

Commission Decision of 5 September 2005 on the allocation of import quotas for controlled substances for the period 1 January to 31 December 2005 under Regulation (EC) No 2037/2000 of the European Parliament and of the Council (notified under document number C(2005) 2036) (Only the Dutch, English, French, German, Greek, Italian, Polish, Slovenian and Spanish texts are authentic) (2005/0000/EC)

COMMISSION DECISION

of 5 September 2005

on the allocation of import quotas for controlled substances for the period 1 January to 31 December 2005 under Regulation (EC) No 2037/2000 of the European Parliament and of the Council

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(Only the Dutch, English, French, German, Greek, Italian, Polish, Slovenian and Spanish texts are authentic)

(2005/0000/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer<sup>(1)</sup>, and in particular to Article 7 thereof,

Whereas:

- (1) The quantitative limits for the placing on the market in the Community of controlled substances are set out in Article 4 of Regulation (EC) No 2037/2000 and Annex III thereto.
- (2) Article 4(2)(i)(d) of Regulation (EC) No 2037/2000 prohibits each producer and importer placing any methyl bromide on the market or using any for their own account after 31 December 2004. Article 4(4)(i)(b) allows a derogation from this prohibition if methyl bromide is used to meet the licensed requests for critical uses of those users identified as described in Article 3(2)(ii). The quantity of methyl bromide licensed for critical uses for the period 1 January to 31 December 2005 is published in a separate Commission decision.
- (3) Article 4(2)(iii) allows a derogation from Article 4(2)(i)(d) if methyl bromide is imported or produced for quarantine and pre-shipment (QPS) applications. The amount of methyl bromide that can be imported or produced for these purposes in 2005 must not exceed the average of the calculated level of methyl bromide which a producer or importer placed on the market or used for its own account for QPS in the years 1996, 1997 and 1998.

- (4) Article 4(3)(i)(e) of Regulation (EC) No 2037/2000 sets out the total calculated level of hydrochlorofluorocarbons which producers and importers may place on the market or use for their own account in the period 1 January to 31 December 2005.
- (5) The Commission has published a notice to importers in the Community of controlled substances that deplete the ozone layer<sup>(2)</sup> and has thereby received declarations on intended imports in 2005.
- (6) For hydrochlorofluorocarbons the allocation of quotas to producers and importers is in accordance with the provisions of Commission Decision 2002/654/EC of 12 August 2002 determining a mechanism for the allocation of quotas to producers and importers for hydrochlorofluorocarbons for the years 2003 to 2009 under Regulation (EC) No 2037/2000 of the European Parliament and of the Council<sup>(3)</sup>.
- (7) Decision 2004/176/EC on the allocation of quantities of controlled substances in 2004 expired on 31 December 2004. In view of the experience gained in this decision and its associated licensing and for the purpose of ensuring that interested companies and operators may continue to benefit in due time from the licensing system, it is appropriate that the present decision shall apply from 1 January 2005.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 18(2) of Regulation (EC) No 2037/2000,

HAS ADOPTED THIS DECISION:

*Article 1*

1 The quantity of controlled substances of group I (chlorofluorocarbons 11, 12, 113, 114 and 115) and group II (other fully halogenated chlorofluorocarbons) subject to Regulation (EC) No 2037/2000 which may be released for free circulation in the Community in 2005 from sources outside the Community shall be 5 644 000,0 ozone depleting potential (ODP) kilograms.

2 The quantity of controlled substances of group III (halons) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2005 from sources outside the Community shall be 31 584 500,0 ODP kilograms.

3 The quantity of controlled substances of group IV (carbon tetrachloride) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2005 from sources outside the Community shall be 17 601 428,9 ODP kilograms.

4 The quantity of controlled substances of group V (1,1,1-trichloroethane) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2005 from sources outside the Community shall be 500 060,0 ODP kilograms.

5 The quantity of controlled substances of group VI (methyl bromide) subject to Regulation (EC) No 2037/2000 which may be released for free circulation in the Community in 2005 from sources outside the Community for quarantine and pre-shipment uses shall be 502 736,06 ODP kilograms.

6 The quantity of controlled substances of group VI (methyl bromide) subject to Regulation (EC) No 2037/2000 for all uses except quarantine and pre-shipment and critical uses<sup>(4)</sup> which may be released for free circulation in the Community in 2005 from sources outside the Community shall be 1 587 656,06 ODP kilograms.

