

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(90) 3 final

Brussels, 14 March 1990

Proposal for a  
COUNCIL REGULATION (EEC)  
on substances that deplete the ozone layer

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(presented by the Commission)

EXPLANATORY MEMORANDUM

1. The Community concluded the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer with the Council Decision 88/540/EEC (1) of 14 October 1988. The Montreal Protocol is implemented in the Community through the Council Regulation (EEC) No 3322/88 (2) of 14 October 1988 on Certain Chlorofluorocarbons and Halons which Deplete the Ozone Layer.
2. The Montreal Protocol was signed in September 1987. Its scientific basis was the theoretical prediction that if CFC and halon abundances continue to grow for the next few decades, there would eventually be substantial ozone layer depletion.
3. Recent scientific evidence has, however, indicated that the control measures provided for in it are not adequate. This evidence concerns mainly the Antarctic ozone hole, the perturbed Arctic chemistry and the long-term ozone decreases in the northern hemisphere of 3 to 5.5% from 1969 to 1988 in the winter months. The same evidence has also shown that carbon tetrachloride and methyl chloroform deplete the ozone layer.
4. In this context, the Council concluded on 2 March 1989 that there is a need, both within the Community and at a global level, for a reduction of at least 85% as soon as possible in the current level of production and use of the CFCs with a view to their being eliminated towards the end of the century.
5. At the London Conference on "Saving the Ozone Layer" the Commission's position was the reduction of 85% to be achieved before 1995 and the total elimination well before the end of the century, in 1996 or 1997.
6. On the basis of the scientific evidence and the expressed political will, the Commission submits a proposal for the revision of the Council Regulation (EEC) No 3322/88 on certain chlorofluorocarbons and halons which deplete the ozone layer and for the adoption of measures that are considered to be adequate for the protection of the ozone layer. More concretely, the Commission proposes more stringent controls on CFCs and halons which include their phase-out by 1997 and 1999 respectively as well as controls on carbon tetrachloride, methyl chloroform and other fully halogenated CFCs.
7. The Commission has reviewed the economic situation of the European CFC market. The outcome from this review is that, on the basis of the existing legislation in the Member States, there appear to be neither current or eventual obstacles to the free circulation of products related to CFCs nor any risk of distortion of competition between producers.

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(1) OJ L 297, 31 October 1988, p. 8.

(2) OJ L 297, 31 October 1988, p. 1.

8. However, the evolution of this situation has to be carefully surveyed. In any case, the Commission will consider possible different approaches to that of the present proposal, in the framework of the discussions to be held for the revision of the Montreal Protocol in London in June 1990.

9. The Commission will also survey the market of substitutes to CFCs, particularly with respect to the ozone-depleting potential.

Proposal for a  
COUNCIL REGULATION (EEC)

on substances that deplete the ozone layer

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113 and 130s thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament(1),

Having regard to the opinion of the Economic and Social Committee(2),

Whereas it is established that continued emissions of ozone depleting substances at current levels cause significant damage to the ozone layer; whereas there is an international consensus that significant reductions in both production and consumption of such substances are necessary; whereas Decisions 80/372/EEC(3) and 82/795/EEC(4) provide controls which are of limited effect and which cover only two such substances (CFC 11 and CFC 12);

Whereas in view of the responsibilities of the Community for the environment and trade, the Council has approved by Decision 88/540/EEC(5) the Vienna Convention for the protection of the ozone layer and the Montreal Protocol on substances that deplete the ozone layer;

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(1) ...

(2) ...

(3) OJ No L 90, 3.4.1980, p. 45.

(4) OJ No L 329, 25.11.1982, p. 29.

