

OTHER ACTS

EUROPEAN COMMISSION

Notice to producers and importers of hydrofluorocarbons and to new undertakings intending to place hydrofluorocarbons in bulk on the market in the European Union in 2017

(2016/C 26/07)

1. This Notice is addressed to undertakings that are concerned by the Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 (hereafter 'the Regulation') ⁽¹⁾:
 - (a) **producers** and **importers** that have been assigned a reference value by Commission Implementing Decision 2014/774/EU ⁽²⁾;
 - (b) all **other undertakings that intend to place** at least 100 tonnes of CO₂ equivalent of hydrofluorocarbons on the Union market in 2017, not having been assigned a reference value by Implementing Decision 2014/774/EU.
 2. Hydrofluorocarbons means substances, listed in section 1 of Annex I of the Regulation, or mixtures containing any of these substances:

HFC-23, HFC-32, HFC-41, HFC-125, HFC-134, HFC-134a, HFC-143, HFC-143a, HFC-152, HFC-152a, HFC-161, HFC-227ea, HFC-236cb, HFC-236ea, HFC-236fa, HFC-245ca, HFC-245fa, HFC-365mfc, HFC-43-10mee.
 3. Any placing on the market of these substances, except for the uses listed in Article 15(2) points (a) to (e) of the Regulation, needs to be accounted for in the quota system laid down in Article 15 and 16 of the Regulation.
 4. Furthermore, placing on the market of hydrofluorocarbons by each undertaking is subject to quantitative limits. The Commission allocates quotas for the undertakings listed in points 1 a) and b) of this Notice.
 5. All data submitted by companies, quotas and reference values are stored online in the HFC Registry accessible via the F-Gas Portal ⁽³⁾ in accordance with Article 17 of the Regulation. All data in the HFC Registry including quotas, reference values, commercial and personal data will be treated as confidential by the European Commission.
- For producers and importers that have been assigned a reference value by Implementing Decision 2014/774/EU, as referred to in point 1 a) of this Notice, only**
6. Any such undertaking is allocated a quota by the Commission for 2017 in accordance with Article 16(1) and (5) as well as Annexes V and VI of the Regulation. Undertakings will thus receive 89 % of 93 % (i.e. 82,77 %) of their reference value specified in Implementing Decision 2014/774/EU as their quota for 2017.
 7. If the undertaking intends to place, pursuant to Article 16(4) of the Regulation, additional quantities of hydrofluorocarbons on the market exceeding the quota allocated to them on the basis of their reference value, the undertaking must make a 'declaration on additional anticipated quantities for 2017' in the electronic HFC Registry accessible online via the F-Gas Portal. **Such declarations will only be possible in the period 1 April until 31 May 2016.**
 8. Only duly completed 'declarations on additional anticipated quantities' that are free of errors and received before **1 June 2016** will be considered as valid by the Commission.
 9. Based on these declarations, the Commission may allocate additional quota, if available, in accordance with Article 16(4) as well as Annexes V and VI of the Regulation, to these undertakings.
 10. The Commission will inform the undertakings about the total allocated quota for 2017 via the HFC Registry.

⁽¹⁾ OJ L 150, 20.5.2014, p. 195.

⁽²⁾ OJ L 318, 5.11.2014, p. 28.

⁽³⁾ <https://webgate.ec.europa.eu/ods2/resources/domain>

11. The 'declaration on additional anticipated quantities' by itself does not give any right to place additional hydrofluorocarbons on the market in 2017 exceeding the quota allocated on the basis of the reference value.

For undertakings that have not been assigned a reference value by Implementing Decision 2014/774/EU, as referred to in point 1 b) of this Notice, only

12. Any such undertaking that in 2017 wishes to place on the market hydrofluorocarbons needs to follow the procedure described in points 13 to 18 of this Notice.
13. The undertaking needs to be registered as a producer and/or importer of hydrofluorocarbons in the online HFC Registry, accessible via the F-gas Portal. For companies that are not yet registered, guidance on how to register is available on the DG CLIMA website ⁽¹⁾.
14. Furthermore, the undertaking must make a 'declaration on intention to place hydrofluorocarbons on the market in 2017' in the online HFC Registry, accessible via the F-Gas Portal. **Such declarations will only be possible in the period 1 April until 31 May 2016.**
15. Only duly completed 'declarations on intention to place hydrofluorocarbons on the market' that are free of errors and received before **1 June 2016** will be considered as valid by the Commission.
16. Based on these declarations, the Commission may allocate quota to these undertakings in accordance with Article 16(2) and 16(5) as well as Annexes V and VI of the Regulation.
17. The Commission will inform the undertakings about the total allocated quota for 2017 via the online HFC Registry.
18. The registration in the HFC Registry and/or a 'declaration on intention to place hydrofluorocarbons on the market in 2017' by itself does not give any right to place hydrofluorocarbons on the market in 2017.

⁽¹⁾ http://ec.europa.eu/clima/policies/f-gas/reporting/index_en.htm