7 The quantity of controlled substances of group VIII (hydrochlorofluorocarbons) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2005 from sources outside the Community shall be 3 157 554,752 ODP kilograms.

8 The quantity of controlled substances of group IX (bromochloromethane) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2005 from sources outside the Community shall be 120 612,0 ODP kilograms.

#### *Article 2*

1 The allocation of import quotas for chlorofluorocarbons 11, 12, 113, 114 and 115 and other fully halogenated chlorofluorocarbons during the period 1 January to 31 December 2005 shall be for the purposes indicated and to the companies indicated in Annex I hereto.

2 The allocation of import quotas for halons during the period 1 January to 31 December 2005 shall be for the purposes indicated and to the companies indicated in Annex II hereto.

3 The allocation of import quotas for carbon tetrachloride during the period 1 January to 31 December 2005 shall be for the purposes indicated and to the companies indicated in Annex III hereto.

4 The allocation of import quotas for 1,1,1-trichloroethane during the period 1 January to 31 December 2005 shall be for the purposes indicated and to the companies indicated in Annex IV hereto.

5 The allocation of import quotas for methyl bromide during the period 1 January to 31 December 2005 shall be for the purposes indicated and to the companies indicated in Annex V hereto.

6 The allocation of import quotas for hydrochlorofluorocarbons during the period 1 January to 31 December 2005 shall be for the purposes indicated and to the companies indicated in Annex VI hereto.

7 The allocation of import quotas for bromochloromethane during the period 1 January to 31 December 2005 shall be for the purposes indicated and to the companies indicated in Annex VII hereto.

8 The import quotas for chlorofluorocarbons 11, 12, 113, 114 and 115, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane, methyl bromide, hydrobromofluorocarbons, hydrochlorofluorocarbons and bromochloromethane during the period 1 January to 31 December 2005 shall be as set out in Annex VIII hereto.

#### *Article 3*

This Decision is addressed to the following undertakings:

Agropest S.A.

ul. Górnicza 12/14

PL-91-765 Łódź

Albemarle Chemicals

Étang de la Gaffette

Boulevard Maritime — BP 28

F-13521 Port-de-Bouc  
Alcobre, SA  
Luis I, Nave 6-B  
Polígono Industrial Vallecas  
E-28031 Madrid  
Alfa Agricultural Supplies SA  
73, Ethnikis Antistaseos str,  
GR-152 31 Halandri, Athens  
Fujifilm Electronic Materials Europe  
Keetberglaan 1A  
Haven 1061  
B-2070 Zwijndrecht  
Asahi Glass Europe BV  
World Trade Center  
Strawinskylaan 1525  
1077 XX Amsterdam  
Nederland  
Arkema SA  
Cours Michelet — La Défense 10  
F-92091 Paris-La Défense  
Avantec SA  
Boulevard Henri-Cahn — BP 27  
F-94363 Bry-sur-Marne Cedex  
BaySystems Iberia  
Pau Clarís, 196  
E-08037 Barcelona  
Boc Gazy  
ul. Pory 59  
PL-02-757 Warszawa  
Calorie SA  
503, rue Hélène-Boucher  
ZI Buc — BP 33

F-78534 Buc Cedex  
Caraïbes Froid SARL  
BP 6033  
Ste-Thérèse, route du Lamentin  
F-97219 Fort-de-France (Martinique)  
Cleanaway Ltd  
Airborne Close  
Leigh-on-Sea  
Essex SS9 4EL  
United Kingdom  
Desautel SAS (FR)  
Parc d'entreprises — BP 9  
F-01121 Montluel Cedex  
Dow Deutschland  
Bützflethersand  
D-21683 Stade  
DuPont de Nemours (Nederland) BV  
Baanhoekweg 22  
3313 LA Dordrecht  
Nederland  
Dyneon GmbH  
D-84504 Burgkirchen  
Empor d.o.o.  
Leskoškova 9a  
SI-1000 Ljubljana  
Etis d.o.o.  
Tržaška 333  
SI-1000 Ljubljana  
Eurobrom BV  
Postbus 158  
2280 AD Rijswijk  
Nederland