Whereas it is necessary for action to be taken at Community level to carry out the Community's obligations under the Convention and the Protocol, in particular to control production and consumption within the Community of certain chlorofluorocarbons and halons;

Whereas, on the basis of the existing legislation in the Member States, there appear to be neither current nor potential obstacles to the free circulation of products related to CFCs nor any risk of distortion of competition between producers;

Whereas the Protocol also requires certain restrictions to be imposed on trade with States which are not Parties to the Protocol, and requires certain data to be reported;

Whereas Council Regulation (EEC) No 3322/88 (6) provides for controls on certain chlorofluorocarbons and halons which deplete the ozone layer;

Whereas the more recent scientific evidence indicates that for the adequate protection of the ozone layer a higher degree of control of chlorofluorocarbons and halons is required than that provided by Regulation (EEC) No 3322/88; whereas the same evidence indicates that additional controls should be placed on all other fully halogenated chlorofluorocarbons, carbon tetrachloride and methyl chloroform;

Whereas on 2 March 1989 the Council concluded that there is a need for a reduction as soon as possible of at least 85% in the current level of production and use of chlorofluorocarbons with a view to their being eliminated towards the end of the century;

Whereas bearing in mind the market structure for chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform, it is appropriate to control consumption of these substances by controlling supply rather than demand; whereas supply can be controlled by limiting sales and use by producers in the Community, and by limiting imports;

Whereas it is necessary to keep under review the evolution of the market for the above substances, particularly with regard to sufficient supply for essential uses, and the state of development of appropriate substitutes;

Whereas additional Community measures may be needed to carry out the Community's obligations under the Protocol in respect of research and development, and technical assistance;

Whereas Regulation (EEC) No 3322/88 should be repealed,

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(5) OJ No L 297, 31.10.1988, p. 8.

(6) OJ No L 297, 31.10.1988, p. 1.

HAS ADOPTED THIS REGULATION:

### Article 1

This Regulation applies to the importation, exportation, production and consumption of chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform referred to in Annex I, as defined in Article 2.

### Article 2

#### Definitions

In this Regulation:

- 'the Protocol' means the Montreal Protocol on substances that deplete the ozone layer,
- 'chlorofluorocarbons' means the substances listed in Group I of Annex I,
- 'other fully halogenated chlorofluorocarbons' means saturated compounds containing all of, and only carbon fluorine and chlorine except those whose normal boiling or sublimation point has been shown to be in excess of 150 degrees Celsius,
- 'halons' means the substances listed in Group II of Annex I,
- 'carbon tetrachloride' means the substance listed in Group III of Annex I,
- 'methyl chloroform' means the substance listed in Group IV of Annex I,
- 'producer' means any natural or legal person manufacturing chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride or methyl chloroform within the Community,
- 'undertaking' means any natural or legal person which produces or uses in the Community chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride or methyl chloroform for industrial or commercial purposes or which imports those substances into, or exports them from, the Community for industrial or commercial purposes,
- 'ozone-depleting potential' means the figure specified in the final column of Annex I representing the potential effect of each substance on the ozone layer,
- 'calculated level' means a quantity determined by multiplying the quantity of each substance by the ozone-depleting potential of that substance specified in Annex I

and by adding together, for each group of substances in Annex I separately, the resulting figures,

- 'industrial rationalization' means the transfer either between Parties to the Protocol or within a Member State of all or a portion of the calculated level of production of one producer to another, for the purpose of achieving economic efficiencies or responding to anticipated shortfalls in supply as a result of plant closures.

## PART I

### Import Regime

#### Article 3

1. The importation into the Community of chloro-fluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform originating in third countries which are Parties to the Protocol shall be subject to quantitative limits.
2. For this purpose the Community shall open the quotas set out in Annex II which shall be applicable during the periods laid down in that Annex.
3. The Commission in accordance with the procedure set out in Article 10, may modify the quotas set out in Annex II.

#### Article 4

1. With effect from 1 January 1991, the importation into the Community of chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform originating in third countries which are not Parties to the Protocol is prohibited.

2. By derogation from paragraph 1 above, the importation into the Community of chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform originating in a third country which is not a Party to the Protocol may be permitted by the Commission if that country is determined by a meeting of the Parties to the Protocol to be in full compliance with Articles 2 and 4 of the Protocol, and has submitted data to that effect as specified in Article 7 of the Protocol. The Commission shall act in accordance with the procedure set out in Article 10.

#### Article 5

1. Subject to paragraph 2, the importation into the Community of products originating in third countries which are not Parties to the Protocol, containing chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform is prohibited with effect from 1 January 1993.

2. The Council, on the proposal of the Commission, shall adopt before that date the list of these products in the light of the list established by the Parties to the Protocol. The Council shall act by a qualified majority.

