western Mediterranean Sea

Code	Fishing gear	Species targeted
(insert code if applicable)	mid-water pelagic trawl	Anchovy, sardine, mackerel and horse mackerel
(insert code if applicable)	purse seine	Anchovy, sardine, mackerel and horse mackerel

2. Small pelagic fisheries in the northern Adriatic Sea

Code	Fishing gear	Species targeted
(insert code if applicable)	mid-water pelagic trawl	Anchovy, sardine, mackerel and horse mackerel
(insert code if applicable)	purse seine	Anchovy, sardine, mackerel and horse mackerel

3. Small pelagic fisheries in the southern Adriatic and Ionian Sea

Code	Fishing gear	Species targeted
(insert code if applicable)	mid-water pelagic trawl	Anchovy, sardine, mackerel and horse mackerel
(insert code if applicable)	purse seine	Anchovy, sardine, mackerel and horse mackerel

4. Small pelagic fisheries in the Malta Island and South of Sicily

Code	Fishing gear	Species targeted
(insert code if applicable)	mid-water pelagic trawl	Anchovy, sardine, mackerel and horse mackerel
(insert code if applicable)	purse seine	Anchovy, sardine, mackerel and horse mackerel

5. Small pelagic fisheries in the Aegean Sea and Crete Island

Code	Fishing gear	Species targeted
(insert code if applicable)	purse seine	Anchovy, sardine, mackerel and horse mackerel

COMMISSION DELEGATED REGULATION (EU) No 1393/2014
of 20 October 2014
establishing a discard plan for certain pelagic fisheries in north-western waters

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ⁽¹⁾, and in particular Articles 15(6) and 18(1) and (3) thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 aims to progressively eliminate discards in all Union fisheries through the introduction of a landing obligation for catches of species subject to catch limits.
- (2) Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of a delegated act for a period of no more than three years on the basis of joint recommendations developed by Member States in consultation with the relevant Advisory Councils.
- (3) Belgium, Ireland, Spain, France, the Netherlands and the United Kingdom have a direct fisheries management interest in the north-western waters. Those Member States, have submitted a joint recommendation to the Commission after consultation of the Pelagic Advisory Council, the Long-Distance Advisory Council and the North Western Waters Advisory Council. Scientific contribution was obtained from relevant scientific bodies. The measures included in the joint recommendation comply with Article 15(6) of Regulation (EU) No 1380/2013 and therefore, in accordance with Article 18(3) of Regulation (EU) No 1380/2013 they should be included in this Regulation.
- (4) As regards the north-western waters, according to Article 15(1)(a) of Regulation (EU) No 1380/2013 the landing obligation should apply to all vessels engaged in small pelagic and large pelagic fisheries in relation to species caught in those fisheries which are subject to catch limits at the latest from 1 January 2015.
- (5) In accordance with the joint recommendation, the discard plan should cover certain small pelagic and large pelagic fisheries, namely fisheries for mackerel, herring, horse mackerel, blue whiting, boarfish, greater silver smelt, albacore tuna and sprat in ICES zones Vb, VI and VII, from 1 January 2015.
- (6) The joint recommendation includes an exemption from the landing obligation for mackerel and herring caught with purse seines under certain conditions based on scientific evidence of high survivability in accordance with Article 15(4)(b) of Regulation (EU) No 1380/2013. Scientific evidence supporting high survivability was provided by the Scheveningen Group in the joint recommendation for a discard plan for the North Sea, which made reference to a specific scientific study on fish survival from slipping in purse seine fisheries. The study found that survival rates depend on the crowding time and the density of fish within the net, which are typically limited in these fisheries. This information was reviewed by the STECF. STECF concluded that, assuming the results of the survival study are representative of survival rates under commercial fishing operations, the proportion of slipped mackerel surviving would likely be around 70 %. The densities would also be lower than the density where mortality of herring was observed to increase. A prohibition of the release of mackerel and herring before the net is fully taken on board a fishing vessel, resulting in the loss of dead or dying fish, is set out in Article 19b(2) of Council Regulation (EC) No 850/98 ⁽²⁾. This survivability exemption does not affect the prohibition in force, since the release of the fish will occur at a stage of the fishing operation where the fish would have a high survival rate after release. Therefore this exemption should be included in this Regulation.

⁽¹⁾ OJ L 354, 28.12.2013, p. 22.

⁽²⁾ Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (OJ L 125, 27.4.1998, p. 1).

- (7) The joint recommendation includes four *de minimis* exemptions from the landing obligation for certain fisheries and up to certain levels. The evidence provided by the Member States was reviewed by the STECF, which concluded that the joint recommendations contained reasoned arguments related to the increase of costs in handling unwanted catches, supported in some cases with a qualitative assessment of the costs. In light of the above and in the absence of differing scientific information, it is appropriate to establish the *de minimis* exemptions in accordance with the percentage level proposed in the joint recommendation and at levels not exceeding those allowed under Article 15(5) of Regulation (EU) No 1380/2013.
- (8) The *de minimis* exemption for blue whiting (*Micromesistius poutassou*), up to a maximum of 7 % in 2015 and 2016, and 6 % in 2017, of the total annual catches in the industrial pelagic trawler fishery targeting that species in ICES zone VIII and processing that species on board to obtain surimi base, is based on the fact that increased selectivity cannot be achieved, and that costs of handling the unwanted catch is disproportionate. STECF concludes that the exemption is sufficiently well argued. Therefore, the exemption concerned should be included in this Regulation.
- (9) The *de minimis* exemption for up to a maximum of 7 % in 2015 and 2016, and 6 % in 2017 for albacore tuna (*Thunnus alalunga*) of the total annual catches in the albacore tuna directed fisheries using midwater pair trawls (PTM) in ICES zone VII, is based on the disproportionate costs of handling the unwanted catch. These are costs of storage and handling at sea and on shore. STECF in its evaluation mentioned the risk of highgrading. However, this exemption is without prejudice to Article 19a of Regulation (EC) No 850/98. Therefore, the exemption concerned should be included in this Regulation.
- (10) To avoid disproportionate costs of handling unwanted catches, like storing, labour, icing, and taking into account the difficulty to increase selectivity in the pelagic fishery targeting mackerel, horse mackerel and herring in ICES division VIId, the joint recommendation includes a *de minimis* exemption from the landing obligation for this mixed fishery. This exemption is based on scientific evidence provided by the Member States involved in the joint recommendation and was reviewed by the STECF. STECF found that the JR presents reasoned qualitative arguments in support of this exemption on the grounds of disproportionate costs of handling unwanted catches. Therefore, this exemption should be included in this Regulation.
- (11) The *de minimis* exemption of up to a maximum of 1 % in 2015 and 0,75 % in 2016 of the TAC of boarfish (*Caproidae*) in the fishery targeting horse mackerel (*Trachurus spp.*) with pelagic freezer trawlers using midwater trawls in ICES zones VI and VII is based on the difficulty to increase selectivity, and the disproportionate costs of handling (separating wanted from unwanted catches). STECF concludes that the exemption is supported by reasoned qualitative arguments on the difficulty of improving selectivity in this fishery and reasonable arguments regarding additional handling costs. Therefore, the exemption concerned should be included in this Regulation.
- (12) In order to ensure appropriate control, specific requirements for documentation of catches under the exemption based on survivability covered by this Regulation should be laid down.
- (13) Since the measures provided for in this Regulation impact directly on the economic activities linked to and the planning of the fishing season of Union vessels, this Regulation should enter into force immediately after its publication. It should apply from 1 January 2015 in order to comply with the time-frame set out in Article 15 of Regulation (EU) No 1380/2013. In accordance with Article 15(6) of that Regulation, this Regulation should apply for no more than three years,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation specifies the details for implementing the landing obligation, provided for in Article 15(1) of Regulation (EU) No 1380/2013, from 1 January 2015 in the north-western waters, as defined in Article 4(2)(c) of that Regulation, in the fisheries set out in the Annex to this Regulation.

*Article 2***Survivability exemption**

1. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the landing obligation shall not apply to catches of mackerel and herring in the purse seine fisheries in ICES area VI, if all of the following conditions are met:
 - the catch is released before a certain percentage (set out in paragraphs 2 and 3 below) of the purse seine is closed ('the point of retrieval').
 - the purse seine gear is fitted with visible buoys clearly marking the limit for the point of retrieval,
 - the vessel and the purse seine gear are equipped with an electronic recording and documenting system when, where and extent to which the purse seine has been hauled for all fishing operations.
2. The point of retrieval shall be 80 % closure of the purse seine in fisheries for mackerel and it shall be 90 % closure of the purse seine in fisheries for herring.
3. If the surrounded school consists of a mixture of both species the point of retrieval shall be 80 % closure of the purse seine.
4. It shall be prohibited to release catches of mackerel and herring after the point of retrieval.
5. The surrounded school of fish shall be sampled before its release to estimate the species composition, the fish size composition and the quantity.

*Article 3***De minimis exemptions**

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities may be discarded:

- (a) for blue whiting (*Micromesistius poutassou*), up to a maximum of 7 % in 2015 and 2016, and 6 % in 2017, of the total annual catches in the industrial pelagic trawler fishery targeting that species in ICES zones Vb, VI and VII and processing that species on board to obtain surimi base;
- (b) up to a maximum of 7 % in 2015 and 2016, and 6 % in 2017 for albacore tuna (*Thunnus alalunga*) of the total annual catches in the albacore tuna directed fisheries using midwater pair trawls (PTM) in ICES sea areas VII;
- (c) up to a maximum of 3 % in 2015 and 2 % for 2016 of the total annual catches of mackerel (*Scomber scombrus*), horse mackerel (*Trachurus* spp.), herring (*Clupea harengus*) and whiting (*Merlangius merlangus*) in the pelagic fishery with pelagic trawlers up to 25 metres in length overall, using mid-water trawl (OTM), targeting mackerel, horse mackerel and herring in ICES zone VIIId;
- (d) up to a maximum of 1 % in 2015 and 0,75 % in 2016 of the TAC of boarfish (*Caproidae*) in the fishery targeting horse mackerel (*Trachurus* spp.) with pelagic freezer trawlers using midwater trawls in ICES zones VI and VII.

*Article 4***Documentation of catches**

Quantities of fish released under the exemption provided for in Article 2 and the results of the sampling required under Article 2(5) shall be reported in the logbook.

*Article 5***Entry into force**

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

It shall apply from 1 January 2015 until 31 December 2017.

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

Done at Brussels, 20 October 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

Fisheries subject to the provisions of this regulation implementing the landing obligation**1. Fisheries in ICES zones Vb, VIa, VIb**

Code	Pelagic fishing gear	Quota species targeted
OTB	Otter trawls — bottom	Mackerel, herring, horse mackerel, blue whiting, boarfish, argentine
OTM	Otter trawls midwater, other	Mackerel, herring, horse mackerel, blue whiting, boarfish, argentine
PTB	Pair trawls — bottom (other)	Mackerel
PTM	Pair trawls — midwater	Herring, mackerel
PS	Purse seines	Mackerel, blue whiting
LMH	Handline	Mackerel
LTL	Trolling	Mackerel

2. Fisheries in zones ICES VII (excluding ICES zones VIIa, VIId and VIIe)

Code	Pelagic fishing gear	Quota species targeted
LMH	Handline	Mackerel
LTL	Trolling and poles and lines	Albacore tuna
PTM	Pair trawls — midwater	Blue whiting, mackerel, horse mackerel, albacore tuna, boarfish, herring
OTM	Otter trawls — midwater	Blue whiting, mackerel, horse mackerel, boarfish, herring, albacore tuna
OTB	Otter trawls — bottom	Herring
PS	Purse seines	Mackerel, horse mackerel

3. Fisheries in ICES zones VIId and VIIe

Code	Pelagic fishing gear	Quota species targeted
OTB	Otter trawls (not specified)	Sprat
GND	Driftnets	Mackerel, herring
LMH	Handlines and polelines	Mackerel
OTM	Otter trawls — midwater (other)	Sprat, horse mackerel, mackerel, herring, boarfish
PTM	Pair trawls — midwater (other)	Horse mackerel
PS	Purse seines	Mackerel, horse mackerel

4. Fisheries in ICES zone VIIa

Code	Pelagic fishing gear	Quota species targeted
OTM	Otter trawls — midwater	Herring
PTM	Pair trawls — midwater	Herring
LMH	Handlines	Mackerel
LMH	Gillnets	Herring

COMMISSION DELEGATED REGULATION (EU) No 1394/2014
of 20 October 2014
establishing a discard plan for certain pelagic fisheries in south-western waters

THE EUROPEAN COMMISSION,

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

Having regard to the Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ⁽¹⁾, and in particular Articles 15(6) and 18(1) and (3) thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 aims to progressively eliminate discards in all Union fisheries through the introduction of a landing obligation for catches of species subject to catch limits.
- (2) Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of a delegated act for a period of no more than three years on the basis of joint recommendations developed by Member States in consultation with the relevant Advisory Councils.
- (3) Belgium, Spain, France, the Netherlands and Portugal have a direct fisheries management interest in the south-western waters. Those Member States have submitted a joint recommendation to the Commission containing specific measures, after consultation of the Pelagic Advisory Council, the Long-Distance Advisory Council and the South Western Waters Advisory Council. Scientific contribution was obtained from relevant scientific bodies. The measures included in the joint recommendation comply with Article 15(6) of Regulation (EU) No 1380/2013 and therefore, in accordance with Article 18(3) of Regulation (EU) No 1380/2013 they should be included in this Regulation.
- (4) As regards the south-western waters, according to Article 15(1)(a) of Regulation (EU) No 1380/2013 the landing obligation should apply to all vessels engaged in small pelagic and large pelagic fisheries in relation to species caught in those fisheries which are subject to catch limits at the latest from 1 January 2015.
- (5) In accordance with the joint recommendation, the discard plan should cover certain small pelagic and large pelagic fisheries, namely the fisheries for horse mackerel, mackerel, sprat, anchovy, albacore tuna, blue whiting and jack mackerel in ICES zones VIII, IX and X and in CECAF zones 34.1.1, 34.1.2 and 34.2.0 from 1 January 2015.
- (6) The joint recommendation includes an exemption from the landing obligation for anchovy, horse mackerel, jack mackerel and mackerel caught in purse seine fisheries in ICES areas VIII, IX and X and CECAF areas 34.1.1, 34.1.2 and 34.2, based on scientific evidence of high survivability, in accordance with Article 15(4)(b) of Regulation (EU) No 1380/2013. Scientific evidence supporting high survivability was provided in the Joint Recommendation, which made reference to a specific scientific study on fish survival from slipping in purse seine fisheries of European Southern waters. The study found that survival rates depend on the crowding time and the density of fish within the net, which are typically limited in these fisheries. This information was reviewed by the STECF (at its second plenary meeting in 2014). STECF concluded that, assuming the results of the survival study are representative of survival rates under commercial fishing operations, the proportion of slipped fish surviving would likely be greater than 50 %. A prohibition of the release of mackerel and herring before the net is fully taken on board a fishing vessel, resulting in the loss of dead or dying fish, is set out in Article 19b(2) of Council Regulation (EU) No 850/98 ⁽²⁾. This survivability exemption does not affect the prohibition in force, since the release of the fish will occur at a stage of the fishing operation where the fish would have a high survival rate after release. Therefore such an exemption should be included in this Regulation.

