

Notice to exporters of controlled substances that deplete the ozone layer in the European Community regarding Regulation (EC) No 2037/2000 of the European Parliament and of the Council on 'Substances that deplete the ozone layer' ⁽¹⁾

(2001/C 231/03)

This Notice is addressed to undertakings that intend to export the following substances from the European Union during the period 1 January 2002 to 31 December 2002:

- Group I CFC 11, 12, 113, 114 or 115,
- Group II other fully halogenated CFCs,
- Group III halon 1211, 1301 or 2402,
- Group IV carbon tetrachloride,
- Group V 1,1,1 trichloroethane,
- Group VI methyl bromide,
- Group VII hydrobromofluorocarbons, or
- Group VIII hydrochlorofluorocarbons

Exports of chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbontetrachloride, 1,1,1-trichloroethane and hydrobromofluorocarbons or products and equipment, other than personal effects containing those substances on whose continuing function relies on the supply of these substances, are prohibited. Note that exceptions to this prohibition are exports of:

- controlled substances produced under Article 3(6) to satisfy the basic domestic needs of Parties pursuant to Article 5 of the Protocol,
- controlled substances produced under Article 3(7) to satisfy essential or critical uses of Parties,
- products and equipment containing controlled substances produced under Article 3(5) or imported under Article 7(b) of the Regulation,
- products and equipment containing halons to satisfy critical uses listed in Annex VII of the Regulation,
- controlled substances to be used for feedstock and processing agent applications,
- metered dose inhalers and delivery mechanisms containing chlorofluorocarbons for hermetically sealed devices for implantation in the human body for delivery of measured doses of medication which under Article 4(1), may be given a temporary authorisation in accordance with the procedure referred to in Article 18(2).

Export of methyl bromide to any State not Party to the Protocol is prohibited.

Under Article 11(3) export of hydrochlorofluorocarbons to any State not Party to the Protocol shall be prohibited from 1 January 2004.

Article 12 of Regulation (EC) No 2037/2000 on substances that deplete the ozone layer requires the authorisation of exports of the substances listed under Groups I to VIII of Annex I to this Notice (see also Annex I of the Regulation). Such export authorisations should be issued by the Commission after verification of compliance to Article 11 of the Regulation.

For the purposes of the Regulation, quantities are measured in ODP kilograms to reflect the ozone depleting potential of the substance ⁽²⁾.

An undertaking wishing to export controlled substances listed under Groups I to VIII of Annex I of this Notice for the 12-month period from 1 January 2002 to 31 December 2002, should apply to the Commission for an export authorisation number (EAN), **preferably no later than one month after the publication of this notice**. They should complete and submit the relevant form(s) according to the export substance(s), which can be found on the Europa Internet website: <http://europa.eu.int/comm/environment/ods/index.htm>. An undertaking that does not have Internet access may address its application by mail to:

Ms Sabine Cardinal
Ozone Layer Protection
European Commission
Directorate-General Environment
Unit ENV.E.1 — Climate change
Rue de la Loi/Wetstraat 200
B-1049 Brussels.

Further enquiries can also be made by fax (32-2) 299 87 64, or by e-mail to sabine.cardinal@cec.eu.int.

A copy of the application should also be sent to the competent authority of the Member State (see Annex II).

An EAN will be provided and the applicant notified providing the application meets the eligibility criteria for an export authorisation number. Undertakings may export the controlled substances listed in Annex I to this Notice during the course of 2002 only if they are in possession of an EAN issued by the Commission. The Commission reserves the right to withhold requests in cases where it is not satisfied with the information provided.

⁽¹⁾ OJ L 244, 29.9.2000, p. 1, as amended by Regulation (EC) No 2038/2000 (OJ L 244, 29.9.2000, p. 25) and Regulation (EC) No 2039/2000 (OJ L 244, 29.9.2000, p. 26).

⁽²⁾ For mixtures: only the quantity of the controlled substances in the mixture should be included in the ODP quantity. 1,1,1-trichloroethane is always put on the market with stabilisers. Exporters should establish from their supplier what is the percentage of stabiliser to be deducted before calculating the ODP-weighted tonnage.