#### Article 6

In the light of the decision of the Parties to the Protocol, the Council, on the proposal of the Commission, shall adopt rules applicable to the importation into the Community of products originating in third countries which are not Parties to the Protocol, which are produced with chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform but which do not contain these substances. The Council shall act by a qualified majority.

#### Article 7

1. The release into free circulation in the Community of chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform which are subject to the quotas referred to in Article 3 shall be subject to presentation of an import licence issued by the competent authority of the Member State in which these substances are to be released into free circulation in the Community. This licence shall be issued in accordance with the quotas allocated to importers by the Commission following the procedure set out in Article 10.

2. A request for a licence shall contain:

- (a) the name and address of the importer;
- (b) the description of each substance stating:
  - the commercial description,
  - the heading in the combined nomenclature,
  - the country of origin,
  - the country from which the substance is imported;
- (c) a statement of the quantity of each substance to be imported in tonnes;
- (d) the place and date of proposed importation, if known.

## PART II

### Article 8

#### Control of production

1. Each producer shall, subject to the provisions of paragraphs 6 and 7, ensure that:

- the calculated level of its production of chlorofluorocarbons in the period 1 January to 31 December 1991 does not exceed the calculated level of its production in 1986;

- the calculated level of its production of chlorofluorocarbons in the period 1 January to 31 December 1992 and in each 12-month period thereafter, does not exceed 50% of the calculated level of its production in 1986;

- the calculated level of its production of chlorofluorocarbons in the period 1 January to 31 December 1996 and in each 12-month period thereafter, does not exceed 15% of the calculated level of its production in 1986;

- there is no production of chlorofluorocarbons after 31 December 1997.

The Commission, in accordance with the procedure set out in Article 10, shall determine the quantities of chloro-fluorocarbons that could be produced in the Community after this date for the purposes of essential uses or for the provision of developing countries.

2. Each producer shall, subject to the provisions of paragraphs 6 and 7, ensure that:

- the calculated level of its production of other fully halogenated chlorofluorocarbons in the period 1 January to 31 December 1992 and in each 12-month period thereafter, does not exceed 50% of the calculated level of its production in 1986;
- the calculated level of its production of other fully halogenated chlorofluorocarbons in the period 1 January to 31 December 1996 and in each 12-month period thereafter, does not exceed 15% of the calculated level of its production in 1986;
- there is no production of other fully halogenated chlorofluorocarbons after 31 December 1997.

The Commission, in accordance with the procedure set out in Article 10, shall determine the quantities of other fully halogenated chloro-fluorocarbons that could be produced in the Community after this date for the purposes of essential uses or for the provision of developing countries.

3. Each producer shall, subject to the provisions of paragraphs 6 and 7, ensure that:

- the calculated level of its production of halons in the period 1 January to 31 December 1992 and in each 12-month period thereafter does not exceed the calculated level of its production of halons in 1986;
- the calculated level of its production of halons in the period 1 January to 31 December 1996 and in each 12-month period thereafter does not exceed 50% of the calculated level of its production of halons in 1986;
- there is no production of halons after 31 December 1999.

The Commission, in accordance with the procedure set out in Article 10, shall determine the quantities of halons that could be produced in the Community after this date for the purposes of essential uses or for the provision of developing countries.

4. Each producer shall, subject to the provisions of paragraphs 6 and 7, ensure that:

- the level of its production of carbon tetrachloride in the period 1 January to 31 December 1992 and in each 12-month period thereafter will not exceed 50% of the level of its production in 1986;
- there is no production of carbon tetrachloride after 31 December 1997, except for its use as a feedstock for the production of other industrial products.

5. Each producer shall, subject to the provisions of paragraphs 6 and 7, ensure that:

- the level of its production of methyl chloroform in the period 1 January to 31 December 1992 and in each 12-month period thereafter does not exceed the level of its production in 1986;

- the level of its production of methyl chloroform in the period 1 January to 31 December 1998 and in each 12-month period thereafter does not exceed 80% of its level of production in 1986;

- the level of its production of methyl chloroform in the period 1 January to 31 December 2000 and in each 12-month period thereafter does not exceed 60% of its level of production in 1986.

