

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: Ministry of Housing, Spatial Planning and the Environment Agency or authority designated to handle comments regarding the notification can be indicated if different from above: National enquiry point
3.	Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): The requirements apply to building and demolition waste which cannot be reused
5.	Title, number of pages and language(s) of the notified document: Regulation on the Logo for Building and Demolition Waste which Cannot be Reused
6.	Description of content: The Regulation implements Article 5 of the Decree on a Dumping Ban for Waste. Pursuant to Article 2(c) of this Decree, the dumping ban for building and demolition waste does not apply to non-reusable building and demolition waste which is supplied by a person authorized to use a logo. Where the waste concerned is of such a type, the applicable rules are contained in the Regulation on Building and Demolition Waste which Cannot be Reused.  In the draft Regulation named in point No. 5 it is laid down that a logo may only be used by a business which has been certified on the basis of a certification scheme (applies to both Dutch and foreign businesses). For the purposes of this certification, a certification scheme for demolition firms and sorting businesses is included in the Regulation.
7.	Objective and rationale: On the basis of Council Directive No. 75/442/EEC of 15 July 1975 on the subject of waste (OJ EC L 194/47), Member States are taking appropriate measures to promote the prevention of waste products, the recovery of waste by means of reuse and the use of waste as a source of energy. The ban on dumping building and demolition waste aims to promote the reuse of this waste. The dumping of waste is regarded as the least desirable means of waste disposal. This is because dumping entails a number of negative consequences, such as the loss of limited raw materials, the emission of methane (which contributes to the greenhouse effect), the permanent occupation of limited space and the fact that tips are a potential source of soil pollution, so that interminable aftercare is required. This point of departure is in line with the proposal for a Directive on the disposal of waste (proposal of 5 March 1997, XI/505-7/96). The measures are justified in the interest of environmental protection.

8.	Relevant documents: <ul style="list-style-type: none"><li>- Environmental Management Act (Articles 8.44 and 10.2);</li><li>- Decree on a Dumping Ban for Waste (Article 5);</li><li>- Regulation on Building and Demolition Waste which Cannot be Reused.</li></ul>
9.	Proposed date of adoption: 2 November 1997 Proposed date of entry into force: 3 November 1997
10.	Final date for comments: 1 November 1997  The Netherlands will proceed to implement the proposed measure after 45 days if no comments or requests for extension of the time-limit have been received from other Members within that time.
11.	Texts available from: National enquiry point [X] or address and telefax number of other body: