



# Practical implementation of HS codes for HFCs in the EU

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*UNEP side event MOP 34*

# EU legislation on fluorinated gases (incl. HFCs)

## 2006 1st F-gas Regulation:

- „Containment“: Training & Certification, Leak checks, End-of-life treatment, Penalties, Labelling, Reporting etc..
- But also i.a. prohibition of HFC>150 in passenger cars (2011 type approved/2017 new) and **non-refillable cylinders**

## 2014 2nd F-gas Regulation:

- HFC quota system for placing on the market (imports relevant!)
- Many more prohibitions (RAC, foams, aerosols, fire protection,..)

→ **Custom controls important!**

→ **Custom codes greatly facilitate controls!**

# EU TARIC code (27 countries plus, so far, UK)

- TARIC (the integrated Tariff of the European Union), is a multilingual database integrating all measures relating to EU customs tariff, commercial and agricultural legislation

[http://ec.europa.eu/taxation\\_customs/dds2/taric/taric\\_consultation.jsp?Lang=en](http://ec.europa.eu/taxation_customs/dds2/taric/taric_consultation.jsp?Lang=en)

Integrating and coding these measures facilitates

- their uniform application by all Member States
  - gives all economic operators a clear view of measures to be taken when importing goods into the EU or exporting goods from the EU.
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- Up to 12 digits, the 1<sup>st</sup> 6 digits are from HS
  - Can be adjusted centrally, and put in place after consulting with national competent authorities

# More granularity on HFCs (2016)

2903392100	80	R32	Difluoromethane
2903392300	80	R23	Trifluoromethane
2903392400	80		Pentafluoroethane and 1,1,1-trifluoroethane
2903392410	80	R125	Pentafluoroethane (CAS RN 354-33-6)
2903392490	80	R143a	Other
2903392500	80	R152a	1,1-difluoroethane
2903392600	80		1,1,1,2-tetrafluoroethane
2903392610	80	R134a (MDI)	1,1,1,2-Tetrafluoroethane feedstock for pharmaceutical production
2903392690	80	R134a	Other
2903392700	80		Pentafluoropropanes, hexafluoropropanes and heptafluoropropanes
2903392710	80	R245fa	1,1,1,3,3-Pentafluoropropane (CAS RN 460-73-1)
2903392790	80		Other

Objective: The most relevant HFCs have their unique code,  
**Above codes have been refined further in the meantime**

# Mixtures & HFOs (2016)

3824 78		Containing PFCs or HFCs, but not containing CFCs or HCFCs:
3824 78 10	507A	Containing only 1,1,1-trifluoroethane and pentafluoroethane
3824 78 20	R404A	Containing only 1,1,1-trifluoroethane, pentafluoroethane and 1,1,1,2-tetrafluoroethane
3824 78 30	R410x	Containing only difluoromethane and pentafluoroethane
3824 78 40	R407x	Containing only difluoromethane, pentafluoroethane and 1,1,1,2-tetrafluoroethane
3824 78 80		Containing unsaturated hydrofluorocarbons
3824 78 90		Other
2903393100 10		Unsaturated fluorides
2903393100 80	R1234yf	2,3,3,3-tetrafluoropropene
2903393500 80		1,3,3,3-tetrafluoropropene
2903393510 80	R1234ze	Trans-1,3,3,3-tetrafluoroprop-1-ene
2903393590 80		Other

**Above codes have been refined further in the meantime**

# Equipment (2017)

8415000000	80	Air-conditioning machines
8415100000	80	Of a kind designed to be fixed to a window, wall, ceiling or floor, self-contained or "split-system"
<b>8415101000</b>	<b>80</b>	<b>Self-contained</b>
8415101010	80	Pre-charged with hydrofluorocarbons (HFCs)
8415101090	80	Other
<b>8415109000</b>	<b>80</b>	<b>Split-system</b>
8415109010	80	Pre-charged with hydrofluorocarbons (HFCs)
8415109090	80	Other
<b>8415200000</b>	<b>80</b>	<b>Of a kind used for persons, in motor vehicles</b>
8415200010	80	Pre-charged with hydrofluorocarbons (HFCs)
8415200090	80	Other
...		

Many types of RAC equipment have been updated in this way

# TARIC document codes (Update 2021)

E.g for bulk HFCs „flagging“ of

- **Prohibitions** according to Fgas Regulation
- Need to provide evidence of R23 by-production destruction
- Need for importer to have a registration (**license**)
- Need for **quota**
- Need for **labelling**

2903 39 21 ▼ - - - - Difluoromethane

ERGA OMNES (ERGA OMNES 1011)

→ Import control of fluorinated greenhouse gases (01-01-2020 - ) (CDS82) (CDS87)

[R0517/14](#)

[Hide conditions]

B1	Presentation of a certificate/licence/document <b>Y 053</b>	Import/export allowed after control
B2	Presentation of a certificate/licence/document <b>Y 054</b>	Import/export allowed after control
B3	Presentation of a certificate/licence/document	Import/export not allowed after control
Y1	Other conditions <b>Y 926</b>	Import/export allowed after control
Y2	Other conditions	Import/export not allowed after control

Additional information/Documents produced/Certificates and authorisations

Y053 Goods not concerned by labelling requirements on fluorinated greenhouse gases as referred to Article 12, paragraph 1 of Regulation (EU) No 517/2014

Y054 Goods labelled according to the provisions of Article 12, paragraph 1 of Regulation (EU) No 517/2014

Y926 Goods not concerned by import prohibition on fluorinated greenhouse gases

[Specific Help]

# Future: EU Single Window Environment for Customs

- The European Commission has made a proposal to create an EU Single Window for Customs with mandatory participation of all 27 EU countries → expected as law in ca. 2022
- IT system („CERTEX“) to connect customs in Member States to EU-database on fluorinated gases (incl HFCs) will become available in 2021
  - Automatic cross-check controls (licenses) of all shipments of bulk HFCs and equipment
  - Relevant import data stored centrally
  - Allows for quantity management of quotas („debit system“)
    - Traders will have real-time transparency on their use of quotas
    - Competent authorities can enforce better

# Thank you

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