6. A producer may be authorized by the Commission in agreement with the competent authority of the Member State in which it is situated, to exceed the calculated levels of production set out in paragraphs 1 to 5 for the purposes of industrial rationalization between Parties to the Protocol or so as to satisfy the basic domestic needs of States operating under Article 5 of the Protocol, provided that the calculated levels of production of chloro-fluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform respectively of the Member State concerned do not exceed the levels permitted by Article 2 of the Protocol for the periods in question.

In the case of authorization for industrial rationalization, the agreement of the competent authority of the Member State in which it is intended to reduce production shall also be required.

7. A producer may exceed the calculated levels of production set out in paragraphs 1 to 5 for the purposes of industrial rationalization within the Member State in whose territory the producer is established, provided that the obligations of that Member State under the Protocol are not thereby infringed. The competent authority of the Member State and the Commission shall be notified beforehand.

#### Article 9

##### Control on consumption through control of supply in the Community

1. Each producer shall ensure that the quantity of chloro-fluorocarbons which it places on the market or uses for its own account within the Community from quantities produced by it shall not exceed:

- in the period 1 January to 31 December 1991, the calculated level of the quantity which it placed on the market or used for its own account within the Community in 1986;

- in the period 1 January to 31 December 1992, and in each 12-month period thereafter, 50% of the calculated level of the quantity which it placed on the market or used for its own account within the Community in 1986.

- in the period 1 January to 31 December 1996, and in each 12-month period thereafter, 15% of the calculated level of the quantity which it placed on the market or used for its own account within the Community in 1986.

2. Each producer shall ensure that it does not place on the market or use for its own account within the Community from quantities produced by it any quantity of chlorofluorocarbons after 31 December 1997.

The Commission, in accordance with the procedure set out in Article 10, shall determine the quantities of chlorofluorocarbons that could be placed on the market or used for its own account by each producer for the purposes of essential uses and for the provision of developing countries.

3. Each producer shall ensure that the quantity of other fully halogenated chlorofluorocarbons which it places on the market or uses for its own account within the Community from quantities produced by it shall not exceed:

- in the period 1 January to 31 December 1992, and in each 12-month period thereafter, 50% of the calculated level of the quantity which it placed on the market or used for its own account within the Community in 1986,

- in the period 1 January to 31 December 1996, and in each 12-month period thereafter, 15% of the calculated level of the quantity which it placed on the market or used for its own account in 1986,

4. Each producer shall ensure that it does not place on the market or use for its own account within the Community from quantities produced by it any quantity of other fully halogenated chlorofluorocarbons after 31 December 1997.

The Commission, in accordance with the procedure set out in Article 10, shall determine the quantities of other fully halogenated chlorofluorocarbons that could be placed on the market or used for its own account by each producer for the purposes of essential uses and for the provision of developing countries.

5. Each producer shall ensure that the quantity of halons which it places on the market or uses for its own account within the Community from quantities produced by it shall not exceed:

- in the period 1 January to 31 December 1992, and in each 12-month period thereafter, the calculated level of the quantity which it placed on the market or used for its own account within the Community in 1986,

- in the period 1 January to 31 December 1996, and in each 12-month period thereafter, 50% of the calculated level of the quantity which it placed on the market or used for its own account within the Community in 1986.

6. Each producer shall ensure that it does not place on the market or use for its own account within the Community from quantities produced by it any quantity of halons after 31 December 1999.

The Commission, in accordance with the procedure set out in Article 10, shall determine the quantities of halons that could be placed on the market or used for its own account by each producer for the purposes of essential uses and for the provision of developing countries.

7. Each producer shall ensure that the quantity of carbon tetrachloride which it places on the market or uses for its own account within the Community from quantities produced by it shall not exceed in the period 1 January to 31 December 1992, and in each 12-month period thereafter, 50% of the quantity which it placed on the market or used for its own account within the Community in 1986.

8. Each producer shall ensure that it does not place on the market or use for its own account within the Community from quantities produced by it any quantity of carbon tetrachloride after 31 December 1997 except for its use as a feedstock for the production of other industrial products.