Fenner-Dunlop BV  
Oliemolenstraat 2  
9203 Drachten  
Nederland  
GAL Cycle-Air Ltd  
3, Sinopis Street  
Strovolos  
PO Box 28385  
Nicosia  
Cyprus  
Galco SA  
Avenue Carton de Wiart 79  
B-1090 Brussels  
Galex SA  
BP 128  
F-13321 Marseille Cedex 16  
Great Lakes Chemical (Europe) Ltd  
Halebank  
Widnes  
Cheshire WA8 8NS  
United Kingdom  
Tazzetti Fluids S.r.l.  
Corso Europa n. 600/a  
I-10088 Volpiano (TO)  
Harp International Ltd  
Gellihirion Industrial Estate  
Rhondda Cynon Taff  
Pontypridd  
CF37 5SX  
United Kingdom  
Honeywell Fluorine Products Europe BV  
Kempweg 90

Postbus 264

6000 AG Weert

Nederland

Ineos Fluor Ltd

PO Box 13

The Heath

Runcorn

Cheshire

WA7 4QF

United Kingdom

Laboratorios Miret, SA (LAMIRSA)

Géminis, 4. Pol. Ind. Can Parellada

E-08228 Les Fonts de Terrassa

(Barcelona)

Linde Gaz Polska

ul. J. Lea 112

PL-30-133 Kraków

Matero

PO BOX 51744

3508 Limassol

Cyprus

Mebrom NV

Assenedestraat 4

B-9940 Rieme Ertvelde

Phosphoric Fertilizers Industry S.A.

Thessaloniki Plant, PO Box 10183

GR-54110 Thessaloniki

Poż-Pliszka

ul. Szczecińska 45

PL-80-392 Gdańsk

Prodex-Systems

ul. Artemidy 24

PL-01-497 Warszawa

P.U.P.H. SOLFUM Sp. z o.o.

ul. Wojska Polskiego 83

PL-91-755 Łódź

Refrigerant Products Ltd

N9 Central Park Estate

Westinghouse Road

Trafford Park

Manchester M17 1PG

United Kingdom

Rhodia Organique Fine Ltd

PO Box 46

St Andrews Road

Avonmouth

Bristol

BS11 9YF

United Kingdom

Siemens SAS

9, boulevard Finot

F-77440 St-ThibaultdesVignes

Sigma Aldrich Chemie GmbH

Kappelweg 1

D-91625 Schnelldorf

Sigma Aldrich Chimie SARL

80, rue de Luzais

L'Isle d'Abeau Chesnes

F-38297 St-Quentin Fallavier

Sigma Aldrich Company Ltd

The Old Brickyard

New Road

Gillingham

SP8 4XT



United Kingdom

SJB Chemical Products BV

Wellerondom 11

3230 AG Brielle

Nederland

Solquimia Iberia, SL

Duque de Alba, 3, 1<sup>o</sup>

E-28012 Madrid

Solvay Fluor GmbH

Hans-Böckler-Allee 20

D-30173 Hannover

Solvay Solexis SpA

Viale Lombardia 20

I-20021 Bollate MI

Syngenta Crop Protection

Surrey Research Park

Guildford

Surrey

GU2 7YH

United Kingdom

Synthesia Espanola, SA

Conde Borrell, 62

E-08015 Barcelona

UAB Genys

Lazdiju, 20

SI-G10 Vilnius

Lithuania

Unitor ASA

Willembarendzstraat, 50

3165 AB Rotterdam/Albrandswaard

Nederland

Wigmors

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ul. Irysowa 5

PL-51-117 Wrocław

*Article 4*

This Decision shall apply from 1 January 2005 and shall expire on 31 December 2005.

Done at Brussels, 5 September 2005.

*For the Commission*

Stavros DIMAS

*Member of the Commission*

## ANNEX I

### GROUPS I AND II

Import quotas for chlorofluorocarbons 11, 12, 113, 114 and 115 and other fully halogenated chlorofluorocarbons allocated to importers in accordance with Regulation (EC) No 2037/2000 for feedstock uses and for destruction during the period 1 January to 31 December 2005.

Company

- Cleanaway Ltd (UK)
- Honeywell Fluorine Products (NL)
- Solvay Fluor GmbH (DE)
- Syngenta Crop Protection (UK)
- Unitor ASA (NL)

## ANNEX II

### GROUP III

Import quotas for halons allocated to importers in accordance with Regulation (EC) No 2037/2000 for destruction during the period 1 January to 31 December 2005.

