

## PRESS RELEASE

### **Commission Published Proposal for a Revised Regulation on Substances that deplete the Ozone Layer (Montreal Protocol substances).**

**EFCTC supports the objectives of the proposal, to simplify, improve consistency with other regulations and address the new challenges for final phase-out, but has concerns that some of these objectives have not been delivered in key areas.**

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Brussels, 5 August 2008: On the 1<sup>st</sup> August, the Commission published its proposal for a revised Regulation on substances that deplete the ozone layer. These are substances controlled by the Montreal Protocol, which has been in place for nearly 21 years and is considered the most successful multi-lateral environmental agreement.

The objectives of the proposal are simplification, improved consistency with other regulations such as the F-Gas Regulation, and addressing new challenges for final phase-out of ozone depleting substances.

EFCTC supports these objectives but has concerns about the proposed measures relating to the feedstock use, new substances and recycling of HCFCs.

“One of the aims of the review was to ensure better regulation, but the proposals would lead to micro-management, and more importantly could discourage the recovery and recycling of HCFCs” said Nick Campbell, EFCTC Chairman. “Furthermore, the proposals have discarded some basic definitions of the Montreal Protocol that have been in place for many years and rewritten them in a way that includes new substances that are currently excluded from the Montreal Protocol on scientific grounds, and imposes unnecessary further obligations on feedstock use”

The proposal strengthens containment and recovery measures for HCFCs aligning them more closely with provisions in F-Gas Regulation, requiring better recovery and improved training for technicians.

“The improved containment measures are a very positive outcome” continued Nick Campbell “Industry wants to ensure that all systems are correctly treated to minimize emissions of all refrigerants. The skills and training required for F-Gases should be identical to those needed for HCFC systems. Unfortunately this drive towards better training and certification, to encourage improved refrigerant recovery and recycling is then offset by unnecessary restrictions on the use of recycled HCFCs.”

The restrictions on the use of recycled HCFCs are totally unexpected based on the reports from the review process and the provisions of the existing Regulation 2037/2000, which allows the use of recycled HCFCs for servicing until 2015 and does not differentiate between recycled and reclaimed HCFCs. The proposal only allows reclaimed HCFCs to be used for general servicing of other equipment, and restricts recycled HCFCs to the equipment from which they were removed.

“EFCTC supports measures that ensure HCFC are properly recycled and illegal imports of virgin HCFCs are discouraged, but the proposed measures are not the best option” stated Nick Campbell.



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The context of the proposal recognises that there are a number of outstanding challenges that need tackling from an EU or global perspective. One of the challenges is the final phase-out of CFCs for use in metered dose inhalers (MDIs) for the treatment of asthma in Article 5 countries (developing countries). This transition is only now reaching completion in developed countries. It is quite possible that high quality pharmaceutical grade CFCs will be needed for a limited period after 2010 due to the difficulties of implementing the replacements, However the Commission proposal does not take this into account and bans production and export with no suitable exemptions.

“We look forward to a dialogue with the Parliament and Member States to improve the measures in the final Regulation” added Campbell.

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### Notes to Editors

- (1) The Montreal Protocol has been hailed as one of the most successful multilateral environmental agreements. First signed in 1987, it has resulted in the rapid reduction of ozone-depleting substances relying on an integrated system of scientific, technical and economic assessment processes and implementation by developed and developing countries, with the help of important multilateral funding assistance for the developing countries.

By 2006 the EU production of HCFCs was less 10% of the global HCFC production excluding production for feedstock use.

EFCTC member companies have played a leading role in the introduction of alternatives to ozone depleting substances. In many cases, for societally important uses such as in the refrigeration, air-conditioning, foam insulation, aerosol industries and for use in MDIs for the treatment of asthma, these alternatives include the introduction of hydrofluorocarbons (HFCs) as low-toxicity, energy-efficient, drop-in replacements. Whilst these products have global warming potentials, although in general lower than the CFCs and HCFCs they replace, their containment and responsible use can lead to overall climate benefits.

- (2) The European Fluorocarbon Technical Committee (EFCTC) represents the producers of fluorocarbons in the EU. Further information can be found on-line at: [www.fluorocarbons.org](http://www.fluorocarbons.org)  
For further information about the F-Gas Regulation see [www.figaroo.org](http://www.figaroo.org) a pan-European resource for users of HFCs, designed to share information and best practice.