9. Each producer shall ensure that the quantity of methyl chloroform which it places on the market or uses for its own account within the Community from quantities produced by it shall not exceed:

- in the period 1 January to 31 December 1992, and in each 12-month period thereafter, the calculated level of the quantity which it placed on the market or used for its own account within the Community in 1986;

- in the period 1 January to 31 December 1998, and in each 12-month period thereafter, 80% of the calculated level of the quantity which it placed in the market or used for its own account within the Community in 1986;

- in the period 1 January to 31 December 2000, and in each 12-month period thereafter, 60% of the calculated level of the quantity which it placed in the market or used for its own account within the Community in 1986.

10. Any imports permitted in accordance with Articles 3 to 7 shall be in addition to the quantities which producers may place on the market or use for their own account under this Article.

11. Beginning with the control period 1 January to 31 December 1993, the quantities resulting from the application of paragraphs 1 to 7 will be reduced in a given 12-month control period thereafter by the quantities of fully halogenated chlorofluorocarbons, halons, carbon tetrachloride or methyl chloroform as appropriate that were exported to countries which are not Parties to the Protocol during that 12-month control period.

12. The quantities resulting from the application of paragraphs 1 to 7 may be increased by the Commission if imports of these substances into the Community in any 12-month period to which paragraphs 1 to 7 apply shall be less than the respective quantitative limits fixed in Annex II.

The Commission shall act in accordance with the procedure set out in Article 10.

13. Any producer having the right to place on the market or use for its own account the substances referred to in this Article may transfer its right in respect of all or any of the quantity fixed in accordance with this Article to any other producer within the Community. The producer acquiring the right shall immediately notify the Commission. A transfer of such right does not imply additional right to produce.

### PART III

#### Management, data reporting and final provisions

##### Article 10

The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission to the Council forthwith. In that event, the Commission may defer application of the measures which it has decided for a period of not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the third paragraph.

##### Article 11

#### Data reporting

1. Each producer, importer and exporter of chloro-fluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform shall communicate to the Commission, with a copy to the competent authority of the Member State concerned, not later than 28 February of every year the figures of its:

- production,
- quantities placed on the market or used for the producer's own account within the Community,
- imports into the Community,
- exports from the Community, separately to countries which are Parties to the Montreal Protocol and to those which are not,
- stocks,
- quantities destroyed, in accordance with technologies approved by the Parties to the Protocol,

of each of the chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform listed in Annex I in respect of the period 1 January to 31 December 1991 and for each 12-month period thereafter.

2. Each company which produced, imported or exported carbon tetrachloride, methyl chloroform or any fully halogenated chlorofluorocarbon other than CFC-11, CFC-12, CFC-113, CFC-114 and CFC-115 in 1986 shall communicate to the Commission the data referred to in paragraph 1 in respect of that year not later than 30 November 1990.

3. The communications referred to in the last indent of paragraph 1 shall be made to the Commission for the first time on 28 February of the subsequent year following the date on which approval is granted.

4. The Commission will take the appropriate measures to protect the confidentiality of the submitted data.

## Article 12

### Inspection

1. In carrying out the tasks assigned to it by this Regulation, the Commission may obtain all necessary information from the governments and competent authorities of the Member States and from undertakings.

2. When sending a request for information to an undertaking the Commission shall at the same time forward a copy of the request to the competent authority of the Member State in whose territory the seat of the undertaking is situated, together with a statement of why this information is required.

3. The competent authorities of the Member States will undertake the investigations which the Commission considers to be necessary under this Regulation.

4. If agreed by the Commission and the competent authority of the Member State in whose territory the investigation is to be made, the officials of the Commission shall assist the officials of such authority in carrying out their duties.

5. The Commission will take the appropriate measures to protect the confidentiality of information obtained pursuant to this Article.

**Article 13**

Member States shall take appropriate legal or administrative action in case of infringement of the provisions of this Regulation.

**Article 14**

Regulation (EEC) No 3322/88 is hereby repealed.

**Article 15**

This Regulation shall enter into force on 1 January 1991.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ....., .. .

**For the Council**

**The President**

ANNEX I

Substances covered by the Regulation

The Regulation applies to the the substances listed in this Annex, whether alone or in a mixture; it does not apply to any such substance which is in a manufactured product other than a container used for the transport or storage of the substance listed.

