



KYRIAKIDES  
GEORGOPOULOS  
LAW FIRM



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## Shipments of Waste

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BY IRENE KYRIAKIDES, VICTORIA MERTIKOPOULOU, AITHRA-VALENTINA ANTONIADOU

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The recently introduced Regulation (EU) 2024/1157 on shipments of waste supplements the general waste management legislation of the Union, namely Directive 2008/98/EC, concerning multiple industries, including those of the healthcare and life science spectrum, establishing, thus, provisions to protect the environment and human health against the adverse effects resulting from the shipment of waste, hence, contributing to climate neutrality.

On such basis, procedures and control regimes for shipments of waste are established depending on their origin, destination and route of shipments as well as the type of the waste and type of treatment to be applied to the waste at its destination. The shipments concerned are classified as follows: between Member States, imported/exported into/from the Union from/to third countries and in transit through the Union on the way to or from third countries. Such procedures and control regimes for shipments of waste concern the original waste producer and/or the new waste producer who carries out operations prior to shipment resulting in a change in the nature or composition of the waste and/or a collector who, from various small quantities of the same type of waste collected from a variety of sources and/or has assembled the shipment which is to start from a single location and/or a dealer or a broker acting on behalf of any of the aforementioned persons and/or the waste holder, as the case may be.

Exempted from the Regulation's application are the shipments of, inter alia, radioactive waste, animal by-products and derived products [*except of those mixed or contaminated with any*

*hazardous waste*] as well as of substances that are destined for use as feed materials.

In light of the waste management framework, exports from the Union of the following hazardous wastes destined for recovery in countries to which the Organization for Economic Cooperation and Development ("OECD") Decision of the Council on the Control of Transboundary Movements of Wastes Destined for Recovery Operations ("OECD Decision") does not apply shall be prohibited:

- clinical wastes arising from medical, nursing, dental, veterinary, or similar practices;
- wastes generated in hospitals or other facilities during the investigation or treatment of patients or research projects;
- wastes from the production, formulation and use of biocides and phytopharmaceuticals, including waste pesticides and herbicides; and
- wastes from the production, preparation and use of pharmaceutical products.

To ensure enforcement of this new Regulation, inspections procedures and plans as well as possible penalties, such as revocation or time-limited suspension of the authorizations or time-limited exclusion from public procurement procedures have been set.

The previous Regulation (EC) 1013/2006 on shipments of waste is repealed with effect from 20 May 2024, although it shall continue to apply until 21 May 2026, with a few exceptions. Therefore, the new Regulation (EU) 2024/1157 shall apply from 21 May 2026.



## Contact Us



Irene Kyriakides

**PARTNER**

[i.kyriakides@kqlawfirm.gr](mailto:i.kyriakides@kqlawfirm.gr)



Victoria Mertikopoulou

**PARTNER**

[v.mertikopoulou@kqlawfirm.gr](mailto:v.mertikopoulou@kqlawfirm.gr)



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### ATHENS OFFICE

28, Dimitriou Soutsou Str.,  
115 21 Athens

T +30 210 817 1500

F +30 210 685 6657-8

E [kg.law@kqlawfirm.gr](mailto:kg.law@kqlawfirm.gr)

### THESSALONIKI OFFICE

31, Politechniou Str.,  
551 34 Thessaloniki

T +30 2310 441 552

E [kg.law@kqlawfirm.gr](mailto:kg.law@kqlawfirm.gr)

[www.kqlawfirm.gr](http://www.kqlawfirm.gr)

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