⁽¹⁾ OJ L 354, 28.12.2013, p. 22.

⁽²⁾ Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (OJ L 125, 27.4.1998, p. 1).

- (7) The joint recommendation also includes four *de minimis* exemptions from the landing obligation for certain fisheries and up to certain levels. The evidence provided by the Member States was reviewed by the STECF, which concluded that the joint recommendations contained reasoned arguments related to the increase of costs in handling unwanted catches, supported in some cases with a qualitative assessment of the costs. In light of the above and in the absence of differing scientific information, it is appropriate to establish the *de minimis* exemptions in accordance with the percentage level proposed in the joint recommendation and at levels not exceeding those allowed under Article 15(5) of Regulation (EU) No 1380/2013.
- (8) The *de minimis* exemption for blue whiting (*Micromesistius poutassou*), up to a maximum of 7 % in 2015 and 2016, and 6 % in 2017, of the total annual catches in the industrial pelagic trawler fishery targeting that species in ICES zone VIII and processing that species on board to obtain surimi base, is based on the fact that increased selectivity cannot be achieved, and that costs of handling the unwanted catch is disproportionate. STECF concludes that the exemption is sufficiently well argued. Therefore, the exemption concerned should be included in this Regulation.
- (9) The *de minimis* exemption for up to a maximum of 7 % in 2015 and 2016, and 6 % in 2017 for albacore tuna (*Thunnus alalunga*) of the total annual catches in the albacore tuna directed fisheries using midwater pair trawls (PTM) in ICES zone VIII, is based on the disproportionate costs of handling the unwanted catch. These are costs of storage and handling at sea and on shore. STECF in its evaluation mentioned the risk of highgrading. However, this exemption is without prejudice to Article 19a of Regulation (EC) No 850/98. Therefore, the exemption concerned should be included in this Regulation.
- (10) The *de minimis* exemption for up to a maximum of 5 % in 2015 and 2016, and 4 % in 2017, of the total annual catches in the pelagic trawl fishery for anchovy (*Engraulis encrasicolus*), mackerel (*Scomber scombrus*) and horse mackerel (*Trachurus* spp.) in ICES zone VIII is based on the difficulty to improve selectivity in this fishery. STECF concludes that the exemption is well argued for mackerel and horse mackerel and notes a partial risk of highgrading for anchovy. This exemption is however without prejudice to Article 19a of Regulation (EC) No 850/98. Therefore, the exemption concerned should be included in this Regulation.
- (11) A final *de minimis* exemption is for the purse seine fishery in ICES zones VIII, IX and X and in CECAF areas 34.1.1, 34.1.2 and 34.2.0 targeting the following species: up to a maximum of 5 % in 2015 and 2016, and 4 % in 2017, of the total annual catches of horse mackerel (*Trachurus* spp.) and mackerel (*Scomber scombrus*); and up to a maximum of 2 % in 2015 and 2016, and 1 % in 2017, of the total annual catches of anchovy (*Engraulis encrasicolus*). STECF concludes that this exemption is supported by reasoned arguments which demonstrate the difficulties of improving the selectivity in this fishery. Therefore, the exemption concerned should be included in this Regulation.
- (12) Finally, the joint recommendation includes a minimum conservation reference size (MCRS) of 9 cm for two fisheries for anchovy with the aim of ensuring the protection of juveniles of that species. The STECF evaluated this measure and concluded that it would not impact negatively on juvenile anchovy, that it would increase the level of catches that could be sold for human consumption without increasing fishing mortality, and that it may have benefits for control and enforcement. Therefore, the MCRS for anchovy in the fisheries concerned should be fixed at 9 cm.
- (13) Since the measures provided in this Regulation impact directly on the economic activities linked to, and the planning of the fishing season of Union vessels, this Regulation should enter into force immediately after its publication. It should apply from 1 January 2015 in order to comply with the time-frame set out in Article 15 of Regulation (EU) No 1380/2013. In accordance with Article 15(6) of that Regulation, this Regulation should apply for no more than three years,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation specifies the details for implementing the landing obligation, provided for in Article 15(1) of Regulation (EU) No 1380/2013, from 1 January 2015 in the South Western waters, as defined in Article 4(2)(d) of that Regulation, in the fisheries set out in the Annex to this Regulation.

*Article 2***Survivability exemption**

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the landing obligation shall not apply to catches of anchovy, horse mackerel, jack mackerel and mackerel in artisanal purse seine fisheries. All such catches may be released, provided that the net is not fully taken on board.

*Article 3***De minimis exemptions**

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities may be discarded:

- (a) for blue whiting (*Micromesistius poutassou*), up to a maximum of 7 % in 2015 and 2016, and 6 % in 2017, of the total annual catches in the industrial pelagic trawler fishery targeting that species in ICES zone VIII and processing that species on board to obtain surimi base;
- (b) up to a maximum of 7 % in 2015 and 2016, and 6 % in 2017 for albacore tuna (*Thunnus alalunga*) of the total annual catches in the albacore tuna directed fisheries using midwater pair trawls (PTM) in ICES zone VIII;
- (c) up to a maximum of 5 % in 2015 and 2016, and 4 % in 2017, of the total annual catches in the pelagic trawl fishery for anchovy (*Engraulis encrasicolus*), mackerel (*Scomber scombrus*) and horse mackerel (*Trachurus* spp.) in ICES zone VIII;
- (d) In the purse seine fishery in ICES zones VIII, IX and X and in CECAF areas 34.1.1, 34.1.2 and 34.2.0 targeting the following species: up to a maximum of 5 % in 2015 and 2016, and 4 % in 2017, of the total annual catches of horse mackerel (*Trachurus* spp.) and mackerel (*Scomber scombrus*); and up to a maximum of 2 % in 2015 and 2016, and 1 % in 2017, of the total annual catches of anchovy (*Engraulis encrasicolus*).

*Article 4***Minimum conservation reference size**

The minimum conservation reference size for anchovy (*Engraulis encrasicolus*) caught in ICES subarea IX and CECAF area 34.1.2 shall be 9 cm.

*Article 5***Entry into force**

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

It shall apply from 1 January 2015 until 31 December 2017.

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

Done at Brussels, 20 October 2014

For the Commission

The President

José Manuel BARROSO

ANNEX

Fisheries subject to the provisions of this regulation implementing the landing obligation

1. Fisheries in ICES zone VIII:

Code	Pelagic fishing gear	Quota species targeted
PS	Purse seines	Horse mackerel, mackerel, sprat, anchovy
PTM	Pair trawls — midwater	Horse mackerel, mackerel, anchovy, albacore tuna
OTM	Otter trawls — midwater	Horse mackerel, mackerel, anchovy, albacore tuna, blue whiting
LHM/LTL/BB	Handlines and pole lines (mechanised), bait boats, trolling lines	Albacore tuna, mackerel

2. Fisheries in ICES zone IX:

Code	Pelagic fishing gear	Quota species targeted
PS	Purse seines	Horse mackerel, mackerel, anchovy
LHM/ LTL/ BB	Handlines and pole lines (mechanised), bait boats, trolling lines	Albacore tuna, mackerel,
LL	Long lines	Albacore
GND/SB	Artisanal fisheries	Horse mackerel

3. Fisheries in ICES zone X:

Code	Pelagic fishing gear	Quota species targeted
LHP/BB	Bait boats	Albacore
LLD	Longlines	Albacore
PS	Purse-seine artisanal	Jack mackerel

4. Fisheries in CECAF zones 34.1.1, 34.1.2, 34.2.0:

Code	Pelagic fishing gear	Quota species targeted
PS	Purse seines	Jack mackerel
LHP/BB	Handlines, bait boats and pole lines (hand-operated)	Albacore
LLD	Longlines	Albacore

COMMISSION DELEGATED REGULATION (EU) No 1395/2014**of 20 October 2014****establishing a discard plan for certain small pelagic fisheries and fisheries for industrial purposes in the North Sea**

THE EUROPEAN COMMISSION,

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

Having regard to the Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ⁽¹⁾, and in particular Articles 15(6) and 18(1) and (3) thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 aims to progressively eliminate discards in all Union fisheries through the introduction of a landing obligation for catches of species subject to catch limits.
- (2) Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of a delegated act for a period of no more than three years on the basis of joint recommendations developed by Member States with the relevant Advisory Councils.
- (3) Belgium, Denmark, Germany, France, the Netherlands, Sweden and the United Kingdom have a direct fisheries management interest in the North Sea. Those Member States have submitted joint recommendations to the Commission after having consulted the Pelagic Advisory Council and the North Sea Advisory Council. Scientific contribution was obtained from relevant scientific bodies. The measures included in the joint recommendation comply with Article 15(6) of Regulation (EU) No 1380/2013 and therefore, in accordance with Article 18(3) of Regulation (EU) No 1380/2013 they should be included in this Regulation.
- (4) As regards the North Sea, according to Article 15(1)(a) of Regulation (EU) No 1380/2013 the landing obligation should apply to all vessels engaged in small pelagic fisheries and fisheries for industrial purposes in relation to species caught in those fisheries which are subject to catch limits at the latest from 1 January 2015.
- (5) In accordance with the joint recommendation, the discard plan should cover certain fisheries for mackerel, herring, horse mackerel, blue whiting, greater silver smelt and sprat as well as fisheries for industrial purposes for Norway pout, sprat and sand eel in the North Sea from 1 January 2015.
- (6) The joint recommendation includes an exemption from the landing obligation for mackerel and herring caught with purse seines under certain conditions based on scientific evidence of high survivability in accordance with Article 15(4)(b) of Regulation (EU) No 1380/2013. Scientific evidence supporting high survivability was provided by the Scheveningen Group in the joint recommendation, which made reference to a number of scientific studies on fish survival from slipping in purse seine fisheries. These studies found that survival rates depend on the crowding time and the density of fish within the net, which are typically limited in these fisheries. This information was reviewed by the STECF plenary 14-02. STECF concluded that assuming the results of the survival studies are representative of survival rates under commercial fishing operations, the proportion of slipped mackerel surviving would likely be around 70 % and would result in much lower densities than the density where mortality of herring was observed to increase. A prohibition of the release of mackerel and herring before the net is fully taken on board a fishing vessel, resulting in the loss of dead or dying fish, is set out in Article 19b(2) of Council Regulation (EU) No 850/98 ⁽²⁾. This survivability exemption does not affect the prohibition in force, since the release of the fish will occur at a stage of the fishing operation where the fish would have a high survival rate after release. Therefore such an exemption should be included in this Regulation.
- (7) The joint recommendation also includes a *de minimis* exemption from the landing obligation to avoid disproportionate costs of handling unwanted catches, like storing, labour, icing and taking into account the difficulty to increase selectivity for the pelagic fishery targeting mackerel, horse mackerel and herring in ICES areas IV b and c south of 54 degrees north. This exemption is based on scientific evidence provided by the Member States

⁽¹⁾ OJ L 354, 28.12.2013, p. 22.

⁽²⁾ OJ L 125, 27.4.1998, p. 1.

involved in the joint recommendation and was reviewed by the Scientific, Technical and Economic Committee for Fisheries (STECF). STECF found that the joint recommendation presents reasoned qualitative arguments in support of a *de minimis* exemption on the grounds of disproportionate costs of handling unwanted catches. In light of the above and in the absence of differing scientific information, it is appropriate to establish the *de minimis* exemption in accordance with the percentage levels proposed in the joint recommendations and at levels not exceeding those allowed under Article 15(1)(c) of Regulation (EU) No 1380/2013. Therefore, this exemption should be included in this Regulation.