Group	Substance	Ozone-depleting potential (1)
Group I	CFC13 (CFC- 11)	1,0
	CF2C13 (CFC- 12)	1,0
	C2F3C13 (CFC-113)	0,8
	C2F4C12 (CFC-114)	1,0
	C2F5C1 (CFC-115)	0,6
Group II	CF2BrCl (halon-1211)	3,0
	CF3Br (halon-1301)	10,0
	C2F4Br2 (halon-2402)	6,0
Group III	CCl4 (carbon tetrachloride)	1,1 (2)
Group IV	CCl3CH3 (methyl chloroform)	0,1 (2)

(1) These ozone-depleting potentials are estimates based on existing knowledge and will be reviewed and revised periodically.

(2) Provisional figure pending decision of the Parties to the Protocol.

ANNEX II

Quantitative limits on imports from third countries parties to the Protocol

Descrip- tion (2)	Units	For 12-month periods from 1 January 1992 to 31 December 1995	For 12-month periods from 1 January 1996 to 31 December 1997	From 1 Ja- nuary 1998
Group I of Annex I (Fully halogenated chlorofluorocarbons)	Weigh- ted tonnes (1)	1 161 (b)	348 (c)	0
Group II of Annex I (Halons)	Weigh- ted tonnes (1)	For 12-month periods from 1 January 1992 to 31 December 1995  700 (a)	For 12-month periods from 1 January 1996 to 31 December 1999  350 (b)	From 1 Janu- ary 2000  0
Group III of Annex I (carbon tetra- chloride)	Weigh- ted tonnes (1)	For 12-month periods from 1 January 1992 to 31 December 1997  x (b)	From 1 Janu- ary 1998  0	
Group IV of Annex I (methyl chloro- form)	Weigh- ted tonnes (1)	For 12-month periods from 1 January 1992 to 31 December 1997  y(a)	For 12-month periods from 1 January 1998 to 31 December 1999  z1(d)	For 12-month periods from 1 January 2000  z2(e)

- (a) Equals imports in 1986.
- (b) Equals imports in 1986 minus 50%.
- (c) Equals imports in 1986 minus 85%.
- (d) Equals imports in 1986 minus 20%.
- (e) Equals imports in 1986 minus 40%.
- (1) Weighted according to the ozone-depleting potentials specified in Annex I. This is equivalent to the calculated levels mentioned in the Regulation.
- (2) The codes and the descriptions of the combined nomenclature are indicated in Annex III.

**ANNEX III**

**Codes and descriptions of the combined nomenclature  
for the substances referred to in Annexes I and II**

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<b>CN code</b>	<b>Description</b>
2903 40 10	- - - Trichlorofluoromethane
2903 40 20	- - - Dichlorofluoromethane
2903 40 30	- - - Trichlorotrifluoroethane
2903 40 40	- - - Dichlorotetrafluoroethane
2903 40 50	- - - Chloropentafluoroethane
2903 40 70	- - - Bromotrifluoromethane
2903 40 80	- - - Dibromotetrafluoroethane
2903 40 91	- - - Bromochlorodifluoromethane
ex 3823 90 96	Mixtures containing products falling within codes 2903 40 10, 2903 40 20, 2903 40 30, 2903 40 40 or 2903 40 50
ex 3823 90 97	Mixtures containing products falling within codes 2903 40 70, 2903 40 80, 2903 40 91 or 3823 90 96

**\* codes and descriptions of the combined nomenclature for the  
new controlled substances to be added**

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COMPETITIVENESS AND EMPLOYMENT IMPACT STATEMENT

- I. The adequate protection of the ozone layer.
- II. (a) The producers of these substances are big chemical companies. In some areas of use of these substances there are several SMEs. However, the major part of users, too, are big companies.  
  
(b) Companies are everywhere in the Community.
- III. Producers have to comply with the reduction schedules in production of controlled substances.
- IV. None.
- V. No.
- VI. It is expected that the measures proposed will not have any significant effect on competitiveness or employment.
- VII. The Commission holds regular meetings with industry and there is a consensus on the broad lines of action that should be taken to safeguard the ozone layer.

# DOCUMENTS

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