

COMMISSION REGULATION (EC) No 323/2007**of 26 March 2007****amending Annex V to Regulation (EC) No 850/2004 of the European Parliament and of the Council
on persistent organic pollutants and amending Directive 79/117/EEC****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 ⁽¹⁾, and in particular Article 7(6), and Article 14(3) thereof,

Whereas:

- (1) As specified in Part 1 of Annex V to Regulation (EC) No 850/2004, the operations laid down in Part 2 of that Annex may also require in some cases pre-treatment operations. Therefore, Part 2 of Annex V needs to be amended accordingly.

- (2) The measures provided for in this Regulation are the most appropriate to ensure a high level of protection.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 18 of Council Directive 75/442/EEC of 15 July 1975 on waste ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex V to Regulation (EC) No 850/2004 is amended as 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, 26 March 2007.

For the Commission

Stavros DIMAS

Member of the Commission

⁽¹⁾ OJ L 158, 30.4.2004, p. 7, as corrected by OJ L 229, 29.6.2004, p. 5. Regulation as last amended by Council Regulation (EC) No 172/2007 (OJ L 55, 23.2.2007, p. 1).

⁽²⁾ OJ L 194, 25.7.1975, p. 39. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

ANNEX

In Part 2 of Annex V to Regulation (EC) No 850/2004 the following paragraph is added after the first sentence:

'Pre-treatment operations prior to permanent storage pursuant to this part of this Annex may be performed, provided that a substance listed in Annex IV that is isolated from the waste during the pre-treatment is subsequently disposed of in accordance with Part 1 of this Annex. In addition, repackaging and temporary storage operations may be performed prior to such pre-treatment or prior to permanent storage pursuant to this part of this Annex.'