- (8) In order to ensure appropriate control, specific requirements for documentation of catches under the exemptions covered by this Regulation should be laid down.
- (9) Since the measures provided for in this Regulation impact directly on the economic activities linked to and the planning of the fishing season of Union vessels, it should enter into force immediately after its publication.
- (10) This Regulation should apply from 1 January 2015 in order to comply with the time-frame set out in Article 15(1) of Regulation (EU) No 1380/2013. In accordance with Article 15(6) of that Regulation, it should apply for no more than three years,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation specifies the details for implementing the landing obligation, provided for in Article 15(1) of Regulation (EU) No 1380/2013, from 1 January 2015 in the North Sea, as defined in Article 4(2)(a) of that Regulation, in the fisheries set out in the Annex to this Regulation.

Article 2

Survivability exemption

1. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the landing obligation shall not apply to catches of mackerel and herring in the purse seine fisheries, if all of the following conditions are met:
 - the catch is released before a certain percentage (set out in paragraphs 2 and 3 below) of the purse seine is closed ('the point of retrieval'),
 - the purse seine gear is fitted with a visible buoy clearly marking the limit for the point of retrieval,
 - the vessel and the purse seine gear are equipped with an electronic recording and documenting system when, where and extent to which the purse seine has been hauled for all fishing operations.
2. The point of retrieval shall be 80 % closure of the purse seine in fisheries for mackerel and it shall be 90 % closure of the purse seine in fisheries for herring.
3. If the surrounded school consists of a mixture of both species the point of retrieval shall be 80 % closure of the purse seine.
4. It shall be prohibited to release catches of mackerel and herring after the point of retrieval.
5. The surrounded school of fish shall be sampled before its release to estimate the species composition, the fish size composition and the quantity.

Article 3

De minimis exemption

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, up to a maximum of 3 % in 2015 and 2 % for 2016 of the total annual catches of mackerel, horse mackerel, herring and whiting in the pelagic fishery with pelagic trawlers up to 25 metres in length overall, using mid-water trawl (OTM), targeting mackerel, horse mackerel and herring in ICES areas IV b and c south of 54 degrees north, may be discarded.

*Article 4***Documentation of catches under the exemptions**

1. Quantities of fish released under the exemption provided for in Article 2 and the results of the sampling required under Article 2(5) shall be reported in the logbook.
2. Quantities of fish discarded under the exemption provided for in Article 3 shall be reported in the logbook.

*Article 5***Entry into force**

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

It shall apply from 1 January 2015 until 31 December 2017.

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

Done at Brussels, 20 October 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

1. Small pelagic fisheries in ICES IIIa (Skagerrak and Kattegat):

Code	Pelagic fishing gear	Species targeted
OTM and PTM	Mid-water trawl and mid-water pair trawl	Herring, mackerel, blue whiting, horse mackerel, sprat (for human consumption)
PS	Purse seine	Herring, mackerel, sprat (for human consumption)
OTB and PTB ⁽¹⁾	Bottom otter and bottom pair trawl	Herring, mackerel, sprat (for human consumption)
GNS and GND ⁽²⁾	Gillnets anchored (set), and gillnets (drift)	Mackerel, herring
LLS, LHP and LHM	Set longlines, handlines and pole lines (hand operated) and handlines and pole lines (mechanised)	Mackerel
MIS	Miscellaneous gear, including traps, pots and pound nets	Mackerel, herring, sprat (for human consumption)

⁽¹⁾ Bottom otter and bottom pair trawl with mesh size < 70 mm

⁽²⁾ Mesh size 50-99 mm

2. Small pelagic fisheries in ICES IV (North Sea).

Code	Pelagic fishing gear	Quota species targeted
OTM and PTM	Mid-water otter trawl and mid-water pair trawl (inc. TR3)	Herring, mackerel, horse mackerel, greater silver smelt, blue whiting, sprat (for human consumption)
PS	Purse seines	Herring, mackerel, horse mackerel, blue whiting
GNS and GND ⁽¹⁾	Gillnets anchored (set) and gillnets (drift)	Mackerel, herring
GTR	Trammel nets	Mackerel
LLS, LHP and LHM	Set longlines, handlines and poles lines (hand operated) and handlines and pole lines (mechanised)	Mackerel
MIS	Miscellaneous gear, including traps, pots and pound nets	Herring, sprat (for human consumption)

⁽¹⁾ Mesh size 50-90 mm

3. Other fisheries deploying vessels targeting small pelagic species referred to in Article 15(1)(a) of Regulation (EU) No 1380/2013 that are not covered by points 1 and 2 of this Annex.

4. Fisheries for industrial purposes in Union waters of ICES IIIa and IV:

Code	Fishing gear	Quota species targeted
Any trawl	Trawl of mesh size less than 32 mm	Sand eel, sprat, Norway pout
PS	Purse seines	Sand eel, sprat, Norway pout

COMMISSION DELEGATED REGULATION (EU) No 1396/2014**of 20 October 2014****establishing a discard plan in the Baltic Sea**

THE EUROPEAN COMMISSION,

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

Having regard to the Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ⁽¹⁾, and in particular Articles 15(6) and 18(1) and (3) thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 aims to progressively eliminate discards in all Union fisheries through the introduction of a landing obligation for catches of species subject to catch limits.
- (2) Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of a delegated act for a period of no more than 3 years on the basis of joint recommendations developed by Member States in consultation with the relevant Advisory Councils.
- (3) Denmark, Germany, Estonia, Latvia, Lithuania, Poland, Finland and Sweden have a direct fisheries management interest in the Baltic Sea. Those Member States have submitted a joint recommendation ⁽²⁾ to the Commission, after consulting the Baltic Sea Advisory Council. Scientific contribution was obtained from relevant scientific bodies. The measures included in the joint recommendation comply with Article 15(6) of Regulation (EU) No 1380/2013 and therefore, in line with Article 18(3) of Regulation (EU) No 1380/2013 they should be included in this Regulation.
- (4) In accordance with Article 15(1)(a) of Regulation (EU) No 1380/2013 the landing obligation should apply to catches of species subject to catch limits caught in small pelagic fisheries, which are fisheries for herring and sprat and in fisheries for industrial purposes in the Baltic from 1 January 2015. It should also apply to such catches in fisheries for salmon at the latest from that date. Cod is considered as a species defining certain fisheries in the Baltic Sea. Plaice is mostly caught as a by-catch in certain cod fisheries and is subject to catch limits. In accordance with Article 15(1)(b) of Regulation (EU) No 1380/2013 the landing obligation should in consequence apply to cod at the latest from 1 January 2015 and to plaice at the latest from 1 January 2017. In accordance with the joint recommendation, this discard plan should therefore cover all catches of herring, sprat, salmon, cod and plaice in fisheries in the Baltic Sea from 1 January 2015 or from 1 January 2017, as appropriate.
- (5) The joint recommendation includes an exemption from the landing obligation for salmon and cod caught with trap-nets, creels/pots, fyke-nets and pound nets. That exemption is based on scientific evidence of high survivability, provided by the Baltic Sea Fisheries Forum (BALTFISH) and reviewed by the Scientific, Technical and Economic Committee for Fisheries (STECF). STECF notes that most of the information required to justify such exemptions are included in the BALTFISH joint recommendation ⁽³⁾. STECF concluded that based on the fact that such gears operate by trapping fish inside a static netting structure, as opposed to entangling or hooking for example, it seemed reasonable to assume that mortality for these gears will also be low, typically less than 10 %. However, STECF advised that further work should be undertaken to confirm whether the lower mortality assumption was valid as well as on handling practices and prevailing environmental conditions. Therefore, the exemption concerned should be included in this Regulation.
- (6) According to Article 15(10) of Regulation (EU) No 1380/2013, minimum conservation reference sizes (MCRS) may be established with the aim of ensuring the protection of juveniles of marine organisms. Currently, a minimum size of 38 cm applies to cod by virtue of Council Regulation (EC) No 2187/2005 ⁽⁴⁾. Scientific evidence reviewed by the STECF supports the fixing of minimum conservation reference size for cod at 35 cm. In particular, STECF concluded that there may be sound biological reasons for decreasing the current minimum size of 38 cm to reduce the current levels of discarding. It also concluded that under the landing obligation, setting a

⁽¹⁾ OJ L 354, 28.12.2013, p. 22.

⁽²⁾ 'BALTFISH High Level Group Joint Recommendation on the Outline of a Discard Plan for the Baltic Sea', transmitted on 27 May 2014.

⁽³⁾ http://stecf.jrc.ec.europa.eu/documents/43805/812327/2014-07_STECF+PLEN+14-02_Final+Report_JRCxxx.pdf

⁽⁴⁾ OJ L 349, 31.12.2005, p. 1.

MCRS for cod at 35 cm would reduce the level of catches that may not be sold for human consumption and that there were no arguments related to first spawning to support the fixing of MCRS at 38 cm in the Baltic. Therefore, the MCRS for cod in the Baltic should be fixed at 35 cm.

- (7) This Regulation should apply from 1 January 2015 in order to comply with the time- frame set out in Article 15(1) of Regulation (EU) No 1380/2013. In accordance with Article 15(6) of that Regulation, it should apply for no more than 3 years,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation specifies the details for implementing the landing obligation, as provided for in Article 15(1) of Regulation (EU) No 1380/2013, of the Baltic Sea, as defined in Article 4(2)(b) of that Regulation:

- (a) from 1 January 2015 as regards fisheries for herring, sprat, salmon and cod;
- (b) from 1 January 2017 as regards plaice caught in all fisheries.

Article 2

Survivability exemption

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the landing obligation shall not apply to cod and salmon caught with trap-nets, creels/pots, fyke-nets and pound nets. All such cod and salmon may be released back into the sea.

Article 3

Minimum conservation reference sizes

The minimum conservation reference size for cod in the Baltic Sea shall be 35 cm.

Article 4

Entry into force

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

It shall apply from 1 January 2015 until 31 December 2017.

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

Done at Brussels, 20 October 2014.

For the Commission

The President

José Manuel BARROSO

COMMISSION DELEGATED REGULATION (EU) No 1397/2014**of 22 October 2014****amending Regulation (EU) No 318/2013 adopting the programme of ad hoc modules, covering the years 2016 to 2018, for the labour force sample survey provided for by Council Regulation (EC) No 577/98****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 577/98 of 9 March 1998 on the organisation of a labour force sample survey in the Community ⁽¹⁾, and in particular Article 7a(4) thereof,

Whereas:

- (1) Commission Regulation (EU) No 318/2013 ⁽²⁾ adopted the programme of ad hoc modules for the labour force sample survey for the period 2016 to 2018. For each ad hoc module, it defines the subject, the reference period, the sample size and the deadline for sending the results.
- (2) According to Regulation (EU) No 545/2014 of the European Parliament and of the Council ⁽³⁾, that programme also defines the list and description of the area of specialised information for each ad hoc module ('ad hoc sub-modules').
- (3) To ensure that Regulation (EU) No 318/2013 is consistent with Regulation (EC) No 577/98 as amended, the names and a description of each of the ad hoc sub-modules should be added to the former Regulation.
- (4) Regulation (EU) No 318/2013 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 318/2013 is replaced by the text 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, 22 October 2014.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 77, 14.3.1998, p. 3.⁽²⁾ Commission Regulation (EU) No 318/2013 of 8 April 2013 adopting the programme of ad hoc modules, covering the years 2016 to 2018, for the labour force sample survey provided for by Council Regulation (EC) No 577/98 (OJ L 99, 9.4.2013, p. 11).⁽³⁾ Regulation (EU) No 545/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community (OJ L 163, 29.5.2014, p. 10).

ANNEX

‘ANNEX

LABOUR FORCE SURVEY**Multiannual programme of ad hoc modules****1. YOUNG PEOPLE ON THE LABOUR MARKET**

Reference period: 2016

Sub-modules (areas on which more detailed information is to be provided):

Sub-module 1: Educational background

Aim: to provide more detail on young people's educational background, identifying aspects likely to influence their career prospects.

Sub-module 2: Finding a job

Aim: to capture information on young people's own individual approach to finding work, and on the help they receive for finding work; to evaluate young people's own perceptions as to whether their level of education matches the demands of their current job.

2. SELF-EMPLOYMENT

Reference period: 2017

Sub-modules (areas on which more detailed information is to be provided):

Sub-module 1: Economically dependent self-employment

Aim: to identify the population of economically dependent self-employed people. This group has features in common with both employees and with the self-employed, and therefore has an ambivalent professional status.

Sub-module 2: Working conditions of self-employed people

Aim: to analyse self-employed people's working conditions and their main reasons for becoming self-employed.

Sub-module 3: The self-employed and employees

Aim: to compare the attitudes and outlook of self-employed people with those of employees, e.g. level of job satisfaction.

3. RECONCILIATION BETWEEN WORK AND FAMILY LIFE

Reference period: 2018

Sub-modules (areas on which more information is to be provided):

Sub-module 1: Care responsibilities

Aim: to establish to what extent the availability of suitable care services for children and other dependent persons influences people's participation in the labour force.

Sub-module 2: Flexibility of working arrangements

Aim: to analyse the degree of flexibility offered at work, from the point of view of reconciling work and family life.

Sub-module 3: Career breaks and parental leave

Aim: to identify career breaks linked to taking care of children or other dependent persons, in particular parental leave, and to analyse their duration.'

