

Waste legislation

1 General

1.1 Legal framework

- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal ([CC 0.814.05](#));
- OECD Decision C(2001)107/FINAL concerning the revision of Decision C(92)39/FINAL on the control of transboundary movements of wastes destined for recovery operations (OECD Decision; [CC 0.814.052](#));
- Federal Act on the Protection of the Environment (USG; [CC 814.01](#));
- Ordinance on the movement of wastes (VeVA; [CC 814.610](#));
- DETEC ordinance concerning lists for the movement of wastes ([CC 814.610.1](#)).

1.2 Reference in Tares

The reference to "waste legislation" in Tares indicates that the corresponding goods may be subject to the provisions of waste legislation. Classification as waste is determined according to the type and presentation of a good as well as the concentration of pollutants. Goods with a market value may also be classified as waste.

1.3 Information

For more information, please contact the following office:

Federal Office for the Environment (FOEN)
Waste and Raw Materials Division
3003 Bern

Tel. +41 (0)58 462 93 80
Email: waste@bafu.admin.ch

1.4 Detailed information

FOCBS website: [information companies](#).

Regulations, [R-60 Non-customs legislative instruments](#):
[R-60-6.9 Mouvements transfrontières de déchets \(PDF\)](#).

2 Waste

2.1 Second-hand articles or waste?

Pieces of equipment and items that are no longer in good working order or that are no longer allowed to be placed on the market in Switzerland are classified as waste. This concerns particularly office and consumer electronic appliances, refrigerators, textiles, vehicles and their parts as well as tyres.

The FOEN website features an [information brochure](#) giving tips for distinguishing between waste and second-hand goods. This booklet contains practical advice on electrical and electronic equipment and their parts, vehicles and their parts as well as textiles.

2.2 Classification of waste

The waste producer/exporter is responsible for the correct classification and description of the waste.

The waste list of the DETEC ordinance on lists for the movement of wastes ([SR 814.610.1](#)) specifies all types of waste subject to waste legislation.

Classification:

S	=	hazardous waste
ak	=	other waste subject to regulatory control
blank	=	other waste

Waste classified as [S] or [ak] is **subject to the "amber" control procedure** and has to be notified.

Waste subject to the "green" control procedure is essentially waste that is not classified as hazardous and that features on the [Waste list B \(Annex IX\) of the Basel Convention](#) and the [green list of wastes \(Appendix 3\) of OECD Decision C\(2001\)107/FINAL](#).

Waste that is listed as green on the OECD waste list but is classified as subject to regulatory control according to the [Swiss waste list](#) must be notified in the case of transboundary movement. Any such waste may not be moved according to the "green" control procedures for "green-listed waste". This applies, for instance, to following waste: used tyres, drained and de-polluted motor vehicles wrecks, used metal cables with plastic insulation, waste from electronic appliances or their electronic components, used edible oils and waste wood (wooden pallet).

Waste that is classified neither as [S] nor as [ak] according to the LVA waste list and is not on the green list of waste is also considered subject to regulatory control ("amber" control procedure) and must be notified.

2.3 "Amber" control procedure

In line with EC Regulation No 1013/2006, applications for the shipment of waste in Switzerland are also carried out by means of authority notification.

This means

- Import

Waste subject to the "amber" control procedure may only be imported with the prior **consent** of the FOEN.

The import of waste is permitted only from states that are parties to the Basel Convention or from states that entered into a specific agreement.

- Export

A **licence** issued by the FOEN is required for the export of waste subject to the "amber" control procedure.

The export of waste is permitted only to [OECD countries](#) or EU Member States.

- Transit

The competent authorities of the despatch country obtain the consent from OFEN for the transit of waste subject to the "amber" control procedure.

The transboundary movements of waste subject to the "amber" control procedure requires a movement document and a copy of the consent/licence of the FOEN.

The FOEN website features [the instructions on how to fill in the notification document \(in German only\)](#).

2.4 "Green" control procedure

The transboundary movements of waste subject to the "green" control procedure requires a [form in accordance with Annex VII](#) to the EU's Waste Shipment Regulation (EC) No 1013/2006.

The FOEN website features a [guide to the "green" control procedure](#).

3 Details to be provided in the customs declaration

Upon import, export or transit of waste, the person subject to declaration obligation must enter the NZE mandatory code «1 NZE: yes» and the NZE type code 066 "Waste (amber control procedure)" or 067 "Waste (green control procedure)" in the e-dec or NCTS customs declaration. When declaring waste, the Permit mandatory code should **not** be used.

Furthermore, the person subject to the declaration obligation must provide the following in their customs declaration:

Control procedure	What	Where	How
"amber"	Notification number	Either " Special remarks " ("Besondere Vermerke") section in the header data or " Documentation " ("Unterlagen") section	Other (ZZZ), Number, Waste
	Serial number of the movement document	" Documentation " ("Unterlagen") section	Other (ZZZ), Number, Date, Waste
"green"	Form in accordance with Annex VII	" Documentation " ("Unterlagen") section	Other (ZZZ), Annex VII , Date, Waste

Further information can be found on the following webpage: www.bazg.admin.ch → Services → Services companies → Importation, exportation, transit → E-dec → [e-dec Export](#).

The movement document with a copy of the FOEN's consent/licence or the form in accordance with Annex VII is to be presented voluntarily to Swiss customs in the case of control.