

## **BIR Wrap Up: Delegates Express Concern Over EU Shipment Regs**

During a special panel discussion on nonferrous markets held during the BIR's fall meeting in Warsaw, Poland, a number of attendees expressed concern about revised EU waste shipment regulations - particularly Annex VII "accompanying information" requirements.

Robert Voss of UK-based Voss International Ltd., moderator of the session, stressed that enforcement of Annex VII requirements is still "very much in its infancy," but that the impact is likely to be felt "very shortly," in both EU and non-EU countries.

The regulations demand that the Annex VII document accompanies trans-boundary consignments of materials designated as "waste" - but it remains unclear as to how this is to be done, he said. In addition, different countries are implementing the requirements in different ways such that there is "not a level playing field".

Joachim Wuttke, head of Section General Affairs of Waste Management, Focal Point Basel Convention at Germany's Federal Environment Agency, noted that the regulations call for a person "under the jurisdiction of the country of dispatch" to ensure that waste is accompanied by tracking documentation. This phrase has negative implications for many traders, he said, since it suggests their seat of operation must be in the country from which the material is dispatched.

According to UK-based legal consultant and commercial lawyer Hilary Stone, the Annex VII requirements confront exporters of materials termed as "waste" with the potentially stark choice between disclosing confidential, commercially-valuable information or risking a criminal record.

Although Annex VII has been introduced under EU law, Robin Wiener, president of ISRI, stressed the global implications of its implementation. She expressed particular concern at disclosure of downstream scrap suppliers and the demand for brokers/traders to be under the jurisdiction of an EU member nation "in order to buy material from that country and ship it to another". She feared that, once the transition period for enforcement comes to an end, the regulations could lead to "penalties or a significant diversion of materials".

BIR Environmental & Technical Director Ross Bartley suggested that the European Institutions, particularly members of the European Parliament, have not grasped the detail of the recycling industry's concerns about Annex VII, but that associations and companies must now press for a re-examination of this issue.

In a more market-oriented discussion during the fall meeting, divisional president Robert Stein of Alter Trading argued that market conditions within the sector have been "kind" over the last five years although legislative requirements are proving "cumbersome".

On a positive note the world market review presented by Fadi Shahrour of Lebanon-based Sharmetal Trading Co SARL indicated that India has abandoned plans to introduce a registration scheme for overseas suppliers of scrap.

Latest developments regarding the supplier registration scheme implemented by China were outlined by David Chiao of the Uni-All Group, based in the United States. Under the AQSIQ renewals procedure, he said, more than 200 applicants have already been granted approvals. However, Chiao pointed to continuing problems arising from differences in the categorization of materials between the EU and China.