DECISIONS

COMMISSION DECISION

of 18 December 2014

amending Decision 2000/532/EC on the list of waste pursuant to Directive 2008/98/EC of the European Parliament and of the Council

(Text with EEA relevance)

(2014/955/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives ⁽¹⁾, and in particular Article 7(1) thereof,

Whereas:

- (1) A Union list of hazardous waste (hereafter 'list of waste') was established by Council Decision 94/904/EC ⁽²⁾, and that Decision has been replaced by Commission Decision 2000/532/EC ⁽³⁾.
- (2) Directive 2008/98/EC provides that the attribution of the hazardous properties H 4, H 5, H 6, H 7, H 8, H 10, H 11 and H 14 is to be made on the basis of the criteria laid down by Annex VI to Council Directive 67/548/EEC ⁽⁴⁾.
- (3) Directive 67/548/EEC has been replaced by Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽⁵⁾ with effect from 1 June 2015, reflecting technical and scientific progress. By way of derogation, Directive 67/548/EEC may apply to some mixtures until 1 June 2017, in case they were classified, labelled and packaged in accordance with Directive 1999/45/EC of the European Parliament and of the Council ⁽⁶⁾ and already placed on the market before 1 June 2015.
- (4) Requirements of Decision 2000/532/EC for the classification of wastes as hazardous regarding the hazardous properties H 3 to H 8, H 10 and H 11 need to be adapted to technical and scientific progress and aligned with the new legislation on chemicals, where appropriate. These requirements have been included in Annex III to Directive 2008/98/EC.
- (5) The Annex to Decision 2000/532/EC establishing the list of waste needs to be amended to align it with the terminology used in Regulation (EC) No 1272/2008. It is appropriate to refer to Council Regulation (EC) No 440/2008 ⁽⁷⁾ or other internationally recognised test methods and guidelines when the attribution of hazardous properties is conducted by performing a test.

⁽¹⁾ OJ L 312, 22.11.2008, p. 3.

⁽²⁾ Council Decision 94/904/EC of 22 December 1994 establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 356, 31.12.1994, p. 14).

⁽³⁾ Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 226, 6.9.2000, p. 3).

⁽⁴⁾ Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ 196, 16.8.1967, p. 1).

⁽⁵⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

⁽⁶⁾ Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (OJ L 200, 30.7.1999, p. 1).

⁽⁷⁾ Council Regulation (EC) No 440/2008 of 30 May 2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 142, 31.5.2008, p. 1).

- (6) The properties that render wastes hazardous are precisely defined in Annex III to Directive 2008/98/EC. Therefore, the characteristics displayed by waste to be considered as hazardous as regards H3 to H8, H 10 and H 11 that were included in Article 2 of Decision 2000/532/EC have become redundant.
- (7) The requirements of Article 3 of Decision 2000/532/EC are included in Articles 7(2) and (3) of Directive 2008/98/EC. Therefore, they have become redundant.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Committee provided for in Article 39 of Directive 2008/98/EC,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2000/532/EC is amended as follows:

- (1) Articles 2 and 3 are deleted.
- (2) The Annex is replaced by the Annex to this Decision.

Article 2

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

It shall apply from 1 June 2015.

Done at Brussels, 18 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

LIST OF WASTE REFERRED TO IN ARTICLE 7 OF DIRECTIVE 2008/98/EC

DEFINITIONS

For the purposes of this Annex, the following definitions shall apply:

1. 'hazardous substance' means a substance classified as hazardous as a consequence of fulfilling the criteria laid down in parts 2 to 5 of Annex I to Regulation (EC) No 1272/2008;
2. 'heavy metal' means any compound of antimony, arsenic, cadmium, chromium (VI), copper, lead, mercury, nickel, selenium, tellurium, thallium and tin, as well as these materials in metallic form, as far as these are classified as hazardous substances;
3. 'polychlorinated biphenyls and polychlorinated terphenyls' ('PCBs') means PCBs as defined in Article 2(a) of Council Directive 96/59/EC ⁽¹⁾;
4. 'transition metals' means any of the following metals: any compound of scandium, vanadium, manganese, cobalt, copper, yttrium, niobium, hafnium, tungsten, titanium, chromium, iron, nickel, zinc, zirconium, molybdenum and tantalum, as well as these materials in metallic form, as far as these are classified as hazardous substances;
5. 'stabilisation' means processes which change the hazardousness of the constituents in the waste and transform hazardous waste into non-hazardous waste;
6. 'solidification' means processes which only change the physical state of the waste by using additives without changing the chemical properties of the waste;
7. 'partly stabilised wastes' means wastes containing, after the stabilisation process, hazardous constituents which have not been changed completely into non-hazardous constituents and could be released into the environment in the short, middle or long term.

ASSESSMENT AND CLASSIFICATION

1. Assessment of hazardous properties of waste

When assessing the hazardous properties of wastes, the criteria laid down in Annex III to Directive 2008/98/EC shall apply. For the hazardous properties HP 4, HP 6 and HP 8, cut-off values for individual substances as indicated in Annex III to Directive 2008/98/EC shall apply to the assessment. Where a substance is present in the waste below its cut-off value, it shall not be included in any calculation of a threshold. Where a hazardous property of a waste has been assessed by a test and by using the concentrations of hazardous substances as indicated in Annex III to Directive 2008/98/EC, the results of the test shall prevail.

2. Classification of waste as hazardous

Any waste marked with an asterisk (*) in the list of wastes shall be considered as hazardous waste pursuant to Directive 2008/98/EC, unless Article 20 of that Directive applies.

For those wastes for which hazardous and non-hazardous waste codes could be assigned, the following shall apply:

- An entry in the harmonised list of wastes marked as hazardous, having a specific or general reference to 'hazardous substances', is only appropriate to a waste when that waste contains relevant hazardous substances that cause the waste to display one or more of the hazardous properties HP 1 to HP 8 and/or HP 10 to HP 15 as listed in Annex III to Directive 2008/98/EC. The assessment of the hazardous property HP 9 'infectious' shall be made according to relevant legislation or reference documents in the Member States.
- A hazardous property can be assessed by using the concentration of substances in the waste as specified in Annex III to Directive 2008/98/EC or, unless otherwise specified in Regulation (EC) No 1272/2008, by performing a test in accordance with Regulation (EC) No 440/2008 or other internationally recognised test methods and guidelines, taking into account Article 7 of Regulation (EC) No 1272/2008 as regards animal and human testing.

⁽¹⁾ Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) (OJ L 243, 24.9.1996, p. 31).

- Wastes containing polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF), DDT (1,1,1-trichloro-2,2-bis (4-chlorophenyl)ethane), chlordane, hexachlorocyclohexanes (including lindane), dieldrin, endrin, heptachlor, hexachlorobenzene, chlordane, aldrin, pentachlorobenzene, mirex, toxaphene hexabromobiphenyl and/or PCB exceeding the concentration limits indicated in Annex IV to Regulation (EC) No 850/2004 of the European Parliament and of the Council ⁽¹⁾ shall be classified as hazardous.
- The concentration limits defined in Annex III to Directive 2008/98/EC do not apply to pure metal alloys in their massive form (not contaminated with hazardous substances). Those waste alloys that are considered as hazardous waste are specifically enumerated in this list and marked with an asterisk (*).
- Where applicable, the following notes included in Annex VI to Regulation (EC) No 1272/2008 may be taken into account when establishing the hazardous properties of wastes:
 - 1.1.3.1. Notes relating to the identification, classification and labelling of substances: Notes B, D, F, J, L, M, P, Q, R, and U.
 - 1.1.3.2. Notes relating to the classification and labelling of mixtures: Notes 1, 2, 3 and 5.
- After assessing the hazardous properties for a waste according to this method, an appropriate hazardous or non-hazardous entry from the list of wastes shall be assigned.

All other entries in the harmonised list of wastes are considered non-hazardous.

LIST OF WASTE

The different types of waste in the list are fully defined by the six-digit code for the waste and the respective two-digit and four-digit chapter headings. This implies that the following steps should be taken to identify a waste in the list:

- Identify the source generating the waste in Chapters 01 to 12 or 17 to 20 and identify the appropriate six-digit code of the waste (excluding codes ending with 99 of these chapters). Note that a specific production unit may need to classify its activities in several chapters. For instance, a car manufacturer may find its wastes listed in Chapters 12 (wastes from shaping and surface treatment of metals), 11 (inorganic wastes containing metals from metal treatment and the coating of metals) and 08 (wastes from the use of coatings), depending on the different process steps.
- If no appropriate waste code can be found in Chapters 01 to 12 or 17 to 20, the Chapters 13, 14 and 15 must be examined to identify the waste.
- If none of these waste codes apply, the waste must be identified according to Chapter 16.
- If the waste is not in Chapter 16 either, the 99 code (wastes not otherwise specified) must be used in the section of the list corresponding to the activity identified in step one.

INDEX

Chapters of the list

01	Wastes resulting from exploration, mining, quarrying, physical and chemical treatment of minerals
02	Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing
03	Wastes from wood processing and the production of panels and furniture, pulp, paper and cardboard
04	Wastes from the leather, fur and textile industries
05	Wastes from petroleum refining, natural gas purification and pyrolytic treatment of coal
06	Wastes from inorganic chemical processes

⁽¹⁾ Regulation (EC) No 850/2004 of the European parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC (OJ L 158, 30.4.2004, p. 7).

07	Wastes from organic chemical processes
08	Wastes from the manufacture, formulation, supply and use (MFSU) of coatings (paints, varnishes and vitreous enamels), adhesives, sealants and printing inks
09	Wastes from the photographic industry
10	Wastes from thermal processes
11	Wastes from chemical surface treatment and coating of metals and other materials; non-ferrous hydro-metallurgy
12	Wastes from shaping and physical and mechanical surface treatment of metals and plastics
13	Oil wastes and wastes of liquid fuels (except edible oils, 05 and 12)
14	Waste organic solvents, refrigerants and propellants (except 07 and 08)
15	Waste packaging; absorbents, wiping cloths, filter materials and protective clothing not otherwise specified
16	Wastes not otherwise specified in the list
17	Construction and demolition wastes (including excavated soil from contaminated sites)
18	Wastes from human or animal health care and/or related research (except kitchen and restaurant wastes not arising from immediate health care)
19	Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use
20	Municipal wastes (household waste and similar commercial, industrial and institutional wastes) including separately collected fractions
01	WASTES RESULTING FROM EXPLORATION, MINING, QUARRYING, AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS
01 01	wastes from mineral excavation
01 01 01	wastes from mineral metalliferous excavation
01 01 02	wastes from mineral non-metalliferous excavation
01 03	wastes from physical and chemical processing of metalliferous minerals
01 03 04*	acid-generating tailings from processing of sulphide ore
01 03 05*	other tailings containing hazardous substances
01 03 06	tailings other than those mentioned in 01 03 04 and 01 03 05
01 03 07*	other wastes containing hazardous substances from physical and chemical processing of metalliferous minerals

01 03 08	dusty and powdery wastes other than those mentioned in 01 03 07
01 03 09	red mud from alumina production other than the wastes mentioned in 01 03 10
01 03 10*	red mud from alumina production containing hazardous substances other than the wastes mentioned in 01 03 07
01 03 99	wastes not otherwise specified
01 04	wastes from physical and chemical processing of non-metalliferous minerals
01 04 07*	wastes containing hazardous substances from physical and chemical processing of non-metalliferous minerals
01 04 08	waste gravel and crushed rocks other than those mentioned in 01 04 07
01 04 09	waste sand and clays
01 04 10	dusty and powdery wastes other than those mentioned in 01 04 07
01 04 11	wastes from potash and rock salt processing other than those mentioned in 01 04 07
01 04 12	tailings and other wastes from washing and cleaning of minerals other than those mentioned in 01 04 07 and 01 04 11
01 04 13	wastes from stone cutting and sawing other than those mentioned in 01 04 07
01 04 99	wastes not otherwise specified
01 05	drilling muds and other drilling wastes
01 05 04	freshwater drilling muds and wastes
01 05 05*	oil-containing drilling muds and wastes
01 05 06*	drilling muds and other drilling wastes containing hazardous substances
01 05 07	barite-containing drilling muds and wastes other than those mentioned in 01 05 05 and 01 05 06
01 05 08	chloride-containing drilling muds and wastes other than those mentioned in 01 05 05 and 01 05 06
01 05 99	wastes not otherwise specified
02	WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING
02 01	wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing
02 01 01	sludges from washing and cleaning
02 01 02	animal-tissue waste

02 01 03	plant-tissue waste
02 01 04	waste plastics (except packaging)
02 01 06	animal faeces, urine and manure (including spoiled straw), effluent, collected separately and treated off-site
02 01 07	wastes from forestry
02 01 08*	agrochemical waste containing hazardous substances
02 01 09	agrochemical waste other than those mentioned in 02 01 08
02 01 10	waste metal
02 01 99	wastes not otherwise specified
02 02	wastes from the preparation and processing of meat, fish and other foods of animal origin
02 02 01	sludges from washing and cleaning
02 02 02	animal-tissue waste
02 02 03	materials unsuitable for consumption or processing
02 02 04	sludges from on-site effluent treatment
02 02 99	wastes not otherwise specified
02 03	wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation
02 03 01	sludges from washing, cleaning, peeling, centrifuging and separation
02 03 02	wastes from preserving agents
02 03 03	wastes from solvent extraction
02 03 04	materials unsuitable for consumption or processing
02 03 05	sludges from on-site effluent treatment
02 03 99	wastes not otherwise specified
02 04	wastes from sugar processing
02 04 01	soil from cleaning and washing beet
02 04 02	off-specification calcium carbonate
02 04 03	sludges from on-site effluent treatment
02 04 99	wastes not otherwise specified