ANNEX 1

Substances covered

Group	Substances	Ozone-depleting potential ⁽¹⁾
Group I	CFCl ₃ (CFC 11)	1,0
	CF ₂ Cl ₂ (CFC 12)	1,0
	C ₂ F ₃ Cl ₃ (CFC 113)	0,8
	C ₂ F ₄ Cl ₂ (CFC 114)	1,0
	C ₂ F ₅ Cl (CFC 115)	0,6
Group II	CF ₃ Cl (CFC 13)	1,0
	C ₂ FCl ₅ (CFC 111)	1,0
	C ₂ F ₂ Cl ₄ (CFC 112)	1,0
	C ₃ FCl ₇ (CFC 211)	1,0
	C ₃ F ₂ Cl ₆ (CFC 212)	1,0
	C ₃ F ₃ Cl ₅ (CFC 213)	1,0
	C ₃ F ₄ Cl ₄ (CFC 214)	1,0
	C ₃ F ₅ Cl ₃ (CFC 215)	1,0
	C ₃ F ₆ Cl ₂ (CFC 216)	1,0
	C ₃ F ₇ Cl (CFC 217)	1,0
Group III	CF ₂ BrCl (halon 1211)	3,0
	CF ₃ Br (halon 1301)	10,0
	C ₂ F ₄ Br ₂ (halon 2402)	6,0
Group IV	CCl ₄ (carbon tetrachloride)	1,1
Group V	C ₂ H ₃ Cl ₃ ⁽²⁾ (1,1,1-trichloroethane)	0,1
Group VI	CH ₃ Br (methyl bromide)	0,6
Group VII	CH ₂ FBr ₂	1,00
	CHF ₂ Br	0,74
	CH ₂ FBr	0,73
	C ₂ H ₂ FBr ₄	0,8
	C ₂ H ₂ F ₂ Br ₃	1,8
	C ₂ H ₂ F ₃ Br ₂	1,6
	C ₂ H ₂ F ₄ Br	1,2
	C ₂ H ₂ FBr ₃	1,1
	C ₂ H ₂ F ₂ Br ₂	1,5
	C ₂ H ₂ F ₃ Br	1,6
	C ₂ H ₃ FBr ₂	1,7
	C ₂ H ₃ F ₂ Br	1,1
	C ₂ H ₄ FBr	0,1
	C ₃ H ₂ FBr ₆	1,5
	C ₃ H ₂ F ₂ Br ₅	1,9
	C ₃ H ₂ F ₃ Br ₄	1,8
	C ₃ H ₂ F ₄ Br ₃	2,2
	C ₃ H ₂ F ₅ Br ₂	2,0
	C ₃ H ₂ F ₆ Br	3,3
	C ₃ H ₂ FBr ₅	1,9
	C ₃ H ₂ F ₂ Br ₄	2,1
	C ₃ H ₂ F ₃ Br ₃	5,6
	C ₃ H ₂ F ₄ Br ₂	7,5
	C ₃ H ₂ F ₅ Br	1,4
	C ₃ H ₃ FBr ₄	1,9
	C ₃ H ₃ F ₂ Br ₃	3,1
	C ₃ H ₃ F ₃ Br ₂	2,5

Group	Substances	Ozone-depleting potential ⁽¹⁾
Group VII (cont'd)	C ₃ H ₃ F ₄ Br	4,4
	C ₃ H ₄ FBr ₃	0,3
	C ₃ H ₄ F ₂ Br ₂	1,0
	C ₃ H ₄ F ₃ Br	0,8
	C ₃ H ₅ FBr ₂	0,4
	C ₃ H ₅ F ₂ Br	0,8
	C ₃ H ₆ FBr	0,7
Group VIII	CHFCl ₂ (HCFC 21) ⁽²⁾	0,040
	CHF ₂ Cl (HCFC 22) ⁽²⁾	0,055
	CH ₂ FCl (HCFC 31)	0,020
	C ₂ HFCl ₄ (HCFC 121)	0,040
	C ₂ HF ₂ Cl ₃ (HCFC 122)	0,080
	C ₂ HF ₃ Cl ₂ (HCFC 123) ⁽²⁾	0,020
	C ₂ HF ₄ Cl (HCFC 124) ⁽²⁾	0,022
	C ₂ H ₂ FCl ₃ (HCFC 131)	0,050
	C ₂ H ₂ F ₂ Cl ₂ (HCFC 132)	0,050
	C ₂ H ₂ F ₃ Cl (HCFC 133)	0,060
	C ₂ H ₃ FCl ₂ (HCFC 141)	0,070
	CH ₃ CFCl ₂ (HCFC 141b) ⁽²⁾	0,110
	C ₂ H ₃ F ₂ Cl (HCFC 142)	0,070
	CH ₃ CF ₂ Cl (HCFC 142b) ⁽²⁾	0,065
	C ₂ H ₄ FCl (HCFC 151)	0,005
	C ₃ HFCl ₆ (HCFC 221)	0,070
	C ₃ HF ₂ Cl ₅ (HCFC 222)	0,090
	C ₃ HF ₃ Cl ₄ (HCFC 223)	0,080
	C ₃ HF ₄ Cl ₃ (HCFC 224)	0,090
	C ₃ HF ₅ Cl ₂ (HCFC 225)	0,070
	CF ₃ CF ₂ CHCl ₂ (HCFC 225ca) ⁽²⁾	0,025
	CF ₂ ClCF ₂ CHClF (HCFC 225cb) ⁽²⁾	0,033
	C ₃ HF ₆ Cl (HCFC 226)	0,100
	C ₃ H ₂ FCl ₅ (HCFC 231)	0,090
	C ₃ H ₂ F ₂ Cl ₄ (HCFC 232)	0,100
	C ₃ H ₂ F ₃ Cl ₃ (HCFC 233)	0,230
	C ₃ H ₂ F ₄ Cl ₂ (HCFC 234)	0,280
	C ₃ H ₂ F ₅ Cl (HCFC 235)	0,520
	C ₃ H ₃ FCl ₄ (HCFC 241)	0,090
	C ₃ H ₃ F ₂ Cl ₃ (HCFC 242)	0,130
	C ₃ H ₃ F ₃ Cl ₂ (HCFC 243)	0,120
	C ₃ H ₃ F ₄ Cl (HCFC 244)	0,140
	C ₃ H ₄ FCl ₃ (HCFC 251)	0,010
	C ₃ H ₄ F ₂ Cl ₂ (HCFC 252)	0,040
	C ₃ H ₄ F ₃ Cl (HCFC 253)	0,030
	C ₃ H ₅ FCl ₂ (HCFC 261)	0,020
	C ₃ H ₅ F ₂ Cl (HCFC 262)	0,020
	C ₃ H ₆ FCl (HCFC 271)	0,030

⁽¹⁾ These ozone-depleting potentials are estimates based on existing knowledge and will be reviewed and revised periodically in the light of decisions taken by the Parties to the Montreal Protocol on substances that deplete the ozone layer.

⁽²⁾ This formula does not refer to 1,1,2-trichloroethane.

⁽³⁾ Identifies the most commercially-viable substance as prescribed in the Protocol.

ANNEX II

BELGIQUE/BELGIË

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