



EUROPEAN COMMISSION

DIRECTORATE-GENERAL

CLIMATE ACTION

Directorate C – Innovation for a Low Carbon, Resilient Economy

CLIMA.C.1 – Low Carbon Solutions (I): Montreal Protocol, Clean Cooling & Heating, Digital Transition

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CLIMA.C.1/TVI

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Subject: Decision XXXIV/4: Information on the EU restrictions on the import of refrigeration, heat-pump and cooling equipment

In response to Decision XXXIV/4, the European Union wishes to inform the Secretariat about the currently applicable restrictions of the import of certain refrigeration, air-conditioning and heat pump equipment containing or relying on controlled substances.

Please note that the relevant Regulations (Regulation (EC) No 1005/2009 ⁽¹⁾ and Regulation (EU) No 517/2014 ⁽²⁾) are currently under revision. An update will be provided when the revised Regulations are applicable.

1. Equipment containing or relying on controlled substances in Annexes A, B, C and E

The import of refrigeration, air-conditioning and heat pump equipment containing or relying on controlled substances in Annexes A, B, C and E, with the exception of personal effects, is prohibited (Article 15(1) of Regulation (EC) No 1005/2009). Exemptions for equipment for essential laboratory and analytical uses or of equipment containing or relying on halons for fire protection are not relevant in the context of Decision XXXIV/4.

The exceptional authorisation of the placing on the market and import of products and equipment containing hydrochlorofluorocarbons (Articles 11(5) and 15(2)(k) of Regulation (EC) No 1005/2009) is no longer of practical relevance.

⁽¹⁾ [Regulation \(EC\) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer \(europa.eu\)](#)

⁽²⁾ [Regulation \(EU\) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation \(EC\) No 842/2006Text with EEA relevance \(europa.eu\)](#)

However, the import of equipment for destruction is permitted, subject to licencing (Articles 15(2)(h), 15(3) and 18 of Regulation (EC) No 1005/2009).

2. Equipment containing or relying on controlled substance in Annex F

The import of equipment containing or relying on HFCs is permitted under Regulation (EU) No 517/2014 (F-Gas Regulation). The placing on the market of refrigeration, air-conditioning and heat pump equipment charged with HFCs is subject to the conditions set out in Articles 14 and 19(4) and (5) of the F-Gas Regulation, ensuring that the quantities of HFCs contained in such equipment are accounted for in the EU quota system, which implements the HFC phase-down of consumption under Montreal Protocol that targets bulk imports of HFCs.

a) Placing on the market bans under the F-Gas Regulation

However, the placing on the market of certain types of equipment is subject to a prohibition to be placed on the EU market (Article 11 and Annex III). The definition of ‘placing on the market’ includes the import of goods for ‘free circulation’ in the EU. The prohibition of placing on the market, therefore, comprises an import ban and exports to the EU of the goods specified in Annex III are unwanted, as of the dates on which the prohibitions become, or already became, applicable as specified in that Annex (see the relevant provisions in the Annex to this note).

The Customs codes provided in the Annex to this note cover only the most relevant ones for imports for the goods referred to above. The entire EU ‘Combined Nomenclature’ (CN codes) are constantly updated through implementing regulations adopted by the Commission and published in the Official Journal of the EU (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2022:282:FULL&from=EN>). The listed customs codes are therefore only indicative and non-exhaustive.

b) Restriction for the placing on the market due to minimum energy efficiency performance standards

For equipment not covered by the prohibitions mentioned above, their placing on the EU market might be restricted by energy efficiency requirements. Please consult this site for further details:

https://commission.europa.eu/energy-climate-change-environment/standards-tools-and-labels/products-labelling-rules-and-requirements/energy-label-and-ecodesign/energy-efficient-products_en.

Yours sincerely,

[e-signed]
Tom VAN IERLAND
Head of Unit

**PLACING ON THE MARKET PROHIBITIONS REFERRED TO IN
ARTICLE 11(1) OF REGULATION (EU) NO 517/2014**

Products and equipment	Date of prohibition	Relevant customs codes (non-exhaustive list, as applicable on 21 April 2023)
<p>Where relevant, the GWP of mixtures containing fluorinated greenhouse gases shall be calculated in accordance with Annex IV, as provided for in point 6 of Article 2</p> <p>(comment: In the case of mixtures, the GWP of the mixture, not the GWPs of the components counts)</p>		
<i>[1. to 9. Other applications of f-gases]</i>		
10.Domestic refrigerators and freezers that contain HFCs with GWP of 150 or more	1 January 2015	8418000000 and its sub-headings (specific codes for equipment pre-charged with HFCs must be used, in particular 8418102091; 8418108091; 8418211010; 8418219110; 8418219910; 8418302091; 841830809; 8418215110; 8418215910)
11.Refrigerators and freezers for commercial use (hermetically sealed equipment)	that contain HFCs with GWP of 2 500 or more	8418000000 and its sub-headings (specific codes for equipment pre-charged with HFCs must be used, in particular 8418102091; 8418108091; 8418211010; 8418219110; 8418219910; 8418302091; 8418308091; 8418402091;
	that contain HFCs with GWP of 150 or more	

			8418501110) 8418501910; 8418509010;
12. Stationary refrigeration equipment, that contains, or whose functioning relies upon, HFCs with GWP of 2 500 or more except equipment intended for application designed to cool products to temperatures below – 50 °C	1 January 2020		8418991000 and its sub-headings (specific codes for equipment pre-charged with HFCs must be used, in particular 8418991081)
13. Multipack centralised refrigeration systems for commercial use with a rated capacity of 40 kW or more that contain, or whose functioning relies upon, fluorinated greenhouse gases with GWP of 150 or more, except in the primary refrigerant circuit of cascade systems where fluorinated greenhouse gases with a GWP of less than 1 500 may be used	1 January 2022		8418991000 and its sub-headings (specific codes for equipment pre-charged with HFCs must be used, in particular 8418991081; 8415109010)
14. Movable room air-conditioning equipment (hermetically sealed equipment which is movable between rooms by the end user) that contain HFCs with GWP of 150 or more	1 January 2020		8415000000 and its sub-headings (specific codes for equipment pre-charged with HFCs must be used, in particular 8415101010)
15. Single split air-conditioning systems containing less than 3 kg of fluorinated greenhouse gases, that contain, or whose functioning relies upon, fluorinated greenhouse gases with GWP of 750 or more	1 January 2025		8415000000 and its sub-headings (specific codes for equipment pre-charged with HFCs must be used, in particular 8415109000; 8415200010; 8415820091)

<i>[16 and 17. Other applications of f-gases]</i>		
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