02 05	wastes from the dairy products industry
02 05 01	materials unsuitable for consumption or processing
02 05 02	sludges from on-site effluent treatment
02 05 99	wastes not otherwise specified
02 06	wastes from the baking and confectionery industry
02 06 01	materials unsuitable for consumption or processing
02 06 02	wastes from preserving agents
02 06 03	sludges from on-site effluent treatment
02 06 99	wastes not otherwise specified
02 07	wastes from the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa)
02 07 01	wastes from washing, cleaning and mechanical reduction of raw materials
02 07 02	wastes from spirits distillation
02 07 03	wastes from chemical treatment
02 07 04	materials unsuitable for consumption or processing
02 07 05	sludges from on-site effluent treatment
02 07 99	wastes not otherwise specified
03	WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PANELS AND FURNITURE, PULP, PAPER AND CARDBOARD
03 01	wastes from wood processing and the production of panels and furniture
03 01 01	waste bark and cork
03 01 04*	sawdust, shavings, cuttings, wood, particle board and veneer containing hazardous substances
03 01 05	sawdust, shavings, cuttings, wood, particle board and veneer other than those mentioned in 03 01 04
03 01 99	wastes not otherwise specified
03 02	wastes from wood preservation
03 02 01*	non-halogenated organic wood preservatives
03 02 02*	organochlorinated wood preservatives
03 02 03*	organometallic wood preservatives

03 02 04*	inorganic wood preservatives
03 02 05*	other wood preservatives containing hazardous substances
03 02 99	wood preservatives not otherwise specified
03 03	wastes from pulp, paper and cardboard production and processing
03 03 01	waste bark and wood
03 03 02	green liquor sludge (from recovery of cooking liquor)
03 03 05	de-inking sludges from paper recycling
03 03 07	mechanically separated rejects from pulping of waste paper and cardboard
03 03 08	wastes from sorting of paper and cardboard destined for recycling
03 03 09	lime mud waste
03 03 10	fibre rejects, fibre-, filler- and coating-sludges from mechanical separation
03 03 11	sludges from on-site effluent treatment other than those mentioned in 03 03 10
03 03 99	wastes not otherwise specified
04	WASTES FROM THE LEATHER, FUR AND TEXTILE INDUSTRIES
04 01	wastes from the leather and fur industry
04 01 01	fleshings and lime split wastes
04 01 02	liming waste
04 01 03*	degreasing wastes containing solvents without a liquid phase
04 01 04	tanning liquor containing chromium
04 01 05	tanning liquor free of chromium
04 01 06	sludges, in particular from on-site effluent treatment containing chromium
04 01 07	sludges, in particular from on-site effluent treatment free of chromium
04 01 08	waste tanned leather (blue sheetings, shavings, cuttings, buffing dust) containing chromium
04 01 09	wastes from dressing and finishing
04 01 99	wastes not otherwise specified

04 02	wastes from the textile industry
04 02 09	wastes from composite materials (impregnated textile, elastomer, plastomer)
04 02 10	organic matter from natural products (for example grease, wax)
04 02 14*	wastes from finishing containing organic solvents
04 02 15	wastes from finishing other than those mentioned in 04 02 14
04 02 16*	dyestuffs and pigments containing hazardous substances
04 02 17	dyestuffs and pigments other than those mentioned in 04 02 16
04 02 19*	sludges from on-site effluent treatment containing hazardous substances
04 02 20	sludges from on-site effluent treatment other than those mentioned in 04 02 19
04 02 21	wastes from unprocessed textile fibres
04 02 22	wastes from processed textile fibres
04 02 99	wastes not otherwise specified
05	WASTES FROM PETROLEUM REFINING, NATURAL GAS PURIFICATION AND PYROLYTIC TREATMENT OF COAL
05 01	wastes from petroleum refining
05 01 02*	desalter sludges
05 01 03*	tank bottom sludges
05 01 04*	acid alkyl sludges
05 01 05*	oil spills
05 01 06*	oily sludges from maintenance operations of the plant or equipment
05 01 07*	acid tars
05 01 08*	other tars
05 01 09*	sludges from on-site effluent treatment containing hazardous substances
05 01 10	sludges from on-site effluent treatment other than those mentioned in 05 01 09
05 01 11*	wastes from cleaning of fuels with bases
05 01 12*	oil containing acids

05 01 13	boiler feedwater sludges
05 01 14	wastes from cooling columns
05 01 15*	spent filter clays
05 01 16	sulphur-containing wastes from petroleum desulphurisation
05 01 17	Bitumen
05 01 99	wastes not otherwise specified
05 06	wastes from the pyrolytic treatment of coal
05 06 01*	acid tars
05 06 03*	other tars
05 06 04	waste from cooling columns
05 06 99	wastes not otherwise specified
05 07	wastes from natural gas purification and transportation
05 07 01*	wastes containing mercury
05 07 02	wastes containing sulphur
05 07 99	wastes not otherwise specified
06	WASTES FROM INORGANIC CHEMICAL PROCESSES
06 01	wastes from the manufacture, formulation, supply and use (MFSU) of acids
06 01 01*	sulphuric acid and sulphurous acid
06 01 02*	hydrochloric acid
06 01 03*	hydrofluoric acid
06 01 04*	phosphoric and phosphorous acid
06 01 05*	nitric acid and nitrous acid
06 01 06*	other acids
06 01 99	wastes not otherwise specified
06 02	wastes from the MFSU of bases
06 02 01*	calcium hydroxide
06 02 03*	ammonium hydroxide
06 02 04*	sodium and potassium hydroxide

06 02 05*	other bases
06 02 99	wastes not otherwise specified
06 03	wastes from the MFSU of salts and their solutions and metallic oxides
06 03 11*	solid salts and solutions containing cyanides
06 03 13*	solid salts and solutions containing heavy metals
06 03 14	solid salts and solutions other than those mentioned in 06 03 11 and 06 03 13
06 03 15*	metallic oxides containing heavy metals
06 03 16	metallic oxides other than those mentioned in 06 03 15
06 03 99	wastes not otherwise specified
06 04	metal-containing wastes other than those mentioned in 06 03
06 04 03*	wastes containing arsenic
06 04 04*	wastes containing mercury
06 04 05*	wastes containing other heavy metals
06 04 99	wastes not otherwise specified
06 05	sludges from on-site effluent treatment
06 05 02*	sludges from on-site effluent treatment containing hazardous substances
06 05 03	sludges from on-site effluent treatment other than those mentioned in 06 05 02
06 06	wastes from the MFSU of sulphur chemicals, sulphur chemical processes and desulphurisation processes
06 06 02*	wastes containing hazardous sulphides
06 06 03	wastes containing sulphides other than those mentioned in 06 06 02
06 06 99	wastes not otherwise specified
06 07	wastes from the MFSU of halogens and halogen chemical processes
06 07 01*	wastes containing asbestos from electrolysis
06 07 02*	activated carbon from chlorine production
06 07 03*	barium sulphate sludge containing mercury

06 07 04*	solutions and acids, for example contact acid
06 07 99	wastes not otherwise specified
06 08	wastes from the MFSU of silicon and silicon derivatives
06 08 02*	waste containing hazardous chlorosilanes
06 08 99	wastes not otherwise specified
06 09	wastes from the MSFU of phosphorous chemicals and phosphorous chemical processes
06 09 02	phosphorous slag
06 09 03*	calcium-based reaction wastes containing or contaminated with hazardous substances
06 09 04	calcium-based reaction wastes other than those mentioned in 06 09 03
06 09 99	wastes not otherwise specified
06 10	wastes from the MFSU of nitrogen chemicals, nitrogen chemical processes and fertiliser manufacture
06 10 02*	wastes containing hazardous substances
06 10 99	wastes not otherwise specified
06 11	wastes from the manufacture of inorganic pigments and opacifiers
06 11 01	calcium-based reaction wastes from titanium dioxide production
06 11 99	wastes not otherwise specified
06 13	wastes from inorganic chemical processes not otherwise specified
06 13 01*	inorganic plant protection products, wood-preserving agents and other biocides.
06 13 02*	spent activated carbon (except 06 07 02)
06 13 03	carbon black
06 13 04*	wastes from asbestos processing
06 13 05*	Soot
06 13 99	wastes not otherwise specified
07	WASTES FROM ORGANIC CHEMICAL PROCESSES
07 01	wastes from the manufacture, formulation, supply and use (MFSU) of basic organic chemicals
07 01 01*	aqueous washing liquids and mother liquors

07 01 03*	organic halogenated solvents, washing liquids and mother liquors
07 01 04*	other organic solvents, washing liquids and mother liquors
07 01 07*	halogenated still bottoms and reaction residues
07 01 08*	other still bottoms and reaction residues
07 01 09*	halogenated filter cakes and spent absorbents
07 01 10*	other filter cakes and spent absorbents
07 01 11*	sludges from on-site effluent treatment containing hazardous substances
07 01 12	sludges from on-site effluent treatment other than those mentioned in 07 01 11
07 01 99	wastes not otherwise specified
07 02	wastes from the MFSU of plastics, synthetic rubber and man-made fibres
07 02 01*	aqueous washing liquids and mother liquors
07 02 03*	organic halogenated solvents, washing liquids and mother liquors
07 02 04*	other organic solvents, washing liquids and mother liquors
07 02 07*	halogenated still bottoms and reaction residues
07 02 08*	other still bottoms and reaction residues
07 02 09*	halogenated filter cakes and spent absorbents
07 02 10*	other filter cakes and spent absorbents
07 02 11*	sludges from on-site effluent treatment containing hazardous substances
07 02 12	sludges from on-site effluent treatment other than those mentioned in 07 02 11
07 02 13	waste plastic
07 02 14*	wastes from additives containing hazardous substances
07 02 15	wastes from additives other than those mentioned in 07 02 14
07 02 16*	waste containing hazardous silicones
07 02 17	waste containing silicones other than those mentioned in 07 02 16
07 02 99	wastes not otherwise specified

07 03	wastes from the MFSU of organic dyes and pigments (except 06 11)
07 03 01*	aqueous washing liquids and mother liquors
07 03 03*	organic halogenated solvents, washing liquids and mother liquors
07 03 04*	other organic solvents, washing liquids and mother liquors
07 03 07*	halogenated still bottoms and reaction residues
07 03 08*	other still bottoms and reaction residues
07 03 09*	halogenated filter cakes and spent absorbents
07 03 10*	other filter cakes and spent absorbents
07 03 11*	sludges from on-site effluent treatment containing hazardous substances
07 03 12	sludges from on-site effluent treatment other than those mentioned in 07 03 11
07 03 99	wastes not otherwise specified
07 04	wastes from the MFSU of organic plant protection products (except 02 01 08 and 02 01 09), wood preserving agents (except 03 02) and other biocides
07 04 01*	aqueous washing liquids and mother liquors
07 04 03*	organic halogenated solvents, washing liquids and mother liquors
07 04 04*	other organic solvents, washing liquids and mother liquors
07 04 07*	halogenated still bottoms and reaction residues
07 04 08*	other still bottoms and reaction residues
07 04 09*	halogenated filter cakes and spent absorbents
07 04 10*	other filter cakes and spent absorbents
07 04 11*	sludges from on-site effluent treatment containing hazardous substances
07 04 12	sludges from on-site effluent treatment other than those mentioned in 07 04 11
07 04 13*	solid wastes containing hazardous substances
07 04 99	wastes not otherwise specified
07 05	wastes from the MFSU of pharmaceuticals
07 05 01*	aqueous washing liquids and mother liquors

07 05 03*	organic halogenated solvents, washing liquids and mother liquors
07 05 04*	other organic solvents, washing liquids and mother liquors
07 05 07*	halogenated still bottoms and reaction residues
07 05 08*	other still bottoms and reaction residues
07 05 09*	halogenated filter cakes and spent absorbents
07 05 10*	other filter cakes and spent absorbents
07 05 11*	sludges from on-site effluent treatment containing hazardous substances
07 05 12	sludges from on-site effluent treatment other than those mentioned in 07 05 11
07 05 13*	solid wastes containing hazardous substances
07 05 14	solid wastes other than those mentioned in 07 05 13
07 05 99	wastes not otherwise specified
07 06	wastes from the MFSU of fats, grease, soaps, detergents, disinfectants and cosmetics
07 06 01*	aqueous washing liquids and mother liquors
07 06 03*	organic halogenated solvents, washing liquids and mother liquors
07 06 04*	other organic solvents, washing liquids and mother liquors
07 06 07*	halogenated still bottoms and reaction residues
07 06 08*	other still bottoms and reaction residues
07 06 09*	halogenated filter cakes and spent absorbents
07 06 10*	other filter cakes and spent absorbents
07 06 11*	sludges from on-site effluent treatment containing hazardous substances
07 06 12	sludges from on-site effluent treatment other than those mentioned in 07 06 11
07 06 99	wastes not otherwise specified
07 07	wastes from the MFSU of fine chemicals and chemical products not otherwise specified
07 07 01*	aqueous washing liquids and mother liquors
07 07 03*	organic halogenated solvents, washing liquids and mother liquors
07 07 04*	other organic solvents, washing liquids and mother liquors

