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**Sixteenth Meeting of the Parties
to the Montreal Protocol on
Substances that Deplete the
Ozone Layer**
Prague, 22–26 November 2004
Item 6 (e) of the provisional agenda *

**Consideration of issues related to ratification, data reporting, compliance
and international and illegal trade: monitoring of trade in ozone-depleting
substances and preventing illegal trade in ozone-depleting substances (decision XIV/7)**

**Information reported by the Parties to the Montreal Protocol on
illegal trade in ozone-depleting substances (paragraph 7 of
decision XIV/7)**

Note by the Secretariat

By paragraph 7 of decision XIV/7, the Parties to the Montreal Protocol requested the Secretariat to collect any information on illegal trade received from the Parties and disseminate it to them. The information reported by Parties to the Secretariat in 2004 pursuant to this decision has been summarized in the annex to the present note. Other cases of illegal trade that were reported to the Secretariat in 2003 were circulated to Parties in document UNEP/OzL.Pro.15/INF.6 (which is posted on the Secretariat's web site) in October 2003 and have not been included in the present note.

* UNEP/OzL.Pro.16/1.

Annex

Party	Date	Substances traded	Volume	Exporting country	Details of the illegal ODS trade
Czech Republic	November 2002	HCFC-22	374.4 kg	Not provided	Illegal import of heat pumps containing ODS into the Czech Republic by a company, Polymat, s.r.o. Osvoboditelu 182 767 10 Kromeriz.
	November 2002	HCFC-22	13.6 kg	Czech Republic	Illegal storage and export of air-conditioning units containing ODS.
	May 2003	HCFC-22	Not available	Not provided	Illegal import of air-conditioning units containing ODSs to Czech Republic and recovery of ODS without proper permission issued by MoE CR by a company, GEA Klimatizace Vesecka 1 463 12 Liberec.
Georgia	March 2004	CFC-12	Not provided	United Arab Emirates	Counterfeit "Genatron 134a" cylinders purportedly containing HFC-134a imported from Dubai to Tbilisi (Georgia). The cylinders after testing with gas identifiers revealed to contain CFC-12. The trade name used is <u>genatron</u> and not <u>genatron</u> .
Japan	July 2001	CFC-12	31,112 kg (each 300 g x 103,705 cans)	China	A firm purchased 103,705 cans of CFC-12 knowing the substance was illegal to import.
Japan	October 2002	CFC-13	4,536kg (each 250 g X 18,142 cans)	China	A firm tried to import 18,142 cans of CFC-12 from China. The firm falsely declared to customs authorities that the drums contained ethylene glycol.
Philippines	May 2003	CFC-12 & HCFC-22	2,076 disposable cylinders of 13.6 kg each	China	The physical examination of the contents of two container vans revealed boxes of CFC-12 concealed behind layers of HCFC-22 boxes. The first 2 layers were HCFC-22, while the rest were CFC-12. The shipment was forfeited in favour of the Government. In accord with the tariff and customs code of the Philippines, the forfeited shipment should be sold at auction. Only registered importers will be allowed to participate in the auction, and any ODS they purchase will be deducted from their quota allocation. The importer was fined 50,000 pesos and suffered revocation of certificate of registration and permit to import.
Philippines	May 2003	CFC-12 & HCFC-22	454 cylinders of 13.6 kg each	China	Using Neutron refrigerant identifier, the shipment was tested and found to be 30.7% HFC-134a, 9.9% CFC-12, 48.3% HCFC-22, and 11.1% hydrocarbon, instead of pure HFC-134a, as declared. If computed by percentage weight, CFC-12 amounted to 539 kilograms.
Sri Lanka	January 2003	CFC-12	26 cylinders of R 502 (mixtures of CFC and HCFC)	Not provided	These cylinders were detained by customs authorities.
	April 2003	CFC-12	200 cylinders of CFC-12 mislabelled as HFC-134a	China	Investigation revealed that a Chinese company named "Ningbo Free Zone, Sino- Resource, Import and Export Company Limited" manufactured the illegal consignment. The company claimed that it mistakenly filled the HFC-134a cylinders with CFC 12. The importer was fined. The consignment was forfeited and sold at auction to "Koolair Limited", a company with a valid quota to import ODS. The purchased amount was deducted from Koolair's quota.
	May 2003	CFC-12	1 cylinder of CFC-12 and	Not provided	The cylinders were detained by the customs authorities.

Party	Date	Substances traded	Volume	Exporting country	Details of the illegal ODS trade
			3 cylinders of R 502 (mixture of CFC & HCFC) and 8 cylinders of CFC-11		
	May 2004	CFC-12	Refrigerated container working with CFC-12	Not provided	This was directed for retrofitting.
Thailand	May 2003	CFC-12	680 kg of CFC-12 "Refron"	India	Custom officers were alerted by an informer.
	June 2003	CFC-12	653 kg of CFC-12 "Refron"	Not provided	
	June 2003	CFC-12	454 kg of CFC-12 "Refron"	India	Seized by a special Khong River division during transport across the river from the Lao People's Republic to Thailand. Prosecution of the case has not yet begun.
Thailand	June 2003	CFC-12	2,978.7 kg of CFC-12 "Refron"	India	
	July 2003	CFC-12	952 kg of CFC-12 "Refron"	India	Smuggling took place from the Lao People's Republic to Thailand by crossing the Khong River and then transport by pickup truck.
	July 2003	CFC-12	680 kg of CFC-12 "Refron"	Not provided	
	July 2003	CFC-12	4,923.2 kg of CFC-12 "Refron"	India	