Company

- Cleanaway Ltd (UK)
- Desautel SAS (FR)
- Poz Pliszka (PL)
- Siemens SAS (FR)
- Unitor ASA (NL)

## ANNEX III

### GROUP IV

Import quotas for carbon tetrachloride allocated to importers in accordance with Regulation (EC) No 2037/2000 for feedstock uses and for destruction for the period 1 January to 31 December 2005.

Company

- Cleanaway Ltd (UK)
- Dow Deutschland (DE)
- Fenner-Dunlop BV (NL)
- Honeywell Fluorine Products (NL)
- Ineos Fluor Ltd (UK)
- Phosphoric Fertilisers Industry (GR)

## ANNEX IV

## GROUP V

Import quotas for 1,1,1-trichloroethane allocated to importers in accordance with Regulation (EC) No 2037/2000 for feedstock uses and for destruction for the period 1 January to 31 December 2005.

## Company

Fujifilm Electronic Materials Europe (BE)  
Arkema SA (FR)  
Cleanaway Ltd (UK)

## ANNEX V

## GROUP VI

Import quotas for methyl bromide allocated to importers in accordance with Regulation (EC) No 2037/2000 for non-quarantine and pre-shipment uses, for quarantine and pre-shipment applications, for feedstock uses and for destruction for the period 1 January to 31 December 2005.

## Company

Agropest (PL)  
Albemarle Chemicals (FR)  
Alfa Agricultural Supplies (EL)  
Arkema SA (FR)  
Cleanaway Ltd (UK)  
Eurobrom BV (NL)  
Great Lakes Chemicals (UK)  
Mebrom NV (BE)  
PUPH Solfum (PL)  
Sigma Aldrich Chemie (DE)

## ANNEX VI

## GROUP VIII

Import quotas for hydrochlorofluorocarbons allocated to producers and importers in accordance with Regulation (EC) No 2037/2000 and in accordance with the provisions of Commission Decision 2002/654/EC for feedstock uses, process agents, for reclamation, for destruction and other applications allowed under Article 5 of Regulation (EC) No 2037/2000 for the period 1 January to 31 December 2005.

## Producer

Arkema SA (FR)  
DuPont de Nemours (NL)  
Honeywell Fluorine Products (NL)  
Ineos Fluor Ltd (UK)  
Rhodia Organique (UK)

Solvay Fluor GmbH (DE)  
Solvay Solexis SpA (IT)  
Importer  
Alcobre (ES)  
Asahi Glass (NL)  
Avantec SA (FR)  
Boc Gazy (PL)  
BaySystems Iberia (ES)  
Calorie SA (FR)  
Caraïbes Froid SARL (FR)  
Etis d.o.o. (SI)  
Empor d.o.o. (SI)  
Galco SA (BE)  
Galex SA (FR)  
Tazzetti Fluids S.r.l. (IT)  
Harp International (UK)  
Linde Gaz Polska (PL)  
Matero (CY)  
Mebrom (BE)  
Prodex-Systems (PL)  
Refrigerant Products (UK)  
Sigma Aldrich Chimie (FR)  
Sigma Aldrich Company (UK)  
SJB Chemical Products (NL)  
Solquimia Iberia, SL (ES)  
Synthesia Espanola (ES)  
UAB Genys (LT)  
Wigmors (PL)

#### ANNEX VII

#### GROUP IX

Import quotas for bromochloromethane allocated to importers in accordance with Regulation (EC) No 2037/2000 for feedstock uses during the period 1 January to 31 December 2005.

Company

Eurobrom BV (NL)  
Great Lakes (UK)  
Laboratorios Miret, SA (LAMIRSA) (ES)  
Sigma Aldrich Chemie (DE)

#### ANNEX VIII

(This Annex is not published because it contains confidential commercial information).

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- (1) [OJ L 244, 29.9.2000, p. 1](#). Regulation as last amended by Commission Regulation (EC) No 2077/2004 ([OJ L 359, 4.12.2004, p. 28](#)).
- (2) [OJ C 187, 22.7.2004, p. 11](#).
- (3) [OJ L 220, 15.8.2002, p. 59](#).
- (4) A separate Commission Decision will be published for critical uses of methyl bromide.