07 07 07*	halogenated still bottoms and reaction residues
07 07 08*	other still bottoms and reaction residues
07 07 09*	halogenated filter cakes and spent absorbents
07 07 10*	other filter cakes and spent absorbents
07 07 11*	sludges from on-site effluent treatment containing hazardous substances
07 07 12	sludges from on-site effluent treatment other than those mentioned in 07 07 11
07 07 99	wastes not otherwise specified
08	WASTES FROM THE MANUFACTURE, FORMULATION, SUPPLY AND USE (MFSU) OF COATINGS (PAINTS, VARNISHES AND VITREOUS ENAMELS), ADHESIVES, SEALANTS AND PRINTING INKS
08 01	wastes from MFSU and removal of paint and varnish
08 01 11*	waste paint and varnish containing organic solvents or other hazardous substances
08 01 12	waste paint and varnish other than those mentioned in 08 01 11
08 01 13*	sludges from paint or varnish containing organic solvents or other hazardous substances
08 01 14	sludges from paint or varnish other than those mentioned in 08 01 13
08 01 15*	aqueous sludges containing paint or varnish containing organic solvents or other hazardous substances
08 01 16	aqueous sludges containing paint or varnish other than those mentioned in 08 01 15
08 01 17*	wastes from paint or varnish removal containing organic solvents or other hazardous substances
08 01 18	wastes from paint or varnish removal other than those mentioned in 08 01 17
08 01 19*	aqueous suspensions containing paint or varnish containing organic solvents or other hazardous substances
08 01 20	aqueous suspensions containing paint or varnish other than those mentioned in 08 01 19
08 01 21*	waste paint or varnish remover
08 01 99	wastes not otherwise specified
08 02	wastes from MFSU of other coatings (including ceramic materials)
08 02 01	waste coating powders
08 02 02	aqueous sludges containing ceramic materials
08 02 03	aqueous suspensions containing ceramic materials
08 02 99	wastes not otherwise specified

08 03	wastes from MFSU of printing inks
08 03 07	aqueous sludges containing ink
08 03 08	aqueous liquid waste containing ink
08 03 12*	waste ink containing hazardous substances
08 03 13	waste ink other than those mentioned in 08 03 12
08 03 14*	ink sludges containing hazardous substances
08 03 15	ink sludges other than those mentioned in 08 03 14
08 03 16*	waste etching solutions
08 03 17*	waste printing toner containing hazardous substances
08 03 18	waste printing toner other than those mentioned in 08 03 17
08 03 19*	disperse oil
08 03 99	wastes not otherwise specified
08 04	wastes from MFSU of adhesives and sealants (including waterproofing products)
08 04 09*	waste adhesives and sealants containing organic solvents or other hazardous substances
08 04 10	waste adhesives and sealants other than those mentioned in 08 04 09
08 04 11*	adhesive and sealant sludges containing organic solvents or other hazardous substances
08 04 12	adhesive and sealant sludges other than those mentioned in 08 04 11
08 04 13*	aqueous sludges containing adhesives or sealants containing organic solvents or other hazardous substances
08 04 14	aqueous sludges containing adhesives or sealants other than those mentioned in 08 04 13
08 04 15*	aqueous liquid waste containing adhesives or sealants containing organic solvents or other hazardous substances
08 04 16	aqueous liquid waste containing adhesives or sealants other than those mentioned in 08 04 15
08 04 17*	rosin oil
08 04 99	wastes not otherwise specified
08 05	wastes not otherwise specified in 08
08 05 01*	waste isocyanates

09	WASTES FROM THE PHOTOGRAPHIC INDUSTRY
09 01	wastes from the photographic industry
09 01 01*	water-based developer and activator solutions
09 01 02*	water-based offset plate developer solutions
09 01 03*	solvent-based developer solutions
09 01 04*	fixer solutions
09 01 05*	bleach solutions and bleach fixer solutions
09 01 06*	wastes containing silver from on-site treatment of photographic wastes
09 01 07	photographic film and paper containing silver or silver compounds
09 01 08	photographic film and paper free of silver or silver compounds
09 01 10	single-use cameras without batteries
09 01 11*	single-use cameras containing batteries included in 16 06 01, 16 06 02 or 16 06 03
09 01 12	single-use cameras containing batteries other than those mentioned in 09 01 11
09 01 13*	aqueous liquid waste from on-site reclamation of silver other than those mentioned in 09 01 06
09 01 99	wastes not otherwise specified
10	WASTES FROM THERMAL PROCESSES
10 01	wastes from power stations and other combustion plants (except 19)
10 01 01	bottom ash, slag and boiler dust (excluding boiler dust mentioned in 10 01 04)
10 01 02	coal fly ash
10 01 03	fly ash from peat and untreated wood
10 01 04*	oil fly ash and boiler dust
10 01 05	calcium-based reaction wastes from flue-gas desulphurisation in solid form
10 01 07	calcium-based reaction wastes from flue-gas desulphurisation in sludge form
10 01 09*	sulphuric acid
10 01 13*	fly ash from emulsified hydrocarbons used as fuel
10 01 14*	bottom ash, slag and boiler dust from co-incineration containing hazardous substances

10 01 15	bottom ash, slag and boiler dust from co-incineration other than those mentioned in 10 01 14
10 01 16*	fly ash from co-incineration containing hazardous substances
10 01 17	fly ash from co-incineration other than those mentioned in 10 01 16
10 01 18*	wastes from gas cleaning containing hazardous substances
10 01 19	wastes from gas cleaning other than those mentioned in 10 01 05, 10 01 07 and 10 01 18
10 01 20*	sludges from on-site effluent treatment containing hazardous substances
10 01 21	sludges from on-site effluent treatment other than those mentioned in 10 01 20
10 01 22*	aqueous sludges from boiler cleansing containing hazardous substances
10 01 23	aqueous sludges from boiler cleansing other than those mentioned in 10 01 22
10 01 24	sands from fluidised beds
10 01 25	wastes from fuel storage and preparation of coal-fired power plants
10 01 26	wastes from cooling-water treatment
10 01 99	wastes not otherwise specified
10 02	wastes from the iron and steel industry
10 02 01	wastes from the processing of slag
10 02 02	unprocessed slag
10 02 07*	solid wastes from gas treatment containing hazardous substances
10 02 08	solid wastes from gas treatment other than those mentioned in 10 02 07
10 02 10	mill scales
10 02 11*	wastes from cooling-water treatment containing oil
10 02 12	wastes from cooling-water treatment other than those mentioned in 10 02 11
10 02 13*	sludges and filter cakes from gas treatment containing hazardous substances
10 02 14	sludges and filter cakes from gas treatment other than those mentioned in 10 02 13
10 02 15	other sludges and filter cakes
10 02 99	wastes not otherwise specified

10 03	wastes from aluminium thermal metallurgy
10 03 02	anode scraps
10 03 04*	primary production slags
10 03 05	waste alumina
10 03 08*	salt slags from secondary production
10 03 09*	black drosses from secondary production
10 03 15*	skimmings that are flammable or emit, upon contact with water, flammable gases in hazardous quantities
10 03 16	skimmings other than those mentioned in 10 03 15
10 03 17*	tar-containing wastes from anode manufacture
10 03 18	carbon-containing wastes from anode manufacture other than those mentioned in 10 03 17
10 03 19*	flue-gas dust containing hazardous substances
10 03 20	flue-gas dust other than those mentioned in 10 03 19
10 03 21*	other particulates and dust (including ball-mill dust) containing hazardous substances
10 03 22	other particulates and dust (including ball-mill dust) other than those mentioned in 10 03 21
10 03 23*	solid wastes from gas treatment containing hazardous substances
10 03 24	solid wastes from gas treatment other than those mentioned in 10 03 23
10 03 25*	sludges and filter cakes from gas treatment containing hazardous substances
10 03 26	sludges and filter cakes from gas treatment other than those mentioned in 10 03 25
10 03 27*	wastes from cooling-water treatment containing oil
10 03 28	wastes from cooling-water treatment other than those mentioned in 10 03 27
10 03 29*	wastes from treatment of salt slags and black drosses containing hazardous substances
10 03 30	wastes from treatment of salt slags and black drosses other than those mentioned in 10 03 29
10 03 99	wastes not otherwise specified

10 04	wastes from lead thermal metallurgy
10 04 01*	slags from primary and secondary production
10 04 02*	dross and skimmings from primary and secondary production
10 04 03*	calcium arsenate
10 04 04*	flue-gas dust
10 04 05*	other particulates and dust
10 04 06*	solid wastes from gas treatment
10 04 07*	sludges and filter cakes from gas treatment
10 04 09*	wastes from cooling-water treatment containing oil
10 04 10	wastes from cooling-water treatment other than those mentioned in 10 04 09
10 04 99	wastes not otherwise specified
10 05	wastes from zinc thermal metallurgy
10 05 01	slags from primary and secondary production
10 05 03*	flue-gas dust
10 05 04	other particulates and dust
10 05 05*	solid waste from gas treatment
10 05 06*	sludges and filter cakes from gas treatment
10 05 08*	wastes from cooling-water treatment containing oil
10 05 09	wastes from cooling-water treatment other than those mentioned in 10 05 08
10 05 10*	dross and skimmings that are flammable or emit, upon contact with water, flammable gases in hazardous quantities
10 05 11	dross and skimmings other than those mentioned in 10 05 10
10 05 99	wastes not otherwise specified
10 06	wastes from copper thermal metallurgy
10 06 01	slags from primary and secondary production
10 06 02	dross and skimmings from primary and secondary production
10 06 03*	flue-gas dust
10 06 04	other particulates and dust
10 06 06*	solid wastes from gas treatment

10 06 07*	sludges and filter cakes from gas treatment
10 06 09*	wastes from cooling-water treatment containing oil
10 06 10	wastes from cooling-water treatment other than those mentioned in 10 06 09
10 06 99	wastes not otherwise specified
10 07	wastes from silver, gold and platinum thermal metallurgy
10 07 01	slags from primary and secondary production
10 07 02	dross and skimmings from primary and secondary production
10 07 03	solid wastes from gas treatment
10 07 04	other particulates and dust
10 07 05	sludges and filter cakes from gas treatment
10 07 07*	wastes from cooling-water treatment containing oil
10 07 08	wastes from cooling-water treatment other than those mentioned in 10 07 07
10 07 99	wastes not otherwise specified
10 08	wastes from other non-ferrous thermal metallurgy
10 08 04	particulates and dust
10 08 08*	salt slag from primary and secondary production
10 08 09	other slags
10 08 10*	dross and skimmings that are flammable or emit, upon contact with water, flammable gases in hazardous quantities
10 08 11	dross and skimmings other than those mentioned in 10 08 10
10 08 12*	tar-containing wastes from anode manufacture
10 08 13	carbon-containing wastes from anode manufacture other than those mentioned in 10 08 12
10 08 14	anode scrap
10 08 15*	flue-gas dust containing hazardous substances
10 08 16	flue-gas dust other than those mentioned in 10 08 15
10 08 17*	sludges and filter cakes from flue-gas treatment containing hazardous substances
10 08 18	sludges and filter cakes from flue-gas treatment other than those mentioned in 10 08 17

10 08 19*	wastes from cooling-water treatment containing oil
10 08 20	wastes from cooling-water treatment other than those mentioned in 10 08 19
10 08 99	wastes not otherwise specified
10 09	wastes from casting of ferrous pieces
10 09 03	furnace slag
10 09 05*	casting cores and moulds which have not undergone pouring containing hazardous substances
10 09 06	casting cores and moulds which have not undergone pouring other than those mentioned in 10 09 05
10 09 07*	casting cores and moulds which have undergone pouring containing hazardous substances
10 09 08	casting cores and moulds which have undergone pouring other than those mentioned in 10 09 07
10 09 09*	flue-gas dust containing hazardous substances
10 09 10	flue-gas dust other than those mentioned in 10 09 09
10 09 11*	other particulates containing hazardous substances
10 09 12	other particulates other than those mentioned in 10 09 11
10 09 13*	waste binders containing hazardous substances
10 09 14	waste binders other than those mentioned in 10 09 13
10 09 15*	waste crack-indicating agent containing hazardous substances
10 09 16	waste crack-indicating agent other than those mentioned in 10 09 15
10 09 99	wastes not otherwise specified
10 10	wastes from casting of non-ferrous pieces
10 10 03	furnace slag
10 10 05*	casting cores and moulds which have not undergone pouring, containing hazardous substances
10 10 06	casting cores and moulds which have not undergone pouring, other than those mentioned in 10 10 05
10 10 07*	casting cores and moulds which have undergone pouring, containing hazardous substances
10 10 08	casting cores and moulds which have undergone pouring, other than those mentioned in 10 10 07

10 10 09*	flue-gas dust containing hazardous substances
10 10 10	flue-gas dust other than those mentioned in 10 10 09
10 10 11*	other particulates containing hazardous substances
10 10 12	other particulates other than those mentioned in 10 10 11
10 10 13*	waste binders containing hazardous substances
10 10 14	waste binders other than those mentioned in 10 10 13
10 10 15*	waste crack-indicating agent containing hazardous substances
10 10 16	waste crack-indicating agent other than those mentioned in 10 10 15
10 10 99	wastes not otherwise specified
10 11	wastes from manufacture of glass and glass products
10 11 03	waste glass-based fibrous materials
10 11 05	particulates and dust
10 11 09*	waste preparation mixture before thermal processing, containing hazardous substances
10 11 10	waste preparation mixture before thermal processing, other than those mentioned in 10 11 09
10 11 11*	waste glass in small particles and glass powder containing heavy metals (for example from cathode ray tubes)
10 11 12	waste glass other than those mentioned in 10 11 11
10 11 13*	glass-polishing and -grinding sludge containing hazardous substances
10 11 14	glass-polishing and -grinding sludge other than those mentioned in 10 11 13
10 11 15*	solid wastes from flue-gas treatment containing hazardous substances
10 11 16	solid wastes from flue-gas treatment other than those mentioned in 10 11 15
10 11 17*	sludges and filter cakes from flue-gas treatment containing hazardous substances
10 11 18	sludges and filter cakes from flue-gas treatment other than those mentioned in 10 11 17
10 11 19*	solid wastes from on-site effluent treatment containing hazardous substances
10 11 20	solid wastes from on-site effluent treatment other than those mentioned in 10 11 19

10 11 99	wastes not otherwise specified
10 12	wastes from manufacture of ceramic goods, bricks, tiles and construction products
10 12 01	waste preparation mixture before thermal processing
10 12 03	particulates and dust
10 12 05	sludges and filter cakes from gas treatment
10 12 06	discarded moulds
10 12 08	waste ceramics, bricks, tiles and construction products (after thermal processing)
10 12 09*	solid wastes from gas treatment containing hazardous substances
10 12 10	solid wastes from gas treatment other than those mentioned in 10 12 09
10 12 11*	wastes from glazing containing heavy metals
10 12 12	wastes from glazing other than those mentioned in 10 12 11
10 12 13	sludge from on-site effluent treatment
10 12 99	wastes not otherwise specified
10 13	wastes from manufacture of cement, lime and plaster and articles and products made from them
10 13 01	waste preparation mixture before thermal processing
10 13 04	wastes from calcination and hydration of lime
10 13 06	particulates and dust (except 10 13 12 and 10 13 13)
10 13 07	sludges and filter cakes from gas treatment
10 13 09*	wastes from asbestos-cement manufacture containing asbestos
10 13 10	wastes from asbestos-cement manufacture other than those mentioned in 10 13 09
10 13 11	wastes from cement-based composite materials other than those mentioned in 10 13 09 and 10 13 10
10 13 12*	solid wastes from gas treatment containing hazardous substances
10 13 13	solid wastes from gas treatment other than those mentioned in 10 13 12
10 13 14	waste concrete and concrete sludge
10 13 99	wastes not otherwise specified
10 14	waste from crematoria
10 14 01*	waste from gas cleaning containing mercury

11	WASTES FROM CHEMICAL SURFACE TREATMENT AND COATING OF METALS AND OTHER MATERIALS; NON-FERROUS HYDRO-METALLURGY
11 01	wastes from chemical surface treatment and coating of metals and other materials (for example galvanic processes, zinc coating processes, pickling processes, etching, phosphating, alkaline degreasing, anodising)
11 01 05*	pickling acids
11 01 06*	acids not otherwise specified
11 01 07*	pickling bases
11 01 08*	phosphatising sludges
11 01 09*	sludges and filter cakes containing hazardous substances
11 01 10	sludges and filter cakes other than those mentioned in 11 01 09
11 01 11*	aqueous rinsing liquids containing hazardous substances
11 01 12	aqueous rinsing liquids other than those mentioned in 11 01 11
11 01 13*	degreasing wastes containing hazardous substances
11 01 14	degreasing wastes other than those mentioned in 11 01 13
11 01 15*	eluate and sludges from membrane systems or ion exchange systems containing hazardous substances
11 01 16*	saturated or spent ion exchange resins
11 01 98*	other wastes containing hazardous substances
11 01 99	wastes not otherwise specified
11 02	wastes from non-ferrous hydrometallurgical processes
11 02 02*	sludges from zinc hydrometallurgy (including jarosite, goethite)
11 02 03	wastes from the production of anodes for aqueous electrolytical processes
11 02 05*	wastes from copper hydrometallurgical processes containing hazardous substances
11 02 06	wastes from copper hydrometallurgical processes other than those mentioned in 11 02 05
11 02 07*	other wastes containing hazardous substances
11 02 99	wastes not otherwise specified

11 03	sludges and solids from tempering processes
11 03 01*	wastes containing cyanide
11 03 02*	other wastes
11 05	wastes from hot galvanising processes
11 05 01	hard zinc
11 05 02	zinc ash
11 05 03*	solid wastes from gas treatment
11 05 04*	spent flux
11 05 99	wastes not otherwise specified
12	WASTES FROM SHAPING AND PHYSICAL AND MECHANICAL SURFACE TREATMENT OF METALS AND PLASTICS
12 01	wastes from shaping and physical and mechanical surface treatment of metals and plastics
12 01 01	ferrous metal filings and turnings
12 01 02	ferrous metal dust and particles
12 01 03	non-ferrous metal filings and turnings
12 01 04	non-ferrous metal dust and particles
12 01 05	plastics shavings and turnings
12 01 06*	mineral-based machining oils containing halogens (except emulsions and solutions)
12 01 07*	mineral-based machining oils free of halogens (except emulsions and solutions)
12 01 08*	machining emulsions and solutions containing halogens
12 01 09*	machining emulsions and solutions free of halogens
12 01 10*	synthetic machining oils
12 01 12*	spent waxes and fats
12 01 13	welding wastes
12 01 14*	machining sludges containing hazardous substances
12 01 15	machining sludges other than those mentioned in 12 01 14
12 01 16*	waste blasting material containing hazardous substances
12 01 17	waste blasting material other than those mentioned in 12 01 16

12 01 18*	metal sludge (grinding, honing and lapping sludge) containing oil
12 01 19*	readily biodegradable machining oil
12 01 20*	spent grinding bodies and grinding materials containing hazardous substances
12 01 21	spent grinding bodies and grinding materials other than those mentioned in 12 01 20
12 01 99	wastes not otherwise specified
12 03	wastes from water and steam degreasing processes (except 11)
12 03 01*	aqueous washing liquids
12 03 02*	steam degreasing wastes
13	OIL WASTES AND WASTES OF LIQUID FUELS (except edible oils, and those in chapters 05, 12 and 19)
13 01	waste hydraulic oils
13 01 01*	hydraulic oils, containing PCBs
13 01 04*	chlorinated emulsions
13 01 05*	non-chlorinated emulsions
13 01 09*	mineral-based chlorinated hydraulic oils
13 01 10*	mineral based non-chlorinated hydraulic oils
13 01 11*	synthetic hydraulic oils
13 01 12*	readily biodegradable hydraulic oils
13 01 13*	other hydraulic oils
13 02	waste engine, gear and lubricating oils
13 02 04*	mineral-based chlorinated engine, gear and lubricating oils
13 02 05*	mineral-based non-chlorinated engine, gear and lubricating oils
13 02 06*	synthetic engine, gear and lubricating oils
13 02 07*	readily biodegradable engine, gear and lubricating oils
13 02 08*	other engine, gear and lubricating oils
13 03	waste insulating and heat transmission oils
13 03 01*	insulating or heat transmission oils containing PCBs
13 03 06*	mineral-based chlorinated insulating and heat transmission oils other than those mentioned in 13 03 01

13 03 07*	mineral-based non-chlorinated insulating and heat transmission oils
13 03 08*	synthetic insulating and heat transmission oils
13 03 09*	readily biodegradable insulating and heat transmission oils
13 03 10*	other insulating and heat transmission oils
13 04	bilge oils
13 04 01*	bilge oils from inland navigation
13 04 02*	bilge oils from jetty sewers
13 04 03*	bilge oils from other navigation
13 05	oil/water separator contents
13 05 01*	solids from grit chambers and oil/water separators
13 05 02*	sludges from oil/water separators
13 05 03*	interceptor sludges
13 05 06*	oil from oil/water separators
13 05 07*	oily water from oil/water separators
13 05 08*	mixtures of wastes from grit chambers and oil/water separators
13 07	wastes of liquid fuels
13 07 01*	fuel oil and diesel
13 07 02*	Petrol
13 07 03*	other fuels (including mixtures)
13 08	oil wastes not otherwise specified
13 08 01*	desalter sludges or emulsions
13 08 02*	other emulsions
13 08 99*	wastes not otherwise specified
14	WASTE ORGANIC SOLVENTS, REFRIGERANTS AND PROPELLANTS (except 07 and 08)
14 06	waste organic solvents, refrigerants and foam/aerosol propellants
14 06 01*	chlorofluorocarbons, HCFC, HFC
14 06 02*	other halogenated solvents and solvent mixtures

14 06 03*	other solvents and solvent mixtures
14 06 04*	sludges or solid wastes containing halogenated solvents
14 06 05*	sludges or solid wastes containing other solvents
15	WASTE PACKAGING; ABSORBENTS, WIPING CLOTHS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED
15 01	packaging (including separately collected municipal packaging waste)
15 01 01	paper and cardboard packaging
15 01 02	plastic packaging
15 01 03	wooden packaging
15 01 04	metallic packaging
15 01 05	composite packaging
15 01 06	mixed packaging
15 01 07	glass packaging
15 01 09	textile packaging
15 01 10*	packaging containing residues of or contaminated by hazardous substances
15 01 11*	metallic packaging containing a hazardous solid porous matrix (for example asbestos), including empty pressure containers
15 02	absorbents, filter materials, wiping cloths and protective clothing
15 02 02*	absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing contaminated by hazardous substances
15 02 03	absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 15 02 02
16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST
16 01	end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)
16 01 03	end-of-life tyres
16 01 04*	end-of-life vehicles
16 01 06	end-of-life vehicles, containing neither liquids nor other hazardous components
16 01 07*	oil filters
16 01 08*	components containing mercury

16 01 09*	components containing PCBs
16 01 10*	explosive components (for example air bags)
16 01 11*	brake pads containing asbestos
16 01 12	brake pads other than those mentioned in 16 01 11
16 01 13*	brake fluids
16 01 14*	antifreeze fluids containing hazardous substances
16 01 15	antifreeze fluids other than those mentioned in 16 01 14
16 01 16	tanks for liquefied gas
16 01 17	ferrous metal
16 01 18	non-ferrous metal
16 01 19	Plastic
16 01 20	Glass
16 01 21*	hazardous components other than those mentioned in 16 01 07 to 16 01 11 and 16 01 13 and 16 01 14
16 01 22	components not otherwise specified
16 01 99	wastes not otherwise specified
16 02	wastes from electrical and electronic equipment
16 02 09*	transformers and capacitors containing PCBs
16 02 10*	discarded equipment containing or contaminated by PCBs other than those mentioned in 16 02 09
16 02 11*	discarded equipment containing chlorofluorocarbons, HCFC, HFC
16 02 12*	discarded equipment containing free asbestos
16 02 13*	discarded equipment containing hazardous components ⁽¹⁾ other than those mentioned in 16 02 09 to 16 02 12
16 02 14	discarded equipment other than those mentioned in 16 02 09 to 16 02 13
16 02 15*	hazardous components removed from discarded equipment
16 02 16	components removed from discarded equipment other than those mentioned in 16 02 15
16 03	off-specification batches and unused products
16 03 03*	inorganic wastes containing hazardous substances

16 03 04	inorganic wastes other than those mentioned in 16 03 03
16 03 05*	organic wastes containing hazardous substances
16 03 06	organic wastes other than those mentioned in 16 03 05
16 03 07*	metallic mercury
16 04	waste explosives
16 04 01*	waste ammunition
16 04 02*	fireworks wastes
16 04 03*	other waste explosives
16 05	gases in pressure containers and discarded chemicals
16 05 04*	gases in pressure containers (including halons) containing hazardous substances
16 05 05	gases in pressure containers other than those mentioned in 16 05 04
16 05 06*	laboratory chemicals, consisting of or containing hazardous substances, including mixtures of laboratory chemicals
16 05 07*	discarded inorganic chemicals consisting of or containing hazardous substances
16 05 08*	discarded organic chemicals consisting of or containing hazardous substances
16 05 09	discarded chemicals other than those mentioned in 16 05 06, 16 05 07 or 16 05 08
16 06	batteries and accumulators
16 06 01*	lead batteries
16 06 02*	Ni-Cd batteries
16 06 03*	mercury-containing batteries
16 06 04	alkaline batteries (except 16 06 03)
16 06 05	other batteries and accumulators
16 06 06*	separately collected electrolyte from batteries and accumulators
16 07	wastes from transport tank, storage tank and barrel cleaning (except 05 and 13)
16 07 08*	wastes containing oil
16 07 09*	wastes containing other hazardous substances
16 07 99	wastes not otherwise specified

16 08	spent catalysts
16 08 01	spent catalysts containing gold, silver, rhenium, rhodium, palladium, iridium or platinum (except 16 08 07)
16 08 02*	spent catalysts containing hazardous transition metals or hazardous transition metal compounds
16 08 03	spent catalysts containing transition metals or transition metal compounds not otherwise specified
16 08 04	spent fluid catalytic cracking catalysts (except 16 08 07)
16 08 05*	spent catalysts containing phosphoric acid
16 08 06*	spent liquids used as catalysts
16 08 07*	spent catalysts contaminated with hazardous substances
16 09	oxidising substances
16 09 01*	permanganates, for example potassium permanganate
16 09 02*	chromates, for example potassium chromate, potassium or sodium dichromate
16 09 03*	peroxides, for example hydrogen peroxide
16 09 04*	oxidising substances, not otherwise specified
16 10	aqueous liquid wastes destined for off-site treatment
16 10 01*	aqueous liquid wastes containing hazardous substances
16 10 02	aqueous liquid wastes other than those mentioned in 16 10 01
16 10 03*	aqueous concentrates containing hazardous substances
16 10 04	aqueous concentrates other than those mentioned in 16 10 03
16 11	waste linings and refractories
16 11 01*	carbon-based linings and refractories from metallurgical processes containing hazardous substances
16 11 02	carbon-based linings and refractories from metallurgical processes others than those mentioned in 16 11 01
16 11 03*	other linings and refractories from metallurgical processes containing hazardous substances
16 11 04	other linings and refractories from metallurgical processes other than those mentioned in 16 11 03
16 11 05*	linings and refractories from non-metallurgical processes containing hazardous substances
16 11 06	linings and refractories from non-metallurgical processes others than those mentioned in 16 11 05

17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 01	concrete, bricks, tiles and ceramics
17 01 01	Concrete
17 01 02	Bricks
17 01 03	tiles and ceramics
17 01 06*	mixtures of, or separate fractions of concrete, bricks, tiles and ceramics containing hazardous substances
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
17 02	wood, glass and plastic
17 02 01	Wood
17 02 02	Glass
17 02 03	Plastic
17 02 04*	glass, plastic and wood containing or contaminated with hazardous substances
17 03	bituminous mixtures, coal tar and tarred products
17 03 01*	bituminous mixtures containing coal tar
17 03 02	bituminous mixtures other than those mentioned in 17 03 01
17 03 03*	coal tar and tarred products
17 04	metals (including their alloys)
17 04 01	copper, bronze, brass
17 04 02	Aluminium
17 04 03	Lead
17 04 04	Zinc
17 04 05	iron and steel
17 04 06	Tin
17 04 07	mixed metals
17 04 09*	metal waste contaminated with hazardous substances
17 04 10*	cables containing oil, coal tar and other hazardous substances
17 04 11	cables other than those mentioned in 17 04 10

17 05	soil (including excavated soil from contaminated sites), stones and dredging spoil
17 05 03*	soil and stones containing hazardous substances
17 05 04	soil and stones other than those mentioned in 17 05 03
17 05 05*	dredging spoil containing hazardous substances
17 05 06	dredging spoil other than those mentioned in 17 05 05
17 05 07*	track ballast containing hazardous substances
17 05 08	track ballast other than those mentioned in 17 05 07
17 06	insulation materials and asbestos-containing construction materials
17 06 01*	insulation materials containing asbestos
17 06 03*	other insulation materials consisting of or containing hazardous substances
17 06 04	insulation materials other than those mentioned in 17 06 01 and 17 06 03
17 06 05*	construction materials containing asbestos
17 08	gypsum-based construction material
17 08 01*	gypsum-based construction materials contaminated with hazardous substances
17 08 02	gypsum-based construction materials other than those mentioned in 17 08 01
17 09	other construction and demolition wastes
17 09 01*	construction and demolition wastes containing mercury
17 09 02*	construction and demolition wastes containing PCB (for example PCB-containing sealants, PCB-containing resin-based floorings, PCB-containing sealed glazing units, PCB-containing capacitors)
17 09 03*	other construction and demolition wastes (including mixed wastes) containing hazardous substances
17 09 04	mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03
18	WASTES FROM HUMAN OR ANIMAL HEALTH CARE AND/OR RELATED RESEARCH (except kitchen and restaurant wastes not arising from immediate health care)
18 01	wastes from natal care, diagnosis, treatment or prevention of disease in humans
18 01 01	sharps (except 18 01 03)

18 01 02	body parts and organs including blood bags and blood preserves (except 18 01 03)
18 01 03*	wastes whose collection and disposal is subject to special requirements in order to prevent infection
18 01 04	wastes whose collection and disposal is not subject to special requirements in order to prevent infection (for example dressings, plaster casts, linen, disposable clothing, diapers)
18 01 06*	chemicals consisting of or containing hazardous substances
18 01 07	chemicals other than those mentioned in 18 01 06
18 01 08*	cytotoxic and cytostatic medicines
18 01 09	medicines other than those mentioned in 18 01 08
18 01 10*	amalgam waste from dental care
18 02	wastes from research, diagnosis, treatment or prevention of disease involving animals
18 02 01	sharps (except 18 02 02)
18 02 02*	wastes whose collection and disposal is subject to special requirements in order to prevent infection
18 02 03	wastes whose collection and disposal is not subject to special requirements in order to prevent infection
18 02 05*	chemicals consisting of or containing hazardous substances
18 02 06	chemicals other than those mentioned in 18 02 05
18 02 07*	cytotoxic and cytostatic medicines
18 02 08	medicines other than those mentioned in 18 02 07
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE
19 01	wastes from incineration or pyrolysis of waste
19 01 02	ferrous materials removed from bottom ash
19 01 05*	filter cake from gas treatment
19 01 06*	aqueous liquid wastes from gas treatment and other aqueous liquid wastes
19 01 07*	solid wastes from gas treatment
19 01 10*	spent activated carbon from flue-gas treatment
19 01 11*	bottom ash and slag containing hazardous substances
19 01 12	bottom ash and slag other than those mentioned in 19 01 11

19 01 13*	fly ash containing hazardous substances
19 01 14	fly ash other than those mentioned in 19 01 13
19 01 15*	boiler dust containing hazardous substances
19 01 16	boiler dust other than those mentioned in 19 01 15
19 01 17*	pyrolysis wastes containing hazardous substances
19 01 18	pyrolysis wastes other than those mentioned in 19 01 17
19 01 19	sands from fluidised beds
19 01 99	wastes not otherwise specified
19 02	wastes from physico/chemical treatments of waste (including dechromatation, decyanidation, neutralisation)
19 02 03	premixed wastes composed only of non-hazardous wastes
19 02 04*	premixed wastes composed of at least one hazardous waste
19 02 05*	sludges from physico/chemical treatment containing hazardous substances
19 02 06	sludges from physico/chemical treatment other than those mentioned in 19 02 05
19 02 07*	oil and concentrates from separation
19 02 08*	liquid combustible wastes containing hazardous substances
19 02 09*	solid combustible wastes containing hazardous substances
19 02 10	combustible wastes other than those mentioned in 19 02 08 and 19 02 09
19 02 11*	other wastes containing hazardous substances
19 02 99	wastes not otherwise specified
19 03	stabilised/solidified wastes
19 03 04*	wastes marked as hazardous, partly stabilised other than 19 03 08
19 03 05	stabilised wastes other than those mentioned in 19 03 04
19 03 06*	wastes marked as hazardous, solidified
19 03 07	solidified wastes other than those mentioned in 19 03 06
19 03 08*	partly stabilised mercury
19 04	vitrified waste and wastes from vitrification
19 04 01	vitrified waste

19 04 02*	fly ash and other flue-gas treatment wastes
19 04 03*	non-vitrified solid phase
19 04 04	aqueous liquid wastes from vitrified waste tempering
19 05	wastes from aerobic treatment of solid wastes
19 05 01	non-composted fraction of municipal and similar wastes
19 05 02	non-composted fraction of animal and vegetable waste
19 05 03	off-specification compost
19 05 99	wastes not otherwise specified
19 06	wastes from anaerobic treatment of waste
19 06 03	liquor from anaerobic treatment of municipal waste
19 06 04	digestate from anaerobic treatment of municipal waste
19 06 05	liquor from anaerobic treatment of animal and vegetable waste
19 06 06	digestate from anaerobic treatment of animal and vegetable waste
19 06 99	wastes not otherwise specified
19 07	landfill leachate
19 07 02*	landfill leachate containing hazardous substances
19 07 03	landfill leachate other than those mentioned in 19 07 02
19 08	wastes from waste water treatment plants not otherwise specified
19 08 01	Screenings
19 08 02	waste from desanding
19 08 05	sludges from treatment of urban waste water
19 08 06*	saturated or spent ion exchange resins
19 08 07*	solutions and sludges from regeneration of ion exchangers
19 08 08*	membrane system waste containing heavy metals
19 08 09	grease and oil mixture from oil/water separation containing only edible oil and fats
19 08 10*	grease and oil mixture from oil/water separation other than those mentioned in 19 08 09

19 08 11*	sludges containing hazardous substances from biological treatment of industrial waste water
19 08 12	sludges from biological treatment of industrial waste water other than those mentioned in 19 08 11
19 08 13*	sludges containing hazardous substances from other treatment of industrial waste water
19 08 14	sludges from other treatment of industrial waste water other than those mentioned in 19 08 13
19 08 99	wastes not otherwise specified
19 09	wastes from the preparation of water intended for human consumption or water for industrial use
19 09 01	solid waste from primary filtration and screenings
19 09 02	sludges from water clarification
19 09 03	sludges from decarbonation
19 09 04	spent activated carbon
19 09 05	saturated or spent ion exchange resins
19 09 06	solutions and sludges from regeneration of ion exchangers
19 09 99	wastes not otherwise specified
19 10	wastes from shredding of metal-containing wastes
19 10 01	iron and steel waste
19 10 02	non-ferrous waste
19 10 03*	fluff-light fraction and dust containing hazardous substances
19 10 04	fluff-light fraction and dust other than those mentioned in 19 10 03
19 10 05*	other fractions containing hazardous substances
19 10 06	other fractions other than those mentioned in 19 10 05
19 11	wastes from oil regeneration
19 11 01*	spent filter clays
19 11 02*	acid tars
19 11 03*	aqueous liquid wastes
19 11 04*	wastes from cleaning of fuel with bases
19 11 05*	sludges from on-site effluent treatment containing hazardous substances

19 11 06	sludges from on-site effluent treatment other than those mentioned in 19 11 05
19 11 07*	wastes from flue-gas cleaning
19 11 99	wastes not otherwise specified
19 12	wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 01	paper and cardboard
19 12 02	ferrous metal
19 12 03	non-ferrous metal
19 12 04	plastic and rubber
19 12 05	Glass
19 12 06*	wood containing hazardous substances
19 12 07	wood other than that mentioned in 19 12 06
19 12 08	Textiles
19 12 09	minerals (for example sand, stones)
19 12 10	combustible waste (refuse derived fuel)
19 12 11*	other wastes (including mixtures of materials) from mechanical treatment of waste containing hazardous substances
19 12 12	other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11
19 13	wastes from soil and groundwater remediation
19 13 01*	solid wastes from soil remediation containing hazardous substances
19 13 02	solid wastes from soil remediation other than those mentioned in 19 13 01
19 13 03*	sludges from soil remediation containing hazardous substances
19 13 04	sludges from soil remediation other than those mentioned in 19 13 03
19 13 05*	sludges from groundwater remediation containing hazardous substances
19 13 06	sludges from groundwater remediation other than those mentioned in 19 13 05
19 13 07*	aqueous liquid wastes and aqueous concentrates from groundwater remediation containing hazardous substances
19 13 08	aqueous liquid wastes and aqueous concentrates from groundwater remediation other than those mentioned in 19 13 07

20	MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS
20 01	separately collected fractions (except 15 01)
20 01 01	paper and cardboard
20 01 02	Glass
20 01 08	biodegradable kitchen and canteen waste
20 01 10	Clothes
20 01 11	Textiles
20 01 13*	Solvents
20 01 14*	Acids
20 01 15*	Alkalines
20 01 17*	Photochemicals
20 01 19*	Pesticides
20 01 21*	fluorescent tubes and other mercury-containing waste
20 01 23*	discarded equipment containing chlorofluorocarbons
20 01 25	edible oil and fat
20 01 26*	oil and fat other than those mentioned in 20 01 25
20 01 27*	paint, inks, adhesives and resins containing hazardous substances
20 01 28	paint, inks, adhesives and resins other than those mentioned in 20 01 27
20 01 29*	detergents containing hazardous substances
20 01 30	detergents other than those mentioned in 20 01 29
20 01 31*	cytotoxic and cytostatic medicines
20 01 32	medicines other than those mentioned in 20 01 31
20 01 33*	batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries
20 01 34	batteries and accumulators other than those mentioned in 20 01 33
20 01 35*	discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components ⁽¹⁾

20 01 36	discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35
20 01 37*	wood containing hazardous substances
20 01 38	wood other than that mentioned in 20 01 37
20 01 39	Plastics
20 01 40	Metals
20 01 41	wastes from chimney sweeping
20 01 99	other fractions not otherwise specified
20 02	garden and park wastes (including cemetery waste)
20 02 01	biodegradable waste
20 02 02	soil and stones
20 02 03	other non-biodegradable wastes
20 03	other municipal wastes
20 03 01	mixed municipal waste
20 03 02	waste from markets
20 03 03	street-cleaning residues
20 03 04	septic tank sludge
20 03 06	waste from sewage cleaning
20 03 07	bulky waste
20 03 99	municipal wastes not otherwise specified

(¹) Hazardous components from electrical and electronic equipment may include accumulators and batteries mentioned in 16 06 and marked as hazardous; mercury switches, glass from cathode ray tubes and other activated glass, etc.

